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CITATION

Cite all material in the Washington State Register by its issue number and sequence within that issue, preceded by the acronym WSR. Example: The 37th item in the August 5, 1981, Register would be cited as WSR 81-15-037.

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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
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80-18	Dec 17	Jan 6, 1981	Dec 3	Nov 19	Nov 5

81-01	Jan 7, 1981	Jan 27	Dec 24, 1980	Dec 10	Nov 26
81-02	Jan 21	Feb 10	Jan 7	Dec 24, 1980	Dec 10
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 80-07-015

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

AMENDATORY SECTION (Amending Order 77-2, filed 8/3/77)

WAC 504-16-120 GENERAL REGULATIONS. These campus parking and traffic regulations include the motor vehicle laws of the state of Washington and the traffic ordinances of the city of Pullman, as well as the special provisions herein provided.

(1) Restricted areas include loading zones, motorcycle zones, spaces assigned to state vehicles, specific residence hall lots, head resident spaces, university housing areas, and Rogers-Orton lot (lot #1). Restrictions in these areas are in effect at all times.

(2) The campus traffic regulations are in force on the campus as defined above, and they are also in force on certain streets of the city of Pullman by permission of the city council.

(3) Pedestrians have the right of way at all intersections and designated pedestrian crossings, except in cases involving emergency vehicles.

(4) The maximum speed limit on the campus is 20 m.p.h. unless otherwise posted.

(5) Driving on campus roads and streets is permitted at any time, except as otherwise posted, but always within the speed limits and in conformity with the regulatory signs. Standing (stopping of a vehicle, but with the driver still in the vehicle) is permitted in regular parking areas even though the vehicle is without a valid parking permit, but double parking while standing is not permitted.

(6) Washington State University assumes no responsibility for damage or theft of cars driven or parked on campus.

(7) ~~((The university reserves the right to impound any illegally parked vehicle at either the owner's or driver's expense. The university assumes no responsibility in the event of damage resulting from the impounding or storage of any illegally parked vehicle. [Order 77-2, § 504-16-120, filed 8/3/77; Order 2, § 504-16-120, filed 7/28/71; Order 1, § 504-16-120, filed 8/13/70.]))~~ An illegally parked vehicle may be towed away or have a wheel lock placed on a wheel. Vehicles that are towed away will be at the expense of the driver or owner. The university assumes no responsibility in the event of damage resulting from towing, storage or attempts to move a vehicle with a wheel lock installed. A vehicle which has been impounded by two-away or wheel lock will not be released until arrangements have been made to clear outstanding violations that have been issued to that vehicle.

AMENDATORY SECTION (Amending Order 77-2, filed 8/3/77)

WAC 504-16-160 PARKING AREAS. PARKING ON THE CAMPUS IS PERMITTED ONLY IN THE MARKED SPACES IN LOTS AND MARKED SPACES ON STREETS. ALL AREAS OUTSIDE OF THE DESIGNATED AREAS ARE "NO PARKING ZONES." Each parking area has signs to indicate the type of permit or permits required. No vehicle shall be parked so as to occupy any portion of more than one parking place or stall. The fact that other vehicles may have been parked so as to require subsequent vehicles to occupy a portion of more than one space shall not constitute an excuse for a violation of the section. Parking on campus through the year during the hours of 7:30 a.m. to 5:00 p.m. Monday through Friday is limited to motor vehicles which have the official permits properly attached. At other hours, unless otherwise posted, parking permits are not required for parking in the staff or student lot parking areas, or in disability and service spaces outside of the closed area of the campus. Parking permits are required 24 hours a day seven days a week in residence hall areas and university housing areas, and Rogers-Orton lot (lot #1).

(1) Parking areas for staff - Private vehicles of staff members having staff or structure parking permits may be parked in any staff parking area, in any student lot (commuter) parking area, and in lots designated E-lots. They may not be parked in service areas, restricted areas, disability spaces, or specific residence hall lots, unless they also display an appropriate indicator during restricted hours.

(2) Parking areas for students.

(a) Vehicles displaying a student lot permit may be parked in areas signed staff and student lot permits, and in lots which are designated E-lots. The student lot permit is not valid in university housing areas, staff-visitor areas, specific residence hall lots, or in other specific areas such as disability spaces, head resident spaces, or loading zones.

(b) Vehicles displaying a student resident permit without a specific residence hall lot indicator sticker may park in E-lots only.

(c) Vehicles displaying a student resident permit and a specific residence hall lot indicator sticker may park in the appropriate specific residence hall lot and in E-lots. The director of residence living is responsible for issuing specific residence hall lot indicator stickers to the head residents who in turn issue them to students in accordance with a system determined by each hall. The number of specific residence hall indicator stickers issued to a hall is based upon the number of student resident permits purchased by the residents of the hall as of the first day of classes of the fall semester.

(3) Parking areas for visitors – Visitors are welcome at all times. They should pick up a temporary parking permit at the police department which will authorize parking in the areas marked visitors, in the staff parking areas, or in the student lot (commuter) parking areas. They may not park in the restricted areas, service areas, or in specific residence hall lots except by special permit available at the police department.

(4) Parking areas for occupants of university housing.

(a) Occupants of university housing, other than residence halls, may park their vehicles day or night at their housing areas without the payment of the parking permit fee. Housing-area vehicles must display a permit issued by the housing office. Occupants will park their vehicles only in the area designated which will be the street in front of their housing or a designated parking area nearby.

(b) Occupants of university housing who wish to park elsewhere on the campus during restricted hours must purchase the appropriate parking permit.

(5) Motorcycle areas are designated throughout the campus. They are designated by signs and/or the letter "M" painted on the parking surface.

(6) Contractors – Employees of construction projects must park in areas specified for each project.

(7) Metered spaces.

(a) Parking meters in lots 50 and 55 adjacent to the students book corporation store are effective from 8:00 a.m. to 5:00 p.m. daily except university holidays and Sundays. (See WAC 504-16-115(8).)

(b) Parking meters elsewhere on campus are effective from 8:00 a.m. to 5:00 p.m. daily except Saturdays, Sundays and university holidays.

(c) Parking meters in Lot 73 adjacent to the Safety Building are effective 24 hours a day, seven days a week.

AMENDATORY SECTION (Amending Order 77-2, filed 8/3/77)

WAC 504-16-170 ADMINISTRATION AND ENFORCEMENT. (1) The traffic control subcommittee of the university planning committee is responsible for the following:

(a) Making recommendations on regulations governing campus traffic and parking control.

(b) Making recommendations for physical improvements in parking facilities.

(c) Reviewing the administration and enforcement of the regulations.

(d) Authorizing special permits and assessing fees therefor.

(2) The parking appeals committee

(a) Establishes and maintains an appeals procedure for parking violations on campus.

(b) Hears appeals as requested and renders decisions.

(3) The Washington State University police department is responsible for the administration and enforcement of the campus traffic and parking regulations. This responsibility also involves recommending the installation of appropriate traffic signs, maintaining a registration record system, the issuance of permits, the patrol of the university campus, and the keeping of a record of violations, warnings, court summons and arrests.

(4) Anyone observed in violation of traffic regulations or any vehicle found parked in violation of regulations may be given a notice of violation. Moving violations will be referred to the local justice court.

(5) ((The university reserves the right to impound any illegally parked vehicle at either the owner's or driver's expense. The university assumes no responsibility in the event of damage resulting from impounding or storage of any illegally parked vehicle.)) An illegally parked vehicle may be towed away or have a wheel lock placed on a wheel. Vehicles that are towed away will be at the expense of the driver or owner. The university assumes no responsibility in the event damage resulting from towing, storage or attempts to move a vehicle with wheel lock installed. A vehicle which has been impounded by tow-away or wheel lock will not be released until arrangements have been made to clear outstanding violations that have been issued to that vehicle.

(6) Parking violations will be processed by the university. Parking fines are to be paid at the police department in the safety building. Parking violations may be appealed in writing within 10 days of the violation. The fine will be: Class 1) \$2.00 for parking meters, time zones and no transferable pool card; Class 2) \$10.00 for fire hydrants, no permit head resident's areas and disability spaces; and Class 3) \$5.00 for all other parking violations. Fines for classes 1, 2 and 3 will be reduced by one-half if paid within 24 hours of the violation. Displaying a counterfeit permit or indicator, or obtaining one under false pretenses, will be subject to a fine of \$25.00.

(7) Failure of a student or a staff member to pay the fine assessed for any violation will result in the total amount of the fine being referred to the controller's office for collection. The controller may, if other collection efforts fail, deduct outstanding fines from the salary warrants of employees to secure payment, or withhold outstanding fines from damage deposits or other funds held for any students. Where collection efforts are unsuccessful, the controller may notify the registrar to refrain from issuing copies of students' transcripts or to withhold permission to re-enroll for an ensuing term until outstanding fines are paid.

(8) An accumulation of six class-2 or -3 violations during a year will subject the violator to revocation of parking privileges. Vehicles without permits which accumulate the above number of violations will be prohibited from parking on university property.

(9) Appeal procedure - This procedure serves two primary purposes: To assure an impartial evaluation of circumstances and situations relating to a parking violation; and to aid in the appraisal of parking and traffic problems. The appeal procedure may involve two steps:

(a) The initial appeal must be in writing. Forms for this purpose are obtained at the police department. After review by the parking appeals committee, the appellant and, if appropriate, the WSU controller's office are notified of the decision of the committee.

(b) If the initial appeal is rejected, the appellant may request a hearing before the parking appeals committee to present his/her case in person. The appellant is notified by mail of the decision of the committee.

(10) The parking regulations are enforced every day, 24 hours a day throughout the year. During specified periods as described in the following subparagraphs special conditions exist and the regulations are modified accordingly.

(a) During vacation periods and between terms temporary permits are issued without fee for the period when school is not in session.

(b) At the beginning of a semester or summer session parking permits are not required in student lots, specific residence hall lots, E-lots and university housing areas from the Monday of registration week until the beginning of the sixth day of classes.

(c) During finals week permits are not required in student lots, specific residence hall lots, E-lots and university housing areas.

(d) During vacation periods and summer sessions any valid parking permit except those issued by university housing and food service authorizes parking in any lot designated for students.

(e) At the beginning of the fall semester, the prior year staff and visitor permits will be valid until the beginning of the 6th day of classes.

(11) Parking violation notices issued to visitors are considered to be warning notices only for violation No. 4 "No Parking Permit" and violation No. 5 "No Parking Permit for Area."

AMENDATORY SECTION (Amending Order 77-2, filed 8/3/77)

WAC 504-20-020 CONDUCT REGULATIONS FOR FACULTY, STAFF, OTHER EMPLOYEES, AND STUDENTS. In applying disciplinary procedures, it is essential that the interest of the faculty, staff, other employees, or students involved and the general welfare of the university be considered. However, the university will regard its principal responsibility for disciplinary action as residing within the university community, its housing, property, and academic pursuits.

Conduct for which faculty, staff, other employees, and students are subject to university discipline falls into the following categories:

(1) Violation of the policy on Freedom of Expression.

(2) ~~((Academic dishonesty. The instructor in a course is responsible for dealing with each case of cheating which occurs in his classes except when the case is deemed to be a flagrant violation of university policies. Cheating cases handled by the instructor ordinarily will~~

~~result in a grade of "F" for the course, with the situation being reported to the Dean of Students. Repeated violations by one student will subject the student to dismissal from the university.~~

~~Flagrant violations of policies include stealing of an examination, altering of grade records, using information unfairly obtained, encouraging others to act unfairly, entering any office or building to obtain unfair advantage, obtaining an examination through collusion with university employees, and cheating cases involving students not enrolled in the particular course. All such violations will be reported to the Dean of Students, and violators will be subject to dismissal from the university.~~

~~((3))~~ Forgery, alterations, or misuse of university documents or identification.

~~((4))~~(3) Using unauthorized sound amplification equipment on university property or using such equipment, after authorization, in a loud and raucous manner.

~~((5))~~(4) Falsifying information submitted or failure to reveal relevant information on any university application form, or offering any false information in any university disciplinary proceeding.

~~((6))~~(5) Theft or damage to university property or property belonging to any member of the university community or campus visitor.

~~((7))~~(6) Using, possessing, or purveying illegal, narcotic or dangerous drugs. University policy is consistent with state and federal laws which regulate the possession, use, sale, and distribution of drugs.

~~((8))~~(7) Disorderly, indecent, or obscene conduct on university-owned or controlled property or at university-supported or supervised functions.

~~((9))~~(8) Violation of the following: No faculty, staff, or other employee or student shall have on his person, in his vehicle or otherwise in his possession any gun, pistol, or firearm, or explosives, dangerous chemicals or other dangerous weapons or instruments on the university campus or other university property except as follows:

(a) Authorized law enforcement officers shall be permitted to carry arms while on duty and engaged in their regular duties.

(b) Activities requiring use of the prohibited items may be conducted upon approval of the activity by the Board of Regents.

(c) Persons with firearms in their possession shall be permitted to travel enroute to or from the university-provided firearm storage facilities.

~~((10))~~(9) Unlawful acts which directly affect university programs, community members, or property insofar as they materially and substantially interfere with the missions, functions, processes, and goals of the university community.

~~((11))~~(10) Physical abuse of any person on university-owned or controlled property, or on the property of fraternities, sororities, or co-op houses or at university-sponsored or supervised functions, or conduct which threatens or endangers the health or safety or any such person.

~~((12))~~(11) Illegal entry, attempted entry, or entry in violation of Washington State University rules respecting university property, university-controllers property

or university-related property such as fraternities, sororities, or co-op houses.

(12) Sexual harassment—any sexual advances by males or females which amount to or imply that compliance is a condition for hiring, job promotions, grades, merit increases or letters of recommendation.

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

NEW SECTION

WAC 504-20-040 ACADEMIC INTEGRITY GUIDELINES. The integrity of the academic process requires fair and impartial evaluation on the part of faculty, and honest academic conduct on the part of students. To this end, students are expected to conduct themselves at a high level of responsibility in the fulfillment of the course of their study. It is the corresponding responsibility of faculty to make clear to students those standards by which students will be evaluated, and the resources permissible for use by students during the course of their study and evaluation.

(1) Consistent with these considerations, instructors may be expected to observe the following guidelines at the beginning of each semester:

(i) Describe the general content and objectives of a course.

(ii) Announce the methods and standards of evaluation (including the importance to be assigned various factors in academic evaluation).

(iii) Describe the limits of permissible assistance available to students during a course or an academic evaluation (e.g. permissible materials, references, times when students can collaborate, etc.).

(iv) Outline his/her own specific policies, definitions, and penalties (or those of the instructor's academic department) regarding individual cases of academic dishonesty.

(2) A student has an obligation to exhibit honesty in carrying out his academic assignments. Without limiting the application of this principle, a student may be found to have violated this obligation if he/she:

(i) Refers during an academic evaluation to material sources, or employs devices, not authorized by the instructor.

(ii) Provides assistance during an academic evaluation to another person in a manner not authorized by the instructor.

(iii) Receives assistance during an academic evaluation from another person in a manner not authorized by the instructor.

(iv) Possesses, buys, sells, obtains, or uses a copy of any materials intended to be used as an instrument of academic evaluation in advance of its administration.

(v) Acts as a substitute or utilizes a substitute in any academic evaluation.

(vi) Presents as one's own, for words to be submitted for academic credit or evaluation, the ideas, representations, or words of another person without customary and proper acknowledgement of sources.

(vii) Knowingly permits one's words to be submitted by another person without the instructor's authorization.

(3) The instructor of a course is responsible for dealing with each case of cheating which occurs in his/her class except when the case is deemed to be a flagrant violation of university policy. (Procedure for these exceptions is described under number 4 below.)

Some examples of cheating essentially under the control of the instructor are:

(a) Copying from a neighbor's paper.

(b) Use of crib notes.

(c) Giving or receiving unauthorized information.

Involving written assignments:

(a) Plagiarism.

(b) Submission of ghost written work in fulfillment of assignments.

In general, cheating involves all methods or techniques that enable a student to gain an unfair advantage.

Procedure for Adjudication

When the instructor believes the evidence of cheating is clear, the succeeding procedural steps must be followed. In all cases the objective is to provide fundamental fairness to students as well as an orderly means for arriving at a decision, starting with the individual instructor and then designated administrative officers or bodies. This procedure shall apply in all cases of cheating except those not under the jurisdiction of the instructor.

(i) The instructor will advise the student that he/she has reason to believe that the student has committed an offense related to academic integrity, and the student will be afforded at least an informal opportunity to respond. If the student and faculty member accept a specific resolution offered by either of them, the matter shall be considered closed.

(ii) If such a resolution cannot be reached, the instructor or student will contact the instructor's department chair in order to facilitate a resolution. If no resolution is satisfactory to both the student and instructor, the department chair or the instructor must file a report of the case and the instructor's decision as to the disposition of the case in the department's confidential files.

(iii) After the report is filed, the student may appeal the disposition of the case to the Dean of the academic unit, the university Ombudsman or the Dean of Students.

(iv) When the student does not appeal the charge of cheating by the instructor, a grade of "F" may be submitted by the instructor for the specific test/paper or for the course.

(4)(a) Examples of flagrant violations of policies are stealing of an examination, altering of grade records, possessing, buying, selling, or using a copy of any materials intended to be used as an instrument of academic evaluation in advance of its administration, acting as a substitute or utilizing a substitute in any academic evaluation, entering any office or building to obtain unfair advantage, obtaining an examination through collusion with university employees and cheating cases involving students not enrolled in the particular course. All such violations will be reported to the Dean of Students, and violators will be referred to the University Conduct Committee.

(b) Instructors should report cases involving flagrant violations and cheating cases involving students not enrolled in the instructor's course to the Dean of Students. The Dean of Students will then make the proper arrangements for a hearing involving the University Conduct Committee. (See WAC 504-20-010 for Procedures and Committee Action.)

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 77-2, filed 8/3/77)

WAC 504-24-010 DISCIPLINARY STRUCTURE AND PROCEDURES. Washington State University is an educational community and like all complex human enterprises is made up of many groups—over 16,000 students, hundreds of faculty, several levels of administration, and a Board of Regents. This complex aggregate of people will seldom reach complete agreement on any issue. However, this document is presented as a general guideline for the total community after careful consideration for the protection and well-being of every citizen of the community. Students are on campus for educational pursuits which may often have out-of-the-classroom implications which will require that they possess maturity, intelligence, concern for the rights of others, and regard for the mission of the University in order to take full advantage of the educational opportunities available to them.

In order to facilitate the educational purpose of the University, members of the community must agree to certain standards of conduct which are designed to aid in the establishment of an environment in which the goals of the University may be pursued and realized. It is the responsibility of the University community to take action should a member's conduct materially and substantially interfere with: (a) the primary responsibility of ensuring the opportunity for all members of the University community to attain their educational objectives, or (b) the subsidiary responsibilities of protecting the health and safety of persons on campus and students in living groups, maintaining and protecting property, keeping records, and providing living accommodations and other services.

College and university students are both citizens and members of the academic community. As citizens, students should enjoy the same freedom of speech, peaceful assembly, and right of petition that other citizens enjoy; and, as members of the academic community, they are subject to the obligations which accrue to them by virtue of this membership. Faculty members and administration officials should insure that institutional powers are not employed to inhibit such intellectual and personal development of students as is often promoted by their exercise of the rights of citizenship both on and off campus.

Any voluntary community in order to meet its goals and objectives has the obligation to develop standards of conduct for the best interests of all. This includes the responsibility of the University community to take appropriate action when a member's conduct places the

best interest of the community in jeopardy. Such an action does not require that the offense be a civil offense (however, if this is the case, it may also be judged on that basis by the courts), but rather an offense against the common good of the University community. At times the best interests of the University community may be served by not waiting until action is completed in court. However, legal action whether civil or criminal does not automatically make an individual accountable to the University.

The structure and procedures for dealing with student conduct are outline in the pages immediately following. The University expects all judiciary bodies, from the living group standards boards to the University Conduct Committee, to emphasize procedural fairness with regard for the rights of students. The right of appeal is guaranteed in all conduct cases.

The disciplinary structure, procedures, and penalties have been developed by the University Conduct Committee and by the Student Affairs Advisory Committee and have the approval of the Student Assembly, the President of the University, and the Board of Regents.

(1) Disciplinary Structure

(a) Administrative Offices

The President of the University is responsible to the University Board of Regents for the administration of University regulations and disciplinary procedures.

Ordinarily the disciplinary authority of the University will be invoked only after completion of the procedures established for the review of discipline cases and after the student, if he so wishes, has availed himself of the appeal procedures. However, in emergency situations if the safety of one or more individuals is imperiled, property is endangered, or the University's ability to function is in question, the President or an authorized representative may summarily suspend the enrollment of any student. In all such cases, the individual is entitled to a hearing before the appropriate group of officials as specified under discipline procedures as soon as such hearing can be held, but not later than ten days after the date of summary suspension. During the period of interim suspension, the individual shall not enter or remain on the campus or other property owned or controlled by the University, except in accordance with conditions established by the University. When time and other conditions permit, the President will notify the University community that an emergency situation exists.

Authority is delegated through the principal administrative officer of Student Affairs to living groups and other student organizations to develop rules, standards, and appropriate disciplinary procedures within their groups in the interest of both the University and the student organizations.

The Office of Student Affairs has the delegated authority to take disciplinary action on direct complaints or on cases referred by living groups. The disposition of such cases ordinarily will not exceed a warning, probation, or certain restrictions. Cases involving serious infractions of University rules or standards are referred to the University Conduct Committee.

(b) University Community

A community can be sustained only through the commitment of its members to its continued well-being. Therefore, it is requested that members who become aware of actions which in their judgment threaten the well-being of the community, insofar as achieving its goals and objectives, forward such information to the Office of Student Affairs or other appropriate office. Matters thus referred may be acted upon by the Student Affairs Office, by the University Conduct Committee, or by the appropriate student living group, according to the nature of the problem presented. It is the responsibility of the Office of Student Affairs to report the general disposition of the case to the person making the initial referral.

(c) University Conduct Committee

The University Conduct Committee is composed of four faculty members and four students. The faculty members are nominated by the University Senate Committee on Committees, the students by the ASWSU and GSA. All members are appointed by the President. (Membership of the committee also includes the Assistant Dean of Students as an ex officio nonvoting member.) The committee's responsibility includes (1) determining appropriate disciplinary action in referred cases; (2) informing the principal administrative officer of Student Affairs of its decision; (3) reviewing policies relative to disciplinary procedures; and (4) advising the principal administrative officer of Student Affairs on current standards.

(d) The ((Chairman)) Chairperson of the Conduct Committee

(i) Serves as chairperson for all committee meetings, including the hearings and committee discussions.

(ii) Reviews for the student defendant the charge presented to the committee and the function of the committee.

(iii) Is responsible for maintaining order in the hearing and for insuring that due process as provided by University policies is strictly adhered to.

(iv) Makes rulings on procedural and evidentiary matters raised during the proceedings.

(v) Notifies the principal administrative officer of Student Affairs of the decision of the Conduct Committee within two days of the hearing.

(e) ((Campus Security

~~The Safety Division is responsible for submitting a report to the Dean of Students on any conditions involving WSU students and requiring police or court action.~~

(f)) Living Group Organizations

Designated student officers in the living groups, working closely with their head residents or advisors and the Director of Residence Living, are encouraged to act on such internal disciplinary problems as they feel competent to deal with effectively. Cases which they judge to be beyond their jurisdiction will be referred to the Student Affairs Office.

The Office of Residence Living presents a report to the University Conduct Committee each semester outlining the number and types of discipline cases handled by campus living groups. The purpose of these reviews is

to assure that proper procedure and due process are adhered to within living groups and to provide the University Conduct Committee with information for their continuing review of standards.

(2) Procedures

Discipline cases usually begin with a complaint or police report followed by the student being asked to report to the Office of Student Affairs for an interview and presentation of the facts. The student is asked to submit a signed statement regarding his/her knowledge of the incident. After studying the report and the student's statement, the Office of Student Affairs is empowered to (a) dismiss the case, (b) issue a warning, (c) place the student on probation with or without restrictions, (d) refer the student to the University Conduct Committee, (e) recommend that the President or his/her designee take necessary action pursuant to WAC 504-24-011 to conduct a formal hearing on the matter, and refer the case to the hearing officer or panel for immediate commencement of formal hearing procedures, or (f) refer the student to specialists, as in the case of emotional disturbances. In all cases the student may request a formal hearing or referral to the University Conduct Committee.

In the event the student is referred to the Conduct Committee, he/she is advised by the Administrative Assistant to the Dean of ((Students)) Student Affairs or other official designated by the Dean of Student Affairs in writing at least five to six days prior to the hearing of the time and place of the meeting and the specific charge of misconduct. If the date fixed for the committee hearing is substantially burdensome to the student, a new hearing date will be fixed upon request by the student in writing to the Conduct Committee Chairman. This request, except in emergency cases, must be made at least three days before the scheduled hearing. At time of notice, this student is also advised in writing of the committee membership and the general procedures for the committee hearing. As part of the written briefing, the student is advised that the committee will consider all material presented to it in connection with the complaint, any information submitted on his/her behalf in defense to the charge or in mitigation of the circumstances, the seriousness of the matter, and the extent of his/her involvement.

The student is encouraged to present information or materials which will be helpful to his/her position. He/she is also encouraged to present witnesses or a reasonable number of character references on his/her behalf.

The committee is primarily concerned with the facts which precipitated the hearing. At least 2 days prior to the hearing the student will be permitted to read the complete conduct complaint report prepared for the Conduct Committee. The complete record of the student's prior conduct and academic performance may be taken into account by the committee in arriving at a decision.

A recording will be made of the testimony before the committee including questions of the committee and the student's responses at either the committee's discretion or the student's prior request.

The decision of the University Conduct Committee must be presented to the principal administrative officer of Student Affairs within ~~((five))~~ two days after the completion of the hearing.

The decisions of the Conduct Committee ordinarily are binding; however, the principal administrative officer of Student Affairs has the responsibility for revising the decision of the Conduct Committee if in his/her judgment the rights of the accused or the University make it imperative to do so. The principal administrative officer of Student Affairs must notify the student in writing of ~~((rejection of))~~ the decision within five days of the committee's recommendations.

Appeals from decisions based on new information concerning the case or appeals based on procedural questions or claims of improper hearings are referred to the Dean of Students. The President is available for appeal with respect to the decisions of the Conduct Committee or the principal administrative officer of Student Affairs. All appeals must be made within 10 days of notification of the decision to the student.

The committee hearings and decisions are confidential. The student may personally make public the decision if he wishes. Normally, the committee will not disclose the decision except in unique cases where the case is public knowledge and public disclosure would be in the best interests of the University community.

Students may have an individual of their choice who is not a party to the offense present during the Conduct Committee hearing. They may also have a legal counsel present. Furthermore, the committee may permit a reasonable number of individuals to present testimony concerning the case. Committee deliberations are always closed.

(3) Committee Action

After hearing a case the committee may (1) take no action; (2) dismiss the case; (3) warn the student; (4) impose probation with or without conditions, or (5) dismiss the student from the University. Dismissal may take the form of suspension or expulsion.

(a) Warning. Repeated warnings will result in more severe disciplinary action.

(b) Probation is in effect a trial period. Probation may be levied for any length of time and is subject to such terms and conditions as the disciplinary agency imposing it shall designate. A violation of probation will result in referral of the case to the Conduct Committee for further action.

The parents or legal guardians of students under 18 years of age placed on disciplinary probation will be informed of this action by the office of Student Affairs.

(c) Deferred Suspension: The student is suspended from the University. However, the suspension will be held in abeyance and the student permitted to continue his enrollment for a specified period of time.

(d) Suspension is normally for a stated period of time at the end of which a student may apply for re-admission; the student may also be on probation for a specified period of time after returning to WSU.

(e) Expulsion is permanent dismissal from the University. The parents or legal guardians of a student under eighteen years of age who is involved in disciplinary

suspension or expulsion will be advised in writing by the Dean of Students.

(4) Reinstatement

Reinstatement will depend upon the provision of the disciplinary action imposed. Correspondence concerning disciplinary action or reinstatement should be addressed to the Office of Student Affairs.

(5) Appeal from Living Groups

Requests for reconsideration of disciplinary action taken by living groups are submitted to the ~~((Dean of Students))~~ Director of Residence Living. The Office of ~~((Student Affairs))~~ Residence Living will evaluate the living group's action for procedural correctness and then may: (1) refer the case back to the living group for a new hearing; (2) deny or approve the appeal ~~((; or (3) refer the case to the Conduct Committee for a new hearing if requested by the student))~~.

Students should discuss the basis for their appeal with the head resident in residence halls and the house president in the fraternities and sororities before submitting their appeals to the Director of Residence Living.

~~((6) Academic Complaint Procedures. Students having complaints relative to instruction or grading should refer them first to the instructor, and if not resolved, then to the chairman of the department in which the course is offered. The chairman, if not able to resolve the problem to the student's satisfaction, will refer the complaint, presumably with the chairman's written impressions, to the dean of the college. The student is encouraged then to go directly to the dean of the college. The Ombudsman, the Dean of Students, the Discriminatory Practices Committee, or the Vice President—Academic are always available for any complaint not resolved to the student's satisfaction:))~~

AMENDATORY SECTION (Amending Order 77-2, filed 8/3/77)

WAC 504-24-020 SOCIAL POLICIES AND PROCEDURES. (1) Security Hours.

(a) Living groups are secured during the following hours:

11:00 p.m. – 6:30 a.m. daily

(b) It is understood that a living group has the prerogative of maintaining additional security hours if decided by a vote of the living group. The living group's current security hours should be on file in the Office of Student Affairs.

(2) Guest Rules.

(a) Guests must comply with the regulations of the living groups they are visiting.

(b) Keys or card keys will not be issued to guests.

(c) The host or hostess shall be responsible for the action of guests.

(d) All guests ~~((are to be met in the main lounge or lobby and))~~ must be escorted while in the building

(e) Guests are defined as anyone not residing in the residence hall.

(3) Visitation.

Each living group is permitted to develop its own visitation schedule for its main lounge and lobbies. No visitation on living floors permitted between hours of 2:00 a.m. and 6:30 a.m.

In developing their own schedules, the following procedures and policies shall be followed:

(a) Members of the living group will vote by secret ballot on the length of time visiting hours are scheduled.

(i) Two-thirds of the membership must approve the plan adopted.

(ii) Sections or individual floors may have a more restrictive policy than that approved by the entire house.

(iii) Hours established for visitation and their continuation are to be reviewed each semester by each living group.

(b) The governing body and staff of each living group shall be responsible for the enforcement of the visitation policy.

(c) ~~((All guests are to be met in the main lounge or lobby and must be escorted while in the building.~~

~~(d))~~ Upon adoption by the living group, all visitation policies must be presented to the Office of Student Affairs for approval. Living groups must indicate the hours selected and the steps to be taken to protect all members' rights to privacy.

(i) The Office of Student Affairs reserves the right to restrict the visitation schedules of any living group which fails to maintain an atmosphere conducive to educational achievement for all its residents.

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 77-2, filed 8/3/77)

WAC 504-24-030 HOUSING REGULATIONS FOR UNDERGRADUATES (1) On-campus housing includes residence halls, fraternities and sororities.

(2) Housing Requirements for Single Undergraduate Students. All single undergraduate freshmen (~~((less than 24 semester credit hours)))~~ under twenty years of age are required to live in organized living groups which are officially recognized by the University (residence halls, fraternities and sororities) for one semester unless they are residing with parents or legal guardians. Exemptions will be provided for when a student demonstrates to the Office of Student Affairs that:

(a) He or she has attended an institution of higher education as a regularly enrolled student for at least two regular semesters or three regular quarters (excluding summer sessions).

(b) He or she is living with immediate family in a family situation (mother and/or father, legal guardian; married brother or sister; aunt or uncle; or grandparents qualify as immediate family).

(c) He or she has secured a statement from a physician that residence in a living group would have detrimental effects on student's physical health or emotional well-being.

(3) Living Group Discipline Jurisdiction

(a) Residence Halls: Each University residence hall has a framework of rules, policies and traditions for the effective operation of its program. A student in signing a Residence Hall Contract agrees to abide by the rules governing members of a University residence hall.

Standards boards in the residence halls working closely with their head residents and the Office of Residence Living are encouraged to act on such internal disciplinary problems as they feel competent to deal with effectively. Cases beyond their jurisdiction will be handled by the Office of Student Affairs or the University Conduct Committee as the nature of the problem determines.

(b) Fraternities - Sororities: Each of the 38 Greek letter living groups has developed policies and regulations governing the conduct of members and the operation of the organizations. A student in joining one of these groups assumes certain responsibilities of the living group organization.

Student officers in fraternities and sororities working closely with their advisers and the Office of Residence Living are encouraged to act on such discipline problems involving their members as they feel competent to deal with effectively.

(c) Off-Campus Students: Discipline cases involving students not living in organized living groups will be handled directly by the Office of Student Affairs or the University Conduct Committee.

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 77-2, filed 8/3/77)

WAC 504-28-010 STUDENT ORGANIZATIONS. ~~((1) Membership~~

(a) Student Organizations

~~(i) Active membership will be restricted to students unless the organization's constitution provides specifically for active faculty and staff members.~~

~~(ii) Faculty and others may participate as honorary or associate members at the option of the group or as specified in its constitution.~~

~~(iii) To be eligible for an elective office, a student (undergraduate or graduate) must be a regularly enrolled full fee paying student in good academic standing.~~

(b) Student Spouses Organizations

~~Student spouses organizations may be recognized in accordance with the policies listed for student organizations with the following exceptions. The rules pertaining to grade point average will not apply, and advisor requirements may be met by a faculty spouse.~~

(2) Obtaining Recognition

~~(a) Prior to appearing before the Student Activities Board or its representative, the group must hold a meeting of interested persons to plan a program, draft a constitution, elect officers, and select an advisor. It is understood that these actions on the part of the prospective organization are temporary, pending the decision of the Board. Provisions of the constitution must include:~~

~~(i) Name of the organization~~

~~(ii) Purpose and objectives~~

~~(iii) Qualifications for membership~~

~~(iv) Sources of financial support (e.g., dues, initiation fees, local and national aid, and financial projects)~~

~~(v) Description of offices including qualifications, duties and method of election~~

~~(vi) National and local affiliations and any financial obligation (to an affiliate) resulting therefrom~~

~~(vii) Parliamentary authority and method of amending the constitution~~

~~(viii) Adoption and amendment procedures~~

~~(b) A new or reactivated student organization must appear before the Activities Board Subcommittee on Constitution for recognition consideration. A draft of the Constitution will be presented at that time by the chairperson for the group. Final action will be taken by the full board after the Subcommittee review.~~

~~(c) Each organization will be reviewed by the Board on submission of the annual report, also required for submission are all constitutional and bylaw changes. These will be reviewed by the Board. This report must be submitted by the end of the school year.~~

~~(d) Washington State University will not recognize any student organization which categorically denies consideration for membership to any student because of race, religion, sex*, or ethnic origin. Clubs and organizations which meet in places which themselves differentiate membership and in effect create de facto differentiation shall be subject to review by the Activities Board.~~

~~*Sex discrimination cannot be justified solely on the basis of a constitutional requirement of the national organization or parent body. Discrimination based on sex must be justified by the group petitioning for recognition.~~

~~(3) Requirements and Responsibilities of Recognized Organizations~~

~~(a) Officers of organizations will be held accountable for any violation of university rules and regulations by members of that organization in the conducting of the business and activities of said organization.~~

~~(b) Each organization must have an advisor (see WAC 504-28-020 Advisors).~~

~~(c) Funds must be deposited in the Controller's Office, which acts as a banking service.~~

~~(d) Meetings and social events should be scheduled (see WAC 504-28-030 Scheduling).~~

~~(e) The following records must be kept current at the Student Activities Center:~~

~~(i) Constitution and Bylaws~~

~~(ii) Officer roster card~~

~~(iii) Annual report (due at the end of the school year) including activities, accomplishments, and financial status.~~

~~(4) Privileges of Recognized Organizations~~

~~(a) The use of the facilities of the university and the assistance of members of the staff of the university.~~

~~(b) The use of the facilities of the ASWSU Activities Center as well as the availability of such news media as the Evergreen, Chinook, and other university publications.~~

~~(c) Financial projects, which may be undertaken with the approval of the Activities Board.~~

~~(d) Recognized groups may not transfer their privileges to unrecognized groups.~~

~~It should be noted that Washington State Law restricts the use of State funds or State facilities for carrying on sectarian religious activities or promoting a~~

~~particular religious point of view or a particular interpretation of the Bible.))~~

~~(1) The Student Activities Board is the faculty/student committee which recommends and reviews policies pertaining to all student organizations and assists with the planning of their activities. The Board also serves as an appeal body.~~

~~(2) Membership in Organizations~~

~~(a) Active membership in student organizations will be restricted to graduate and undergraduate students unless the organization's constitution provides specifically for active faculty and staff members.~~

~~(b) Faculty and others may participate as honorary or associate members at the option of the group or as specified in its constitution.~~

~~(c) To be eligible for an elective office, a student (undergraduate or graduate) must be a regularly enrolled student.~~

~~(3) Obtaining Recognition for Organizations~~

~~(a) To become an approved student organization, recognition must be granted from the Student Activities Board. Contact the Activities Center, 3rd Floor CUB.~~

~~(b) Before requesting recognition, the group must hold a meeting of interested persons to plan a program, draft a constitution, elect officers, and select an advisor. Constitutions normally include:~~

~~(i) Name of the organization~~

~~(ii) Purpose and Objectives~~

~~(iii) Qualifications for membership~~

~~(iv) Sources of financial support (e.g., dues, initiation fees, local and national aid, and financial projects)~~

~~(v) Description of offices including qualifications, duties and method of election~~

~~(vi) National-local affiliations and any financial obligation (to an affiliate) resulting therefrom~~

~~(vii) Parliamentary authority and method of amending the constitution~~

~~(viii) Adoption and amendment procedures~~

~~(ix) A description of the organization's safety program~~

~~(c) Washington State University will not recognize any student organization which denies membership to any student because of race, religion, sex, ethnic origin, or handicap. Recognized student organizations must insure that additional policies and procedures do not create de facto differentiation.~~

~~(d) Students who feel they have been denied membership in violation of regulation 3(c) above may appeal to the Student Activities Board.~~

~~(4) Requirements and Responsibilities of Recognized Organizations~~

~~(a) Officers of organizations are responsible for seeing that the organization abides by university rules and regulations, concerning scheduling, financial projects, advertising, and other policies of the Student Activities Board.~~

~~(b) Recognized organizations must have an advisor (see WAC 504-28-020 Advisors)~~

~~(c) Funds must be deposited in the Controller's Office, which acts as a banking service.~~

~~(d) The following records must be kept current in the Student Activities Center:~~

(i) Constitution and Bylaws
(ii) Officer roster card
(iii) Annual report (forms available in the Activities Center) including activities, accomplishments, and financial status.

(iv) Financial Project Reports
(e) Recognized organizations must have a safety program unless its activity has absolutely no risk to members or others.

(5) Privileges of Recognized Organizations
(a) Recognized organizations have the right to sponsor on-campus activities.

(b) Recognized student organizations may use university facilities and services through appropriate scheduling offices.

(c) The Activities Center staff is available to serve approved organizations in all areas of concern.

(d) Free banking service is provided to approved organizations.

AMENDATORY SECTION (Amending Order 77-2, filed 8/3/77)

WAC 504-28-020 ((ADVISORS. (1) Eligibility
An advisor is a member of the Washington State University faculty or staff whose interest in the group indicates that he/she would judiciously advise the organization concerning its goals, purposes, and procedures.

(2) Responsibilities
(a) Attend the organization's meetings.
(b) Assist the organization's officers in planning the program.

(c) Supervise the handling of funds and approve all expenditures and contracts.

(d) Assist the Activities Board to implement the policies for student organizations as set forth in the Activities Board Policies and Regulation Booklet.

Advisors should not consider themselves as persons who direct the group's programs and activities, but rather they should guide the group in accordance with the purposes and ideals of the university.) ADVISORS TO RECOGNIZED STUDENT ORGANIZATIONS. (1) Advisors are members of the Washington State University faculty or staff or their designees whose interest in the group indicates that they would judiciously advise the organization concerning its goals, purposes and procedures. Advisors guide the group in accordance with the purposes and ideals of the university and the organization. They do not directly control the group's programs and activities.

(2) Advisors assist the Activities Board to implement the policies for student organizations as set forth in the Activities Board Policies and Regulation Booklet.

(3) Responsibilities may include the following:
(a) Attending the organization's meetings.
(b) Assisting in planning the program.
(c) Supervising the handling of funds and approving all expenditures and contracts.

(d) Assisting in arranging for university facilities and equipment.

AMENDATORY SECTION (Amending Order 77-2, filed 8/3/77)

WAC 504-28-030 ((SCHEDULING. All organizational events should be scheduled:

(1) Advance Scheduling

(a) As a special service, the Student Activities Center devotes considerable time to the scheduling of campus-wide events for the coming academic year. Scheduling has a three-fold advantage. It eliminates conflicts in scheduling, it assures the desired date for an event, and it makes possible a listing on the Activities Center Master Calendar displayed in the Activities Center.

(b) Regular Scheduling

Events not scheduled through Advance Scheduling should be scheduled in the Student Activities Center a week prior to the event in order to appear on the Master Calendar.

(3) Hour Restrictions

(a) It is strongly recommended that final examination week and the week preceding it be kept free of both meetings and social events. University facilities will not normally be scheduled for such purposes during finals week.

(b) The latest closing hour for any scheduled event will be 2 a.m.; requests for extension of closing hours may be granted by the Activities Board.

(4) Special Requirements and Restrictions

(a) Speakers from off-campus should be cleared by the Coordinator of ASWSU Activities prior to scheduling facilities.

(b) Any recognized student political organization may sponsor political speakers on campus. All such groups are entitled to use the available facilities and must follow the normal procedure in scheduling. Insofar as possible, equal opportunities to use comparable facilities will be accorded to all recognized student political organizations when requested.

(c) Concerts will be the sole responsibility of the Performing Arts Committee. Other student organizations may request the privilege of co-sponsoring concerts with the Performing Arts Committee. The final decision to sponsor or cosponsor a particular concert rests with the Performing Arts Committee.) SCHEDULING OF EVENTS (1) The Activities Center assists with the scheduling of events and programs by maintaining the Master Calendar and by publishing the Fall and Spring Activities Calendar.

(a) Master Calendar - The Master Calendar is a continually updated calendar of campus events. Its use by all students, campus groups, faculty and staff can prevent program duplication and scheduling conflicts.

Scheduling of Facilities

(1) Recognized Student Groups schedule facilities by contacting the appropriate campus departments and/or buildings. The Activities Center will assist groups in determining who to contact.

(a) To schedule rooms in the Wilson Compton Union, clear with the First Floor Administrative Offices.

(b) For scheduling of departmental, faculty and student events for conferences and conventions involving

people from off-campus, clear with the Office of University Relations (French Administration Building, Room 448).

(c) To schedule classrooms on campus, contact the Registrar's Office (French Administration Building, Room 346F, 335-9506).

(d) To schedule use of the Coliseum, contact Performing Arts Coliseum, Coliseum Director's Office, South Concourse, 335-3525.

(e) To schedule the Men's Gym, contact New Gym 104, 335-4593. To schedule the Women's Gym, contact Smith Gym 101, 335-4251. (Scheduling of these gyms after 5:00 p.m. and on weekends is handled by Campus Recreation, CUB B-19).

(f) To schedule Kimbrough Hall and Bryan Auditorium, contact the Music Department, Kimbrough 101, 335-8524.

(g) To schedule R.R. Jones Theatre and Daggy Little Theatre, contact Daggy Hall, Room 251.

(h) For use of Special Services, contact Physical Plant, 335-4565. For use of lectures, lighting, P.A. setups and janitorial services, fill out the form "Request for Services for Special Events," available at the Physical Plant and Activities Center. This form must be authorized at the Activities Center before turning it into Physical Plant.

(2) Individuals and non-university groups must first contact the Facilities Use Committee to schedule University buildings and rooms. (The Executive Secretary of the Facilities Use Committee is the Director of University Relations, French 448, 335-4527.)

(3) Time Scheduling Recommendations

Most buildings and facilities on campus close by 2 a.m. Groups within their events to extend past this time should make arrangements with the appropriate scheduling office.

(4) Special Scheduling Information

(a) The Activities Center should be notified of speakers so that information will be included on the Master Calendar. The Center's staff is also available to advise and assist with appropriate forms, arrangements, publicity, etc.

(b) Any recognized student organization may sponsor political speakers on campus. All such groups should follow the normal procedure in scheduling.

(c) ASWSU may run concerts on a speculative basis. All other recognized student organizations may have concerts only if they have sufficient funds to back all concert expenses 100%. The Activities Center staff is available to assist in concert arrangements and contract negotiations.

(d) Committee meetings and social activities should be scheduled in facilities which are accessible to handicapped individuals.

AMENDATORY SECTION (Amending Order 77-2, filed 8/3/77)

WAC 504-28-050 ((FINANCIAL PROJECTS- (1) Definition and Approval

(a) A financial project is any approved activity of a student organization (or any of their members) which is

undertaken to raise funds. Financial projects fall into four categories:

(i) Charity drives are projects undertaken by student organizations for the benefit of off-campus charities, e.g., Red Cross, March of Dimes, World University Service.

(ii) Donation drives are projects undertaken by student organizations for the benefit of causes or organizations, excepting their own, other than charities, promoted by the organization:

(iii) Fund-raising drives are projects undertaken by student organizations for the benefit of the organization:

(iv) Student living groups' fund-raising drives are restricted to charity projects or donation drives for the benefit of individuals and organizations other than living groups:

(v) Projects undertaken to raise scholarship funds. Refer to section 2(c) [subsection (2)(c)].

(vi) Film projects are approved subject to the Board's guidelines. These are available at the Activities Center.

(b) Before they can be initiated, financial projects must be filed in the ASWSU Activities Center and approved by the Student Activities Board:

(i) Charity drives and fund-raising drives must be approved by the Student Activities Board. Donation drives must also be approved by the Student Activities Board if they involve projects other than a donation table:

(ii) Donation tables must be approved by the Coordinator of Student Activities. All donation tables will be restricted to the west entrance of the Union and upon the Mall. The number of tables allowed within the Union is contingent upon available space. There shall be only one table per organization. Soliciting of donations shall be limited to the donation tables. The name of the sponsoring organization (and organization or cause benefitted) must be displayed on each table. Tables may be used to distribute literature free of charge and to exhibit noncommercial announcements, statements, materials, and may be used for donations:

Distributing, soliciting or selling by means of accosting individuals or by hawking or shouting is prohibited. A donation permit does not allow the sale of merchandise by any organization. Refer to WAC 504-32-050(4):

(2) Restrictions

(a) An organization must have funds on hand to cover at least one-third of the estimated expenses of a proposed financial project:

(b) The following actions are not acceptable:

(i) Retailing of student classroom books, supplies, and equipment by university departments, personnel, or students on the campus. Questions related to product delineation will be resolved by the Activities Board after consultation with both the manager of the Bookstore and the Vice President—Finance.

(ii) Financial projects for the benefit of profit-making organizations:

(iii) Solicitation of funds and sale of merchandise by private individuals unless such activity is in connection with a financial project approved by the Activities Board:

~~(c) Funds raised in financial projects approved by the Activities Board as Scholarship Fund Projects must be administered in accordance with university policy governing such funds. While the sponsoring organization may reserve the right to select recipients and to establish the amount of grants, this activity must be coordinated with the Student Financial Aids Office.~~

~~(3) Responsibilities of Sponsoring Organizations~~

~~(a) The proposed project must be justified on the basis of desired services or benefits rendered to WSU students. Each proposal will be judged first on its own merits and second on the anticipated benefits to the sponsoring organization.~~

~~(b) The financial projects requested and the proposed budget must be completed and filed with the Activities Center at least two weeks in advance of the proposed date. However, projects involving donation tables only may file the forms at time of request.)~~ FINANCIAL PROJECTS (1) Definition

(a) A financial project is any approved activity of a student organization which is undertaken to raise funds and/or to defray expense. Projects may be for the benefit of organizations themselves or for charity groups.

(2) Approval

(a) The Student Activities Board and/or its designated representative has been given the responsibility of approving all financial projects so that the following services can be provided:

- (1) planning advice
- (2) advertising and publicity assistance
- (3) facility and equipment arrangements
- (4) consumer protection

(b) The financial projects requested and the proposed budget must be completed and filed with the Activities Center in advance of the proposed date. Forms are available in the Activities Center. A report showing actual income and expenses of the financial project must be submitted to the Activities Center within two weeks after the event. The report must be certified by the personal signature of the president and advisor of the organization.

(c) For approval, the organization must have funds on hand to cover at least one third of the estimated expenses of a proposed financial project except in the case of concerts where the organization must have one hundred percent of the necessary funds to cover all expenses.

(d) Projects involving films are subject to additional Student Activities Board Policies. Copies of the policies are available in the Activities Center.

(e) Scholarship Fund Projects must be administered in accordance with University policy governing such funds. Sponsoring organizations may reserve the right to select recipients and to establish the amount of grants in accordance with policies of the Student Financial Aids Office.

(f) Projects involving tables in the West Entrance of the CUB and on the Mall must also be scheduled in the CUB scheduling office. There shall be only one table per organization, available on a first come, first serve basis.

(g) Raffles are subject to state law. Contact the Activities Center for current regulations.

(h) The following actions are not acceptable:

(i) Retailing of student classroom books, supplies, and equipment by university departments, personnel, or students on the campus is prohibited.

(3) Additional Requirements

(a) All advertising and publicity for each project must include:

- (1) the name of the sponsoring organization
- (2) the product or service being sold and
- (3) the purpose for which profits will be used.

(b) Any distributing, soliciting or selling must be done without individuals hawking or shouting.

(c) Individual students wishing to sell goods on campus must contact the Director of Safety, Safety Building.

AMENDATORY SECTION (Amending Order 77-2, filed 8/3/77)

WAC 504-28-060 ADVERTISING POLICIES.

((1) Public Address Systems

(a) Permission

Application for a public address system permit should be made in the Activities Center. Refer to WAC 504-32-020(3).

(b) Restrictions

(i) Time of use: Monday-Thursday, 5:00 p.m. to 7:00 p.m.; and on Saturday after 12:00 noon.

(ii) Discreet and considerate use of public address systems in the vicinity of the hospital is expected.

(iii) Public address systems shall not be used in campaigning for national or state political parties unless sponsored by a recognized student organization.

(iv) Public address systems on moving vehicles must have a police permit.

(2) Signs and Posters on Campus

(a) Advertising must be taken down by the groups that posted the material within 48 hours after the event.

(b) All advertising announcements to be posted within campus buildings must be confined to bulletin boards. Ask permission of the department. In the CUB, have it stamped in the Activities Center. No advertising can be taped to walls or other interiors.

(c) All outdoor advertising is restricted to bulletin boards, the five kiosks, and the wall areas at the Bookie and the west entrance of the CUB. All signs should include the date when they may be taken down. Permission to advertise at the Bookstore must be obtained at the Bookstore office. Signs put up at the west entrance of the CUB should be stamped and dated in the Activities Center.

(d) No signs, handbills, or stickers are to be placed on trees or buildings other than the two places mentioned above. Paint or chalk must not be used on sidewalks or buildings.

(e) Banners may be displayed on the overhead walkways after securing permission from the Activities Center if they are constructed of fabric, with air vents, and attached to the structure with rope or twine—tape and wire are not permitted as they deface the structures.

(f) Free-standing signs may be placed on campus grounds and the mall with the approval of the Director of Physical Plant.

~~(3) Posting and Distribution of Literature, Handbills, Notices: University personnel and students may personally distribute free of charge noncommercial announcements, statements, or materials at any reasonable outdoor area on the campus consistent with the orderly conduct of university affairs, the maintenance of university property, and the free flow of traffic and persons. Efforts must be made to avoid litter. Distribution by means of accosting individuals or by hawking is prohibited. Announcements or statements shall indicate the name of the sponsor or registered student organization on behalf of which the distribution is made.~~

~~(4) Athletic Events~~

~~All advertising at athletic events must be cleared through the Office of Intercollegiate Athletics.~~

~~(5) Advertising for Student Government~~

~~Advertising for student government elections shall be according to the rules established by the ASWSU Election Board.)) The following policies apply to all advertising done on campus.~~

~~(1) Signs and posters~~

~~(a) All advertising in the CUB must have permission from the Activities Center. Sports Federation groups may obtain permission from Campus Recreation.~~

~~(b) All advertising announcements to be posted in other campus buildings should be confined to general bulletin boards. For use of other bulletin boards contact the appropriate department.~~

~~(c) No advertising should be taped to walls or other interior surfaces.~~

~~(d) All outdoor advertising is restricted to bulletin boards, the kiosks, and the wall areas at the Bookie and the West Entrance of the CUB. All signs should include the date when they are to be removed. Signs put up at the West Entrance of the CUB should be stamped in the Activities Center.~~

~~(e) Banners may be displayed on the overhead walkways after securing permission from the Activities Center. They must be constructed of fabric, with air vents, and attached to the structure with rope or twine—tape and wire are not permitted.~~

~~(f) Free-standing signs may be placed on campus grounds and the mall with the approval of the Director of Physical Plant.~~

~~(g) No signs, handbills, or stickers are to be placed on trees or buildings other than the two places mentioned above. Paint or chalk must not be used on sidewalks or buildings.~~

~~(h) Before exhibits or displays are placed on the Mall, notification must be made to the Office of the Physically Impaired.~~

~~(i) It is the responsibility of the group to remove advertising within 24 hours after the event.~~

~~(2) Literature, Handbills and Notices~~

~~(a) Literature, handbills and notices may be distributed at any reasonable outdoor area on campus consistent with the orderly conduct of University affairs, the maintenance of university property, and the free flow of traffic and persons. Efforts must be made to avoid litter. Individuals or groups distributing are responsible for leaving the area clean, including all discarded handbills.~~

~~Distribution by means of accosting individuals or by hawking is prohibited.~~

~~(3) Public Address System~~

~~(a) Requests for Public Address Systems require the signature of the faculty advisor.~~

~~(b) Systems are available through the Audio Visual Department.~~

~~(c) Use of systems~~

~~(1) Time of Use: Monday-Thursday, 5 p.m.-7 p.m.; and on Saturday 12 noon-7 p.m. (Exceptions may be made by the Student Activities Board.)~~

~~(2) Discreet and considerate use of public address systems in the vicinity of the hospital is expected.~~

~~(3) Public address systems on moving vehicles must have a police permit.~~

~~(4) Athletic Events~~

~~(a) All advertising at athletic events must be cleared through the Office of Intercollegiate Athletics.~~

~~(5) Advertising for Student Government~~

~~(a) Advertising for student government elections shall be according to the rules established by the ASWSU Election Board.~~

~~(6) Advertising at registration must be approved by the Registrar.~~

AMENDATORY SECTION (Amending Order 5, filed 9/26/72)

WAC 504-32-010 ((HOURS MALL CAN BE SCHEDULED.*

(1) 11:50 a.m. - 1:00 p.m. [&] 4:50 p.m. - 7:00 p.m. - Monday through Friday

(2) 11:50 a.m. - 7:00 p.m. - Saturday

*Except during the week preceding the week of finals. Exceptions for evening functions may be granted by the Activities Board.)) RULES FOR USE OF THE MALL (1) Recognized student organizations may schedule the Mall for activities that do not interfere with university functions or activities, disturb offices, classes, or study facilities, harm property, or block entrances into buildings.

(2) The Mall is scheduled through the Student Activities Board or its designee. Contact the Activities Center.

(3) The Mall may be used with amplified sound from 5 p.m.-7 p.m. Monday through Thursday and from noon to 7 p.m. on Saturday. Other times may be arranged through the Student Activities Board.

(4) Sound amplification equipment (hand-held loud-speaker) may be checked out from the Campus Police Department, Safety Building, upon presentation of valid ID cards, which will be held by the Security Division until the equipment is returned. Other sound equipment is available through the Audio Visual Department.

(5) The Mall may be used by student organization fund raisers in accordance with previously stated rules and regulations. Any private or commercial use of the Mall is prohibited.

REPEALER

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

WAC 504-32-030 TABLES ON MALL.WAC 504-32-050 SOLICITATION OF FUNDS.AMENDATORY SECTION (Amending Order 75-1, filed 7/7/75)

WAC 504-32-060 ((OUTDOOR DANCES-Street dances and outdoor concerts may be sponsored at approved locations by student organizations recognized by ASWSU Student Activity Board on days and at times approved by the Student Activity Board following consultation with appropriate University departments. All other organizations and individuals who seek to sponsor outdoor dances and concerts on University property must submit a written request to the Facility Use Committee. The sponsoring organization is responsible for damage to grounds and for cleaning up litter.)) OUTDOOR DANCES, CONCERTS, CARNIVALS AND FAIRS (1) Campus Street dances and outdoor concerts may be sponsored by recognized student organizations. Requests for approval should be submitted to the Student Activities Board or its designee. Decisions on requests will be made after consultations with appropriate university departments.

(2) All other organizations and individuals who wish to sponsor any of the above events must submit a written request to the Facility Use Committee.

(3) The sponsoring organization is responsible for repairing or reimbursing for any damage that might occur and for cleaning up litter.

AMENDATORY SECTION (Amending Order 77-2, filed 8/3/77)

WAC 504-36-030 SPECTATOR EVENTS-SAFETY RULES. (1) Protection of the safety and general welfare of students, faculty, performers and officials, and members of the general public attending or participating in spectator events on the campus is a primary concern of Washington State University.

(2) The following rules of conduct are applicable to all public events of Washington State University, including specifically, but not limited to, Martin Stadium and the Performing Arts Coliseum and to all public areas of the facility wherein the event is held.

(a) Behavior which in the judgment of designated university officials constitutes a disruption of the event or safety hazard for other spectators or participants is prohibited (WAC 504-20-010).

(b) Possession and/or consumption of alcoholic beverages is prohibited. Any such beverages found shall be removed by the possessor or delivered to the custody of designated university officials or their representatives upon request.

(c) Possession of any glass or metal beverage container, or any cooler, basket, knapsack, or other device used for carrying glass or metal beverage containers is prohibited: PROVIDED, That this rule shall not apply to personal canteens or thermos bottles or containers made for the purpose of carrying coffee, tea, hot chocolate, or similar hot drinks: AND PROVIDED FURTHER, That this rule shall not apply to approved vendors. Any such

containers or devices prohibited by this rule shall be removed by the possessor or delivered to the custody of designated university officials or their representatives upon request. Designated officials may provide, but shall not be obligated to provide, a checking service for this purpose. Any checked items may be reclaimed by the owner within 30 minutes following the conclusion of the event. Any unclaimed items will be disposed of in accordance with state laws.

(d) Smoking is prohibited in areas designated as "no smoking."

(e) An individual is entitled to occupy only the seat for which he or she has the proper ticket.

(f) In non-reserved seating sections, blocks of seats will be pre-empted or saved.

(3) Where there is reasonable cause to believe that persons are, or are attempting to, violate the requirements identified in WAC 504-36-030(2), such person or persons will be denied license or privilege to enter or remain in or upon the premises, and designated officials may take necessary action to deny entry or to remove such persons from the premises.

Failure to vacate the premises upon request of designated university officials may result in subsequent legal process under the laws of the state of Washington.

(4) For purposes of WAC 504-36-030(1) and (2) designated officials include the president of the university, the executive vice president, and the following officials:

(a) Director of athletics for athletic events;

(b) Director of the coliseum for coliseum events;

(c) Director of student activities for events in the Compton Union Building;

(d) Chairman, Department of Speech, for events sponsored by the Department of Speech;

(e) Chairman, Department of Music, for events sponsored by the Department of Music;

(f) Director of the WSU Safety Division and the chief of the WSU Police Department;

(g) Officers of the WSU Police Department when (1) acting at the request of any of the above-named officials to enforce university regulations, or (2) enforcing state laws or local ordinances.

WSR 80-08-001
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
 [Filed June 19, 1980]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Superintendent of Public Instruction intends to adopt, amend, or repeal rules concerning the operation of educational programs for handicapped residents in state residential schools;

and that the adoption, amendment, or repeal of such rules will take place at 11:00 a.m., Tuesday, July 15, 1980, in the Old Capitol Building, Washington and Legion, Executive Services Conference Room, 2nd Floor, Olympia, Washington.

The authority under which these rules are proposed is RCW 28A.13.030.

This notice is connected to and continues the matter noticed in Notice No. WSR 80-05-088 filed with the code reviser's office on May 1, 1980.

Dated: June 19, 1980
 By: Frank Brouillet
 Superintendent of Public Instruction

WSR 80-08-002
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
 [Filed June 19, 1980]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Superintendent of Public Instruction intends to adopt, amend, or repeal rules concerning the implementation of special education laws contained in chapter 28A.13 RCW;

and that the adoption, amendment, or repeal of such rules will take place at 11:00 a.m., Tuesday, July 15, 1980, in the Old Capitol Building, Washington and Legion, Executive Services Conference Room, 2nd Floor, Olympia, Washington.

The authority under which these rules are proposed is RCW 28A.13.070.

This notice is connected to and continues the matter noticed in Notice No. WSR 80-05-137 filed with the code reviser's office on May 7, 1980.

Dated: June 19, 1980
 By: Frank Brouillet
 Superintendent of Public Instruction

WSR 80-08-003
ADOPTED RULES
DEPARTMENT OF LICENSING
 [Order 344—Filed June 19, 1980]

I, R. Y. Woodhouse, director of Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to regulating the practice of ocularists, new chapter 308-55 WAC and fees for ocularists; examination and application, license renewal, renewal penalty, duplicate license, apprentice registration and apprentice transfer, WAC 308-55-010.

This action is taken pursuant to Notice No. WSR 80-05-139 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 43.24.085; section 7, chapter 101, Laws of 1980 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 R. Y. Woodhouse
 Director

CHAPTER 308-55
 REGULATING THE PRACTICE OF OCULARISTS
NEW SECTION

WAC 308-55-010 FEES. The following fees shall be charged by the professional licensing division of the Department of Licensing:

Title of Fee	Fee
Application and Examination	\$100.00
License Renewal	30.00
Late Renewal	10.00
Duplicate License	3.00
Apprentice Registration	10.00
Apprentice Transfer	5.00

WSR 80-08-004
EXECUTIVE ORDER
OFFICE OF THE GOVERNOR
 [EO 80-10]

**ESTABLISHING THE WASHINGTON STATE
 HAZARDOUS MATERIALS COMMITTEE**

WHEREAS, this administration recognizes the need for a coordinated response program and designated response team trained and equipped for dealing with spills, accidents, and incidents involving hazardous materials in Washington State; and

WHEREAS, no single agency or industry is capable of handling the problem alone at this time, and there is no existing coordinated system among the agencies assigned responsibilities in the area of hazardous materials,

WHEREAS, the State of Washington has the responsibility to provide leadership in this area; and

WHEREAS, the scope of this responsibility includes incidents arising from raw product preparation, manufacturing, processing, merchandising, transportation, storage, use, and disposal of such chemicals and related materials; and

WHEREAS, the authority to establish a coordinated response system is inherent in my office as Chief Executive of the State of Washington.

NOW, THEREFORE, I, Dixy Lee Ray, Governor of the State of Washington, do hereby order and direct:

- A. That the Washington State Hazardous Materials Committee be established as the response team with the authority and responsibility to develop, implement, and administer a program which will incorporate all present teams, agencies, and systems into one response unit:

- B. That the Interagency Memorandum of Understanding, duly signed by the heads of the Departments of Agriculture, Ecology, Emergency Services, Fisheries, Game, General Administration, Labor and Industries, Military, Natural Resources, Social and Health Services, Transportation, the Utilities and Transportation Commission and the Washington State Patrol, be the instrument of implementation. The Memorandum of Understanding is hereby attached to and made a part of this Executive Order.
- C. That the above-named agencies affected by or having expertise in responding to hazardous materials incidents join in the coordinated plan of action as set forth, described, and agreed to in the Memorandum of Understanding attached hereto.
- D. That in the event of a hazardous materials incident that has the potential for affecting human lives, animal life, the environment, or property, the response plan will proceed in immediate effect.
- E. That the Hazardous Materials Committee direct operations, as set forth in the attached Memorandum of Understanding, receive communications, assess conditions, compile and critique data and reports, and transmit recommendations to affected agencies for immediate response to emergency conditions resulting from a hazardous materials incident, and engage in follow-up activities for the prevention of future incidents.
- F. That a change of personnel in the Department of Emergency Services has been made as well as within my own personal staff which necessitates a change in the chairmanship of the Washington State Hazardous Materials Committee and that therefore page 6 of the "Memorandum of Understanding" referring to committee structure should be and hereby is amended to read as follows: "The Chairman of the Washington State Hazardous Materials Committee shall be Betty McClelland, Special Assistant to the Governor on Hazardous Waste and Energy Matters."

IN WITNESS WHERE-
OF, I have hereunto set my
hand and caused the seal of
the State of Washington to
be affixed at Olympia this
17th day of June, A.D.,
1980.

Dixy Lee Ray

Governor of Washington

BY THE GOVERNOR:

Robert E. Mack

Assistant Secretary of State

MEMORANDUM OF UNDERSTANDING FOR
WASHINGTON STATE HAZARDOUS
MATERIALS COMMITTEE

INTRODUCTION

The executive and legislative branches of Washington State government have a joint responsibility to assure that the processes of manufacturing, transporting, storing, using, and disposing of hazardous materials proceed as safely as possible in order to protect the public health and safety, prevent the loss of property, and minimize the impact on the environment.

A major problem facing the State of Washington is the safe manufacture, storage, use, transportation, and disposal of hazardous materials. Recognizing that the damage resulting from hazardous materials incidents could have serious adverse effects upon the lives and property of the residents of the State of Washington, government officials must work to establish an adequate awareness of the proper handling of hazardous materials in both governmental and private sectors in order to prevent such incidents. They must also organize an emergency response system to reduce the impact of incidents upon the lives and property of the citizens in this state.

DEFINITIONS:

1. A hazardous material is any substance in quantity or form which may pose an unreasonable risk to health and safety or to property, including but not limited to, explosives, radioactive materials, etiologic agents, flammable liquids or solids, combustible liquids or solids, poisons, oxidizing or corrosive agents, and compressed gases.
2. A hazardous materials incident is an accident, spill, or other condition involving a hazardous material that threatens or causes injury to the public health, property, or the environment.

PURPOSE

Agencies whose directors are signatories to this Memorandum of Understanding comprise the initial membership of the Washington State Hazardous Materials Committee. Representation will be invited from the legislature, local government, federal government, environmental groups, and business. The Committee has the responsibility to plan for the prevention of, and to provide for coordination, control, and support at hazardous material incidents in the State of Washington.

The goal of the Committee is to develop a cost-effective program for the prevention of, and the emergency response to, hazardous material incidents. To achieve this goal, the following specific objectives are established:

1. Identify, analyze, and develop, consistent with existing resources, specific mechanisms for the prevention of hazardous materials incidents;
2. Plan for more effective coordinated responses to hazardous materials incidents utilizing the resources of local, state and federal agencies.
3. Respond to hazardous materials incidents in a manner that will minimize injury, loss of life, and damage to property, to the environment; and

Statutory responsibilities, available resources, and existing areas of expertise serve as the bases for assigning specific tasks to each agency to accomplish these objectives.

PROGRAM PLANNING AND APPROVAL

Washington State government agencies are responsible for formulating, justifying, managing, implementing, and evaluating programs that provide training, methods of prevention, and timely response to incidents involving the manufacture, storage, transportation, use, and disposal of hazardous materials.

In considering and carrying out these responsibilities, these agencies, through consultation and coordination, agree to consider projects and program plans that make optimal use of their individual capabilities and resources to reach program goals and objectives set forth in this Memorandum of Understanding.

The responsibility of each agency to assist in reaching project goals and objectives for a viable program includes but is not limited to the following:

Legislation. Each agency should examine its present enabling statutes and propose any amendments necessary for it to deal with hazardous materials incidents more effectively.

Emergency Response. All participating agencies agree to place their staffs and facilities at the disposal of the coordinating agency in responding to hazardous materials incidents.

Research and Technology. Each agency agrees to keep abreast of current research activities and technological developments in its field which will improve program performance and capabilities in the area of hazardous materials safety. Available technologies judged to be consistent with the program goals and objectives of the hazardous materials enhancement program are to be submitted to the Washington State Hazardous Materials Committee for program consideration and inclusion.

Projects. Agencies are expected to submit to the Committee project proposals geared toward upgrading hazardous materials programs.

PROGRAM FUNDING

Funding for the voluntary program preceding legislation depends on currently budgeted funds. Those departments and agencies with statutory responsibilities in areas involving hazardous materials will continue their support for these responsibilities. Each agency agrees to seek federal funds and technical assistance.

The responsibility for preventing hazardous materials incidents is vested not only with the state and its agencies but also with private industry, other public agencies, and members of the public. Participating agencies agree to encourage private individuals and corporations to support the state program by investing their own time and funds in activities which will reduce the likelihood of hazardous material incidents and their severity once they occur.

MANAGEMENT

The scope of the Hazardous Materials Committee's management responsibilities ranges from the prevention of hazardous materials incidents to training persons in techniques for responding to such incidents. The management and support responsibilities of each participating agency reflect existing statutory responsibilities and capabilities.

The coordinating agency designated to develop a master plan for the prevention of and reaction to hazardous materials incidents shall maintain a 24-hour response capability and communications links with other participating agencies.

The primary response agency with a 24-hour response capability and law enforcement authority, designated as "first-on-the-scene" support at the incident site, shall provide site control and initiate communications with the coordinating and secondary response agencies.

A secondary response agency shall make its technical and/or service capabilities available at the request of the coordinating agency.

A support agency shall use its manpower and equipment resources to serve at the request of the coordinating and/or response agencies.

Participating agencies shall urge private industry to participate in the mitigation of hazardous materials incidents when it is exposed, involved, responsible or has services and facilities uniquely located or available to provide services.

Training is an essential part of the administration of the program. The coordinating agency shall develop a master training program and other participating agencies shall implement additional training programs as appropriate.

Communication is also an essential element of the program. First reports of major hazardous materials incidents shall be communicated as soon as possible to the coordinating agency, which shall establish and maintain direct communication with response and support agencies, local agencies, private industry, the legislature, and the Governor.

PROGRAM COORDINATION

Coordinating/Planning

The Department of Emergency Services is designated as the "Coordinating Agency" for the state's response to hazardous materials incidents. In addition, Emergency Services will coordinate the development of the Washington State Hazardous Materials Emergency Response Plan and provide training and program direction.

Primary Response

The Washington State Patrol is designated as the "Primary Response Agency" charged with providing immediate control in the event of an incident and serving as a communications link between the scene of the incident and the coordinating agency.

Technical Response

The Departments of Agriculture, Ecology, Labor and Industries, and Social and Health Services are designated as "Technical Response Agencies" and shall respond to instructions and requests for assistance from the Coordinating and Primary Response Agencies. Collectively, these agencies shall assume control of the technical aspects of the state's role in handling incidents.

Support

The Departments of Fisheries, Game, General Administration, Natural Resources, and Transportation, and the Utilities and Transportation Commission are designated as "Support Agencies." These agencies provide manpower, equipment and technical support as recommended by the Technical Response Agencies.

AGENCY AUTHORITY AND RESOURCE

The responsibilities of agencies described in the Memorandum of Understanding are based, in part, on the following statutory authorities:

Department of Emergency Services — Coordinates the emergency service functions of the state. RCW 38.52.

Washington State Patrol — Assumes jurisdiction on limited-access state and interstate highways, and regulates the safe transport of dangerous articles. RCW 46.48 and 47.52.200.

Department of Agriculture — Regulates all aspects of pesticide distribution, use, transportation and storage. Investigates pesticide misuse and accidents. RCW 15.58 and 17.21.

Department of Ecology — Investigates and monitors hazardous material spills in water. RCW 90.48.

Department of Labor and Industries — Investigates the adequacy of safety and health protection for all involved employees. RCW 49.17.

Department of Social and Health Services — Controls the use of radiation and the

health effects of pesticides and has general responsibility for the health and welfare of all citizens. RCW 42.20A, 70.98 and 70.104.

Department of Transportation — Constructs and maintains highways. RCW 47.28.

Utilities and Transportation Commission — Regulates all common carriers by rail or motor transport. (Responds to incidents.) RCW Title 81.

Department of Fisheries — Takes appropriate action where fish life is endangered. RCW Title 75.

Department of Game — Takes appropriate action where game and game fish are endangered. RCW Title 77.

Department of Military — Responds to Governor's order. RCW 38108.040.

Department of Natural Resources — Responds as appropriate where hazardous materials incidents endanger the state's resources. RCW 43.30.

COMMITTEE STRUCTURE

The Chairman of the Washington State Hazardous Materials Committee shall be Betty McClelland, Special Assistant to the Governor on Hazardous Waste and Energy Matters.

Subcommittees shall include:

Prevention, Response, Recovery and such other ad hoc committees as may be needed from time to time.

In witness to this agreement, the parties hereto have set their hands on the dates indicated.

	<u>Dated</u>
Department of Agriculture Bob J. Mickelson, Director	5/30/80
Department of Ecology Wilbur Hallauer, Director	6/4/80
Department of Emergency Services Edward Chow, Jr., Director	5/29/80
Department of Fisheries Gordon Sandison, Director	5/30/80
Department of Game Ralph W. Larson, Director	6/4/80
Department of General Administration Vernon L. Barnes, Director	6/4/80
Department of Labor and Industries F. Byron Swigart for James T. Hughes, Director	6/4/80
Military Department Maj. Gen. Robert W. Collins, Adj. Gen.	5/30/80
Department of Natural Resources Bert L. Cole, Commissioner	6/9/80
Department of Social and Health Services Gerald Thompson, Secretary	6/4/80
Department of Transportation William A. Bulley, Director	6/4/80
Utilities and Transportation Commission Robert C. Bailey, Chairman	6/4/80

Washington State Patrol
Colonel Robert W. Landon, Chief 5/30/80

Traffic Safety Commission
Walter E. Black, Jr., Director 6/4/80

Office of the State Fire Marshal
Tom Brace 6/11/80

WSR 80-08-007
PROPOSED RULES
LIQUOR CONTROL BOARD
[Filed June 20, 1980]

Reviser's Note: The typographical error in the above material appeared in the original copy of the executive order and appears herein pursuant to the requirements of RCW 34.08.040.

WSR 80-08-005
NOTICE OF PUBLIC MEETINGS
COMMISSION FOR
VOCATIONAL EDUCATION

[Memorandum, Exec. Director—June 19, 1980]

In accordance with Governor Ray's 20 per cent travel reduction program, action was taken at the June 5, 1980, meeting to change regular Commission for Vocational Education meetings from a bi-monthly schedule to a quarterly schedule, effective immediately. This action cancels the meeting tentatively set for July 24, 1980, and establishes a quarterly meeting schedule as follows:

September 25, 1980
December 11, 1980
March 26, 1981
June 25, 1981
September 24, 1981
December 10, 1981

WSR 80-08-006
PROPOSED RULES
DEPARTMENT OF AGRICULTURE
[Filed June 20, 1980]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 15.49 RCW, that the Washington State Department of Agriculture intends to adopt, amend, or repeal rules concerning forest reproductive material certification standards, WAC 16-319-030, 16-319-041, 16-319-051 and 16-319-061;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Monday, June 30, 1980, in the Director's office, Olympia, Washington.

The authority under which these rules are proposed is chapter 15.49 RCW.

This notice is connected to and continues the matter noticed in Notice Nos. WSR 80-04-116 and 80-06-099 filed with the code reviser's office on April 2, 1980 and May 30, 1980.

Dated: June 20, 1980
By: Art G. Losey
Assistant Director

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 advertising (Title XII), amending chapter 314-52 WAC.

The terms and substance of the proposed amended advertising rules as initially filed for consideration were and are set forth in WSR 80-05-080. The terms and substance of the proposed amended advertising rule, WAC 314-52-030, Liquor advertising prohibited in school programs (118), is shown below in Attachment A-1 filed herewith;

that such agency will at 9:30 a.m., Wednesday, July 16, 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, July 16, 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.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 16, 1980, and/or orally at 9:30 a.m., Wednesday, July 16, 1980, Office of the Liquor Control Board, 5th Floor, Capitol Plaza Building, 1025 East Union Avenue, Olympia, WA 98504.

This notice is connected to and continues the matter noticed in Notice Nos. WSR 80-05-080 and 80-07-018 filed with the code reviser's office on April 30, 1980 and June 11, 1980.

Dated: June 20, 1980
By: L. H. Pedersen
Chairman

ATTACHMENT A-1

WAC 314-52-030 PROMOTIONAL ACTIVITIES PROHIBITED ON SCHOOL CAMPUSES—LIQUOR ADVERTISING PROHIBITED IN ELEMENTARY AND SECONDARY SCHOOL ((PROGRAMS. (RULE 118))) PUBLICATIONS. No manufacturer, wholesaler, importer, retailer, agent or employee thereof shall engage in or conduct any promotional or goodwill activities involving any brand of beer, wine, or other liquor on the campus or related facilities of any college, university, elementary, or secondary school except with prior approval of the board. Applications for such approval must be accompanied by written authorization and approval of the president or dean of students of the college or university where the activities are planned, or by the superintendent of schools or principal of the elementary or secondary school where the activities are planned. This section shall not apply to legitimate liquor advertisements printed in college or university publications, ((No)) but no liquor advertising shall be carried in any ((programs for events or activities in connection with any)) elementary or secondary school((s)) publications; nor shall any liquor advertising be connected with ((such)) elementary or secondary school events when broadcast over radio or television.

WSR 80-08-008
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 80-50—Filed June 20, 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 closures of Areas 6B, 9, 10, 10B, 10C, 10D and the Cedar River are adopted to provide protection for Lake Washington sockeye and chinook. Area 6D and the Dungeness River are closed to protect chinook bound for the Dungeness River.

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 20, 1980.

By Gordon Sandison
 Director

NEW SECTION

WAC 220-28-006B0Q **CLOSED AREA** Effective July 1, 1980 until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Puget Sound Salmon Management and Catch Reporting Area 6B.

NEW SECTION

WAC 220-28-006D0F **CLOSED AREA** Effective July 1, 1980 until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Puget Sound Salmon Management and Catch Reporting Area 6D.

NEW SECTION

WAC 220-28-006F0H **CLOSED AREA** Effective July 1, 1980 until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear from the waters of the Dungeness River.

NEW SECTION

WAC 220-28-00900J **CLOSED AREA** Effective July 1, 1980 until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Puget Sound Salmon Management and Catch Reporting Area 9.

NEW SECTION

WAC 220-28-01000M **CLOSED AREA** Effective July 1, 1980 until further notice it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Puget Sound Salmon Management and Catch Reporting Area 10.

NEW SECTION

WAC 220-28-010B0P **CLOSED AREA** Effective July 1, 1980 until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Puget Sound Salmon Management and Catch Reporting Area 10B.

NEW SECTION

WAC 220-28-010C0M **CLOSED AREA** Effective July 1 through December 31, 1980, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Puget Sound Salmon Management and Catch Reporting Area 10C and from the waters of the Cedar River.

NEW SECTION

WAC 220-28-010D0N **CLOSED AREA** Effective July 1, 1980 until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Puget Sound Salmon Management and Catch Reporting Area 10D.

REPEALER

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

effective July 1, 1980:

WAC 220-28-006B0P MESH RESTRICTION (80-39)

WAC 220-28-00900I MESH RESTRICTION (80-39)

WAC 220-28-01000L MESH RESTRICTION (80-39)

WAC 220-28-010B0N CLOSED AREA (80-39)

WAC 220-28-010C0L CLOSED AREA (80-39)

WAC 220-28-010D0M CLOSED AREA (80-39)

WSR 80-08-009
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 80-51—Filed June 20, 1980]

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

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is the run size update for Hoh River spring chinook indicates the total remaining run is under the required spawning escapement.

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

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

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

APPROVED AND ADOPTED June 19, 1980.

By Gordon Sandison
 Director

NEW SECTION

WAC 220-28-003F0A *CLOSED AREA Effective immediately until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen to take, fish for or possess salmon for commercial purposes with any type of gear from the waters of the Hoh River.*

NEW SECTION

WAC 220-57-27000D *HOH RIVER Notwithstanding the provisions of WAC 220-57-270, effective 12:00 midnight June 23, 1980 until further notice, the personal use salmon bag limit for that portion of the Hoh River downstream from a marker approximately a quarter mile above Highway 101 Bridge to the National Park boundary at Oil City shall be Bag Limit C.*

WSR 80-08-010
ADOPTED RULES
DEPARTMENT OF AGRICULTURE
 [Order 1708—Filed June 20, 1980]

I, Bob J. Mickelson, director of Department of Agriculture, do promulgate and adopt at the General Administration Building, Olympia, Washington, the annexed rules relating to establishment of grade for

sulphured cherries, adopting WAC 16-414-100, 16-414-110, 16-414-120 and 16-414-130.

This action is taken pursuant to Notice No. WSR 80-05-109 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 15.17 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 20, 1980.

By Errett Deck
 Deputy Director

Chapter 16-414 WAC
((SWEET)) CHERRIES

NEW SECTION

WAC 16-414-100 GRADES. (1) Washington No. 1 grade sulphured whole cherries shall consist of properly matured cherries of similar varietal characteristics that are clean, firm, well formed and well bleached. The cherries shall be free from damage caused by mechanical injury, surface discoloration, rain cracks, blemishes or other means.

In order to allow for variations incident to proper preparation, grading and handling, at least ninety-five percent of the cherries of any lot must meet the requirements of "firm." In addition, not more than ten percent of the cherries of any lot may be below the remaining requirements of this grade, of which not more than one-half or five percent shall be allowed for defects classified as serious damage.

(2) Washington No. 1 grade sulphured halved cherries shall consist of portions of sliced cherries, no particle of which shall be smaller than an estimated one-third or more than an estimated two-thirds of a whole cherry. The cherries shall be properly matured, of similar varietal characteristics that are clean, firm, well formed and well bleached. The cherries shall be free from damage caused by mechanical injury, surface discoloration, rain cracks, blemishes or other means.

In order to allow for variations incident to proper preparation, grading and handling, at least ninety-five percent of the cherries of any lot must meet the requirements of "firm." In addition, not more than ten percent of the cherries of any lot may be below the remaining requirements of this grade, of which not more than one-half or five percent shall be allowed for defects classified as serious damage.

(3) Washington No. 2 grade sulphured whole cherries shall consist of properly matured cherries of similar varietal characteristics that are clean, fairly firm, well formed, and fairly well bleached. The cherries shall be free from serious damage caused by mechanical injury, surface discoloration, rain cracks, blemishes or other means.

In order to allow for variations incident to proper preparation, grading and handling, at least ninety percent of the cherries of any lot must meet the requirements of "fairly firm." In addition, not more than ten percent of the cherries of any lot may be below the remaining requirements of this grade.

(4) Washington No. 2 grade sulphured halved cherries shall consist of properly matured cherries of similar varietal characteristics that are clean, fairly firm, well formed, and fairly well bleached. The cherries shall be free from serious damage caused by mechanical injury, surface discoloration, rain cracks, blemishes or other means.

In order to allow for variations incident to proper preparation, grading and handling, at least ninety percent of the cherries of any lot must meet the requirements of "fairly firm." In addition, not more than ten percent of the cherries of any lot may be below the remaining requirements of this grade.

(5) Washington combination grade sulphured cherries shall be a combination of Washington No. 1 and Washington No. 2 cherries of any style. When such a combination grade is packed, unless otherwise specified, the lot shall average not less than fifty percent Washington No. 1 quality cherries.

A tolerance of not more than ten percent shall be allowed for cherries which fall below the requirements of Washington No. 2 grade.

The tolerances for the standards are on a container basis. However, individual containers in any lot may vary from the specified tolerances, providing the averages for the entire lot, based on sample inspection, are within the tolerances specified. No part of any tolerance shall be allowed to reduce, for the lot as a whole, the fifty percent of cherries of the higher grade requirement in the combination; but individual containers may not have less than thirty-five percent of the higher grade or more than twenty percent below the requirements of Washington No. 2 grade.

When other combinations are specified, individual containers may not have more than fifteen percent less than the percentage specified of the higher grade or more than twenty percent below the requirements of Washington No. 2 grade.

(6) Washington No. 3 grade sulphured cherries shall consist of cherries which fail to meet the requirements of the above grades and shall be practically free of stems, leaves, fruit spurs, bark, dirt or foreign material.

NEW SECTION

WAC 16-414-110 SIZES. The following approximate sizes shall be considered as standards for all grades of sulphured cherries except for halved cherries.

- (1) Extra small: 14 mm. to and including 16 mm.
- (2) Small: 16 mm. to and including 18 mm.
- (3) Medium: 18 mm. to and including 20 mm.
- (4) Large: 20 mm. to and including 22 mm.
- (5) Extra large: 22 mm. and over.

A tolerance of five percent for cherries which fail to meet the specified minimum diameter and ten percent for cherries that fail to meet the specified maximum diameter shall be allowed.

NEW SECTION

WAC 16-414-120 APPLICATION OF TOLERANCES FOR CERTIFICATION OF LOTS OF WASHINGTON NO. 1 OR WASHINGTON NO. 2 GRADE SULPHURED CHERRIES. (1) The tolerances for certification of lots of Washington No. 1 or Washington No. 2 grades of sulphured cherries shall be on a container basis. However, not to exceed one sixth of the individual containers in any lot may vary from the specified tolerances provided the averages for the entire lot, based on sample inspection, are within the tolerances specified. For a tolerance of ten percent or more, individual containers in any lot may contain not more than one and one half times the tolerance specified. For a tolerance of less than ten percent, individual containers in any lot may contain not more than double the tolerance specified.

(2) In pitted cherries:

(a) Of extra small and small sizes there shall not be found in excess of two pits per each forty ounces of cherries.

(b) Of medium, large or mixed sizes, there shall not be found in excess of one pit per each forty ounces of cherries.

(c) Of extra large size there shall not be found in excess of one pit per each sixty ounces of cherries.

NEW SECTION

WAC 16-414-130 DEFINITIONS. (1) "Sulphured cherries" means properly matured whole cherries of similar varietal characteristics packed in a solution of sulphur dioxide of sufficient strength to preserve the cherries with or without the addition of hardening agents.

(2) "Unpitted sulphured cherries" means whole cherries stemmed or unstemmed from which the pits have not been removed. If unstemmed, not more than twenty percent, by weight, of all the cherries may have the stems removed. If stemmed, not more than one-half of one percent, by weight, of all the cherries may have the stems attached.

(3) "Pitted sulphured cherries" means whole cherries with or without stems from which the pits have been removed. If unstemmed (cocktail), not more than seven percent, by weight, of all the cherries may have the stems removed. If stemmed, not more than one-half of one percent, by weight, of all the cherries may have the stems attached.

(4) "Pit" means an entire pit or portion thereof attached to a sulphured cherry or within the pit cavity.

(5) "Unclassified cherries" means sulphured cherries which do not conform to any of the styles set forth in subsections (2), (3) or (4) of this section.

(6) "Properly matured" means that stage of ripeness in which the fruit is fully developed for brining purposes.

(7) "Clean" means that the product is practically free from leaves, fruit spurs, bark, twigs, dirt or foreign material.

(8) "Well bleached" means that the cherries possess a practically uniform color typical of well bleached sulphured cherries for the variety.

(9) "Firm" means that the cherries possess a firm, fleshy texture, retain their approximate original shape, are not shriveled, and do not show more than slight collapsed areas of flesh.

(10) "Damage" means any injury or defect which materially affects the appearance or market quality of the product. The following shall be considered "damage":

(a) "Mechanical injury"—any open pitter hole, or open pitter holes measuring more than one-eighth inch across in the aggregate; any pitter hole where there is a material loss of flesh; any pitter tear or pitter tears, or any other mechanical injury which materially affects the appearance of the cherry.

(b) "Surface discoloration"

(i) (In case of Washington No. 1 whole cherry)—any light surface discoloration exceeding in the aggregate one-eighth of the surface of the cherry; any dark surface discoloration exceeding in the aggregate the area of a circle three-sixteenths inch in diameter, but not exceeding in the aggregate one-eighth of the surface of the cherry.

(ii) (In case of Washington No. 1 halved cherries)—any light surface discoloration exceeding in the aggregate one-eighth of the surface of the cherry; any dark surface discoloration exceeding in the aggregate the area of a circle one-sixteenth inch in diameter.

(c) "Rain cracks"

(i) (In case of Washington No. 1 whole cherries)—in the stem basin more than one-fourth inch in length; outside the stem basin more than three-sixteenths inch in length measured on the circumference.

(ii) (In case of Washington No. 1 halved cherries)—in the stem basin more than one-eighth inch in length; outside the stem basin no rain cracks shall be allowed.

(d) "Blemished"—any insect injury, bird pecks, limb rub, hail marks, sunburn, solution cracks or any other blemish or combination of blemishes which materially affects the appearance of the cherry; also any cherry, the flesh of which is materially discolored.

(11) "Fairly well bleached" means that the cherries possess a reasonably uniform color typical of reasonably well bleached sulphured cherries for the variety.

(12) "Fairly firm" means that the cherries possess a reasonably firm texture, may have slightly lost their original shape, may be slightly shriveled or may show moderately collapsed areas of the flesh.

(13) "Serious damage" means any injury which seriously affects the appearance or market quality of the product. The following shall be considered "serious damage":

(a) Any deformed or double cherry.

(b) "Mechanical injury"

(i) (In case of Washington No. 2 whole cherries)—any open pitter hole, or open pitter holes measuring more than three-sixteenths inch across in the aggregate; any pitter hole where there is a serious loss of flesh; any pitter tear or pitter tears, or any other mechanical injury which seriously affects the appearance of the cherry.

(ii) (In case of Washington No. 2 halved cherries)—any open pitter hole, or open pitter holes measuring more than one-eighth inch across in the aggregate;

any pitter hole where there is a serious loss of flesh; any pitter tear or pitter tears, or any other mechanical injury which seriously affects the appearance of the cherry.

(c) "Surface discoloration"—any light surface discoloration exceeding in the aggregate one-half of the surface of the cherry; any dark surface discoloration exceeding in the aggregate one-eighth of the surface of the cherry.

(d) "Rain cracks"

(i) (In the case of Washington No. 2 whole cherries)—in the stem basin more than one-half inch in length; outside the stem basin more than three-eighths inch in length measured on the circumference.

(ii) (In the case of Washington No. 2 halved cherries)—in the stem basin more than one-fourth inch in length; outside the stem basin more than three-sixteenths inch in length measured on the circumference.

(e) Any blemish or combination of any blemishes which seriously affects the appearance of the cherry; also any cherry the flesh of which is seriously discolored.

WSR 80-08-011

EMERGENCY RULES

CHIROPRACTIC DISCIPLINARY BOARD

[Order PL 350—Filed June 23, 1980]

Be it resolved by the Chiropractic Disciplinary Board, acting at Seattle, Washington, the annexed rules relating to Ethical standards—Prohibited publicity and advertising, amending WAC 113-12-150.

We, the Washington State Chiropractic Disciplinary Board, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is the board has been advised by legal counsel that the current version of WAC 113-12-150 may be subject to an interpretation which would render it unconstitutional. The constitutionality of WAC 113-12-150 is currently under challenge in a superior court proceeding. Unless action is taken by the board on an emergency basis, the possibility exists that WAC 113-12-150 may be invalidated by the superior court based on susceptibility to an unconstitutional interpretation. It is anticipated that a ruling would come in the superior court case before permanent rule making could be completed by the board.

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 Chiropractic Disciplinary Board as authorized in RCW 18.26.110.

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 21, 1980.

By James F. Dawson, D.C.
Secretary

AMENDATORY SECTION (Order PL 315, filed 9/25/79)

WAC 113-12-150 ETHICAL STANDARDS — PROHIBITED PUBLICITY AND ADVERTISING.

(1) A chiropractor shall not, on behalf of himself, his partner, associate or any other chiropractor affiliated with his office or clinic, use or allow to be used, any form of public communications or advertising which(~~(-f)~~) is false, fraudulent, deceptive(~~(:)~~) or misleading, (~~(or sensational)~~) including, but not limited to, such advertising which takes any of the following forms:

- (a) sensational advertising;
 - (~~(2)~~ uses) (b) testimonials;
 - (~~(3)~~) (c) advertising which guarantees any result of care;
 - (~~(4)~~) (d) advertising which offers gratuitous goods or services or discounts in connection with chiropractic services, but this clause shall not be construed to relate to the negotiation of fees between chiropractors and patients or to prohibit the rendering of chiropractic services for which no fee is charged;
 - (~~(5)~~) (e) advertising which makes claims of professional superiority;
 - (~~(6)~~) (f) advertising which states or includes prices for chiropractic services except as provided for in WAC 113-12-160;
 - (~~(7)~~) (g) advertising which fails to differentiate chiropractic care from all other methods of healing;
 - (~~(8)~~ advertises) (h) advertising for a service outside the practice of chiropractic as permitted in Washington;
 - (~~(9)~~) (i) advertising which otherwise exceeds the limits of WAC 113-12-160.
- (2) A chiropractor who advertises in any form, including, but not limited to, those forms listed in (1) above shall, upon request made by the board, provide the board with substantiation of the truth and accuracy of any and all claims made in his or her advertisements.

WSR 80-08-012
EMERGENCY RULES
DEPARTMENT OF
NATURAL RESOURCES
[Order 341—Filed June 23, 1980]

I, Bert L. Cole, Commissioner of Public Lands, Department of Natural Resources, State of Washington, do promulgate and adopt at Office of the Commissioner of Public Lands, Public Lands Building, Olympia, Washington, the annexed rules relating to the temporary closure of log patrol activities and the recovery of unbranded logs regarding the Cowlitz River.

I, Bert L. Cole, Commissioner of Public Lands, 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 eruption of Mount St. Helens has caused the introduction into the Cowlitz River tremendous amounts of merchantable logs from log storage areas. That such logs are unbranded. That the owners are entitled to recover such logs. That it is necessary to cease log patrol activities for recoveries of logs under that procedure to permit the owners of the logs to attempt to retrieve them.

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

This rule is promulgated pursuant to RCW 76.40.012 and 76.40.013 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 23, 1980.

By Bert L. Cole
Commissioner of Public Lands

EMERGENCY RULES
DEPARTMENT OF NATURAL RESOURCES
STATE OF WASHINGTON

NEW SECTION

WAC 332-44-100 LOG PATROL ACTIVITY IN THE COLUMBIA RIVER BELOW KALAMA AND ITS TRIBUTARIES THERETO. Effective immediately, the Cowlitz River is hereby closed to activities of the log patrol for ninety days from the effective date of this rule.

NEW SECTION

WAC 332-44-110 UNBRANDED LOGS. Unbranded merchantable logs adrift in the Cowlitz River and any merchantable logs having become stranded on any adjacent lands, beaches, marshes, tidal or shore lands shall be presumed to be owned by the owners of log decks, log rafts or other log storage areas affected by the eruption of Mount St. Helens, unless evidence is presented to the department of natural resources satisfactory to it establishing ownership contrary to this section.

WSR 80-08-013
PROPOSED RULES
CHIROPRACTIC DISCIPLINARY BOARD
[Filed June 23, 1980]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Chiropractic Disciplinary Board intends to adopt,

amend, or repeal rules concerning Ethical standards—Prohibited publicity and advertising, amending WAC 113-12-150;

that such agency will at 10:00 a.m., Thursday, August 7, 1980, in the Olympic Room, Vance Airport Inn, Seattle, Washington, conduct a hearing relative thereto; and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Thursday, August 7, 1980, in the Olympic Room, Vance Airport Inn, Seattle, Washington.

The authority under which these rules are proposed is RCW 18.26.110.

Interested persons may submit data, views, or arguments to this agency orally at 10:00 a.m., Thursday, August 7, 1980, Olympic Room, Vance Airport Inn, Seattle, Washington.

Dated: June 21, 1980
By: James F. Dawson, D.C.
Secretary

STATEMENT OF PURPOSE

- I. Name of Agency: Washington State Chiropractic Disciplinary Board
 - II. Purpose and Statutory Authority of Rule:
This rule amendment clarifies the board's earlier intent in adopting WAC 113-12-150 making it clear that prohibited advertising is that which is false, fraudulent, deceptive or misleading. The statutory authority for this rule is RCW 18.26.110(2).
 - III. Summary of Rule and Statement of Reasons Supporting its Adoption:
WAC 113-12-150 specifies restrictions on advertising and publicity which may be engaged in by a chiropractor. Essentially it prohibits false, fraudulent, deceptive or misleading advertising in whatever form it may take. Several specific examples are listed in the rule of advertising which has a high potential for being violative of the rule's prohibition against false, fraudulent, deceptive or misleading advertising. The rule also provides that a chiropractor who advertises must be able to substantiate the truth and accuracy of any and all claims made in his or her advertisements.
This rule amendment was made necessary by advice from legal counsel to the effect that WAC 113-12-150 as previously worded was susceptible of the interpretation that it would prohibit advertising other than which is false, fraudulent, deceptive or misleading. Subsection 2 of the rule is necessary because, without it, claims which are, in essence, unverifiable and are hence inherently misleading could be made without regard to their truth and accuracy.
 - IV. Agency Personnel for Drafting, Implementing and Enforcing the Rule: Maxine Nelson, Administrative Assistant, Third Floor, Highways-Licenses Bldg., Olympia, WA 98504, (SCAN) 234-3779, (COMM) 753-3779
 - V. Name of Person or Organization Proposing the Rule:
This rule amendment was proposed by the Washington State Chiropractic Disciplinary Board.
 - VI. Agency Comments:
WAC 113-12-150 was originally promulgated to provide regulation of advertising and publicity by chiropractors within the constitutional bounds described by the U.S. Supreme Court in cases such as Virginia State Board of Pharmacy, et al. v. Virginia Citizens Consumer Council, Inc., et al. and Bates and Osteen v. State Bar of Arizona. This amendment will more precisely define impermissible areas of advertising and publicity.
 - VII. This rule amendment was not made necessary as the result of federal law or federal or state court action. It is believed, however, that this rule amendment will render moot a currently pending state court action.
- SUBMITTED in accordance with chapter 186, Laws of 1980 and RCW 34.04.045 this 21st day of June, 1980.

AMENDATORY SECTION (Order PL 315, filed 9/25/79)

WAC 113-12-150 ETHICAL STANDARDS—PROHIBITED PUBLICITY AND ADVERTISING. (1) A chiropractor shall not, on behalf of himself, his partner, associate or any other chiropractor affiliated with his office or clinic, use or allow to be used, any form of public communications or advertising which ~~((-+))~~ is false, fraudulent, deceptive~~((:))~~ or misleading, ~~((or sensational))~~ including, but not limited to, such advertising which takes any of the following forms:

- (a) ~~sensational~~ advertising;
 - ~~((2))~~ ~~uses~~ (b) testimonials;
 - ~~((3))~~ (c) advertising which guarantees any result of care;
 - ~~((4))~~ (d) advertising which offers gratuitous goods or services or discounts in connection with chiropractic services, but this clause shall not be construed to relate to the negotiation of fees between chiropractors and patients or to prohibit the rendering of chiropractic services for which no fee is charged;
 - ~~((5))~~ (e) advertising which makes claims of professional superiority;
 - ~~((6))~~ (f) advertising which states or includes prices for chiropractic services except as provided for in WAC 113-12-160;
 - ~~((7))~~ (g) advertising which fails to differentiate chiropractic care from all other methods of healing;
 - ~~((8))~~ ~~advertises~~ (h) advertising for a service outside the practice of chiropractic as permitted in Washington;
 - ~~((9))~~ (i) advertising which otherwise exceeds the limits of WAC 113-12-160.
- (2) A chiropractor who advertises in any form, including, but not limited to, those forms listed in (1) above shall, upon request made by the board, provide the board with substantiation of the truth and accuracy of any and all claims made in his or her advertisements.

WSR 80-08-014

ATTORNEY GENERAL OPINION

Cite as: AGO 1980 No. 15

[June 20, 1980]

OFFICES AND OFFICERS—COUNTY—CORONER—DEATH—ISSUANCE OF PRESUMPTIVE DEATH CERTIFICATE

Under the applicable state statutes relating to the issuance of death certificates (RCW 70.58.160-180) a county coroner does not have the authority to issue a presumptive death certificate based on circumstantial evidence where no body has been found.

Requested by:

Honorable Robert K. Leick
Prosecuting Attorney
Skamania County
Courthouse Building
Stevenson, Washington 98648

WSR 80-08-015

PROPOSED RULES DEPARTMENT OF FISHERIES

[Filed June 23, 1980]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington Department of Fisheries intends to adopt, amend, or repeal rules concerning personal use fishing regulations;

that such agency will at 10:00 a.m., Monday, August 11, 1980, in the Large Conference Room, General Administration Building, Olympia, Washington, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal or such rules will take place at 10:00 a.m., Wednesday, August 13, 1980, in the Department of Fisheries, Conference Room, Room 115, General Administration Building.

The authority under which these rules are proposed is RCW 75.08.080.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to August 11, 1980, and/or orally at 10:00 a.m., Monday, August 11, 1980, Large Conference Room, General Administration Building, Olympia, Washington.

Dated: June 23, 1980
 By: Gordon Sandison
 Director

STATEMENT OF PURPOSE

1. Title: WAC 220-56-115 Angling—Lawful and unlawful acts.
2. Summary: Modifies gear regulations for marine shore angling.
3. Agency personnel responsible for:
 Drafting rules – Suzanne Shaw
 Room 115, General Administration Building, Olympia, Washington 98504 754-2429
 Implementation: Gene DiDonato
 Room 115, General Administration Building, Olympia, Washington 98504 753-6713
 Enforcement: Patrol Division
 Room 115, General Administration Building, Olympia, Washington 98504 753-6585

Proponents: Washington Department of Fisheries.

Comments: This amendment would allow saltwater shore anglers to leave a pole in a pole holder while landing a fish, and allow the use of power retracted reels for shore anglers. The modification makes it possible for handicapped, disabled and other anglers to fully utilize shore angling facilities in spite of limited upper body strength or other restricting factors.

AMENDATORY SECTION (Amending Order 80-12, filed 2/27/80, effective 4/1/80)

WAC 220-56-115 ANGLING—LAWFUL AND UNLAWFUL ACTS. (1) It shall be unlawful for any person to use more than one line with one lure at any one time while angling for food fish for personal use(~~(-PROVIDED, That)~~) except:

(a) It shall be lawful to use two natural baits per line when angling for food fish in saltwater from shore, jetties, or docks ((and except as provided in subsection (2) of this section and WAC 220-56-205)).

(b) It shall be lawful to use two lines with one lure per line or one line with two lures per line while angling for food fish in the Strait of Juan de Fuca east of the mouth of the Sekiu River, Georgia Strait, the San Juan Islands and Puget Sound.

(2) It shall be unlawful for any person to take, fish for or possess food fish for personal use by any means other than angling with one line attached to a pole held in hand while landing the fish or with a hand-operated line without rod or reel not utilizing power to retract the line in either case(;;), except ((it shall be unlawful to take, fish for or possess salmon taken for personal use with hand lines (lines not attached to a hand-held pole) in those waters west of the mouth of the Sekiu River, Pacific Ocean, Washington waters at the mouth of the Columbia River west of a line projected true north and south through Buoy 10, Grays Harbor, and Willapa Bay. PROVIDED, That while angling for food fish in the Strait of Juan de Fuca east of the mouth of

~~the Sekiu River, Georgia Strait, the San Juan Islands and Puget Sound it shall be lawful to use:~~

~~(a) Two lines with one lure per line.
 (b) One line with two lures per line)) as provided in subsections (3) and (4) of this section.~~

~~(3) It shall be lawful, while angling for food fish in saltwater from shore, jetties or docks, for an individual to:~~

~~(a) Leave the pole in a pole holder while playing or landing the fish. The pole holder may be affixed to a bench, pier railing, wheelchair or other solid object.~~

~~(b) Use a power-operated reel attached to a pole.
 All other provisions of this section shall apply.~~

~~(4) It shall be unlawful to take, fish for or possess salmon taken for personal use with hand lines (lines not attached to a handheld pole) in those waters west of the mouth of the Sekiu River, Pacific Ocean, Washington waters at the mouth of the Columbia River west of a line projected true north and south through Buoy 10, Grays Harbor, and Willapa.~~

~~(5) It shall be unlawful for any person while angling for food fish to fail to keep his angling gear under his direct and immediate physical control.~~

WSR 80-08-016
 PROPOSED RULES
 DEPARTMENT OF
 SOCIAL AND HEALTH SERVICES
 (Institutions)
 [Filed June 24, 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 diversion, amending chapter 275-34 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 August 27, 1980. The meeting site is in a location which is barrier free;

that such agency will at 10:00 a.m., Wednesday, September 10, 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, October 15, 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 chapter 13.40 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 10, 1980, and/or orally at

10:00 a.m., Wednesday, September 10, 1980, Auditorium, State Office Building #2, 12th and Franklin, Olympia, Washington.

Dated: June 20, 1980

By: N. S. Hammond
Executive Assistant

STATEMENT OF PURPOSE

- A. 1. Amend chapter 275-34 WAC.
2. Purpose of the rule or rule change is to update rules on diversion.
3. The reason(s) these rules are necessary is that it appears desirable to standardize programs after a year's experience.
4. Statutory authority for this action is found in chapter 13.40 RCW.
- B. Summary of the rule or rule change: To standardize diversion units across the state. It also allows counties who do not receive state funding to be recognized as diversion units under this change. It allows the Department of Social and Health Services to do more adequate job in monitoring and evaluating programs because each site will be evaluated against a common standard.
- C. Person or persons responsible for the drafting implementation and enforcement of the rule:
1. Name of initiator: Ernest W. Packebuth
2. Title: Administrator, Treatment Support Services
3. Office: Division of Juvenile Rehabilitation, Phone: 3-3268, Mail Stop: OB-42 J
- 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 1288, filed 4/13/78)

WAC 275-34-010 DEFINITIONS. (1) "Department" means department of social and health services.

(2) "Secretary" means the secretary of the department of social and health services or his/her designee.

(3) "Juvenile court" and "court" will have the same meaning as detailed in RCW 13.04.021.

(4) "Diversion unit" means any person or entity specially funded by the legislature or so designated by the county or court and approved by the state to arrange and supervise diversion agreements in accordance with the requirements of chapter 13.40 RCW.

(5) "Diversion agreement" means a written agreement between a divertee and a diversion unit.

(6) "Divertee" means any alleged juvenile offender who has entered into a diversion agreement with a diversion unit and who is still under the supervision of such unit.

(7) "Restitution" means financial reimbursement by the juvenile offender to the victim(s) in an amount equal to

- (a) actual damages sustained by loss of, or injury to, property and
(b) for personal physical injury, the cost of medical treatment and the amount of lost wages.

Restitution shall not include reimbursement for mental anguish, pain and suffering, or other intangible losses. Any restitution assessed by the diversion agreement shall not exceed an amount which the youth could reasonably be expected to pay during the operation of the agreement.

(8) "Juvenile," "youth," and "child," mean any individual who is under the chronological age of eighteen years and who has not previously been transferred to adult court for criminal prosecution. These terms shall also mean ((an individual)) a juvenile over eighteen years of age ((but)) who ((remains under the jurisdiction of a juvenile court)) entered into an agreement prior to his eighteenth birthday as provided in RCW ~~((13.40.300))~~ 13.40.080.

(9) "Community service" means compulsory service, without compensation, performed for the benefit of the community by the offender as punishment for committing an offense. ((Community service shall be performed for private or public nonprofit agencies and services.)) It is the expectation that the majority of community service will be performed at public and private nonprofit agencies. The community service shall not supplant a service being provided by the agency. If profit

making agencies are going to be utilizing youth through those criteria, the program must have the prior approval of the appropriate regional administrator. Equal offers must be made to all similar services within the community.

AMENDATORY SECTION (Amending Order 1288, filed 4/13/78)

WAC 275-34-020 PLANNING—COMMITTEES—CREATION OF PLANS. (1) When requesting state funding of community diversion programs, the administrator of juvenile ((court)) probation department services, or the office of the chief county executive ((or of-ficers)) shall initiate diversion program planning for their respective judicial districts by selecting members for and organizing planning committee. All planning committees shall, insofar as possible, consist of people representing a broad range of interest in youth. To insure such representation, representatives of the county juvenile ((court)) probation department, local law enforcement, the county prosecuting attorney's office, a juvenile, the county executive office, the regional law and justice planning office, and private and public nonprofit youth planning agencies shall be requested to belong to such committee or otherwise participate in such planning. ((Planning committees shall include and/or seek program planning input from representative ethnic minority groups residing within each planning area.)) Special efforts will be made to recruit racial minorities and women to service on the planning committee. Committee membership shall not exceed ten nor be less than five. Committee members shall serve for a one-year period with reappointment at the pleasure of the juvenile ((court)) probation department administrator and/or the chief county executive ((or officers)).

(2) The members of the planning committee shall select a chairperson by a majority vote.

(3) The committee shall be responsible for the preparation of annual written diversion program plans. Plans submitted for funding shall bear the signatures of the juvenile ((court)) probation department administrator(s) and the chief county executive(s). Plans shall be in accordance with the requirements of chapter 13.40 RCW and the requirements of this chapter.

AMENDATORY SECTION (Amending Order 1288, filed 4/13/78)

WAC 275-34-030 PLANNING—SUBMISSION OF PLANS—TIME LIMITS. (1) Written plans prepared by planning committees shall be submitted to the department for its review and approval. Approved plans will be financed by the department, with the exceptions contained in this chapter, through ((monies)) moneys provided the department for this purpose.

(2) ((The initial plans shall be submitted, together with a formal application for funding in accordance with such plans, on or before May 1, 1978. Program implementation for such plans shall be on or about July 1, 1978.

((3)) All ((subsequent)) plans and applications shall be submitted on or before June 1 and relate to program implementation on or about January 1 of the following year; biennial plans are permissible.

((4) Contracts for programs to begin on or about July 1, 1978 shall extend through December 31, 1978; subsequent contracts will be written on a twelve-month calendar year basis.))

AMENDATORY SECTION (Amending Order 1288, filed 4/13/78)

WAC 275-34-040 STATE FUNDING. (1) State funds may be provided by the department and spent for a diversion program for wages of personnel directly responsible for the implementation or operation of a diversion program, necessary operating and equipment expenses, expenses caused by training of community volunteers, and expenses incurred for the program through contracts with third parties for the performance of educational, informational, or counseling interviews with divertees.

(2) The term "necessary operating and equipment expenses" as used herein shall not be construed to include expenses caused by building construction or the creation of substantial capital improvements. Such equipment purchased by funds under this section becomes the property of the state of Washington and must be entered into the state inventory through the regional administrator.

(3) State funds shall not be provided to defray diversion program expenses which were, prior to July 1, 1978, financed with county originated dollars.

(4) No person will be denied services on the grounds of race, color, national origin, creed, religion, sex or handicap.

AMENDATORY SECTION (Amending Order 1288, filed 4/13/78)WAC 275-34-050 PROGRAM PLAN—REQUIRED ELEMENTS. The program plan shall

- (1) identify all diversion program staff by title and responsibility,
- (2) document total cost of program operation by line item cost,
- (3) describe the process of divertee assignment to diversion unit,
- (4) describe the procedure whereby the divertee's needs and obligations are assessed,
- (5) describe the control and monitoring procedures to be used with regard to such program,
- (6) describe the process for termination of diversion agreement,
- (7) describe the manner by which the amount of restitution due will be decided upon, collected, and paid to the victim,
- (8) state whether the program will operate and be administered separate from the court and, if no such separation is anticipated, explain why a connection between the court and the diversion program is necessary and advisable in accordance with WAC 275-34-090,
- (9) indicate the estimated number of clients to receive diversion services during the contract period and describe how these figures were derived,
- (10) describe how violators of diversion agreements will be returned to or referred to the court for disposition,
- (11) justify why this particular plan for diversion was decided upon, ~~((and))~~
- (12) include a statement indicating the contractors and/or third party contractees willingness to participate in an evaluation program, and
- (13) include dispositional guidelines and standards to insure juveniles are handled in an equitable and fair manner.

AMENDATORY SECTION (Amending Order 1288, filed 4/13/78)WAC 275-34-060 DIVERSION UNIT—SPECIFICATIONS IN PLANS. Proposed plans shall specify that the diversion unit shall

- (1) maintain a record system separate and apart from existing juvenile court records,
- (2) make provisions to insure that divertees and potential divertees are afforded due process as detailed in RCW 13.40.080(4) through (6),
- (3) to the extent possible, involve members of the community in the implementation of community service assignments, restitution, and counseling interviews,
- (4) provide for ~~((a community services coordinator to monitor and supervise diversion agreement))~~ monitoring and supervision of diversion agreements, and
- (5) establish a procedure necessary to ensure the confidentiality of client records.

AMENDATORY SECTION (Amending Order 1288, filed 4/13/78)

WAC 275-34-070 APPROVAL OF PLAN BY SECRETARY. The secretary will give each application individual consideration and will notify each applicant as to whether the applicant's plan has been approved or disapproved. ~~((Notification of approval or disapproval, as to the initial plans submitted on or before May 1, 1978, will be given on or before June 1, 1978. For))~~ All subsequent proposed plans and applications, assuming those plans and applications are submitted in a timely fashion, notice of department approval or disapproval shall be given the applicants on or before September 1 of the year in which the proposed plan is submitted. If a proposed plan and application is disapproved, the secretary shall submit in writing the reason(s) therefore. Subsequent to a plan's disapproval, the applicant may request reconsideration by the secretary of the disapproved proposed plan.

AMENDATORY SECTION (Amending Order 1288, filed 4/13/78)

WAC 275-34-080 MODIFICATION OF APPROVED PLAN. Approved plans may be modified only with the prior approval of the department. State funds will not be ~~((usable))~~ used to pay expenses incurred prior to the date of approval of a revised plan if those expenses are not in accord with the approved plan. ~~((When modifications are desired, a written statement describing the modification))~~ The diversion unit coordinator, with the approval of the DJR regional administrator, shall be allowed to modify the contract, as long as the total of the modification is less than five percent and the total modification for the contract period has not exceeded seven and one-half percent of the contract amount. For larger modifications, a written statement describing the changes to be made and an explanation of the reasons for modification accompanied by a written endorsement of the

planning committee shall be submitted to the department. The secretary shall review the proposed modification and notify the applicant of approval or disapproval within thirty days.

NEW SECTION

WAC 275-34-120 REFUSAL OF SERVICES. (1) A diversion unit may refuse to enter into an agreement with a juvenile. The unit shall refer the youth for court action with a detailed written statement for the reason of such refusal.

(2) In order to standardize the diversion units across the state, the following are guidelines. These guidelines will be utilized by the division in monitoring diversion units to ensure consistency.

(3) The following factors shall be considered by the agency in making the determination to accept or reject the youth for diversion.

- (a) Any youth currently on parole;
- (b) Any youth currently on probation subsidy;
- (c) Any youth being supervised by the juvenile court;
- (d) Any youth who has a court hearing for a criminal complaint pending;
- (e) Any youth who failed to abide by the terms of an earlier diversion agreement, within six months;
- (f) Any youth who has a felony as part of their criminal history, within the past year;
- (g) Any youth who has a total of four misdemeanors or gross misdemeanors all within the past year; and
- (h) Any youth under institutional confinement.

NEW SECTION

WAC 275-34-130 COUNSEL AND RELEASE. Unless prior approval is received by the DJR regional administrator, all youth referred and accepted by the diversion unit shall be counseled and released or assigned to a counseling, informational or educational interview if the referring offense is a misdemeanor and the youth does not have any criminal history and the referring offense involved no threat of or instance of actual physical harm and it involved not more than fifty dollars in property loss or damage and there is no loss outstanding.

NEW SECTION

WAC 275-34-140 SUBSTANTIAL VIOLATION. (1) In order to standardize the diversion units across the state, the following are guidelines. These guidelines will be utilized by the division in monitoring diversion units to ensure consistency.

(2) The following conditions may be considered in determining if a substantial violation has occurred.

- (a) Two unexcused absences at the community service placement or restitution site.
- (b) Appearance at a community service or restitution site in possession or under the influence of alcohol or drugs.
- (c) Failure to complete the terms of the diversion agreement within the specified time frames.
- (d) Any other reason as determined by the diversion units.

WSR 80-08-017**ATTORNEY GENERAL OPINION****Cite as: AGLO 1980 No. 22**

[June 24, 1980]

OFFICES AND OFFICERS—COUNTY—CORONER—ELECTIONS—ELECTION OF COUNTY CORONER ON THE BASIS OF AN ANTICIPATED CHANGE IN COUNTY CLASSIFICATION

(1) The Island County auditor may not accept filings for the office of coroner to be placed on the 1980 primary and general election ballot solely on the basis of an assumption or anticipation that Island County will be reclassified as a third class county following completion of the 1980 federal census.

(2) In the absence of reclassification of Island County on the basis of the federal census prior to the candidates' filing period set forth in RCW 29.18.030, it would be a pre-requisite to placing the office of coroner on the ballot that the county commissioners first do what is contemplated by RCW 36.15.020, et seq., in order to cause Island County to become a third, instead of a fourth, class county.

Requested by:

Honorable David F. Thiele
 Prosecuting Attorney
 Island County
 Courthouse
 Coupeville, Washington 98239

Reviser's Note: The typographical error in the above material appeared in the original copy of the Attorney General Opinion and appears herein pursuant to the requirements of RCW 34.08.040.

WSR 80-08-018

**NOTICE OF PUBLIC MEETINGS
 CONSERVATION COMMISSION**
 [Memorandum, Exec. Secretary—June 16, 1980]

Notice is hereby given that the regular Conservation Commission Meeting Scheduled for "the third Thursday" (WAC 135-04-020) of July, 1980 will be rescheduled to July 24, 1980, U.S. Courthouse, Blue Room, Spokane, WA 99201, beginning at 8:30 a.m.

The May 29, 1980 Conservation Commission Meeting was relocated due to the Mt. St. Helens eruption. See below for details.

Notice is hereby given that the regular Conservation Commission Meeting Scheduled for "the third Thursday" (WAC 135-04-020) of May, 1980 will be rescheduled to: May 29, 1980, Westwater Inn, Evergreen Park Drive S.W., Olympia, WA, beginning at 8:30 a.m. (Relocated due to Mt. St. Helens ash problem in Yakima)

Please contact Shirley Casebier, Conservation Commission, Olympia, Washington 98504, Phone: 753-3894 for further information.

Dates and places for other forthcoming meetings are yet to be determined.

WSR 80-08-019

**ADOPTED RULES
 DEPARTMENT OF ECOLOGY**
 [Order DE 80-11—Filed June 24, 1980]

I, Elmer C. Vogel, deputy director of the Department of Ecology, do promulgate and adopt at the Department of Ecology, Lacey, Washington, the annexed rules relating to Instream Resources Protection Program—Deschutes River Basin, Water Resource Inventory Area (WRIA) 13, adopting chapter 173-513 WAC.

This action is taken pursuant to Notice No. WSR 80-04-139 filed with the code reviser on April 2, 1980.

Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to chapters 90.22 and 90.54 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 20, 1980.

By Elmer C. Vogel
 Deputy Director

**Chapter 173-513 WAC
 Instream Resources Protection Program—
 Deschutes River Basin, Water Resource
 Inventory Area (WRIA) 13**

NEW SECTION

WAC 173-513-010 GENERAL PROVISION. These rules apply to waters within the Deschutes River Basin, WRIA 13, as defined in 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).

NEW SECTION

WAC 173-513-020 PURPOSE. The purpose of this chapter is to retain perennial rivers, streams, and lakes in the Deschutes River Basin with instream flows and levels necessary to provide protection for wildlife, fish, scenic, aesthetic, environmental values, recreation, navigation, and water quality.

NEW SECTION

WAC 173-513-030 ESTABLISHMENT OF INSTREAM FLOWS. (1) Stream management units and associated control stations are established as follows:

<u>Stream Management Unit Information</u>		
<u>Control Station No. Stream Management Unit Name</u>	<u>Control Station Location, River Mile and Section, Township and Range</u>	<u>Affected Stream Reach</u>
12.0800-00 Deschutes River	3.4 Sec. 35-18N-2W	From the confluence of the Deschutes River with Capitol Lake upstream to the Deschutes Falls at river mile 41.

(2) Instream flows established for the stream management unit described in WAC 173-513-030(1) are as follows:

INSTREAM FLOWS IN THE DESCHUTES RIVER BASIN
 (in Cubic Feet per Second)

<u>Month</u>	<u>Day</u>	<u>USGS Gage 12-0800-00 Deschutes River</u>
Jan.	1	400

Month	Day	USGS Gage 12-0800-00 Deschutes River
Feb.	15	400
	1	400
Mar.	15	400
	1	400
Apr.	15	400
	1	350
May	15	(Closed)
	1	(Closed)
June	15	(Closed)
	1	(Closed)
July	15	(Closed)
	1	(Closed)
Aug.	15	(Closed)
	1	(Closed)
Sept.	15	(Closed)
	1	(Closed)
Oct.	15	(Closed)
	1	(Closed)
Nov.	15	(Closed)
	1	150
Dec.	15	200
	1	300
	15	400

(3) Instream flow hydrograph, as represented in the document entitled "Deschutes River Basin Instream Resource Protection Program," shall be used for identification of instream flows on those days not specifically identified in WAC 173-513-030(2).

NEW SECTION

WAC 173-513-040 SURFACE WATER SOURCE LIMITATIONS TO FURTHER CONSUMPTIVE APPROPRIATIONS. (1) The department of ecology, having determined that further consumptive appropriations would harmfully impact instream values, closes the following streams and lakes to further consumptive appropriation for the periods indicated.

New Surface Water Closures

<u>Stream or Lake Section, Township and Range of Mouth or Outlet</u>	<u>Tributary to</u>	<u>Period of Closure</u>
Deschutes River below Deschutes Falls (river mile 41) NW1/4SW1/4 Sec. 26, T. 18N., R. 2W.	Puget Sound (Budd Inlet)	Apr. 15 to Nov. 1
Deschutes River above Deschutes Falls (river mile 41) and all tributaries of Deschutes River E1/2NE1/4 Sec. 10, T. 15N., R. 3E. (Deschutes Falls)		All year
McLane Creek and all tributaries SW1/4NW1/4 Sec. 33, T. 18N., R. 2W.	Puget Sound (Eld Inlet)	All year
Woodland Creek and all tributaries SW1/4NW1/4 Sec. 19, T. 19N., R. 1W.	Puget Sound (Henderson Inlet)	All year
Long Lake SE1/4NE1/4 Sec. 22, T. 18N., R. 1W.	Woodland Creek	All year
Patterson Lake SE1/4SW1/4 Sec. 35, T. 18N., R. 1W.	Woodland Creek	All year
Hicks Lake NE1/4SW1/4 Sec. 27, T. 18N., R. 1W.	Woodland Creek	All year

(2) The following stream and lake low flows and closures are adopted confirming surface water source limitations previously established administratively under the authority of chapter 90.03 RCW and RCW 75.20.050.

Existing Low Flow Limitations and Closures

<u>Stream Section, Township and Range of Mouth</u>	<u>Tributary to</u>	<u>Action</u>
Percival Creek SW1/4NE1/4 Sec. 22, T. 18N., R. 2W.	Capital Lake	Closure
Unnamed Stream NW1/4NW1/4 Sec. 33, T. 19N., R. 2W.	Puget Sound (Eld Inlet)	Low Flow (1.5 cfs)
Unnamed Stream NW1/4NW1/4 Sec. 25, T. 19N., R. 2W.	Gull Harbor	Low Flow (1.0 cfs)
Woodward Creek SW1/4NW1/4 Sec. 19, T. 19N., R. 1W.	Woodward Bay	Closure

NEW SECTION

WAC 173-513-050 GROUNDWATER. Future groundwater withdrawal proposals will not be affected by this chapter unless it is verified that 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 173-513-060 LAKES. In future permitting actions relating to withdrawal of lake waters, lakes and ponds shall be retained substantially in their natural condition. Withdrawals of water which would conflict therewith shall be authorized only in those situations where it is clear that overriding considerations of the public interest will be served.

NEW SECTION

WAC 173-513-070 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.

(2) Domestic use for a single residence and stock watering, except that use related to feedlots, shall be exempt from the provisions of this chapter if no alternative source is available. If the cumulative effects of numerous single domestic diversions would seriously affect the quantity of water available for instream uses, then only domestic in-house use shall be exempt.

NEW SECTION

WAC 173-513-080 FUTURE RIGHTS. No rights to divert or store public surface waters of the Deschutes River Basin, WRIA 13, shall hereafter be granted which shall conflict with the purpose of this chapter as stated in WAC 173-513-020.

NEW SECTION

WAC 173-513-090 ENFORCEMENT. In 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 173-513-100 REGULATION REVIEW. The rules in this chapter shall be reviewed by the department of ecology at least once in every five years.

**WSR 80-08-020
ADOPTED RULES
DEPARTMENT OF ECOLOGY
[Order DE 80-1—Filed June 24, 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 the Water Resource Program for the John Day-McNary Pools Reach of the Columbia River, WRIAS 31 and parts of WRIAS 32, 33, 36, and 37, repealing chapter 173-531 WAC.

This action is taken pursuant to Notice Nos. WSR 80-01-112 and 80-05-052 filed with the code reviser on 1/2/80 and 4/16/80. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 90.54.040 and 90.54.050 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 23, 1980.

By Elmer C. Vogel
Deputy Director

REPEALER

Chapter 173-531 of the Washington Administrative Code is repealed in its entirety as follows:

- (1) **WAC 173-531-010 PURPOSE.**
- (2) **WAC 173-531-020 DEFINITIONS.**
- (3) **WAC 173-531-030 EXISTING WATER RIGHTS PROTECTED.**
- (4) **WAC 173-531-040 RESERVATION FOR FUTURE IRRIGATION USE.**
- (5) **WAC 173-531-050 RESERVATION FOR MUNICIPAL USE.**
- (6) **WAC 173-531-060 DEPARTMENT TO DEVELOP AN INSTREAM RESOURCE PROTECTION PROGRAM.**
- (7) **WAC 173-531-070 DEPARTMENT TO REVIEW REGULATION.**

WSR 80-08-021

**ADOPTED RULES
DEPARTMENT OF ECOLOGY
[Order DE 80-2—Filed June 24, 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 for the main stem Columbia River in Washington state, adopting chapter 173-563 WAC.

This action is taken pursuant to Notice Nos. WSR 80-01-113 and 80-05-051 filed with the code reviser on 1/2/80 and 4/16/80. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 90.54.040 and 90.54.050 and chapters 90.03 and 90.22 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 23, 1980.

By Elmer C. Vogel
Deputy Director

**Chapter 173-563 WAC
INSTREAM RESOURCES PROTECTION PROGRAM FOR THE MAIN STEM COLUMBIA RIVER IN WASHINGTON STATE**

NEW SECTION

WAC 173-563-010 BACKGROUND AND PURPOSE. The Columbia River is an international as well as an interstate river with its waters subject to laws of seven western states, the Province of British Columbia, Canada and the federal governments of the United States and Canada. The flows and levels of the river are in a state of continuous change through the operation of numerous federally owned or federally licensed dams located within the river. The waters of the Columbia River are operated to support extensive irrigation development, inland navigation, municipal and industrial uses, and hydroelectric power development. Among all these uses, the anadromous fisheries of the Columbia River, which are dependent on clean flowing water, require for their survival the establishment of minimum flows of water and special actions by all agencies sharing in the management of the Columbia River.

The provisions of this chapter apply, as a matter of state law, to water right permits issued pursuant to the state's water rights code. The provisions hereof shall provide the department of ecology the basic state policy relating to minimum flows and levels for the Columbia River, for submission to various federal, interstate and state agencies having jurisdiction over the river. Further, the department of ecology of the state of Washington recognizes that, under our federal constitutional system,

regulatory powers over the river are shared powers between the United States and the state of Washington and that by various federal actions the state's powers may, and in some cases have been superseded through the mandates of the Supremacy Clause of the United States Constitution.

This chapter is adopted under state legislation, to promote the proper utilization of the water resources of the Columbia River and to protect and insure the viability of the instream resource values associated with the main stem of the Columbia River in the future through (1) the establishment of minimum flows on the main stem Columbia River in Washington State, and (2) the establishment of conservation and efficiency fundamentals relating to out-of-stream and instream uses and values.

NEW SECTION

WAC 173-563-020 APPLICABILITY. (1) This chapter applies to public surface waters of the main stem Columbia River in Washington State and to any ground water the withdrawal of which is determined by the department of ecology to have a significant and direct impact on the surface waters of the main stem Columbia River.

The extent of the "main stem" Columbia River shall be the Columbia River from the upstream extent of tidal influence (Bonneville Dam-River Mile 146.1) upstream to the U.S.-Canada border (River Mile 745) and including those areas inundated by impounded waters at full pool elevations.

(2) Chapter 173-500 WAC, the general rules of the department of ecology for the implementation of the comprehensive water resources program mandated by RCW 90.54.040, applies to this chapter.

(3) Nothing in this chapter shall affect existing water rights, riparian, appropriative, or otherwise, existing on the effective date of this chapter, including existing rights relating to the operation of any navigation, hydroelectric, or water storage reservoir, or related facilities. This exemption includes rights embodied in all water right permits and certificates existing on the effective date of this chapter.

(4) Water right permits and certificates for domestic/municipal water supplies issued subsequent to this rule shall not be subject to the provisions of this chapter.

(5) The average daily flow is the average of the flows measured in cubic feet per second that occur over a twenty-four hour period.

NEW SECTION

WAC 173-563-030 AUTHORITY. These rules are adopted under the authority of chapter 90.54 RCW, chapter 90.22 RCW, and chapter 90.03 RCW, and in relation to chapter 173-500 WAC.

NEW SECTION

WAC 173-563-040 ESTABLISHMENT OF INSTREAM FLOWS. (1) In order to protect the quality of the natural environment and provide for preservation of wildlife, fish, scenic, aesthetic and other environmental values, and navigational values, minimum instantaneous flows and minimum average daily flows are established at the following project locations on the main stem Columbia River in Washington State:

CONTROL STATION RIVER MILE MANAGEMENT UNIT

The Dalles Dam	191.5	John Day Dam to Bonneville Dam (Lake Bonneville Celilo Lake) (River Mile 146.1-215.6)
John Day Dam McNary	215.6	John Day Dam to Dam (Umatilla Lake) (River Mile 215.6-292.0)
McNary Dam	292.0	McNary Dam to Priest Rapids Dam (Lake Wallula and the Hanford Reach) (River Mile 292.0-397.1)
Priest Rapids Dam and upstream (Wanapum, Rock Island, Rocky Reach, Wells, Chief Joseph, and Ground Coulee Dam)	397.1+	Priest Rapids Dam upstream to Canadian Border (River Mile 397.1-745.0)

(2) Minimum instantaneous flows at the locations listed in WAC 173-563-040(1) are established as follows:

MINIMUM INSTANTANEOUS FLOWS - COLUMBIA RIVER PROJECTS
(1,000 cubic feet/second)

	GRAND* COULEE	CHIEF* JOSEPH	WELLS & ROCKY REACH ROCK ISLAND & WANAPUM*	PRIEST RAPIDS	M McNARY & THE JOHN DAY DALLES
Jan		10	10	50	20
Feb		10	10	50	20
Mar		10	10	50	50
Apr 1-15		20	20	50	70
16-25		20	30	50	70
26-30		20	50	50	70
May		20	50	50	70
June 1-15		20	50	50	70

	GRAND* COULEE	CHIEF* JOSEPH	WELLS & ROCKY REACH ROCK ISLAND PRIEST & WANAPUM* RAPIDS	MCNARY & JOHN DAY	THE DALLES
16-30		10	20	50	50
Jul 1-15		10	20	50	50
16-31		10	50	50	50
Aug		10	50	50	50
Sep		10	20	36	50
Oct 1-15		10	20	36	50
16-31		10	20	50	50
Nov		10	10	50	50
Dec		10	10	50	20

*As provided in WAC 173-563-050(1), the minimum instantaneous flows set forth in this subsection are subject to a reduction of up to twenty-five percent during low flow years, except that in no case shall the outflow from Priest Rapids Dam be less than 36,000 cfs. For the reach from Grand Coulee through Wanapum, minimum instantaneous flows shall be as shown above, or as

necessary to maintain minimum flows (subject to low runoff adjustment) at Priest Rapids, whichever is higher.

(3) Minimum average daily flows are established at the locations listed in WAC 173-563-040(1) as follows:

MINIMUM AVERAGE DAILY FLOWS - COLUMBIA RIVER PROJECTS
(1,000 cubic feet/second)

	GRAND* COULEE	CHIEF JOSEPH*	WELLS & ROCKY REACH*	ROCK ISLAND & WANAPUM*	PRIEST RAPIDS	MCNARY	JOHN DAY	THE DALLES
Jan		30	30	30	70	60	60	60
Feb		30	30	30	70	60	60	60
Mar		30	30	30	70	60	60	60
Apr 1-15		50	50	60	70	100	100	120
16-25		60	60	60	70	150	150	160
26-30		90	100	110	110	200	200	200
May		100	115	130	130	220	220	220
Jun 1-15		80	110	110	110	200	200	200
16-30		60	80	80	80	120	120	120
Jul 1-15		60	80	80	80	120	120	120
16-31		90	100	110	110	140	140	140
Aug		85	90	95	95	120	120	120
Sep		40	40	40	40	60	85	90
Oct 1-15		30	35	40	40	60	85	90
16-31		30	35	40	70	60	85	90
Nov		30	30	30	70	60	60	60
Dec		30	30	30	70	60	60	60

*For the reach from Grand Coulee through Wanapum, minimum average daily flows shall be as shown above, or as necessary to maintain minimum flows (subject to low runoff adjustment) at Priest Rapids, whichever is higher. As provided in WAC 173-563-050(1), the minimum average daily flows set forth in this subsection are subject to a reduction of up to twenty-five percent during

low flow years, except that in no case shall the outflow from Priest Rapids Dam be less than 36,000 cfs.

NEW SECTION

WAC 173-563-050 CRITICAL FLOW ADJUSTMENT TO, AND WAIVERS OF, MINIMUM INSTANTANEOUS AND AVERAGE DAILY FLOWS.

(1) The director of the department of ecology, when he deems it to be an overriding public interest requirement, may reduce the minimum instantaneous and/or average daily flows for the Columbia River established in WAC 173-563-040 up to twenty-five percent during low flow years, except that in no case shall the outflow from Priest Rapids be less than 36,000 cfs. The amount of the reduction (from zero to twenty-five percent) shall be: (a) based on the March 1 forecast for April through September runoff at The Dalles, Oregon, as published by the National Weather Service in Water Supply Outlook for the Western United States, and (b) determined from Figure 1 in WAC 173-563-900.

(2) Prior to implementing the critical flow adjustment to minimum flows in a low water year, the department of ecology shall conduct a public hearing to announce its intentions and to solicit public and agency comment on the proposed action.

(3) The department has determined that some damage to instream values may be incurred at flow values equivalent to eighty-eight million acre-feet or less. Therefore, the reduced flows shall be referred to as critical flows and shall be authorized by the director of the department of ecology under the critical flow adjustment only when the March 1 forecast of April through September flow at The Dalles is below eighty-eight million acre-feet (MAF). The critical flows shall, in no case, provide less than 39.4 MAF (seventy-five percent of 52.5 MAF for the April through September period).

(4) The director of the department of ecology may waive the state's minimum flow requirements delineated in WAC 173-563-040 for a defined period of time for the purpose of studying the impacts of various flow levels on the river system and its operation when such studies are to be conducted in consultation with the Washington departments of fisheries and/or game and when said exemption is requested by the departments of fisheries and/or game. Such a request shall be made by letter to the director of the department of ecology. This waiver may include the Federal Energy Regulatory Commission studies to be conducted under Docket No. E-9569 and any operational change which does not allow the flows under WAC 173-563-040 and WAC 173-563-050(1) to be met, but which, in the opinion of the director, still provides a commensurate level of protection for instream resources.

NEW SECTION

WAC 173-563-060 ESTABLISHMENT OF CONSERVATION AND EFFICIENCY FUNDAMENTALS. (1) The department, having determined that public water is available from the main stem of the Columbia River in Washington and that continued issuance of water right permits and certificates therefrom is in the public interest, does acknowledge and is concerned that, cumulatively, the projected future diversions from the main stem Columbia River in Washington state may, under certain flow conditions, have a detrimental effect on instream values.

(2) It is in the public interest that the state's water resources be conserved and that the burden of water

shortages in low water years should be shared by the various users to the greatest extent practicable.

(3) Notwithstanding the constraints on prorata water-sharing under existing state water laws, the department shall, in projected low water years, utilize all reasonable measures of influence to achieve the goal of WAC 173-563-060(2).

(4) During proof of appropriation of water under RCW 90.03.330 and before issuing a certificate of water right, the department shall assure that the quantities of water shown on the certificate accurately reflect the perfected usage consistent with up-to-date water conservation practices and water delivery system efficiencies.

(5) The department shall continue to seek effective methods to better achieve the goal of WAC 173-563-060(2).

NEW SECTION

WAC 173-563-070 ENFORCEMENT. In enforcement of this chapter, the department of ecology may impose such sanctions as appropriate under the 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 173-563-080 OVERRIDING CONSIDERATIONS. Future authorizations for the use of water which would conflict with the provisions of this chapter shall be authorized by the director only in those situations when it is clear that overriding considerations of the public interest will be served. Such decisions shall be made in consultation with the directors of the Washington state department of fisheries and the Washington state department of game.

Consideration of the public interest by the director of the department of ecology shall include an evaluation of all uses of the river and its impact on the state of Washington. The uses to be considered include, but are not limited to, uses of water for domestic, stockwatering, industrial, commercial, agricultural, irrigation, hydroelectric power production, mining, fish and wildlife maintenance and enhancement, recreational, thermal power production, and preservation of environmental and aesthetic values and all other uses compatible with the enjoyment of the public waters of the state.

NEW SECTION

WAC 173-563-090 REGULATION REVIEW. This chapter shall be reviewed by the department of ecology at least once in every five-year period.

NEW SECTION

WAC 173-563-100 IMPLEMENTATION. (1) All water right permits and certificates subject to this chapter shall be issued subject to the department's minimum flow requirements. (The minimum average daily flows established in WAC 173-563-040(1) and (2) are equivalent to a flow of 52.5 MAF at The Dalles for the April through September period.)

(2) All water rights subject to this flow (or its modification as established in WAC 173-563-050 during low water years):

(a) shall be regulated on the basis of first-in-time is first-in-right, and;

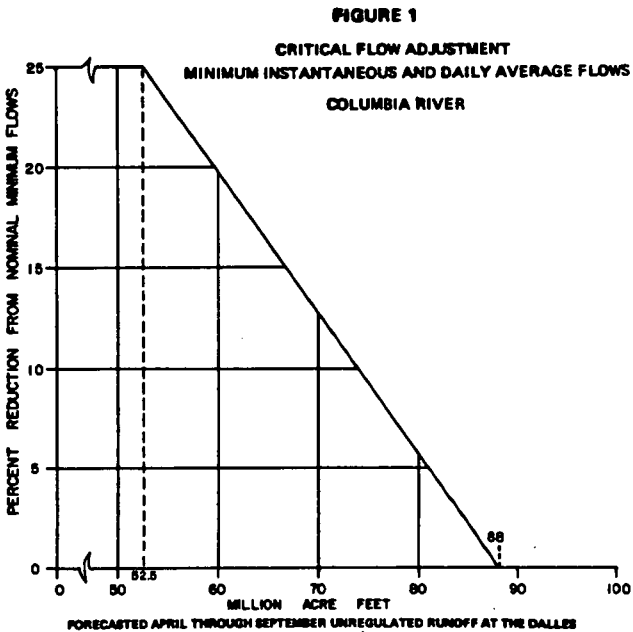
(b) shall contain the following two provisions:

This permit/certificate is subject to the minimum flow provisions contained in WAC 173-563-040 and WAC 173-563-050 and is subject to regulation by the department of ecology to insure protection of instream resources.

Use of water under this authorization shall be contingent upon the water right holder's utilization of up-to-date water conservation practices and maintenance of efficient water delivery systems consistent with established regulation requirements and facility capabilities.

NEW SECTION

WAC 173-563-900 CRITICAL FLOW ADJUSTMENT—MINIMUM INSTANTANEOUS AND DAILY AVERAGE FLOWS—COLUMBIA RIVER



WSR 80-08-022
ADOPTED RULES
DEPARTMENT OF ECOLOGY
 [Order DE 80-19—Filed June 24, 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 Water resource Program for the John Day-McNary Pools Reach of the Columbia River, WRIA 31 and parts of WRIAS 32, 33, 36, and 37, adopting chapter 173-531A WAC.

This action is taken pursuant to Notice No. WSR 80-05-126 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 chapter 90.54 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 23, 1980.

By Elmer C. Vogel
 Deputy Director

Chapter 173-531A WAC
WATER RESOURCE PROGRAM FOR THE JOHN DAY-MCNARY POOLS REACH OF THE COLUMBIA RIVER, WRIA 31 AND PARTS OF WRIAS 32, 33, 36, AND 37

NEW SECTION

WAC 173-531A-010 PURPOSE. This chapter is adopted in accordance with the water resources management regulation, chapter 173-500 WAC, which was promulgated under the authority of the Water Resources Act of 1971, chapter 90.54 RCW. This chapter applies to the surface waters of the John Day and McNary Pools of the Columbia River and the Lower Snake River.

NEW SECTION

WAC 173-531A-020 DEFINITIONS. For the purposes of this chapter, the following definitions shall be used.

(1) "Department" means the Washington state department of ecology.

(2) "Reservation" means the designation of specific amounts of the water resources for specific future beneficial uses.

(3) "John Day/McNary Pools Reach," means that part of the Columbia River from John Day Dam upstream to the upper limits of McNary Pool including the upper limits of the pool in the Snake River, the Yakima River, and the Walla Walla River. This reach extends from river mile 216 to river mile 352 of the Columbia River, and includes the lower 10 miles of the Snake River, the lower 6 miles of the Yakima River, and the lower 9 miles of the Walla Walla River.

NEW SECTION

WAC 173-531A-030 EXISTING WATER RIGHTS PROTECTED. Nothing in the chapter shall be construed to lessen, enlarge, or modify existing rights

acquired by appropriation or by other means, including federal reserved rights.

NEW SECTION

WAC 173-531A-040 RESERVATION FOR FUTURE IRRIGATION USE. (1) One million three hundred twenty thousand acre-feet per year are hereby reserved from the John Day/McNary Pools reach to provide a water supply for the 330,000 acres of irrigation projected to be developed by the year 2020. The 330,000 acres includes lands under existing water right permits, pending applications and land for which appropriation applications have not yet been filed.

(2) The priority dates of existing permits and applications already on file covered by the reservation are the dates of filing with the department. The priority dates of permits issued under applications filed in the future under the reservation shall be the effective date of this regulation (see RCW 90.03.345).

(3) Waters represented by canceled or relinquished applications and permits will still be considered reserved and may be subsequently filed on by interested appropriators.

NEW SECTION

WAC 173-531A-050 RESERVATION FOR MUNICIPAL USE. (1) Twenty-six thousand acre-feet of water per year is reserved from the John Day/McNary Pools reach to provide for future municipal supply to the year 2020.

(2) The reservation for municipal use does not guarantee any existing or future supply entity a specific quantity of water. Municipal water supply utilities must petition the department for reservation of water, for their particular needs, according to procedures of chapter 173-590 WAC.

(3) The priority dates of water right filings under the municipal reservation shall be the effective date of this regulation.

NEW SECTION

WAC 173-531A-060 PERMIT CONDITIONS. All permits issued for waters reserved under WAC 173-531A-040 or 173-531A-050 after the effective date of this chapter shall be subject to the provisions of chapter 173-563 WAC - Instream Resources Protection Program for the main stem of the Columbia River.

NEW SECTION

WAC 173-531A-070 DEPARTMENT TO REVIEW REGULATION. (1) The department, in accordance with applicable statutory provisions, shall review the reservations for future irrigation use and future municipal use at least every five years after adoption of this management regulation.

(2) In reviewing the reservations, the department will evaluate the account of water rights established under the reservations as provided in WAC 173-531A-040(3)

and 173-531A-050(2). The department will also evaluate and update the accounts of ground water development and use on lands relating to the reserved waters and reduce the reserved amounts of surface water.

WSR 80-08-023
PROPOSED RULES
DEPARTMENT OF ECOLOGY
[Filed June 24, 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 general regulations for air pollution sources, amending chapter 173-400 WAC;

and that the adoption, amendment, or repeal of such rules will take place at 10:15 a.m., Monday, July 28, 1980, in the Hearings Room, Department of Ecology, Air and Land Offices, Rowe Six, Building 4, 4224 6th Avenue S.E., Lacey, WA.

The authority under which these rules are proposed is RCW 70.94.331.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 18, 1980.

This notice is connected to and continues the matter noticed in Notice No. WSR 80-05-129 filed with the code reviser's office on May 7, 1980.

Dated: June 24, 1980

By: Elmer C. Vogel
Deputy Director

WSR 80-08-024
ADOPTED RULES
DEPARTMENT OF ECOLOGY
[Order DE 80-23—Filed June 24, 1980]

I, Elmer C. Vogel, deputy director of the Department of Ecology, do promulgate and adopt at the Department of Ecology, Lacey, Washington, the annexed rules relating to civil sanctions under Washington Clean Air Act, adopting chapter 173-402 WAC.

This action is taken pursuant to Notice No. WSR 80-05-127 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 70.94.040, 70.94.141 and 70.94.331 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 24, 1980.

By Elmer C. Vogel
Deputy Director

Chapter 173-402 WAC
 CIVIL SANCTIONS UNDER WASHINGTON
 CLEAN AIR ACT

NEW SECTION

WAC 173-402-010 **PRIOR REGULATIONS.** No standard, limitation or requirement of any kind applicable to air contaminant sources and in force at the effective date of this chapter shall be construed to require any element of scienter before civil sanctions available under the Washington Clean Air Act can be imposed.

NEW SECTION

WAC 173-402-020 **SUBSEQUENT REGULATIONS.** No standard, limitation or requirement of any kind applicable to air contaminant sources and adopted after the effective date of this chapter shall be construed to require any element of scienter before civil sanctions available under the Washington Clean Air Act can be imposed, except to the extent that a scienter requirement is provided for expressly.

WSR 80-08-025
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 80-52—Filed June 24, 1980]

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

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is due to the impact of Mt. St. Helens' eruptions, personal-use razor clam digging has dropped significantly. This rule extends the season three days, allows clams available for harvest to be taken.

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 23, 1980.

By Gordon Sandison
 Director

NEW SECTION

WAC 220-55-05600A **RAZOR CLAM LICENSE—EXPIRATION.** Notwithstanding the provisions of WAC 220-55-056, personal-use razor clam licenses issued since September 1, 1980 shall expire at 12:00 noon Thursday, July 3, 1980.

NEW SECTION

WAC 220-56-36000A **RAZOR CLAM SEASONS.** Notwithstanding the provisions of WAC 220-56-360, it shall be lawful to take, dig for and possess razor clams for personal use from Pacific Ocean beaches in Razor Clam Areas 1, 2, and 3 through 12:00 noon Thursday, July 3, 1980.

WSR 80-08-026
PROPOSED RULES
EMPLOYMENT SECURITY DEPARTMENT
 [Filed June 25, 1980]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Employment Security Department intends to adopt, amend, or repeal rules concerning 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; lump sum retirement payments, RCW 50.04.323; application of unemployment contributions payments; unemployment benefits while pursuing a training course; approval of training by commissioner;

that such agency will at 10:00 a.m., Wednesday, August 6, 1980, in the Commissioner's Conference Room, Employment Security Building, 212 Maple Park, Olympia, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 2:00 p.m., Wednesday, August 6, 1980, in the Commissioner's Conference Room, Employment Security Building, 212 Maple Park, Olympia, WA.

The authority under which these rules are proposed is RCW 50.12.010 and 50.12.040.

Dated: June 25, 1980
 By: Eugene Wiegman
 Commissioner

STATEMENT OF PURPOSE

WAC 192-12-041 Application Of Payments.

The changes are necessary to assure that payments received with contribution reports will be applied to all indebtedness (legal fees, penalties, interest and contributions) for the quarters indicated on the contribution report; to clarify the application of payments to coincide with the order of priority provided in subsection (2), and to conform with common business practices.

The amendment was drafted by Will Parvey, Collections Section Supervisor. His office address is Employment Security Department, 212 Maple Park, Olympia, Washington 98504. His office telephone number is 753-3822. Programs and Methods Chiefs for the Tax Branch Central Office Operations and Tax Field Operations are responsible for the implementation and enforcement of the rule. Their

office address is Employment Security Department, 212 Maple Park, Olympia, Washington 98504. Their office telephone numbers are 753-5140 and 753-7166.

WAC 192-12-182 Training—Approval By Commissioner

Existing rules do not address mandatory training which is required as a condition for continued employment. This amendment will include such training within the scope of commissioner approval.

WAC 192-12-184 Training—Unemployment Benefits While Pursuing A Course

Under present rules, training facilities must certify the attendance record of trainee/claimants. This amendment transfers the certification responsibility from the training facility to the claimant, and authorizes the department to verify the information provided in the claimant certification.

The 1980 session of the legislature passed amendments to RCW 50.20.050, RCW 50.20.095 and RCW 50.04.323. These changes were of such scope as to require modification to existing administrative rules.

WAC 192-16-009 Interpretative Regulations—Disqualification For Leaving Work Voluntarily—Meaning Of Good Cause—RCW 50.20.050(1) and (3)

The legislature amended RCW 50.20.050 to allow good cause for voluntarily leaving work because of its distance from one's residence if the distance is greater than that customarily traveled by workers in the individual's job classification and labor market. Additionally, the legislature changed to "unreasonable" the degree of hardship which must be demonstrated before good cause for quitting can be established. The amendments to WAC 192-16-009 are a response to those changes and further define terms used in the statute. The amended statute takes effect June 12, 1980.

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)

The amendments to RCW 50.20.050 also added the death of a member of the claimant's immediate family as an occurrence which may establish good cause for voluntarily leaving work. The amendments to WAC 192-16-013 merely bring it into agreement with the recently changed law. The change is effective June 12, 1980.

WAC 192-16-015 Interpretative Regulations—Leaving Work For Marital Reasons—RCW 50.20.050(4)

This rule is amended to remove "home circumstances" from the definition of domestic responsibilities. The term is not part of the statute and its inclusion in the original interpretative regulation resulted in administrative difficulties in properly following legislative intent. Because other rules relating to voluntary leaving are now being addressed, it is appropriate that this change be made at this time.

WAC 192-16-023 Interpretative Regulations—Disqualification of Students—Section 8, Chapter 33, Laws OF 1977 Ex. Sess.

The 1980 amendments to RCW 50.20.095 established that a disqualification from benefits under that statute may be reviewed if the individual's class load drops below twelve hours per week. The new language in WAC 192-16-023 parallels those changes. The new law was effective June 12, 1980.

WAC 192-16-025 Lump Sum Retirement Payment

The 1980 legislature amended RCW 50.04.323 to provide that retirement pensions received in a lump sum at retirement would be prorated over the life expectancy of the individual in a manner prescribed by the commissioner. This amendment became effective April 6, 1980. The proposed rule states that the proration indicated above will be based on Table 1 of Regulation 1.72-9 of the Internal Revenue Code and clarifies the terms under which a lump sum payment is not deductible from benefits.

The rules, 192-12-182 through 192-16-025, were drafted by Graeme Sackrison, Benefits Specialist, Benefits Branch, Employment Security Department. His office address is Employment Security Department, 212 Maple Park, Olympia, Washington 98504. His office telephone number is 753-5131. Mark Mochel, Benefits Branch Chief, is responsible for the implementation and enforcement of the rules. His office address is Employment Security Department, 212 Maple Park, Olympia, Washington 98504. His office telephone number is 754-5900.

AMENDATORY SECTION (Amending Order 1-80, filed January 10, 1980.)

WAC 192-12-041 APPLICATION OF PAYMENTS. (1) ~~((Any))~~ A payment received with a contribution report will be applied to the quarter for which the report is filed. ~~((Any))~~ A payment exceeding the legal fees, penalties, interests and contributions due for that quarter will be applied to ~~((prior))~~ any other indebtedness in the manner provided in subsection (2). If no ~~((prior))~~ indebtedness exists, a credit statement will be issued for any overpayments.

(2) ~~((Any))~~ A payment received without a contribution report will be applied in the following order of priority, beginning with the oldest quarter's indebtedness first:

- (a) Lien fees
- (b) Warrant fees
- (c) Late contribution report penalty
- (d) Late contribution penalty
- (e) Interest charges ~~((prior and current))~~
- (f) Contributions

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 2-73, filed November 15, 1973.)

WAC 192-12-182 TRAINING—APPROVAL BY COMMISSIONER. Conditions for approval of training by the commissioner are as follows:

(1) No vocational training course, or courses in basic educational skills as a prerequisite for such vocational training, shall be considered for approval by the commissioner or his authorized representative unless:

An application to take such training course is made in writing and filed with the commissioner at any local office of the Washington employment security department, or in the case of an individual in another state, with the local office of such state through which the individual is filing his claim for unemployment compensation against the state of Washington. Such application must be filed prior to payment.

(2) In the approval of any program of training, the commissioner shall consider, among other factors, the following:

(a) The nature of the facility and the quality of the program of instruction, and

(b) Whether such program of instruction relates to an occupation or skill for which there are, or are expected to be, reasonable employment opportunities in the state in which the individual intends to seek work, and

(c) Whether the individual has the qualifications and aptitudes to successfully complete such program of instruction; and further

(d) Whether employment opportunities for which the individual is fitted by past training and experience do not exist or have substantially diminished in the labor market due to business or economic conditions in the area, or because of conditions peculiar to the individual such as health, physical stature, criminal background, or other circumstances of a similar nature, to the extent that in the judgment of the commissioner the individual will experience an extended period of unemployment and dependence upon the unemployment compensation program.

(3) Any training program required as a condition of continued employment within the occupation shall be approved by the Commissioner: PROVIDED, That:

(a) The training program is vocational training, or basic education that is a prerequisite for vocational training, and

(b) The scheduling of the training is determined by a work related entity other than the claimant, and

(c) The training program meets the requirements of subsections (2)(a), (2)(b), and (2)(c) above. Requirements of subsection (2)(d) above do not apply to training programs which meet the requirement of this subsection (3).

AMENDATORY SECTION (Amending Order 2-73, filed November 15, 1973.)

WAC 192-12-184 TRAINING—UNEMPLOYMENT BENEFITS WHILE PURSUING A COURSE. The commissioner prescribes the following requisites:

(1) Individuals eligible for unemployment compensation under the provisions of RCW 50.20.010 shall not be ineligible for such benefits because of enrollment and attendance in a vocational training course, or a course in basic educational skills as a prerequisite for such vocational training, that is approved by the commissioner provided that an application to take such training course therefor is made in writing and filed with the commissioner at any local office of the Washington employment security department, or in the case of an individual in another state, with the local office of such state through which the individual is filing his claim for unemployment compensation against the state of Washington.

(2) Any claimant who, during a week, fails to attend half or more of the scheduled class days of the approved training, or a course in basic educational skills as a prerequisite for such training, will not be excused from meeting the availability for work and active search for work requirements of RCW 50.20.010(3) and the provisions of RCW 50.20.080 relating to failure to apply for, or refusal to accept suitable work, unless the training facility or organization certifies that such absence will not cause the claimant to be unsuccessful in completing the course.

(3) ~~((The training facility or organization will certify to the Washington employment security department, through the claimant, his record of attendance each week, an explanation of each absence, and whether or not such absence will cause the claimant to be unsuccessful in completing the course. Such certification must be submitted to the Washington employment security department at the time of the claiming of benefits for a week. The claimant will certify his/her record of attendance each week, subject to verification by the Washington employment security department. Such certification shall include the claimant's attendance and a supporting statement explaining any absences. The department may contact the school regarding any absence to determine whether or not such absence will cause the claimant to be unsuccessful in completing the course.~~

(4) A claimant making application for unemployment compensation pursuant to the Employment Security Act and these regulations must comply with all other requirements of the Employment Security Act and commissioner's regulations.

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 and present 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.

~~(((*)))~~(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

~~((b))~~(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.

AMENDATORY SECTION (Amending Order 2-77, filed September 2, 1977.)

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 emotional 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: 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 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 a member 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 September 2, 1977.)

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 pensions, 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 80-08-027

**ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)**

[Order 1515—Filed June 25, 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 nursing home licensure program administration, new chapter 388-98 WAC.

This action is taken pursuant to Notice No. WSR 80-04-133 filed with the code reviser on April 2, 1980. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 18.51.310 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED May 30, 1980.

By N. S. Hammond
Executive Assistant

**Chapter 388-98 WAC
NURSING HOME LICENSURE PROGRAM ADMINISTRATION**

NEW SECTION

WAC 388-98-001 DEFINITIONS. (1) For purposes of this section, the following words or phrases shall have the following meanings unless the context clearly indicates otherwise:

(2) "Applicant" means an individual, partnership, corporation, or other legal entity which seeks a license to operate a nursing home.

(3) "Deficiency" means a finding by the department written on a statement of deficiency/plan of correction form indicating the part(s) of chapter 248-14 WAC that are not met.

(4) "Department" means the state department of social and health services.

(5) "Director" means an individual who has been elected or appointed as director of a corporation.

(6) "Licensed nursing home" means a nursing home licensed pursuant to chapter 18.51 RCW.

(7) "Licensee" means an individual, partnership, corporation, or other legal entity to whom a license to operate a nursing home has been granted or a person

subject to such licensure as determined by the department but does not include any employee of such licensee or person unless that employee is an owner of five percent or more of the assets of the licensed entity.

(8) "Licensee's agent" means the designated nursing home administrator, or an individual allowed to perform managerial functions in his/her absence.

(9) "Officer" means an individual who has been appointed an officer of a corporation.

(10) "Owner of five percent or more of the assets of a nursing home" means:

(a) In the case of a sale proprietorship, the owner, or if owned as community property, the owner and his/her spouse; or

(b) In the case of a corporation, the owner of at least five percent of the capital stock of said corporation; or

(c) In the case of any other type of business entity, the owner of a beneficial interest in at least five percent of the capital assets of such entity.

(11) "Partner" means an individual who is in a partnership which owns or operates a nursing home.

(12) "Reasonable time" means a period of time determined by the department and noted in the plan of correction. In determining the length of the period of time for correction of each class of deficiency, the department will consider:

(a) The gravity of the deficiency, including the severity and immediacy of the actual or potential harm to any resident;

(b) The minimum amount of time practicably required to correct.

NEW SECTION

WAC 388-98-800 **APPLICABILITY OF CIVIL FINES.** (1) Civil fines may be imposed in lieu of or in addition to denial, suspension, or revocation of a license.

(2) A fine of up to one thousand dollars may be imposed on the licensee when the department finds that an applicant, licensee or licensee's agent has:

(a) Been the holder of a license issued pursuant to chapter 18.51 RCW which was revoked for cause and never reissued by the department, or which license was suspended for cause and the terms of the suspension have not been fulfilled; or

(b) Knowingly or with reason to know made a false statement or an omission of a material fact in his application for license or any data attached thereto, or in any matter under investigation by the department; or

(c) Refused to allow representatives or agents of the department to inspect all the books, records, and files required to be maintained on any portion of the premises of the nursing home; or

(d) Wilfully prevented, interfered with, or attempted to impede in any way the work of any duly authorized representative of the department in the lawful enforcement of any provision of chapter 18.51 RCW; or

(e) Wilfully prevented or interfered with any representative of the department in the preservation of evidence of any violation of any of the provisions of chapter 18.51 RCW or the standards, rules, and regulations promulgated thereunder; or

(f) Failed to report patient abuse or neglect in accordance with chapter 70.124 RCW; or

(g) Failed to pay any civil fine assessed by the department pursuant to chapter 18.51 RCW within twenty days after such assessment becomes final.

(3) Monetary fines of a civil nature may be imposed on the licensee of a nursing home as follows:

(a) It shall be a class A deficiency when there are conditions or practices that present an immediate danger of death or serious physical harm to any patient in the nursing home or substantial probability that death or serious physical harm would result. The condition or practice constituting a class A deficiency shall be abated or eliminated as soon as possible within twenty-four hours upon notification to the licensee or licensee's agent. The licensee shall be subject to a fine not to exceed one thousand dollars for each class A deficiency for which the licensee or licensee's agent has been notified and for which the time for correction has passed.

(b) It shall be a class B deficiency when there are conditions or practices which have a direct or immediate relationship to the mental or physical health, safety, or security of residents of a nursing home but which presents no imminent danger nor substantial probability of death or serious physical harm to them. A class B deficiency shall be corrected within a reasonable time determined by the department, but in no event more than sixty days. The licensee shall be subject to a fine not to exceed seven hundred fifty dollars for each class B deficiency for which the licensee or licensee's agent has been notified and for which the time for correction has passed.

(c) It shall be a class C deficiency when there are conditions or practices which have a relationship to the health, safety, or security of any patient at a nursing home but which cannot be classified as a class A or class B deficiency. A class C deficiency shall be corrected within a reasonable time determined by the department. The licensee shall be subject to a fine not to exceed five hundred dollars for each class C deficiency for which the licensee or licensee's agent has been notified and for which the time for correction has passed.

NEW SECTION

WAC 388-98-830 **NOTIFICATION.** (1) Department findings shall be written as a statement of deficiency and presented to the licensee or licensee's agent.

(2) The department shall obtain a plan of correction and reasonable time for correction from the licensee or licensee's agent. The plan of correction shall be obtained during the exit interview. When deficiencies involve facility alterations, physical plant plan development, construction review, or Certificate of Need, an interim plan of correction that states the steps planned and approximate time schedule is acceptable. Updated plans shall be submitted as agreed to and as progress occurs. The reasonable time for correction shall be limited by the classification of deficiency.

(3) Unacceptable plans for correction or times for correction will be returned by personal service or certified mail to the licensee or licensee's agent, with letter of explanation, for revision and resubmission.

(a) The licensee or licensee's agent shall be allowed up to eight hours to submit an acceptable plan of correction and reasonable time for correction for class A deficiencies.

(b) The licensee or licensee's agent shall be allowed up to five working days to submit an acceptable plan of correction and reasonable time for correction for class B deficiencies.

(c) The licensee or licensee's agent shall be allowed up to ten working days to submit an acceptable plan of correction and reasonable time for correction for class C deficiencies.

(4) When the licensee or licensee's agent corrects a deficiency as determined by the department within the reasonable time established, a fine will not be imposed.

(5) Upon licensee's or licensee's agent's petition, the department shall determine whether or not to grant a request for an extended correction time. Such a petition must be received by the department at the earliest possible date prior to the expiration of the correction time originally approved. The burden of proof is on the licensee or licensee's agent to show good cause for not being able to comply with the original correction time.

NEW SECTION

WAC 388-98-850 IMPOSITION AND PAYMENT OF FINES. (1) If correction has not been completed and a decision not to fine the licensee has been made, that decision shall be communicated to the licensee or licensee's agent and shall be documented in the licensing file.

(2) When the corrective action taken by the licensee or licensee's agent fails to fully correct the deficiency, the degree of progress in correcting the deficiency will be considered in determining whether or not a fine will be imposed.

(3) Each fine imposed shall be approved by the department.

(4) Written notice of imposition shall be provided by personal service or certified mail to the individual or entity to be fined.

(5) The amount of the fine shall be based on any or all of the following:

(a) The severity of the deficiency;

(b) The prevalence of the deficiency;

(c) The licensee's or licensee's agent's efforts to correct the deficiency;

(d) The licensee's history of noncompliance;

(e) The cost to the department.

(6) The written notice is an order that shall become final twenty days after its service upon the licensee or licensee's agent unless the licensee or licensee's agent requests a hearing. If no hearing is requested the fine becomes due on the thirtieth day after notice of imposition.

(7) All hearings shall be in accordance with the administrative procedures contained in chapter 388-08 WAC.

(8) If a hearing is requested, any written order arising therefrom imposing a fine shall become final thirty days after its entry, unless such order is stayed in accordance

with the provisions of administrative procedures contained in chapter 388-08 WAC.

(9) In case of nonpayment of a fine, the department may withhold an amount equal to the fine from the licensee's administration and operations payment, or,

(10) The department may suspend the license of any licensee who fails to pay a fine imposed under this chapter thirty days after the date of order imposing the fine. Such license suspension shall continue until the fine is paid.

NEW SECTION

WAC 388-98-870 SEPARATE VIOLATIONS. Each separate finding of a violation of a statute, rule or regulation shall constitute a separate violation.

NEW SECTION

WAC 388-98-890 REPORTING. All civil fines assessed against a nursing home which relate to the activities and responsibilities of a licensed nursing home administrator as defined in WAC 248-14-235 shall be reported to the professional licensing division, business and professions administration. The report shall include the name of the person, name of the facility, amount of fine, and date of fine.

WSR 80-08-028

ADOPTED RULES

DEPARTMENT OF SOCIAL AND HEALTH SERVICES (Public Assistance)

[Order 1516—Filed June 25, 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 Adoption support for children—Types and amounts of payments, amending WAC 388-70-550.

This action is taken pursuant to Notice No. WSR 80-05-094 filed with the code reviser on May 2, 1980. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 74.13.109 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED June 20, 1980.

By N. S. Hammond
Executive Assistant

AMENDATORY SECTION (Amending Order 1037, filed 7/29/75)

WAC 388-70-550 ADOPTION SUPPORT FOR CHILDREN—TYPES AND AMOUNTS OF PAYMENTS. (1) The three types of support payments are monthly maintenance, attorney fees and/or court costs,

medical (corrective-rehabilitative) service, or any combination of these. Support payments may continue until a child is 21 years of age. The secretary may approve and continue payment, if warranted, after a child is 21 years of age.

(2) The payment for monthly maintenance shall not exceed the monthly cost standards for foster care established by the department for its foster homes. This payment includes regular foster care or specialized foster care, where indicated, and clothing and personal incidentals. (See WAC 388-70-042 and WAC 388-70-048.)

(3) If the department determines that the prospective adoptive parent(s) cannot, because of limited financial means, pay the cost or the full cost of legal proceedings for the adoption of a hard-to-place child eligible for support under the act and these regulations, the secretary may authorize ~~((the payment of all or part of a reasonable attorney's fee as determined by the superior court hearing the adoption and the court costs and other reasonable expenses attendant to the adoption proceedings))~~ departmental participation in adoption legal fees as determined by the superior court at the adoption hearing up to two hundred dollars plus court costs for each child or family unit, unless a different arrangement has been made by the department with the family and their attorney.

Each community service office will maintain a list of attorneys who express an interest in providing legal services for such a figure, and upon request, will provide such a list to prospective parents. In such instance the attorney for the adoptive parent(s) shall furnish the department with a certified copy of the decree of adoption containing the finding as to his fee and an itemized statement of all other costs of the adoption proceedings.

(4) The medical needs of a child in the adoption support program shall be met from the department's medical services program.

(a) Payment of the costs of medical services shall be made directly to the physician or provider of the services according to the department's established procedures.

(b) Prior to entering an agreement for medical services, the medical needs of a particular child must be reviewed and approved by the department's office of personal health services. Following review and approval, all medical services requested by the adopting parents shall be coordinated through the adoption support program and furnished according to the department's medical programs when there is no other resource available during the effective period of the family's agreement with the department.

(c) Requests for orthodontics, psychiatric care, physical therapy and appliances require special procedures; these requests shall be submitted to the department and its approval obtained before the service is rendered.

WSR 80-08-029

EMERGENCY RULES

UTILITIES AND TRANSPORTATION COMMISSION

[Order 146, Cause No. TV-1365—Filed June 25, 1980]

In the matter of amending WAC 480-12-195, relating to the transportation of hazardous materials by common and contract carriers and WAC 480-12-260, relating to bills of lading.

The Washington Utilities and Transportation Commission finds that an emergency exists and that this 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 the public interest. A statement of the facts constituting such emergency is the provisions of WAC 480-12-195 in effect prior to this amendment, by adopting pertinent federal regulations, provided the manner in which bills of lading or other shipping documents associated with shipments of hazardous materials would be prepared and maintained. The legislature of the State of Washington, in chapter 132, Laws of 1980, has itself set forth requirements pertaining to such documents, which requirements apply to intrastate common or contract carriage. An inconsistency between Commission rule and state law existed, which inconsistency is corrected by this rule adoption. The amendment to WAC 480-12-260 causes a reference to be made to the just amended WAC 480-12-195, and is done for purposes of clarity.

These rule amendments are being promulgated pursuant to RCW 80.01.040, 81.80.130 and 81.80.290.

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

These amendments to WAC 480-12-195 and 480-12-260 affect no economic values.

In reviewing the entire record herein, it has been determined that WAC 480-12-195 and 480-12-260 should be amended to read as set forth in Appendix A attached hereto and made a part hereof by this reference. WAC 480-12-195 as amended prescribes the manner in which bills of lading or other shipping documents shall be maintained and prepared for shipments involving the transportation of hazardous materials moving in intrastate commerce. WAC 480-12-260 as amended clarifies the connection between that section and WAC 480-12-195.

ORDER

WHEREFORE, IT IS ORDERED That WAC 480-12-195 and 480-12-260 as set forth in Appendix A, be amended as emergency rules of the Washington Utilities and Transportation Commission to take effect pursuant to RCW 34.04.030 and 34.04.040(2).

IT IS FURTHER ORDERED That the order and the annexed rules, after being first recorded in the order

register of the Washington Utilities and Transportation Commission, shall be forwarded to the code reviser for filing pursuant to chapter 34.04 RCW and 1-12 WAC.

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

DATED at Olympia, Washington, this 25th day of June, 1980.

Washington Utilities and Transportation Commission

Robert C. Bailey, Chairman

Frank W. Foley, Commissioner

A. J. Benedetti, Commissioner

Appendix A

AMENDATORY SECTION (Amending Order 139, filed 12/12/79)

WAC 480-12-195 HAZARDOUS MATERIALS REGULATIONS. (1) The rules and regulations governing hazardous materials prescribed by the United States department of transportation in Title 49, Code of Federal Regulations, parts 170-189, except that subparagraph (1) of subsection 172.201(a) shall not apply to shipments moving in intrastate commerce, as well as and including all appendices and amendments thereto, in effect on the effective date of this rule, are adopted and prescribed by the commission to define hazardous materials for motor vehicle transportation purposes, and to state the precautions that must be observed in storage, packaging, loading, and unloading such materials, and in maintaining, placarding, marketing, and certifying motor vehicles and equipment used in transporting such materials, and in the maintenance of shipping papers prepared in conjunction with transporting such materials. The rules and regulations adopted and prescribed by this rule shall be observed by all common, contract, and registered carriers operating in this state.

(2) When a description of a hazardous material is required to be included on a bill of lading, manifest, receipt or other shipping document, and such document involves common or contract carriage in intrastate commerce, that description must conform to the following requirements:

(a) The bill of lading, manifest, receipt or other shipping document shall be red in color or shall have a red border, said border to be no less than 1/8 inch wide.

(b) When a hazardous material and a material not subject to the requirements of this subchapter are described on the same shipping document, the hazardous material description entries required by section 172.203 and those additional entries that may be required by section 172.203 must be entered first on the document.

((2)) (3) In addition to any accident reporting requirement now or hereafter prescribed by the commission, every common, contract, and registered carrier operating in this state who reports to the United States department of transportation any incidents occurring in this state involving hazardous materials, shall send a copy of any such report to the commission.

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 R-5, filed 6/6/69)

WAC 480-12-260 BILLS OF LADING. (1) Each common carrier transporting property for compensation is required to issue at time of shipment a bill of lading setting forth complete information as hereinafter required.

(2) Bills of lading shall not be required on the following:

(a) Shipments of grain, fruits or vegetables from farms to elevators, processing plants or warehouses on hauls of not over 50 miles;

(b) On regular milk routes from dairy farms to creamery or markets;

(c) On dump truck work;

(d) Shipments of forest products or coal;

(e) Hauling of garbage or other worthless materials;

(f) Local cartage in cities subject to regulation; and

(g) Where other orders of the Commission authorize exceptions to this rule.

The foregoing exceptions shall apply when, and only when, a daily trip record is kept showing all information necessary for the determination of legal charges such as number of trips made, miles traveled, tonnage, number of cans, cubic yards, cords, or other transportation units, and such trip record is carried in lieu of bills of lading. On shipments of logs a scale slip measurement, or where permitted, weight, must be carried. Local cartage carriers in the cities subject to regulation shall use either bills of lading or a local cartage delivery sheet, way bill or expense bill containing sufficient information to indicate the origin and destination and weight of the commodity and the number of packages in the shipment.

(3)(a) Bills of lading shall be those prescribed and set out in the governing classifications.

(b) Documents retained by carrier must be numbered and filed in numerical order at the main office of the carrier for a period of 3 years, subject to inspection by the Commission.

(c) Carriers may use a combination freight bill/bill of lading or other shipping form, providing that it incorporates all the essential provisions and contract terms and conditions of the standard bills of lading specified in (a).

(4) Bills of lading shall be issued in triplicate (or more) and shall consist of an original bill of lading, a memorandum bill of lading and a shipping order. The three documents shall be signed by shipper and carrier. Original and a memorandum copy shall be delivered to shipper. Shipping order must be retained by the carrier and must be numbered and filed in numerical order at the main office of the carrier for a period of three years subject to inspection by the commission. If freight bills or other documents are used in addition thereto, a cross reference shall be shown on bill of lading (shipping order) as filed. Unless freight bills are used the bill of lading must show all information required by subsection (6) of this rule. A copy of the bill of lading, manifest or

freight bill, covering the goods being carried, must be in possession of the driver of the vehicle and subject to inspection by commission representatives.

(5) The goods covered by a bill of lading must be in the possession or control of the carrier at the time such bill of lading is issued. A bill of lading shall cover only goods received from one shipper, tendered at one time, picked up at one place, consigned to one consignee, at one destination and delivered to one place: **PROVIDED, HOWEVER,** That this rule shall not be construed as prohibiting a carrier from picking up or delivering separate portions contained in the bill of lading if such separate portions are identified and the provisions for such service are duly published in the applicable tariff.

(6) Common carriers who make a regular practice of issuing freight bills (or any equivalent documents by whatever term identified including "waybills" or "expense bills") are not required to show the "rate", "freight charges" or "total to collect" on bills of lading. Where freight bills or manifests are used they shall contain all the information necessary to ascertain the legal charges such as routing, exact location of shipper, origin station, exact location of consignee, destination station, number and kind of packages, complete description of goods which can be identified in tariff usage, and weight, miles, hours, or other units on which rates or charges are based and shall be retained in the files of the carriers in the same manner and for the same period required by subsection (4) of this rule for bills of lading (shipping orders).

(7) Shipments which are greater than the capacity of the available equipment of the carrier may be accepted on one bill of lading, providing the entire shipment is tendered to the carrier at one time and is accepted by and remains in the actual or constructive possession of the carrier until moved. On such shipments the first truck shall be loaded to its capacity. The remainder of the shipment must be moved from the premises of the shipper and started to its destination within 48 hours following the first load. The revenue billing for the shipment shall be made on one bill at the time shipment is accepted and showing the entire weight, the rate assessed and the total freight charge, and a notation showing what part is on the first truck and shall be carried on the first truck. Each succeeding truck shall carry a bill showing the part on it and giving reference to the revenue billing ahead for rate and total charges and must in every instance bear the notation "Part of Pro No." and then be attached to and become a part of original record. The provisions of this section do not apply to the transportation of liquid commodities in bulk or tank equipment. (Constructive possession means that the shipment is under the control of the carrier and that the carrier is in all ways responsible for its safekeeping.)

(8) A bill of lading or other shipping document issued in connection with a shipment moving in intrastate commerce containing hazardous materials, as defined in

WAC 480-12-195, shall comply with the applicable requirements contained in WAC 480-12-195 in addition to all other requirements of this rule.

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

WSR 80-08-030
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 80-53—Filed June 25, 1980]

I, Gordon Sandison, director of Washington 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 corrects a typographical error in a regulation which extended the expiration date of personal-use razor clam licenses.

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 25, 1980.

By Gordon Sandison
Director

NEW SECTION

WAC 220-55-05600B RAZOR CLAM LICENSE—EXPIRATION. Notwithstanding the provisions of WAC 220-55-056, personal-use razor clam licenses issued since September 1, 1979, shall expire at 12:00 noon Thursday, July 3, 1980.

REPEALER

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

WAC 220-55-05600A RAZOR CLAM LICENSE—EXPIRATION (80-52)

WSR 80-08-031
PROPOSED RULES
UTILITIES AND TRANSPORTATION
COMMISSION
 [Filed June 25, 1980]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington Utilities and Transportation Commission intends to adopt, amend, or repeal rules concerning the amending of WAC 480-120-056, conditions for deposits; WAC 480-120-061, conditions under which telephone companies may refuse service; and WAC 480-120-081, conditions under which telephone companies may discontinue service;

and that the adoption, amendment, or repeal of such rules will take place at 8:00 a.m., Wednesday, July 9, 1980, in the Commission's Conference Room, Seventh Floor, Highways-Licenses Building, Olympia, Washington.

The authority under which these rules are proposed is RCW 80.04.160.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 7, 1980, and/or orally at 8:00 a.m., Wednesday, July 9, 1980, Commission's Conference Room, Seventh Floor, Highways-Licenses Building, Olympia, Washington.

This notice is connected to and continues the matter noticed in Notice No. WSR 80-05-131 filed with the code reviser's office on May 7, 1980.

Dated: June 25, 1980
 By: David Rees
 Secretary

WSR 80-08-032
PROPOSED RULES
UTILITIES AND TRANSPORTATION
COMMISSION
 [Filed June 25, 1980]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington Utilities and Transportation Commission intends to adopt, amend, or repeal rules concerning Cause No. TV-1365, the amending of WAC 480-12-195 and 480-12-260 relating to the manner of preparation and maintenance of bills of lading or other shipping documents relating to the transportation of hazardous materials by common and contract carriers where such shipments are in intrastate commerce;

and that the adoption, amendment, or repeal of such rules will take place at 8:00 a.m., Wednesday, August 6, 1980, in the Commission's Conference Room, 7th Floor, Highways-Licenses Building, Olympia, Washington.

The authority under which these rules are proposed is RCW 80.01.040, 81.80.130 and 81.80.290.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this

agency prior to August 1, 1980, and/or orally at 8:00 a.m., Wednesday, August 6, 1980, Commission's Conference Room, 7th Floor, Highways-Licenses Building, Olympia, Washington.

Dated: June 25, 1980
 By: David Rees
 Secretary

STATEMENT OF PURPOSE

The rules proposed by the Washington Utilities and Transportation Commission are to be promulgated pursuant to RCW 80.01.040, 81.80.130 and 81.80.290, which direct that the Commission has authority to implement the provisions of chapter 81.80 RCW.

The rules proposed by the Washington Utilities and Transportation Commission are designed to be consistent with state law regarding the manner in which bills of lading or other shipping documents relating to transportation of hazardous materials shall be prepared and maintained by common and contract carriers when such documents relate to shipments in intrastate commerce. These regulations were adopted on an emergency basis on June 25, 1980.

David Rees, Secretary, Seventh Floor, Highways-Licenses Building, Olympia, Washington (telephone number (206) 753-6512) and members of his staff were responsible for the drafting of the proposed rules and will be responsible for implementation and enforcement of the proposed rules.

The proponent of the rules is the Washington Utilities and Transportation Commission. There are no known opponents to the rules as proposed.

There are no comments or recommendations being submitted inasmuch as the proposal is pursuant to legislative authorization reflected in RCW 80.01.040, 81.80.130 and 81.80.290.

The rule changes proposed will affect no economic values.

This certifies that copies of this statement are on file with the Commission, are available for public inspection, and that three copies of this statement are this date being forwarded to the Secretary of the Senate and three copies to the Chief Clerks of the House of Representatives.

AMENDATORY SECTION (Amending Order 139, filed 12/12/79)

WAC 480-12-195 HAZARDOUS MATERIALS REGULATIONS. (1) The rules and regulations governing hazardous materials prescribed by the United States department of transportation in Title 49, Code of Federal Regulations, parts 170-189, except that subparagraph (1) of subsection 172.201(a) shall not apply to shipments moving in intrastate commerce, as well as and including all appendices and amendments thereto, in effect on the effective date of this rule, are adopted and prescribed by the commission to define hazardous materials for motor vehicle transportation purposes, and to state the precautions that must be observed in storage, packaging, loading, and unloading such materials, and in maintaining, placarding, marking, and certifying motor vehicles and equipment used in transporting such materials, and in the maintenance of shipping papers prepared in conjunction with transporting such materials. The rules and regulations adopted and prescribed by this rule shall be observed by all common, contract, and registered carriers operating in this state.

(2) When a description of a hazardous material is required to be included on a bill of lading, manifest, receipt or other shipping document, and such document involves common or contract carriage in intrastate commerce, that description must conform to the following requirements:

(a) The bill of lading, manifest, receipt or other shipping document shall be red in color or shall have a red border, said border to be less than 1/8 inch wide.

(b) When a hazardous material and a material not subject to the requirements of this subchapter are described on the same shipping document, the hazardous material description entries required by section 172.203 and those additional entries that may be required by section 172.203 must be entered first on the document.

~~((2))~~ (3) In addition to any accident reporting requirement now or hereafter prescribed by the commission, every common, contract, and registered carrier operating in this state who reports to the United States department of transportation any incidents occurring in this state involving hazardous materials, shall send a copy of any such report to the commission.

AMENDATORY SECTION (Amending Order R-5, filed 6/6/69)

WAC 480-12-260 BILLS OF LADING. (1) Each common carrier transporting property for compensation is required to issue at time of shipment a bill of lading setting forth complete information as hereinafter required.

(2) Bills of lading shall not be required on the following:

- (a) Shipments of grain, fruits or vegetables from farms to elevators, processing plants or warehouses on hauls of not over 50 miles;
- (b) On regular milk routes from dairy farms to creamery or markets;
- (c) On dump truck work;
- (d) Shipments of forest products or coal;
- (e) Hauling of garbage or other worthless materials;
- (f) Local cartage in cities subject to regulation; and
- (g) Where other orders of the Commission authorize exceptions to this rule.

The foregoing exceptions shall apply when, and only when, a daily trip record is kept showing all information necessary for the determination of legal charges such as number of trips made, miles traveled, tonnage, number of cans, cubic yards, cords, or other transportation units, and such trip record is carried in lieu of bills of lading. On shipments of logs a scale slip measurement, or where permitted, weight, must be carried. Local cartage carriers in the cities subject to regulation shall use either bills of lading or a local cartage delivery sheet, way bill or expense bill containing sufficient information to indicate the origin and destination and weight of the commodity and the number of packages in the shipment.

(3)(a) Bills of lading shall be those prescribed and set out in the governing classifications.

(b) Documents retained by carrier must be numbered and filed in numerical order at the main office of the carrier for a period of 3 years, subject to inspection by the commission.

(c) Carriers may use a combination freight bill/bill of lading or other shipping form, providing that it incorporates all the essential provisions and contract terms and conditions of the standard bills of lading specified in (a).

(4) Bills of lading shall be issued in triplicate (or more) and shall consist of an original bill of lading, a memorandum bill of lading and a shipping order. The three documents shall be signed by shipper and carrier. Original and a memorandum copy shall be delivered to shipper. Shipping order must be retained by the carrier and must be numbered and filed in numerical order at the main office of the carrier for a period of three years subject to inspection by the commission. If freight bills or other documents are used in addition thereto, a cross reference shall be shown on bill of lading (shipping order) as filed. Unless freight bills are used the bill of lading must show all information required by subsection (6) of this rule. A copy of the bill of lading, manifest or freight bill, covering the goods being carried, must be in possession of the driver of the vehicle and subject to inspection by commission representatives.

(5) The goods covered by a bill of lading must be in the possession or control of the carrier at the time such bill of lading is issued. A bill of lading shall cover only goods received from one shipper, tendered at one time, picked up at one place, consigned to one consignee, at one destination and delivered to one place: PROVIDED, HOWEVER, That this rule shall not be construed as prohibiting a carrier from picking up or delivering separate portions contained in the bill of lading if such separate portions are identified and the provisions for such service are duly published in the applicable tariff.

(6) Common carriers who make a regular practice of issuing freight bills (or any equivalent documents by whatever term identified including "waybills" or "expense bills") are not required to show the "rate", "freight charges" or "total to collect" on bills of lading. Where freight bills or manifests are used they shall contain all the information necessary to ascertain the legal charges such as routing, exact location of shipper, origin station, exact location of consignee, destination station, number and kind of packages, complete description of goods which can be identified in tariff usage, and weight, miles, hours, or other units on which rates or charges are based and shall be retained in the files of the carriers in the same manner and for the same period required by subsection (4) of this rule for bills of lading (shipping orders).

(7) Shipments which are greater than the capacity of the available equipment of the carrier may be accepted on one bill of lading, providing the entire shipment is tendered to the carrier at one time and is accepted by and remains in the actual or constructive possession of the carrier until moved. On such shipments the first truck shall be loaded to its capacity. The remainder of the shipment must be moved from

the premises of the shipper and started to its destination within 48 hours following the first load. The revenue billing for the shipment shall be made on one bill at the time shipment is accepted and showing the entire weight, the rate assessed and the total freight charge, and a notation showing what part is on the first truck and shall be carried on the first truck. Each succeeding truck shall carry a bill showing the part on it and giving reference to the revenue billing ahead for rate and total charges and must in every instance bear the notation "Part of Pro No." and then be attached to and become a part of original record. The provisions of this section do not apply to the transportation of liquid commodities in bulk or tank equipment. (Constructive possession means that the shipment is under the control of the carrier and that the carrier is in all ways responsible for its safekeeping.)

(8) A bill of lading or other shipping document issued in connection with a shipment moving in intrastate commerce containing hazardous materials, as defined in WAC 480-12-195, shall comply with the applicable requirements contained in WAC 480-12-195 in addition to all other requirements of this rule.

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

WSR 80-08-033**EMERGENCY RULES****DEPARTMENT OF FISHERIES**

[Order 80-54—Filed June 26, 1980]

I, Gordon Sandison, director of Washington State Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial salmon 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 conservation closures in Area 7C (inside the "Oyster Creek" line) and the Samish River are necessary to protect chinook returning to the Samish Hatchery. The closure in Area 10 is modified to be the least restrictive regulation necessary to provide adequate protection for Lake Washington sockeye and chinook.

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 26, 1980.

By Gordon Sandison
Director

NEW SECTION

WAC 220-28-007C0U CLOSED AREA. Effective July 1, 1980, until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to

take, fish for or possess salmon for commercial purposes with any type of gear in that portion of Puget Sound Salmon Management and Catch Reporting Area 7C inside and southeasterly a line projected from the mouth of Oyster Creek 237° True to a fishing boundary marker on Samish Island.

NEW SECTION

WAC 220-28-007G0G **CLOSED AREA.** Effective July 1, 1980, until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes from the waters of the Samish River.

NEW SECTION

WAC 220-28-01000N **CLOSED AREA.** Effective July 1, 1980, until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in that portion of Puget Sound Salmon Management and Catch Reporting Area 10 northerly of a line from Alki Point to Restoration Point.

REPEALER

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

effective July 1, 1980:

- WAC 220-28-007COT **CLOSED AREA (80-20)**
- WAC 220-28-01000M **CLOSED AREA (80-50)**

WSR 80-08-034
NOTICE OF PUBLIC MEETINGS
BOARD OF
PILOTAGE COMMISSIONERS
 [Memorandum, Ass't. Att. General—June 23, 1980]

The time and place of the August, 1980 regular meeting of the Board of Pilotage Commissioners has been changed to August 21, 1980, at 1:00 p.m. in the Port of Grays Harbor Commissioners Room, General Offices, 111 South Wooding Street, Aberdeen, WA, 533-9505.

The September, 1980 regular meeting of the Board of Pilotage Commissioners has been cancelled.

WSR 80-08-035
ADOPTED RULES
BOARD OF PHARMACY
 [Order 155, Resolution 6/80—Filed June 26, 1980—Eff. September 30, 1980]

Be it resolved by the Washington State Board of Pharmacy, acting at the Holiday Inn, 714 Lakeway Drive, Bellingham, WA, that it does promulgate and adopt the annexed rules relating to adopting new section WAC 360-12-140 and amending WAC 360-18-020.

This action is taken pursuant to Notice No. WSR 80-05-070 filed with the code reviser on April 25, 1980. Such rules shall take effect at a later date, such date being September 30, 1980.

This rule is promulgated under the general rule-making authority of the Washington State Board of Pharmacy as authorized in RCW 18.64.005(4) and (11).

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

APPROVED AND ADOPTED June 26, 1980.

By David C. Campbell, Jr.
 Executive Secretary

NEW SECTION

WAC 360-12-140 **PHARMACIST PRESCRIPTIVE AUTHORITY — PRIOR BOARD APPROVAL REQUIRED.** A pharmacist planning to exercise prescriptive authority in his or her practice (see RCW 18.64.011(11)) by initiating or modifying drug therapy in accordance with written guidelines or protocols previously established and approved for his or her practice by a practitioner authorized to prescribe drugs shall make application through, and receive approval from, the board prior to commencement of this aspect of the practice of pharmacy.

AMENDATORY SECTION (Order 154, filed April 28, 1980)

WAC 360-18-020 **LICENSE FEES.** (1) Pursuant to chapter 90, Laws of 1979, the board hereby determines, sets and establishes, effective October 1, 1980, the following fees for licenses issued by the board:

(a) **PHARMACY LOCATION, CSA & PROPHYLACTIC**

Original pharmacy fee	\$100.00
Original CSA fee	((35.00))
	30.00
Original prophylactic fee	10.00
Original pharmacy assistant utilization fee	25.00
Renewal pharmacy fee	50.00
Renewal CSA fee	25.00
Renewal prophylactic fee	10.00
Renewal pharmacy assistant utilization fee	25.00
Penalty pharmacy fee	100.00

(b) **VENDOR**

Original fee	20.00
Renewal fee	20.00
Penalty fee	20.00

(c) **PHARMACIST**

Exam fee	75.00
Original license fee	50.00
Renewal fee	25.00
Penalty fee	25.00
Reciprocity fee	150.00

- (d) **SHOPKEEPER**
 Original fee 20.00
 Renewal fee 20.00
 Penalty fee 20.00
- (i) **SHOPKEEPER – 6 or fewer drugs**
 Original fee 5.00
 Renewal fee 5.00
 Penalty fee 5.00
- (ii) **SHOPKEEPER – with differential hours**
 Original fee 20.00
 Renewal fee 20.00
 Penalty fee 20.00
- (e) **DRUG MANUFACTURER**
 Original fee 125.00
 Renewal fee 125.00
 Penalty fee 125.00
- (f) **DRUG WHOLESALER – full line**
 Original fee 125.00
 Renewal fee 125.00
 Penalty fee 125.00
- (g) **DRUG WHOLESALER – OTC only**
 Original fee 100.00
 Renewal fee 100.00
 Penalty fee 100.00
- (h) **PHARMACY ASSISTANT – Level "A"**
 Original fee 10.00
 Renewal fee 10.00

(2) Effective until October 1, 1980, the board establishes as licensing fees those amounts specified in the various provisions of the Pharmacy Practice Act as they appeared prior to the effective date of chapter 90, Laws of 1979, which prior provisions are incorporated herein by this reference.

WSR 80-08-036

ADOPTED RULES

BOARD OF PHARMACY

[Order 156, Resolution 6/80—Filed June 26, 1980]

Be it resolved by the Washington State Board of Pharmacy acting at the Holiday Inn, 714 Lakeway Drive, Bellingham, Washington that it does promulgate and adopt the annexed rules relating to the adoption of WAC 360-11-023 Applications for approval as a provider of continuing education — Post-approval of continuing education credits; WAC 360-11-027 continuing education program providers' responsibilities; WAC 360-11-033 Credit for continuing education; WAC 360-11-037 Credit for individual study programs; WAC 360-11-045 Pharmacist audits — Disallowed credit; amending WAC 360-11-010, 360-11-040, 360-11-060 and repealing WAC 360-11-050.

This action is taken pursuant to Notice No. WSR 80-04-071 filed with the code reviser on March 27, 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 Pharmacy as authorized in RCW 18.64.005(12).

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 26, 1980.

By David C. Campbell, Jr.
 Executive Secretary

NEW SECTION

WAC 360-11-023 APPLICATIONS FOR APPROVAL AS A PROVIDER OF CONTINUING EDUCATION—POST-APPROVAL OF CONTINUING EDUCATION CREDITS. (1) Applications for approval as a provider of Continuing Education or for post-approval of continuing education credit shall be made on the form provided for this purpose by the Washington State Board of Pharmacy.

(2) In the case of an application for provider approval, the application form shall be submitted 30 days prior to the date the program will be held; Provided, however, that the board may waive the requirement that an application be filed 30 days prior to the date of the program on good cause shown in an individual case.

(3) In the case of an application for post-approval of continuing education credits for a pharmacist who has attended a worthy program for which the provider has not obtained approval, the pharmacist must file application for this approval within 30 days following the program.

(4) All programs approved by the American Council on Pharmaceutical Education are accepted for continuing education credit and do not require that an individual provider approval be obtained in each case.

NEW SECTION

WAC 360-11-027 CONTINUING EDUCATION PROGRAM PROVIDERS' RESPONSIBILITIES. (1) A continuing education provider shall supply each attendee or subscriber with a written program description which lists the topic(s) covered, number of speakers or authors, time devoted to the program topic(s), and the instructional objectives of the program. The program description must also bear a statement of the number of hours of continuing education credit assigned by the provider.

(2) The provider must make available to each attendee or subscriber proof of attendance or participation suitable for verifying to the board the completion of continuing education requirements.

(3) The provider shall retain, for a period of two years, a list of persons to whom proof of attendance or participation as specified in (2) above was supplied. Providers of non-evaluated self-instruction units shall be exempt from this requirement.

NEW SECTION

WAC 360-11-033 CREDIT FOR CONTINUING EDUCATION. (1) One hour of continuing education

credit will be awarded for each hour of proven attendance at lectures, short courses, workshops, or conferences given by academic institutions or by professional associations utilizing either faculty from academic institutions or recognized experts on the subject under discussion.

(2) One hour of continuing education credit will be awarded for each hour of proven attendance at those portions of regularly scheduled meetings of professional pharmacy groups, associations, or societies where speakers make presentations on topics of professional importance. Only those portions of meetings actually devoted to the presentation by the speaker may be used for credit. Such programs may be presented by any qualified speaker, including pharmacy school faculty, physicians, pharmacists or other appropriate professional persons.

(3) Programs which are acceptable for meeting continuing education requirements of other states will normally be acceptable to meet continuing education requirements in the state of Washington but credit for such programs will be subject to the limitations contained in these rules relating to evaluation and maximum hour allotments.

NEW SECTION

WAC 360-11-037 CREDIT FOR INDIVIDUAL STUDY PROGRAMS. (1) Individual study programs of various types may be counted for continuing education credit. The amount of such credit which can be applied toward meeting the annual continuing education requirement will depend on whether the provider evaluates the users' mastery of the subject material.

(2) Self-instruction units such as audio tapes, video cassettes or audio tapes/slides may be counted on the basis of one hour of credit for each hour of actual viewing or listening time, provided there is a procedure conducted by the provider which evaluates learning and retention of information by the user. To obtain such credit, the pharmacist must be able to provide a certificate supplied by the program provider that he or she has satisfactorily achieved the goals of the learning unit.

(3) Correspondence courses available from recognized academic institutions which cover appropriate topics will be awarded continuing education credit on the basis of ten hours per unit credit awarded by the institution. It is also required that such correspondence courses evaluate the users learning and retention of information provided by the course.

(4) In cases where a user evaluation is not included as part of the self-instruction unit, credit will be accepted only to the extent of five hours of the total annual hours of continuing education requirement. Non-evaluated self-instruction includes programs such as audio tapes, video tapes, slide/tape programs, texts or journals. To obtain credit for a non-evaluated self-instruction program, a form approved by the Washington State Board of Pharmacy must be filled out and returned to the board office. For articles, tapes, and related types of learning units, one hour of credit may be claimed for each hour of reading, viewing, or listening time. The board may waive the five hours maximum credit allowance on good cause shown in an individual case.

NEW SECTION

WAC 360-11-045 PHARMACIST AUDITS—DISALLOWED CREDIT. (1) The board may audit the documentation submitted by a pharmacist in support of continuing education requirements and may disallow credit for that portion which does not meet the requirements of these rules.

(2) Since individual pharmacist audits will usually be retrospective, it is recognized that disallowed credit may work hardship on the pharmacist involved. In cases where a pharmacist is audited and some or all credit is disallowed, the continuing education requirement for the following year will be increased by the amount of hours disallowed.

(3) A pharmacist who is audited and has credit disallowed will automatically be audited for three consecutive years. Failure to satisfy the continuing education requirement as a result of disallowed credit in two consecutive years will be considered a violation of these regulations and will be good and sufficient cause for imposition of disciplinary action by the board.

AMENDATORY SECTION (Order 147, filed March 27, 1979)

WAC 360-11-010 CONTINUING EDUCATION. (1) ~~((Commencing July 1, 1975, no))~~ No renewal certificate of ((registration)) licensure shall be issued by the board of pharmacy until the applicant submits satisfactory proof to the board that during the ((calendar year)) twelve months preceding his or her application for renewal he or she has participated in courses of continuing professional pharmaceutical education of the types and number of continuing education credits specified by the board. Such continuing education is hereby declared to be a mandatory requirement for license renewal, except that pharmacists applying for the first annual renewal of their ((certificate of registration)) license following graduation shall be exempt from the provisions of this regulation.

(2) Continuing education requirements must be submitted along with the license application and fee. If the continuing education requirements are not complete the license renewal application will be returned with an explanatory note. The license renewal will not be processed until complete.

(3) Each individual pharmacist is responsible for maintaining records which verify the continuing education requirements which are submitted in support of annual renewal of license. Records shall be retained for a minimum of two years.

(4) A pharmacist who desires to reinstate his or her license after having been unlicensed for over one year shall, as a condition to reinstatement of his or her license, complete such continuing education credits as may be specified by the board in each individual case.

AMENDATORY SECTION (Order 116, filed November 9, 1973)

WAC 360-11-040 AMOUNT OF CONTINUING EDUCATION. Effective with the 1982 renewals ((F)) the equivalent of one and 1/2 continuing education unit

(1.5 continuing education unit or 15 hours) of professional continuing education shall have been completed and shall be required annually of each applicant for renewal of licensure. One continuing education unit is the equivalent of ten hours of participation in continuing education programs approved by the board of pharmacy.

AMENDATORY SECTION (Order 116, filed November 9, 1973)

WAC 360-11-060 ADVISORY COMMITTEE ON CONTINUING EDUCATION. There is under the jurisdiction of the board of pharmacy an advisory committee on continuing education consisting of ten members appointed by the board of pharmacy. The membership shall consist of two members from the state board of pharmacy, two members from the faculties of colleges of pharmacy in the state and six practicing pharmacists within the state (~~(, two of whom must be hospital pharmacists)~~). The two board members shall be nonvoting members. The advisory committee shall meet a minimum of once a year.

It shall be the duty of the advisory committee to recommend to the board the standards and specifications to be required of programs that may be acceptable for approval by the board to fulfill the continuing education requirement, the approval of the programs fulfilling the standards and specifications adopted, the number of continuing education units to be awarded for the satisfactory completion of approved programs, and such other matters that will assist the board in the implementation of the continuing education requirements for the relicensure of pharmacists.

REPEALER

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

WAC 360-11-050 APPLICATION OF EXCESS CONTINUING EDUCATION UNITS.

**WSR 80-08-037
EMERGENCY RULES
BOARD OF
CHIROPRACTIC EXAMINERS**
[Order PL 349—Filed June 26, 1980]

Be it resolved by the Washington Board of Chiropractic Examiners, acting at the Red Lion Inn, Sea Tac, Seattle, Washington, that it does promulgate and adopt the annexed rules relating to the adoption of WAC 114-12-121 Examinations—National board; and WAC 114-12-131 Chiropractic examination—Limitation; repealing WAC 114-12-120 Examinations—National board and WAC 114-12-130 Chiropractic examination—Limitation.

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 examinations 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 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 25, 1980.

By James C. Burkett D.C.
Chairman

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 80-08-038
EMERGENCY RULES
JAIL COMMISSION
[Order 7—Filed June 26, 1980]

Be it resolved by the Washington State Jail Commission, acting at Olympia, Washington, that it does promulgate and adopt the annexed rules relating to appeals from funding decisions.

We, the Washington State Jail Commission, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is the failure to clarify appeal procedures applicable to June 12, 1980 funding decisions by the State Jail Commission, would delay proceeding with funding of critically needed jail work for which funds are currently available, resulting in up to \$3 million in increased costs. Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 70.48.060(3)(v) 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 26, 1980.

By Saul Arrington
Chairman

NEW SECTION

WAC 289-13-105 APPEALS FROM FUNDING DECISIONS. (1) Any applicant governing unit which is aggrieved by the funding decision contained in the written notice provided to it under WAC 289-13-100 may request reconsideration of such decision by filing a written request therefor with the director within fourteen days of its receipt of such notice. Such reconsideration shall constitute an "appeal" from such decision within the meaning of RCW 70.48.060(3)(v) and shall be conducted in accordance with the provisions of this rule: **PROVIDED**, that reconsideration of any commission funding decision under the provisions of this rule does not constitute a "contested case" within the meaning of

RCW 34.04.010(3) or for purposes of the procedures set forth within Chapter 34.04 RCW.

(2) Review of any request for reconsideration by the commission will be reviewed by the commission on the basis of written submissions. Any request shall contain a detailed statement as to any new factual matters regarding the decision on the application which have not previously been submitted to the commission and any argument as to the correctness of the decision under the applicable statutes and commission rules. The Chairman shall call a meeting of the commission to occur within fourteen days of the receipt of such request and the Director shall notify the applicant and commission of such time at least five days prior thereto, sending each member of the commission a copy of the request. All other applicants shall be provided a written notice of any such proceeding and may submit a written statement with regard thereto.

(3) Commission action on reconsideration shall occur at the public meeting scheduled therefor and will be based entirely upon any written submissions received; additional oral argument will not be received. The commission decision on any request for reconsideration at such meeting will be reduced to written form by the director, and a notice thereof signed by the commission chairman shall be mailed by registered mail with return receipt requested to the governing unit in question. Such notice shall constitute a final funding decision by the commission subject only to such statutory review as would apply to any funding action.

WSR 80-08-039
EMERGENCY RULES
DEPARTMENT OF
EMERGENCY SERVICES
[Order 80-04—Filed June 27, 1980]

I, Edward Chow, Jr., director of the Department of Emergency Services, do promulgate and adopt at 6220 East Martin Way, Olympia, Washington 98504, the annexed rules relating to the 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 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. On June 11, 1980, these WAC's were amended to expedite the permit process for individuals and government entities. These amendments are necessary to expedite access to the Red Zone for individuals who own or control property in specific areas of the Red Zone, for persons operating aircraft within the Red Zone, and for

industrial permit holders under WAC 118-03-040(5), 118-03-75(2)(i) [118-03-075(2)(i)] and 118-03-120.

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 27, 1980.

By 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 6/27/80)

WAC 118-03-040

APPLICATION/PROCESSING PROCEDURE — NONPERMANENT RESIDENTS. (1) 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 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) 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 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.

(5) Individuals who own or control property in the Eagles Cliff, Northwoods or other areas accessed through and via U.S. Forest Service roads will not be

required to obtain a permit provided those individuals are with and under the control of a U.S. Forest Service escort at all times during occupancy of the RED zone.

Personnel entering the RED zone via an FAA approved flight aboard an aircraft will not be required to obtain a permit provided they remain within 15 minutes of the aircraft outside the 12 mile portion of the RED zone and within 2 minutes at any point within the 12 mile zone.

AMENDATORY SECTION (Amending Order 80-01, filed 6/27/80)

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 or 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.

(i) Entry and occupancy of the RED zone for industrial permittees will be authorized during the hours from sunrise to one hour before sunset. The times for sunrise

and sunset will be determined from U.S. Weather Bureau data.

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 6/27/80)

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 protection 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 to 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)) The industrial permit ((may)) will be issued for operations within a specified location of township, range and section. Operations to be conducted in areas different from the original permit will require issuance of a new permit. Permits may be renewable as long as the ((permittee)) permitter is under WAC 118-030-090(f) and 118-030-120.

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

WSR 80-08-040
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 80-55—Filed June 27, 1980]

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

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

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 27, 1980.

By Gordon Sandison
Director

NEW SECTION

WAC 220-28-003G0A CLOSED AREA Effective June 28, 1980 until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear from the waters of the Quillayute River.

WSR 80-08-042
EMERGENCY RULES
DEPARTMENT OF REVENUE
[Order FT 80-1—Filed June 30, 1980]

I, Charles W. Hodde, director of Department of Revenue, do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

New	WAC 458-40-18643	Definitions for 7/1/80 through 12/31/80.
New	WAC 458-40-18644	Stumpage value areas—Map for 7/1/80 through 12/31/80.
New	WAC 458-40-18645	Hauling distance zones—Maps for 7/1/80 through 12/31/80.
New	WAC 458-40-18646	Timber quality code numbers—Tables for 7/1/80 through 12/31/80.
New	WAC 458-40-18647	Stumpage values—Tables for 7/1/80 through 12/31/80.
New	WAC 458-40-18648	Harvester adjustments—Tables for 7/1/80 through 12/31/80.
Amd	WAC 458-40-18600	General.
Amd	WAC 458-40-19000	Timber pole volume table for west of Cascade Summit for the calendar period 7/1/80 through 12/31/80.
Amd	WAC 458-40-19001	Timber piling volume table for west of Cascade Summit for the calendar period 7/1/80 through 12/31/80.
Amd	WAC 458-40-19002	Timber pole volume table for east of Cascade Summit for the calendar period 7/1/80 through 12/31/80.
Amd	WAC 458-40-19003	Timber piling volume table for east of Cascade Summit for the calendar period 7/1/80 through 12/31/80.
Amd	WAC 458-40-19004	Conversion definitions and factors for the calendar period 7/1/80 through 12/31/80.

I, Charles W. Hodde, 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 RCW 84.33.071 requires stumpage value for timber be shown on tables to be prepared by the Department of Revenue each year on or before December 31 for use the following January through June 30, and on or before June 30 for use the following July through December 31, which stumpage values shall in accordance with the policy of the Department of Revenue reflect the most recent sales from which data is available.

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

This rule is promulgated pursuant to RCW 82.01.060 and 84.33.071 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 30, 1980.

By Charles W. Hodde
Director

Reviser's Note: The rules relating to stumpage values, chapter 458-40 WAC, were adopted both as permanent and emergency rules by the Department of Revenue in Administrative Order Numbers FT 80-2 and FT 80-1, respectively. Due to length of the rules, and the fact that they are identical in both their permanent and emergency versions, they are displayed in the Register only once, under WSR 80-08-041.

WSR 80-08-041
ADOPTED RULES
DEPARTMENT OF REVENUE
[Order FT 80-2—Filed June 30, 1980]

I, Charles W. Hodde, director of Department of Revenue, do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

- New WAC 458-40-18643 Definitions for 7/1/80 through 12/31/80.
- New WAC 458-40-18644 Stumpage value areas—Map for 7/1/80 through 12/31/80.
- New WAC 458-40-18645 Hauling distance zones—Maps for 7/1/80 through 12/31/80.
- New WAC 458-40-18646 Timber quality code numbers—Tables for 7/1/80 through 12/31/80.
- New WAC 458-40-18647 Stumpage values—Tables for 7/1/80 through 12/31/80.
- New WAC 458-40-18648 Harvester adjustments—Tables for 7/1/80 through 12/31/80.
- Amd WAC 458-40-18600 General.
- Amd WAC 458-40-19000 Timber pole volume table for west of Cascade Summit for the calendar period 7/1/80 through 12/31/80.
- Amd WAC 458-40-19001 Timber piling volume table for west of Cascade Summit for the calendar period 7/1/80 through 12/31/80.
- Amd WAC 458-40-19002 Timber pole volume table for east of Cascade Summit for the calendar period 7/1/80 through 12/31/80.
- Amd WAC 458-40-19003 Timber piling volume table for east of

Amd WAC 458-40-19004

Cascade Summit for the calendar period 7/1/80 through 12/31/80.
Conversion definitions and factors for the calendar period 7/1/80 through 12/31/80.

This action is taken pursuant to Notice No. WSR 80-05-117 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 82.01.060 and 84.33.071 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 30, 1980.

By Charles W. Hodde
Director

AMENDATORY SECTION (Amending Order FT 79-40, filed 12/31/79)

WAC 458-40-18600 GENERAL. Pursuant to the duty imposed by RCW 84.33.071 (~~((formerly RCW 82-04.291))~~) to prepare tables of stumpage values for each species of timber and consistent with the duty to make allowances for age, size, quality, costs of removal, accessibility to point of conversion, market conditions, and all other relevant factors, the department has promulgated rules and prepared tables which prescribe stumpage values and make allowances for the relevant factors.

~~((These rules,))~~ WAC ~~((458-40-18637))~~ 458-40-18600, 458-40-18643 through ~~((458-40-18642))~~ 458-40-18648 and 458-40-19000 through 458-40-19004 are promulgated pursuant to the rule-making requirements, and procedures prescribed or authorized by chapter 34.04 RCW.

NEW SECTION

WAC 458-40-18643 DEFINITIONS FOR 7/1/80 THROUGH 12/31/80. (1) Acceptable Log Scaling Rule. The acceptable log scaling rule shall be the Scribner Decimal C Log Scale Rule or other prevalent measuring practice, provided that such other prevalent measuring practice shall be an acceptable scaling procedure and provided that such procedure shall be submitted to the department for approval prior to the time of harvest.

(2) Approved Log Scaling and Grading Rules.

(a) West of the Cascade Summit—Approved Scaling and Grading Rule. With respect to the reporting of timber harvested from private lands in areas west of the Cascade summit, which areas are designated as stumpage value areas 1, 2, 3, 4, 5, and 11 in the stumpage value area map of WAC 458-40-18644, the methods and procedures published by the Columbia River Log Scaling and Grading Bureau, Grays Harbor Log Scaling and Grading Bureau, and the Puget Sound Log Scaling and Grading Bureau and published as the "Official Log Scaling and Grading Rules" by the Puget Sound Log

Scaling and Grading Bureau, Tacoma, Washington are approved by the department for use in those areas.

(b) East of the Cascade Summit—Approved Scaling Rule. With respect to the reporting of timber harvested from private lands in areas east of the Cascade summit, which areas are designated as stumpage value areas 6, 7, 8, 9, and 10 in the stumpage value area map of WAC 458-40-18644, the methods and procedures published by the United States Forest Service under the title "National Forest Log Scaling Handbook" procedures are approved by the department for use in those areas. This log scaling handbook is published under the title FSH 2409-11 National Forest Log Scaling Handbook, Forest Service, United States Department of Agriculture.

(c) East of the Cascade Summit—Established Grading Rule. Because the National Forest Log Scaling Handbook does not contain grading rules, a separate computation shall be made to arrive at the proper grade for purposes of determining the timber quality code number for timber harvested east of the Cascade summit. The grade for quality classification purposes of the timber harvested from private land east of the Cascade summit shall be determined by the number of sawable sixteen foot logs per thousand feet net Scribner Decimal C Log Scale. The computation shall be made under the following three-step procedure:

(i) Step 1. The highest possible total number of sawable sixteen foot logs which could be recovered shall be determined by dividing the sum total of length of all sawable logs harvested by the number sixteen.

(ii) Step 2. The average net volume per sixteen foot recoverable log shall be determined by dividing the total volume harvested (net log scale) by the total number of sixteen foot logs as determined in Step 1.

(iii) Step 3. The total number of logs per thousand board feet (MBF) shall be determined by dividing one thousand by the average net volume as determined in Step 2.

(3) Codominant Trees. Trees whose crowns form the general level of the crown cover and receive full light from above, but comparatively little light from the sides.

(4) Department. Department, for the purposes of this chapter, shall mean the department of revenue of the state of Washington.

(5) Dominant Trees. Trees whose crowns are higher than the general level of the canopy and who receive full light from the sides as well as from above.

(6) Forest Excise Tax Payment. Every person who is engaged in business as a harvester of timber from privately owned land shall pay a forest excise tax which shall be equal to the taxable stumpage value of timber harvested for sale or for commercial or industrial use and multiplied by the appropriate rate as provided in RCW 84.33.071.

(7) Harvester. Harvester shall mean every person who from his own privately owned land or from privately owned land of another under a right or license granted by lease or contract, either directly or by contracting with others, takes timber for sale or for commercial or industrial use. It does not include persons performing under contract the necessary labor or mechanical services for a harvester.

(8) Harvested Timber—When Determined. Timber shall be considered harvested at the time when in the ordinary course of business the quantity thereof by species is first definitely determined.

(9) Harvest Type. Harvest type shall be a term referring to the grouping of harvested timber by age and type of harvest and shall include and is limited to the following harvest types:

(a) Merchantable Sawtimber, All Ages—The removal of timber east of the Cascade summit shall be reported as "merchantable sawtimber, all ages", unless the harvest type comes within the definition in this chapter of "special forest products harvest".

(b) Old Growth Final Harvest. The removal of any timber from a harvest unit that is 100 years of age or older and west of the Cascade summit shall be reported as "old growth final harvest" unless the harvest type comes within the definition in this chapter of "special forest products harvest".

(c) Special Forest Products. The removal of Christmas trees (except as provided in RCW 84.33.170), shake blocks and boards, and posts and other western red cedar products shall be reported as "special forest products harvest".

(d) Thinning. The removal of timber from a harvest unit meeting all the following conditions:

(i) Harvest unit located west of the Cascade summit;

(ii) Timber that is less than 100 years of age;

(iii) The total merchantable volume which is removed is less than forty percent of the total merchantable volume of the harvest unit prior to harvest;

(iv) Not more than forty percent of the total volume removed is from the dominant and codominant trees;

(v) The trees removed in the harvest operation shall be distributed over the entire harvest unit.

(e) Young Growth Final Harvest. The removal of any timber from a harvest unit that is less than 100 years of age and does not meet the definition of thinning in paragraph (d) above and west of the Cascade summit shall be reported as "young growth final harvest" unless the harvest type comes within the definition in this chapter of "special forest products harvest" or within the definition of "thinning harvest".

(10) Harvest Unit. A harvest unit is a harvest area having the same forest excise tax permit number, stumpage value area, hauling distance zone, harvest type, harvest adjustments and harvester. A harvest unit may include more than one section.

(11) MBF. As used herein MBF shall mean one thousand board feet measured in Scribner Decimal C Log Scale Rule.

(12) Sawlog. Sawlog shall mean any log large enough to produce one-third of its gross volume in sound lumber or other products that can be sawed.

(13) Small Harvest. A small harvest is defined as the total net volume harvested from all units, a selected unit, or a combination of units (including conifer special cull or utility and hardwood utility) is 250 thousand board feet or less in a given reporting quarter.

(14) Species. Species designation is a biologically-based grouping of harvested timber and shall include but

is not limited to the following designations of species and subclassifications thereof:

(a) West of the Cascade summit:

(i) "Douglas fir", "western hemlock", "true fir", "western red cedar", "noble fir", "Sitka spruce", "Alaska yellow cedar", "red alder", and "cottonwood" shall be reported as separate species where designated as such in the stumpage value tables of WAC 458-40-18647.

(ii) In areas west of the Cascade summit, species designations for the harvest type "special forest products" shall be "western red cedar" (shake blocks and boards), western red cedar flatsawn and shingle blocks "western red cedar and other" (posts), "Douglas fir", "true fir and others", (Christmas trees).

(b) East of the Cascade summit:

(i) "Ponderosa pine", "lodgepole pine", "white pine", "Douglas fir", "western hemlock", "true fir", "western red cedar", "western larch" and "Engelmann spruce" shall be reported as separate species where designated as such in the stumpage value tables of WAC 458-40-18647.

(ii) In areas east of the Cascade summit, species designations for the harvest type "special forest products" shall be "western red cedar" (flatsawn and shingles), "western larch" (flatsawn and shingle blocks), "lodgepole pine and other" (posts), "pine" (Christmas trees), "Douglas fir and other" (Christmas trees).

(c) All areas:

(i) "Other conifer", as used in the stumpage value tables, shall be all other conifers not separately designated in the applicable stumpage value tables.

(ii) "Hardwood", and "other hardwood", as used in the stumpage value tables, shall be all hardwoods not

separately designated in the applicable stumpage value tables.

(iii) "Utility", "conifer utility", and "hardwood utility" are separate species as defined by the "Official Log Scaling and Grading Rules" published by the Puget Sound Log Scaling and Grading Bureau and shall be reported as separate species where designated as such in the stumpage value tables.

(15) Stumpage Value Area. A stumpage value area is an area with specified boundaries which contains timber having similar growing, harvesting, and marketing conditions. Presently, there are eleven such stumpage value areas designated in the state of Washington as shown under WAC 458-40-18644. Stumpage value areas 1, 2, 3, 4, 5, and 11 are located west of the Cascade summit and stumpage value areas 6, 7, 8, 9, and 10 are located east of the Cascade summit.

(16) Stumpage Value of Timber. The stumpage value of timber shall be the appropriate value for each species of timber harvested, or for each species of "special forest product" reported, as set forth in the stumpage value tables under WAC 458-40-18647.

(17) Timber. Timber shall include forest trees, standing or down, on privately owned land, and except as provided in RCW 84.33.170 includes Christmas trees, shake blocks and boards, posts and other western red cedar products.

(18) Timber Quality Code Number. The timber quality code number is a number assigned to the harvest of a particular species within a harvest type under WAC 458-40-18646, and is based upon the constituent percentage of log grade specifications within the total volume of timber harvested for that particular species.

NEW SECTION

WAC 458-40-18644 STUMPAGE VALUE AREAS—MAP FOR 7/1/80 THROUGH 12/31/80. In order to allow for differences in market conditions and other relevant factors throughout the state as required by RCW 84.33.071(3) the department has created a map designating areas containing timber having similar growing, harvesting, and marketing conditions. The stumpage value area map shall be used for the determination of stumpage values.

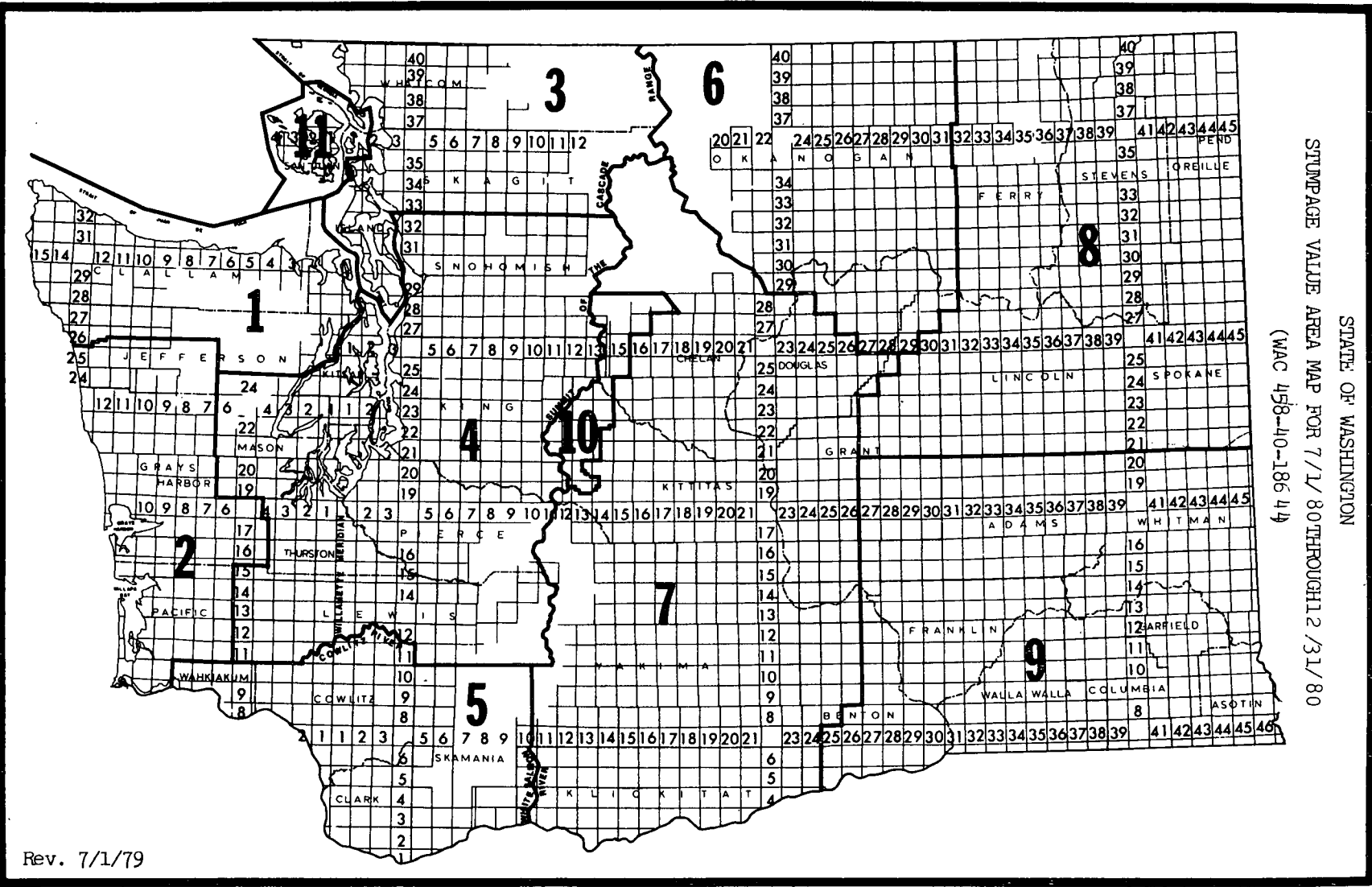
The stumpage value area map shown herein shall be used to determine the proper stumpage value table to be used in calculating the taxable stumpage value under WAC 458-40-18647.

The following stumpage value area map is hereby adopted for use during the period of July 1, 1980 through December 31, 1980:

STATE OF WASHINGTON

STUMPAGE VALUE AREA MAP FOR 7/1/80 THROUGH 12/31/80

(WAC 458-40-186 4)



Rev. 7/1/79

NEW SECTIONWAC 458-40-18645 HAULING DISTANCE ZONES—MAPS FOR 7/1/80 THROUGH 12/31/80.

In order to allow for differences in hauling costs and other relevant factors as required by RCW 84.33.071, the department has designated zones within each stumpage value area which have similar accessibility to conversion points and other similar hauling cost factors.

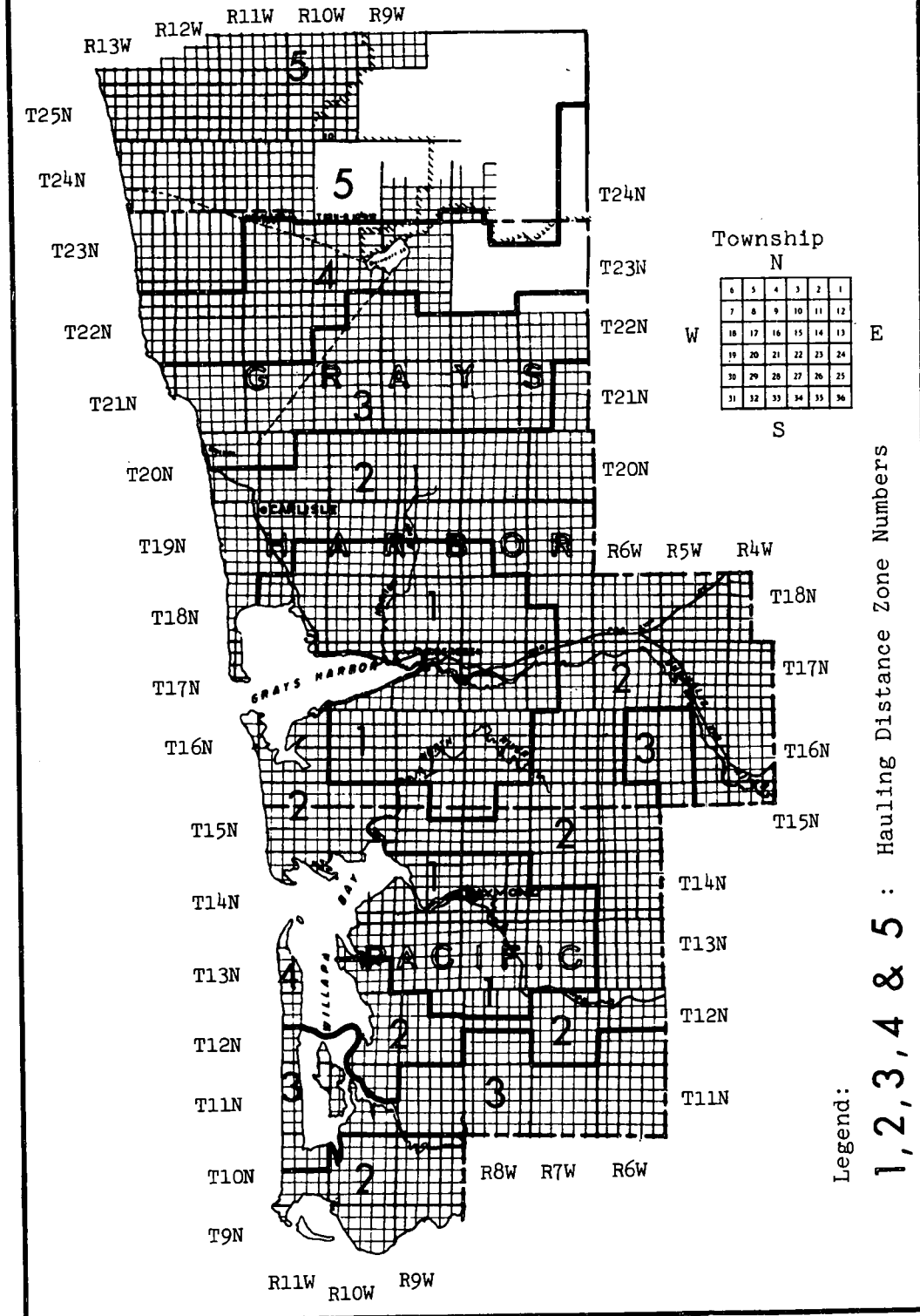
The hauling distance zone numbers on the following hauling distance zone maps establish the hauling distance zone numbers which are to be used in computing timber harvest value under the stumpage value tables of WAC 458-40-18647.

The following hauling distance zone maps designating zones established by the department as having similar hauling costs for transportation of forest products to the market, are hereby adopted for use during the period of July 1, 1980 through December 31, 1980:

HAULING DISTANCE ZONE MAP FOR 7/1/80 Through 12/31/80
(WAC458-40-186 45)

STUMPAGE VALUE AREA 2

Page 1 of 1



Township

N					
6	5	4	3	2	1
7	8	9	10	11	12
13	14	15	16	17	18
19	20	21	22	23	24
25	26	27	28	29	30
31	32	33	34	35	36
S					

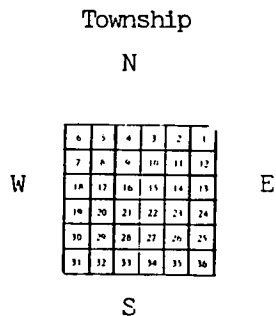
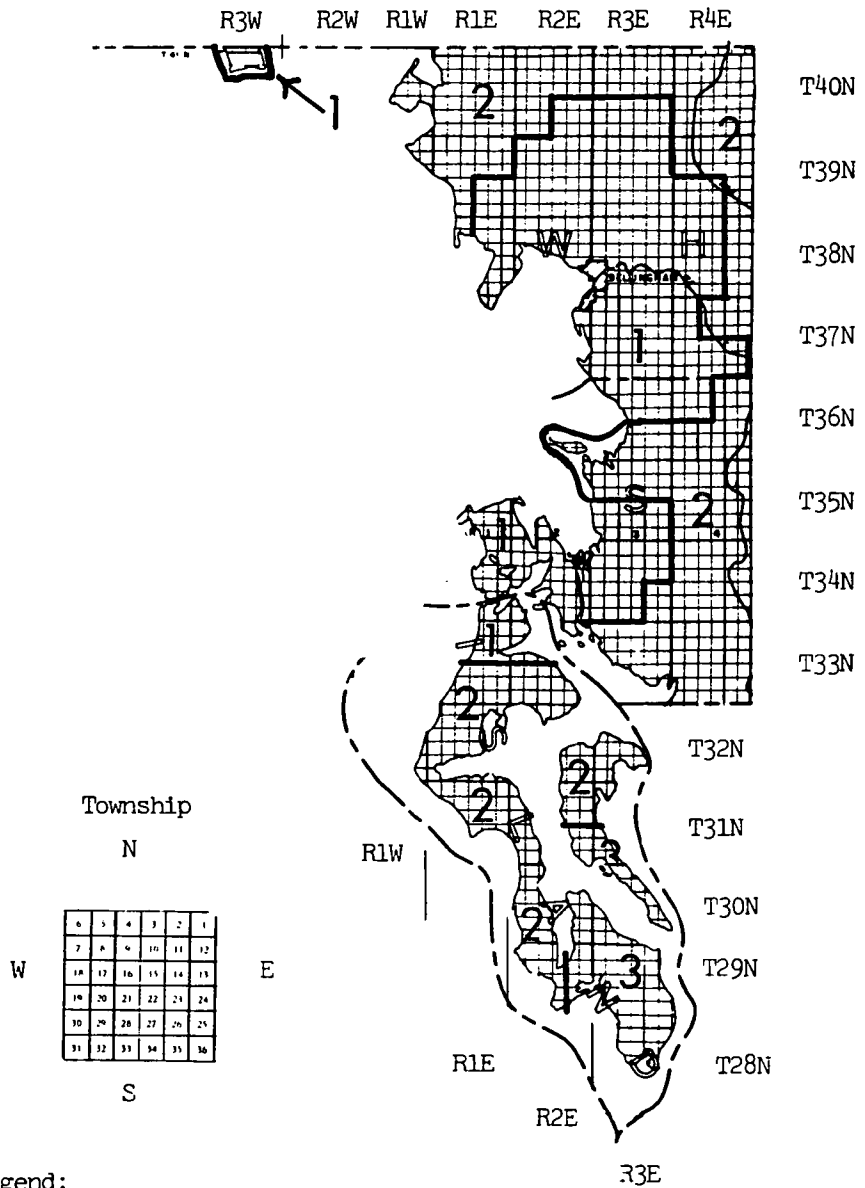
W E

Legend:
1, 2, 3, 4 & 5 : Hauling Distance Zone Numbers

HAULING DISTANCE ZONE MAP FOR 7/1/80 Through 12/31/80
(WAC458-40-186 45)

STUMPAGE VALUE AREA 3

Page 1 of 2



Legend:

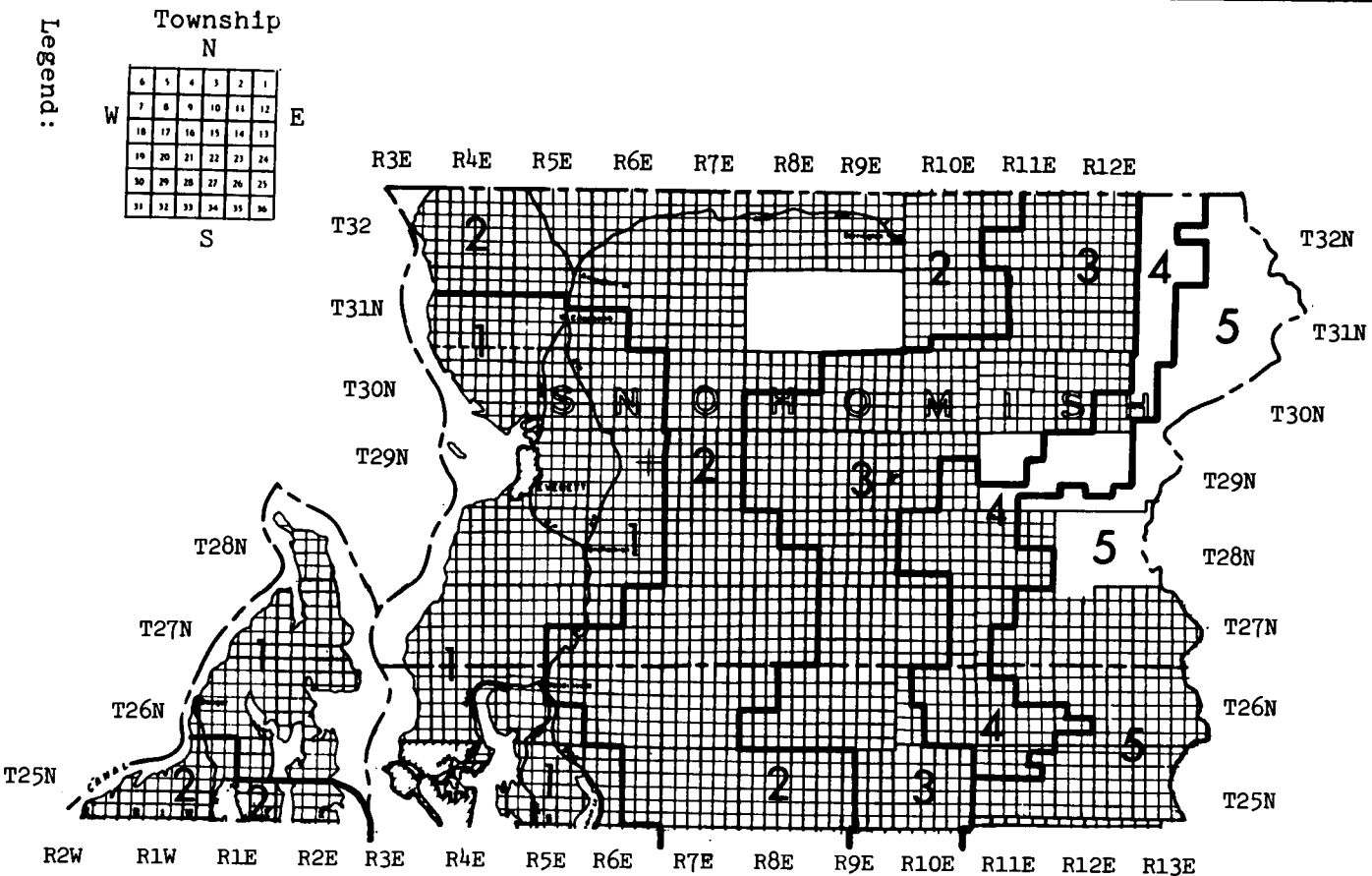
1, 2, 3, 4 and 5 : Hauling Distance Zone Numbers

7/1/79

HAULING DISTANCE ZONE MAP FOR 7/1/80 Through 12/31/80
(WAC 458-40-18645)

STUMPAGE VALUE AREA 4

Page 1 of 3

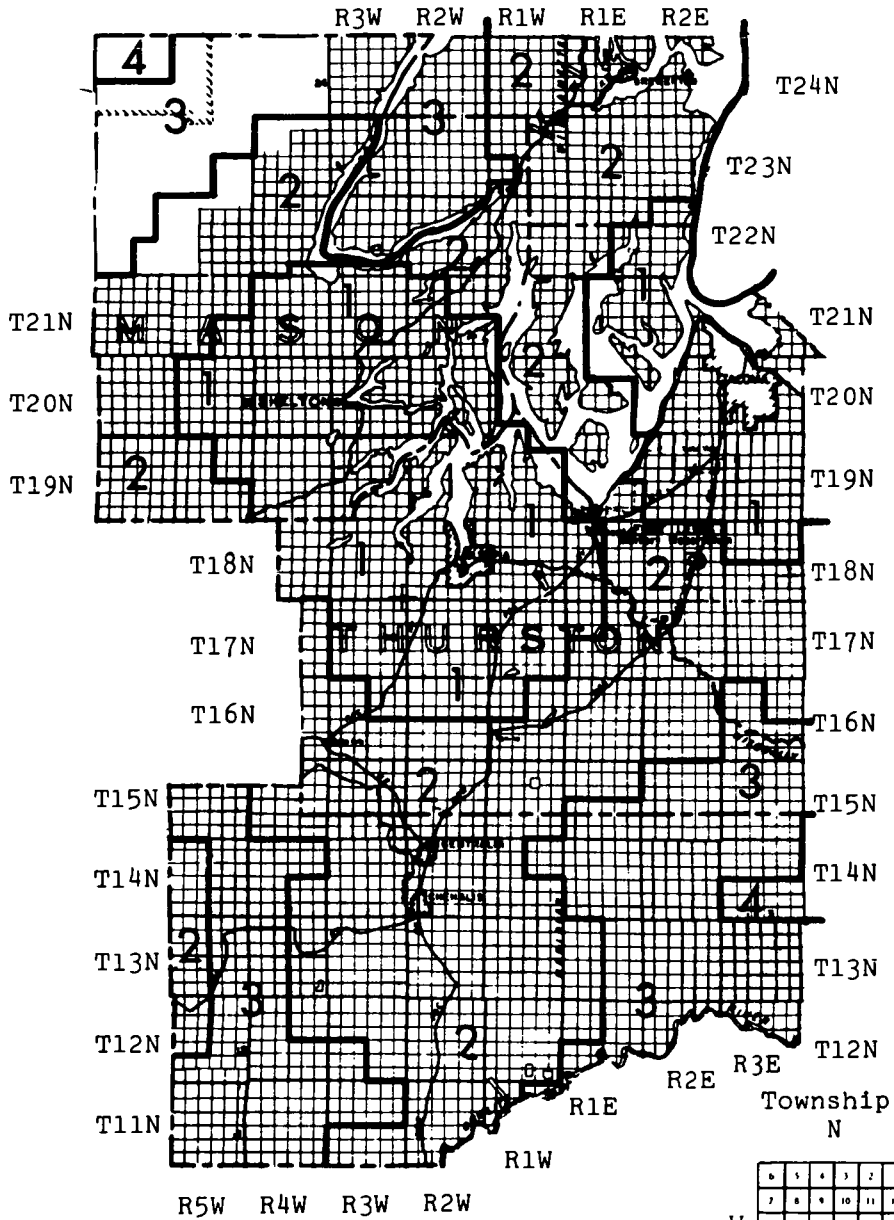


1, 2, 3, 4 and 5 : Hauling Distance Zone Numbers

HAULING DISTANCE ZONE MAP FOR 7/1/80 Through 12/31/80
(WAC 458-40-18645)

STUMPAGE VALUE AREA 4

Page 2 of 3



Legend:

1, 2, 3 and 4: Hauling Distance Zone Numbers

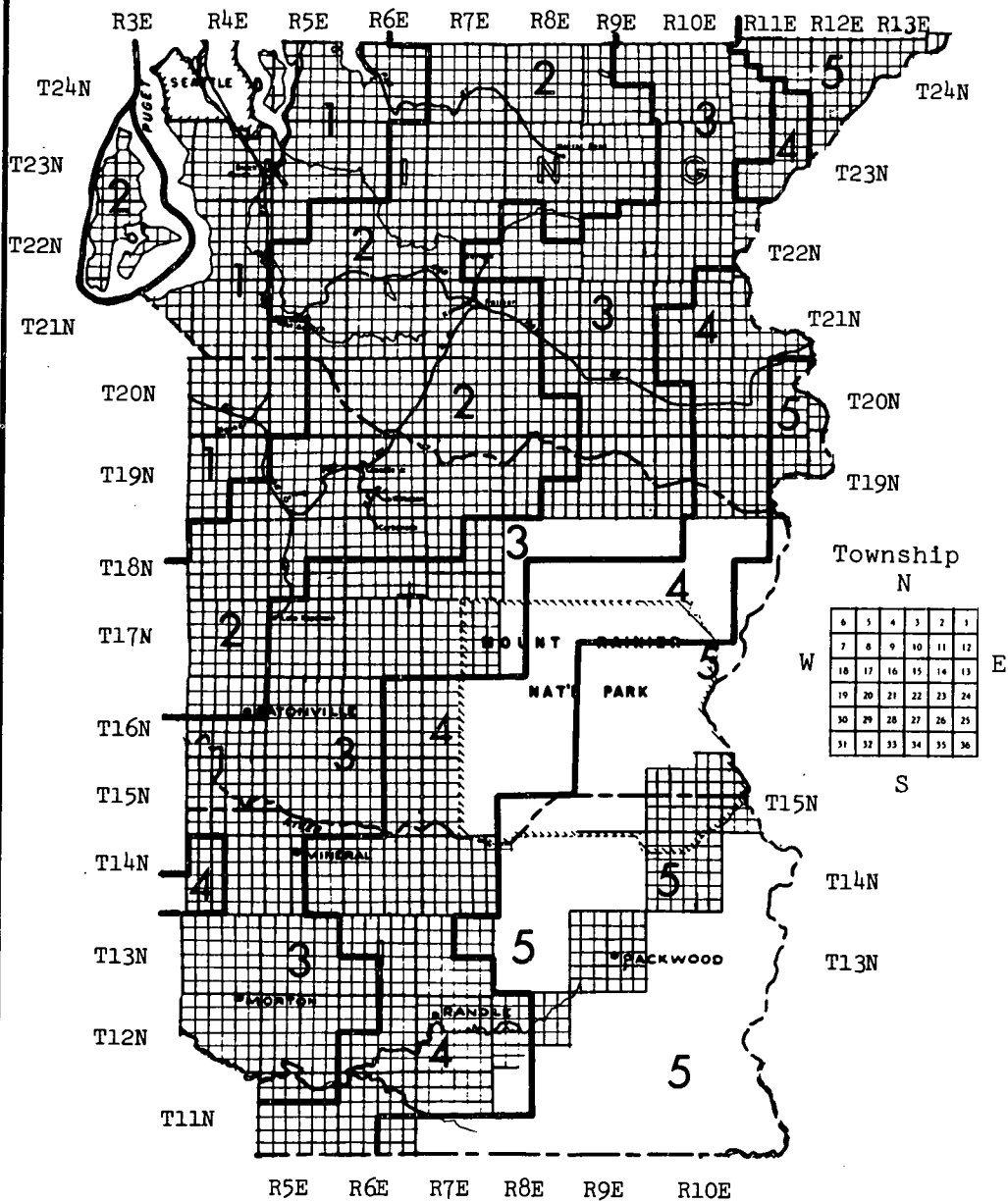
6	5	4	3	2	1
7	8	9	10	11	12
13	14	15	16	17	18
19	20	21	22	23	24
25	26	27	28	29	30
31	32	33	34	35	36

S

HAULING DISTANCE ZONE MAP FOR 7/1/80 Through 12/31/80
(WAC 458-40-18645)

STUMPAGE VALUE AREA 4

Page 3 of 3



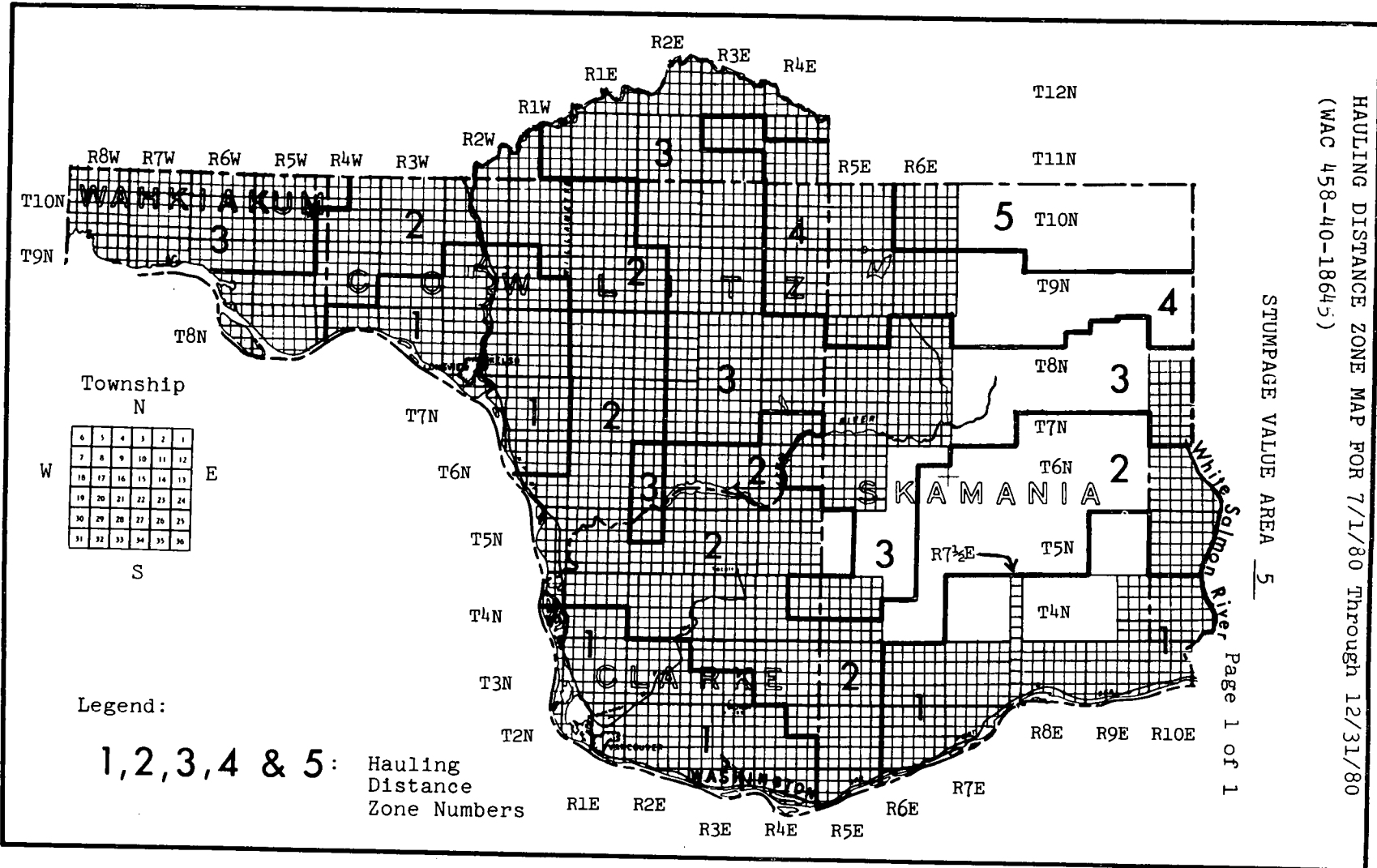
Legend:

1, 2, 3, 4 and 5: Hauling Distance Zone Numbers

HAULING DISTANCE ZONE MAP FOR 7/1/80 Through 12/31/80
(WAC 458-40-18645)

STUMPAGE VALUE AREA 5

Page 1 of 1



Township N

6	5	4	3	2	1
7	8	9	10	11	12
13	14	15	16	17	18
19	20	21	22	23	24
25	26	27	28	29	30
31	32	33	34	35	36

W E S

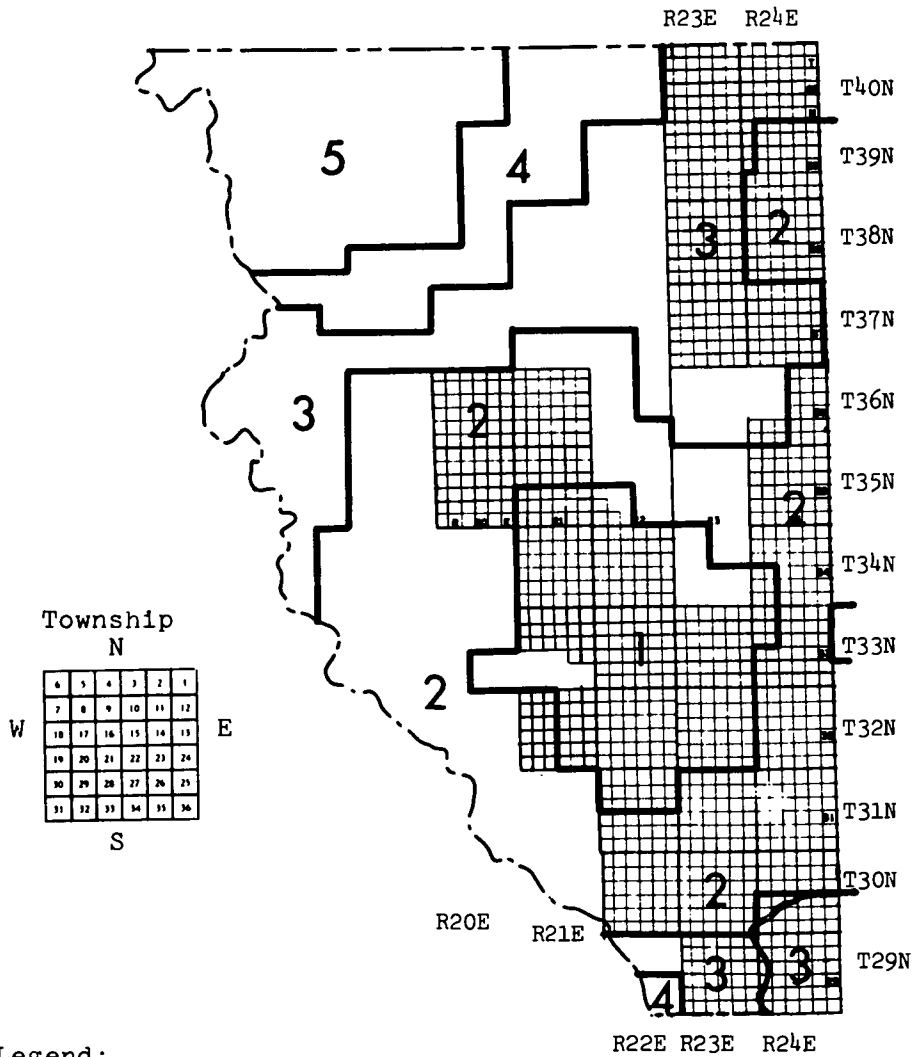
Legend:

1, 2, 3, 4 & 5: Hauling Distance Zone Numbers

HAULING DISTANCE ZONE MAP FOR 7/1/80 Through 12/31/80
(WAC 458-40-18645)

STUMPAGE VALUE AREA 6

Page 1 of 2

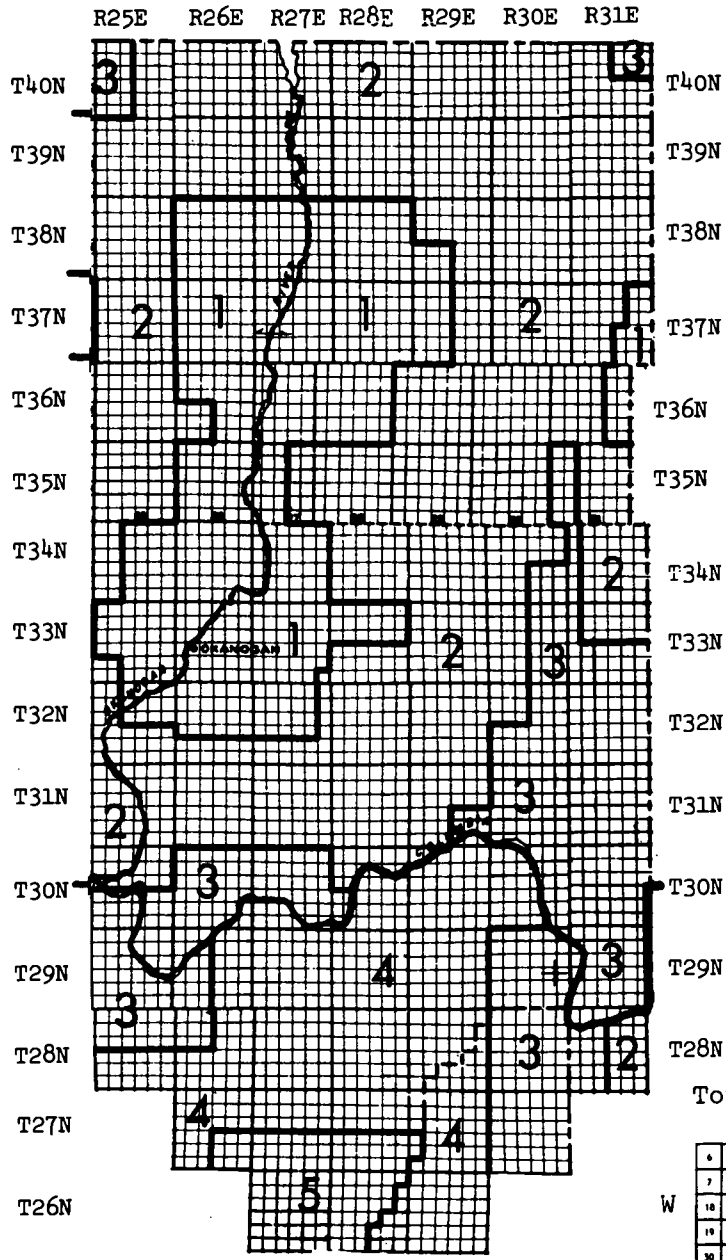


Legend:

1, 2, 3, 4 and 5: Hauling Distance Zone Numbers

HAULING DISTANCE ZONE MAP FOR 7/1/80 Through 12/31/80
(WAC 458-40-186 45)

STUMPAGE VALUE AREA 6



Legend:

1, 2, 3, 4 and 5: Hauling Distance Zone Numbers

Township N

6	5	4	3	2	1
7	8	9	10	11	12
13	14	15	16	17	18
19	20	21	22	23	24
25	26	27	28	29	30
31	32	33	34	35	36

W E

S

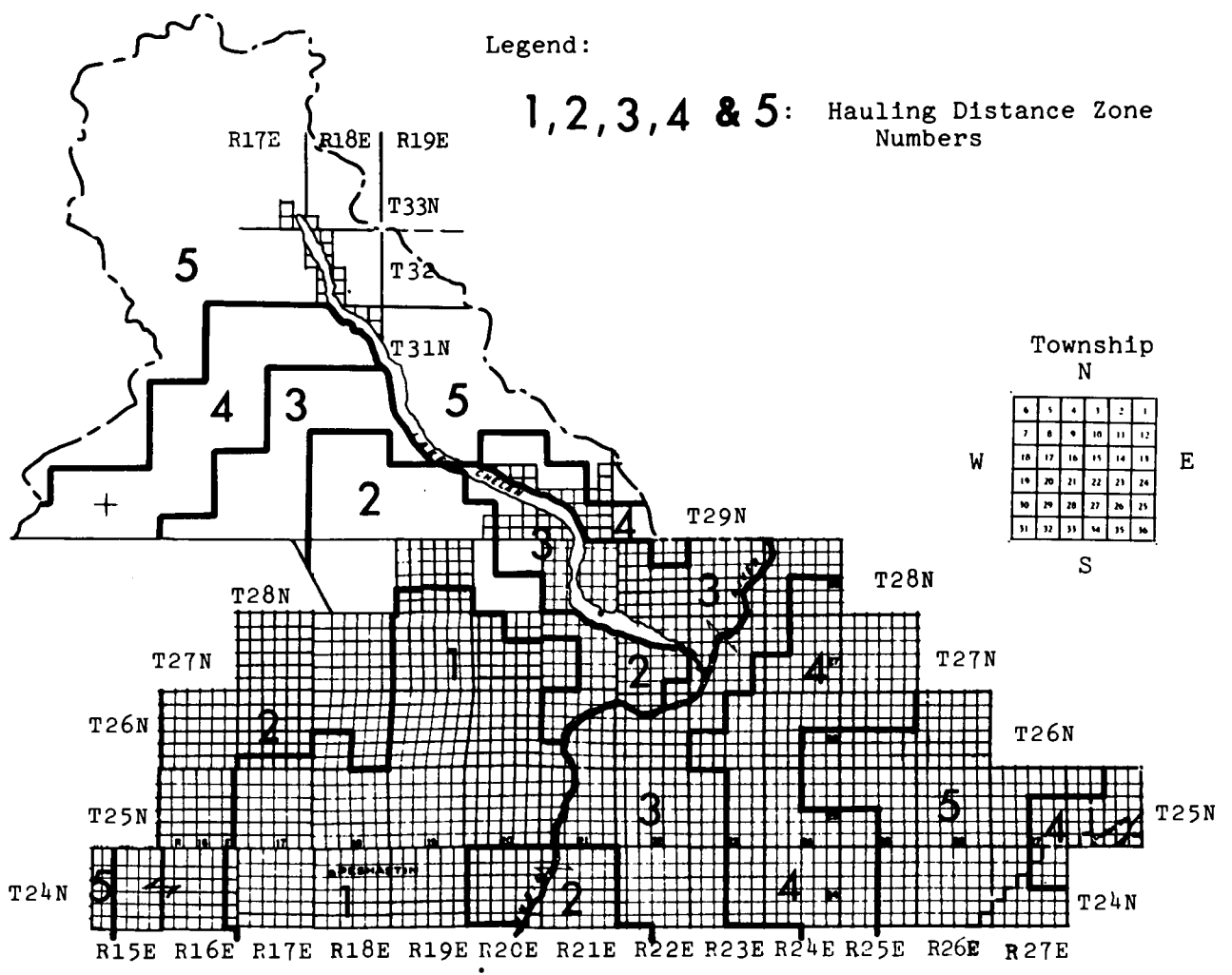
HAULING DISTANCE ZONE MAP FOR 7/1/80 Through 12/31/80
(WAC 458-40-186 45)

STUMPAGE VALUE AREA 7

Page 1 of 3

Legend:

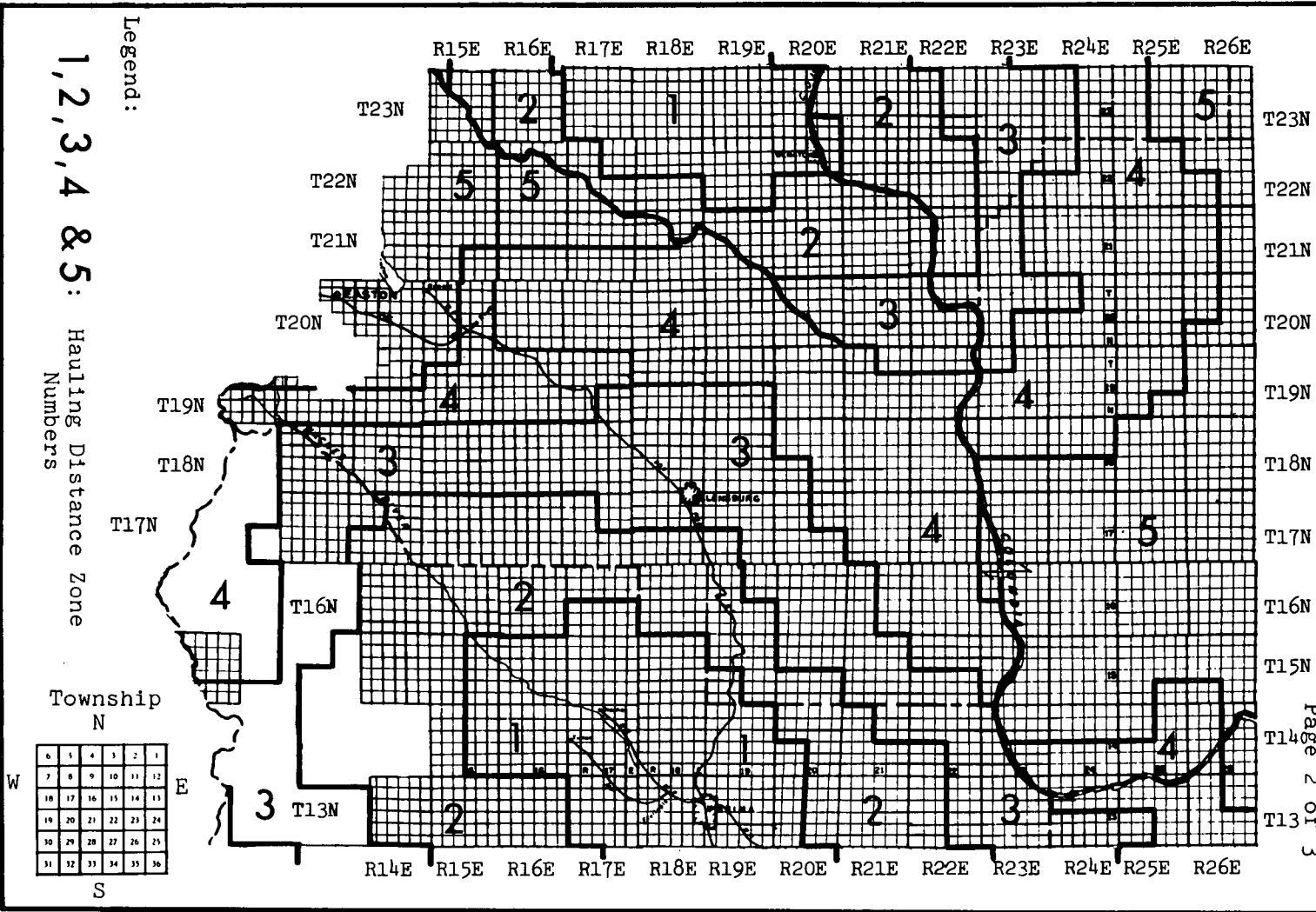
1, 2, 3, 4 & 5: Hauling Distance Zone Numbers



HAULING DISTANCE ZONE MAP FOR 7/1/80 Through 12/31/80
(WAC 458-40-186 45)

STUMPAGE VALUE AREA 7

Page 2 of 3

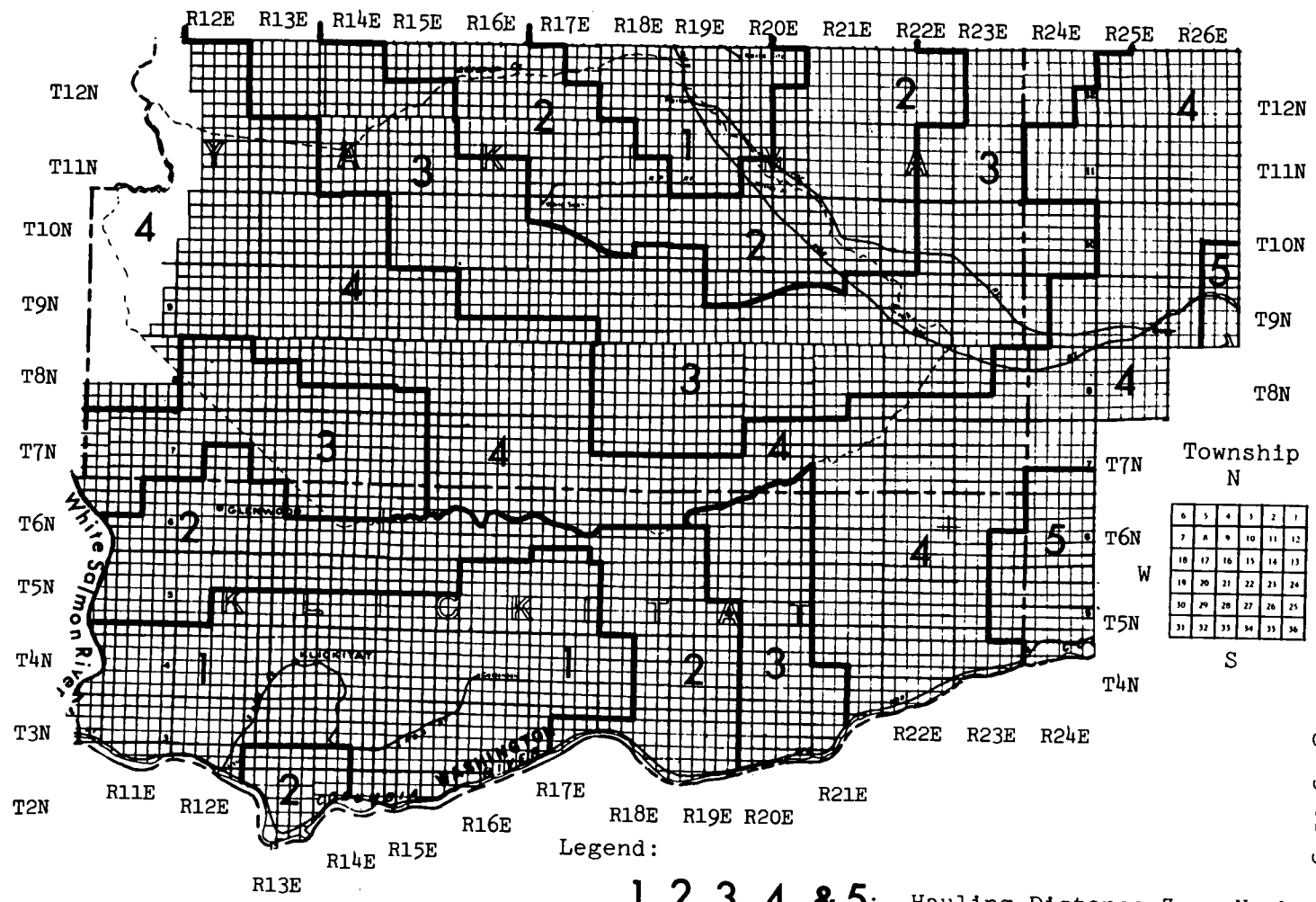


Legend:
 1, 2, 3, 4 & 5: Hauling Distance Zone Numbers

HAULING DISTANCE ZONE MAP FOR 7/1/80 Through 12/31/80
(WAC 458-40-18645)

STUMPAGE VALUE AREA 7

Page 3 of 3



Township N

6	5	4	3	2	1
7	8	9	10	11	12
13	14	15	16	17	18
19	20	21	22	23	24
25	26	27	28	29	30
31	32	33	34	35	36

E
W
S

[74]

HAULING DISTANCE ZONE MAP FOR 7/1/80 Through 12/31/80
(WAC 458-40-186 45)

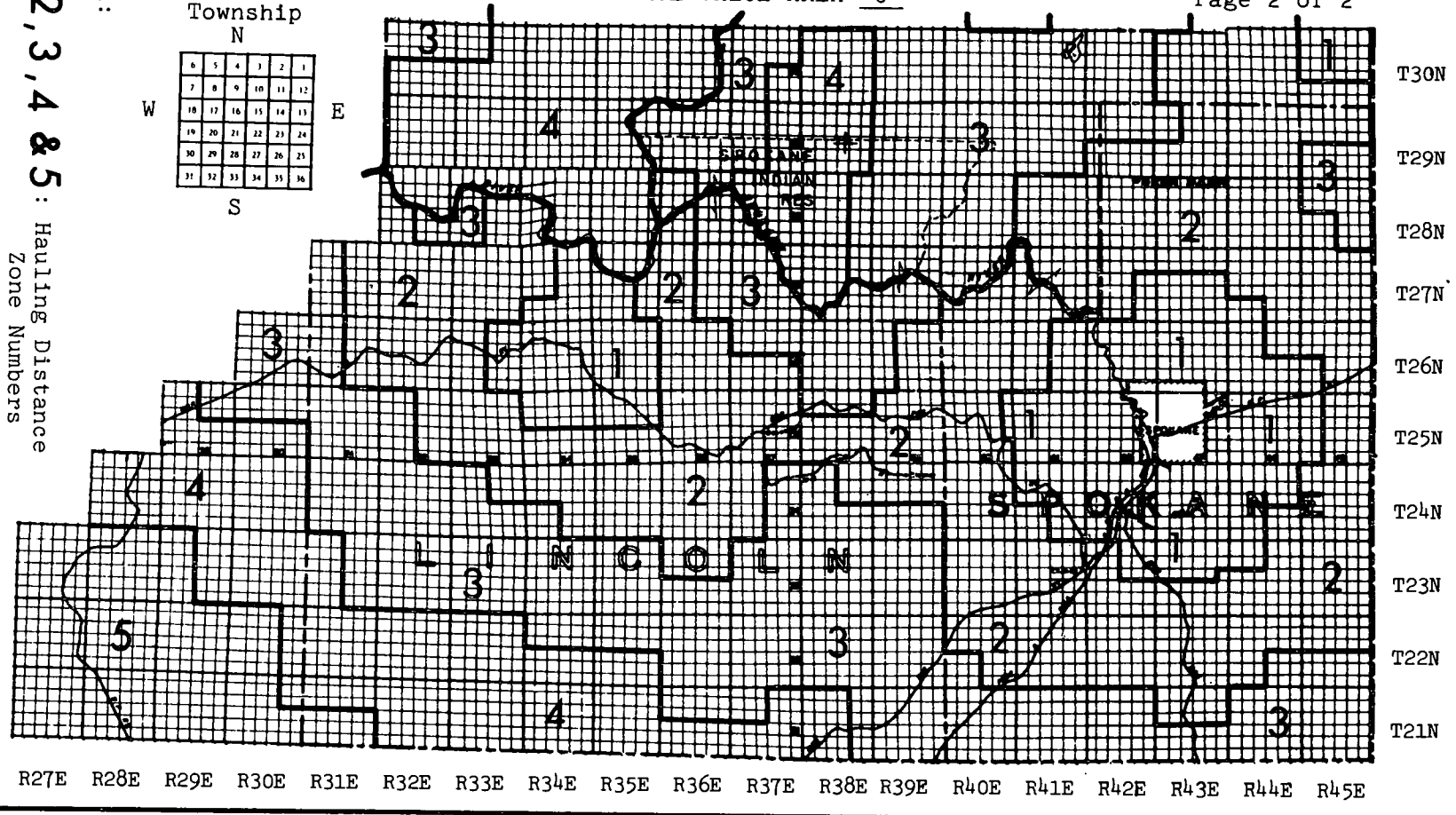
STUMPAGE VALUE AREA 8

Page 2 of 2

Legend:

1, 2, 3, 4 & 5: Hauling Distance
Zone Numbers

Township					
N					
6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36
S					

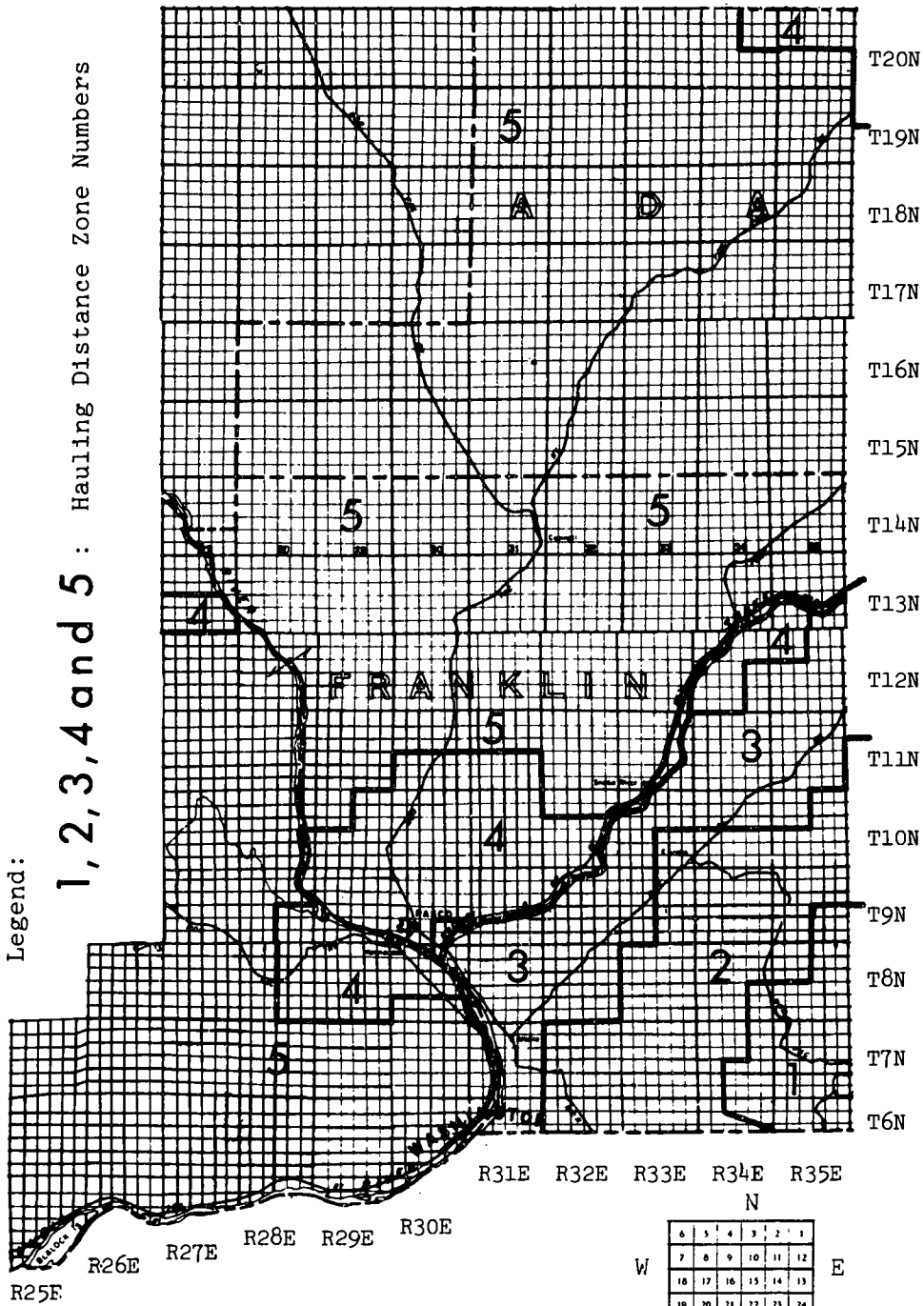


HAULING DISTANCE ZONE MAP FOR 7/1/80 Through 12/31/80
(WAC 458-40-186 45)

STUMPAGE VALUE AREA 9

Page 1 of 2

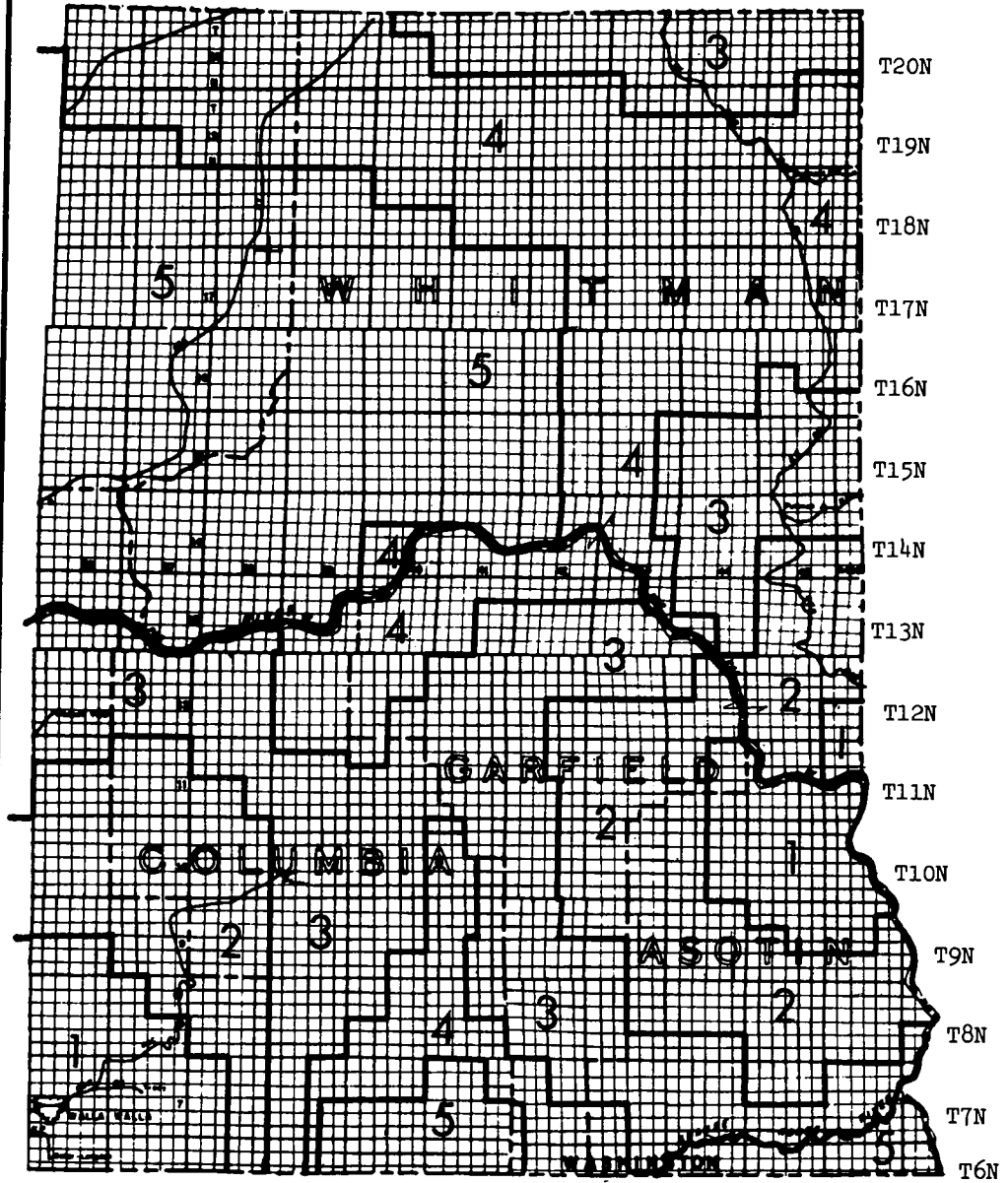
Legend:
1, 2, 3, 4 and 5 : Hauling Distance Zone Numbers



	6	5	4	3	2	1	
W	7	8	9	10	11	12	E
	18	17	16	15	14	13	
	19	20	21	22	23	24	
	30	29	28	27	26	25	
	31	32	33	34	35	36	

HAULING DISTANCE ZONE MAP FOR 7/1/80 Through 12/31/80
(WAC 458-40-186 45)

STUMPAGE VALUE AREA 9



R36E R37E R38E R39E R40E R41E R42E R43E R44E R45E R46E R47E

Legend:

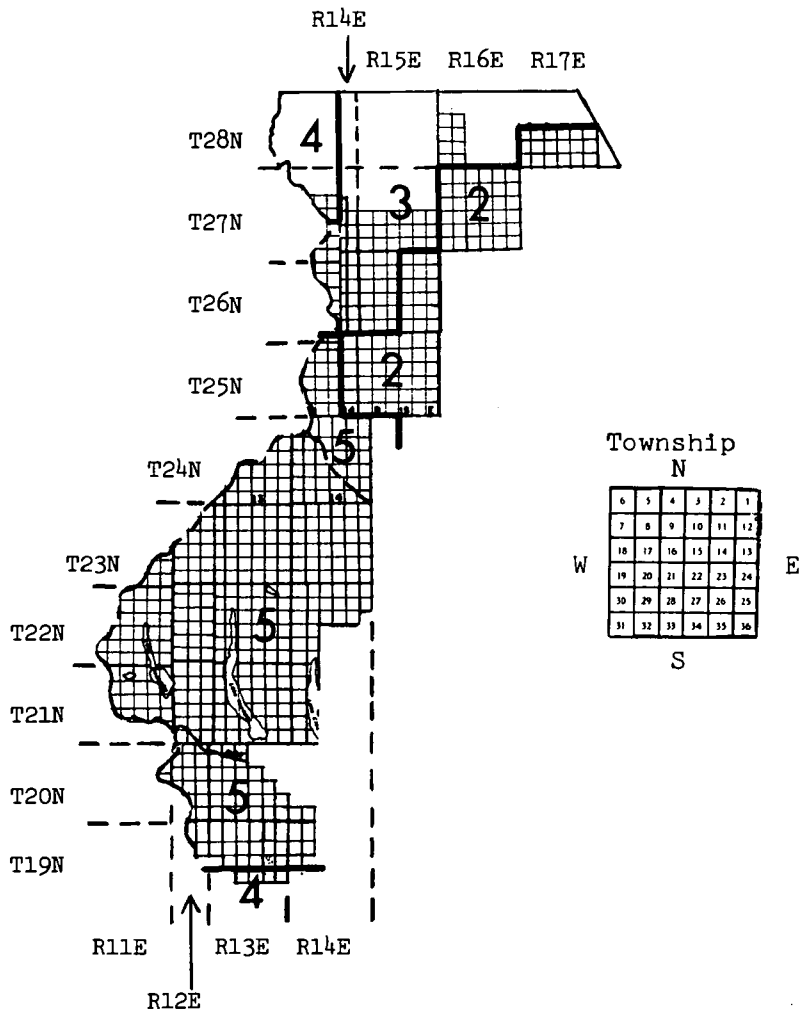
1, 2, 3, 4 and 5 : Hauling Distance Zone Numbers

					N						
	6	5	4	3	2	1					
	7	8	9	10	11	12					
W	18	17	16	15	14	13					
	19	20	21	22	23	24					
	30	29	28	27	26	25					
	31	32	33	34	35	36					
					S						

HAULING DISTANCE ZONE MAP FOR 7/1/80 Through 12/31/80
(WAC 458-40-186 45)

STUMPAGE VALUE AREA 10

Page 1 of 1



Legend:

2, 3, 4 and 5: Hauling Distance Zone Numbers

NEW SECTION

WAC 458-40-18646 **TIMBER QUALITY CODE NUMBERS—TABLES FOR 7/1/80 THROUGH 12/31/80.** In order to allow for differences in age, size, quality of timber and other relevant factors as required by RCW 84.33.071(3), the department has assigned timber quality code numbers for harvests of the various designated harvest types and species.

Scaling and grading information derived from an acceptable log scaling and grading rule for the particular harvest type and species shall be used to determine the proper quality code number.

For each timber quality code number in the following tables, there is a corresponding timber quality code number for that particular harvest type and species in the stumpage value tables of WAC 458-40-18647 which is to be used in computing timber harvest value.

The following timber quality code tables are hereby adopted for use during the period of July 7, 1980 through December 31, 1980:

TABLE 1—TIMBER QUALITY CODE TABLE STUMPAGE VALUE AREAS 1, 2, 3, 4, 5, AND 11 (for 7/1/80 through 12/31/80) OLD GROWTH FINAL HARVEST (100 years of age or older)

Timber Quality Code Number	Species	Log Grade Specifications ¹
1	Douglas Fir	Over 50% No. 3 Peeler & better log grade
	Western Red Cedar & Alaska Yellow Cedar	Over 20% Special Mill, No. 1 Sawmill, Peeler & better log grade
	Noble Fir & Spruce	Over 35% No. 1 Sawmill, Peeler or Select & better log grade
	Western Hemlock, White Fir & Other Conifer	Over 25% Special Mill, No. 1 Sawmill & better log grade
	Hardwoods	All No. 4 Sawmill logs with a diameter of 8 inches inside bark and larger (at the scaling end) & better log grades
2	Douglas Fir	Over 40% Special Mill, No. 1 Sawmill & better log grade
	Western Red Cedar & Alaska Yellow Cedar	10-20% inclusive Special Mill, No. 1 Sawmill, Peeler & better log grade
	Noble Fir & Spruce	15-35% inclusive No. 1 Sawmill, Peeler or Select & better log grade
	Western Hemlock, White Fir & Other Conifer	5-25% inclusive Special Mill, No. 1 Sawmill & better log grade

TABLE 1—cont.

Timber Quality Code Number	Species	Log Grade Specifications ¹
3	Douglas Fir	15-40% inclusive Special Mill, No. 1 Sawmill & better log grade
	Western Red Cedar & Alaska Yellow Cedar	Less than 10% Special Mill, No. 1 Sawmill, Peeler & better log grade
	Noble Fir & Spruce	Less than 15% No. 1 Sawmill, Peeler or Select & better log grade
4	Western Hemlock, White Fir & Other Conifer	Less than 5% Special Mill, No. 1 Sawmill & better log grade
	Douglas Fir	Less than 15% Special Mill, No. 1 Sawmill & better log grade
5	Conifer Utility	All conifer logs graded as utility log grade
	Hardwood Utility	All No. 4 Sawmill log grade with a diameter of less than 8 inches inside bark (at the scaling end) and all hardwood logs graded as utility

¹For detailed descriptions and definitions of log scaling and grading rules and procedures see the Official Log Scaling and Grading Rules revised January 1, 1980, published by Puget Sound Log Scaling and Grading Bureau. These are also used by the Columbia River and Grays Harbor Scaling and Grading Bureau. To determine timber quality code number, see the example for Western Washington which follows Table 3.

TABLE 2—TIMBER QUALITY CODE TABLE STUMPAGE VALUE AREAS 1, 2, 3, 4, 5, AND 11 (for 7/1/80 through 12/31/80) YOUNG GROWTH FINAL HARVEST (Less than 100 years of age, but not including thinning)

Timber Quality Code Number	Species	Log Grade Specifications ¹
1	Douglas Fir	Over 70% No. 2. Sawmill & better log grade
	Western Red Cedar & Alaska Yellow Cedar	Over 20% No. 2 Sawmill & better log grade
	Western Hemlock & Other	Over 70% No. 2 Sawmill & better log grade
	Conifer	Over 70% No. 2 Sawmill & better log grade
	Hardwoods	All No. 4 Sawmill logs with a diameter of 8 inches inside bark and larger (at the scaling end) & better log grades
2	Douglas Fir	40-70% inclusive No. 2 Sawmill & better log grade
	Western Red Cedar & Alaska Yellow Cedar	5-20% inclusive No. 2 Sawmill & better log grade
	Western Hemlock & Other Conifer	40-70% inclusive No. 2 Sawmill & better log grade

TABLE 2—cont.

Timber Quality Code Number	Species	Log Grade Specifications ¹
3	Douglas Fir	5 to but not including 40% No. 2 Sawmill & better log grade
	Western Red Cedar & Alaska Yellow Cedar	Less than 5% No. 2 Sawmill & better log grade
	Western Hemlock & Other Conifer	5 to but not including 40% No. 2 Sawmill & better log grade
4	Douglas Fir, Western Hemlock & Other Conifer, except Western Red Cedar & Alaska yellow cedar	Less than 5% No. 2 Sawmill & better log grade
5	Conifer Utility	All conifer logs graded as utility log grade
	Hardwood Utility	All No. 4 Sawmill log grade with a diameter of less than 8 inches inside bark (at the scaling end) and all hardwood logs graded as utility

¹For detailed descriptions and definitions of log scaling and grading rules and procedures see the Official Log Scaling and Grading Rules revised January 1, 1980, published by the Puget Sound Log Scaling and Grading Bureau. These are also used by the Columbia River and Grays Harbor Scaling and Grading Bureaus. To determine timber quality code number, see the example for Western Washington which follows Table 3.

TABLE 3—TIMBER QUALITY CODE TABLE
STUMPAGE VALUES AREAS 1, 2, 3, 4, 5, AND 11
(for 7/1/80 through 12/31/80)
THINNING
See definition WAC 458-40-18643(9)(d)

Timber Quality Code Number	Species	Log Grade Specifications ¹
1	Douglas Fir	Over 70% No. 2 Sawmill & better log grade
	Western Hemlock & Other Conifer	Over 70% No. 2 Sawmill & better log grade
	Western Red Cedar & Alaska Yellow Cedar	Over 20% No. 2 Sawmill & better log grade
	Hardwoods	All No. 4 Sawmill logs with a diameter of 8 inches inside bark and larger (at the scaling end) & better log grades
	Douglas Fir	40-70% inclusive No. 2 Sawmill & better log grade
2	Western Red Cedar & Alaska Yellow Cedar	5-20% inclusive No. 2 Sawmill & better log grade
	Western Hemlock & Other Conifer	40-70% inclusive No. 2 Sawmill & better log grade

TABLE 3—cont.

Timber Quality Code Number	Species	Log Grade Specifications ¹
3	Douglas Fir	5 to but not including 40% No. 2 Sawmill & better log grade
	Western Red Cedar & Alaska Yellow Cedar	Less than 5% No. 2 Sawmill & better log grade
	Western Hemlock & Other Conifer	5 to but not including 40% No. 2 Sawmill & better log grade
4	Douglas Fir, Western Hemlock & Other Conifer	Less than 5% No. 2 Sawmill & better log grade
5	Conifer Utility	All conifer logs graded as utility log grade
	Hardwood Utility	All No. 4 Sawmill log grade with a diameter of less than 8 inches inside bark (at the scaling end) and all hardwood logs graded as utility

¹For detailed descriptions and definitions of log scaling rules and procedures see the Official Log Scaling and Grading Rules revised January 1, 1980, published by the Puget Sound Log Scaling and Grading Bureau. These are also used by the Columbia River and Grays Harbor Scaling and Grading Bureaus. To determine timber quality code number for Western Washington, see the following example.

WESTERN WASHINGTON EXAMPLE: The following example is for determining the timber quality number code for timber harvested in stumpage value areas 1, 2, 3, 4, 5, and 11 in Western Washington. The following method can be used to determine the quality code number for species in "old growth final harvest", "young growth final harvest", and "thinning harvest" types.

The example shown below is for a harvest of 150 thousand board feet (150 MBF) of the species, Douglas Fir, and the harvest type, young growth final harvest, with the following volumes at the indicated grades:

Log Grade	Net Volume, Scribner Scale
Special Mill	20 MBF
No. 1 sawmill	20 MBF
No. 2 sawmill	45 MBF
No. 3 sawmill	35 MBF
No. 4 sawmill	30 MBF
TOTAL	150 MBF

To determine the proper quality code number, add the scale volumes for the grades as established by the approved grading rule. Divide this volume by the total volume harvested for the species. In this example, the Special Mill and the No. 1 and 2 sawmill logs account

for 85 MBF of the 150 MBF Douglas Fir harvested. Divide as follows:

$$\frac{20 + 20 + 45}{150} \text{ or } \frac{85}{150} = .567 \times 100 = 56.7\%$$

In this example, the Special Mill, No. 1 and 2 sawmill logs make up 56.7% of the Douglas Fir harvested. Since this is between 40 and 70% No. 2 sawmill and better, the entire Douglas Fir harvested would be reported as:

Species	Timber Quality Code Number	Net Volume Harvested
Douglas Fir	2	150 MBF

TABLE 4—TIMBER QUALITY CODE TABLE STUMPAGE VALUE AREAS 6, 7, 8, AND 9 (for 7/1/80 through 12/31/80) MERCHANTABLE SAWTIMBER, ALL AGES

Timber Quality Code Number	Species	Log Grade Specifications ¹
	Ponderosa Pine	Less than 10 logs 16 feet long per thousand board feet Scribner scale
1	All Conifers Other Than Ponderosa Pine	All log sizes
	Hardwoods	Sawlogs only
2	Ponderosa Pine	10 or more logs 16 feet long per thousand board feet Scribner scale
4	Utility	All logs graded as utility

¹To determine timber quality code number in Stumpage Value Areas 6, 7, 8 and 9 for Eastern Washington, see the following example.

EASTERN WASHINGTON EXAMPLE: The following example is for determining the timber quality code for timber harvested in stumpage value areas 6, 7, 8 and 9 in Eastern Washington.

The example shown below is for a harvest of 150 thousand board feet (150 MBF) of the species, Ponderosa Pine, and harvest type merchantable sawtimber, all ages with a sum total log length of 19,200 feet.

Step 1. The highest possible number of sawable sixteen foot logs which could be recovered is determined by dividing the sum total length of all sawable logs harvested (i.e. 19,200) by 16. Answer: 1200 logs.

Step 2. The average net volume per sixteen foot recoverable log is determined by dividing the total volume harvested (150 MBF) by the number of sixteen foot logs (1200). Answer: 125.

Step 3. The total number of logs per thousand board feet is determined by dividing 1000 by the average net volume per sixteen

foot recoverable log (125). Answer: 8 logs per 1 MBF.

Step 4. Because the timber quality code table lists 1 to 9 logs per 1 MBF for Ponderosa pine as timber quality code number 1, the harvest was at 8 logs per 1 MBF the entire Ponderosa pine harvest would be reported as:

Species	Timber Quality Code Number	Volume Harvested
Ponderosa Pine (PP)	1	150 MBF

TABLE 5—TIMBER QUALITY CODE TABLE STUMPAGE VALUE AREA 10 (for 7/1/80 through 12/31/80) MERCHANTABLE SAWTIMBER, ALL AGES

Timber Quality Code Number	Species	Log Grade Specifications ¹
	Ponderosa Pine & Other Conifers	Less than 5 logs 16 feet long per MBF net log Scribner scale
1	Hardwoods	All logs graded as sawlogs
	Ponderosa Pine	5 to 9 logs inclusive 16 feet long per MBF net log Scribner scale
2	Other Conifer	5 to 12 logs inclusive 16 feet long per MBF net log scale
	Ponderosa Pine	More than 9 logs 16 feet long per MBF net log Scribner scale
3	Other Conifer	More than 12 logs 16 feet long per MBF net log Scribner scale
4	Utility	All logs graded as utility

¹To determine timber quality code number in Stumpage Value Area 10 in Eastern Washington, see the following example.

EASTERN WASHINGTON EXAMPLE: The following example is for determining the timber quality code for timber harvested in stumpage value area 10 in Eastern Washington.

The example shown below is for a harvest of 150 thousand board feet (150 MBF) of the species, Ponderosa Pine, and harvest type merchantable sawtimber, all ages with a sum total log length of 19,200 feet.

Step 1. The highest possible number of sawable sixteen foot logs which could be recovered is determined by dividing the sum total length of all sawable logs harvested (i.e. 19,200) by 16. Answer: 1200 logs.

Step 2. The average net volume per sixteen foot recoverable log is determined by dividing the total volume harvested (150 MBF)

by the number of sixteen foot logs (1200).
Answer: 125.

Step 3. The total number of logs per thousand board feet is determined by dividing 1000 by the average net volume per sixteen foot recoverable log (125). Answer: 8 logs per 1 MBF.

Step 4. Because the timber quality code table lists 5-9 logs per 1 MBF for Ponderosa pine as timber quality code number 2, the harvest was at 8 logs per 1 MBF the entire Ponderosa pine harvest would be reported as:

Species	Timber Quality Code Number	Volume Harvested
Ponderosa Pine (PP)	2	150 MBF

NEW SECTION

WAC 458-40-18647 STUMPAGE VALUES—TABLES FOR 7/1/80 THROUGH 12/31/80. As required by RCW 84.33.071 the department has prepared tables which assign stumpage value rates for the various harvest types, which rates vary depending upon the stumpage value area, species, timber quality code number and hauling distance zone involved. Where the timber harvested is used to produce harvest type "special forest products" the value tables of this section shall establish the values for such special forest products.

The following stumpage value and special forest product value tables are hereby adopted for use during the period of July 1, 1980 through December 31, 1980.

**TABLE 1—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 1
(for 7/1/80 through 12/31/80)
OLD GROWTH FINAL HARVEST
(100 years of age or older)**

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir	DF	1	\$336	\$332	\$328	\$324	\$320
		2	336	332	328	324	320
		3	263	259	255	251	247
		4	205	201	197	193	189
Western Hemlock ¹	WH	1	381	377	373	369	365
		2	276	272	268	264	260
		3	177	173	169	165	161
True Fir ²	TF	1	381	377	373	369	365
		2	276	272	268	264	260
		3	177	173	169	165	161
Western Red Cedar ³	RC	1	468	464	460	456	452
		2	352	348	344	340	336
		3	234	230	226	222	218
Sitka Spruce	SS	1	403	399	395	391	387
		2	396	392	388	384	380
		3	307	303	299	295	291

TABLE 1—cont.

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Other Conifer	OC	1	336	332	328	324	320
		2	263	259	255	251	247
		3	177	173	169	165	161
Red Alder	RA	1	50	44	38	32	26
Cottonwood	BC	1	37	31	25	19	13
Other Hardwoods	OH	1	41	35	29	23	17
Hardwood Utility	HU	5	5	5	5	5	5
Conifer Utility	CU	5	6	6	6	6	6

¹Includes Western and Mountain Hemlock.
²Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Alpine Fir.
³Includes Alaska Yellow Cedar.

**TABLE 2—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 1
(for 7/1/80 through 12/31/80)
YOUNG GROWTH FINAL HARVEST
(Less than 100 years of age, but not including thinning)**

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir	DF	1	\$346	\$340	\$334	\$328	\$322
		2	308	302	296	290	284
		3	210	204	198	192	186
		4	180	174	168	162	156
Western Hemlock ¹	WH	1	217	211	205	199	193
		2	210	204	198	192	186
		3	184	178	172	166	160
		4	128	122	116	110	104
True Fir ²	TF	1	217	211	205	199	193
		2	210	204	198	192	186
		3	184	178	172	166	160
		4	128	122	116	110	104
Western Red Cedar ³	RC	1	412	406	400	394	388
		2	303	297	291	285	279
		3	277	271	265	259	253
Other Conifer	OC	1	217	211	205	199	193
		2	210	204	198	192	186
		3	184	178	172	166	160
		4	128	122	116	110	104
Red Alder	RA	1	50	44	38	32	26
Cottonwood	BC	1	37	31	25	19	13
Other Hardwoods	OH	1	41	35	29	23	17
Hardwood Utility	HU	5	5	5	5	5	
Conifer Utility	CU	5	6	6	6	6	

¹Includes Western and Mountain Hemlock.
²Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Alpine Fir.
³Includes Alaska Yellow Cedar.

TABLE 3—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 1
 (for 7/1/80 through 12/31/80)
THINNING
 See definition WAC 458-40-18643(9)(d)

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir	DF	1	\$321	\$315	\$309	\$303	\$297
		2	283	277	271	265	259
		3	185	179	173	167	161
		4	155	149	143	137	131
Western Hemlock ¹	WH	1	192	186	180	174	168
		2	185	179	173	167	161
		3	159	153	147	141	135
		4	103	97	91	85	79
True Fir ²	TF	1	192	186	180	174	168
		2	185	179	173	167	161
		3	159	153	147	141	135
		4	103	97	91	85	79
Western Red Cedar ³	RC	1	387	381	375	369	363
		2	278	272	266	260	254
		3	252	246	240	234	228
Other Conifer	OC	1	192	186	180	174	168
		2	185	179	173	167	161
		3	159	153	147	141	135
		4	103	97	91	85	79
Red Alder	RA	1	50	44	38	32	26
Cottonwood	BC	1	37	31	25	19	13
Other Hardwoods	OH	1	41	35	29	23	17
Hardwood Utility	HU	5	5	5	5	5	5
Conifer Utility	CU	5	6	6	6	6	6

¹Includes Western and Mountain Hemlock.
²Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Alpine Fir.
³Includes Alaska Yellow Cedar.

TABLE 4—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 1
 (for 7/1/80 through 12/31/80)
SPECIAL FOREST PRODUCTS

Species Name and Product	Species Code	Quality Code Number	Rates Per Unit by Hauling Distance Zone Number				
			1	2	3	4	5
Western Red Cedar—Shake Blocks & Boards ¹	RCS	1	\$188	\$184	\$180	\$176	\$172
Western Red Cedar Flatsawn & Shingle Blocks ¹	RCF	1	70	66	62	58	54

TABLE 4—cont.

Species Name and Product	Species Code	Quality Code Number	Rates Per Unit by Hauling Distance Zone Number				
			1	2	3	4	5
Western Red Cedar & Other Posts ²	RCP	1	0.20	0.20	0.20	0.20	0.20
Douglas Fir Christmas Trees ³	DFX	1	0.15	0.15	0.15	0.15	0.15
True Fir & Other Christmas Trees ³	TFX	1	0.35	0.35	0.35	0.35	0.35

¹Stumpage Value per MBF net Scribner Scale.
²Stumpage Value per 8 lineal feet or portion thereof.
³Stumpage Value per lineal foot.

TABLE 5—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 2
 (for 7/1/80 through 12/31/80)
OLD GROWTH FINAL HARVEST
 (100 years of age or older)

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir	DF	1	\$426	\$422	\$418	\$414	\$410
		2	426	422	418	414	410
		3	348	344	340	336	332
		4	207	203	199	195	191
Western Hemlock ¹	WH	1	330	326	322	318	314
		2	286	282	278	274	270
		3	188	184	180	176	172
True Fir ²	TF	1	330	326	322	318	314
		2	286	282	278	274	270
		3	188	184	180	176	172
Western Red Cedar ³	RC	1	543	539	535	531	527
		2	313	309	305	301	297
		3	303	299	295	291	287
Sitka Spruce	SS	1	403	399	395	391	387
		2	396	392	388	384	380
		3	307	303	299	295	291
Other Conifer	OC	1	330	326	322	318	314
		2	286	282	278	274	270
		3	188	184	180	176	172
Red Alder	RA	1	37	31	25	19	13
Cottonwood	BC	1	41	35	29	23	17
Other Hardwoods	OH	1	37	31	25	19	13
Hardwood Utility	HU	5	5	5	5	5	5
Conifer Utility	CU	5	8	8	8	8	8

¹Includes Western and Mountain Hemlock.
²Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Alpine Fir.
³Includes Alaska Yellow Cedar.

**TABLE 6—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 2
(for 7/1/80 through 12/31/80)
YOUNG GROWTH FINAL HARVEST
(Less than 100 years of age, but
not including thinning)**

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir	DF	1	\$346	\$340	\$334	\$328	\$322
		2	325	319	313	307	301
		3	259	253	247	241	235
		4	223	217	211	205	199
Western Hemlock ¹	WH	1	219	213	207	201	195
		2	212	206	200	194	188
		3	188	182	176	170	164
		4	132	126	120	114	108
True Fir ²	TF	1	219	213	207	201	195
		2	212	206	200	194	188
		3	188	182	176	170	164
		4	132	126	120	114	108
Western Red Cedar ³	RC	1	291	285	279	273	267
		2	263	257	251	245	239
		3	242	236	230	224	218
		4	132	126	120	114	108
Other Conifer	OC	1	219	213	207	201	195
		2	212	206	200	194	188
		3	188	182	176	170	164
		4	132	126	120	114	108
Red Alder	RA	1	37	31	25	19	13
		2	37	31	25	19	13
Cottonwood	BC	1	41	35	29	23	17
		2	41	35	29	23	17
Other Hardwoods	OH	1	37	31	25	19	13
		2	37	31	25	19	13
Hardwood Utility	HU	5	5	5	5	5	
		5	5	5	5	5	
Conifer Utility	CU	5	8	8	8	8	
		5	8	8	8	8	

¹Includes Western and Mountain Hemlock.
²Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Alpine Fir.
³Includes Alaska Yellow Cedar.

**TABLE 7—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 2
(for 7/1/80 through 12/31/80)
THINNING
See definition WAC 458-40-18643(9)(d)**

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir	DF	1	\$321	\$315	\$309	\$303	\$297
		2	300	294	288	282	276
		3	234	228	222	216	210
		4	198	192	186	180	174

TABLE 7—cont.

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Western Hemlock ¹	WH	1	194	188	182	176	170
		2	187	181	175	169	163
		3	163	157	151	145	139
		4	107	101	95	89	83
True Fir ²	TF	1	194	188	182	176	170
		2	187	181	175	169	163
		3	163	157	151	145	139
		4	107	101	95	89	83
Western Red Cedar ³	RC	1	266	260	254	248	242
		2	238	232	226	220	214
		3	217	211	205	199	193
Other Conifer	OC	1	194	188	182	176	170
		2	187	181	175	169	163
		3	163	157	151	145	139
		4	107	101	95	89	83
Red Alder	RA	1	37	31	25	19	13
Cottonwood	BC	1	41	35	29	23	17
Other Hardwoods	OH	1	37	31	25	19	13
Hardwood Utility	HU	5	5	5	5	5	
Conifer Utility	CU	5	8	8	8	8	

¹Includes Western and Mountain Hemlock.
²Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Alpine Fir.
³Includes Alaska Yellow Cedar.

**TABLE 8—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 2
(for 7/1/80 through 12/31/80)
SPECIAL FOREST PRODUCTS**

Species Name and Product	Species Code	Quality Code Number	Rates Per Unit by Hauling Distance Zone Number				
			1	2	3	4	5
Western Red Cedar—Shake Blocks & Boards ¹	RCS	1	\$210	\$206	\$202	\$198	\$194
Western Red Cedar Flatsawn & Shingle Blocks ¹	RCF	1	87	83	79	75	71
Western Red Cedar & Other Posts ²	RCP	1	0.20	0.20	0.20	0.20	0.20
Douglas Fir Christmas Trees ³	DFX	1	0.15	0.15	0.15	0.15	0.15
True Fir & Other Christmas Trees ³	TFX	1	0.35	0.35	0.35	0.35	0.35

¹Stumpage Value per MBF net Scribner Scale.
²Stumpage Value per 8 lineal feet or portion thereof.
³Stumpage Value per lineal foot.

**TABLE 9—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 3
(for 7/1/80 through 12/31/80)
OLD GROWTH FINAL HARVEST
(100 years of age or older)**

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir	DF	1	\$408	\$404	\$400	\$396	\$392
		2	408	404	400	396	392
		3	392	388	384	380	376
		4	354	350	346	342	338
Western Hemlock ¹	WH	1	328	324	320	316	312
		2	283	279	275	271	267
		3	211	207	203	199	195
True Fir ²	TF	1	328	324	320	316	312
		2	283	279	275	271	267
		3	211	207	203	199	195
Western Red Cedar	RC	1	356	352	348	344	340
		2	284	280	276	272	268
		3	257	253	249	245	241
Sitka Spruce	SS	1	403	399	395	391	387
		2	396	392	388	384	380
		3	307	303	299	295	291
Alaska Yellow Cedar	YC	1	1224	1220	1216	1212	1208
		2	844	840	836	832	828
		3	464	460	456	452	448
Other Conifer	OC	1	356	352	348	344	340
		2	283	279	275	271	267
		3	211	207	203	199	195
Red Alder	RA	1	51	45	39	33	27
Cottonwood	BC	1	48	42	36	30	24
Other Hardwoods	OH	1	63	57	51	45	39
Hardwood Utility	HU	5	5	5	5	5	5
Conifer Utility	CU	5	5	5	5	5	5

¹Includes Western and Mountain Hemlock.
²Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Alpine Fir.

**TABLE 10—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 3
(for 7/1/80 through 12/31/80)
YOUNG GROWTH FINAL HARVEST
(Less than 100 years of age, but not including thinning)**

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir	DF	1	\$435	\$429	\$423	\$417	\$411
		2	299	293	287	281	275
		3	202	196	190	184	178
		4	162	156	150	144	138
Western Hemlock ¹	WH	1	246	240	234	228	222
		2	240	234	228	222	216
		3	210	204	198	192	186
		4	108	102	96	90	84

TABLE 10—cont.

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
True Fir ²	TF	1	246	240	234	228	222
		2	240	234	228	222	216
		3	210	204	198	192	186
		4	108	102	96	90	84
Western Red Cedar ³	RC	1	306	300	294	288	282
		2	253	247	241	235	229
		3	252	246	240	234	228
Other Conifer	OC	1	246	240	234	228	222
		2	240	234	228	222	216
		3	202	196	190	184	178
		4	108	102	96	90	84
Red Alder	RA	1	51	45	39	33	27
Cottonwood	BC	1	48	42	36	30	24
Other Hardwoods	OH	1	63	57	51	45	39
Hardwood Utility	HU	5	5	5	5	5	5
Conifer Utility	CU	5	5	5	5	5	5

¹Includes Western and Mountain Hemlock.
²Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Alpine Fir.
³Includes Alaska Yellow Cedar.

**TABLE 11—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 3
(for 7/1/80 through 12/31/80)
THINNING
See definition WAC 458-40-18643(9)(d)**

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir	DF	1	\$410	\$404	\$398	\$392	\$386
		2	274	268	262	256	250
		3	177	171	165	159	153
		4	137	131	125	119	113
Western Hemlock ¹	WH	1	221	215	209	203	197
		2	215	209	203	197	191
		3	185	179	173	167	161
		4	83	77	71	65	59
True Fir ²	TF	1	221	215	209	203	197
		2	215	209	203	197	191
		3	185	179	173	167	161
		4	83	77	71	65	59
Western Red Cedar ³	RC	1	281	275	269	263	257
		2	228	222	216	210	204
		3	227	221	215	209	203
Other Conifer	OC	1	221	215	209	203	197
		2	215	209	203	197	191
		3	177	171	165	159	153
		4	83	77	71	65	59
Red Alder	RA	1	51	45	39	33	27
Cottonwood	BC	1	48	42	36	30	24
Other Hardwoods	OH	1	63	57	51	45	39
Hardwood Utility	HU	5	5	5	5	5	5

TABLE 11—cont.

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Conifer Utility	CU	5	5	5	5	5	5

¹Includes Western and Mountain Hemlock.
²Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Alpine Fir.
³Includes Alaska Yellow Cedar.

TABLE 12—STUMPAGE VALUE TABLE
 STUMPAGE VALUE AREA 3
 (for 7/1/80 through 12/31/80)
 SPECIAL FOREST PRODUCTS

Species Name and Product	Species Code	Quality Code Number	Rates Per Unit by Hauling Distance Zone Number				
			1	2	3	4	5
Western Red Cedar—Shake Blocks & Boards	RCS	1	\$214	\$210	\$206	\$202	\$198
Western Red Cedar Flatsawn & Shingle Blocks ¹	RCF	1	77	73	69	65	61
Western Red Cedar & Other Posts ²	RCP	1	0.20	0.20	0.20	0.20	0.20
Douglas Fir Christmas Trees ³	DFX	1	0.15	0.15	0.15	0.15	0.15
True Fir & Other Christmas Trees ³	TFX	1	0.35	0.35	0.35	0.35	0.35

¹Stumpage Value per MBF net Scribner Scale.
²Stumpage Value per 8 lineal feet or portion thereof.
³Stumpage value per lineal foot.

TABLE 13—STUMPAGE VALUE TABLE
 STUMPAGE VALUE AREA 4
 (for 7/1/80 through 12/31/80)
 OLD GROWTH FINAL HARVEST
 (100 years of age or older)

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir	DF	1	\$456	\$452	\$448	\$444	\$440
		2	456	452	448	444	440
		3	420	416	412	408	404
		4	393	389	385	381	377
Western Hemlock ¹	WH	1	486	482	478	474	470
		2	332	328	324	320	316
		3	330	326	322	318	314
True Fir ²	TF	1	486	482	478	474	470
		2	332	328	324	320	316
		3	330	326	322	318	314
Western Red Cedar	RC	1	459	455	451	447	443
		2	315	311	307	303	299
		3	233	229	225	221	217

TABLE 13—cont.

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Sitka Spruce	SS	1	403	399	395	391	387
		2	396	392	388	384	380
		3	307	303	299	295	291
Noble Fir	NF	1	940	936	932	928	924
		2	658	654	650	646	642
		3	330	326	322	318	314
Alaska Yellow Cedar	YC	1	1224	1220	1216	1212	1208
		2	844	840	836	832	828
		3	464	460	456	452	448
Other Conifer	OC	1	403	399	395	391	387
		2	315	311	307	303	299
		3	233	229	225	221	217
Red Alder	RA	1	45	39	33	27	21
Cottonwood	BC	1	26	20	14	8	2
Other Hardwoods	OH	1	40	34	28	22	16
Hardwood Utility	HU	5	5	5	5	5	5
Conifer Utility	CU	5	6	6	6	6	6

¹Includes Western and Mountain Hemlock.
²Includes Pacific Silver Fir, Grand Fir, and Alpine Fir.

TABLE 14—STUMPAGE VALUE TABLE
 STUMPAGE VALUE AREA 4
 (for 7/1/80 through 12/31/80)
 YOUNG GROWTH FINAL HARVEST
 (Less than 100 years of age, but not including thinning)

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir	DF	1	\$393	\$387	\$381	\$375	\$369
		2	349	343	337	331	325
		3	246	240	234	228	222
		4	213	207	201	195	189
Western Hemlock ¹	WH	1	256	250	244	238	232
		2	227	221	215	209	203
		3	166	160	154	148	142
		4	147	141	135	129	123
True Fir ²	TF	1	256	250	244	238	232
		2	227	221	215	209	203
		3	166	160	154	148	142
		4	147	141	135	129	123
Western Red Cedar ³	RC	1	394	388	382	376	370
		2	268	262	256	250	244
		3	239	233	227	221	215
Other Conifer	OC	1	256	250	244	238	232
		2	227	221	215	209	203
		3	166	160	154	148	142
		4	147	141	135	129	123
Red Alder	RA	1	45	39	33	27	21
Cottonwood	BC	1	26	20	14	8	2
Other Hardwoods	OH	1	40	34	28	22	16

TABLE 14—cont.

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Hardwood Utility	HU	5	5	5	5	5	5
Conifer Utility	CU	5	6	6	6	6	6

¹Includes Western and Mountain Hemlock.
²Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Alpine Fir.
³Includes Alaska Yellow Cedar.

TABLE 15—STUMPAGE VALUE TABLE
 STUMPAGE VALUE AREA 4
 (for 7/1/80 through 12/31/80)
 THINNING
 See definition WAC 458-40-18643(9)(d)

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir	DF	1	\$368	\$362	\$356	\$350	\$344
		2	324	318	312	306	300
		3	221	215	209	203	197
		4	188	182	176	170	164
Western Hemlock ¹	WH	1	231	225	219	213	207
		2	202	196	190	184	178
		3	141	135	129	123	117
		4	122	116	110	104	98
True Fir ²	TF	1	231	225	219	213	207
		2	202	196	190	184	178
		3	141	135	129	123	117
		4	122	116	110	104	98
Western Red Cedar ³	RC	1	369	363	357	351	345
		2	243	237	231	225	219
		3	214	208	202	196	190
Other Conifer	OC	1	231	225	219	213	207
		2	202	196	190	184	178
		3	141	135	129	123	117
		4	122	116	110	104	98
Red Alder	RA	1	45	39	33	27	21
Cottonwood	BC	1	26	20	14	8	2
Other Hardwoods	OH	1	40	34	28	22	16
Hardwood Utility	HU	5	5	5	5	5	5
Conifer Utility	CU	5	6	6	6	6	6

¹Includes Western and Mountain Hemlock.
²Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Alpine Fir.
³Includes Alaska Yellow Cedar.

TABLE 16—STUMPAGE VALUE TABLE
 STUMPAGE VALUE AREA 4
 (for 7/1/80 through 12/31/80)
 SPECIAL FOREST PRODUCTS

Species Name and Product	Species Code	Quality Code Number	Rates Per Unit by Hauling Distance Zone Number				
			1	2	3	4	5
Western Red Cedar—Shake Blocks & Boards ¹	RCS	1	\$216	\$212	\$208	\$204	\$200
Western Red Cedar Flatsawn & Shingle Blocks ¹	RCF	1	77	73	69	65	61
Western Red Cedar & Other Posts ²	RCP	1	0.20	0.20	0.20	0.20	0.20
Douglas Fir Christmas Trees ³	DFX	1	0.15	0.15	0.15	0.15	0.15
True Fir & Other Christmas Trees ³	TFX	1	0.35	0.35	0.35	0.35	0.35

¹Stumpage value per MBF net Scribner Scale.
²Stumpage value per 8 lineal feet or portion thereof.
³Stumpage value per lineal foot.

TABLE 17—STUMPAGE VALUE TABLE
 STUMPAGE VALUE AREA 5
 (for 7/1/80 through 12/31/80)
 OLD GROWTH FINAL HARVEST
 (100 years of age or older)

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir	DF	1	\$487	\$483	\$479	\$475	\$471
		2	487	483	479	475	471
		3	424	420	416	412	408
		4	380	376	372	368	364
Western Hemlock ¹	WH	1	480	476	472	468	464
		2	337	333	329	325	321
		3	332	328	324	320	316
True Fir ²	TF	1	480	476	472	468	464
		2	337	333	329	325	321
		3	332	328	324	320	316
Western Red Cedar ³	RC	1	440	436	432	428	424
		2	303	299	295	291	287
		3	297	293	289	285	281
Sitka Spruce	SS	1	403	399	395	391	387
		2	396	392	388	384	380
		3	307	303	299	295	291
Noble Fir	NF	1	940	936	932	928	924
		2	658	654	650	646	642
		3	330	326	322	318	314
Other Conifer	OC	1	403	399	395	391	387
		2	303	299	295	291	287
		3	297	293	289	285	281
Red Alder	RA	1	40	34	28	22	16
Cottonwood	BC	1	30	24	18	12	6
Other Hardwoods	OH	1	34	28	22	16	10

TABLE 17—cont.

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Hardwood Utility	HU	5	5	5	5	5	5
Conifer Utility	CU	5	5	5	5	5	5

¹Includes Western and Mountain Hemlock.
²Includes Pacific Silver Fir, Grand Fir, and Alpine Fir.
³Includes Alaska Yellow Cedar.

TABLE 18—STUMPAGE VALUE TABLE
 STUMPAGE VALUE AREA 5
 (for 7/1/80 through 12/31/80)
 YOUNG GROWTH FINAL HARVEST
 (Less than 100 years of age, but not including thinning)

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir	DF	1	\$411	\$405	\$399	\$393	\$387
		2	322	316	310	304	298
		3	224	218	212	206	200
		4	162	156	150	144	138
Western Hemlock ¹	WH	1	276	270	264	258	252
		2	272	266	260	254	248
		3	116	110	104	98	92
		4	106	100	94	88	82
True Fir ²	TF	1	276	270	264	258	252
		2	272	266	260	254	248
		3	116	110	104	98	92
		4	106	100	94	88	82
Western Red Cedar ³	RC	1	239	233	227	221	215
		2	234	228	222	216	210
		3	179	173	167	161	155
Other Conifer	OC	1	239	233	227	221	215
		2	234	228	222	216	210
		3	116	110	104	98	92
		4	106	100	94	88	82
Red Alder	RA	1	40	34	28	22	16
Cottonwood	BC	1	30	24	18	12	6
Other Hardwoods	OH	1	34	28	22	16	10
Hardwood Utility	HU	5	5	5	5	5	
Conifer Utility	CU	5	5	5	5	5	

¹Includes Western and Mountain Hemlock.
²Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Alpine Fir.
³Includes Alaska Yellow Cedar.

TABLE 19—STUMPAGE VALUE TABLE
 STUMPAGE VALUE AREA 5
 (for 7/1/80 through 12/31/80)
 THINNING
 See definition WAC 458-40-18643(9)(d)

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir	DF	1	\$386	\$380	\$374	\$368	\$362
		2	297	291	285	279	273
		3	199	193	187	181	175
		4	137	131	125	119	113
Western Hemlock ¹	WH	1	251	245	239	233	227
		2	247	241	235	229	223
		3	91	85	79	73	67
		4	81	75	69	63	57
True Fir ²	TF	1	251	245	239	233	227
		2	247	241	235	229	223
		3	91	85	79	73	67
		4	81	75	69	63	57
Western Red Cedar ³	RC	1	214	208	202	196	190
		2	209	203	197	191	185
		3	154	148	142	136	130
Other Conifer	OC	1	214	208	202	196	190
		2	209	203	197	191	185
		3	91	85	79	73	67
		4	81	75	69	63	57
Red Alder	RA	1	40	34	28	22	16
Cottonwood	BC	1	30	24	18	12	6
Other Hardwoods	OH	1	34	28	22	16	10
Hardwood Utility	HU	5	5	5	5	5	
Conifer Utility	CU	5	5	5	5	5	

¹Includes Western and Mountain Hemlock.
²Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Alpine Fir.
³Includes Alaska Yellow Cedar.

TABLE 20—STUMPAGE VALUE TABLE
 STUMPAGE VALUE AREA 5
 (for 7/1/80 through 12/31/80)
 SPECIAL FOREST PRODUCTS

Species Name and Product	Species Code	Quality Code Number	Rates Per Unit by Hauling Distance Zone Number				
			1	2	3	4	5
Western Red Cedar—Shake Blocks & Boards ¹	RCS	1	\$253	\$249	\$245	\$241	\$237
Western Red Cedar Flatsawn & Shingle Blocks ¹	RCF	1	79	75	71	67	63
Western Red Cedar & Other Posts ²	RCP	1	0.20	0.20	0.20	0.20	0.20
Douglas Fir Christmas Trees ³	DFX	1	0.15	0.15	0.15	0.15	0.15

TABLE 20—cont.

Species Name and Product	Species Code	Quality Code Number	Rates Per Unit by Hauling Distance Zone Number				
			1	2	3	4	5
True fir & Other Christmas Trees ³	TFX	1	0.35	0.35	0.35	0.35	0.35

¹Stumpage value per MBF net Scribner Scale.

²Stumpage Value per 8 lineal feet or portion thereof.

³Stumpage value per lineal foot.

TABLE 21—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 6, 7, 8, AND 9
(for 7/1/80 through 12/31/80)
MERCHANTABLE SAWTIMBER, ALL AGES

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Ponderosa Pine	PP	1	\$233	\$229	\$225	\$221	\$217
			2	132	128	124	120
Douglas Fir	DF	1	136	132	128	124	120
Western Larch	WL	1	136	132	128	124	120
Western Hemlock ¹	WH	1	122	118	114	110	106
True fir ²	TF	1	122	118	114	110	106
Engelmann Spruce	ES	1	112	108	104	100	96
White Pine	WP	1	174	170	166	162	158
Western Red Cedar	RC	1	127	123	119	115	111
Lodgepole Pine	LP	1	117	113	109	105	101
Hardwoods	OH	1	14	10	6	2	1
Utility	CU	4	2	2	2	2	2

¹Includes Western and Mountain Hemlock.

²Includes Pacific Silver fir, Noble Fir, Grand Fir, and Alpine Fir.

TABLE 22—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 6, 7, 8, AND 9
(for 7/1/80 through 12/31/80)
SPECIAL FOREST PRODUCTS

Species Name and Product	Species Code	Quality Code Number	Rates Per Unit by Hauling Distance Zone Number				
			1	2	3	4	5
Western Red Cedar Flatsawn & Shingle Blocks ¹	RCF	1	\$79	\$75	\$71	\$67	\$63
Western Larch Flatsawn Blocks ¹	WLF	1	69	65	61	57	53
Lodgepole Pine & Other Posts ²	LPP	1	0.20	0.20	0.20	0.20	0.20

TABLE 22—cont.

Species Name and Product	Species Code	Quality Code Number	Rates Per Unit by Hauling Distance Zone Number				
			1	2	3	4	5
Pine Christmas Trees ¹	PX	1	0.13	0.13	0.13	0.13	0.13
Douglas Fir & Other Christmas Trees ⁴	DFX	1	0.15	0.15	0.15	0.15	0.15

¹Stumpage value per MBF net Scribner Scale.

²Stumpage value per 8 lineal feet or portion thereof.

³Stumpage value per lineal foot. Includes Ponderosa Pine, White Pine, and Lodgepole Pine.

⁴Stumpage value per lineal foot.

TABLE 23—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 10
(for 7/1/80 through 12/31/80)
MERCHANTABLE SAWTIMBER, ALL AGES

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Ponderosa Pine	PP	1	\$269	\$265	\$261	\$257	\$253
		2	257	253	249	245	241
		3	244	240	236	232	228
Douglas Fir	DF	1	230	226	222	218	214
		2	180	176	172	168	164
		3	131	127	123	119	115
Western Larch	WL	1	230	226	222	218	214
		2	180	176	172	168	164
		3	131	127	123	119	115
Western Hemlock ¹	WH	1	183	179	175	171	167
		2	159	155	151	147	143
		3	136	132	128	124	120
True Fir ²	TF	1	183	179	175	171	167
		2	159	155	151	147	143
		3	136	132	128	124	120
Other Conifer	OC	1	183	179	175	171	167
		2	159	155	151	147	143
		3	131	127	123	119	115
Hardwoods	OH	1	14	10	6	2	1
Utility	CU	1	5	5	5	5	5

¹Includes Western and Mountain Hemlock.

²Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Alpine Fir.

**TABLE 24—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 10
(for 7/1/80 through 12/31/80)
SPECIAL FOREST PRODUCTS**

Species Name and Product	Species Code	Quality Code Number	Rates Per Unit Hauling Distance Zone Number				
			1	2	3	4	5
Western Red Cedar Flatsawn & Shingle Blocks ¹	RCF	1	\$104	\$100	\$96	\$92	\$88
Western Larch Flatsawn Blocks ¹	WLF	1	69	65	61	57	53
Lodgepole Pine & Other Posts ²	LPP	1	0.20	0.20	0.20	0.20	0.20
Pine Christmas Trees ³	PX	1	0.13	0.13	0.13	0.13	0.13
Douglas Fir & Other Christmas Trees ⁴	DFX	1	0.15	0.15	0.15	0.15	0.15

¹Stumpage value per MBF Scribner scale.
²Stumpage value per 8 lineal feet or portion thereof.
³Stumpage value per lineal foot. Includes Ponderosa Pine, White Pine, and Lodgepole Pine.
⁴Stumpage value per lineal foot.

**TABLE 25—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 11
(for 7/1/80 through 12/31/80)
OLD GROWTH FINAL HARVEST
(100 years of age or older)**

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir	DF	1	\$308	\$304	\$300	\$296	\$292
		2	308	304	300	296	292
		3	292	288	284	280	276
		4	254	250	246	242	238
Western Hemlock ¹	WH	1	228	224	220	216	212
		2	183	179	175	171	167
		3	111	107	103	99	95
True Fir ²	TF	1	228	224	220	216	212
		2	183	179	175	171	167
		3	111	107	103	99	95
Western Red Cedar ³	RC	1	256	252	248	244	240
		2	183	179	175	171	167
		3	157	153	149	145	141
Other Conifer	OC	1	256	252	248	244	240
		2	183	179	175	171	167
		3	111	107	103	99	95
Red Alder	RA	1	41	35	29	23	17
Cottonwood	BC	1	38	32	26	20	14
Other Hardwoods	OH	1	53	47	41	35	29
Hardwood Utility	HU	5	5	5	5	5	5
Conifer Utility	CU	5	5	5	5	5	5

¹Includes Western and Mountain Hemlock.
²Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Alpine Fir.
³Includes Alaska Yellow Cedar.

**TABLE 26—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 11
(for 7/1/80 through 12/31/80)
YOUNG GROWTH FINAL HARVEST
(Less than 100 years of age, but not including thinning)**

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir	DF	1	\$270	\$264	\$258	\$252	\$246
		2	182	176	170	164	158
		3	138	132	126	120	114
		4	78	72	66	60	54
Western Hemlock ¹	WH	1	108	102	96	90	84
		2	106	100	94	88	82
		3	93	87	81	75	69
		4	50	44	38	32	26
True Fir ²	TF	1	108	102	96	90	84
		2	106	100	94	88	82
		3	93	87	81	75	69
		4	50	44	38	32	26
Western Red Cedar ³	RC	1	206	200	194	188	182
		2	153	147	141	135	129
		3	152	146	140	134	128
Other Conifer	OC	1	108	102	96	90	84
		2	106	100	94	88	82
		3	93	87	81	75	69
		4	50	44	38	32	26
Red Alder	RA	1	41	35	29	23	17
Cottonwood	BC	1	38	32	26	20	14
Other Hardwoods	OH	1	53	47	41	35	29
Hardwood Utility	HU	5	5	5	5	5	5
Conifer Utility	CU	5	5	5	5	5	5

¹Includes Western and Mountain Hemlock.
²Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Alpine Fir.
³Includes Alaska Yellow Cedar.

**TABLE 27—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 11
(for 7/1/80 through 12/31/80)
THINNING
See definition WAC 458-40-18643(9)(d)**

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir	DF	1	\$245	\$239	\$233	\$227	\$221
		2	157	151	145	139	133
		3	113	107	101	95	89
		4	53	47	41	35	29
Western Hemlock ¹	WH	1	83	77	71	65	59
		2	81	75	69	63	57
		3	68	62	56	50	44
		4	25	19	13	7	1
True Fir ²	TF	1	83	77	71	65	59
		2	81	75	69	63	57
		3	68	62	56	50	44
		4	25	19	13	7	1

TABLE 27—cont.

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Western Red Cedar ³	RC	1	181	175	169	163	157
		2	128	122	116	110	104
		3	127	121	115	109	103
Other Conifer	OC	1	83	77	71	65	59
		2	81	75	69	63	57
		3	68	62	56	50	44
		4	25	19	13	7	1
Red Alder	RA	1	41	35	29	23	17
Cottonwood	BC	1	38	32	26	20	14
Other Hardwoods	OH	1	53	47	41	35	29
Hardwood Utility	HU	5	5	5	5	5	5
Conifer Utility	CU	5	5	5	5	5	5

¹Includes Western and Mountain Hemlock.

²Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Alpine Fir.

³Includes Alaska Yellow Cedar.

TABLE 28—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 11
(for 7/1/80 through 12/31/80)
SPECIAL FOREST PRODUCTS

Species Name and Product	Species Code	Quality Code Number	Rates Per Unit by Hauling Distance Zone Number				
			1	2	3	4	5
Western Red Cedar—Shake Blocks & Boards ¹	RCS	1	\$114	\$110	\$106	\$102	\$ 98
Western Red Cedar Flatsawn & Shingle Blocks ¹	RCF	1	50	46	42	38	34
Western Red Cedar & Other Posts ²	RCP	1	0.20	0.20	0.20	0.20	0.20
Douglas Fir Christmas Trees ³	DFX	1	0.15	0.15	0.15	0.15	0.15
True Fir & Other Christmas Trees ³	TFX	1	0.35	0.35	0.35	0.35	0.35

¹Stumpage Value per MBF net Scribner Scale.

²Stumpage Value per 8 lineal feet or portion thereof.

³Stumpage Value per lineal foot.

NEW SECTION

WAC 458-40-18648 HARVESTER ADJUSTMENTS—TABLES FOR 7/1/80 THROUGH 12/31/80. In order to make reasonable and adequate allowances for costs of removal and size of logging operation in computation of stumpage value rates as required by RCW 84.33.071(3), the department has prepared tables which allow for adjustments to the stumpage value rates derived from the stumpage value tables of WAC 458-40-18647.

Harvest adjustments relating to harvest volume per acre, logging conditions and average volume per log

shall be allowed against the stumpage value rates for the designated harvest types and in the designated stumpage value areas as set forth in the following tables with the following limitations:

- (1) No harvest adjustment shall be allowed against "special forest products".
- (2) No harvest adjustment shall be allowed against "utility", "conifer utility", and "hardwood utility".
- (3) Rates for the harvest type "old growth final harvest", shall be adjusted to a value no lower than \$10 per thousand board feet.
- (4) Rates for the harvest type "young growth final harvest", conifers, shall be adjusted to a value no lower than \$5 per thousand board feet.
- (5) Stumpage value rates for conifers within the harvest type "merchantable sawtimber, all ages", shall be adjusted to a value no lower than \$5 per thousand board feet.
- (6) Stumpage value rates for "hardwood" and for "thinning harvest" shall be adjusted to a value no lower than \$1 per thousand board feet.

A small harvest adjustment table for use in all stumpage value areas is set forth below providing for adjustment of stumpage value rates if the total volume of timber harvested in a given quarter is within the volume classes provided therein.

Stumpage values of timber situated in areas impacted by Mt. St. Helens eruptions, slides, and floods have been reduced. In many affected areas logging costs will be increased because of consequences from the volcanic eruptions. In some areas timber has been damaged. In other areas the distances and routes over which logs must be hauled have been significantly altered and logging costs have been affected.

Timber harvesters planning to remove timber from the areas affected by the Mt. St. Helens eruptions may apply to the Department of Revenue for adjustment in stumpage value rates. Such applications should contain a map with the legal description of the area from which the timber will be removed, a description of the damage sustained by the timber, and a listing of additional costs incurred because of ash fall, slides, floods or other Mt. St. Helens caused impacts. Such applications should be sent to the Department of Revenue, Forest Tax Division, General Administration Building, Olympia, Washington 98504, before the harvest commences.

In the event the extent of such timber damage or additional costs are not known at the time the application is filed, the harvester may supplement the application when the necessary information is obtained, but in no event later than 90 days following completion of the harvest unit.

Upon application from any person who plans to harvest timber affected by the Mt. St. Helens eruptions the department will make a determination as to the amount of adjustment to be allowed. The harvester will be notified by the department of the amount of the adjustment. This amount can then be taken as a credit against tax

liabilities or if the harvester is no longer harvesting, a refund will be authorized.

The following harvest adjustment tables are hereby adopted for use during the period of July 1, 1980 through December 31, 1980:

**TABLE 1—HARVEST ADJUSTMENT TABLE
STUMPAGE VALUE AREAS 1, 2, 3, 4, 5, AND 11
(for 7/1/80 through 12/31/80)
OLD GROWTH FINAL HARVEST
(100 years of age, or older)**

<u>Type of Adjustment</u>	<u>Definition</u>	<u>Dollar Adjustment Per Thousand Board Feet Net Scribner Scale</u>
I. Volume Per Acre		
Class 1	Harvest of more than 40 thousand board feet per acre.	0
Class 2	Harvest of 15 thousand board feet to 40 thousand board feet per acre.	- \$4.00
Class 3	Harvest of less than 15 thousand board feet per acre.	- \$7.00
II. Logging Conditions		
Class 1	Favorable logging conditions and easy road construction. No rock outcrops or swamp barriers. Generally flat to gentle slopes under 40%.	+ \$5.00
Class 2	Average logging conditions and average road construction. Some rock outcrops or swamp barriers. Generally slopes between 40% to 60%.	0
Class 3	Difficult logging and road building conditions because of numerous rock outcrops and bluffs. Generally rough, broken ground with slopes in excess of 60%.	- \$12.00
Class 4	For logs which are yarded from stump to landing by helicopter. This does not include "Special Forest Products".	- \$60.00

**TABLE 2—HARVEST ADJUSTMENT TABLE
STUMPAGE VALUE AREAS 1, 2, 3, 4, 5, AND 11
(for 7/1/80 through 12/31/80)
YOUNG GROWTH FINAL HARVEST
(Less than 100 years of age, but not including thinning)**

<u>Type of Adjustment</u>	<u>Definition</u>	<u>Dollar Adjustment Per Thousand Board Feet Net Scribner Scale</u>
I. Volume Per Acre		
Class 1	Harvest of more than 30 thousand board feet per acre.	0
Class 2	Harvest of 10 thousand board feet to 30 thousand board feet per acre.	- \$2.00
Class 3	Harvest of less than 10 thousand board feet per acre.	- \$6.00

TABLE 2—cont.

<u>Type of Adjustment</u>	<u>Definition</u>	<u>Dollar Adjustment Per Thousand Board Feet Net Scribner Scale</u>
II. Logging Conditions		
Class 1	Favorable logging conditions and easy road construction. No rock outcrops or swamp barriers. Generally flat to gentle slopes under 40%.	+ \$4.00
Class 2	Average logging conditions and average road construction. Some rock outcrops or swamp barriers. Generally slopes between 40% to 60%.	0
Class 3	Difficult logging and road building conditions because of numerous rock outcrops and bluffs. Generally rough, broken ground with slopes in excess of 60%.	- \$14.00
Class 4	For logs which are yarded from stump to landing by helicopter. This does not include "Special Forest Products".	- \$60.00

**TABLE 3—HARVEST ADJUSTMENT TABLE
STUMPAGE VALUE AREAS 1, 2, 3, 4, 5, AND 11
(for 7/1/80 through 12/31/80)
THINNING**

See definition WAC 458-40-18643(9)(d)

<u>Type of Adjustment</u>	<u>Definition</u>	<u>Dollar Adjustment Per Thousand Board Feet Net Scribner Scale</u>
I. Volume Per Acre		
Class 1	Harvest of more than 10 thousand board feet per acre.	0
Class 2	Harvest of 5 thousand board feet to 10 thousand board feet per acre.	- \$3.00
Class 3	Harvest of less than 5 thousand board feet per acre.	- \$5.00
II. Logging Conditions		
Class 1	Favorable wheel tractor logging conditions and easy road construction. No rock outcrops or swamp barriers. Generally flat to gentle slopes under 20%.	+ \$5.00
Class 2	Average logging conditions and average road construction. Some rock outcrops or swamp barriers. Generally slopes between 20% and 40%.	0
Class 3	Difficult logging and road building conditions because of numerous rock outcrops and bluffs. Generally rough, broken ground with slopes in excess of 40%. Normally a tower yarding operation.	- \$14.00
Class 4	For logs which are yarded from stump to landing by helicopter. This does not include "Special Forest Products".	- \$60.00

TABLE 3—cont.

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
III. Average Log Size		
Class 1	50 board feet or more.	0
Class 2	Less than 50 board feet.	-\$10.00

TABLE 4—HARVEST ADJUSTMENT TABLE
STUMPAGE VALUE AREAS 6, 7, 8, 9 AND 10
(for 7/1/80 through 12/31/80)
MERCHANTABLE SAWTIMBER, ALL AGES

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
I. Volume Per Acre		
Class 1	Harvest of more than 8 thousand board feet per acre.	0
Class 2	Harvest of 3 thousand board feet to 8 thousand board feet per acre.	-\$7.00
Class 3	Harvest of less than 3 thousand board feet per acre.	-\$10.00
II. Logging Conditions		
Class 1	Favorable logging conditions and easy road construction. No rock outcrops or swamp barriers. Generally flat to gentle slopes under 20%.	+\$6.00
Class 2	Average logging conditions and average road construction. Some rock outcrops or swamp barriers. Generally slopes between 20% to 40%.	0
Class 3	Difficult logging and road building conditions because of numerous rock outcrops and bluffs. Generally rough, broken ground with slopes in excess of 40%.	-\$13.00
Class 4	For logs which are yarded from stump to landing by helicopter. This does not include "Special Forest Products".	-\$60.00

TABLE 5—SMALL HARVEST ADJUSTMENT
TABLE
ALL STUMPAGE VALUE AREAS
(for 7/1/80 through 12/31/80)

A small harvest adjustment is allowed where the total net volume harvested from all units, a selected unit, or a combination of units (including conifer special cull or utility and hardwood utility) in a given quarter is within the volume classes shown below. A harvester may report and claim this adjustment on no more than 250 MBF of harvest each reporting quarter.

Small Harvest Class	Net Volume Harvested Per Quarter	Dollar Adjustment Per Thousand Board Feet
Class 1	0 - 125 MBF	-\$20.00
Class 2	126 - 250 MBF	-\$15.00
Class 3	0 - 125 MBF	-\$30.00
Class 4	126 - 250 MBF	-\$25.00

Where the total volume harvested from all units (including conifer special cull or utility and hardwood utility) in a given quarter is 250 MBF or less, the following adjustment classes will be used:

AMENDATORY SECTION (Amending Order FT 79-40, filed 12/31/79)

WAC 458-40-19000 TIMBER POLE VOLUME TABLE FOR WEST OF CASCADE SUMMIT FOR THE CALENDAR PERIOD ((+/+/80)) 7/1/80 THROUGH ((6/30/80)) 12/31/80. Harvesters of poles in stumpage value areas 1, 2, 3, 4, 5, and 11 shall use the following timber pole volume table to determine the Scribner board foot volume for each pole length and class:

Pole Length	Pole Class ¹	Total Scribner Board foot Volume as per Pole Length and per Pole Class
20'	1	50
	2	50
	3	40
	4	40
	5	30
	6	30
	7	20
	9	20
	10	20
	25'	1
2		60
3		50
4		50
5		40
6		40
7		30
9		30
10		30

Pole Length	Pole Class ¹	Total Scribner Board foot Volume as per Pole Length and per Pole Class	Pole Length	Pole Class ¹	Total Scribner Board foot Volume as per Pole Length and per Pole Class
30'	1	110	50'	H6	430(430)
	2	70		H5	370(370)
	3	60		H4	370(370)
	4	60		H3	300(300)
	5	50		H2	260(260)
	6	50		H1	260(150)
	7	40		1	210(120)
	9	40		2	160
		H2		160	3
35'	H2	160	4	140	
	1	130	5	100	
	2	100	H6	470(470)	
	3	80	H5	410(410)	
	4	80	H4	410(410)	
	5	60	H3	330(330)	
	6	60	H2	280(160)	
	7	50	H1	280(160)	
		H4	240(240)	1	230(130)
40'	H3	200(200)	2	180	
	H2	180	3	150	
	H1	180	4	150	
	1	150	H6	540(540)	
	2	120	H5	470(470)	
	3	120	H4	470(470)	
	4	90	H3	410(410)	
	5	70	H2	340(210)	
	6	60	H1	340(210)	
45'	H6	380(380)	1	290(180)	
	H5	340(340)	2	220(150)	
	H4	340(340)	3	190	
	H3	280(270)	4	190	
	H2	230(130)	H6	610(610)	
	H1	230(130)	H5	520(520)	
	1	190(110)	H4	520(520)	
	2	150	H3	420(420)	
	3	120	H2	380(230)	
45'	4	120	H1	380(230)	
	5	90	1	320(190)	
	6	90	2	260(160)	
			3	210	
			4	210	

Pole Length	Pole Class ¹	Total Scribner Board foot Volume as per Pole Length and per Pole Class	Pole Length	Pole Class ¹	Total Scribner Board foot Volume as per Pole Length and per Pole Class	
70'	H6	650(650)	95'	H6	1170(1170)	
	H5	560(560)		H5	1000(1000)	
	H4	560(560)		H4	1000(1000)	
	H3	480(480)		H3	870(870)	
	H2	400(240)		H2	870(870)	
	H1	400(240)		H1	750(600)	
	1	350(210)		1	640(510)	
	2	270(170)		2	540(440)	
	3	230		100'	H6	1190(1190)
	4	230			H5	1030(1030)
H6	700(700)	H4	1030(1030)			
H5	600(600)	H3	900(900)			
H4	600(600)	H2	900(900)			
H3	520(520)	H1	760(610)			
H2	520(520)	1	660(530)			
H1	520(330)	2	550(450)			
1	440(270)	105'	H6		1310(1310)	
2	290(180)		H5		1160(1160)	
3	250		H4	1160(1160)		
H6	820(820)		H3	1000(1000)		
H5	700(700)		H2	1000(1000)		
H4	700(700)		H1	860(700)		
H3	600(600)		1	740(600)		
H2	600(600)		2	610(510)		
H1	540(360)		110'	H6	1370(1370)	
1	440(290)			H5	1220(1220)	
2	360(240)	H4		1220(1220)		
3	290(200)	H3		1050(1050)		
H6	910(910)	H2		1050(1050)		
H5	800(800)	H1		910(740)		
H4	800(800)	1		780(640)		
H3	660(660)	2		650(540)		
H2	660(660)	115'		H6	1440(1440)	
H1	660(520)			H5	1280(1280)	
1	570(450)		H4	1280(1280)		
2	490(340)		H3	1100(1100)		
3	360(200)		H2	1100(1100)		
H6	1080(1080)		H1	960(780)		
H5	930(930)		1	860(670)		
H4	930(930)		2	680(570)		
H3	820(820)		120'	H6	1660(1660)	
H2	820(820)			H5	1460(1460)	
H1	690(560)	H4		1460(1460)		
1	590(480)	H3		1300(1300)		
2	490(420)	H2		1300(1300)		
3	400(210)	H1		1140(960)		
		1		970(820)		
		2		820(700)		

Pole Length	Pole Class ¹	Total Scribner Board foot Volume as per Pole Length and per Pole Class	Piling Length	Piling Class ²	Total Scribner Board Foot Volume as per Piling Length and per Piling Class	
125'	H6	1840(1840)	20'	A	80	
	H5	1600(1600)		B	70	
	H4	1600(1600)	25'	A	100	
	H3	1410(1410)		B	90	
	H2	1410(1410)	30'	A	130	
	H1	1250(1100)		B	110	
130'	1	1080(940)	35'	A	130	
	2	930(830)		B	110	
	H6	1920(1920)	40'	A	150	
	H5	1680(1680)		B	120	
	H4	1680(1680)	45'	A	150	
	H3	1490(1490)		B	120	
	H2	1490(1490)	50'	A	160	
	H1	1310(1160)		B	140	
	1	1120(990)	55'	A	180	
	2	970(870)		B	150	
				60'	A	190
					B	160
			65'	A	210	
				B	180	
			70'	A	230	
				B	190	
			75'	A	230	
				B	200	
			80'	A	250	
				B	210	
			85'	A	260(140)	
				B	210	
			90'	A	260(150)	
				B	220	
			95'	A	290(150)	
				B	240	
			100'	A	310(160)	
				B	250	
			105'	A	330(170)	
				B	270	
			110'	A	380(220)	
				B	300(180)	
			115'	A	400(230)	
				B	310(190)	

¹Pole class definitions as per American National Standard specifications and dimensions for wood poles as approved August 7, 1976 under American National Standard Institute, Inc. codified ANSI 05.1-1972.

²Long log volume calculations are based on Official Log Scaling and Grading Rules, revised January 1, (~~1978~~) 1980, published by The Puget Sound Log Scaling Bureau. These rules are also used by The Columbia River and the Grays Harbor Log Scaling and Grading Bureau.

³The number, enclosed in parenthesis after the total Scribner pole volume for each pole length and class, is the volume per pole for Number 2 sawmill and better log grade, where applicable.

AMENDATORY SECTION (Amending Order FT 79-40, filed 12/31/79)

WAC 458-40-19001 TIMBER PILING VOLUME TABLE FOR WEST OF CASCADE SUMMIT FOR THE CALENDAR PERIOD (~~1/1/80~~) 7/1/80 THROUGH (~~6/30/80~~) 12/31/80. Harvesters of piling in stumpage value areas 1, 2, 3, 4, 5, and 11 shall use the following piling table to determine the Scribner board foot volume for each piling length and class:

Piling Length	Piling Class ¹	Total Scribner Board Foot Volume as per Piling Length and per Piling Class	Pole Length	Pole Class ¹	Total Scribner Board Foot Volume as per Pole Length and Pole Class
120'	A	500(290)	20'	1	70
	B	400(240)		2	60
				3	50
				4	50
				5	30
				6	30
				7	20
				9	20
				10	20
				25'	1
			2		70
			3		50
			4		50
			5		40
			6		40
			7		30
			9		30
			10		20
			30'		1
				2	90
				3	60
				4	60
				5	50
				6	50
				7	50
				9	40
				H2	190
				H1	160
			35'	1	140
				2	100
				3	100
				4	70
				5	60
				6	60
				7	50
				H3	240
				H2	240
				H1	200
			40'	1	170
				2	120
				3	110
				4	100
				5	70
				6	70

¹Piling class definitions as per American Society for Testing and Materials for "Round Timber Piles". As the Designation: D 25-58 (Reapproved 1964).

²Long log volume calculations are based on Official Log Scaling and Grading Rules revised January 1, ((1978)) 1980, published by The Puget Sound Log Scaling Bureau. These rules are also used by the Columbia River and the Grays Harbor Log Scaling and Grading Bureau.

³The number, enclosed in parenthesis after the total Scribner board foot volume for each piling length and class, is the volume per piling for Number 2 sawmill and better log grade, where applicable.

AMENDATORY SECTION (Amending Order FT 79-40, filed 12/31/79)

WAC 458-40-19002 TIMBER POLE VOLUME TABLE FOR EAST OF CASCADE SUMMIT FOR THE CALENDAR PERIOD ((1/1/80)) 7/1/80 THROUGH ((6/30/80)) 12/31/80. Harvesters of poles in stumpage value areas 6, 7, 8, 9 and 10 shall use the following timber pole volume table to determine the Scribner board foot volume. The timber quality code number shall be determined by the procedure contained herein under the tables titled "Timber Quality Code Table, Stumpage Value Areas 6, 7, 8 and 9 Merchantable Sawtimber, All Ages," and "Timber Quality Code Table, Stumpage Value Area 10, Merchantable Sawtimber, All Ages."

Pole Length	Pole Class ¹	Total Scribner Board Foot Volume as per Pole Length and Pole Class	Pole Length	Pole Class ¹	Total Scribner Board Foot Volume as per Pole Length and Pole Class		
45'	H6	390	65'	H6	650		
	H5	330		H5	570		
	H4	330		H4	570		
	H3	270		H3	490		
	H2	270		H2	480		
	H1	220		H1	410		
	1	180		1	350		
	2	150		2	280		
	3	110		3	220		
	4	110		4	220		
	5	80		H6	750		
	6	70		H5	650		
50'	H6	460	70'	H4	650		
	H5	390		H3	550		
	H4	390		H2	560		
	H3	340		H1	470		
	H2	340		1	410		
	H1	280		2	320		
	1	240		3	260		
	2	190		4	260		
	3	150		H6	810		
	4	150		H5	700		
	5	120		H4	700		
	55'	H6		510	75'	H3	600
H5		430	H2	600			
H4		430	H1	500			
H3		370	1	440			
H2		360	2	340			
H1		300	3	270			
1		250	H6	960			
2		190	H5	830			
3		150	H4	830			
4		150	H3	710			
60'		H6	610	80'		H2	710
		H5	530			H1	610
	H4	530	1		510		
	H3	440	2		420		
	H2	440	3		340		
	H1	380	H6		1020		
	1	310	H5		870		
	2	240	H4		870		
	3	200	H3		760		
	4	200	H2		760		
	60'				85'	H1	640
						1	550
			2	450			
			3	360			

Pole Length	Pole Class ¹	Total Scribner Board Foot Volume as per Pole Length and Pole Class	Pole Length	Pole Class ¹	Total Scribner Board Foot Volume as per Pole Length and Pole Class
90'	H6	1110	115'	H6	1660
	H5	970		H5	1470
	H4	970		H4	1470
	H3	840		H3	1280
	H2	840		H2	1280
	H1	720		H1	970
	1	620		1	810
	2	500		2	680
95'	3	420	120'	H6	1880
	H6	1160		H5	1680
	H5	1010		H4	1680
	H4	1010		H3	1480
	H3	870		H2	1480
	H2	870		H1	1290
	H1	740		1	1130
	1	640		2	950
100'	2	510	125'	H6	1910
	H6	1380		H5	1690
	H5	1210		H4	1690
	H4	1210		H3	1490
	H3	1060		H2	1490
	H2	1060		H1	1140
	H1	910		1	970
	1	780		2	810
105'	2	650	130'	H6	2170
	H6	1430		H5	1920
	H5	1250		H4	1920
	H4	1250		H3	1710
	H3	1100		H2	1710
	H2	1100		H1	1510
	H1	940		1	1320
	1	820		2	1140
110'	2	690			
	H6	1580			
	H5	1390			
	H4	1390			
	H3	1220			
	H2	1220			
	H1	1070			
	1	920			
	2	770			

¹Pole class definitions as per American National Standard specifications and dimensions for wood poles as approved August 7, 1976 under American National Standard Institute, Inc. codified ANSI 05.1-1972.

²Volumes are based on the Scribner Decimal C log rule in the U.S.F.S. Log Scaling Handbook. Poles over 16 feet long were segment scaled in accordance with the rules set forth in the U.S.F.S. Log Scaling Handbook, using the average top diameter by size and class and assuming a 1" in 10' taper.

AMENDATORY SECTION (Amending Order FT 79-40, filed 12/31/79)

WAC 458-40-19003 TIMBER PILING VOLUME TABLE FOR EAST OF CASCADE SUMMIT FOR THE CALENDAR PERIOD ((1/1/80)) 7/1/80 THROUGH ((6/30/80)) 12/31/80. Harvesters of piling in stumpage value areas 6, 7, 8, 9 and 10 shall use the following piling table to determine the Scribner board foot of volume. The timber quality code number for each piling length and class shall be determined by the procedure contained herein under the tables titled "Timber Quality Code Table, Stumpage Value Areas 6, 7, 8 and 9 Merchantable Sawtimber, All Ages" and "Timber Quality Code Table, Stumpage Value Area 10, Merchantable Sawtimber, All Ages."

Piling Length	Piling Class	Total Scribner Board Foot Volume per Piling Length and per Piling Class
20'	A	90
	B	70
25'	A	100
	B	80
30'	A	130
	B	110
35'	A	140
	B	100
40'	A	140
	B	100
45'	A	150
	B	110
50'	A	190
	B	150
55'	A	190
	B	150
60'	A	240
	B	200
65'	A	240
	B	200
70'	A	260
	B	210
75'	A	270
	B	220
80'	A	220
	B	220
85'	A	300
	B	240
90'	A	280
	B	280

Piling Length	Piling Class	Total Scribner Board Foot Volume per Piling Length and per Piling Class
95'	A	360
	B	280
100'	A	360
	B	280
105'	A	400
	B	300
110'	A	460
	B	340
115'	A	470
	B	360
120'	A	560
	B	450

¹ Piling class definitions as per American Society for Testing and Materials for "Round Timber Piles". As the Designation: D 25-56 (Reapproved 1964).

² Volumes are based on the Scribner Decimal C log rule in the U.S.F.S. Log Scaling Handbook. Poles over 16 feet long were segment scaled in accordance with the rules set forth in the U.S.F.S. Log Scaling Handbook, using the average top diameter by size and class and assuming a 1" in 10' taper.

AMENDATORY SECTION (Amending Order FT 79-40, filed 12/31/79)

WAC 458-40-19004 CONVERSION DEFINITIONS AND FACTORS FOR THE CALENDAR PERIOD ((1/1/80)) 7/1/80 THROUGH ((6/30/80)) 12/31/80. (1) The following standard conversion definitions and factors shall be used in determining Scribner board foot volume scale for timber harvested that was not originally scaled in Scribner board foot volume scale:

Table No.	Conversion Method
1	Standard Cord For logs on the average of 8 inches and larger on the small end of the log the conversion factor is 400 Scribner board feet per cord and for logs on the average of less than 8 inch on the small end of the log the conversion factor is 330 Scribner board feet per cord.
2	Shake Blocks and Boards A cord consisting of Cedar shingle or shake blocks based on stacked dimensions of 4 feet by 4 feet by 8 feet is equivalent to 600 Scribner board feet.

Table
No. Conversion Method

- 3 Cants or Lumber from Portable Mills
Payment for cants is generally based on the board foot volume (lumber tally) cut from them. Payment for lumber cut from a portable mill is also generally based on the lumber tally from the log. To convert from lumber tally to Scribner log volume, multiply the lumber tally for the individual species by 75% and round to the nearest one thousand board feet Scribner scale.
- 4 Log Length Conversion Western Washington Only (Stumpage Value Areas 1, 2, 3, 4, 5, and 11).
Operations that cut and scale logs in short lengths (16 feet to 20 feet) shall adjust the volume downward to correspond to the long log scale basis used in the Stumpage Value Tables. To convert to long log scale, multiply the short log scale for each species by 82% and round to the nearest thousand board feet.
- 5 Log Length Conversion Eastern Washington Only (Stumpage Value Areas 6, 7, 8, 9 and 10).
Operations that cut and scale logs in long lengths (32 feet to 40 feet) shall adjust the volume upward to correspond to the short log scale basis used in the Stumpage Value Tables. To convert to short log scale, multiply the long log scale for each species by 118% and round to the nearest thousand board feet.
- 6 Some standard converting factors and equivalents:
- (a) 1 standard cord equals 128 cubic feet, gross
 - (b) 1 standard cord equals 85 cubic feet, solid wood
 - (c) 1 standard cord equals 2.4069 cubic meters of solid wood
 - (d) 1 cunit equals 100 cubic feet, log scale
 - (e) 1 meter equals 39.37 inches
 - (f) 1 cubic meter equals 35.315 cubic feet log scale
 - (g) 1 cunit equals 2.832 cubic meters, log scale
 - (h) 1 pound equals 0.454 kilograms
 - (i) 1 kilogram equals 2.2046 pounds
 - (j) 1 short ton equals 2000 pounds
 - (k) 1 short ton equals 907.18 kilograms
 - (l) 1 long ton equals 2240.0 pounds
 - (m) 1 long ton equals 1016.05 kilograms
 - (n) 1 metric ton (or tonne) equals 1000 kilograms or approximately 2204.62 pounds.

(2) If the harvester chooses not to use the designated conversion definitions and/or factors, the harvester shall

obtain approval of the procedure from the department before harvesting.

EXAMPLE: Weight or Cubic Measurement. If the original unit of measure was by weight (pounds or tons) or cubic feet (cunits or units), the harvester shall convert to Scribner Board Foot volume, but may use only such conversion procedures and factors as have been given prior approval by the department.

WSR 80-08-043

**NOTICE OF PUBLIC MEETINGS
WHATCOM COMMUNITY COLLEGE**

[Memorandum—June 27, 1980]

You are hereby notified that the following meetings of the Board of Trustees of Whatcom Community College, District Number Twenty-One, have been cancelled:

July 8, 1980
July 24, 1980
August 12, 1980

A regular meeting of the Board of Trustees of Whatcom Community College, District Number Twenty-One will be held at the following time and place: July 29, 1980, 1:00 p.m., Board Room, Northwest 2, Whatcom Community College, 5217 Northwest Road, Bellingham, WA 98225.

WSR 80-08-044

**PROPOSED RULES
STATE BOARD FOR
COMMUNITY COLLEGE EDUCATION**

[Filed June 30, 1980]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State Board for Community College Education intends to adopt, amend, or repeal rules concerning minimum qualifications and credentials for instructional and key administrative personnel of community colleges, WAC 131-16-070, 131-16-080, 131-16-092, 131-16-093 and 131-16-094;

and that the adoption, amendment, or repeal of such rules will take place at 8:30 a.m., Friday, August 22, 1980, in the Olympia Technical Community College, 2011 Mottman Road, Olympia, WA.

The authority under which these rules are proposed is RCW 28B.50.090(7)(a).

This notice is connected to and continues the matter noticed in Notice Nos. WSR 80-04-137 and 80-06-131 filed with the code reviser's office on April 2, 1980 and June 2, 1980.

Dated: June 27, 1980
By: Gilbert J. Carbone
Assistant Director

WSR 80-08-045
ADOPTED RULES
STATE BOARD FOR
COMMUNITY COLLEGE EDUCATION
 [Order 83, Resolution 80-29—Filed June 30, 1980]

Be it resolved by the State Board for Community College Education, acting at Green River Community College, 12401 SE 320th, Auburn, WA 98002, that it does promulgate and adopt the annexed rules relating to granting tuition and fee waivers to needy and disadvantaged students, amending WAC 131-28-030 and 131-28-045 and repealing WAC 131-28-041.

This action is taken pursuant to Notice No. WSR 80-05-085 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 28B.15.530 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED June 26, 1980.

By Gilbert J. Carbone
 Assistant Director

AMENDATORY SECTION (Amending Order 47, filed 9/12/75)

WAC 131-28-030 WAIVER OF TUITION AND FEES FOR ~~((CERTAIN))~~ NEEDY OR DISADVANTAGED STUDENTS. Pursuant to authority granted by RCW ~~((28B.15.520 and))~~ 28B.15.530, the boards of trustees of community college districts are authorized to waive all or part of general tuition, operating, and services and activities fees for needy or disadvantaged students: ~~((1) students enrolled in a course of study or program specifically for the purpose of completing a high school education and obtaining a high school diploma or certificate, (2) students enrolled in collegiate-level courses or programs, and (3) children after the age of nineteen years of any law enforcement officer or fire fighter who lost his life or became totally disabled in the line of duty while employed by a public law enforcement agency or full time or volunteer fire department in this state;))~~ PROVIDED, That the students ~~((except those designated in subsection (3) above;))~~ shall qualify for such waiver as determined by the criteria set forth in WAC 131-28-040 through 131-28-050.

AMENDATORY SECTION (Amending Order 70, Resolution 78-24, filed 5/24/78)

WAC 131-28-045 PROCEDURE FOR IMPLEMENTING TUITION AND FEE WAIVERS AUTHORIZED PURSUANT TO RCW 28B.15.530. (1) Tuition and fee waivers for needy or disadvantaged students in any fiscal year ~~((excluding waivers granted for Summer Quarter enrollments;))~~ as authorized by RCW

28B.15.530 may not exceed three percent of any college district's estimated total collections of tuition, operating, and services and activities fees had no such waivers been made, after deducting the portion of that total amount which is attributable to the difference between resident and nonresident tuition and fees.

(2) The estimated total collection of tuition and fees shall be based on ~~((the))~~ budgeted, state supported, four-quarter annual average enrollment ~~((minus the actual tuition and fees collected for the summer quarter of the year being estimated))~~.

(3) Each district may waive an amount not to exceed three percent of the estimated collections in the event that actual enrollments or collections exceed estimated collections. Conversely, the three percent waiver capacity based upon estimated collections is allowable even though actual collections may not be as high as the estimate.

(4) Districts desiring to exceed their individual three percent waiver capacity may do so only upon written approval from the State Director of Community Colleges or his designee. ~~((Additional))~~ This waiver capacity can only be granted to a district after it has been determined that the total waiver capacity for the community college system is not being utilized as a result of other districts waiving at levels less than the three percent capacity.

~~((5) There is no percentage limitation on the amount of tuition and fee waivers granted for Summer Quarter enrollments provided that recipients of such waivers qualify as needy, resident students as required by WAC 131-28-040;))~~

REPEALER

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

WAC 131-28-041 CRITERIA FOR DETERMINING ELIGIBILITY FOR WAIVER OF TUITION AND FEES UNDER RCW 28B.15.520.

WSR 80-08-046
PROPOSED RULES
DEPARTMENT OF AGRICULTURE
 [Filed June 30, 1980]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 15.49 RCW, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning forest reproductive material certification standards, WAC 16-319-020, 16-319-030, 16-319-051 and 16-319-061;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Thursday, July 10, 1980, in the Director's office, Olympia, Washington.

The authority under which these rules are proposed is chapter 15.49 RCW.

This notice is connected to and continues the matter noticed in Notice Nos. WSR 80-08-006, 80-06-099

and 80-04-116 filed with the code reviser's office on April 2, 1980, May 30, 1980 and June 20, 1980.

Dated: June 30, 1980

By: Art G. Losey
Assistant Director

WSR 80-08-047
EMERGENCY RULES
DEPARTMENT OF AGRICULTURE
[Order 1709—Filed June 30, 1980]

I, Bob J. Mickelson, director of Washington State Department of Agriculture, do promulgate and adopt at Olympia, Washington, the annexed rules relating to application of desiccants and defoliant, amending WAC 16-230-170.

I, Bob J. Mickelson, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is in order to protect susceptible crops in Eastern Washington from the application of desiccants and defoliant, the department promulgated Order 1682, effective May 5, 1980. Since that time, information has been presented to the department that there are fields in Eastern Washington isolated from susceptible crops. Because of the isolation of these fields, a permit system to allow applicators the use of less restrictive equipment to desiccate their fields would not present problems. Spraying of fields will begin approximately, July 1 and this emergency regulation will be a considerable savings to the grower and applicator. The department will review each request carefully in regard to safety factors and the possible exposure to susceptible crops.

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

This rule is promulgated pursuant to chapters 17.21 and 15.58 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 30, 1980.

By Bob J. Mickelson
Director

AMENDATORY SECTION (Amending Order 1682, filed 4/4/80)

WAC 16-230-170 AERIAL EQUIPMENT—
BOOM LENGTH, PRESSURE, NOZZLE RE-
QUIREMENT, NOZZLE HEIGHT OF DIS-
CHARGE AND SMOKE DEVICE

REQUIREMENTS FOR THE ENTIRE AREA UNDER ORDER. (1) Boom length restrictions:

(a) Fixed wing: The working boom length shall not exceed 3/4 of the distance from the center of aircraft to wing tip on each side of aircraft.

(b) Helicopters: The working boom length shall not exceed 6/7 of the distance from the center of rotor to rotor tip on each side of aircraft for rotors 40 feet or under or 3/4 of the distance from the center of rotor to rotor tip on each side of the aircraft where the rotor exceeds 40 feet while applying restricted use desiccants and defoliant.

(2) Pressure restrictions: Maximum pressure at the nozzles for all aerial applications of restricted use desiccants and defoliant shall be 25 psi.

(3) Nozzle requirements for applications of restricted use desiccants and defoliant:

(a) Fixed wing:

(i) Aircraft shall not be equipped with core plates or any device or mechanism which would cause a sheet, cone, fan or other dispersion of the discharged material. Nozzle orifices shall not be less than .0094 inches: PROVIDED, That the RD8-46 ((raindrop)) Raindrop® nozzles may be used with a minimum orifice diameter of 0.156 inches;

(ii) Nozzles shall be directed downward and backward 135 degrees from the direction of flight.

(b) Helicopter:

(i) Straight stream jet nozzles, without core plates, with a minimum orifice diameter of 0.063 inches;

(ii) Straight stream jet nozzles with a minimum orifice diameter of 0.125 inches with No. 46 core plates or larger;

(iii) RD8-46 ((raindrop)) Raindrop® nozzles may be used with a minimum orifice diameter of 0.156 inches;

(iv) Nozzles shall be directed downward and backward 135 degrees from the direction of flight for applications over 50 miles per hour and 90 degrees downward and backward for application under 50 miles per hour.

(4) Height of discharge requirements by aircraft of restricted use desiccants and defoliant: The nozzles must be closed while either descending onto or ascending from the target field, and also ascending or descending over an obstacle or obstruction within the target field that would alter the height of application more than ten feet.

(5) Smoke device requirements: All aircraft applying restricted use desiccants and defoliant shall utilize a smoke device to determine wind directions and temperature inversion situations.

(6) The Washington State department of agriculture may issue a permit upon receipt of a written request to apply restricted use desiccants and defoliant within the area under order as described in WAC 16-230-150 with nozzles, nozzle type and/or arrangements other than those allowed herein. The director will consider safety factors and the possible exposure to susceptible crops in the areas of proposed application before a permit will be issued.

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

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

WSR 80-08-048
ADOPTED RULED
DEPARTMENT OF AGRICULTURE
[Order 1710—Filed June 30, 1980]

I, Bob J. Mickelson, director of Washington State Department of Agriculture, do promulgate and adopt at Olympia, Washington, the annexed rules relating to schedule of fees for physical grading of hops, amending WAC 16-218-010.

This action is taken pursuant to Notice No. WSR 80-05-123 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 chapter 22.09 RCW and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED June 30, 1980.

By Bob J. Mickelson
Director

AMENDATORY SECTION (Amending Order No. 1596, filed 3/30/79)

WAC 16-218-010 SCHEDULE OF FEES FOR PHYSICAL GRADING. The schedule of fees, payable to the department for certification of hops pursuant to the standards established by the Federal Grain Inspection Service of the United States department of agriculture as authorized by the Agricultural Marketing Act of 1946, as amended, shall be as follows:

(1) Lot inspection. Seventy-five cents per bale in each lot, minimum charge shall be fifteen dollars.

(2) Sample inspection. Fifteen dollars per unofficial sample submitted.

(3) Supplemental certificates. Two dollars per certificate.

(4) Appeal inspection. Charges for appeal inspections will be made by the Federal Grain Inspection Service, Portland, Oregon, and payment for appeal inspections shall be made to them.

(5) Retyping certificates. A charge of two dollars will be made for retyping certificates if through no fault of the inspection service the information is submitted incorrectly.

~~((5))~~ (6) Extra copies. A charge of fifty cents per set will be made for typing extra copies of a certificate when requested by the original applicant or other financially interested party.

~~((6))~~ (7) Extra time and mileage charges. If through no fault of the inspection service, lots of hops cannot be sampled at the time such sampling has been

requested by the applicant or there is an undue delay in making a lot of hops available for sampling, extra time and mileage charges shall be assessed. Fees for hourly wages and mileage rates will be in accordance with current applicable fees charged by the department.

To be considered available for sampling and certification, it is necessary that each and every bale in the lot of hops be readily accessible so that each bale may be properly stenciled and samples drawn from those bales selected by the inspector.

WSR 80-08-049
EMERGENCY RULES
DEPARTMENT OF AGRICULTURE
[Order 1711—Filed June 30, 1980]

I, Bob J. Mickelson, director of Department of Agriculture, do promulgate and adopt the annexed rules relating to the amending of WAC 16-406-050 and 16-406-060.

I, Bob J. Mickelson, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is the ash fall from Mt. St. Helens has stained apricots to the extent that a large percentage of them will not meet the cleanliness criteria of the present Washington State Grades for apricots.

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

This rule is promulgated pursuant to chapter 15.17 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 30, 1980.

by Bob J. Mickelson
Director

AMENDATORY SECTION (Amending Order 1015, filed 4/29/66)

WAC 16-406-050. DEFINITION OF TERMS. As used in these grades:

(1) "Mature" means having reached the stage of maturity which will insure a proper completion of the ripening process.

(2) "Well formed" means having the shape characteristic of the variety.

(3) "Damage" means that the apricot is injured to an extent readily apparent in the process of proper grading and handling. Well healed growth cracks not over three eighths of an inch in length, punctures not over three sixteenths of an inch in diameter, stem pulls not over

three-eighths of an inch in diameter (except for the Riland Variety—growth cracks not over three-eighths of an inch in length, punctures not over one-fourth of an inch in diameter and stem pulls not over one-half inch in diameter) or smooth shallow limb rubs not more than one-fourth of an inch in diameter or russeting affecting not to exceed one-tenth of the surface of the apricot shall not be regarded as damage. Bruises not to exceed five percent of the surface of the apricot shall not be regarded as damage. Dirt and foreign material on the surface of the apricot shall not be regarded as damage.

(4) Hail marks that are shallow and superficial or not more than three-eighths of an inch in diameter in the aggregate, or when the skin has been broken, except that not to exceed one well healed hail mark, such mark not to exceed one-eighth of an inch in diameter will not be considered as damage.

(5) "Serious damage" means immaturity, or any deformity or injury which causes breaking of the skin in excess of three-eighths of an inch in diameter or which seriously affects the appearance, but well healed growth cracks, not over one-half inch in length, shall not be regarded as serious damage. Except for the Riland Variety—growth cracks that are not well healed and not over one-half inch in length shall not be regarded as serious damage. Bruises not to exceed ten percent of the surface of the apricot shall not be regarded as serious damage. Hail marks that are not more than three-sixteenth of an inch deep, or not more than one-half of an inch in diameter in the aggregate or when the skin has been broken, except that not to exceed four well healed hail marks, each such mark not to exceed one-eighth of an inch in diameter, will not be considered as serious damage. Dirt and foreign material on the surface of the apricot shall not be regarded as serious damage.

(6) "Diameter" means the greatest diameter, measured through the center of the apricot, at right angles to a line running from the stem to the blossom end. Apricots having a diameter of one and one-half inches, ring measurement, shall be considered large, while the apricots having a diameter of less than one and one-half inches shall be designated as small.

(7) The following will be taken into consideration in determining maturity:

(a) Ambering—Replacement of the green color of the flesh immediately around the pit by an amber shade is recognized by many authorities on apricots as an indication of maturity.

(b) Springiness—This condition develops in connection with the separation of the flesh from the pit and is an indication that the fruit is reaching proper tree maturity for picking for fresh shipment. Springiness may be detected by external pressure on the fruit or by cutting the apricot in half at right angles to the longitudinal axis and noting how one-half or both halves slip away from the pit.

(c) Taste—On a tree whose fruit is ready for harvest for fresh shipment it is usually impossible to find at least

an occasional fruit which has lost sufficient of its green taste to be fairly palatable. In using this test, do not be misled by fruits which may be maturing abnormally because of worm infestation.

(d) Separation of fruit from stem—The manner in which fruit may be separated from its stem is some indication of maturity, the more immature fruit tending to tear the adjacent skin and flesh more than fruit which is near proper maturity.

(8) The following varieties shall not be considered to have reached that stage of maturity which will insure a proper completion of the ripening process until they have developed characteristic turning or yellow (shades Nos. 3 or 4 on U.S. standard ground color chart) on the minimum percentage of surface area as stated opposite the varietal name:

Moorpark—20%
Gilbert or Newcastle—50%
Tilton—40%
Blenheim—40%
Royal—40%

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 1015, filed 4/29/66)

WAC 16-406-060 DEFINITION OF GRADES.

(1) Washington No. 1 shall consist of apricots of one variety which are mature but not soft, overripe or shriveled, and which are well formed, (~~visibly clean~~) and free from decay, worm holes, and from damage caused by (~~dirt~~;) limb rubs, growth cracks, bruises, scale, hail, disease, insects or mechanical or other means. (See tolerances [WAC 16-406-020].)

(2) Washington No. 2 shall consist of apricots of one variety which are mature but not soft, overripe or shriveled, but which are (~~fairly clean and~~) free from decay, worm holes, and from serious damage caused by growth cracks, bruises, hail, insect pests, mechanical or other means. (See tolerances [WAC 16-406-020].)

(3) Washington combination shall consist of a combination of Washington No. 1 and Washington No. 2 and may be packed. When such a combination is packed, at least fifty percent of the apricots in any container shall meet the requirements of Washington No. 1. (See tolerances [WAC 16-406-020].)

(4) Culls shall consist of apricots which are immature or seriously damaged by growth cracks, hail, insect pests, mechanical or other means. (See marking and packing requirements [WAC 16-406-030].)

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

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

WSR 80-08-050
ADOPTED RULES
DEPARTMENT OF ECOLOGY
 [Order DE 80-24—Filed June 30, 1980]

I, Elmer C. Vogel, deputy director of the Department of Ecology, do promulgate and adopt at the Department of Ecology, Lacey, Washington, the annexed rules relating to Limitation of programs eligible for funding under Referendum Bill No. 26.

This rule is promulgated pursuant to RCW 43.21A-.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 26, 1980.

By Elmer C. Vogel
Deputy Director

AMENDATORY SECTION (Amending Order DE 78-12, filed 8/24/78)

WAC 173-255-040 **LIMITATION OF PROGRAMS ELIGIBLE FOR FUNDING UNDER REFERENDUM BILL NO. 26.** (1) The following programs shall be eligible for state matching grants in an amount not to exceed fifty percent of the total eligible cost of a project as determined by the department: The marina pumpout grants program, the water supply plant residual waste treatment works grants program, the lake restoration grants program, the state construction grants program and the agricultural pollution grants program. The department may authorize a matching grant less than fifty percent of the total eligible cost of a project in those cases where it would be in the public interest, or where federal matching funds are available and it would be in the public interest to secure a local matching portion.

(2) The federal construction grants program ((~~shall~~)) may be eligible for state matching grants in an amount not to exceed fifteen percent of the total eligible cost of a project as determined by the department except as provided in WAC 173-255-050(1).

WSR 80-08-051
PROPOSED RULES
DEPARTMENT OF ECOLOGY
 [Filed June 30, 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 10:00 a.m., Tuesday, July 29, 1980, in the Hearings Room, Department of Ecology,

Air and Land Offices, 4224 6th Avenue S.E., Building 6, Lacey, WA.

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, 80-06-049 and 80-07-006 filed with the code reviser's office on April 2, 1980, May 14, 1980, and June 6, 1980.

Dated: June 26, 1980

By: Elmer C. Vogel
Deputy Director

WSR 80-08-052
ADOPTED RULES
DEPARTMENT OF ECOLOGY
 [Order DE 80-20—Filed June 30, 1980]

I, Elmer C. Vogel, deputy director of the Department of Ecology, do promulgate and adopt at the Department of Ecology, Lacey, Washington, the annexed rules relating to Shoreline Management Act—Streams and rivers constituting shorelines of the state, amending chapter 173-18 WAC.

This action is taken pursuant to Notice No. WSR 80-05-077 filed with the code reviser on April 30, 1980. 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 26, 1980.

By Elmer C. Vogel
Deputy Director

NEW SECTION

WAC 173-18-044 **REVIEW OF DESIGNATIONS.** The department shall review all the designations made herein at least once in every five year period following the effective date of chapter 90.58 RCW or as frequently before then as is deemed advisable by the department, and prepare the necessary revisions to ensure that the designations conform to the policies of chapter 90.58 RCW and of chapter 173-18 WAC in the manner and form prescribed for adopting and amending rules and regulations in chapter 34.04 RCW (the administrative procedure act).

NEW SECTION

WAC 173-18-046 **CONFLICTS BETWEEN DESIGNATIONS AND CRITERIA.** In the event that any of the designations set forth in this chapter conflict with the criteria set forth in RCW 90.58.030(2) or in

WAC 173-18-040 the criteria shall control. The designation of the stream or river shall be governed by the criteria.

AMENDATORY SECTION (Amending Order DE 76-14, filed 5/3/76)

WAC 173-18-080 CHELAN COUNTY. Streams

<u>Stream Name</u>	<u>Quadrangle Name and Size</u>	<u>Legal Description</u>
(1) Chelan River*	<u>Wenatchee (AMS) *</u> 1:250,000 <u>Manson</u> 7 1/2 <u>Winesap</u> 7 1/2 <u>Cooper Ridge</u> 7 1/2 <u>Chelan</u> 7 1/2 <u>Chelan Falls</u> 7 1/2	From the ((Wenatchee National)) ((Forest boundary which)) ((crosses)) Lake Chelan ((Sec.3 & 4,T28N,R21E)) <u>Dam (Sec.13,T27N,R22E)</u> downstream ((through Lake)) to Chelan Falls at mouth at Columbia River (Sec.29, T27N,R23E). The 200 cfs MAF point begins at ((Wenatchee National Forest)) ((boundary)) the dam.
(2) Chiwawa River*	<u>Holden</u> 15 <u>Wenatchee Lake</u> 15 <u>Plain*</u> 7 1/2	From Wenatchee National Forest boundary (NW1/4 Sec.27,T30N,R16E) downstream to mouth at Wenatchee River, (Sec.1, T26N,R17E) (excluding federal lands). The 200 cfs MAF point begins at (SW1/4, NE1/4 Sec.20,T28N,R17E).
(3) Columbia River (Cont.)*	<u>Wells Dam</u> 7 1/2 <u>Wenatchee</u> 7 1/2 <u>Rock Island</u> 7 1/2 <u>Malaga</u> 7 1/2 <u>Rock Island Dam</u> 7 1/2	From the Okanogan County line on the Columbia River (Sec.6,T28N,R24E) downstream along the Douglas/Chelan County line to Kittitas County (Sec.5,T20N,R22E). The flow exceeds 200 cfs MAF at Okanogan-Chelan County line.
(4) Entiat River*	<u>Brief *</u> 7 1/2 <u>Tyce MTN</u> 7 1/2 <u>Baldy MTN</u> 7 1/2 <u>Ardenvoir</u> 7 1/2 <u>Entiat</u> 7 1/2	From the Wenatchee National Forest boundary (Sec.29,T28N,R19E) downstream (excluding all federal properties) to mouth at the Columbia River (Sec.17,T25N,R21E). The 200 cfs MAF point begins at Wenatchee National Forest boundary.
(5) Icicle Creek*	<u>Chiwaukum Mts.</u> 15 <u>Leavenworth</u> 15	From the Wenatchee National Forest boundary (west section line) (Sec. 5,T24N,R16E) downstream to mouth at Wenatchee River (Sec.13,T24N,R17E) (excluding federal land). The flow exceeds 200 cfs MAF at Wenatchee National Forest boundary.
(6) Little Wenatchee River*	<u>Wenatchee Lake *</u> 15	From confluence with Soda Creek (Sec.10, T27N,R15E) downstream to mouth on Wenatchee Lake (Sec.23,T27N,R16E). Exclude federal lands. The 200 cfs point begins at confluence with Soda Creek.
(7) Mad River	<u>Tyce Mtn.</u> 7 1/2 <u>Ardenvoir</u> 7 1/2 <u>Chumstick Mtn.</u> 7 1/2	From the Wenatchee National Forest boundary (Sec.13,T26N,R19E) downstream to mouth at Entiat River (Sec.19,T26N, R20E). Exclude federal lands.
(8) Mission Creek	<u>Monitor</u> 7 1/2 <u>Cashmere</u> 7 1/2	From the confluence of Mission Creek and Bear Gulch (Sec.31,T23N,R19E) downstream to mouth at Wenatchee River (Sec.4, T23N,R19E).
(9) Napeequa River	<u>Wenatchee Lake</u> 15	From confluence of Twin Lakes Cr. and Napeequa River (Sec.17,T28N,R16E) downstream to mouth at White River (Sec.18, same township).
(10) Nason Creek*	<u>Labyrinth Mtn.</u> *7 1/2 <u>Wenatchee Lake</u> 15 <u>Plain</u> 7 1/2	From west section line (Sec.5,T26N,R15E) downstream to mouth at Wenatchee River (Sec.28, T27N,R17E). Exclude federal lands. The 200 cfs MAF point is at confluence with Roaring Creek (Sec.11,T26N,R16E).
(11) Peshastin Creek	<u>Liberty</u> 15 <u>Leavenworth</u> 15	From the Wenatchee National Forest boundary (Sec.25,T23N,R17E) downstream (excluding all federal lands) to mouth at Wenatchee River (Sec.22,T24N,R18E).
(12) Stehekin River*	<u>McGregor Mtn.</u> 7 1/2 <u>Stehekin</u> 7 1/2	From the North Cascades National Park boundary ((Sec.7,T33N,R17E)) ((Sec.11,T33N,R16E)) downstream, excluding federal lands, to mouth on Lake Chelan (Sec.36, T33N,R17E). The 200 cfs MAF point begins at National Park boundary.
(13) Wenatchee River*	<u>Plain *</u> 7 1/2 <u>Leavenworth</u> 15 <u>Monitor</u> 7 1/2 <u>Wenatchee</u> 7 1/2 <u>Cashmere</u> 7 1/2	From the outlet on Wenatchee Lake (Sec.28, T27N,R17E) downstream (excluding all federal lands) to the mouth at the Columbia River (Sec. 27,T23N,R20E). The 200 cfs MAF point begins at gauging station (Sec.28, T27N,R17E).
(14) White River*	<u>Wenatchee Lake *</u> 15	From Wenatchee National Forest boundary (Sec.18, T28N,R16E) downstream to mouth at Wenatchee Lake (Sec.14,T27N,R16E). Exclude federal land. The 200 cfs MAF point is at gauging station (Sec.5,T27N,R16E).
(15) Railroad Creek	<u>Holden</u> 15 <u>Lucerne</u> 15	From Wenatchee National Forest boundary (Sec.7, T31N,R17E) downstream, excluding federal lands, to mouth at Lake Chelan (Sec.10,T31N,R18E).
(16) Twenty-five Mile Creek	<u>Stormy Mtn.</u> 7 1/2	From South section line (Sec.36,T29N,R20E) downstream to mouth at Lake Chelan (Sec.19,T29N,R21E).
(17) Phelps Creek	<u>Holden</u> 15	From NE1/4 of SW1/4 (Sec.10,T30N,R16E) downstream to mouth Chiwawa River (Sec.27, same township). Exclude federal lands.

Stream Name	Quadrangle Name and Size	Legal Description	Stream Name	Quadrangle Name and Size	Legal Description
(18) White-pine Creek	<u>Wenatchee Lake 15</u>	From South section line (Sec.11,T26N,R15E) downstream to mouth at Nason Creek (Sec.1, same township). Exclude federal lands.	(7) Cameron Creek	<u>Clatskanie 15</u>	From the confluence of Cameron Creek and unnamed creek (Sec.28,T9N,R4W) downstream to mouth at Abernathy Creek (Sec.10, T8N,R4W).
(19) Chiwaukum Creek	<u>Chiwaukum Mts. 15 Leavenworth 15</u>	From confluence with South Fork Chiwaukum (Sec.34,T26N,R16E) downstream to mouth at Wenatchee River (Sec.9,T25N,R17E). Exclude federal lands.	(8) Campbell Creek	<u>Ryderwood 15</u>	From an approximate point near the north section line (SW1/4 of NE1/4 of Sec.10,T10N,R3W) downstream to mouth at Stillwater Creek (Sec.3, same township).
(20) Chiwaukum Creek (S. Fork)	<u>Chiwaukum Mts. 15</u>	From confluence with Painter Creek (Sec.3, T25N,R16E) downstream to mouth at Chiwaukum Creek (Sec.34,T26N,R16E). Exclude federal lands.	(9) Castle Creek	<u>Elk Rock 15</u>	From the confluence of Castle Creek and the South Fork Castle Creek (Sec.14, T9N,R4E) downstream to mouth at North Fork Toutle River (Sec.10, same township).
(21) Eight-mile Creek	<u>Chiwaukum Mts. 15</u>	From the west section line (Sec.25,T24N,R16E) downstream to Icicle Cr. (Sec.19,T24N,R17E). Exclude federal lands.	(10) Chehalis River (S. Fk.)	<u>Ryderwood 15</u>	From the confluence of South Fork Chehalis River and unnamed creek (Sec.11, T10N,R4W) downstream to the Lewis County line (Sec.2, same township).
(22) Ingalls Creek	<u>Mount Stuart 15 Liberty 15</u>	From west section line (Sec.31,T23N,R17E) downstream to mouth at Peshastin Creek (Sec.25,T23N,R17E). Exclude federal lands.	(11) Coal Creek	<u>Clatskanie 15</u>	From the confluence of Coal Creek and unnamed creek (Sec.28,T9N,R3W) downstream to mouth at Coal Creek Slough (Sec. 14,T8N,R3W).

AMENDATORY SECTION (Amending Order DE 76-14, filed 5/3/76)

WAC 173-18-120 COWLITZ COUNTY. Streams

Stream Name	Quadrangle Name and Size	Legal Description	Stream Name	Quadrangle Name and Size	Legal Description
(1) Abernathy Creek	<u>Ryderwood 15 Clatskanie 15</u>	From the confluence of Abernathy Creek and Ordway Creek (Sec.5,T9N, R4W) downstream to mouth at Columbia River (Sec.10, T8N,R4W).	(13) Columbia River (Cont.)*	<u>St. Helens 7 1/2 Deer Island 7 1/2 Kalama 7 1/2 Rainier 7 1/2 Clatskanie 15</u>	From the Lewis River at the Clark County line (Sec.10,T4N,R1W) downstream along the Washington-Oregon line to Wahkiakum County line (Sec.20,T8N, R4W). The flow exceeds 1,000 cfs MAF at Cowlitz-Clark County line.
(2) Alder Creek	<u>Toutle 15</u>	From the confluence of Alder Creek and unnamed creek (Sec.26,T10N,R2E) downstream to mouth at North Fork Toutle River (Sec.15, same township.)	(14) Cougar Creek	<u>Cougar 15</u>	From the ((confluence of)) ((Cougar Creek and Panmaker)) ((Creek (Sec.27,T7N,R4E))) Gifford Pinchot National Forest boundary (Sec.23,T7N,R4E) downstream to mouth at Yale Lake ((same section)) (Sec.27,T7N,R4E).
(3) Arkansas Creek	<u>Ryderwood 15</u>	From the confluence of Arkansas Creek and unnamed creek (NE1/4 Sec.26,T10N, R3W) downstream to mouth at Cowlitz River near Castle Rock (Sec.15,T9N, R2W).	(15) Coweeman River	<u>Cougar 15 Pigeon Springs 15 Mt. Brynion 7 1/2 Kelso 7 1/2 Rainier 7 1/2</u>	From the Gifford Pinchot National Forest boundary (Sec.19,T8N,R3E) downstream to mouth at Cowlitz River (Sec.11,T7N,R2W).
(4) Baird Creek	<u>Pigeon Springs 15</u>	From an approximate point (SW1/4 of SW1/4 of SW1/4 of Sec.9,T8N,R2E) downstream to mouth at Coweeman River (Sec.19, same township).	(16) Cowlitz River (Cont.)*	<u>Castle Rock 15 Kelso 7 1/2 Rainier 7 1/2</u>	From Cowlitz-Lewis County line (Sec.4,T10N,R2W) downstream to mouth on Columbia River (Sec.10,T7N, R2W). The flow exceeds 1,000 cfs MAF at Cowlitz-Lewis County line (Sec.3, T10N,R2W).
(5) Bear Creek	<u>Cougar 15</u>	From the confluence of Bear Creek and unnamed creek (Sec.9,T8N,R3E) downstream to South Fork Toutle River (Sec.29,T9N,R3E).	(17) Deer Creek	<u>Elk Rock 15</u>	From the confluence of Deer Creek and unnamed creek (Sec.31,T10N,R3E) downstream to mouth at North Fork Toutle River (Sec.36,T10N,R2E).
(6) Bear Creek	<u>Elk Rock 15 Toutle 15</u>	From the intersection of Bear Creek and light duty road (Sec.33,T10N,R3E) downstream to mouth at Hoffstadt Creek (Sec.23, T10N,R2E).			

Stream Name	Quadrangle Name and Size	Legal Description	Stream Name	Quadrangle Name and Size	Legal Description
(18) Delameter Creek	Castle Rock 15 Kelso 7 1/2	From the confluence of Delameter Creek and unnamed creek (Sec.24,T9N,R3W) downstream to mouth at Arkansas Creek (Sec.16,T9N,R2W).	(30) Johnson Creek	Toutle 15	From the confluence of Johnson Creek and unnamed creek (Sec.36,T10N,R1E) downstream to South Fork Toutle River (Sec.34, same township).
(19) Devils Creek	Toutle 15	From the Lewis County line (Sec.2,T10N,R2E) downstream to mouth at the Green River (same section).	(31) Kalama River*	Cougar 15 Pigeon Springs* 15 Kalama 7 1/2	From the Gifford Pinchot National Forest boundary (Sec.5,T7N,R4E) downstream to mouth at Columbia River (Sec.1,T6N,R2W) excluding all federal lands. The 1,000 cfs MAF point begins at mouth of Little Kalama River (Sec.17,T6N,R1E).
(20) Elk Creek	Cougar 15	From the confluence of Elk Creek and unnamed creek (Sec.12,T7N,R2E) downstream to mouth at Kalama River (Sec.24, same township).	(32) Kalama River (N. Fk.)	Cougar 15	From confluence of Kalama River N. Fk. and unnamed creek (Sec.34,T8N,R3E) downstream to mouth at Kalama River (Sec.14,T7N,R3E).
(21) Elochoman River (E. Fk.)	Ryderwood 15	From the confluence of East Fork Elochoman River and unnamed creek (Sec.8,T10N,R4W) downstream to Wahkiakum County line (same section).	(33) Langdon Creek	Cougar 15	From confluence of Langdon Creek and unnamed creek (Sec.9,T7N,R3E) downstream to mouth at Kalama River (Sec.22,T7N,R3E).
(22) Germany Creek	Ryderwood 15 Clatskanie 15	From the confluence of Germany Creek and unnamed creek (Sec.25,T10N,R4W) downstream to mouth at Columbia River (Sec.12,T8N,R4W).	(34) Lewis River (Cont.)*	Mt. St. Helens * 15 Cougar 15 Yacolt 15 St. Helens 15 Amboy 7 1/2 Ariel 7 1/2 Woodland 7 1/2	From the Skamania County line (Sec.25,T7N,R4E) downstream through Yale Lake and Lake Merwin to mouth at the Columbia River (Sec.2,T4N,R1W) on right shore of Lewis River only. The flow exceeds 1,000 cfs MAF at Cowlitz-Skamania County line.
(23) Gobar Creek	Pigeon Springs 15	From the confluence of Gobar Creek and unnamed creek (Sec.8,T7N,R2E) downstream to mouth at Kalama River (Sec.36,T7N,R1E).	(35) Little Kalama River	LaCenter 15 Pigeon Springs 15	From the confluence of the Little Kalama River and unnamed creek (Sec.16,T6N,R1E) downstream to mouth at Kalama River (Sec.17, same township).
(24) Goble Creek	Pigeon Springs 15 Kalama 7 1/2 Mt. Brynion 7 1/2	From the confluence of Goble Creek and unnamed creek (Sec.13,T7N,R1W) downstream to mouth of Coweeman River (Sec.34,T8N,R1W).	(36) Little Mill Creek	Clatskanie 15	From the confluence of Little Mill Creek and unnamed creek (Sec.8,T8N,R4W) downstream to mouth at Mill Creek (Sec.9, same township).
(25) Goble Creek (N. Fk.)	Pigeon Springs 15 Kalama 7 1/2	From the confluence of the North Fork Goble Creek and unnamed creek (Sec.31,T8N,R1E) downstream to mouth at Goble Creek (Sec.2,T7N,R1W).	(37) Mill Creek (Cont.)	Clatskanie 15	From the Wahkiakum County line (Sec.32,T9N,R4W) downstream to mouth on the Columbia River (Sec.9,T8N,R4W).
(26) Green River (cont.)	Spirit Lake 15 Elk Rock 15 Toutle 15	From the Skamania-Cowlitz county line (Sec.1,T10N,R4E) downstream to mouth at North Fork Toutle River (Sec.8,T10N,R2E) excluding those reaches within Lewis County.	(38) Monahan Creek	Ryderwood 15 Castle Rock 15	From the confluence of Monahan Creek and unnamed creek (Sec.2,T9N,R3W) downstream to mouth at Delameter Creek (Sec.18,T9N,R2W).
(27) Hemlock Creek	Toutle 15	From the confluence of Hemlock Creek and unnamed creek (Sec.18,T9N,R1E) downstream to mouth at Silver Lake (Sec.1,T9N,R1W).	(39) Mulholland Creek	Pigeon Springs 15	From the confluence of Mulholland Creek and unnamed creek (Sec.2,T8N,R1E) downstream to mouth at Coweeman River (Sec.17, same township).
(28) Hoffstadt Creek	Elk Rock 15 Toutle 15	From the confluence of Hoffstadt Creek and unnamed creek (Sec.24,T10N,R3E) downstream to mouth at North Fork Toutle River (Sec.23,T10N,R2E).	(40) Olequa Creek (Cont.)	Castle Rock 15	From Lewis County line (Sec.32,T11N,R2W) downstream to mouth at Cowlitz River (Sec.9,T10N,R2W).
(29) Jackson Creek	Elk Rock 15	From the approximate point near the north section line (SW1/4 of SW1/4 of Sec. 8,T9N,R4E) downstream to mouth at North Fork Toutle River (Sec.12,T9N,R3E).	(41) Ostrander Creek	Mt. Brynion 7 1/2 Kelso 7 1/2	From the confluence of Ostrander Creek and unnamed creek (Sec.27,T9N,R1W) downstream to mouth at Cowlitz River (Sec.11,T8N,R2W).

Stream Name	Quadrangle Name and Size	Legal Description	Stream Name	Quadrangle Name and Size	Legal Description
(42) Ostrander Creek (S. Fk.)	Mt. Brynion 7 1/2 Kelso 7 1/2	From the confluence of South Fork Ostrander Creek and unnamed creek (Sec.18, T8N,R1W) downstream to mouth at Ostrander Creek (Sec.12,T8N,R2W).	(54) Unnamed Tributary to Speelyai Creek	Cougar 15	From an approximate point near the east section line (Sec.12,T6N,R3E) downstream to mouth at Speelyai Creek (Sec.7,T6N,R4E).
(43) Rock Creek	Cougar 15 Amboy 7 1/2	From the confluence of Rock Creek and unnamed creek (Sec.8,T6N,R3E) downstream to mouth at Lake Merwin (Sec.20, same township).	(55) Unnamed Tributary to Toutle River (S. Fk.)	Cougar 15	From confluence of unnamed tributary and unnamed creek (Sec.12,T8N,R3E) downstream to mouth at South Fork Toutle River (Sec.36,T9N,R3E).
(44) Salmon Creek (Cont.)	Castle Rock 15	From the Lewis County line (Sec.3,T10N,R1W) back to Lewis County line (same section) except those reaches within Lewis County.	(56) Wild Horse Creek	Pigeon Springs 15	From the confluence of Wild Horse Creek and unnamed creek (Sec.23, T7N,R1E) downstream to mouth at Kalama River (Sec.36,T7N,R1E).
(45) Shultz Creek	Elk Rock 15	From the confluence of Shultz Creek and unnamed creek (N1/2 Sec.14,T10N, R4E) downstream to mouth at Green River (Sec.3, same township).	(57) Wolf Creek	Cougar 15	From the confluence of Wolf Creek and unnamed creek (Sec.28,T7N,R3E) downstream to mouth at Kalama River (Sec.21, same township).
(46) South Cold-water Creek	Spirit Lake 15 Elk Rock 15	From the Gifford Pinchot National Forest boundary (Sec.1,T9N,R4E) downstream to mouth at Coldwater Creek (Sec.2, same township).	(58) Wyant Creek	Toutle 15	From the confluence of Wyant Creek and unnamed creek (Sec.13,T10N,R1E) downstream to mouth at North Fork Toutle River (Sec.20, same township).
(47) Speelyai Creek	Cougar 15 Yacolt 15 Amboy 7 1/2	From the confluence of the Speelyai Creek and the West Fork of Speelyai Creek (Sec.5,T6N,R4E) downstream to mouth at Lake Merwin (Sec.23,T6N, R3E).	(59) Unnamed Tributary to Toutle River (S. Fk.)	Cougar 15	From north end of Goat Marsh (SW1/4, NW1/4 Sec.23, T8N,R4E) downstream to mouth at Toutle River S. Fk. excluding federal lands.
(48) Still-water Creek	Ryderwood 15	From the confluence of Stillwater Creek and unnamed creek (Sec.6,T10N, R3W) downstream to the Lewis County line (Sec.3, same township).	(60) Fossil Creek	Cougar 15	From Gifford Pinchot National Forest boundary (Sec.31,T8N,R4E) downstream to mouth at Kalama River (Sec.6,T7N,R4E).
(49) Studebaker Creek	Toutle 15	From the confluence of Studebaker Creek and unnamed creek (Sec.33,T10N, R1E) downstream to mouth at Toutle River (S. Fork) (Sec.29, same township).	AMENDATORY SECTION (Amending Order DE 77-15, filed 9/1/77)		
(50) Toutle River*	Toutle * 15 Castle Rock 15	From confluence of North and South Forks of Toutle River (Sec.29,T10N,R1E) downstream to mouth on Cowlitz River (Sec.34,T10N, R2W). The 1,000 cfs MAF point begins at mouth of Green River (Sec.8,T10N, R2E) at North Fork Toutle River.	WAC 173-18-210 KING COUNTY. Streams		
(51) Toutle River (N. Fk.)	Spirit Lake 15 Elk Rock 15 Toutle 15	From the Gifford Pinchot National Forest boundary at the Skamania County line (Sec.13,T9N,R4E) downstream to mouth at Toutle River (Sec.29,T10N, R1E).	Stream Name	Quadrangle Name and Size	Legal Description
(52) Toutle River (S. Fk.)	Cougar 15 Pigeon Springs 15 Toutle 15	From the Gifford Pinchot National Forest boundary (Sec.2,T8N,R4E) downstream to mouth at the Toutle River (Sec.29,T10N,R1E).	(1) Bear Creek	Eagle Gorge 7 1/2	From an approximate point (NE corner of SE1/4 of SW1/4 of NW1/4 of Sec.28,T21N, R8E) downstream to mouth at Green River (Sec.20, same township).
(53) Unnamed Tributary to Kalama River	Cougar 15	From an approximate point (SW1/4 of SE1/4 of NW1/4 of Sec.13,T7N,R3E) downstream to mouth at Kalama River (Sec.12, same township).	(2) Bear Creek	Everett 15 Bothell 7 1/2	From the intersection of Bear Creek and the east section line (Sec.9,T26N, R5E) downstream to mouth at Sammamish River (same section).
			(3) Bear	Redmond 7 1/2	From the confluence with Seidel Creek (Sec.20,T26N,R6E) downstream to mouth (Sec. 6,T25N,R6E).
			(4) Beckler River (Cont.)	Skykomish 7 1/2	From the Snohomish County line (Sec.5,T26N,R12E) downstream to Skykomish River (South Fork) (Sec.25,T26N,R11E).

<u>Stream Name</u>	<u>Quadrangle Name and Size</u>	<u>Legal Description</u>	<u>Stream Name</u>	<u>Quadrangle Name and Size</u>	<u>Legal Description</u>
(5) Big Soos Creek	<u>Auburn</u> 7 1/2	From the confluence of the Big Soos Creek and the Little Soos Creek (Sec.35, T22N,R5E) downstream to mouth at Green River (Sec. 16,T21N,R5E).	(17) Evans Creek	<u>Redmond</u> 7 1/2	From the confluence of Evans Creek and unnamed creek (Sec.8,T25N, R6E) downstream to mouth at Sammamish River (Sec.11,T25N,R5E).
(6) Black River	<u>Renton</u> 7 1/2 <u>Des Moines</u> 7 1/2	From confluence of Spring Brook Creek and Black River (Sec.13,T23N,R4E) downstream to mouth of Duwamish River (Sec.14, same township).	(18) Foss River	<u>Skykomish</u> 7 1/2	From the Snoqualmie National Forest boundary (Sec.32,T26N,R12E) downstream (excluding portion of federal lands) to mouth at Skykomish River (Sec.31, same township).
(7) Boise Creek	<u>Enumclaw</u> 15 <u>Enumclaw</u> 7 1/2 <u>Buckley</u> 7 1/2	From an approximate point (NW corner of the SE1/4 of SE1/4 of NE 1/4 of Sec.28, T20N,R7E) downstream to mouth at White River (Sec. 34,T20N,R6E).	(19) Friday Creek	<u>Lester</u> 15	From the confluence of Friday Creek and unnamed creek (Sec.18,T20N,R11E) downstream to mouth at the Green River (same section).
(8) Boxley Creek	<u>Bandera</u> 15	From an approximate point (NW1/4 of SW1/4 of Sec.25, T23N,R8E) downstream to mouth at South Fork Snoqualmie River (Sec.24, same township).	(20) Gale Creek	<u>Bandera</u> 15	From the confluence of Gale Creek and unnamed creek (Sec.36,T21N,R8E) downstream to mouth at Howard Hanson Reservoir (same section).
(9) Calligan Creek	<u>Mount Si</u> 15	From an approximate point (SE1/4 of NE1/4 of Sec.3, T24N,R9E) downstream through Calligan Lake to mouth at Snoqualmie River (North Fork) (Sec.31,T25N, R9E).	(21) Granite Creek	<u>Bandera</u> 15	From an approximate point (SE1/4 of SE1/4 of SW1/4 of Sec.11,T23N,R9E) downstream to mouth at the Middle Fork Snoqualmie River (Sec.10, same township).
(10) Carroll Creek	<u>Scenic</u> 7 1/2	From the Snoqualmie National Forest boundary (Sec.35,T26N,R12E) downstream to mouth at Tye River (Sec.26, same township).	(22) Green River*	<u>Lester</u> 15 <u>Greenwater</u> 15 <u>Bandera</u> 15 <u>Eagle Gorge*</u> 7 1/2 <u>Cumberland</u> 7 1/2 <u>Black Diamond</u> 7 1/2 <u>Auburn</u> 7 1/2 <u>Renton</u> 7 1/2 <u>Des Moines</u> 7 1/2 <u>Seattle South</u> 7 1/2	From confluence of Green River & Tacoma Creek (Sec.35,T20N,R11E) downstream thru Duwamish River to mouth on Elliott Bay (Sec.18,T24N,R4E) (thru Howard Hanson Reservoir also). The 1,000 cfs MAF point begins at the toe of Howard A. Hanson Dam (Sec.28,T21N,R8E).
(11) Cedar River	<u>North Bend</u> 7 1/2 <u>Hobart</u> 7 1/2 <u>Maple Valley</u> 7 1/2 <u>Renton</u> 7 1/2 <u>Mercer Island</u> 7 1/2 <u>Cumberland</u> 7 1/2	From east section line (Sec.9,T21N,R10E) downstream to mouth at Lake Washington in Renton (Sec.7,T23N,R5E), excluding all federal lands.	(23) Green River (N. Fk.)	<u>Bandera</u> 15 <u>Eagle Gorge</u> 7 1/2	From the Snoqualmie National Forest boundary (Sec.18,T21N,R9E) downstream to mouth at Howard Hanson Reservoir (Sec.22,T21N,R8E).
(12) Champion Creek	<u>Greenwater</u> 15	From the confluence of Champion Creek and unnamed creek (Sec.28,T20N,R10E) downstream to mouth at Green River (Sec.20, same township).	(24) ((Cottage Lake Creek	Corps of Engineers Study <u>Redmond</u> 7 1/2	Beginning at the north line of (Sec.19,T26N,R6E) downstream to mouth at (Sec.30, same township):
(13) Charley Creek	<u>Eagle Gorge</u> 7 1/2	From the Snoqualmie National Forest boundary (Sec.3,T20N,R8E) downstream to mouth at Howard Hansen Reservoir (Sec.34,T21N,R8E).	(25)) Green- water River	<u>Lester</u> 15 <u>Greenwater</u> 15	From the Snoqualmie National Forest boundary (Sec.31,T19N,R11E) downstream to White River (along the northerly shore only) (Sec.4,T19N,R9E). Exclude federal lands.
(14) Cherry Creek	<u>Monroe</u> 15 <u>Monroe</u> 7 1/2 <u>Carnation</u> 7 1/2	From the confluence of Cherry Creek and Hannen Creek (Sec.2,T26N,R7E) downstream to mouth at Snoqualmie River (Sec.6, same township).	((26))	<u>Lake Joy</u> 7 1/2 <u>Snoqualmie</u> 7 1/2 <u>Fall City</u> 7 1/2	From the confluence of Griffin Creek and East Fork Griffin Creek (Sec. 19,T25N,R8E) downstream to mouth at the Snoqualmie River (Sec.28,T25N,R7E).
(15) Coal Creek	<u>Cumberland</u> 7 1/2	From the confluence of Coal Creek and unnamed creek (Sec.27,T21N,R7E) downstream to mouth at Fish Lake (Sec.31, same township).	(25) Griffin Creek		
(16) Covington Creek	<u>Black Diamond</u> 7 1/2 <u>Auburn</u> 7 1/2	From the confluence of waters from Lake Sawyer (Sec.4,T21N,R6E) downstream to mouth at Big Soos Creek (Sec.11, T21N,R5E).	((27))	<u>Mount Si</u> 15	From an approximate point (NE1/4 ((or- off)) of NW1/4 of Sec.15, T24N, R9E) downstream to mouth at Lake Hancock thence downstream to North Fork Snoqualmie River (Sec.7, same township).

<u>Stream Name</u>	<u>Quadrangle Name and Size</u>	<u>Legal Description</u>	<u>Stream Name</u>	<u>Quadrangle Name and Size</u>	<u>Legal Description</u>
((28)) (27) Harris Creek	<u>Carnation</u> 7 1/2	From the intersection of Harris Creek and Swan Mill Road (Sec.34,T26N,R7E) downstream to mouth at Snoqualmie River (Sec.5, T25N,R7E).	((38)) (37) Money Creek	<u>Grotto</u> 7 1/2	From the Snoqualmie National Forest boundary (Sec.28,T26N,R11E) downstream back to the Snoqualmie National Forest boundary (same section).
((29)) (28) Index Creek	<u>Index</u> 15 <u>Baring</u> 7 1/2	From the Snoqualmie National Forest boundary (Sec.10,T26N,R10E) downstream to mouth at South Fork Skykomish River (Sec.2, same township).	((39)) (38) Newaukum Creek	<u>Enumclaw</u> 15 <u>Enumclaw</u> 7 1/2 <u>Buckley</u> 7 1/2 <u>Black Diamond</u> 7 1/2	From the confluence of Newaukum Creek and unnamed creek (Sec.7,T20N,R7E) downstream to mouth at the Green River (Sec.29,T21N, R6E).
((30)) (29) Issaquah Creek	<u>Hobart</u> 7 1/2 <u>Maple Valley</u> 7 1/2 <u>Issaquah</u> 7 1/2	From the confluence of Holder Creek and Carey Creek (Sec.25,T23N,R6E) downstream to mouth at Sammamish Lake (Sec.17, T24N,R6E).	((40)) (39) North Creek (Cont.)	<u>Everett</u> 15 <u>Bothell</u> 7 1/2	From King County and Snohomish County line (Sec.5,T26N,R5E) downstream to mouth at Sammamish River (Sec.8, same township).
((31)) (30) Jenkins Creek	<u>Black Diamond</u> 7 1/2 <u>Auburn</u> 7 1/2	From the intersection of Jenkins Creek and light-duty county road (Sec.36,T22N,R5E) downstream to mouth at Big Soos Creek (Sec.2,T21N,R5E).	((41)) (40) North Fork Creek	<u>Lake Joy</u> 7 1/2	From the beginning of creek at swamp (Sec.18, T26N,R8E) downstream to mouth at North Fork Tolt River (Sec.29, same township).
((32)) (31) Kimball Creek	<u>Snoqualmie</u> 7 1/2	From the confluence of Coal Creek and Kimball Creek (Sec.31,T24N,R8E) downstream to mouth at Snoqualmie River (Sec.30, same township).	((42)) (41) Patterson Creek	<u>Fall City</u> 7 1/2	From the confluence of Patterson Creek and Canyon Creek (Sec.8,T24N,R7E) downstream to mouth at the Snoqualmie River (Sec.4, same township).
((33)) (32) Maloney Creek	<u>Skykomish</u> 7 1/2	From the Snoqualmie National Forest boundary (Sec.35,T26N,R11E) downstream to mouth at South Fork Skykomish River (Sec.26, same township).	((43)) (42) Philippa Creek	<u>Mount Si</u> 15	From an approximate point (SE1/4 of Sec.22,T25N,R9E) downstream to mouth at Snoqualmie River (Sec.15, same township).
((34)) (33) Martin Creek	<u>Scenic</u> 7 1/2	From the Snoqualmie National Forest boundary (Sec.13, T26N,R12E) downstream to federal boundary (Sec.25, same township).	((44)) (43) Pratt River	<u>Snoqualmie Pass</u> 15 <u>Bandera</u> 15 <u>Mount Si</u> 15	From east section line (Sec. 27,T23N,R10E) downstream to mouth on Middle Fk. Snoqualmie R. (Sec.31, T24N,R10E) excluding federal lands.
((35)) (34) May Creek	<u>Mercer Island</u> 7 1/2	From the intersection of May Creek and light-duty road (SE1/4, SE1/4 Sec.32,T24N,R5E) downstream to mouth at Lake Washington (same section).	((45)) (44) Raging River	<u>North Bend</u> 7 1/2 <u>Hobart</u> 7 1/2 <u>Fall City</u> 7 1/2	From the confluence of Raging River and unnamed stream (SE1/4 of NW1/4 Sec.25,T23N,R7E) downstream to mouth at Snoqualmie River (Sec.14,T24N,R7E) near Fall City.
((36)) (35) Mercer Slough	<u>Mercer Island</u> 7 1/2	From the east section line (Sec.5,T24N,R5E) downstream through Mercer Slough to mouth at East Channel (Sec.8, same township).	((46)) (45) Rock Creek	<u>Greenwater</u> 15	From the Snoqualmie National Forest boundary (Sec.34,T20N,R10E) downstream to mouth at Green River (Sec.21, same township).
((37)) (36) Miller River	<u>Grotto</u> 7 1/2	From the Snoqualmie National Forest boundary (Sec.33,T26N,R11E) downstream, excluding those reaches within Snoqualmie National Forest, to mouth at Skykomish River (Sec.28, same township).	((47)) (46) Rock Creek	<u>Hobart</u> 7 1/2	From the confluence of Rock Creek and waters from the diversion ditch (Sec. 16,T22N,R7E) downstream to mouth at the Cedar River (Sec.17, same township).
			((48)) (47) Rock Creek	<u>Maple Valley</u> 7 1/2	From the intersection of county road, railroad and Rock Creek (Sec.22,T22N, R6E) downstream to Cedar River (Sec.23, same township).

<u>Stream Name</u>	<u>Quadrangle Name and Size</u>	<u>Legal Description</u>	<u>Stream Name</u>	<u>Quadrangle Name and Size</u>	<u>Legal Description</u>
((49)) (48) Sammamish River	Redmond 7 1/2 Kirkland 7 1/2 Bothell 7 1/2 Edmonds East 7 1/2	From Sammamish Lake (Sec.13,T25N,R5E) downstream to mouth at Lake Washington (Sec.11,T26N,R4E).	((58)) (57) Spring Brook Creek	Renton 7 1/2	From the intersection of Spring Brook Creek and medium-duty road (SW1/4 of NE1/4 of Sec.24,T23N,R4E) downstream to mouth at Black River (Sec.13, same township).
((50)) (49) Sawmill Creek	Lester 15	From the Snoqualmie National Forest boundary (Sec.30,T20N,R11E) downstream, excluding all federal lands to mouth at Green River (Sec.24,T20N,R10E).	((59)) (58) Sunday Creek	Lester 15	From the Snoqualmie National Forest boundary (Sec.3,T20N,R11E) downstream to mouth at the Green River (Sec.18,T20N,R11E). Exclude federal lands.
((51)) (50) Scatter Creek	Enumclaw 15	From the confluence of Scatter Creek and unnamed creek (Sec.2,T19N,R7E) downstream to mouth at the White River (Sec.11, same township).	((60)) (59) Sunday Creek	Mount Si 15	From the Snoqualmie National Forest boundary (Sec.13,T25N,R9E) downstream to mouth at the North Fork Snoqualmie River (Sec.15, same township).
((52)) (51) Skykomish River* (S. Fk.)	Skykomish * 7 1/2 Grotto 7 1/2 Baring 7 1/2	From confluence of Tye River and Foss River (Sec. 31,T26N,R12E) downstream to Snohomish County line (Sec.3,T26N,R10E) excluding all federal lands. The 1,000 cfs MAF point begins at mouth of Beckler Creek (Sec.25, T26N,R11E).	((61)) (60) Swamp Creek (Cont.)	Bothell 7 1/2	From Snohomish County line (Sec.2,T26N,R4E) downstream to mouth at Sammamish River (Sec.12, same township).
((53)) (52) Smay Creek	Greenwater 15	From the Snoqualmie National Forest boundary (Sec.7,T20N,R10E) downstream to mouth at Green River (Sec.13,T20N,R9E).	((62)) (61) Taylor Creek	Eagle Gorge 7 1/2 North Bend 7 1/2	From confluence of Middle Fork & South Fork Taylor Creek (Sec.32,T22N,R8E) downstream to mouth at Cedar River (Sec.13,T22N,R7E).
((54)) (53) Snoqualmie River*	Snoqualmie * 7 1/2 Fall City 7 1/2 Carnation 7 1/2 Redmond 7 1/2 Monroe 7 1/2	From the confluence of Middle Fork and South Fork of Snoqualmie River (Sec. 33,T24N,R8E) downstream to Snohomish County line (Sec.6,T26N,R7E). The 1,000 cfs MAF point begins at confluence of Middle Fork and South Fork Snoqualmie River.	((63)) (62) Ten Creek	Snoqualmie 7 1/2	From the intersection of light-duty road and Ten Creek (Sec.11,T24N,R8E) downstream to mouth at Tokul Creek (Sec.9, same township).
((55)) (54) Snoqualmie River (M. Fk.)*	Mount Si * 15 Bandera 15 North Bend 7 1/2 Snoqualmie 7 1/2	From Snoqualmie National Forest boundary (Sec.26, T24N,R10E) downstream to confluence with South Fork of Snoqualmie River (Sec. 33,T24N,R8E), excluding all federal lands. The 1,000 cfs MAF point begins at Snoqualmie National Forest boundary.	((64)) (63) Tokul Creek	Lake Joy 7 1/2 Snoqualmie 7 1/2	From the confluence of Tokul Creek and Beaver Creek (Sec.21,T25N,R8E) downstream to mouth at Snoqualmie River (Sec.24, T24N,R7E).
((56)) (55) Snoqualmie River (N. Fk.)	Mount Si 15 Snoqualmie 7 1/2 North Bend 7 1/2	From the Snoqualmie National Forest boundary (Sec.12,T25N,R9E) downstream to mouth at Snoqualmie River (Main Fork) (Sec.34,T24N,R8E).	((65)) (64) Tolt River	Lake Joy 7 1/2	From the confluence of North Fork Tolt River and South Fork Tolt River (Sec.31,T26N,R8E) downstream to mouth at Snoqualmie River (Sec.21, T25N,R7E).
((57)) (56) Snoqualmie River (S. Fk.)	Bandera 15 North Bend 7 1/2 Snoqualmie 7 1/2	From the Snoqualmie National Forest boundary (Sec.33,T23N,R11E) downstream to confluence with Snoqualmie River (Main Fork) (Sec.33,T24N,R8E) excluding all federal lands.	((66)) (65) Tolt River (N. Fk.)	Mount Si 15 Lake Joy 7 1/2	From confluence with Titicaed Creek (Sec.12, T26N,R9E) downstream to mouth at Tolt River (Sec. 31,T26N,R8E).
			((67)) (66) Tolt River (S. Fk.)	Mount Si 15 Lake Joy 7 1/2	From the Snoqualmie National Forest boundary (Sec.31,T26N,R10E) downstream to mouth at Tolt River (Sec.31,T26N,R8E).

<u>Stream Name</u>	<u>Quadrangle Name and Size</u>	<u>Legal Description</u>
((68)) (67) Tye River	<u>Scenic 7 1/2 Skykomish 7 1/2</u>	From the Snoqualmie National Forest boundary (Sec.26,T26N,R12E) downstream to mouth at Skykomish River (Sec.31, same township) excluding all federal lands.
((69)) (68) Unnamed Tributary to Index Creek	<u>Index 15</u>	From the Snoqualmie National Forest boundary (Sec.10,T26N,R10E) downstream to mouth at Index Creek (same section).
((70)) (69) Unnamed Tributary to Snoqualmie River (N. Fk.)	<u>Mount Si 15</u>	From the confluence of unnamed tributary to Snoqualmie River (North Fork) and another unnamed creek (Sec.29,T24N,R9E) downstream to mouth at North Fork Snoqualmie River (Sec.19, same township).
((71)) (70) Unnamed Tributary to Tolt River (S. Fk.)	<u>Mount Si 15</u>	From the confluence of unnamed tributary to Tolt River South Fork and another unnamed stream (Sec.35,T26N,R8E) downstream to South Fork Tolt River (same section).
((72)) (71) White River*	<u>Greenwater * 15 Enumclaw 15 Enumclaw 7 1/2 Buckley 7 1/2 Sumner 7 1/2 Auburn 7 1/2</u>	From confluence of White River and Greenwater River (Sec.4,T19N,R9E) downstream following King-Pierce County line to Pierce County line (Sec.36,T21N,R4E) excluding Indian Reservation lands. The 1,000 cfs MAF point begins at mouth of Greenwater River.
((73)) (72) Issaquah Creek (E. Fk.)	<u>Issaquah 7 1/2</u>	From railroad bridge (SE1/4 Sec.27,T24N,R6E) downstream to mouth at Issaquah Creek (Sec.28, same township).
((74)) (73) Cedar River (N. Fk.)	<u>Snoqualmie Pass 15</u>	From confluence of Cedar River North Fk. and unnamed creek (Sec.7,T21N,R11E) downstream to mouth at Cedar River (Sec.10, T21N,R10E) excluding federal lands.
((75)) (74) Cedar River (S. Fk.)	<u>Snoqualmie Pass 15</u>	From Snoqualmie National Forest boundary, east line of (Sec.23,T21N,R10E) downstream to mouth at Cedar River (Sec.10,T21N, R10E) excluding federal lands.
((76)) (75) Rex River	<u>Bandera 15</u>	From Snoqualmie National Forest south boundary (Sec.11,T21N,R9E). downstream to mouth at Chester Morse Lake (Sec.19,T22N,R9E).

<u>Stream Name</u>	<u>Quadrangle Name and Size</u>	<u>Legal Description</u>
((77)) (76) Taylor Creek (M. Fk.)	<u>Eagle Gorge 7 1/2</u>	From confluence of unnamed tributary (NE1/4 of NE1/4 Sec.34, T22N,R8E) downstream to mouth at Taylor Creek (Sec.32, T22N,R8E).
((78)) (77) Taylor Creek (N. Fk.)	<u>Eagle Gorge 7 1/2</u>	From the bridge crossing in (NW1/4, NW1/4 Sec.29,T22N,R8E) downstream to mouth at Taylor Creek (Sec.29,T22N,R8E).

AMENDATORY SECTION (Amending Order DE 76-14, filed 5/3/76)

WAC 173-18-340 SKAMANIA COUNTY.

Streams

<u>Stream Name</u>	<u>Quadrangle Name and Size</u>	<u>Legal Description</u>
(1) Bear Creek	<u>Wind River 15</u>	From the Gifford Pinchot National Forest boundary (Sec.5,T3N,R8E) downstream to mouth at Wind River (Sec.8, same township).
(2) Buck Creek (Cont.)	<u>Willard 7 1/2</u>	From Klickitat County line (Sec.2,T3N,R10E) downstream to mouth at White Salmon River (same section).
(3) Canyon Creek	<u>Bridal Veil 15</u>	Beginning in (NW1/4 of SE1/4 Sec.4,T1N,R5E) downstream to Washougal River (Sec.6, same township).
(4) Columbia River (Cont.)*	<u>Hood River 15 Bonneville Dam 15 Bridal Veil 15</u>	From Klickitat County line (Sec.23,T3N,R10E) downstream along Washington shoreline to Clark County line (Sec. 19,T1N,R5E) excluding any federal lands. The flow exceeds 200 cfs MAF at Klickitat County line.
(5) Deer Creek	<u>Bridal Veil 15</u>	From an approximate point (NE1/4 of Sec.17, T3N,R6E) downstream to mouth at Prospector Creek (Sec.18, same township).
(6) Dougan Creek	<u>Bridal Veil 15</u>	From the confluence of Dougan Creek and unnamed creek (Sec.2,T2N,R5E) downstream to Washougal River (Sec.11, same township).
(7) Duncan Creek	<u>Bridal Veil 15</u>	Beginning in (NW1/4 of SE1/4 of NE1/4 of Sec.17,T2N, R6E) downstream to Columbia River (Sec.34, same township).
(8) Forest Creek	<u>Wind River 15 Bonneville Dam 15</u>	From the Gifford Pinchot National Forest boundary (Sec.17,T3N,R7E) downstream to mouth at Rock Creek (same section).

<u>Stream Name</u>	<u>Quadrangle Name and Size</u>	<u>Legal Description</u>	<u>Stream Name</u>	<u>Quadrangle Name and Size</u>	<u>Legal Description</u>
(9) Green-leaf Creek	<u>Bonneville Dam 15</u>	From an approximate point (NW1/4 of Sec.16, T2N,R7E) downstream through Greenleaf Slough to mouth at Hamilton Creek (Sec.20, same township).	(20) Ole Creek	<u>Mt. St. Helens 15</u>	From the confluence of Ole Creek and an unnamed creek (Sec.31,T7N,R5E) downstream to Lewis River (same section).
(10) Hagen Creek (Cont.)	<u>Bridal Veil 15</u>	From the Clark County line (Sec.6,T2N,R5E) downstream to mouth at the West Fork Washougal River (same section).	(21) Panther Creek	<u>Wind River 15</u>	Beginning in (NW1/4 of SE1/4 of SE1/4 of Sec.25,T4N,R71/2E) downstream to mouth at Wind River (Sec.8,T3N,R8E).
(11) Hamilton Creek	<u>Bridal Veil 15</u>	From the confluence of Hamilton Creek and unnamed creek (Sec.36, T3N,R6E) downstream to Columbia River (Sec.30, T2N,R7E).	(22) Prospector Creek	<u>Bridal Veil 15</u>	From the confluence of Prospector Creek and Deer Creek (Sec.18,T3N, R6E) downstream to mouth at Washougal River (Sec.13,T3N,R5E).
(12) Lava Creek	<u>Willard 15</u>	From Gifford Pinchot National Forest boundary (Sec.33,T4N,R9E) downstream to mouth on Little White Salmon River (Sec.1,T3N,R9E).	(23) Range Creek	<u>Mt. St. Helens 15</u>	From south section line of (Sec.12,T6N,R5E) downstream to Swift Reservoir (Sec.6,T6N, R6E).
(13) Lewis River*	<u>Burnt Peak * 7 1/2 Mt. St. Helens 15</u>	From Gifford Pinchot National Forest boundary (Sec.24,T7N,R6E) downstream through Swift Reservoir to Cowlitz County line (Sec. 31,T7N,R5E) except those reaches within the National Forest. The 1,000 cfs MAF point is at Gifford Pinchot N.F. boundary.	(24) Rock Creek	<u>Lookout Mt. 15 Wind River 15 Bonneville Dam 15</u>	From west section line (Sec.2,T3N,R6E) downstream to Columbia River (Sec.1,T2N,R7E).
(14) Little White Salmon River*	<u>Willard * 15 Hood River 15</u>	Beginning in (NE1/4 of NE1/4 of NE1/4 Sec.2,T4N,R9E) downstream to Drano Lake (Sec.26,T3N,R9E), excluding all federal lands. The 200 cfs MAF begins at confluence with Lava Creek (Sec.1, T3N,R9E).	(25) Siouxon Creek	<u>Lookout Mt. 15</u>	From the Gifford Pinchot National Forest boundary (Sec.31,T6N,R5E) downstream to Clark County line (same section) excluding federal lands.
(15) Little Wind River	<u>Wind River 15 Bonneville Dam 15</u>	From the Gifford Pinchot National Forest boundary (Sec.14,T3N,R8E) downstream to mouth at Wind River (Sec.22, same township).	(26) Spring Creek	<u>Bonneville Dam 15</u>	From the Gifford Pinchot National Forest boundary (Sec.22,T3N,R7E) downstream to mouth at Rock Creek (Sec.27, same township).
(16) Lookout Creek	<u>Lookout Mt. 15</u>	From an approximate point (NW1/4 of Sec.6,T3N, R6E) downstream to mouth at Washougal River (Sec.1,T3N,R5E).	(27) Stebbins Creek	<u>Bridal Veil 15</u>	From the confluence of Stebbins Creek and unnamed creek (Sec.28, T3N,R6E) downstream to mouth at Washougal River (Sec.6,T2N,R6E).
(17) Muddy River	<u>Mt.St. Helens 15</u>	From the west section line (Sec.16,T8N,R6E) downstream to mouth at Lewis River (Sec.24,T7N,R6E). Exclude federal lands.	(28) Swift Creek	<u>Mt. St. Helens 15</u>	From the Gifford Pinchot National Forest boundary (Sec.4,T7N,R5E) downstream to mouth at Swift Reservoir (Sec.16, same township) except those reaches within the National Forest.
(18) North Fork Toutle River	<u>Spirit Lake 15</u>	From Spirit Lake (Sec. 15,T9N,R5E) downstream to Skamania County line (Sec.18, same township), excluding all federal lands.	(29) Trout Creek	<u>Wind River 15</u>	Beginning in (SE1/4 of SE1/4 of NE1/4 of Sec.27,T4N,R7E) downstream to mouth at Wind River (Sec.26, same township).
(19) North Siouxon Creek	<u>Mt. St. Helens 15 Lookout Mt. 15</u>	From the Gifford Pinchot National Forest boundary (Sec.16,T6N,R5E) downstream to the Clark County line (Sec. 30, same township).	(30) Unnamed Tributary to Swift Creek	<u>Mt. St. Helens 15</u>	From the Gifford Pinchot National Forest boundary (Sec.10,T7N,R5E) downstream to mouth at Swift Creek (Sec.9, same township).
			(31) Washougal River	<u>Lookout Mt. 15</u>	From Gifford Pinchot National Forest boundary (Sec.1,T3N,R5E) downstream to mouth at Clark County line (Sec. 31,T2N,R5E).
			(32) Washougal River (W. Fork)	<u>Bridal Veil 15</u>	From an approximate point (NW1/4 of SW1/4 of Sec.29,T3N,R5E) downstream to mouth at Washougal River (Sec.32,T2N,R5E).

<u>Stream Name</u>	<u>Quadrangle Name and Size</u>	<u>Legal Description</u>
(33) West Fork Swift Creek	<u>Mt. St. Helens 15</u>	Beginning in (SE1/4 of NW1/4 of SW1/4 of Sec.4,T7N,R5E) downstream to Swift Creek (Sec.16, same township).
(34) White Salmon River (Cont.)*	<u>Willard 15 Hood River 15</u>	From Klickitat County line (Sec.2,T3N,R10E) downstream right bank only to mouth on Columbia River (Sec.23, same township). The flow exceeds 200 cfs MAF at Skamania-Klickitat County line.
(35) Wildboy Creek	<u>Bridal Veil 15</u>	From the confluence of Wildboy Creek and Texas Creek (Sec.17,T2N,R5E) downstream to West Fork Washougal River (Sec.20, same township).
(36) Wind River*	<u>Wind River * 15 Bonneville Dam 15</u>	Beginning at the north section line of (Sec.9, T4N,R7E) downstream to mouth at Columbia River (Sec.27,T3N,R8E). The 200 cfs MAF point begins at Gifford Pinchot N.F. boundary (Sec.1,T3N, R71/2E).
(37) Woodward Creek	<u>Bridal Veil 15</u>	From the confluence of Woodward Creek and unnamed creek (Sec.27, T2N,R6E) downstream to mouth at Columbia River (Sec.36, same township).
(38) Unnamed Tributary to Swift Reservoir	<u>Mt. St. Helens 15</u>	From the East section line (Sec.2,T6N,R6E) downstream to mouth at Swift Reservoir (Sec.35, T7N,R6E).
(39) Green River	<u>Spirit Lake 15</u>	From the Gifford Pinchot National Forest boundary (Sec.18,T10N,R6E) downstream to the Cowlitz-Skamania county line (Sec.6, same township). Exclude federal lands.
(40) Drift Creek	<u>Mt. St. Helens 15</u>	From south section line (Sec.8,T6N,R6E) downstream to Swift Reservoir (Sec.5, same township). Exclude federal lands.
(41) Cold-water Creek	<u>Spirit Lake 15</u>	From east section line (Sec.29,T10N,R5E) downstream to Cowlitz-Skamania county line (Sec.31, same township). Exclude federal lands.
(42) Miners Creek	<u>Spirit Lake 15</u>	From confluence of Miners Creek and unnamed creek (SE1/4 Sec.8,T10N,R5E) downstream to Lewis-Skamania county line same section.
(43) Smith Creek	<u>Mt. St. Helens 15</u>	From east section line of (Sec.30,T9N,R6E) downstream to mouth at Muddy River. (Sec.15,T8N,R6E) Exclude federal lands.
(44) Cold Creek	<u>Wind River 15</u>	From NW1/4 of NE 1/4 (Sec.16,T4N,R7E) downstream to mouth at Wind River (Sec.9, same township).

<u>Stream Name</u>	<u>Quadrangle Name and Size</u>	<u>Legal Description</u>
(45) Moss Creek	<u>Willard 15</u>	From the west section line of (Sec.27,T4N,R9E) downstream to confluence with Little White Salmon River (Sec.26, same township). Exclude federal lands.

AMENDATORY SECTION (Amending Order DE 76-14, filed 5/3/76)

WAC 173-18-390 WAHAKIYAKUM COUNTY. Streams

<u>Stream Name</u>	<u>Quadrangle Name and Size</u>	<u>Legal Description</u>
(1) Alger Creek	<u>Skamokawa 15</u>	From the intersection of State Sign Route 4 and Alger Creek (Sec.15,T9N, R6W) downstream to mouth at Brooks Slough (same section).
(2) Beaver Creek	<u>Cathlamet 15</u>	From the confluence of Beaver Cr. and unnamed creek (Sec.33,T9N,R5W) downstream to mouth at Elochoman River (Sec.32, same township).
(3) Columbia River (Cont.)*	<u>Clatskanie 15 Cathlamet 15 Skamokawa 15 Grays River 15</u>	From the Cowlitz Co. line on Columbia River (Sec.20, T8N,R4W) downstream along the Wash.-Oregon boundary to the Pacific Co. line to Grays Bay (Sec.7,T9N, R9W). The flow exceeds 1,000 cfs MAF at Cowlitz County line.
(4) Crooked Creek	<u>Grays River 15</u>	From the confluence of Crooked Creek and the So. Fork Crooked Cr. (Sec.36, T10N,R8W) downstream to Grays Bay (Sec.4,T9N, R8W).
(5) Deep River	<u>Grays River 15</u>	From the confluence of Deep River and Hendrickson Canyon Stream (Sec.9, T10N,R8W) downstream to mouth at Grays Bay (Sec. 31,T9N,R8W).
(6) Elochoman River	<u>Skamokawa 15 Cathlamet 15</u>	From the confluence of the West Fork Elochoman and the North Fork Elochoman River (Sec.26, T10N,R5W) downstream to mouth at Elochoman Slough (Sec.36,T9N,R6W).
(7) Elochoman River (East Fk.) (Cont.)	<u>Ryderwood 15</u>	From the Cowlitz Co. line (Sec.7,T10N,R4W) downstream to Elochoman River (Sec.13,T10N,R5W).
(8) Elochoman River (North Fk.)	<u>Skamokawa 15 Ryderwood 15</u>	From the confluence of North Fk. Elochoman R. and unnamed creek (Sec. 12,T10N,R5W) downstream to mouth at Elochoman River (Sec.26,T10N,R5W).
(9) Elochoman River (West Fk.)	<u>Skamokawa 15</u>	From the confluence of West Fork Elochoman R. and unnamed creek (Sec. 21,T10N,R5W) downstream to mouth at Elochoman River (Sec.26, same township).

<u>Stream Name</u>	<u>Quadrangle Name and Size</u>	<u>Legal Description</u>	<u>Stream Name</u>	<u>Quadrangle Name and Size</u>	<u>Legal Description</u>
(10) Falk Creek	<u>Skamokawa</u> 15	From an approximate point (((SE))NW1/4 of ((NW))NE1/4 of SW1/4 of Sec.33,T10N,R6W) downstream to mouth at Skamokawa Creek (Sec.5, T9N,R6W).	(24) Skamokawa Creek (Left Fk.)	<u>Skamokawa</u> 15	From the confluence of the Left Fork Skamokawa Cr. and unnamed creek (Sec.19,T10N,R6W) downstream to mouth at Skamokawa Creek (Sec.29, same township).
(11) Fossil Creek	<u>Grays River</u> 15	From the confluence of Fossil Cr. and an unnamed cr. (Sec.10,T10N,R7W) downstream to mouth at Grays River (Sec.9, same township).	(25) Skamokawa Creek (West Fk.)	<u>Skamokawa</u> 15	From the confluence of West Fork Skamokawa Creek and Kelly Creek (Sec.31, T10N,R6W) downstream to Skamokawa Creek (Sec.8, T9N,R6W).
(12) Grays River (Cont.)	<u>Grays River</u> 15	From the Pacific Co. line (Sec.2,T10N,R7W) downstream to mouth ((of)) at Grays Bay (Sec.32,T10N,R8W).	(26) West Valley Creek	<u>Skamokawa</u> 15	From an approximate point (NE1/4 of Sec.1,T9N,R7W) downstream to mouth at the West Fork Skamokawa Cr. (Sec.6,T9N,R6W).
(13) Grays River (S.Fork)	<u>Skamokawa</u> 15	From an approximate point (SW1/4 of NE1/4 of Sec.1, T10N,R6W) downstream to Pacific County line (Sec.5, same township).	(27) Wilson Creek	<u>Skamokawa</u> 15	From the confluence of Wilson Cr. and unnamed creek (SW1/4 of NE1/4 of Sec.5,T9N,R5W) downstream to mouth at Skamokawa Creek (Sec.5, T9N,R6W).
(14) Grays River (W.Fk.) (Cont.)	<u>Grays River</u> 15	From the Pacific County line (NW1/4 of NW1/4 Sec.4, T10N,R7W) downstream to mouth at Grays River (Sec.9, same township).			
(15) Hull Creek (Cont.)	<u>Grays River</u> 15	From Pacific County line (Sec.5,T10N,R7W) downstream to mouth at Grays R. (Sec.13,T10N,R8W).			
(16) Jim Crow Creek	<u>Grays River</u> 15	From the confluence of Jim Crow Creek and unnamed creek (Sec.4,T9N,R7W) downstream to mouth at Columbia River (Sec.16, same township).			
(17) McDonald Creek	<u>Skamokawa</u> 15	From the confluence of McDonald Creek and unnamed creek (Sec.22,T10N,R6W) downstream to mouth at Skamokawa Creek (Sec.29, same township).			
(18) Mill Creek	<u>Cathlamet</u> 15 <u>Clatskanie</u> 15	From the NW Section corner (Sec.25,T9N,R5W) downstream to the Cowlitz County line (Sec.31,T9N,R4W).			
(19) Naselle River	<u>Grays River</u> 15	From the Pacific County line (Sec.6,T10N,R8W) downstream back to Pacific Co. line (same section).			
(20) Nelson Creek	<u>Cathlamet</u> 15	From the intersection of Nelson Cr. and ((State)) ((Highway-4)) Risk Rd. (Sec.25,T9N,R6W) downstream to mouth at Elochoman River (Sec.26, same township).			
(21) Otter Creek	<u>Ryderwood</u> 15	From the confluence of Otter Cr. and unnamed creek near the north section line (Sec.7, T10N,R4W) downstream to the East Fk. Elochoman R. (same section).			
(22) Salmon Creek (Cont.)	<u>Grays River</u> 15	From the Pacific County line (Sec.5,T10N,R8W) downstream to Pacific County line (Sec.7, same township).			
(23) Skamokawa Creek	<u>Skamokawa</u> 15	From the confluence of McDonald Creek and Standard Creek (Sec.28, T10N,R6W) downstream to mouth at Columbia River (Sec.17,T9N,R6W).			

WSR 80-08-053

ADOPTED RULES

DEPARTMENT OF ECOLOGY

[Order DE 80-21—Filed June 30, 1980]

I, Elmer C. Vogel, deputy director of the Department of Ecology, do promulgate and adopt at the Department of Ecology, Lacey, Washington, the annexed rules relating to Shoreline Management Act—Lakes constituting shorelines of the state, amending chapter 173-20 WAC.

This action is taken pursuant to Notice No. WSR 80-05-078 filed with the code reviser on April 30, 1980. 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 26, 1980.

By Elmer C. Vogel
Deputy DirectorNEW SECTION

WAC 173-20-044 REVIEW OF DESIGNATIONS. The department shall review all the designations made herein at least once in every five year period following the effective date of chapter 90.58 RCW or as frequently before then as is deemed advisable by the department, and prepare the necessary revisions to ensure that the designations conform to the policies of chapter 90.58 RCW and of chapter 173-20 WAC in the manner and form prescribed for adoption and amending rules

and regulations in chapter 34.04 RCW (the administrative procedure act).

NEW SECTION

WAC 173-20-046 CONFLICTS BETWEEN DESIGNATIONS AND CRITERIA. In the event that any of the designations set forth in this chapter conflict with the criteria set forth in RCW 90.58.030(2) or in WAC 173-20-030 the criteria shall control. The designation of the lake shall be governed by the criteria.

AMENDATORY SECTION (Amending Order DE 72-14, filed 6/30/72)

WAC 173-20-580 LAKES COMING UNDER PURVIEW OF CHAPTER 90.58 RCW—SAN JUAN COUNTY LAKES.

LOCATION	SECTION	NAME	AREA (ACRES)	USE
(1) T35N-R1W	4-G	Spencer Lk.	64.0	R
(2) T35N-R2W	23-A	Hummel Lk.	36.1	R
(3) T35N-R3W	(8)	Zylstra Lk.		
	<u>17-Q/R</u>			
(4) T35N-R3W	18-M	Trout Lk. (Res.)	54.0	PS
(5) T35N-R3W	19-G	Woods Res.		
		(Proposed)	29.0	D,R
(6) T36N-R1W	33-N1/2	Horseshoe Lk.	84.0	R
(7) T36N-R2W	12-L	Martins Lk.	21.5	R
(8) T36N-R3W	30-E/M	Briggs Pond	29.1	PS
(9) T36N-R3W	33-Q	Sportsmans Lk.	66.0	R,D
(10) T37N-R1W	32-P	Cascade Lk.	171.6	R,P
(11) T37N-R1W	34-M	Mountain Lk.	198.0	PS,R

AMENDATORY SECTION (Amending Order DE 72-14, filed 6/30/72)

WAC 173-20-600 LAKES COMING UNDER PURVIEW OF CHAPTER 90.58 RCW—SKAGIT COUNTY LAKES.

LOCATION	SECTION	NAME	AREA (ACRES)	USE
(1) T33N-R4E	13-M/N	Devils Lk.	30.9	R
(2) T33N-R4E	15-M/N	Sixteen Lk.	41.6	R
(3) T33N-R5E	30-D	McMurray Lk.	160.6	R
(4) T33N-R6E	22-Q	Cavanaugh Lk.	844.0	R
(5) T34N-R1E	11-NE1/4	Erie Lk.	111.0	R
(6) T34N-R1E	13-H	Campbell Lk.	410.3	R
(7) T34N-R1E	23-K	Pass Lk.	98.6	R
(8) T34N-R2E	6-SW1/4	Whistle Lk.	29.7	PS
(9) T34N-R3E	36-J	Britt Slough	21.0	R
(10) T34N-R4E	1-E1/2	Clear Lk.	222.9	R
(11) T34N-R4E	2-N1/2	Unnamed Lk.	74.0	R
(12) T34N-R4E	10-SW1/4	Barney Lk.	152.0	R
(13) T34N-R4E	15-E1/2	Unnamed Lk.	28.0	R
(14) T34N-R4E	36-C	Big Lk.	545.2	R
(15) T34N-R5E	7-W1/2	Beaver Lk.	73.4	R
(16) T34N-R6E	25-F	Day Lk.	136.5	R
(17) T35N-R1E	23-K/Q	Cranberry Lk.	26.8	R
(18) T35N-R1E	36-SW1/4	Heart Lk.	60.8	R
(19) T35N-R5E	13-N1/2	Minkler Lk.	36.7	R
(20) T35N-R5E	32-E1/2	Judy Res.	108.0	PS
(21) T35N-R10E	31-A	Barnaby Slough	20.0	R
(22) T35N-R10E	32-L/M	Mill Slough	20.0	R
(23) T35N-R11E	36-SE1/4	Granite Lk. No. 3	38.4	R
(24) T36N-R8E	32	Grandy Lk.	56.0	R
(25) T34N-R2E	12-M	Old Channel Lk.	23.2	

WSR 80-08-054

ADOPTED RULES

DEPARTMENT OF ECOLOGY

[Order DE 80-25—Filed June 30, 1980]

I, Elmer C. Vogel, deputy director of the Department of Ecology, do promulgate and adopt at the Department of Ecology, Lacey, Washington, the annexed rules relating to the amending of WAC 173-19-120, Chelan County; WAC 173-19-330, Pacific County and WAC 173-19-4502, Blaine, City of. (These sections are part of chapter 173-19 WAC, Shoreline Management Act—State Master Program.)

This action is taken pursuant to Notice No. WSR 80-05-128 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 90.58.030(3)(c), 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 26, 1980.

By Elmer C. Vogel
Deputy Director

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

WAC 173-19-120 CHELAN COUNTY. Chelan County master program approved April 22, 1975. Revision approved June 26, 1980.

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

WAC 173-19-330 PACIFIC COUNTY. Pacific County master program approved April 8, 1975. Revision approved June 26, 1980.

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

WAC 173-19-4502 BLAINE, CITY OF. City of Blaine master program approved September 29, 1975. Revision approved August 30, 1977. Revision approved December 28, 1978. Revision approved June 26, 1980.

WSR 80-08-055

NOTICE OF PUBLIC MEETINGS

EMPLOYMENT SECURITY DEPARTMENT

[Memorandum—June 30, 1980]

Following is the revised date and location of the next meeting of the Washington State Employment and Training Council. The meeting will convene at 9:30 a.m., August 1, 1980, Sea-Tac Airport Auditorium, Seattle, Washington.

WSR 80-08-056
ADOPTED RULES
WASHINGTON STATE PATROL
 [Order 80-3—Filed July 1, 1980]

I, Colonel R. W. Landon, director of Washington State Patrol, do promulgate and adopt at General Administration Building, Olympia, Washington 98504, the annexed rules relating to criminal records, repealing chapter 365-50 WAC.

This action is taken pursuant to Notice No. WSR 80-05-100 filed with the code reviser on May 5, 1980. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 10.97.080 and 10.97.090 which directs that the Washington State Patrol has authority to implement the provisions of chapter 10.97 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 July 1, 1980.
 By Col. R. W. Landon
 Chief

REPEALER

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

- (1) WAC 365-50-010 General applicability.
- (2) WAC 365-50-020 Definitions.
- (3) WAC 365-50-030 Separation of information.
- (4) WAC 365-50-040 Deferred prosecutions.
- (5) WAC 365-50-050 Convictions under appeal or review.
- (6) WAC 365-50-060 Certification of criminal justice agencies.
- (7) WAC 365-50-070 Inspection—Individual's right to review record.
- (8) WAC 365-50-080 Inspection—Forms to be made available.
- (9) WAC 365-50-090 Inspection—Identification of requester.
- (10) WAC 365-50-100 Inspection—Timeliness and manner of agency response.
- (11) WAC 365-50-110 Inspection—Time allowed for review.
- (12) WAC 365-50-120 Inspection—Retention or reproduction of records.
- (13) WAC 365-50-130 Inspection—Prevention of unauthorized retention or reproduction.
- (14) WAC 365-50-140 Inspection—Designation of person to assist in review.

- (15) WAC 365-50-150 Inspection—Statement of procedures to be available.
- (16) WAC 365-50-160 Inspection—Procedure for correctional or detention agencies.
- (17) WAC 365-50-170 Deletion—Individual's right to have certain information deleted.
- (18) WAC 365-50-180 Deletion—Agency option to refuse to delete.
- (19) WAC 365-50-190 Deletion—Policies to be adopted.
- (20) WAC 365-50-200 Deletion—Inquiries required.
- (21) WAC 365-50-210 Challenge—Individual's right to challenge.
- (22) WAC 365-50-220 Challenge—Forms to be made available.
- (23) WAC 365-50-230 Challenge—Forwarding of challenge to appropriate agency.
- (24) WAC 365-50-240 Challenge—Agency to make determination.
- (25) WAC 365-50-250 Correction of erroneous information.
- (26) WAC 365-50-260 Review of refusal to alter record.
- (27) WAC 365-50-270 Dissemination—Dispositions to be included.
- (28) WAC 365-50-280 Dissemination—Inquiry of prosecutor required.
- (29) WAC 365-50-290 Dissemination—To implement a statute or other grant of authority.
- (30) WAC 365-50-300 Dissemination pursuant to contract for services.
- (31) WAC 365-50-310 Dissemination—Research purposes.
- (32) WAC 365-50-320 Dissemination—Record of disseminations to be maintained.
- (33) WAC 365-50-330 Dissemination—Fees.
- (34) WAC 365-50-340 Protection from accidental loss or injury.
- (35) WAC 365-50-350 Protection against unauthorized access.
- (36) WAC 365-50-360 Personnel security.
- (37) WAC 365-50-370 Personnel Training.
- (38) WAC 365-50-380 Personnel Clearances.
- (39) WAC 365-50-390 Auditing of CHRI systems.
- (40) WAC 365-50-400 Establishment of procedures.
- (41) WAC 365-50-500 Form of request to inspect record.
- (42) WAC 365-50-510 Form of request to modify record.
- (43) WAC 365-50-520 Form of request to review refusal to modify record.

- (44) WAC 365-50-530 Appendix III to state of Washington plan for security and privacy of criminal offender records.
- (45) WAC 365-50-540 Certification request form for criminal justice agencies seeking access to criminal offender record information.
- (46) WAC 365-50-550 Certification request form for noncriminal justice agencies seeking access to criminal offender record information.
- (47) WAC 365-50-560 Contract for support services model agreement under WAC 365-50-300.

WSR 80-08-057**ADOPTED RULES****WASHINGTON STATE PATROL**

[Order 80-2—Filed July 1, 1980]

I, Colonel R. W. Landon, director of Washington State Patrol, do promulgate and adopt at General Administration Building, Olympia, Washington 98504, the annexed rules relating to the administration of the Washington State Criminal Records Privacy Act (chapter 10.97 RCW), chapter 446-20 WAC.

This action is taken pursuant to Notice No. WSR 80-05-101 filed with the code reviser on May 5, 1980. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 10.97.080 and 10.97.090 which directs that the Washington State Patrol has authority to implement the provisions of chapter 10.97 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 July 1, 1980.

By Col. R. W. Landon
Chief

Chapter 446-20 WAC
CRIMINAL RECORDS

NEW SECTION

WAC 446-20-010 GENERAL APPLICABILITY. The regulations in this chapter shall apply to state and local criminal justice agencies in the state of Washington that collect and maintain or disseminate criminal history record information. The regulations shall also apply to criminal justice or other agencies outside the jurisdiction of the state of Washington for the purpose of the dissemination of criminal history record information to other agencies by state of

Washington criminal justice agencies. The provisions of chapter 10.97 RCW do not generally apply to the courts and court record keeping agencies. The courts and court record keeping agencies have the right to request and receive criminal history record information from criminal justice agencies. The regulations are intended to cover all criminal justice records systems that contain criminal history record information, whether the systems are manual or automated. Chapter 10.97 RCW defines the rights and privileges relating to criminal history record information and should not be interpreted to redefine or amend rights or privileges relevant to any other kinds of records or information.

NEW SECTION

WAC 446-20-020 DEFINITIONS. (1) The definitions in RCW 10.97.030 shall apply to these regulations.

(2) "Nonconviction data" has the meaning set forth in RCW 10.97.030(2), but shall not include dismissals following a period of probation, or suspension, or deferral of sentence.

(3) "The administration of criminal justice" has the meaning set forth in RCW 10.97.030(6), but does not include crime prevention activities (if that is the sole function of the program or agency) or criminal defense activities.

NEW SECTION

WAC 446-20-030 CONVICTIONS UNDER APPEAL OR REVIEW. A conviction followed by an appeal or other court review may be treated as conviction information or as information pertaining to an incident for which a subject is currently being processed by the criminal justice system until such time as the conviction is reversed, vacated, or otherwise overturned by a court; but, notations of pending appeals or other court review shall be included as a part of a person's criminal record if the agency disseminating the record has received written confirmation of such proceedings from the court.

NEW SECTION

WAC 446-20-040 DEFERRED PROSECUTIONS. A deferred prosecution of an alleged offender does not become nonconviction data until there is a final decision to dismiss charges or not to prosecute.

NEW SECTION

WAC 446-20-050 CRIMINAL JUSTICE AGENCIES. (1) The following agencies shall be considered criminal justice agencies for the purpose of chapter 10.97 RCW and these regulations.

(a) The Washington state patrol, including the state identification section;

(b) Foreign, federal, state, and local governmental law enforcement agencies;

(c) The adult corrections division of the department of social and health services as specified in chapter 72.02 RCW, including institutions as specified in chapter 72.01 RCW and probation and parole services as specified in chapter 72.04A RCW;

- (d) The board of prison terms and paroles;
- (e) Courts at any level, if they exercise criminal jurisdiction, for the administration of criminal justice.

(2) Only that subunit of the following agencies which detects, prosecutes, or that work under the direction of the courts shall be considered criminal justice agencies for the purpose of chapter 10.97 RCW and these regulations:

- (a) Federal, state and local prosecutorial, correctional programs, agencies or departments;
- (b) The liquor control board as specified in RCW 66.44.010 (enforcement division);
- (c) The department of labor and industries as specified in chapter 7.68 RCW (victims of crime compensation);
- (d) The state fire marshal as specified in RCW 48.48.060(2);
- (e) An agency or portion thereof that has been certified as a criminal justice agency pursuant to WAC 446-20-060.

NEW SECTION

WAC 446-20-060 CERTIFICATION OF AGENCIES. (1) An agency that asserts a right to receive criminal history record information based on its status as a criminal justice agency shall show satisfactory evidence of its certification as a criminal justice agency prior to receiving such information. The Washington state patrol shall certify such an agency, based on a showing that the agency devotes a substantial portion of its annual budget to, and has as a primary function, the administration of criminal justice. Agencies which assert their right to be certified as a criminal justice agency shall submit a written request for certification to the Washington state patrol on the form provided under WAC 446-20-430.

(2) A noncriminal justice agency that asserts a right to receive nonconviction criminal history record information shall show satisfactory evidence of certification to receive such information. Certification by the Washington state patrol will be granted based upon statute, ordinance, executive order, or a court rule, decision, or order which expressly refers to nonconviction criminal history record information, and which authorizes or directs that it be available or accessible for a specific purpose.

(3) The application shall include documentary evidence which establishes eligibility for access to criminal history record information.

(4) The Washington state patrol shall make a finding in writing on the eligibility or noneligibility of the applicant. The written finding, together with reasons for the decisions, shall be sent to the applicant.

(5) The Washington state patrol shall keep a current list of all agencies that have been certified to receive criminal history record information.

NEW SECTION

WAC 446-20-070 INSPECTION—INDIVIDUAL'S RIGHT TO REVIEW RECORD. Every criminal justice agency shall permit an individual who is, or

believes he may be, the subject of a criminal record maintained by that agency to come to the central records keeping office of that agency during its normal business hours and request to inspect said criminal history record.

To the extent that CHRI exists (which includes and shall be limited to identifiable descriptions and notations of arrests, detentions, indictments, informations, or other formal criminal charges, and any dispositions arising therefrom, including sentences, correctional supervision and release) is interfiled with other records of the department the agency may extract the CHRI for review.

NEW SECTION

WAC 446-20-080 INSPECTION—FORMS TO BE MADE AVAILABLE. The criminal justice agency shall make available a request form to be completed by the person who is, or believes he may be, the subject of a criminal record maintained by that agency. The form shall be substantially equivalent to that set forth in WAC 446-20-400.

NEW SECTION

WAC 446-20-090 INSPECTION OF RECORD BY THE SUBJECT OF RECORD. (1) Any person desiring to inspect criminal history record information which pertains to himself may do so at the central records keeping office of any criminal justice agency or at the state identification section located at 3310 Capitol Boulevard, Tumwater, Washington, during normal business hours, Monday through Friday, excepting legal holidays.

(2) Any person desiring to inspect criminal history record information pertaining to himself shall first permit his fingerprints to be taken by the criminal justice agency for identification purposes, if requested to do so. The criminal justice agency in its discretion may accept other identification in lieu of fingerprints.

(3) A reasonable period of time, not to exceed thirty minutes, shall be allowed each individual to examine criminal history record information pertaining to himself.

(4) Visual examination only shall be permitted of such information unless the individual asserts his belief that criminal history record information concerning him is inaccurate, or incomplete; and unless he requests correction or completion of the information on a form furnished by the criminal justice agency, or requests expungement pursuant to RCW 10.97.060. Retention or reproduction of nonconviction data is authorized only when it is the subject of challenge.

(5) If any person who desires to examine criminal history record information pertaining to himself is unable to read or is otherwise unable to examine same because of a physical disability, he may designate another person of his own choice to assist him. The person about whom the information pertains shall execute, with his mark, a form provided by the criminal justice agency consenting to the inspection of criminal history information pertaining to himself by another person for the purpose of it being read or otherwise described to him. Such

designated person shall then be permitted to read or otherwise describe or translate the criminal history record information to the person about whom it pertains.

(6) Each criminal justice agency shall develop procedures to ensure that no individual improperly retains or mechanically reproduces nonconviction data during the process of inspection.

NEW SECTION

WAC 446-20-100 INSPECTION—TIMELINESS AND MANNER OF AGENCY RESPONSE.

(1) A criminal justice agency not maintaining criminal history record information of the individual requesting inspection shall not be obligated to further processing of inspection request.

(2) A criminal justice agency maintaining criminal history record information of the individual requesting inspection shall respond in the manner following and as soon as administratively convenient, but in no event later than ten business days from the date of the receipt of the request.

(a) If the criminal history record information concerns offenses for which fingerprints were not submitted to the identification section, the agency shall respond by disclosing the identifiable descriptions and notations of arrests, charges, and dispositions that are contained in the files of the agency.

(b) If the criminal history record information concerns offenses for which fingerprints were submitted to the identification section, the agency upon request of the subject of the record, shall forward the request to the identification section for processing.

(c) At the identification section the request shall cause a copy of all Washington state criminal history record information in the files of the identification section relating to the individual requester to be forwarded to the criminal justice agency submitting the request.

(d) Upon receipt by the criminal justice agency of the requester's criminal history record information from the identification section, the agency shall notify the requester at his designated address or telephone number that the requested information is available for inspection. The subject of the criminal history record information must appear at the agency during its normal business hours for purpose of inspecting the record.

NEW SECTION

WAC 446-20-110 DELETION—NOTIFICATION. When a criminal justice agency deletes nonconviction data criminal history record information in accordance with RCW 10.97.060, the state identification section shall be notified of the deletion.

NEW SECTION

WAC 446-20-120 CHALLENGE—INDIVIDUAL'S RIGHT TO CHALLENGE. A subject seeking to challenge the accuracy or completeness of any part of the criminal history record information pertaining to himself shall do so in writing, clearly identifying that

information which he asserts to be inaccurate or incomplete. This includes only records generated by Washington state criminal justice agencies.

NEW SECTION

WAC 446-20-130 CHALLENGE—FORMS TO BE MADE AVAILABLE. Every criminal justice agency which authorizes individuals to use its facilities for the purpose of inspecting their criminal history record information shall provide an appropriate challenge form and the address of the agency whose record entry is being challenged. Such forms shall be substantially equivalent to that set forth in WAC 446-20-450.

NEW SECTION

WAC 446-20-140 CHALLENGE—AGENCY TO MAKE DETERMINATION. The agency which initiated the criminal history record information being challenged shall:

(1) Not later than ten business days after receiving the written challenge, acknowledge receipt of the challenge in writing; and

(2) Promptly, but in no event later than ten business days after acknowledging receipt of the challenge, either:

(a) Make any correction of any portion of the criminal history record information which the person challenging such information has designated as being inaccurate or incomplete.

(b) Inform the person challenging the criminal history record information, in writing, of the refusal to amend the criminal history record information, the reason for the refusal, and the procedures for review of that refusal.

NEW SECTION

WAC 446-20-150 CORRECTION OF ERRONEOUS INFORMATION. (1) The originating agency must send information correcting the previously incorrect information to all agencies and persons to which the previously incorrect information was disseminated by the originating agency. This obligation shall be limited to disseminations made within one year of the date on which the challenge was initiated.

(2) Any criminal justice agency maintaining criminal history record information within the state shall adopt a procedure which, when significant information in a criminal history record maintained on an individual is determined to be inaccurate, leads to the dissemination of corrected information to every agency and person(s) to which the prior erroneous information was disseminated within the preceding one year.

NEW SECTION

WAC 446-20-160 REVIEW OF REFUSAL TO ALTER RECORD. A person who is the subject of a criminal record and who disagrees with the refusal of the agency maintaining or submitting the record to correct, complete, or delete the record, may request a review of the refusal within twenty business days of the date of receipt of such refusal. The request for review shall be in writing, and shall be made by the completion

of a form substantially equivalent to that set forth in WAC 446-20-410. If review is requested in the time allowed, the head of the agency whose record or submission has been challenged shall complete the review within thirty days and make a final determination of the challenge. The head of the agency may extend the thirty-day period for an additional period not to exceed thirty business days. If the head of the agency determines that the challenge should not be allowed, he shall state his reasons in a written decision, a copy of which shall be provided to the subject of the record. Denial by the agency head shall constitute a final decision under RCW 34.04.130.

NEW SECTION

WAC 446-20-170 SECONDARY DISSEMINATION. (1) Criminal justice agencies that receive state rap sheets from the identification section of the Washington state patrol may disseminate them further, "but only to the same extent to which the identification section itself would be authorized to make a dissemination in the first instance." Nonconviction data based on an incident that arose in the jurisdiction of that agency about to make the dissemination is not subject to this restriction, if the agency is otherwise authorized to disseminate such information.

(2) Noncriminal justice agencies certified to receive criminal history record information from whatever source may use it only for the specific purpose for which the agency is certified and shall not disseminate it further.

(3) Use of criminal history record information contrary to chapter 10.97 RCW or chapter 446-20 WAC may result in suspension or cancellation of certification.

NEW SECTION

WAC 446-20-180 DISSEMINATION PURSUANT TO CONTRACT FOR SERVICES. (1) Criminal history record information which includes nonconviction data may be disseminated pursuant to a contract to provide services, as set forth in RCW 10.97.050(5). The contract must contain provisions giving notice to the individual or agency to which the information is to be disseminated that the use of such information is subject to the provisions of chapter 10.97 RCW and these regulations, and federal statutes and regulations, which shall be cited with express reference to the penalties provided for a violation thereof.

(2) When a criminal justice agency uses an information system containing criminal history record information that is controlled and managed by a noncriminal justice agency, the noncriminal justice agency may disseminate criminal history record information only as authorized by the criminal justice agency. Authorization shall be established in a contract between the criminal justice agency and the noncriminal justice agency providing the management service or support. Any criminal justice agency entering a contract with a noncriminal justice agency shall require that the noncriminal justice agency and personnel who utilize criminal history record

information, meet the same physical security and personnel standards as set forth by the Washington state patrol under RCW 10.97.090.

All programs, tapes, source documents, listings, and other developmental or related data processing information containing or permitting any person to gain access to criminal history record information, and all personnel involved in the development, maintenance, or operation of an automated information system containing criminal history record information, are subject to the requirements of RCW 10.97.050(5) and these regulations. A statement to this effect shall be included in the contract.

The contract for support services shall be substantially similar to that set forth in WAC 446-20-440.

NEW SECTION

WAC 446-20-190 DISSEMINATION—RESEARCH PURPOSES. Criminal history record information which includes nonconviction data may be disseminated for research purposes according to the provisions of RCW 10.97.050(6). The transfer agreement provided for by that section shall be substantially similar to that set forth in WAC 446-20-420 (Model Transfer Provisions).

NEW SECTION

WAC 446-20-200 DISCLOSURE TO ASSIST VICTIM. A criminal justice agency may, but need not, disclose investigative information to "persons who have suffered physical loss, property damage, or injury compensable through civil action" as contemplated by RCW 10.97.070. Disclosure may be made to the apparent victim; an attorney, parent or guardian acting for the victim or an executor or administrator of an estate of a decedent victim; an authorized agent of the victim; another law enforcement or criminal justice agency making inquiry on behalf of the victim; and/or, upon an appropriate showing, an indemnitor, assignee, insurer, or subrogee of the victim. Written capacity to act on behalf of the victim may be required by the agency. Investigative information which ". . . may be of assistance to the victim in obtaining civil redress" may include but is not limited to:

(1) The name, address, and other location information about a suspect, witness, and in the event of a juvenile, the suspect's parent or guardian;

(2) Copies of the incident report; and in person review of documents, photographs, statements, and other materials collected in the course of an investigation;

(3) The location of, and identity of receivers and custodians of stolen property and of property recovered as lost and found property;

(4) The progress of proceedings arising from the incident and the disposition of any prosecution or other action.

An agency making a disclosure is not expected to evaluate the merits of a victim's claim for civil relief. Disclosure merely indicates the information has been received and the agency reasonably believes the information may be useful to the recipient in seeking civil redress. Disclosure does not constitute an opinion or

comment upon the existence or merits of a claim and it does not vouch for the accuracy or completeness of the information.

Disclosures made to victims under the authority of RCW 10.97.070 shall be considered in conjunction with RCW 42.17.310, The Public Disclosure Act (exemptions), chapter 46.52 RCW (Confidentiality of Accident Reports and Statements), civil and criminal court rules governing discovery and other state and federal laws.

Criminal justice agencies are advised to consult with their own legal counsel in implementing the dissemination authorization of RCW 10.97.070.

NEW SECTION

WAC 446-20-210 PROTECTION FROM ACCIDENTAL LOSS OR INJURY. Criminal justice agencies (hereinafter, agency(s)) and noncriminal justice contractors, (hereinafter, contractor(s)) which collect, retrieve, and/or store and disseminate criminal history record information in manual and automated systems, shall institute procedures for the protection of criminal history record information from environmental hazards, including fire, flood, power failure, or other natural or man-made disasters, or in accordance with local fire, safety, and building codes.

NEW SECTION

WAC 446-20-220 PROTECTION AGAINST UNAUTHORIZED ACCESS. Criminal history record systems, whether dedicated to criminal justice purposes, or shared, will be designed and operated in accordance with procedures which will assure that:

(1) Access to criminal history record information facilities and system operating areas (whether for computerized or manual systems) and the content of data files and systems documentation, will be restricted to authorized personnel. These procedures may include use of guards, keys, badges, passwords, sign-in logs, or similar safeguards.

(2) All facilities which house criminal history record information shall be designed and constructed so as to reduce the possibility of physical damage to the information resulting from unauthorized access.

(3) Criminal history record information is stored in such a manner that will prevent modification, destruction, access, change, purging, or overlay of criminal history record information by unauthorized personnel.

(4) Operational programs are used in computerized systems that will prohibit inquiry, record updates, or destruction of records from any terminal other than those authorized to perform criminal history record information functions.

(5) The purging or destruction of records is limited to personnel authorized by the criminal justice agency or through contract with the noncriminal justice agency as required under WAC 446-20-180, and consistent with WAC 446-20-230.

(6) Refuse from the criminal history record information system installations is transferred and destroyed under such reasonably secure conditions as will effectively guard against unauthorized availability.

(7) Operational procedures are used in computerized systems to detect and store unauthorized attempts to penetrate any criminal history record information system, program or file, and that such information is made available only to criminal justice agency employees with responsibility for system security, or as authorized by WAC 446-20-180.

(8) The procedures developed to meet standards of subsections (4) and (7) of this section, are known only to authorized employees responsible for criminal history records information system control.

NEW SECTION

WAC 446-20-230 PERSONNEL SECURITY. (1) Agencies and contractors which collect and retrieve, or are authorized to maintain or modify, criminal history record information shall: Identify those positions which are of such a sensitive nature that fingerprints of employees will be required and used to conduct a criminal record background investigation. Such background investigations will be the responsibility of the criminal justice agency and may consider the date, the disposition, number, and seriousness of any previous arrests or convictions. Decisions concerning employment will be the responsibility of the employing agency or contractor.

(2) When agency or contractor personnel violate the provisions of chapter 10.97 RCW or other security requirements established through administrative code for the collection, storage and dissemination of such information, agencies or contractors, as defined by subsection (1) of this section, shall initiate, or cause to be initiated, action that will ensure the integrity of records containing criminal history record information.

NEW SECTION

WAC 446-20-240 PERSONNEL TRAINING. (1) Criminal justice agencies shall be required directly, or in cooperation with the criminal justice training commission to familiarize their employees and those of the contractors, with all federal, state, and local legislation, executive orders, rules, and regulations, applicable to such a system.

(2) Training to be provided shall include not only initial training, but continuing training, designed to maintain among criminal history record information system personnel current knowledge and operational proficiency with respect to security and privacy law and regulations.

NEW SECTION

WAC 446-20-250 CONTRACTOR PERSONNEL CLEARANCES. (1) No personnel of a noncriminal justice agency shall be granted access to criminal history record information without appropriate security clearance by the contracting agency or agencies.

(2) To provide evidence of the person's security clearance, the grantor of such clearance may provide an authenticated card or certificate. Responsibility for control of the issuance, or revocation of such clearances shall rest with the grantor.

NEW SECTION

WAC 446-20-260 AUDITING OF CRIMINAL HISTORY RECORD INFORMATION SYSTEMS.

(1) Every criminal justice agency, including contractors authorized to collect, retrieve, maintain, and disseminate criminal history record information pursuant to WAC 446-20-180, shall make its records available under RCW 10.97.090(3) to determine the extent of compliance with the following:

(a) Dissemination records as required under RCW 10.97.050(7);

(b) Security procedures as required by RCW 10.97.090(1); and

(c) Personnel standards as required by RCW 10.97.090(2).

(2) Personnel engaged in the auditing function shall be subject to the same personnel security requirement as required under WAC 446-20-230, 446-20-240, and 446-20-250, as employees who are responsible for the management and operation of criminal history record information systems.

NEW SECTION

WAC 446-20-270 ESTABLISHMENT OF PROCEDURES. Every criminal justice agency which collects, retrieves, maintains, and/or disseminates criminal history record information shall establish written rules and regulations setting forth security and personnel procedures for authorized access to criminal history record information files or adopt administrative regulations promulgated by the Washington state patrol.

NEW SECTION

WAC 446-20-400 FORM OF REQUEST TO INSPECT RECORD.

**INSPECTION OF RECORD REQUEST
(RCW 10.97.080/WAC 446-20-070)**

Agency
Agency No.
Date
Time

I,, request to inspect such criminal history record information pertaining to myself and maintained in the files of the above named agency.

I was born _____ (Date of Birth) _____, in _____ (Place of Birth) _____, and to ensure positive identification as the person in question, I am willing to submit my fingerprints in the space provided below, if required or requested.

(Fill in and check applicable box)

Because I am unable to read ; I do not understand English ; otherwise need assistance in reviewing my record ; I designate and consent that _____ (Print Name) _____, whose address is _____, assist me in examining the criminal history record information concerning myself.

.....
Prints of right four fingers (Signature or mark of Applicant)
taken simultaneously

.....
(Address)

.....

.....
(Signature of Designee)

NEW SECTION

WAC 446-20-410 FORM OF REQUEST TO REVIEW REFUSAL TO MODIFY RECORD.

**REQUEST FOR REVIEW OF REFUSAL TO MODIFY RECORD
(RCW 10.97.080/WAC 446-20-160)**

DATE

I, _____ (Print Name) _____, request the head of _____ (Agency Name) _____, to review and make a final determination of my challenge to the accuracy or completeness of criminal history record information pertaining to myself and maintained by _____ (Agency Name) _____.

My challenge, a copy of which is attached, was made on _____ (Date of Challenge) _____, and was refused on _____ (Date of Refusal) _____. I request that my challenge be allowed and my record be modified in accordance with such challenge.

.....
(Signature of Applicant)

.....
(Address of Applicant)

.....

NEW SECTION

WAC 446-20-420 MODEL AGREEMENT FOR RESEARCH, EVALUATIVE OR STATISTICAL PURPOSES.

AGREEMENT made this day of, 198_, between, (hereinafter referred to as "RESEARCHER") and, (hereinafter referred to as "CRIMINAL JUSTICE AGENCY")**

WHEREAS THE RESEARCHER had made a written request to the CRIMINAL JUSTICE AGENCY dated, a copy of which is annexed hereto and made a part hereof, and

WHEREAS the CRIMINAL JUSTICE AGENCY has reviewed said written request and determined that it clearly specifies (1) the criminal history record information sought, and (2) the research, evaluative or statistical purpose for which the said information is sought,** and

WHEREAS the RESEARCHER represents that (he) (she) (it) is in receipt of, and is familiar with, the provisions of chapter 10.97 RCW, 28 CFR Part 22, including provisions for sanctions at Parts 22.24(c) and 22.29 thereof,

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. The CRIMINAL JUSTICE AGENCY will supply the following items of information to the RESEARCHER:

(Describe in Detail)***

.....
.....
.....

2. The RESEARCHER will:

- (a) use the said information only for the research, evaluative, or statistical purposes described in the above mentioned written request dated, and for no other purpose;
- (b) limit access to said information to the RESEARCHER and those of the RESEARCHER'S employees whose responsibilities cannot be accomplished without such access, and who have been advised of, and agreed to comply with, the provisions of this agreement, and of 28 CFR Part 22;****
- (c) store all said information received pursuant to this agreement in secure, locked containers;
- (d) so far as possible, replace the name and address of any record subject with an alphanumeric or other appropriate code;
- (e) immediately notify the CRIMINAL JUSTICE AGENCY in writing of any proposed material changes in the purposes or objectives of its research, or in the manner in which said information will be used.

3. The RESEARCHER will not:

- (a) disclose any of the said information in a form which is identifiable to an individual, in any project report or in any manner whatsoever, except pursuant to 28 CFR Part 22.24 (b)(1)(2).
- (b) make copies of any of the said information, except as clearly necessary for use by employees or contractors to accomplish the purposes of the research. (To the extent reasonably possible, copies shall not be made of criminal history record information, but information derived therefrom which is not identifiable to specific individuals shall be used for research tasks. Where this is not possible, every reasonable effort shall be made to utilize coded identification data as an alternative to names when producing copies of criminal history record information for working purposes.)
- (c) utilize any of the said information for purposes or objectives or in a manner subject to the requirement for notice set forth in 2.(e) until specific written authorization therefor is received from the CRIMINAL JUSTICE AGENCY.

4. In the event the RESEARCHER deems it necessary, for the purposes of the research, to

disclose said information to any subcontractor, (he) (she) (it) shall secure the written agreement of said subcontractor to comply with all the terms of this agreement as if (he) (she) (it) were the RESEARCHER named herein.****

5. The RESEARCHER further agrees that:

- (a) the CRIMINAL JUSTICE AGENCY shall have the right, at any time, to monitor, audit, and review the activities and policies of the RESEARCHER or its subcontractors in implementing this agreement in order to assure compliance therewith; and
- (b) upon completion, termination or suspension of the researcher, it will return all said information, and any copies thereof made by the RESEARCHER, to the CRIMINAL JUSTICE AGENCY, unless the CRIMINAL JUSTICE AGENCY gives its written consent to destruction, obliteration or other alternative disposition.

6. In the event the RESEARCHER fails to comply with any term of this Agreement the CRIMINAL JUSTICE AGENCY shall have the right to take such action as it deems appropriate, including termination of this Agreement. If the CRIMINAL JUSTICE AGENCY so terminates this Agreement, the RESEARCHER and any subcontractors shall forthwith return all the said information, and all copies made thereof, to the CRIMINAL JUSTICE AGENCY or make such alternative disposition thereof, as is directed by the CRIMINAL JUSTICE AGENCY. The exercise of remedies pursuant to this paragraph shall be in addition to all sanctions provided by law, and to legal remedies available to parties injured by disclosures.

7. INDEMNIFICATION. The RESEARCHER agrees to indemnify and hold harmless (CRIMINAL JUSTICE AGENCY) and its officers, agents and employees from and against any and all loss, damages, injury, liability suits and proceedings however caused, arising directly or indirectly out of any action or conduct of the (RESEARCHER) in the exercise or enjoyment of this agreement. Such indemnification shall include all costs of defending any such suit, including attorney fees.

IN WITNESS WHEREOF the parties have signed their names hereto this day of, 198...

.....(CRIMINAL JUSTICE AGENCY)

by
(Name)

Title:

.....(RESEARCHERS)

by
(Name)

Title:

COMPLIANCE AGREEMENT of employee, consultant or subcontractor.

(I) (We), employee(s) of, consultant to, (and) (or) subcontractor of the RESEARCHER, acknowledge familiarity with the terms and conditions of the foregoing agreement between the CRIMINAL JUSTICE AGENCY and RESEARCHER, and agree to comply with the terms and conditions thereof in (my) (our) use and protection of the criminal history record information obtained pursuant to the foregoing agreement.

.....
(date) (signature)

.....
(date) (signature)

NEW SECTION

WAC 446-20-430 CERTIFICATION REQUEST. INSTRUCTIONS

This form is for agencies requesting certification for access to Criminal History Record Information (hereinafter referred to as "CHRI").

REQUEST FOR CERTIFICATION

1. Agency making request:
 - a. Name:
 - b. Address:
Street City State Zip
 - c. Telephone Number: (.....)
Area Code
 - d. Official or employee who should be contacted concerning the application.
 - 1) Name:
Last First Middle Title
 - 2) Address:
Street City State Zip
 - 3) Telephone Number: (.....)
Area Code
2. Cite specifically the statutory or regulatory provisions which establish your agency as a governmental agency, and the provisions which indicate your agency's need for CHRI.
.....
State/Federal Chapter/Title Section Number Paragraph Number
Statute Number
3. Attach a copy of the above provision(s) to this application and indicate, by marking, the specific language upon which you base your request.
4. State your agency's need for access to CHRI relative to the above cited provisions.

I hereby affirm that all facts and representations made in this document are true and accurate to the best of my knowledge, information and belief.

.....
Signature of person filling out form
.....
Title
.....
Date

NEW SECTION

WAC 446-20-440 CONTRACT FOR SUPPORT SERVICES MODEL AGREEMENT UNDER WAC 446-20-180. (Some provisions may not be applicable in all cases and are noted accordingly.)

I. General Provisions

- A. Parties: This agreement is made and entered into this day of, 198..., by and between (..... (head of agency).....), Administrator of (..... (criminal justice agency).....) and (..... (head of agency).....) of (Support Services Agency of "User").
- B. Purpose of Agreement: This agreement authorizes (user) to collect, retrieve, maintain and/or disseminate criminal history record information (hereinafter, CHRI) pursuant to RCW 10.97.050(5), WAC 446-20-180, and the terms of this contract. In addition, it provides for the security and privacy of information in that dissemination to criminal justice agencies shall be limited for the purposes of the administration of justice and criminal justice agency employment. Dissemination to other individuals and agencies shall be limited to those individuals and agencies authorized by either the Washington state patrol, under chapter 10.97 RCW or local ordinance, as specified by the terms of this contract, and shall be limited to the purposes for which it was given and may not be disseminated further.

II. Duties of Criminal Justice Agency

- A. In accordance with federal and state regulations, (criminal justice agency) agrees to furnish complete and accurate criminal history information to user, pursuant to RCW 10.97.040.
- B. (Criminal justice agency) shall specify and approve those individuals or agencies authorized to obtain CHRI, which includes non-conviction data, pursuant to RCW 10.97.050(4) or by local ordinance.

III. Duties of User

- A. (User) will collect, retrieve, maintain and/or disseminate all information covered by the terms of this agreement in strict compliance with all present and future federal and state laws and regulations. In addition, all programs, tapes, source documents, listings, and other developmental or related data processing information containing or permitting any person to gain access to CHRI and all personnel involved in the development, maintenance, or operation of an automated information system containing CHRI are subject to the requirements of RCW 10.97.050(5) and WAC 446-20-180.

- B. (User) will obtain the assistance of the (criminal justice agency) to familiarize its personnel with and fully adhere to section 524(b) of the Crime Control Act 1973 (42 USC 3771(b)), 28 CFR Part 20, chapter 10.97 RCW and chapter 446-20 WAC, promulgated by the Washington state patrol.
- C. (User) will disseminate CHRI only as authorized by chapter 10.97 RCW and as specified by (criminal justice agency) in this agreement.
- D. (User) agrees to fully comply with all rules and regulations promulgated by the Washington state patrol, pursuant to RCW 10.97.090(2), regarding standards for the physical security, protection against unauthorized access and personnel procedures and safeguards.
- E. (User) agrees to permit access to its records system for the purposes of an audit, as specified under RCW 10.97.090(3).

IV. Suspension of Service

(Criminal justice agency) reserves the right to immediately suspend furnishing information covered by the terms of this agreement to (User), when any terms of this agreement are violated. (Criminal justice agency) shall resume furnishing information upon receipt of satisfactory assurances that such violations have been fully corrected or eliminated.

V. Cancellation

Either (criminal justice agency) or (user) may cancel this agreement upon thirty days notice to the other party.

VI. Indemnification

User hereby agrees to indemnify and hold harmless (criminal justice agency) and its officers, agents and employees from and against any and all loss, damages, injury, liability suits and proceedings however caused, arising directly or indirectly out of any action or conduct of the (user) in the exercise or enjoyment of this agreement. Such indemnification shall include all costs of defending any suit, including attorney fees.

VII. Construction

This agreement shall be liberally construed to apply to both manual and automated information systems wherever and whenever possible.

(CRIMINAL JUSTICE AGENCY) (USER)

by: by:
 title: title:
 date: date:

NEW SECTION

WAC 446-20-450 CHRI CHALLENGE FORM.
 CHRI CHALLENGE FORM
 (REQUEST FOR MODIFICATION OF CHRI)
 RCW 10.97.080/WAC 446-20-120

AGENCY AGENCY CASE NO.
 ADDRESS DATE

I, _____ (Print Name) _____, hereby acknowledge review this date, _____, of a copy of a CHRI rap sheet bearing agency number _____, or SID number _____, consisting of _____ page(s) and identified as a history of criminal offenses charged to me.

I challenge the following specific portion(s) of the CHRI as being inaccurate or incomplete:

<u>Agency</u>	<u>Case No.</u>	<u>Date</u>	<u>Charge</u>
.....
.....
.....

and request modification to read:

I further request, if such modifications are determined to be valid, that all agencies who have received prior copies of the CHRI be advised of the modifications.

.....
 (Signature of
 Challenger)

WSR 80-08-058
EMERGENCY RULES
DEPARTMENT OF REVENUE
 [Order ET 80-1—Filed July 1, 1980]

I, Charles W. Hodde, director of Revenue, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Indians—Indian reservations, amending WAC 458-20-192 (Rule 192).

I, Charles W. Hodde, 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 U.S. Supreme Court on June 10, 1980, decided Washington, et al, v. Confederated Tribes of the Colville Indian Reservation et al., upholding the imposition of cigarette and sales taxes on purchases of cigarettes by nontribal members from Indians and tribal vendors and inter alia upheld the collection requirements of the state, so that the immediate adoption of the annexed rule is necessary to implement the Court's decision.

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

This rule is promulgated under the general rule-making authority of the Department of Revenue as authorized in RCW 82.32.300.

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

APPROVED AND ADOPTED July 1, 1980.

By Charles W. Hodde
Director

AMENDATORY SECTION (Amending Order ET 76-4, filed 11/12/76)

WAC 458-20-192 (RULE 192) INDIANS—INDIAN RESERVATIONS.

DEFINITIONS

The term "Indian reservation," as used herein, means all lands, notwithstanding the issuance of any patent, within the exterior boundaries of areas set aside by the United States for the exclusive use and occupancy of Indian tribes by treaty, law, or executive order and which are areas ((are)) currently recognized as "Indian reservations" by the United States Department of the Interior.

The following Washington reservations are the only "Indian reservations" currently recognized as such by the United States Department of Interior: Chehalis, Colville, Hoh, Kalispell, Lower Elwha, Lummi, Makah, Muckleshoot, Nisqually, Nooksack, Ozette, Port Gamble, Port Madison, Puyallup, Quileute, Quinault, Shoalwater, Skokomish, Spokane, Squaxin Island, Swinomish, Tulalip, and Yakima.

The term "Indian tribe," as used herein, means any organized Indian nation, tribe, band, or community recognized as an "Indian tribe" by the United States Department of the Interior.

The term "Indian," as used herein, means persons duly registered on the tribal rolls of the Indian tribe occupying an Indian reservation.

NOTE: For purposes of this rule, with respect to determining tax liability regarding any economic transaction or activity, the term "Indian tribe" includes only an Indian tribe upon and within whose Indian reservation such transaction or activity occurs, and the term "Indian" includes only a person duly registered on the tribal rolls of the Indian tribe upon and within whose Indian reservation such transaction or activity occurs.

Under the revenue laws of the state of Washington, the tax liability of Indians and of persons conducting business with Indians is as follows:

BUSINESS AND OCCUPATION TAX

Indians and Indian tribes are not taxable with respect to business conducted by them wholly within an Indian reservation.

No deduction is allowed to others by reason of business conducted with Indians or Indian tribes within an Indian reservation.

RETAIL SALES TAX

Indians and Indian tribes are not subject to the sales tax upon sales to them of tangible personal property or otherwise taxable services which are made wholly within an Indian reservation.

Sales of tangible personal property to Indians or Indian tribes by off-reservation persons are subject to the retail sales tax except where the seller makes actual delivery of the property sold to a point within an Indian reservation.

Sales of taxable services to Indians or Indian tribes are subject to the retail sales tax except where the services are rendered entirely within an Indian reservation.

Sales to persons other than Indians are subject to the retail sales tax irrespective of where delivery or rendition of services takes place. Thus, Indian and Indian tribal retailers are required to collect and remit to the state the retail sales tax upon each taxable sale made by them within an Indian reservation to persons other than Indians.

In order to substantiate the tax-exempt status of a retail sale made within an Indian reservation to an Indian purchaser, unless the purchaser is personally known to the retailer as an enrolled Indian, the retailer shall require presentation of a tribal membership card identifying the purchaser as duly registered on the tribal rolls of an Indian tribe under such lawful criteria as the tribal organization has established. A record shall be retained by the retailer of all tax-exempt sales to support the sales tax deduction on returns filed with the Department, identifying the dollar amount of the sale and indicating the name of the purchaser, tribal affiliation of the purchaser, the Indian reservation to which or within which delivery or rendition of services was made, and the date of sale.

USE TAX

Indians and Indian tribes are not subject to the use tax upon the use of tangible personal property within an Indian reservation. However, Indians and Indian tribes will become liable for the use tax when any such property is placed into actual use outside the Indian reservation, irrespective of the fact that the first use of the property may have been within the reservation.

SPECIAL APPLICATION OF RETAIL SALES TAX AND USE TAX WITH RESPECT TO SALES OF MOTOR VEHICLES OR TRAILERS TO INDIANS AND INDIAN TRIBES. When motor vehicles or trailers sold to Indians or Indian tribes are licensed by the state of Washington at the time of sale, or at any time thereafter, a presumption is raised that such motor vehicles or trailers are for use on the highways of the state of Washington outside the reservation. When motor vehicles or trailers are licensed prior to delivery, dealers are required to collect the retail sales tax in every instance, regardless of delivery point. County Auditors must collect the use tax when Indians or Indian

tribes apply for a license or transfer of registration unless the applicant can show that retail sales tax or use tax has previously been paid on the sale or use of the vehicle or trailer by the applicant.

CIGARETTE TAX

Sales of cigarettes to nonIndians by Indians or Indian tribes are subject to the cigarette tax, since the tax is levied upon the nonIndian purchaser and the vendor is obligated to make precollection of the tax. Therefore, Indian or tribal vendors making, or intending to make, sales to nonIndian customers must purchase a stock of cigarettes with Washington state cigarette tax stamps affixed for the purpose of making such sales. However, Indians and Indian tribes may make purchases of unstamped cigarettes from licensed cigarette distributors for resale to qualified purchasers. For purposes of this rule, "qualified purchaser" means (1) an Indian purchasing for resale within the reservation to other Indians, and (2) an Indian purchasing solely for his or her use other than for resale.

Delivery or sale and delivery by any person of unstamped cigarettes to Indians or tribal vendors for sale to qualified purchasers may be made only in such quantity as is approved in advance by the Department of Revenue. Approval for delivery will be based upon evidence of a valid purchase order of a quantity reasonably related to the probable demand of qualified purchasers in the trade territory of the vendor. Evidence submitted may also consist of verified record of previous sales to qualified purchasers, the probable demand as indicated by average cigarette consumption for the number of qualified purchasers within a reasonable distance of the vendor's place of business, records indicating the percentage of such trade that has historically been realized by the vendor, or such other statistical evidence submitted in support of the proposed transaction. In the absence of such evidence the department may restrict total deliveries of unstamped cigarettes to any reservation or to any Indian or tribal vendor thereon to a quantity reasonably equal to the national average cigarette consumption per capita, as compiled for the most recently completed calendar or fiscal year by the Tobacco Tax Institute, multiplied by the resident enrolled membership of the affected tribe. Any delivery, or attempted delivery, of unstamped cigarettes to an Indian or tribal vendor without advance approval by the department will result in the treatment of those cigarettes as contraband and subject to seizure and in addition the person making or attempting such delivery will be held liable for payment of the cigarette tax and penalties. Approval for sale or delivery to Indian or tribal vendors of unstamped cigarettes will be denied where the department finds that such Indian or tribal vendors are or have been making sales in violation of this rule.

Delivery of unstamped cigarettes by a licensed distributor to Indians or Indian tribes must be by bonded carrier or the distributor's own vehicle to the Indian reservation. Delivery of unstamped cigarettes at the distributor's dock or place of business or any other off-reservation location is prohibited.

EFFECTIVE DATE

This rule is effective immediately, provided that for any application of this rule with respect to which a stay or injunction has been previously obtained, the rule shall become effective immediately upon the removal or dissolution of any such applicable stay or injunction.

Revised ((November 12, 1976)) July 1, 1980.

WSR 80-08-059 EMERGENCY RULES DEPARTMENT OF SOCIAL AND HEALTH SERVICES (Public Assistance)

[Order 1513—Filed July 1, 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 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.

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 changes are necessary to comply with state law.

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 July 1, 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	Area Differential for King, Pierce, Snohomish, Kitsap and Thurston Counties		State Standard Plus Area Differential for King, Pierce, Snohomish, Kitsap and Thurston Counties
	State Standard		
1	(\$220) \$244	(\$13) \$15	(\$233) \$259
2	((305)) 339	((34)) 37	((339)) 376
3	((383)) 425	((36)) 33	((413)) 458
4	((453)) 503	((36)) 33	((483)) 536
5	((523)) 581	((36)) 33	((553)) 614
6	((593)) 659	((36)) 33	((623)) 692
7	((663)) 737	((36)) 33	((693)) 770
8	((733)) 815	((36)) 33	((763)) 848
9	((803)) 893	((36)) 33	((833)) 926
10	((873)) 971	((36)) 33	((903)) 1,004
11	((943)) 1,049	((36)) 33	((973)) 1,082
12	((+013)) 1,127	((36)) 33	((+043)) 1,160
13	((+083)) 1,205	((36)) 33	((+113)) 1,238
14	((+153)) 1,283	((36)) 33	((+183)) 1,316
15	((+223)) 1,361	((36)) 33	((+253)) 1,394
16	((+293)) 1,439	((36)) 33	((+323)) 1,472
17	((+363)) 1,517	((36)) 33	((+393)) 1,550
18 or more	((+433)) 1,595	((36)) 33	((+463)) 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		((+024)) 1,131
15		((+092)) 1,206
16		((+160)) 1,281

Recipients in household – all counties

17	((+228)) 1,356
18 or more	((+296)) 1,431

(4) These standards are effective July 1, ((+1979)) 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 non-exempt 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	Maximum					
	7	8	9	10	11	12
Maximum	((5694)) \$771	((5727)) \$804	((5758)) \$835	((5787)) \$864	((5814)) \$891	((5839)) \$916
Maximum	((5862)) \$939	((5883)) \$960	((5902)) \$979	((5919)) \$996	((5934)) \$1,011	((5947)) \$1,024

(2) These standards are effective July 1, ((+1979)) 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 ~~((5457.80))~~ \$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, ((+1979)) 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:

Number of GA-N recipients in assistance unit

1	2	3	4	5	6	7	8	9
(\$ 66) \$105	\$138	\$173	\$213	\$251	\$286	\$323	\$360	
\$ 73	\$117	\$153	\$192	\$236	\$279	\$317	\$359	\$400

10	11	12	13	14	15	16	17	18 or more
(\$397) \$436	\$473	\$510	\$549	\$585	\$623	\$659	\$697	
\$444	\$483	\$525	\$566	\$609	\$649	\$692	\$731	\$774

(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:

Number of GA-N recipients in assistance unit

1	2	3	4	5	6	7	8	9
(\$ 90) \$131	\$136	\$139	\$139	\$142	\$146	\$149	\$152	
\$100	\$145	\$151	\$154	\$154	\$158	\$162	\$165	\$169

10	11	12	13	14	15	16	17	18 or more
(\$155) \$157	\$160	\$162	\$165	\$167	\$168	\$173	\$175	
\$172	\$174	\$178	\$180	\$183	\$185	\$186	\$192	\$194

(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:

Number of GA-N recipients in assistance unit

1	2	3	4	5	6	7	8	9
(\$ 46) \$ 48	\$ 67	\$ 77	\$ 83	\$ 88	\$ 95	\$101	\$111	
\$ 51	\$ 53	\$ 74	\$ 85	\$ 92	\$ 98	\$105	\$112	\$123

10	11	12	13	14	15	16	17	18 or more
(\$120) \$130	\$140	\$151	\$162	\$172	\$183	\$193	\$204	
\$133	\$144	\$155	\$168	\$180	\$191	\$203	\$214	\$226

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) . . . ~~\$(27)~~\$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 80-08-060
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Institutions)
 [Order 1512—Filed July 1, 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 Impact account—Criminal justice cost reimbursement, amending chapter 275-110 WAC.

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 substantial benefits to certain political subdivisions will result.

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

This rule is promulgated pursuant to RCW 72.72.030 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 1, 1980.

By N. Spencer Hammond
Executive Assistant

AMENDATORY SECTION (Amending Order 1482, filed 1/25/80)

WAC 275-110-010 PURPOSE. The purpose of these rules is to implement the provisions of chapter 72.72 RCW (chapter 108, Laws of 1979 ex. sess.) (~~chapter 72.72 RCW~~) by establishing standards and procedures for providing financial relief to cities, towns, and counties impacted by criminal behavior of certain state institutional (~~residents~~) inmates. An institutional impact account, within the general fund, is created to reimburse political subdivisions for criminal justice costs incurred directly as a result of crimes committed by offenders (~~residing in~~) who are inmates of an institution as defined herein. Reimbursement is limited to appropriated funds.

AMENDATORY SECTION (Amending Order 1482, filed 1/25/80)

WAC 275-110-020 DEFINITIONS. The following words and phrases shall have the following meaning when used in these regulations.

- (1) "Department" means the department of social and health services.
- (2) "Political subdivisions" means counties, cities and towns.
- (3) "Institution" means any state institution operated by the department for the confinement of adult offenders committed pursuant to chapters 10.64, 10.77, and 71.06 RCW or juvenile offenders committed pursuant to chapter 13.40 RCW.
- (4) "Secretary" means the secretary of social and health services or his designee(s).
- (5) "Incremental" means efforts or costs incurred by cities, towns, and/or counties that are not otherwise incurred and are specifically and exclusively attributable to criminal behavior of state institutional residents.
- (6) "Law enforcement cost" means costs incurred to apprehend escapees or to investigate crimes committed by institutional residents within or outside state institutions defined herein.
- (7) "Inmate" means any person committed to a state institution by the courts for confinement as an adult offender pursuant to chapters 10.64, 10.77, and 71.06 RCW, or as a juvenile offender pursuant to chapter 13.40 RCW.

AMENDATORY SECTION (Amending Order 1482, filed 1/25/80)

WAC 275-110-030 LIMITATION OF FUNDS. The secretary shall make reimbursement to the extent funds are available. (~~Reimbursement shall be strictly limited to cities and counties in which state institutions, as defined in WAC 275-110-020, are located.~~) Only incremental costs directly, specifically, and exclusively associated with criminal activities of offenders (~~residing in~~) who are inmates of state institutions shall be considered for reimbursement. Reimbursement shall be restricted to fully documented law enforcement, prosecutorial, judicial, and jail facilities costs. No such

costs shall be paid under these rules if said costs are reimbursable under other chapters of the Washington Administrative Code. The funds in the institutional impact account shall be disbursed once yearly, shortly after the close of each fiscal year.

AMENDATORY SECTION (Amending Order 1482, filed 1/25/80)

WAC 275-110-040 INSTITUTIONS (~~AND ELIGIBLE IMPACTED~~) WHICH IMPACT POLITICAL SUBDIVISIONS. Reimbursement shall be limited to (~~the following~~) city, town, and county governments impacted by the offenses from inmates assigned to institutions listed in this section.

- (1) Washington state penitentiary (~~Walla Walla~~) (~~Walla Walla~~)
- (2) Washington state reformatory (~~Monroe/Snohomish~~)
- (3) Washington (~~state correctional~~) corrections center (~~Shelton/Mason~~)
- (4) (~~Women's~~) Purdy treatment center for women (~~Purdy/Pierce~~)
- (5) Firland (~~s correction~~) correctional center (~~Seattle/King~~)
- (6) Larch (~~Mountain honor camp~~) corrections center (~~Yacolt/Clark~~)
- (7) Clearwater (~~corrections~~) correctional center (~~Forks/Columbia~~)
- (8) Indian Ridge treatment center (~~Arlington/Snohomish~~)
- (9) Pine Lodge (~~corrections~~) correctional center (~~Medical Lake~~) (~~Spokane/Spokane~~)
- (10) Cedar Creek (~~corrections~~) correctional center (~~Little Rock/Thurston~~)
- (11) Echo Glen children center (~~Snoqualmie/King~~)
- (12) Green Hill school (~~Chehalis/Lewis~~)
- (13) Maple Lane school (~~Centralia/Lewis~~)
- (14) Cascadia juvenile reception and diagnostic center (~~Tacoma/Pierce~~)
- (15) Mission Creek youth camp (~~Belfair/Mason~~)
- (16) Naselle youth camp (~~Naselle/Pacific~~)
- (17) Woodinville group home (~~Woodinville/Snohomish~~)
- (18) Canyon View group home (~~East Wenatchee~~) (~~Douglas~~)
- (19) Sunrise group home (~~Ephrata/Grant~~)
- (20) Twin Rivers group home (~~Richland/Benton~~)
- (21) Oakridge group home (~~Tacoma/Pierce~~)
- (22) Pioneer group home (~~Tacoma/Pierce~~)
- (23) Western state hospital (~~Steilacoom/Pierce~~)
- (24) Eastern state hospital (~~Medical Lake~~) (~~Spokane/Spokane~~)

(25) Any group home in which a committed juvenile is housed.

(26) All adult corrections work release facilities.

(27) Any facility housing adult offenders committed to the department pursuant to chapters 10.64, 10.77, and 71.06 RCW or juvenile offenders committed pursuant to chapter 13.40 RCW.

AMENDATORY SECTION (Amending Order 1482, filed 1/25/80)

WAC 275-110-050 MAXIMUM ALLOWABLE REIMBURSEMENT FOR LAW ENFORCEMENT COSTS. ~~((Reimbursement is limited to the specific city/county law enforcement agency listed in WAC 275-110-040.))~~ Any Washington city, town, or county may be reimbursed for law enforcement expenses incurred as a result of RCW 72.72.040. A maximum of four hours of incremental law enforcement effort per case shall be considered for reimbursement. For the 1979-81 biennium, the maximum reimbursement rates are: \$12.30 per hour for state fiscal year 1980 and \$13.17 per hour for state fiscal year 1981. These maximum allowable reimbursement rates may be exceeded only in the event that an exception is granted by the secretary as per WAC 275-110-100 or in the event that yearly impact funds are not fully expended, in which case the remaining funds will be disbursed as per WAC 275-110-090(5).

AMENDATORY SECTION (Amending Order 1482, filed 1/25/80)

WAC 275-110-060 MAXIMUM ALLOWABLE REIMBURSEMENT FOR PROSECUTORIAL COSTS. Reimbursement for pre-trial investigations of crimes committed inside or outside institutions, impacting the ((city/county)) city, town, and/or county courts ((as set forth in WAC 275-110-040)), shall be limited to four hours for each case and reimbursed at the established rate for law enforcement efforts set forth in WAC 275-110-050. If, after investigation, criminal charges are filed, fully documented prosecutorial and defense attorney fees may be reimbursed. Reimbursement shall be limited to one defense attorney and one prosecutor per case. Reimbursement shall not exceed \$30 per hour, up to eight hours per case, for each attorney, said reimbursement to include costs for paralegals. These maximum allowable reimbursement rates may be exceeded only in the event that an exception is granted by the secretary as per WAC 275-110-100 or in the event that yearly impact funds are not fully expended, in which case the remaining funds will be disbursed as per WAC 275-110-090(5).

AMENDATORY SECTION (Amending Order 1482, filed 1/25/80)

WAC 275-110-070 MAXIMUM ALLOWABLE REIMBURSEMENT FOR JUDICIAL COSTS. (1) Judicial costs shall be strictly limited to cases involving ((institutional residents as defined)) inmates of institutions listed in WAC 275-110-040. Reimbursement is limited to judges, court reporters, expert witnesses, and transcript typing, if required.

(2) Reimbursement for judges hearing cases shall be reimbursed at \$30 per hour up to eight hours per documented case, this cost shall include services provided by court clerks and bailiffs. Court reporters shall be reimbursed at the rate of \$12.50 per hour up to eight hours

per case. Required typing of transcripts shall be reimbursed at \$2.50 per page up to \$100 per case. If required, expert witnesses shall be reimbursed at \$30 per hour up to four hours per case, said reimbursement to be made only in the event that it would otherwise be made by the political subdivision. These maximum allowable reimbursement rates may be exceeded only in the event that an exception is granted by the secretary as per WAC 275-110-100 or in the event that yearly impact funds are not fully expended, in which case the remaining funds will be disbursed as per WAC 275-110-090(5).

AMENDATORY SECTION (Amending Order 1482, filed 1/25/80)

WAC 275-110-080 MAXIMUM ALLOWABLE REIMBURSEMENT FOR JAIL FACILITIES. Jail facility cost reimbursement shall be strictly limited to incremental costs as defined in WAC 275-110-020. Request for reimbursement must be fully documented and must include the ((resident's)) inmate's name and all appropriate admission and release dates. Reimbursement shall be limited to \$3.50 per ((resident)) inmate day. Reimbursement shall not be made for costs incurred for holding persons regarding parole revocations or for holding persons involved in civil litigation. These maximum allowable reimbursement rates may be exceeded only in the event that an exception is granted by the secretary as per WAC 275-110-100 or in the event that yearly impact funds are not fully expended, in which case the remaining funds will be disbursed as per WAC 275-110-090(5).

AMENDATORY SECTION (Amending Order 1482, filed 1/25/80)

WAC 275-110-090 BILLING PROCEDURE. Requests for reimbursement should be made on ((standard fiscal documents)) the standard Washington State Invoice Voucher, Form A19, with supporting and justifying materials attached. Such documentation may be subject to periodic audits at the discretion of the secretary. ((Bills should be submitted quarterly to the appropriate division)) Claims for costs incurred during a particular fiscal year must be received by the state of Washington no later than ten days after the end of the fiscal year, July 10, in order to be considered for payment.

(1) Although subject to the fee schedule set forth above, all submitted claims for reimbursement should reflect actual costs incurred. ((Subsequent adjustment to reflect the actual fee schedule will be made by DSHS)) This must be done in the event that pro rata adjustments are made as per WAC 275-110-090(5).

(2) ((Claims involving adult offenders, excluding those residing at Western or Eastern State Hospitals, shall be submitted to: DSHS, Adult Corrections Division, MS FN-61, Olympia, Washington 98504)) All requests for reimbursement under this section shall note the name of the offender for whom costs were incurred, and the institution to which the offender was assigned.

~~(3) ((Claims involving juvenile offenders shall be submitted to: DSHS, Division of Juvenile Rehabilitation, MS 42-J, Olympia, Washington 98504)) Requests for reimbursement may only be submitted by the jurisdiction's responsible fiscal officer, e.g., city manager, city supervisor, county auditor, county administrator, etc.~~

~~(4) ((Claims involving mentally ill offenders shall be submitted to: DSHS, Division of Mental Health, MS OB 42-F, Olympia, Washington 98504.)) All requests for reimbursement must be submitted to: DSHS, Office of Accounting Services, Mail Stop OB-24, Olympia, Washington 98504.~~

~~(5) DSHS will pay all requests for reimbursement annually (in the month of July following the end of a fiscal year). If funds remain after paying all requests for reimbursement according to the published fee schedule, then DSHS will adjust each request for reimbursement upward on a pro rata basis. In no event may a political subdivision be reimbursed for more than their actual expenses.~~

~~(6) In the event that the total amount of all claims to be paid, according to the maximum allowable rates within the published fee schedule, exceed the annual allotment, then all claims will receive a payment less than the maximum allowable payment. The downward adjustment will be made on a pro rata basis.~~

AMENDATORY SECTION (Amending Order 1482, filed 1/25/80)

WAC 275-110-100 EXCEPTIONS. The secretary, at his discretion, may allow exceptions to these rules. ~~((Requests for exceptions, with appropriate justification and documentation, may be submitted to the appropriate division as listed in WAC 275-110-090.))~~

NEW SECTION

WAC 275-110-110 EFFECTIVE DATE. The effective date of these WACs shall be August 30, 1979. Claims submitted according to this WAC may only be for costs incurred for appropriate actions take by the criminal justice agencies on or after the effective date.

**WSR 80-08-061
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed July 1, 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 388-83-035 Monthly maintenance standard—Applicant living in own home.
- Amd WAC 388-92-030 Monthly maintenance standard—Person not in institution.

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
Mail Stop 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, 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 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 30, 1980
By: N. S. Hammond
Executive Assistant

STATEMENT OF PURPOSE

- This statement is filed pursuant to RCW 34.04.045.
- A. 1. Amend: WAC 388-83-035
Amend: WAC 388-92-030
 - 2. Purpose of the rule or rule change is to: See B.
 - 3. The reason(s) these rules are necessary is: See B.
 - 4. Statutory authority for this action is found in RCW 74.08.090.
 - B. Summary of the rule or rule change: Medical maintenance standards are updated.
 - C. Person or persons responsible for the drafting implementation and enforcement of the rule
 - 1. Name of initiator: Rita Longthorpe
 - 2. Title: Program Specialist
 - 3. Office: Division of Medical Assistance
Phone: 3-7313
Mail Stop: LK-11
 - D. The person or organization (if other than DSHS) who proposed these rules is: None
 - E. These rules are not necessary as a result of federal laws, federal court decisions or state court decisions.

AMENDATORY SECTION (Amending Order 1424, filed 8/15/79)

WAC 388-83-035 MONTHLY MAINTENANCE STANDARD—APPLICANT LIVING IN OWN HOME. (1) The following monthly standards of available income for maintenance in dollar amounts shall apply when determining financial eligibility effective July 1, ((+1979)) 1980.

Family Size	Standard
1	\$((254)) 282
2	((362)) 402
3	((413)) 458

Mail Stop 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 72.33.660.

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.

Dated: June 30, 1980
By: N. S. Hammond
Executive Assistant

For each individual above 3 members in the family, an increase in the amount of ((~~570~~)) \$78 shall be added.

(2) Allowances for the costs of additional requirements in WAC 388-29-150 through 388-29-230 shall not be considered as they have been averaged into the monthly maintenance standard.

(3) The monthly maintenance standard in subsection (1) does not apply to persons identified in subdivisions (a) and (b); the standards in effect on August 1, 1972 apply.

(a) Persons who, in August, 1972, received OAA, AFDC, AB or DA and also received RSDI benefits, and who became ineligible for OAA, AFDC, AB or DA solely because of the twenty percent increase in social security benefits under Public Law 92-336;

(b) Current applicants for AFDC or FAMCO who, in August, 1972, received RSDI benefits and who would have been eligible for OAA, AFDC, AB, or DA in such month but are not currently eligible solely because of the twenty percent increase in social security benefits under Public Law 92-336.

(4) The monthly maintenance standard in subsection (1) does not apply to persons identified in WAC 388-83-028 as categorically related to AFDC but ineligible because of increased income.

(5) The individual receiving benefits under Title XVI, is not included in the family unit when applying the standards in subsection (1) for determining available income.

AMENDATORY SECTION (Amending Order 1424, filed 8/15/79)

WAC 388-92-030 MONTHLY MAINTENANCE STANDARD—PERSON NOT IN INSTITUTION. (1) After computing available income according to WAC 388-92-035(1) through (6) for Title XVI related federal and medical care only, the monthly maintenance standards in subsections (3) and (4) shall be allowed for an individual not in an institution or for dependents maintaining the family home of an institutionalized recipient effective July 1, ((1979)) 1980.

(2) Deleted.

(3) Monthly standard

Family size	Standard
1	\$((254)) 282
2	((362)) 402
3	((413)) 458

(4) To the standards in subsection (3) for a family of 3, \$((~~70~~)) 78 shall be added for each additional member.

WSR 80-08-062
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Institutions)
[Filed July 1, 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 schedule of per capita cost, amending WAC 275-20-030.

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

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

- A. 1. Amd: WAC 275-20-030
- 2. Purpose of the rule or rule change is to update standards
- 3. The reason(s) these rules are necessary to comply with RCW 72.33.660.
- 4. Statutory authority for this action is found in RCW 72.33.660.
- B. Summary of the rule or rule change: The schedule of per capita cost of operating the state residential schools is updated.
- C. Person or persons responsible for the drafting implementation and enforcement of the rule
 - 1. Name of initiator: James Lengenfelder
 - 2. Title: Director
 - 3. Office: Division of Developmental Disabilities
Phone: 3-0541
Mail Stop: OB-42 C
- D. The person or organization (if other than DSHS) who proposed these rules is: None
- E. These rules are not necessary as a result of federal laws, federal court decisions or state court decisions.

AMENDATORY SECTION (Amending Order 1480, filed 1/18/80)

WAC 275-20-030 SCHEDULE OF PER CAPITA COST. Resident charges will be collected on the basis of the following:

	Per Capita Monthly Rate	Per Capita Daily Rate
Lakeland Village	(((\$1,573.76)) \$2,576.60	(((\$51.74)) \$84.71
Rainier School	(((\$1,788.50)) 2,343.91	(((\$61.80)) 77.06
Yakima Valley School	(((\$1,863.02)) 2,220.42	(((\$61.25)) 73.00
Fircrest School	(((\$2,296.46)) 2,611.58	(((\$75.50)) 85.86
Interlake School	(((\$2,237.45)) 2,396.53	(((\$73.56)) 78.79
Frances Haddon Morgan	(((\$2,758.18)) 2,957.41	(((\$90.68)) 97.23
School for Blind-nonresident	2,023.32	66.52

	Per Capita Monthly Rate	Per Capita Daily Rate
School for Deaf-nonresident	1,459.70	47.99
Cerebral Palsy Center	3,415.79	112.30

WSR 80-08-063
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Order 1518—Filed July 1, 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 388-83-035 Monthly maintenance standard—Applicant living in own home.
- Amd WAC 388-92-030 Monthly maintenance standard—Person not in institution.

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 revised standards are effective July 1, 1980, and there is insufficient time for regular adoption.

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 July 1, 1980.
 By N. S. Hammond
 Executive Assistant

AMENDATORY SECTION (Amending Order 1424, filed 8/15/79)

WAC 388-83-035 MONTHLY MAINTENANCE STANDARD—APPLICANT LIVING IN OWN HOME. (1) The following monthly standards of available income for maintenance in dollar amounts shall apply when determining financial eligibility effective July 1, ((+979)) 1980.

Family Size	Standard
1	\$((254)) 282
2	((362)) 402
3	((413)) 458

For each individual above 3 members in the family, an increase in the amount of (((\$70)) \$78 shall be added.

(2) Allowances for the costs of additional requirements in WAC 388-29-150 through 388-29-230 shall not be considered as they have been averaged into the monthly maintenance standard.

(3) The monthly maintenance standard in subsection (1) does not apply to persons identified in subdivisions (a) and (b); the standards in effect on August 1, 1972 apply.

(a) Persons who, in August, 1972, received OAA, AFDC, AB or DA and also received RSDI benefits, and who became ineligible for OAA, AFDC, AB or DA solely because of the twenty percent increase in social security benefits under Public Law 92-336;

(b) Current applicants for AFDC or FAMCO who, in August, 1972, received RSDI benefits and who would have been eligible for OAA, AFDC, AB, or DA in such month but are not currently eligible solely because of the twenty percent increase in social security benefits under Public Law 92-336.

(4) The monthly maintenance standard in subsection (1) does not apply to persons identified in WAC 388-83-028 as categorically related to AFDC but ineligible because of increased income.

(5) The individual receiving benefits under Title XVI, is not included in the family unit when applying the standards in subsection (1) for determining available income.

AMENDATORY SECTION (Amending Order 1424, filed 8/15/79)

WAC 388-92-030 MONTHLY MAINTENANCE STANDARD—PERSON NOT IN INSTITUTION. (1) After computing available income according to WAC 388-92-035(1) through (6) for Title XVI related federal and medical care only, the monthly maintenance standards in subsections (3) and (4) shall be allowed for an individual not in an institution or for dependents maintaining the family home of an institutionalized recipient effective July 1, ((+979)) 1980.

- (2) Deleted.
- (3) Monthly standard

Family size	Standard
1	\$((254)) 282
2	((362)) 402
3	((413)) 458

(4) To the standards in subsection (3) for a family of 3, \$((70)) 78 shall be added for each additional member.

WSR 80-08-064
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Institutions)

[Order 1519—Filed July 1, 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 schedule of per capita cost, amending WAC 275-20-030.

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 comply with RCW 72.33.660.

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

This rule is promulgated pursuant to RCW 72.33.660 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 1, 1980.

By N. S. Hammond
Executive Assistant

AMENDATORY SECTION (Amending Order 1480, filed 1/18/80)

WAC 275-20-030 SCHEDULE OF PER CAPITA COST. Resident charges will be collected on the basis of the following:

	Per Capita Monthly Rate	Per Capita Daily Rate
Lakeland Village	((51,573.76)) \$2,576.60	((51.74)) \$84.71
Rainier School	((1,788.50)) 2,343.91	((58.80)) 77.06
Yakima Valley School	((1,863.02)) 2,220.42	((61.25)) 73.00
Fircrest School	((2,296.46)) 2,611.58	((75.50)) 85.86
Interlake School	((2,237.45)) 2,396.53	((73.56)) 78.79
Frances Haddon Morgan	((2,758.18)) 2,957.41	((90.68)) 97.23
School for Blind-nonresident	2,023.32	66.52
School for Deaf-nonresident	1,459.70	47.99
Cerebral Palsy Center	3,415.79	112.30

WSR 80-08-065
PROPOSED RULES
MEDICAL DISCIPLINARY BOARD
[Filed July 1, 1980]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Medical Disciplinary Board intends to adopt, amend, or repeal rules concerning mandatory reporting of information that a licensed physician has committed unprofessional conduct or may not be able to practice medicine with reasonable skill and safety to patients as the result of any mental or physical condition;

that such agency will at 4:00 p.m., Saturday, July 26, 1980, in the Vance Airport Inn, 18220 Pacific Highway South, Seattle, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Saturday, July 26, 1980, in the Vance Airport Inn, 18220 Pacific Highway South, Seattle, WA.

The authority under which these rules are proposed is RCW 18.72.265.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 26, 1980, and/or orally at 4:00 p.m., Saturday, July 26, 1980, Vance Airport Inn, 18220 Pacific Highway South, Seattle, WA.

This notice is connected to and continues the matter noticed in Notice No. WSR 80-05-140 filed with the code reviser's office on May 7, 1980.

Dated: July 1, 1980

By: John H. Keith
Counsel for Medical Disciplinary Board

WSR 80-08-066
ADOPTED RULES
DEPARTMENT OF LICENSING
[Order 348—Filed July 1, 1980]

Be it resolved by the Board of Examiners of Nursing Home Administrators, acting at Seattle, Washington, that it does promulgate and adopt the annexed rules relating to licenses, temporary permits, registration of licenses and issuance of subpoenas, amending WAC 308-54-160, 308-54-170, 308-54-180 and 308-54-225 and withdrawal from active practice, repealing WAC 308-54-190.

This action is taken pursuant to Notice No. WSR 80-05-059 filed with the code reviser on April 18, 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 Board of Examiners for Nursing Home Administrators as authorized in RCW 18.52.100.

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

APPROVED AND ADOPTED June 17, 1980.

By Harvey L. Young, M.D.
Chairman

AMENDATORY SECTION (Order PL 282, filed 12/13/77)

WAC 308-54-160 LICENSES. (1) Upon the director's receipt of the annual registration fee and the application fee and completed application forms provided by the director, a nursing home administrator's license shall be issued to any person who has successfully complied with the requirements of the licensing law and

standards provided herein. Such licenses shall be issued on a form certifying that the applicant has met the requirements of the laws, rules and regulations entitling him to serve, act, practice, and otherwise hold himself out as a duly licensed nursing home administrator.

(2) ~~((A person not paying the initial annual license fee within ninety days following such person's date of examination must again apply for licensing and meet all the requirements of a new applicant:))~~

~~((3))~~ Application, registration, or license fees are not refundable or transferable.

AMENDATORY SECTION (Order PL 282, filed 12/13/77)

WAC 308-54-170 TEMPORARY PERMITS. (1) Upon the director's receipt of the annual fee and the application fee, a temporary permit may be issued by the director under certain unusual circumstances and without examination for a period up to six months. No more than three consecutive permits shall be issued to one person. Such permits shall be subject to confirmation or rescission by order of the board upon review at the next board meeting.

(2) ~~((A temporary permit will be granted only under circumstances of extreme hardship or emergency:))~~

~~((3))~~ A person holding a temporary permit shall work closely with the executive secretary of the board. This working relationship shall involve written arrangements for consultation by a licensed administrator, subject to review by the board at the next regularly scheduled meeting.

AMENDATORY SECTION (Order PL 260, filed 12/10/76)

WAC 308-54-180 REGISTRATION OF LICENSES. (1) Every person who holds a valid nursing home administrator's license shall re-register it annually with the director on dates specified by the director by making application for re-registration on forms provided by the director. Such re-registration shall be granted automatically upon receipt of the annual fee, provided, however, that the requirement of continuing education as described in WAC 308-54-150 is fully met.

(2) Any license holder ~~((, properly notified in writing, and))~~ not re-registered within thirty days after the date for re-registration specified by the director, will be charged a penalty fee as set forth in WAC 308-54-310 annually in addition to his annual registration fee. In the event that the license of an individual is not re-registered within three years from the most recent date for re-registration, such license shall lapse and the individual must again apply for licensing and meet all the requirements for a new applicant.

AMENDATORY SECTION (Order PL PL 282, filed 12/13/77)

WAC 308-54-225 ISSUANCE OF SUBPOENAS—ADMINISTERING OATHS AND AFFIRMATIONS—RULING WHEN BOARD OR HEARING PANEL NOT IN SESSION. (1) In any investigation or proceeding conducted by the board, the

following persons are authorized to subpoena witnesses, issue subpoenas duces tecum, and institute discovery proceedings:

(a) The chairman of the board;
(b) The chairman of the hearing panel designated to hear the case;

(c) The hearing examiner designated to hear the case;
(d) ~~((The executive secretary of the board:))~~

~~((e))~~ The attorney of record for a party in a contested case may issue subpoenas, including subpoenas duces tecum, to witnesses called to testify or produce evidence on behalf of such party, and such subpoenas, when subscribed by the attorney, shall have the same effect as if issued by the board.

(2) When testimony in any hearing is to be taken under oath or affirmation, the person chairing the hearing shall have authority to administer such oath or affirmation.

(3) Whenever a contested case has been set down for hearing before the entire board or a three member panel, the chairman of the board or panel shall have authority to rule on matters raised by any party at such time as the board or panel is not in session. Any party may, upon notice to all parties, request reconsideration of such rulings by the entire board or panel, as applicable, at its next scheduled meeting.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 308-54-190 WITHDRAWAL FROM ACTIVE PRACTICE.

WSR 80-08-067
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed July 1, 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 fair hearings, amending chapter 388-08 WAC.

A public hearing relating to these proposed rules was held on June 11. The purpose of this notice is to postpone adoption from June 20 until July 21;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Monday, July 21, 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 34.04.020.

This notice is connected to and continues the matter noticed in Notice No. WSR 80-05-118 filed with the code reviser's office on May 7, 1980.

Dated: June 20, 1980
By: N. S. Hammond
Executive Assistant

WSR 80-08-068
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Filed July 1, 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 incentive payment plan for foster parents, WAC 388-70-053.

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
 Mail Stop 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, 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 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 30, 1980

By: N. S. Hammond
 Executive Assistant

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045:

- A. 1. Amend WAC 388-70-053
2. Purpose of the rule or rule change is to implement a proviso in the budget act
3. The reason(s) these rules are necessary is: See A. 2
4. Statutory authority for this action is found in RCW 74.08.090
- B. Summary of the rule or rule change: Foster parents will be entitled to additional payments if they meet certain criteria of experience, training and competence.
- C. Person or persons responsible for the drafting implementation and enforcement of the rule
 1. Name of initiator: Janet Duris
 2. Title: Program Specialist
 3. Office: Bureau of Children's Services Phone: 3-7136 Mail Stop: OB-41 K

- D. The person or organization (if other than DSHS) who proposed these rules is:
- E. 1. These rules are not necessary as a result of federal laws, federal court decisions or state court decisions.

NEW SECTION

WAC 388-70-053 **PAYMENT STANDARDS - INCENTIVE PLAN** The department shall develop criteria for an incentive plan payment which would authorize additional funding to family foster homes and receiving homes providing increased levels of care. The criteria for approving the incentive plan payment shall include experience, training, and demonstrated competency. The incentive plan will identify two levels of care which will allow the family foster homes to receive a monthly payment of \$20 and \$35 respectively per home. The department shall review the experience, training and demonstrated competency of foster homes on an annual basis to determine which homes might receive incentive plan payments. The decision of the department regarding the level of incentive plan payments shall not be subject to administrative hearing process.

WSR 80-08-069
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Order 1517—Filed July 1, 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 incentive payment plan for foster parents, WAC 388-70-053.

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 will be of substantive benefit to certain foster parents.

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 30, 1980.

By N. S. Hammond
 Executive Assistant

NEW SECTION

WAC 388-70-053 **PAYMENT STANDARDS - INCENTIVE PLAN.** The department shall develop criteria for an incentive plan payment which would authorize additional funding to family foster homes and receiving homes providing increased levels of care. The criteria for approving the incentive plan payment shall

include experience, training, and demonstrated competency. The incentive plan will identify two levels of care which will allow the family foster homes to receive a monthly payment of \$20 and \$35 respectively per home. The department shall review the experience, training and demonstrated competency of foster homes on an annual basis to determine which homes might receive incentive plan payments. The decision of the department regarding the level of incentive plan payments shall not be subject to administrative hearing process.

WSR 80-08-070
PROPOSED RULES
PARKS AND RECREATION
COMMISSION
 [Filed July 1, 1980]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Parks and Recreation Commission intends to adopt, amend, or repeal rules concerning eligibility and procedures for public and private agencies and persons to share in public snowmobile funds for development and implementation of snowmobile programs, chapter 352-48 WAC;

that such agency will at 9 a.m., Monday, August 18, 1980, in the Islander Lopez Inc. Resort, Lopez Island, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9 a.m., Monday, August 18, 1980, in the Islander Lopez Inc. Resort, Lopez Island.

The authority under which these rules are proposed is RCW 43.51.050 and 43.51.060.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to August 15, 1980, and/or orally at 9 a.m., Monday, August 18, 1980, Islander Lopez Inc. Resort, Lopez Island.

Dated: July 1, 1980
 By: D. W. Lowell
 Rules Coordinator

STATEMENT OF PURPOSE

- TITLE:** (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). This rule is intended to implement RCW 46.10 affecting the eligibility of public and private agencies and persons to share in snowmobile funds for development and implementation of snowmobile programs. This rule is promulgated under the general rule making authority of the Washington State Parks and Recreation Commission as authorized in RCW 43.51.060.
- SUMMARY:** (A Summary of the rule and a statement of the reasons supporting the proposed action). (Use continuation sheet if necessary) This rule identifies the kinds of snowmobile programs which may be funded by the Commission, describes who is considered eligible to receive snowmobile funds from the Commission, requires that an eligible recipient must follow an application process and the rule describes that process. This rule also describes snowmobile project priorities, the method of disbursement of funds, authorizes the Director or designee to implement RCW 46.10.080(3), and it explains the accountability requirements of eligible recipients

for the expenditure of snowmobile funds received from the Washington State Parks and Recreation Commission.

Reasons for supporting this rule are:

- The rule provides for a uniform application process for all eligible recipients.
- This rule provides the agency with control over the allocation and monitoring of snowmobile funds.
- AGENCY STAFF:** (Agency personnel, with their office location and telephone number, who are responsible for the drafting, implementation, and enforcement of the rule).

Tom France
 7150 Cleanwater Lane KY-11
 Olympia, WA 98504
 (206) 753-2018

James Horan
 7150 Cleanwater Lane KY-11
 Olympia, WA 98504
 (206) 754-1253

- PROPOSING:** (The name of the person or organization, whether private, public, or governmental, proposing the rule). Washington State Parks and Recreation Commission
- AGENCY COMMENTS:** (Recommendations, if any, regarding statutory language, implementation, enforcement, and fiscal matters pertaining to the rule). Recommended statutory language is contained in the attached proposed new rule. The rule will be implemented by existing agency staff through routine agency administration channels. Enforcement will consist of routine agency program manager surveillance and agency fiscal staff accounting. Funds to be distributed will come from the snowmobile account created by chapter 46.10 RCW.
- FEDERAL LAW/COURT ACTION:** (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). [No information supplied by agency.]

Chapter 352-48

SNOWMOBILE ACCOUNT

WAC

352-48-010	Purpose
352-48-020	Definitions
352-48-030	Snowmobile Programs
352-48-040	Eligibility
352-48-050	Application Process
352-48-060	Funding Priorities
352-48-070	Disbursement of Funds
352-48-080	Accountability

NEW SECTION

WAC 352-48-010 PURPOSE. This chapter is promulgated to assist the Washington State Parks and Recreation Commission in administering funds deposited in the snowmobile account created by chapter 46.10 RCW.

NEW SECTION

WAC 352-48-020 DEFINITIONS. As used in this chapter the words and phrases in this section shall have the designated meanings unless a different meaning is expressly provided or unless the context clearly indicates otherwise.

(1) "Snowmobile" shall mean any self-propelled vehicle capable of traveling over snow or ice, which utilizes as its means of propulsion an endless belt tread, or cleats, or any combination of these or other similar means of contact with the surface upon which it is operated, and which is steered wholly or in part by skis or sled type runners, and which is not otherwise registered as, or subject to the motor vehicle excise tax in the state of Washington.

(2) "Snowmobile Use Area" shall mean an area in which snowmobile use is specifically authorized and is described by a boundary and acreage.

(3) "Snowmobile Trail" means a corridor designated for snowmobile passage to and from specific locations and is described by location and length.

(4) "Snowmobile Funds" means those funds deposited in the snowmobile account to be administered by the Washington State Parks and Recreation Commission pursuant to this chapter and chapter 46.10 RCW.

(5) "Commission" shall mean the Washington State Parks and Recreation Commission.

NEW SECTION

WAC 352-48-030 SNOWMOBILE PROGRAMS. Snowmobile funds may be disbursed by the Commission for snowmobile programs which may include, but need not necessarily be limited to the administration, acquisition, development, operation and maintenance of snowmobile facilities, such as snowmobile trails, snowmobile use areas, parking areas, sanitary facilities, and the purchase of equipment necessary to maintain such facilities. Snowmobile funds may also provide for implementation of snowmobile safety, enforcement and education programs. All such facilities and programs must be open to the general public and must be consistent with the safety needs of snowmobilers and other winter recreationists.

NEW SECTION

WAC 352-48-040 ELIGIBILITY. Any public agency in the state of Washington is eligible to receive snowmobile fund grants for up to 100% of the cost of snowmobile programs by following the application process prescribed in this Chapter.

NEW SECTION

WAC 352-48-050 APPLICATION PROCESS. In order to be considered for a grant of snowmobile funds, eligible recipients must:

(1) File, by June 30 of the year of the first snow season for which funds are requested, a completed application, on a form prescribed by the Commission, fully describing the snowmobile program, the estimated service area and any proposed use restrictions, and the amount and level of funding requested.

(2) Agree to:

(a) File an annual project or progress report with the Commission by May 15 of each year of the year of the project;

(b) Describe the estimated service area and any proposed use restrictions;

(c) Return or replace in kind losses to the snowmobile program if, by the applicant's actions, the project is cancelled or not completed in a timely manner;

(d) Execute a project contract with the Commission and undertake all obligations set out in the project contract.

(3) Certify that the project will be open to the public at no charge;

(4) Obtain permission from all landowners on which the project occurs and attach appropriate documentation to the snowmobile project application;

(5) Comply with the State Environmental Policy Act or National Environmental Policy Act as appropriate.

NEW SECTION

WAC 352-48-060 FUNDING PRIORITIES. Snowmobile program funding priorities shall be:

(1) Statewide program administration including safety education and information;

(2) Capital equipment procurement replacement;

(3) Operation and maintenance of existing facilities including emergency reserve;

(4) Development of additional facilities.

NEW SECTION

WAC 352-48-070 DISBURSEMENT OF FUNDS. Snowmobile project funding will be paid on a reimbursement basis after the successful applicant has presented a billing or voucher, as may be required by the Commission, showing satisfactory evidence of compliance with the project contract, except as may otherwise be approved by the Director or the Commission.

NEW SECTION

WAC 352-48-080 ACCOUNTABILITY. (1) Recipients of snowmobile funds shall provide accurate accounting records to the Commission for the expenditure of snowmobile funds.

(2) The Commission shall have the authority to audit the use of snowmobile funds. Audits are to be in accordance with generally accepted auditing practices and standards.

WSR 80-08-071
ADOPTED RULES
DEPARTMENT OF
NATURAL RESOURCES
(Board of Natural Resources)
[Order 342—Filed July 1, 1980]

Be it resolved by the Board of Natural Resources, Department of Natural Resources, acting at Public Lands Building, Olympia, Washington 98504, that it does promulgate and adopt the annexed rules relating to the sale of second class shorelands on navigable lakes, WAC 332-30-119.

This action is taken pursuant to Notice No. WSR 80-05-114 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 RCW 43.30.150 and 79.01.474 which directs that the Department of Natural Resources has authority to implement the provisions of RCW 79.01.474.

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 July 1, 1980.

By Bert L. Cole
Commissioner of Public Lands
Secretary, Board of Natural Resources

NEW SECTION

WAC 332-30-119 SALE OF SECOND CLASS SHORELANDS. (1) Under 79.01.474 RCW state-owned second class shorelands on lakes legally determined or considered by the department of natural resources to be navigable, may be sold to private owners of abutting upland property where it is determined by the board of natural resources that the shorelands have minimal public value for uses such as providing access, recreation or other public benefit. The amount of shoreland subject to sale to any one individual shall be the amount fronting a lot within a recorded subdivision plat; or the greater of 100 feet or ten per cent of the frontage owned by the applicant outside of a recorded subdivision. However, it shall be in the public interest to retain ownership of publicly owned second class shorelands on navigable lakes where any of the following conditions exist:

(a) The shorelands are natural, conservancy, or equivalent designated areas under the local shoreline master program.

(b) The shorelands are located in front of land with public upland ownership or public access easements.

(c) Further sales of shorelands would preclude the establishment of public access to the lake, or adversely affect the public use and access to the lake.

(2) Prior to the sale of second class shorelands on a navigable lake, the department will:

(a) Depict on a suitable map the current ownership of all shorelands and identify those shorelands potentially

available for sale as provided under WAC 332-30-119(1).

(b) Identify any privately owned shorelands, acquisition of which would benefit the public.

(c) Identify and establish the waterward boundary of the shorelands potentially available for sale or acquisition.

(d) Make an appraisal of the value of the shorelands potentially available for sale or acquisition in accordance with as many of the following techniques as are appropriate to the parcels in question:

(i) The market value of shorelands as of the last equivalent sale before the moratorium multiplied by the percentage increase in value of the abutting upland during the same period, i.e.,

$$FMV = (V2/V1) \times (S1)$$

FMV = Current fair market value of shorelands

S1 = Value of shorelands at time of last equivalent sale

V1 = Value of abutting upland at time of last equivalent shoreland sale

V2 = Current fair market value of upland to a maximum of 150 feet shoreward

(ii) Techniques identified in adopted aquatic land management WACs e.g. WAC 332-30-125

(iii) The sales price of the shoreland shall be the fair market value as determined in (2) (d) (i) (ii) but not less than five percent of the fair market value of the abutting uplands, less improvements, to a maximum depth of one hundred fifty feet landward from the line of ordinary high water.

(e) If necessary, prepare a lake management plan in cooperation with local government to guide future department activities on the publicly-owned aquatic lands.

(3) The board of natural resources shall determine whether or not the sale would be in the public interest, and a sales price shall be established by the department of natural resources in a reasonable period of time.

WSR 80-08-072

**NOTICE OF PUBLIC MEETINGS
URBAN ARTERIAL BOARD**

[Memorandum—July 2, 1980]

Beginning at 9:30 a.m., Thursday, July 17, 1980

1. Minutes of UAB meeting, May 15, 1980.
2. Report of Chairman.
 - a. Status Report Six Year Program.
 - b. Status Report 1981-83 Governor Budget Request.
 - c. Mid-Biennium Review with Legislative Transportation Committee.
3. Apportionment of Urban Arterial Trust Funds between statutorily established regions for the third quarter of 1980.
4. Allocation of Urban Arterial Trust Funds to authorized projects for the third quarter 1980.

5. Review estimated cash requirements for the period through March, 1981.
6. Proposed authorization of trust funds for design of new projects.
7. Proposed authorization of trust funds for construction of previously approved projects.
8. Urban Arterial Board hearing on rule changes to WAC 479-16-015, Registered Engineer and WAC 479-20-036, Increase in Urban Funds.
9. Report on completed audits of UAB projects.
10. Report on changes in scope approved by the Chairman.
11. Report on increases in Urban Arterial Trust Funds approved by the Chairman.

WSR 80-08-073

**ADOPTED RULES
HIGHER EDUCATION
PERSONNEL BOARD**

[Order 84—Filed July 2, 1980]

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

- | | | |
|-----|----------------|---|
| Amd | WAC 251-04-020 | Definitions. |
| Amd | WAC 251-18-176 | Modification of minimum qualifications. |
| Amd | WAC 251-18-250 | Certification—Selective. |
| Amd | WAC 251-18-390 | Corrective employment programs. |

This action is taken pursuant to Notice No. WSR 80-05-108 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 under the general rule-making authority of the Higher Education Personnel Board as authorized in RCW 28B.16.100.

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

APPROVED AND ADOPTED June 19, 1980.

By Douglas E. Sayan
Director

AMENDATORY SECTION (Amending Order 68, filed 5/25/78, effective 7/1/78)

WAC 251-04-020 DEFINITIONS. Unless the context clearly indicates otherwise, the words used in these rules shall have the meanings given in this section.

"ADMINISTRATIVE ASSISTANT EXEMPTION" - A president or vice president may have individual(s) acting as his/her administrative assistant(s). The employee normally performs supportive work for his/her superior as an individual contributor without subordinates.

"ADMINISTRATIVE EMPLOYEES" - Personnel whose responsibilities require them to spend at least 80% of their work hours as follows:

(1) Primary duty is office or nonmanual work directly related to the management policies or general business operations; and

(2) Must have the authority to make important decisions, customarily and regularly exercise discretion and independent judgment, as distinguished from using skills and following procedures; and

(3) Must regularly assist an executive or administrative employee, or perform work under, only general supervision along specialized or technical lines requiring special training, experience or knowledge; and

(4) Must be paid at a rate of at least \$672 per month exclusive of board, lodging or other facilities.

For persons whose salaries exceed \$1083 per month, the 80% limitation does not apply if the primary duty consists of responsible office or nonmanual work directly related to management policies or general business operations.

"AGRICULTURAL EMPLOYEES" - Employees performing work which includes farming and all its branches, including cultivating the soil, or growing or harvesting crops, or raising livestock, bees, fur-bearing animals, or poultry; or doing any practices performed by a farmer or on a farm as an incident to or in conjunction with such farming operations.

"ALLOCATION" - The assignment of an individual position to an appropriate class on the basis of the kind, difficulty, and responsibility of the work of the position.

"APPOINTING AUTHORITY" - A person or group of persons lawfully authorized to make appointments.

"AVAILABILITY" - ~~((Within a class or job category, the existence of qualified persons of the under-represented groups in the employed and unemployed workforce in that class or job category within the defined recruitment area))~~ An estimate of the number of women, minorities, and handicapped persons who have the skills and abilities required for employment in a particular job group as determined from an analysis of relevant data.

"BOARD" - The higher education personnel board established under the provisions of the higher education personnel law.

"CERTIFICATION" - The act of providing an employing official or appointing authority with the names of the appropriate eligibles to be considered for appointment to fill a vacancy.

"CHARGES" - A detailed statement of the specific incidents alleging cause for dismissal or disciplinary action.

"CLASS" - One or more positions sufficiently similar with respect to duties and responsibilities that the same descriptive title may be used with propriety to designate each position allocated to the class; that the same general qualification requirements are needed for performance of the duties of the class; that the same tests of fitness may be used to select employees; and that the same schedule of pay can be applied with equity to all positions in the class under the same or substantially the same employment conditions.

"CLASSIFIED SERVICE" - All positions in the higher education institutions which are subject to the provisions of the higher education personnel law.

"COLLECTIVE BARGAINING" - The performance of the mutual obligation of the appointing authority and the certified exclusive bargaining representative to meet at reasonable times, to confer and bargain in good faith, and to execute a written agreement with respect to those personnel matters over which the appointing authority may lawfully exercise discretion.

"COMPETITIVE SERVICE" - All positions in the classified service for which a competitive examination is required as a condition precedent to appointment.

"CORRECTIVE EMPLOYMENT PROGRAM" - A program designed to increase the employment of handicapped persons and of ~~((under-represented groups to correct a condition of under-representation of such persons caused by))~~ women and minorities who are underutilized in certain job groups because of present or past practices or other conditions which ~~((have))~~ resulted in limited employment ~~((opportunity for members of the affected groups))~~ opportunities. ~~((Also see separate definitions of "availability," "job categories," and "under-representation".))~~

"COUNSELING EXEMPTION" - Individuals in counseling-exempt positions are responsible for directing and/or participating in providing academic, athletic, medical, career, financial aid, student activity and/or personal counseling to students. Such activities include, but are not limited to, providing individual and group guidance services using recognized professional techniques and practices.

"DEMOTION" - The change of an employee from a position in one class to a position in another class which has a lower salary range maximum.

"DEVELOPMENT" - The attainment through work experience and training of proficiency in skills which will enable the employee to perform higher level duties.

"DIRECTOR" - The personnel director of the higher education personnel board.

"DISMISSAL" - The termination of an individual's employment for just cause as specified in these rules.

"ELIGIBLE" - An applicant for a position in the competitive service who has met the minimum qualifications for the class involved, has been admitted to and passed the examinations, and has met all requirements for eligibility as stated on the bulletin board posting; or an applicant for a position in the noncompetitive service who has met all requirements for eligibility as stated on the bulletin board posting.

"ELIGIBLE LIST" - A list established by the personnel officer, composed of names of persons who have made proper application, met the minimum qualifications, and successfully completed the required examination process to be certified for vacancies in a class at the institution.

"EMPLOYEE" - A person working in the classified service at an institution.

"EMPLOYEE ORGANIZATION" - Any lawful association, labor organization, federation, council, or

brotherhood, having as one of its purposes the improvement of working conditions among employees, and which has filed a notice of intent to represent employees with the director, and which has been authorized in accordance with WAC 251-14-020.

"EMPLOYING OFFICIAL" – An administrative or supervisory employee designated by the appointing authority to exercise responsibility for requesting certification, interviewing eligibles, and employing classified employees.

"EXECUTIVE EMPLOYEES" – Management personnel whose responsibilities require them to spend at least 80% of their work hours as follows:

- (1) Primary duty must be management of a recognized department or subdivision; and
- (2) Must customarily and regularly direct the work of two or more employees; and
- (3) Must have the authority to hire and fire, or to recommend with authority on these and other actions affecting employees; and
- (4) Must customarily and regularly exercise discretionary powers; and
- (5) Must be paid at a rate of at least \$672 per month exclusive of board, lodging or other facilities.

For persons whose salaries exceed \$1083 per month, the 80% limitation does not apply if he/she regularly directs the work of at least two other employees and the primary duty is management of a recognized department or subdivision.

"EXECUTIVE HEAD EXEMPTION" – Executive heads of major academic or administrative divisions are analogous in the hierarchy to vice presidents, deans and chairmen. Directors may be executive heads as determined by the higher education personnel board. An executive head is in charge of a separate budget unit and directs subordinates.

"EXEMPT POSITION" – A position properly designated as exempt from the application of these rules as provided in WAC 251-04-040. (Also see separate definitions of "administrative assistant exemption," "executive head exemption," "research exemption," "counseling exemption," "extension and/or continuing education exemption," "graphic arts or publication exemption," and "principal assistant exemption".)

"EXTENSION AND/OR CONTINUING EDUCATION EXEMPTION" – Individuals considered exempt in this category are responsible for originating and developing formal education programs for the general public, usually involving close contact with faculty and staff or training or consulting with specific groups in the community to enable them to provide specialized training and/or services to the community.

"FRINGE BENEFITS" – As used in the conduct of salary surveys, the term shall include but not be limited to compensation for leave time, including vacation, civil, and personal leave; employer retirement contributions; health insurance payments, including life, accident, and health insurance, workmen's compensation, and sick leave; and stock options, bonuses, and purchase discounts where appropriate.

"FULL-TIME EMPLOYMENT" – Work consisting of forty hours per week.

"GRAPHIC ARTS OR PUBLICATION EXEMPTION" – Individuals qualifying for exemption under this category will be involved in performing selected graphic arts or publication activities requiring prescribed academic preparation or special training. Positions of this type are those which use special visual techniques, require original design and layout and/or can be distinguished from positions associated with the standard editorial functions.

"GRIEVANCE" – A dispute filed in accordance with a grievance procedure of a signed collective bargaining agreement.

"HANDICAPPED PERSON" – Any person (~~who:~~
~~(1) has a physical or mental impairment which substantially limits one or more major life activity;~~
~~(2) has a record of such an impairment; or~~
~~(3) is regarded as having such an impairment. For purposes of affirmative action, the major life activity affected must be employment)) with physical, mental or sensory impairments that would impede that individual in obtaining and maintaining permanent employment and promotional opportunities. The impairments must be material rather than slight, static and permanent in that they are seldom fully corrected by medical replacement, therapy, or surgical means.~~

"HEARING EXAMINER" – An individual appointed by the board to preside over, conduct and make recommended decisions including findings of fact and conclusions of law in all cases of employee appeals to the board.

"INSTITUTIONS OF HIGHER EDUCATION" – The University of Washington, Washington State University, Central Washington University, Eastern Washington University, Western Washington University, The Evergreen State College, and the various state community colleges. For purposes of application of these rules, the term shall be considered to include the various related boards as defined in this section, unless specifically indicated to the contrary.

"INSTRUCTIONAL YEAR" – The schedule established annually by an institution to identify the period required to meet the educational requirements of a given academic or training program.

"JOB GROUP" – For affirmative action goal-setting purposes, a group of jobs having similar content, wage rates and opportunities. An EEO job category may consist of one or more job groups.

"JOB CATEGORIES" – Those groupings required in equal employment opportunity reports to federal agencies.

"LATERAL MOVEMENT" – Appointment of an employee to a position in another class which has the same salary range maximum as the employee's current class.

"LAYOFF" – Any of the following management initiated actions caused by lack of funds, curtailment of work, or good faith reorganization for efficiency purposes:

- (1) Separation from service to an institution;
- (2) Separation from service within a class;
- (3) Reduction in the work year; and/or
- (4) Reduction in the number of work hours.

"LAYOFF SENIORITY" – The last period of unbroken service in the classified service of the higher education institution. Authorized leave of absence or leave without pay shall not constitute a break in service; however, the time spent on such leave shall not be included in computing seniority except where required by statute and except in the case of positions established on the basis of an instructional year. Permanent employees who are veterans or their unmarried widows/widowers as identified in WAC 251-10-045 shall have added to their unbroken institution service the veteran's active military service to a maximum of five years' credit.

"LAYOFF UNIT" – A clearly identified structure within an institution, which is approved by the director, and within which employment/layoff options are determined in accordance with the reduction in force procedure.

"LEAD" – An employee who performs the same duties as other employees in his/her work group and in addition regularly assigns, instructs and checks the work of the employees.

"NONCOMPETITIVE SERVICE" – All positions in the classified service for which a competitive examination is not required.

"ORGANIZATIONAL UNIT" – A clearly identified structure, or substructure of persons employed to achieve a common goal or function under the direction of a single official. An organizational unit may consist of either an administrative entity or a geographically separated activity.

"PART-TIME EMPLOYMENT" – Work of twenty or more hours per week but less than full time employment with an understanding of continuing employment for six months or more.

"PERIODIC INCREMENT DATE" – ("P.I.D.") – The date upon which an employee is scheduled to move to a higher salary step within the range for his/her current class, as provided in WAC 251-08-090 and 251-08-100.

"PERMANENT EMPLOYEE" – An employee who has successfully completed a probationary period at the institution within the current period of employment.

"PERSONNEL OFFICER" – The principal employee in each institution/related board responsible for administrative and technical personnel activities of the classified service.

"P.I.D." – Commonly used abbreviation for periodic increment date.

"POSITION" – A set of duties and responsibilities normally utilizing the full or part time employment of one employee.

"PRINCIPAL ASSISTANT EXEMPTION" – Individuals qualifying for exemption under this category function as second-in-command in importance levels. The individual may perform many of the functions of his/her superior in the superior's absence, or alternatively may have major administrative or program responsibilities. Reporting relationships will not be below that of the executive head. In some institutions an executive head may have more than one principal assistant as determined by the higher education personnel board.

"PROBATIONARY PERIOD" – The initial six months of employment in a class following appointment from an eligible list of a nonpermanent employee of the institution.

"PROBATIONARY REAPPOINTMENT" – Appointment of a probationary employee from an eligible list to a position in a different class.

"PROFESSIONAL EMPLOYEES" – Personnel whose responsibilities require them to spend at least 80% of their work hours as follows:

(1) Primary duty must involve work that requires knowledge of an advanced type in a field of science or learning, customarily obtained by a prolonged course of specialized instruction and study or work that is original and creative in character in a recognized field of artistic endeavor and the result of which depends primarily on invention, imagination, or talent; and

(2) Must consistently exercise discretion and judgment; and

(3) Must do work that is predominantly intellectual and varied, as distinguished from routine or mechanical duties; and

(4) Must be paid at a rate of at least \$737 per month exclusive of board, lodging or other facilities.

For persons whose salaries exceed \$1083 per month, the 80% limitation does not apply if the primary duty consists of work requiring knowledge of an advanced type in a field of science or learning which requires consistent exercise of discretion and judgment.

"PROMOTION" – The appointment as a result of recruitment, examination and certification, of a permanent employee to a position in another class having a higher salary range maximum.

"PROVISIONAL APPOINTMENT" – Appointment made prior to establishment of an eligible list, per the provisions of WAC 251-18-300. A person so appointed is required to apply through the competitive process to be considered for the position on a permanent basis.

"PUBLIC RECORDS" – Any writing containing information relating to conduct of government or the performance of any governmental or proprietary function prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics.

"REALLOCATION" – The assignment of a position by the personnel officer to a different class.

"REASSIGNMENT" – A management initiated movement of a classified employee from one position to another in the same class.

"RELATED BOARDS" – The state board for community college education, the council for postsecondary education, the higher education personnel board, and such other boards, councils and commissions related to higher education as may be established. For purposes of application of these rules, the term "institution" shall be considered to include these related boards, unless specifically indicated to the contrary.

"RESEARCH EXEMPTION" – Individuals in research-exempt positions spend the majority of their time in one or more of the following activities: Identification and definition of research problems, design of approaches or hypotheses and methodology to be used, design of specific phases of research projects, analysis of

results, development of conclusion and hypothesis, presentation of research results in publishable form.

"RESIGNATION" – A voluntary termination of employment.

"REVERSION" – The return of a permanent employee from trial service to the most recent class in which permanent status was achieved.

"SEPARATION" – Resignation, retirement, layoff or dismissal from the classified service.

"SUPERVISOR" – Any individual having authority, in the interest of the employer, to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward or discipline other employees, or responsibility to direct them or adjust their grievances, or effectively to recommend such action if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.

"SUSPENSION" – An enforced absence without pay for disciplinary purposes.

"TEMPORARY EMPLOYMENT" –

(1) Work performed in the absence of an employee on leave; or

(2) Extra work required at a work load peak or special projects, or cyclic work loads not to exceed one hundred eighty calendar days.

"TRAINING" – Formal and systematic learning activities intended to provide employees with the knowledge and skills necessary to become proficient or qualified in a particular field.

"TRANSFER" – An employee initiated change from one classified position to another in the same class within the institution without a break in service.

"TRIAL SERVICE" – The initial period of employment following promotion, demotion or lateral movement into a class in which the employee has not held permanent status, beginning with the effective date of the change and continuing for six months, unless interrupted as provided in these rules.

~~"((UNDER-REPRESENTATION)) UNDERUTILIZATION"~~ – Having fewer ~~((employees by racial or ethnic minority, handicap, or sex within a class or job category))~~ minorities, women, or handicapped persons in a particular job group than would reasonably be expected by their availability ~~((; or than are included in the institution's approved corrective employment goal for that class or job category per WAC 251-18-390(1)))~~.

"UNION SHOP" – A union membership provision which, as a condition of employment, requires all employees within a bargaining unit to become members of an employee organization.

"UNION SHOP REPRESENTATIVE" – An employee organization which is the exclusive representative of a bargaining unit that has been certified by the director as the union shop representative following an election wherein a majority of employees in the bargaining unit voted in favor of requiring membership in the employee organization as a condition of employment.

"UNION SHOP REPRESENTATION FEE" – Employees who are granted a nonassociation right based on religious tenets or teachings of a church or religious

body of which they are members, must pay a representation fee to the union shop representative. Such fee is equivalent to the regular dues of the employee organization minus any monthly premiums for union sponsored insurance programs.

"WRITING" – Handwriting, typewriting, printing, photostating, photographing and every other means of recording any form of communication or representation including letters, words, pictures, sounds; or symbols or combination thereof and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums and other documents.

AMENDATORY SECTION (Amending Order 68, filed 5/25/78, effective 7/1/78)

WAC 251-18-176 MODIFICATION OF MINIMUM QUALIFICATIONS. (1) When a vacancy exists and active and reasonable recruiting efforts fail to establish an eligible list for the class, the personnel officer may request that the director modify the minimum qualifications. If satisfied that reasonable effort has been made to recruit at the established minimum qualifications the director may modify the minimum qualifications for that recruiting cycle on a one-time basis. On approval, the personnel officer shall initiate recruiting at the reduced minimum qualifications. ~~((Such temporary modification will be reported to the board at the next regular meeting.~~

~~Appointments made from employment lists established in this manner will be in accordance with these rules:))~~

(2) In order to make a reasonable accommodation for a handicapped person as defined in WAC 251-04-020, the personnel officer may request that the director waive the minimum qualifications for the purpose of admitting the employee or applicant to the examination.

(3) Action of the director pursuant to this section will be reported to the board at the next regular meeting.

AMENDATORY SECTION (Amending Order 63, filed 11/22/77)

WAC 251-18-250 CERTIFICATION—SELECTIVE. (1) The personnel officer may declare a selective certification of eligibles to fill a vacancy under the following conditions:

(a) When there is a requirement for specialized and/or distinctive technical or professional qualifications essential to fill the work requirements of a particular position;

(b) When the institution/related board is utilizing a corrective employment program to increase the representation of employees ~~((of a particular racial or ethnic group or sex))~~ by race, sex or handicap per provisions of WAC 251-18-390, Corrective Employment Programs.

(2) Recruiting bulletins issued to establish lists of eligibles from which selective certification may be made must include the special qualifications and/or indicate that selective certification in accord with corrective employment program regulations may be utilized.

(3) The eligibles selectively certified shall be in strict order of their standing on the appropriate lists from

among those meeting the approved selective criteria. When selective certification for corrective employment purposes as provided in subsection (1)(b) of this section does not result in a complete certification of two more names than there are vacancies to be filled, the personnel officer may complete the certification by adding the necessary number of names from the top of the appropriate eligible list as provided in WAC 251-18-240(3).

(4) The appointment of employees hired or promoted through selective certification will be reported monthly to the director.

AMENDATORY SECTION (Amending Order 61, filed 8/30/77, effective 10/1/77)

WAC 251-18-390 CORRECTIVE EMPLOYMENT PROGRAMS. (1) Upon approval of the director of the Higher Education Personnel Board and the executive secretary of the Human Rights Commission, corrective employment programs to ~~((enhance the attainment of equal employment rights and promotional opportunities for members of under-represented groups))~~ increase the number of minorities, women and handicapped employees may be utilized by higher education institutions when the employer determines that employees of a particular group are ~~((under-represented))~~ under-utilized because of present or past practices or other conditions which resulted in limited employment opportunities.

(2) Corrective employment programs for classified personnel shall include the following:

(a) The inclusion within an affirmative action program established by each higher education institution for each ~~((fiscal))~~ year of ~~((special))~~ goals and timetables for the employment and promotion of members of ~~((under-represented))~~ under-utilized groups. ~~((Each program must be submitted for approval by the board.))~~ Written programs, goals and reports shall comply with state and federal regulations, following guidelines which affect the employer as a federal contractor;

(b) Provisions for ascertaining the race, ~~((religion; color;))~~ national origin, age, handicap or sex of applicants for employment and promotion;

(c) Selective certification of minorities, women and handicapped persons from all eligible lists, except layoff (subject to the provisions of WAC 251-18-240);

(d) Provision for special training and development programs ~~((such as New Careers, Public Service Careers, and others;))~~ and selective appointment of female, minority and ~~((disadvantaged))~~ handicapped employees into the programs;

(e) Provision, when ~~((corrective employment))~~ affirmative action goals are not achieved through normal recruiting means, to supplement the eligible list for a class ~~((within a job category that is under-represented by race or sex))~~ as follows: When it is determined by the personnel officer that an eligible list for a class ~~((in a job category))~~ does not contain sufficient ~~((members of the under-represented groups))~~ numbers of women, minorities or handicapped persons, applicants who are members of such groups and who meet the minimum qualifications for the class may be admitted to the examination at any time. Those who obtain a passing score

will be placed on the appropriate eligible list provided they meet the same criteria and achieve the same required examination score as the original applicant group;

(f) Provision for ~~((persons of an under-represented group))~~ women, minorities and handicapped persons to enter the employment or promotion process but not to exclude others from it. The rate of entry or promotion through selective certification of ~~((members of under-represented groups ordinarily))~~ women, minorities and handicapped persons should not exceed a ratio of one out of three positions filled;

(g) Provision for suspending the use of selective certification of ~~((members of under-represented groups for employment and promotion))~~ women, minorities, and handicapped persons whenever the condition of ~~((under-representation))~~ under-utilization has been corrected for a job ~~((category))~~ group within an ~~((organizational unit of an))~~ institution's affirmative action plan; and provisions for reinstating selective certification when needed.

WSR 80-08-074

PROPOSED RULES

COUNCIL FOR

POSTSECONDARY EDUCATION

[Filed July 2, 1980]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and 28B.10.806, that the Council for Postsecondary Education intends to adopt, amend, or repeal rules concerning State of Washington Need Grant Program;

that such agency will at 9:30 a.m., Thursday, August 21, 1980, in the Conference Room, General Administration Building, Olympia, Washington, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:30 a.m., Thursday, August 21, 1980, in the Conference Room, General Administration Building, Olympia, Washington.

The authority under which these rules are proposed is RCW 28B.10.806.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to August 8, 1980.

Dated: July 2, 1980

By: Chalmers Gail Norris
Executive Coordinator

STATEMENT OF PURPOSE

RE: State of Washington State Need Grant Program

1. Statement 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 the Council for Postsecondary Education.
2. Title. Amendments modifying rules regarding student eligibility for a Need Grant and new section regarding reciprocity eligibility.
3. Summary. These amendments make the following changes to the Need Grant program:
 - a. Eligibility of Reciprocity students.

- b. Eligibility requirements reduced if receipt of Need Grant results in a reduction of basic maintenance allowances provided by another state agency.

Agency personnel responsible for drafting, implementing and enforcement of rule: Linda LaMar, Council for Postsecondary Education, 908 East Fifth, Olympia, WA 98504.

State agency proposing the rule: Council for Postsecondary Education.

NEW SECTION

WAC 250-20-091 ELIGIBILITY OF RECIPROCIITY STUDENTS. State Need Grant eligibility of students attending an out-of-state institution under a reciprocity agreement is covered by the following regulations, which are authorized by Chapter 13, Laws of 1980.

(1) A student who meets all State Need Grant eligibility criteria and who has been accepted at an eligible out-of-state institution, as defined in WAC 250-20-091(2) may receive a State Need Grant as long as that student continues attendance under the reciprocity program.

(2) "Eligible out-of-state institution" shall mean any non-profit college or university in another state which has a reciprocity agreement with the state of Washington if the institution is specifically encompassed within or directly affected by such reciprocity agreement so long as it is accredited by the Northwest Association of Schools and Colleges, and agrees to participate in the State Need Grant program in accordance with all applicable rules and regulations.

(3) An out-of-state institution can be determined to be directly affected by a reciprocity agreement if:

(a) The institution is located within twenty-five miles of an institution specifically encompassed within a reciprocity agreement;

(b) Students from the county in which the institution is located are provided, pursuant to a reciprocity agreement, access to Washington institutions at resident tuition and fee rates to the extent authorized by Washington law; and,

(c) The institution demonstrates that, in the previous academic year, headcount enrollment at the institution by Washington residents from areas and categories encompassed by the reciprocity agreement was at least ten percent less than the number of such students enrolled during the 1979-80 academic year.

AMENDATORY SECTION (Amending Order 4/80, filed 4/14/80)

WAC 250-20-011 STUDENT ELIGIBILITY. (1) For a student to be eligible for a State Need Grant he or she must:

(a) Be a "needy student" or "disadvantaged student" as determined by the Council for Postsecondary Education in accordance with RCW 28B.10.802.

(b) Have been domiciled within the State of Washington for at least one year.

(c) Be enrolled or accepted for enrollment as a full-time undergraduate student at a participating postsecondary institution or be a student under an established program designed to qualify him or her for enrollment as a full-time student at a postsecondary institution in the State of Washington.

(i) For purposes of Need Grant eligibility, the student must be enrolled in a course load of at least twelve credits per quarter or semester or, in the case of institutions which do not use credit hours, 24 clock hours per week unless it is documented that "full-time" for the particular course the student is pursuing is less than twelve credits per quarter or semester or 24 clock hours per week. Should a student be in such a course of study, he or she must be enrolled for the number of credit or clock hours accepted as full-time for that course of study. A grant recipient enrolled less than full-time may not receive this grant for the term in question, but is eligible for reinstatement or reapplication for a grant upon return to full-time status. If, on the written recommendation of a counselor or a professor, and in accordance with agreement by the financial aid officer, the student enrolls in a course load less than full-time, the student will be allowed to retain his or her grant for that term. Correspondence courses may not be counted in the calculation of a full-time load.

(ii) In addition to enrolling full-time, the student is also expected to satisfactorily complete twelve credit hours per quarter or semester or,

in the case of institutions which do not use credit hours, 24 clock hours per week or the appropriate number of hours as documented.

Each institution must submit to the Council for Postsecondary Education for approval its policy for awarding financial aid to students who do not complete the required number of credit or clock hours. The financial aid office must have on record in each student's file justification for reawarding a Need Grant to any student who received a grant the previous academic term and did not complete a full-time course load during that term.

(iii) If the Council is notified in writing that a Need Grant recipient will not attend the institution for a term during the academic year of the grant award, but plans to return that same academic year, a portion of the full year's grant may be awarded for those terms the student attends full-time.

(d) Not be pursuing a degree in theology.

(e) Be a citizen of the United States or in the process of becoming a citizen.

(f) Not have received a State Need Grant for more than eight semesters or twelve quarters or equivalent or a combination of these two. Upon receipt of a bachelor's degree, a student is no longer eligible. A fifth-year student in a program requiring five years for a bachelor's degree may receive a State Need Grant if he or she has not received a State Need Grant for the maximum number of quarters or semesters.

(g) Have made a bona fide application for a Basic Educational Opportunity Grant, but students attending Clover Park, L. H. Bates, and Bellingham Vocational-Technical Institutes shall be exempt from this requirement until July 1, 1981.

(h) Certify that he or she does not owe a refund on a State Need Grant, a Basic Educational Opportunity Grant, and is not in default on a loan made, insured or guaranteed under the National Direct Student Loan or Guaranteed Student Loan programs.

(2) An otherwise eligible student may not be awarded a State Need Grant if receipt of the Need Grant will result in a reduction of basic maintenance allowances provided by another state agency.

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

WSR 80-08-075

**NOTICE OF PUBLIC MEETINGS
PARKS AND RECREATION
COMMISSION**

[Memorandum, Director—July 2, 1980]

Pursuant to RCW 42.30.075, the schedule of the 1980 regular meetings of the Washington State Parks and Recreation Commission was submitted to your office on December 20, 1979, for publication in the Washington State Register. It is now necessary to request publication of changes in meeting dates for the following months:

Month	Original Date	Revised Date	Meeting Location
September	15	18	Wenatchee
October		NO MEETING	
November	17	20	Anacortes
December	15	18	Seattle

All meetings will begin at 9 a.m. on the day scheduled. The location of each meeting will be announced at each preceding regular monthly meeting.

As previously published, there will be no Commission meeting in July and the previously scheduled regular meeting for August 18 will be held at the Islander Lopez, Lopez Island, San Juan County.

WSR 80-08-076
NOTICE OF PUBLIC MEETINGS
PLANNING AND
COMMUNITY AFFAIRS AGENCY
 [Memorandum, Director—July 2, 1980]

Energy Conservation Weatherization Advisory Council
 The Energy Conservation Weatherization Advisory Council will meet on July 16, 1980, from 9:00 a.m. to 12 noon at the Vance Airport Inn near Sea-Tac, 18220 Pacific Highway South, Seattle. For additional information, contact Claire Hopkins, Economic Opportunity Division, Planning and Community Affairs Agency, 400 Capitol Center Building FN-41, Olympia, Washington 98504, telephone (206) 754-1233 or toll free 1-800-562-5677.

WSR 80-08-077
PROPOSED RULES
BOARD OF HEALTH
 [Filed July 2, 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:

Amd WAC 248-140-220 Reporting of pregnancy terminations.
 New WAC 248-140-230 Disclosure of information;

that such agency will at 9:00 a.m., Wednesday, August 13, 1980, in the South Auditorium, Federal Building, 915 Second Avenue, Seattle, 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, August 13, 1980, in the South Auditorium, Federal Building, 915 Second Avenue, Seattle, 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 August 13, 1980, and/or orally at 9:00 a.m., Wednesday, August 13, 1980, South Auditorium, Federal Building, 915 Second Avenue, Seattle, WA.

Dated: July 2, 1980
 By: John A. Beare, MD
 Secretary

STATEMENT OF PURPOSE

- RE: Abortion Reporting Rule Amendments and Adoption of New Rule on Disclosure of Abortion-Related Information
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 Washington Board of Health.
 2. Title. Amendments modifying abortion reporting requirements, and adoption of new rule concerning disclosure of abortion-related information.
 3. Summary. These amendments make the following changes to the Board's abortion rules and regulations:
 - a. Facilities performing abortions are required to report only those induced abortions which are terminated or performed in full. Reporting of inductions are no longer required.

- b. Reporting requirements have been changed to allow for adoption of a new reporting form which includes additional data items required by the U.S. standard form for reporting of induced terminations of pregnancy.
- c. A new section has been added to improve the confidentiality of abortion information.
4. Department Personnel Responsible for Drafting, Implementing, and Enforcement of Rule: May O'Mara, LL-15, 753-1435
5. Governmental Organization Proposing the Rule: State Board of Health
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 87, filed 6/12/73)

WAC 248-140-220 REPORTING OF PREGNANCY TERMINATIONS. In order for the board and the department to evaluate the effect of the board's rules and regulations in assuring safe and adequate care and treatment of patients, each hospital and facility where lawful induced abortions are performed (~~in whole or in part~~) during either the first or second trimester of pregnancy in accordance with chapter 9.02 RCW and these rules and regulations shall, on forms prescribed and supplied by the secretary, report to the department during the following month the number and dates of induced abortions performed (~~in whole or in part~~) during the previous month, giving for each abortion the age, race, and marital status of the patient, patient's residence and previous pregnancy history, the duration of the pregnancy, the method of abortion (~~and portion of abortion procedure performed~~), any complications such as perforations, infections, and incomplete evacuations, the name of the physician(s) performing or participating in the abortion and such other relevant information as may be required by the secretary. All physicians performing abortions in nonapproved facilities, when the physician has determined that termination of the pregnancy was immediately necessary to meet a medical emergency, shall also report in the same manner, and shall additionally provide a clear and detailed statement of the facts upon which he based his judgment of medical emergency.

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

NEW SECTION

WAC 248-140-230 DISCLOSURE OF INFORMATION. Information received by the board or the department through filed reports, inspections or as otherwise authorized, shall not be disclosed publicly in such a manner as to identify any individual without her consent, except by subpoena, nor in such a manner as to identify any facility except in a proceeding involving issues of certificates of approval.

WSR 80-08-078
PROPOSED RULES
DEPARTMENT OF GAME
(Game Commission)
 [Filed July 2, 1980]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 42.30 RCW, that the State Game Commission intends to adopt, amend, or repeal rules concerning:

- | | | |
|-----|----------------|--|
| Rep | WAC 232-28-402 | 1979 Upland Game Bird and Migratory Waterfowl Seasons. |
| Rep | WAC 232-28-602 | 1980 Game Fish Seasons and Catch Limits. |
| Rep | WAC 232-12-250 | Beaver Tag Required. |

- New WAC 232-28-403 1980 Upland Game Bird and Migratory Waterfowl Seasons.
- New WAC 232-28-603 1981 Game Fish Seasons and Catch Limits.
- New WAC 232-16-620 Lake Tennant Game Reserve;

that such agency will at 9:00 a.m., Monday and Tuesday, August 25 and 26, 1980, in the Holiday Inn, 1700 Canyon Road, Ellensburg, WA 98926, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Monday and Tuesday, August 25 and 26, 1980, in the Holiday Inn, 1700 Canyon Road, Ellensburg, WA 98926.

The authority under which these rules are proposed is RCW 77.12.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to August 25 and 26, 1980, and/or orally at 9:00 a.m., Monday and Tuesday, August 25 and 26, 1980, Holiday Inn, 1700 Canyon Road, Ellensburg, WA 98926.

Dated: July 2, 1980

By: Wallace F. Kramer
Chief, Wildlife Enforcement Division

STATEMENT OF PURPOSE

1. Title: New Section WAC 232-28-403 1980 Upland Game Birds and Migratory Waterfowl Seasons
 2. Summary: Adopts regulations and rules relating to the 1980 season of upland game birds and migratory waterfowl seasons
 3. Agency Personnel Responsible for:
Drafting Rules: Reade Brown, Chief, Wildlife Management Division, Department of Game, 600 N. Capitol Way, Olympia, WA 98504, Telephone: (206) 753-5728.
Implementation: Reade Brown, Chief, Wildlife Management Division, Department of Game, 600 N. Capitol Way, Olympia, WA 98504, Telephone: (206) 753-5728.
Enforcement: Wallace F. Kramer, Chief, Wildlife Enforcement, Department of Game, 600 N. Capitol Way, Olympia, WA 98504, Telephone: (206) 753-5740.
 4. Proponents or Opponents: As this regulation is proposed for adoption, proponents or opponents are unknown.
 5. Comments: Comments will be on record in the minutes of the meeting in the Director's office of the Department of Game after the August 25-26 State Game Commission meeting is held.
1. Title: New Section WAC 232-28-603 1981 Game Fish Seasons and Catch Limits
 2. Summary: Adopts regulations and rules relating to the 1981 game fish seasons and catch limits.
 3. Agency Personnel Responsible for:
Drafting Rules: Jack Ayerst, Chief, Fishery Management Division, Department of Game, 600 N. Capitol Way, Olympia, WA 98504, Telephone: (206) 753-5713.
Implementation: Jack Ayerst, Chief, Fishery Management Division, Department of Game, 600 N. Capitol Way, Olympia, WA 98504, Telephone: (206) 753-5713.
Enforcement: Wallace F. Kramer, Chief, Wildlife Enforcement, Department of Game, 600 N. Capitol Way, Olympia, WA 98504, Telephone: (206) 753-5740.
 4. Proponents or Opponents: As this regulation is proposed for adoption, proponents or opponents are unknown.
 5. Comments: Comments will be on record in the minutes of the meeting in the Director's office of the Department of Game after the August 25-26 State Game Commission meeting is held.
1. Title: New Section WAC 232-16-620 Lake Tennant Game Reserve

2. Summary: Establishes a game reserve in Whatcom County within the following described boundary: All of those portions of Tennant Lake lying North of an East to West line which lies 800 feet South of and parallel to the North line of Section 32 in the North 1/2 of the NE 1/4 Township 39N Range 2E.
 3. Agency Personnel Responsible for:
Drafting Rules: Reade Brown, Chief, Wildlife Management Division, Department of Game, 600 N. Capitol Way, Olympia, WA 98504, Telephone: (206) 753-5728.
Implementation: Reade Brown, Chief, Wildlife Management Division, Department of Game, 600 N. Capitol Way, Olympia, WA 98504, Telephone: (206) 753-5728.
Enforcement: Wallace F. Kramer, Chief, wildlife Enforcement, Department of Game, 600 N. Capitol Way, Olympia, WA 98504, Telephone: (206) 753-5740.
 4. Proponents or Opponents: As this regulation is proposed for adoption, proponents or opponents are unknown.
 5. Comments: Comments will be on record in the minutes of the meeting in the Director's office of the Department of Game after the August 25-26 State Game Commission meeting is held.
1. Title: Repealing WAC 232-28-402 1979 Upland Game Bird and Migratory Waterfowl Seasons
 2. Summary: Repeals regulations and rules relating to the 1979 season of upland game birds and migratory waterfowl seasons.
 3. Agency Personnel Responsible for:
Drafting Rules: Reade Brown, Chief, Wildlife Management Division, Department of Game, 600 N. Capitol Way, Olympia, WA 98504, Telephone: (206) 753-5728.
Implementation: Reade Brown, Chief, Wildlife Management Division, Department of Game, 600 N. Capitol Way, Olympia, WA 98504, Telephone: (206) 753-5728.
Enforcement: Wallace F. Kramer, Chief, Wildlife Enforcement, Department of Game, 600 N. Capitol Way, Olympia, WA 98504, Telephone: (206) 753-5740.
 4. Proponents or Opponents: As this regulation will be repealed, proponents or opponents are unknown.
 5. Comments: Comments will be on record in the minutes of the meeting in the Director's office of the Department of Game after the August 25-26 State Game Commission meeting is held.
1. Title: Repealing WAC 232-28-602 1980 Game Fish Seasons and Catch Limits
 2. Summary: Repeals regulations and rules relating to the 1980 game fish seasons and catch limits.
 3. Agency Personnel Responsible for:
Drafting Rules: Jack Ayerst, Chief, Fishery Management Division, Department of Game, 600 N. Capitol Way, Olympia, WA 98504, Telephone: (206) 753-5713.
Implementation: Jack Ayerst, Chief, Fishery Management Division, Department of Game, 600 N. Capitol Way, Olympia, WA 98504, Telephone: (206) 753-5713.
Enforcement: Wallace F. Kramer, Chief, Wildlife Enforcement, Department of Game, 600 N. Capitol Way, Olympia, WA 98504, Telephone: (206) 753-5740.
 4. Proponents or Opponents: As this regulation will be repealed, proponents or opponents are unknown.
 5. Comments: Comments will be on record in the minutes of the meeting in the Director's office of the Department of Game after the August 25-26 State Game Commission meeting is held.
1. Title: Repealing WAC 232-12-250 Beaver Tag Required
 2. Summary: Repeals regulations and rules relating to beaver tag requirements.
 3. Agency Personnel Responsible for:
Drafting Rules: Reade Brown, Chief, Wildlife Management Division, Department of Game, 600 N. Capitol Way, Olympia, WA 98504, Telephone: (206) 753-5728.
Implementation: Reade Brown, Chief, Wildlife Management Division, Department of Game, 600 N. Capitol Way, Olympia, WA 98504, Telephone: (206) 753-5728.
Enforcement: Wallace F. Kramer, Chief, Wildlife Enforcement, Department of Game, 600 N. Capitol Way, Olympia, WA 98504, Telephone: (206) 753-5740.

4. Proponents or Opponents: As this regulation is proposed for deletion, proponents or opponents are unknown.
5. Comments: Comments will be on record in the minutes of the meeting in the Director's office of the Department of Game after the August 25-26 State Game Commission meeting is held.

NEW SECTION

WAC 232-28-403 1980 UPLAND GAME BIRDS AND MIGRATORY WATERFOWL SEASONS.

NEW SECTION

WAC 232-28-603 1981 GAME FISH SEASONS AND CATCH LIMITS.

Reviser's Note: The text and accompanying may comprising the 1980 Upland Game Birds and Migratory Waterfowl Seasons and the 1981 Game Fish Seasons and Catch Limits proposed by the Department of Game have been omitted from publication in the Register under the authority of RCW 34.04.050(3) as being unduly cumbersome to publish. Copies of the rules may be obtained from the main office of the Department of Game, 600 North Capitol Way, Olympia, Washington 98504, and are available in pamphlet form from the Department, its six regional offices, and at numerous drug and sporting goods stores throughout the state.

NEW SECTION

WAC 232-16-620 LAKE TENNANT GAME RESERVE. All of those portions of Tennant Lake lying North of an East to West line which lies 800 feet South of and parallel to the North line of Section 32 in the North 1/2 of the NE 1/4 Township 39N Range 2E.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- (1) WAC 232-28-402 1979 UPLAND GAME BIRD AND MIGRATORY WATERFOWL SEASONS
- (2) WAC 232-28-602 1980 GAME FISH SEASONS AND CATCH LIMITS
- (3) WAC 232-12-250 BEAVER TAG REQUIRED

WSR 80-08-079

PROPOSED RULES

DEPARTMENT OF FISHERIES

[Filed July 2, 1980]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Department of Fisheries intends to adopt, amend, or repeal concerning commercial and personal use shellfish regulations;

that such agency will at 10:00 a.m., Thursday, August 7, 1980, in the Large Conference Room, 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., Monday, August 11, 1980, in the Department of Fisheries Conference Room, 115 General Administration Building, Olympia, Washington.

The authority under which these rules are proposed is RCW 75.08.080.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to August 7, 1980, and/or orally at 10:00

a.m., Thursday, August 11, 1980, Large Conference Room, General Administration Building, Olympia, Washington.

Dated: July 2, 1980

By: Frank Haw for
Gordon Sandison
Director

STATEMENT OF PURPOSE

1. Title: Wac 220-16-130, 220-20-025, 220-55-065, 220-56-372 and 220-56-382 and chapter 220-52 WAC (various sections)
2. Summary: Update commercial and personal use shellfish regulations.
3. Agency personnel responsible for:
 - Drafting rules - Suzanne Shaw
Room 115, General Administration Building, Olympia, Washington 98504, 754-2429
 - Implementation - Ronald E. Westley
Room 115, General Administration Building, Olympia, Washington 98504, 753-6749
 - Enforcement - Patrol Division
Room 115, General Administration Building, Olympia, Washington 98504, 753-6585
4. Proponents
Washington Department of Fisheries
5. Comments:
 - There are 20 proposed changes in the commercial and recreational shellfish regulations. Purpose is to adjust the regulations to correspond to changing conditions in the shellfish stocks, and to conform to recent legislative changes.
 - Detail explanation for each proposed change is included in the attached mailout.

AMENDATORY SECTION (Amending Order 77-145, filed 12/13/77)

WAC 220-16-130 DEFINITIONS—SHRIMP TRAWL. "Shrimp trawl" shall be defined as a tapered, funnel-shaped trawl net ((having floats along the upper edge of the mouth (headrope) and a weighted line (footrope) forming the lower edge thereof)) in which the mesh size is two inches or less in the body, intermediate and codend sections of the trawl. Otter doors or boards are used to spread the mouth of the net horizontally as it is towed. ((Mesh size shall be no more than two inches nor less than one and one-half inches from the inside of one knot to the outside of the opposite vertical knot in the wings, body, intermediate and cod end. Double layer cod ends (liners) shall not be permitted. The net may include panel inserts at the mouth, and trash exits in the top or bottom. The maximum distance between the otter doors and the wings of the net shall not exceed 10 fathoms)) The mouth of the net is formed on the upper edge by a line to which floats are attached (headrope) and on the lower edge by a line which is usually weighted (footrope). Additional webbing is frequently attached to the codend section to protect the net from chafing.

NEW SECTION

WAC 220-16-257 RAZOR CLAM BEDS. "Razor clam beds" are defined as that portion of Pacific Ocean beaches westerly of a line 500 feet seaward and parallel to the base of the primary dune or cliff. Any portion of Pacific Ocean beaches posted as a razor clam bed and marked with boundary markers is defined as a "razor clam bed." The detached Willapa Harbor Spits that are north of Ledbetter Channel, west of Ellen Sands and south of the Willapa Ship Channel are also defined as "razor clam beds."

AMENDATORY SECTION (Amending Order 1179, filed 11/19/74)

- WAC 220-20-025 GENERAL PROVISIONS—SHELLFISH.
- (1) It shall be unlawful to drive or operate any motor-propelled vehicle, land any airplane or ride or lead any horse on the razor clam beds of the state of Washington, as defined in WAC 220-16-257.
 - (2) It shall be unlawful to possess any soft-shelled crab for any purpose.

(3) It shall be unlawful to possess in the field any crab from which the back (~~shall [shell]~~) shell has been removed.

(4) It shall be unlawful to use any irritant chemicals when taking or fishing for octopus.

(5) It shall be unlawful to wilfully damage crab or other shellfish. Any crab taken incidentally to a net fishery must be immediately returned to the water with the least possible damage to the crab.

NEW SECTION

WAC 220-20-038 SHELLFISH—IMPORT AND TRANSFER. It shall be unlawful to import, transfer, ship or otherwise cause live shellfish of any kind or form or associated pest, predators or disease organisms, to be introduced into the marine waters of the state of Washington without first obtaining written permission from the director of fisheries or his authorized agent. The permit shall accompany the shellfish during transit and at the point of introduction. It shall be unlawful for the permit holder to fail to comply with all terms, conditions and provisions of the permit or to perform any act in connection with the permit that is not specifically authorized in the permit.

AMENDATORY SECTION (Amending Order 79-129, filed 11/20/79)

WAC 220-52-01901 VALIDATIONS. (a) Numbered validations will be issued only to holders of valid subtidal geoduck harvest agreements issued by the department of natural resources and persons who hold current geoduck tract licenses issued by the department of fisheries. The validation will (~~contain the identification of~~) be issued for each licensed tract.

(b) The number of validations to be issued to each holder of a harvest agreement shall be determined by the director of fisheries based upon the number of individual geoduck tracts for which harvest agreements have been issued by the department of natural resources, their total acreage, past geoduck production, present number of nozzle licenses held for the operation, and other factors as deemed appropriate by the director of fisheries.

(c) The number of geoduck validations held by the holder of the harvest agreement may be adjusted from time to time as deemed necessary by the director of fisheries and when changes in leases occur.

(d) The geoduck validation will expire at the end of each calendar year, provided that the director may issue temporary validations for restricted time periods. In the event a validation is lost, a new validation will be issued upon receipt of a signed affidavit from the holder of the harvest agreement attesting to the loss. Any request to assign or transfer a validation from one holder of a harvest agreement to another must be made in writing. No validation will be assigned or transferred without the written approval of the director of fisheries.

(e) The holder of the harvest agreement is held responsible for notifying each diver to whom he provides a validation of all the laws and regulations of the state of Washington Department of Fisheries pertaining to commercial geoduck harvest. The holder of the harvest agreement and/or diver may be held criminally or civilly liable for violation of the applicable rules and regulations of the department of fisheries. Any violations by either the holder of the harvest agreement and/or the diver can result in suspension and a cancellation of the validation subject to the holder's right to opportunity for a hearing as specified in chapter 34.04 RCW. The director of fisheries may refuse to issue a validation to any holder of a harvest agreement who has failed to comply with these regulations.

(f) Applications for geoduck validations must be made on forms provided by the department of fisheries.

(g) At all times when geoduck harvest is occurring, the geoduck personal commercial fishing license and validation card for each and every diver who is harvesting or attempting to harvest geoducks from that tract and evidence of the geoduck tract license for the specific tract must be prominently displayed on board the vessel.

AMENDATORY SECTION (Amending Order 79-6, filed 1/30/79)

WAC 220-52-040 CRAB FISHERY—LAWFUL AND UNLAWFUL. (1) It shall be unlawful for any vessel geared or equipped with commercial net fishing gear to have aboard any quantity of crab while fishing with said gear or having commercially caught food fish or other species of shellfish aboard.

(2) Unless otherwise provided, it shall be unlawful to set, maintain, ~~(or)~~ operate or have in the water any baited or unbaited shellfish

pots or ring nets for taking crabs, for commercial purposes, in any area at any time when it is unlawful to take or fish for crabs for commercial purposes therein.

(3) It shall be unlawful for any person to take, or possess for commercial purposes female crabs, or crabs measuring less than 6-1/4 inches, caliper measurement, across the back immediately in front of the tips.

(4) It shall be unlawful for any person to take or fish for crabs for commercial purposes in Puget Sound with more than 100 shellfish pots or ring nets in the aggregate, and it shall be unlawful for any group of persons using the same vessel to take or fish for crabs for commercial purposes in Puget Sound with more than 100 shellfish pots or ring nets in the aggregate, provided it shall be unlawful for any person, or group of persons using the same vessel, to take or fish for crabs for commercial purposes with more than 20 shellfish pots or ring nets in the aggregate within the waters of Dungeness Bay lying west of a line projected from the new Dungeness Light southward to the outermost end of the abandoned dock at the Three Crabs Restaurant on the southern shore of Dungeness Bay.

AMENDATORY SECTION (Amending Order 76-152, filed 12/17/76)

WAC 220-52-046 CRAB FISHERY—SEASONS AND AREAS. (1) It shall be unlawful to take, fish for or possess crabs for commercial purposes except during the lawful open seasons and areas as follows:

~~((+))~~ (a) Puget Sound Marine Fish-Shellfish Areas 27A, 27B, and 27C closed the entire year.

~~((+))~~ (b) All other Puget Sound Marine Fish-Shellfish Areas open October 1 through April 15, provided that it shall be unlawful to set any crab gear prior to 9:00 a.m. on the opening day of the season.

~~((+))~~ (c) Coastal, Grays Harbor, Willapa Harbor and Columbia River - ~~(January)~~ December 1 through September 15.

~~((+))~~ (2) It shall be unlawful except from ~~(January)~~ December 1 through September 15 to take, fish for, land, or possess in the state of Washington, or to transport through state waters, any crabs taken for commercial purposes in the waters of the state of Washington (except as provided in subsection (1) of this section) or the Pacific Ocean.

~~((+))~~ (3) It shall be unlawful to possess in the Columbia River district any crabs for commercial purposes taken in the waters of the Pacific Ocean and all coastal, Grays Harbor, Willapa Harbor, and Puget Sound fishing areas except during the lawful seasons for those areas.

AMENDATORY SECTION (Amending Order 79-6, filed 1/30/79)

WAC 220-52-050 SHRIMP FISHERY—LAWFUL AND UNLAWFUL. (1) It shall be unlawful for any commercial shrimp fisherman to possess any quantity of shrimp exceeding ten percent by weight or number which is undersized or unmarketable. Unmarketable or undersized shrimp shall be defined as including any size or species of shrimp unacceptable to the market for human consumption.

(2) It shall be unlawful for any person to take or fish for shrimp for commercial purposes in Puget Sound with more than 100 shellfish pots, and it shall be unlawful for any group of persons using the same vessel to take or fish for shrimp for commercial purposes in Puget Sound with more than 100 shellfish pots ~~(-provided;)~~ except:

(a) It shall be unlawful for any person, or for any group of persons using the same vessel, to take or fish for shrimp for commercial purposes with more than 75 shellfish pots in Puget Sound Marine Fish-Shellfish Area 28B as described in WAC 220-22-400.

(b) It shall be unlawful for any person to take or fish for shrimp for commercial purposes in that portion of Marine Fish-Shellfish Catch Reporting Area 23 inside and westerly of a line projected from the tip of Ediz Hook to the ITT Rayonier Dock.

(3) It shall be unlawful to operate ~~(or)~~, set or have in the water any baited or unbaited shellfish pots for taking of shrimp for commercial purposes in any area or at any time that it is unlawful to take or fish for shrimp for commercial purposes therein.

NEW SECTION

WAC 220-52-054 SHRIMP FISHERY—UNLAWFUL GEAR. (1) It shall be unlawful to take, fish for, land or possess shrimp for commercial purposes in the waters of the state of Washington or the Pacific Ocean with the following types of shrimp trawl gear:

(a) Shrimp trawl gear having a mesh size greater than two inches or smaller than one and one-half inches in the body, intermediate or codend (stretch measurement including one knot), provided that it shall be lawful to have net mesh larger than two inches in the wings of the trawl.

(b) Shrimp trawl gear having a double-layered codend (liner).

(c) Shrimp trawl gear employing an additional layer of webbing (lifting bag) over the codend section which has a mesh size smaller than three inches or a circumference smaller than the shrimp trawl codend at its greatest circumference.

(d) Shrimp trawl gear employing additional layers of protective webbing (chafing gear) over the codend of the shrimp trawl unless such webbing is attached at only one strip around the circumference of the codend, trails freely therefrom and has a minimum mesh size of three inches.

(2) It shall be unlawful to have aboard a commercial shrimp vessel in the waters of the state of Washington or the Pacific Ocean any shrimp trawl gear described in subsection (1) of this section while any shrimp are on board the vessel.

AMENDATORY SECTION (Amending Order 79-6, filed 1/30/79)

WAC 220-52-060 CRAWFISH FISHERY. (1) It shall be unlawful to take, fish for or possess crawfish for commercial purposes from waters of the state of Washington without first obtaining and having in possession a commercial crawfish permit from the director of fisheries and it shall be unlawful to fail to comply with any of the provisions of a commercial crawfish permit and with the following regulations.

(2) It shall be ~~((lawful))~~ unlawful to ~~((take, fish for and possess))~~ operate, set or have in the water any baited or unbaited shellfish pots for the taking of crawfish for commercial purposes ((only in those waters)) ~~except in the times and areas specified and with no more than the number of shellfish pots specified in the commercial crawfish permit issued by the director of fisheries.~~

(3) It shall be unlawful to take, fish for or possess crawfish for commercial purposes with gear other than shellfish pots.

(4) It shall be unlawful to take, fish for or possess crawfish for commercial purposes from the waters of the state of Washington except from the first Monday in May through October 31; provided that it shall be lawful to take, fish for and possess crawfish for commercial purposes in Washington waters of the Columbia River downstream from the mouth of the Walla Walla River from April 1 through October 31.

(5) It shall be unlawful to take, fish for or possess crawfish for commercial purposes less than 3-1/4 inches in length from the tip of the rostrum (nose) to the tip of the tail and all undersize crawfish and female crawfish with eggs or young attached to the abdomen must be immediately returned unharmed to the waters from which taken: It shall be unlawful for crawfish fishermen to fail to sort and return illegal crawfish to the waters from which taken immediately after the crawfish are removed from the shellfish pot and prior to lifting additional pots from the water.

(6) It shall be unlawful for crawfish fishermen to discard into any water of the state any crawfish bait.

(7) It shall be unlawful to plant or place in the waters of the state any crawfish imported from any other state or country without prior written approval of the director of fisheries.

(8) It shall be unlawful to engage in culture of crawfish for commercial purposes without having obtained a Crawfish Culture Permit from the director of fisheries, and it shall be unlawful to fail to comply with any provisions of the Crawfish Culture Permit.

(9) Commercial crawfish harvest permits will be issued only in those "waters" where fishing will not conflict with high-density residential or recreational areas provided that no permit will be issued in areas where developed parks encompass more than one-half of the water shoreline. In areas where developed parks encompass less than one-half of the water shoreline, fishing will not be permitted within 1/4 mile of the park shoreline.

(10) Commercial crawfish harvest permits will be issued to restrict the number of crawfish pots per fisherman per lake, reservoir, pond, river, slough, or stream as follows:

(a) Under 10 acres - no commercial harvest.

(b) Between 10 and 25 acres - 50 pots.

(c) Between 25 and 400 acres - 100 pots.

(d) Over 400 acres - 200 pots.

Provided that permits issued and number of pots allowed for individual fishermen will not exceed a maximum total of 400 pots per individual fisherman.

(11) The department of fisheries shall fix the maximum number of pots to be permitted in any given body of water. Once the permitted maximum number of pots for any given body of water has been reached, no further permits will be issued. Permits will be issued on a first-come, first-serve basis consistent with all other regulations concerning issuance of commercial crawfish harvest permits.

AMENDATORY SECTION (Amending Order 807, filed 1/2/69, effective 2/1/69)

WAC 220-52-063 OCTOPUS FISHERY. (1) It shall be lawful at any time to take or fish for octopus for commercial purposes with shellfish pot or ring net gear in any of the waters of the state of Washington.

(2) It shall be lawful to ~~((take or fish for))~~ possess octopus for commercial purposes ((with otter trawl or beam trawl gear in such areas and during such times as it may be lawful to take or fish for bottom fish)) taken incidentally to any other lawful bottom fish or shellfish fishery, except that it shall be unlawful for divers to take octopus.

(3) It shall be unlawful to possess any octopus mutilated in the process of its fishing or taking.

AMENDATORY SECTION (Amending Order 807, filed 1/2/69, effective 2/1/69)

WAC 220-52-066 SQUID FISHERY. (1) It shall be lawful at any time to take or fish for squid for commercial purposes with drag seine gear not exceeding 350 feet in length and having meshes of not less than 1-1/4 inches stretch measure, or with dip bag net and shellfish pot gear.

(2) It shall be lawful to retain for commercial purposes squid or inkfish taken incidental to any other ~~((types of fish))~~ lawful fishery.

AMENDATORY SECTION (Amending Order 79-6, filed 1/30/79)

WAC 220-52-073 SEA URCHINS. (1) It shall be unlawful to take, fish for or possess sea urchins for commercial purposes except using dip bag net gear.

(2) It shall be unlawful to take, fish for or possess sea urchins for commercial purposes except by divers using hand-operated equipment that does not penetrate the shell.

(3) It shall be unlawful to take sea urchins for commercial purposes in waters shallower than 10 feet below mean lower low water.

(4) ~~((It shall be lawful to utilize sea urchins as prescribed in this section for purposes other than human consumption or bait.~~

~~((5)))~~ It shall be unlawful to take, fish for or possess for commercial purposes, purple urchins at any time.

~~((6)))~~ (5) It shall be unlawful to take, fish for or possess red sea urchins except between the minimum and maximum sizes, measured caliper measure at the largest diameter of the shell, exclusive of the spines, as follows:

(a) In coastal marine fish-shellfish areas 58 and 59 and Puget Sound marine fish-shellfish area 23, minimum 3.75 inches - maximum 5.5 inches.

(b) All other areas, minimum 4.5 inches - maximum 5.5 inches.

~~((7)))~~ (6) It shall be unlawful to take, fish for or possess sea urchins for commercial purposes at any time in the following areas:

(a) San Juan Channel and Upright Channel within the following lines: North of a line from Cattle Point on San Juan Island to Davis Point on Lopez Island; south of a line projected from Flat Point true west to Shaw Island; west of a line from Neck Point on Shaw Island to Steep Point on Orcas Island and south of a line from Steep Point to Limestone Point on San Juan Island.

(b) Within one-quarter mile north and one-half mile south of Eagle Point on San Juan Island.

(c) Within one-quarter mile in any direction of Green Point on the East end of Spieden Island.

(d) Within one-quarter mile of Gull Reef located between Johns Island and Spieden Island.

(e) Within one-half mile of Portage Head in marine fish-shellfish area 59.

(f) Within one-quarter mile of Tatoosh Island.

(g) Within one-quarter mile in any direction of Lime Kiln Light on the west shore of San Juan Island.

(h) The area that lies southerly of a line projected true west from a point one-fourth mile north of Pile Point on the west shore of San Juan Island and northerly of a line projected true west from the boundary marker located approximately one-half mile southerly of the east headland of False Bay on San Juan Island.

(i) Within one-quarter mile in any direction of the boundary marker located on the west shore of San Juan Island at a latitude of 48° 29.8' north and longitude of 123° 07.6' west. (Located approximately 1.5 miles south of Lime Kiln Light; locally known as Edwards Reef.)

((+)) (7) It shall be unlawful to take, fish for or possess sea urchins for commercial purposes without having a number, which has been assigned by the department of fisheries, placed in a visible location on each side of each vessel and on the top in a manner to be clearly visible from the side or from the air. The letters and numbers shall be black on white and shall be not less than 18 inches high and of proportionate width.

((+)) (8) It shall be unlawful to harvest sea urchins for commercial purposes from one-half hour after sunset to one-half hour before sunrise.

((+)) (9) No processing of sea urchins is permitted aboard the harvest vessel.

((+)) (10) It shall be unlawful to take, fish for, or possess sea urchins for commercial purposes except for use as human food unless a written permit is obtained from the director of fisheries.

AMENDATORY SECTION (Amending Order 79-6, filed 1/30/79)

WAC 220-52-074 SEA URCHIN—AREAS AND SEASONS. It shall be unlawful to take, fish for or possess sea urchins for commercial purposes except during the following times and in the following areas:

(1) September 1 through September 30:

That portion of Puget Sound marine fish-shellfish area ((22A) ~~lying northerly of a line projected true west from Lime Kiln Light on the west shore of San Juan Island and southerly of a line running true east and west and passing through the northern tip of Low Island~~) east of a line projected true north from the point of land on Stuart Island that lies at the most northerly end of Johns Pass; easterly of a line projected from the most southerly point of Stuart Island to the most westerly end of Spieden Island; and west of a line projected true north from Green Point on the eastern end of Spieden Island to the International Boundary except for those portions closed in WAC 220-52-073(7).

(2) October 1 of even-numbered years through April 30 of the following year:

That portion of Puget Sound marine fish-shellfish area 23 lying west of a line projected true north and south from the navigation bell buoy Number One in central Clallam Bay, except for those portions closed in WAC 220-52-073(7).

(3) October 1 of odd-numbered years through April 30 of the following year:

That portion of Puget Sound marine fish-shellfish area 23 lying east of a line projected true north and south from the navigation bell buoy Number One in central Clallam Bay, except for those portions closed in WAC 220-52-073(7).

(4) Coastal marine fish-shellfish areas 58 and 59, except those portions closed in WAC 220-52-073, open the entire year.

AMENDATORY SECTION (Amending Order 79-129, filed 11/20/79)

WAC 220-52-075 SHELLFISH HARVEST LOGS. It shall be unlawful for any vessel operator engaged in commercial crawfish, geoduck, sea cucumber, sea urchin, and shrimp ((and Puget Sound crab)) fisheries and operators of mechanical clam digging devices to fail to obtain and accurately maintain the appropriate harvest log available from the Washington department of fisheries. The harvest log must be kept aboard the vessel while the vessel is engaged in harvest or has crawfish, geoducks, sea cucumbers, sea urchins, shrimp((~~Puget Sound crab~~)) or clams aboard. The vessel operator must submit the log book for inspection upon request by authorized department of fisheries representatives. The department's copies of the completed harvest log must be submitted to the department for each calendar month in which fishing activity occurs. State copies must be received within ten days following any calendar month in which fishing occurred and by the tenth day following the termination of commercial fishing activity, whichever occurs first. Vessel operators engaged in commercial harvest of:

(1) Shrimp((~~;~~)) and crawfish ((and Puget Sound crab)) with shellfish pot or ring net gear must record the vessel identity, number of pots or ring nets pulled, date pulled, soak times and gear location before leaving the catch area where taken and weights must be recorded upon landing or sale.

(2) Shrimp with beam trawl or shrimp trawl gear must record the vessel identity, date, location, duration and estimated weight of shrimp caught for each tow before leaving the catch area where taken.

(3) Sea urchins, or sea cucumbers must record the vessel identity, date, location and approximate number of geoducks, sea urchins or sea cucumbers before leaving the catch area where taken and the exact weight must be recorded upon landing or sale.

(4) Clams with mechanical digging devices must record the vessel identity, location and date of harvest before the end of each days' fishing and the weights by clam species must be recorded upon landing or sale.

(5) Geoducks must record the vessel identity date, location, and approximate number of geoducks before leaving the department of natural resources geoduck tract from which the catch was taken, and the exact weight must be recorded upon landing or sale. A separate geoduck harvest log must be used for each separate tract for each month fished.

AMENDATORY SECTION (Amending Order 79-58, filed 8/10/79)

WAC 220-55-065 EXPIRATION. The expiration date of each resident or nonresident license shall be June 30th next following the date of issuance. In case of a free license, the license shall not expire, except:

(1) A license issued to a person under 16 years of age shall expire on that person's 16th birthday.

(2) Any free license issued to a nonresident under the provisions of RCW 75.25.030 shall expire June 30, 1980.

NEW SECTION

WAC 220-56-372 RAZOR CLAM SANCTUARIES. The following areas are hereby set aside for experimental purposes in the department of fisheries razor clam enhancement project. As need arises in the future, specific sections of these areas be closed to public use.

(1) Long Beach - from a line extending westward from the middle of the Oysterville approach - north for one quarter mile (1,320 feet).

(2) Twin Harbors Beach - from a line extending westward from the middle of the county line approach south for one quarter mile (1,320 feet).

(3) Copalis Beach - in the posted no driving area at Ocean Shores, from a point beginning one half mile south of the no driving area signs and extending south for one quarter mile (1,320 feet).

NEW SECTION

WAC 220-56-382 OYSTERS AND CLAMS ON PRIVATE TIDELANDS—PERSONAL USE. (1) WAC 220-56-340 through 220-56-355, and 220-56-375 through 220-56-385 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 or adjoining owned or leased uplands in excess of personal use limits as provided in WAC 220-56-310.

WSR 80-08-080 EMERGENCY RULES DEPARTMENT OF FISHERIES (Order 80-56—Filed July 2, 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 to clear up an oversight in the regulation, to prohibit the unlawful sale or purchase of sport caught fish and shellfish.

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 July 2, 1980.

By Gordon Sandison
Director

NEW SECTION

WAC 220-20-01200A UNLAWFUL SALE OF FOOD FISH AND SHELLFISH. *It shall be unlawful to sell, or offer for sale, or purchase, or offer to purchase, any food fish or shellfish unless taken with lawful commercial gear, in an area open to commercial fishing for that species, and the fisherman has in his possession at the time of sale a valid commercial fishing license.*

WSR 80-08-081
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 80-57—Filed July 2, 1980]

I, Gordon Sandison, director of Washington 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 salmon are available for harvest in Grays Harbor and Willapa Harbor. This order is necessary for immediate implementation. The troll closures are 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 July 2, 1980.

By Gordon Sandison
Director

NEW SECTION

WAC 220-36-02000B CLOSED AREA *Notwithstanding the provisions of WAC 220-36-020, effective 6:00 p.m. July 6, 1980 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 Grays Harbor.*

NEW SECTION

WAC 220-36-02100R GRAYS HARBOR GILL NET—SEASONS *Notwithstanding the provisions of WAC 220-36-021 and WAC 220-36-022, it shall be unlawful to take, fish for or possess salmon for commercial purposes with gill net gear in the following Grays Harbor Fishing Areas except during the seasons provided for hereinafter in each respective fishing area:*

Areas 2B, 2C, and 2D

6:00 p.m. July 6 to 6:00 p.m. August 15, 1980—open continuously.

NEW SECTION

WAC 220-40-02000C CLOSED AREA *Notwithstanding the provisions of WAC 220-40-020, effective 6:00 p.m. July 6, 1980 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 Willapa Harbor.*

NEW SECTION

WAC 220-40-02100I WILLAPA HARBOR GILL NET—SEASONS *Notwithstanding the provisions of WAC 220-40-021 and WAC 220-40-022, it shall be unlawful to take, fish for or possess salmon for commercial purposes with gill net gear in the following Willapa Harbor Fishing Areas, except during the seasons provided for hereinafter in each respective fishing area:*

Areas 2G, 2J, and 2K

6:00 p.m. July 6 to 6:00 p.m. August 20, 1980—open continuously.

WSR 80-08-082
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Filed July 2, 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 medical assistance, amending chapters 388-80, 388-81, 388-82, 388-83, 388-84, 388-85, 388-86, 388-87, 388-91 and 388-92 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 adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, August 27, 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 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: July 2, 1980

By: Gerald E. Thomas
 Assistant Secretary

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045:

- A. 1. Amend: Chapters 388-80, 388-81, 388-82, 388-83, 388-84, 388-85, 388-86, 388-87, 388-91 and 388-92 WAC
2. Purpose of the rule or rule change is to update medical assistance rules and make clarifications
3. The reason(s) these rules are necessary is that new policies must be incorporated in the rules
4. Statutory authority for this action is found in RCW 74.08.090
- B. Summary of the rule or rule change
1. Chapter 388-80 WAC Information is provided for defining Division of Medical Assistance, Provider Services, Intermediate Care Facility/IMR, Institutions, clarifying "PAS", a better definition of Washington State Professional Standards Review Association.

2. WAC 388-81-030 Has been rewritten to identify responsibility for decisions relating to medical denial of the rules and regulations.
3. WAC 388-81-040 New items which define and clarify independent medical assessment as part of the fair hearing process.
4. WAC 388-82-005 Is restated for clarity.
5. WAC 388-82-020 Clarifies the 12 months period for accumulation of the \$200 deductible.
6. WAC 388-83-030 Clarifies consideration of income and resources
7. 388-83-040 Changes "Monthly Maintenance Standard" to "Monthly Personal Incidental Allowance." This allows for use of the regular monthly maintenance standard for employed institutionalized individuals.
8. WAC 388-83-045(2)(a) and (b) Clarifies excess income and explains allocation of lump sum income.
9. WAC 388-83-045(2)(c) At time of eligibility determination establishes that income of an applicant/recipient must be applied against department rates rather than private rates. This has been a grey area on application of income/resources for nursing home patients. This change establishes that the income and resources available to institutional care are computed at the department rates rather than private rates.
10. WAC 388-83-045(2)(f) and (g) Identifies more clearly for financial workers the allocation of income and resources of MO, especially detox applicants.
11. WAC 388-84-005 (2)(a) New - Spells out that any need for application for retroactivity must be declared early on, not six to eight months later.
12. WAC 388-86-005 (New 7 and 8) Declares department policy regarding orthodontia and obesity.
13. WAC 388-86-008 Is rewritten
14. WAC 388-86-010 Is being repealed because it no longer serves its purpose and is discussed elsewhere.
15. WAC 388-86-020 (1) and (7) Identifies dental schedule of maximum allowances and further identifies and defines orthodontia.
16. WAC 388-86-027(1)(c) Makes it clear that treatment of an EPSDT child is the same as for all recipients. Cross references to program descriptions on dental and hearing aids.
17. WAC 388-86-032 Exceptions themselves are moved to 388-86-120 to more clearly identify the Mo program.
18. WAC 388-96-045 Home Health Service is reworded to state that the Division of Medical Assistance will establish limits for home health agencies.
19. WAC 388-86-050 Editorial changes that more clearly define PAS and its relation to state funded hospital care.
20. WAC 388-86-035 Patient transportation has been rewritten.
21. WAC 388-86-095 (3) Is deleted. The department pays for immunizations.
22. WAC 388-86-095 (6) New - Definition of cosmetic surgery.
23. WAC 388-86-096 New - Podiatry is new topic heading only in the 86 chapter. Language is unchanged, only moved from 388-87-095 physician piece.
24. WAC 388-86-120 (3) New - Original language from 388-86-032. Places all MO program in one WAC section.
25. WAC 388-87-005 Recognition of providers already providing services.
26. WAC 388-87-010 (4) New - WAC to describe factoring not acceptable. Repeats federal regulations.
27. WAC 388-87-010 (8) Reworded for clarity.
28. WAC 388-87-010 (9) New - Identifies department limitation on payment level.

29. WAC 388-87-035 Describes payment procedure for transportation.
30. WAC 388-87-040 Is being repealed as it no longer serves its purpose and is discussed elsewhere.
31. WAC 388-87-047 (1) (b) Clarifies payment for X-rays.
32. WAC 388-87-065 It deletes the reported requirement by calendar months and dollar amount as these will be established by the Division.
33. WAC 388-87-070 Describes revenue codes limitation.
34. WAC 388-87-095 Reworded to describe payment limitation for physicians in other documents.
35. WAC 388-91-035 (1) This is corrected to show Office of Provider Services.
36. WAC 388-91-935 (3) To correct to 120 days rather than 60 days.
37. WAC 388-92-025 (5)(a)(i) The \$65 per month earned income is in lieu of the \$85 per month. Aged, blind and disabled all have the same earned income deductions. Income expenses are deleted.
38. WAC 388-92-925 (6) Being repealed. Income of the nonapplying spouse of an institutionalized individual is separated by federal regulations and discussed elsewhere.
39. WAC 388-92-035 Allows employed institutionalized individuals to retain earned income. Total of exempt earned income plus personal allowance may not exceed the monthly maintenance standard.
- C. Person or persons responsible for the drafting implementation and enforcement of the rule
1. Name of initiator: Patsy Brittain
 2. Title: Assistant Chief
 3. Office: Provider Services Phone: 3-7313 Mail Stop: LK-11
- 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.
 2. *These rules are necessary as a result of [No information supplied by agency]

AMENDATORY SECTION (Amending Order 1470, filed 1/3/80)

WAC 388-80-005 DEFINITIONS. (1) "Acute and emergent" signify an acute condition, defined as having a short and relatively severe course, not chronic; and an emergent condition, defined as occurring unexpectedly and demanding immediate action.

(2) "Applicant" is any person who has made an application or on behalf of whom an application has been made to the department for medical care.

(3) "Applicant-recipient" or "A/R" is an applicant for or recipient of medical care provided according to these rules.

(4) "Application" shall mean a request for medical care made to the CSO by a person in his own behalf or in behalf of another person. A verbal application must be reduced to writing before considered complete unless the death of the applicant intervenes.

(5) "Assignment" is the method by which the provider receives payment for services under Part B of medicare.

(6) "Available income" is income available to meet the cost of medical care after deducting from net income items specified by the rules.

(7) "Beneficiary" is an eligible individual who receives a federal cash benefit and/or state supplement under Title XVI.

(8) "Benefit period" is the term used by social security administration to denote a period of consecutive days during which services furnished to a patient, up to a certain specified maximum amount, can be paid for by the hospital insurance plan. The term applies to medicare beneficiaries only. See also "spell of illness".

(9) "Carrier" is the agency having a contract to serve as a third-party agency in behalf of the federal government for Part B of medicare.

(10) "Categorically related" refers to a resident of the state of Washington who is:

- (a) A recipient of a federal aid grant, or
- (b) A child receiving foster care, or

(c) An individual who meets the eligibility requirements for a federal aid grant, except that his income and/or resources exceed budgetary standards for a federal aid grant.

(11) "Central disbursements" is the state office section which audits nonmedicaid medical claims for payment billed on form DSHS 6-06 (A-19).

(12) Certification is a document confirming that an applicant has met the financial and medical eligibility requirements for the federal aid medical assistance (MA) or fully state-financed care services (MS) programs.

(13) "Chiropractor" is a person licensed by the state of Washington to practice chiropractic according to chapter 18.25 RCW.

(14) "Coinsurance" is a portion of the medicare cost for covered services, after the deductible is met, which the patient must pay.

(15) "CSO" (community service office) is an office of the department which administers the medical care program at the county level.

(16) "Deductible" is the initial cost of medical care for which the recipient is responsible. It applies specifically to:

(a) All recipients who are beneficiaries of Title XVIII medicare. This is the amount the individual accrues on a yearly basis and is paid by the department to the social security administration for authorized recipients;

(b) Applicants or recipients of medical only. Medical assistance can be certified after such recipients have accrued medical expenses as prescribed in WAC 388-83-045(2)(e).

(17) "Department" shall mean the state department of social and health services.

(18) "Detoxification" (alcohol) means three-day treatment of acute alcoholism for which the department will pay under the medical care program.

(19) "Division of medical assistance" shall mean the single state agency authorized to administer the Title XIX medical care program.

(20) "EPSDT" shall mean a program providing early and periodic screening, diagnosis and treatment to persons under 21 years of age who are eligible under Title XIX of the Social Security Act.

((20)) (21) "Essential person" is the "grandfathered" spouse of a former OAA, AB, or DA recipient for whom a cash allowance is included in the SSI benefit of a beneficiary.

((21)) (22) "ESSO" (economic and social service office) see "CSO".

((22)) (23) "Extended care facility" (ECF) See "skilled nursing facility".

((23)) (24) "Extended care patient" is a recently hospitalized medicare patient who needs relatively short-term skilled nursing and rehabilitative care in a skilled nursing facility.

((24)) (25) "Federal aid" shall mean the medical assistance or aid to families with dependent children programs for which the state receives matching funds from the federal government.

((25)) (26) "Federal aid medical care only" (FAMCO) is medical care provided to a person not eligible for a federal aid grant or for foster care but who can otherwise be categorically related or who is otherwise eligible under the "H" category.

((26)) (27) "Financially eligible" shall mean the determination by the department that an applicant meets the financial requirements to receive medical care under the medical assistance (MA) or state medical care services (MS) programs.

((27)) (28) "Fiscal intermediary" is the agency having a contract to serve as fiscal agent for Part A of medicare.

((28)) (29) "Grandfathering" refers to certain individuals specified below who on December 31, 1973, were receiving medical assistance (or had an application pending which was subsequently approved) and who continue to be eligible under Title XVI for purposes of medicaid beginning January 1, 1974:

(a) Aged, blind and disabled recipients of FAMCO.

(b) Disabled recipients of categorical cash assistance who did not meet Title XVI disability criteria.

(c) Essential persons in adult federal-aid grant programs. All individuals above remain "grandfathered" as long as they continue to meet original program criteria or continue to be an essential person to the same individual who was converted to SSI, and as long as the latter remains eligible.

((29)) (30) "H category" is a federal aid category in the medical assistance (MA) program. An applicant under this category is an individual under 21, or a pregnant woman of any age, who cannot be categorically related but whose income and/or resources are insufficient to meet the cost of medical care.

((30)) (31) "Home" shall mean real property owned and used by an applicant-recipient as a place of residence, together with reasonable amount of property surrounding or contiguous thereto which is used and useful to him.

((31)) (32) "Home health agency" is an agency or organization certified under medicare to provide skilled nursing and other therapeutic services to the patient in his place of residence.

((32)) (33) "Hospital" shall mean any institution licensed as a hospital by the official state licensing authority.

((33)) (34) "Institution" shall mean (a medical institution as defined in WAC 388-34-015) an establishment which furnishes food and shelter to four or more persons unrelated to the proprietor and, in addition provides services and medical care. This would include hospitals, skilled nursing facilities, intermediate care facilities and institutions for the mentally retarded, but does not include correctional institutions.

((34)) (35) "Intermediate care facility" shall mean a licensed facility certified to provide intermediate care for which an agreement has been executed.

(36) "Intermediate care facility/IMR" shall mean a state institution or a licensed nursing home either of which has been certified by state office (SO) as meeting IMR regulations to provide 24 hour health-related care and services to mentally retarded persons or persons with related conditions.

((35)) (37) "Legal dependents" are persons whom an individual is required by law to support.

((36)) (38) "Local office": See CSO.

((37)) (39) "Medical assistance" or "MA" shall mean the federal aid Title XIX program under which medical care is provided to:

(a) A recipient of a federal aid grant or of SSI benefit or (a) an eligible child receiving foster care

(b) A recipient of a continuing general assistance grant who is categorically related

(c) A recipient of a continuing general assistance grant who is eligible for care under the "H" category

(d) A categorically related recipient or a recipient under the "H" category who is eligible for federal aid medical care only (ineligible for a grant)

(e) The spouse of an aged, blind or disabled beneficiary for whom a cash allowance is included in the SSI benefit.

((38)) (40) "Medical audit". See (("professional-audit-")) "provider services".

((39)) (41) "Medical care program" is the total program under which medical care is provided through medical assistance (MA) and medical care services (MS) according to the rules in chapters 388-80 through 388-95 WAC.

((40)) (42) "Medical care services" or "MS" shall mean the fully state-financed program under which medical care is provided to:

(a) A recipient of a continuing general assistance grant who cannot be categorically related,

(b) A recipient of general assistance who does not qualify in the "H" category,

(c) A recipient of medical only (MO).

((41)) (43) "Medical consultant" shall mean a physician employed by the department at the CSO level.

((42)) (44) "Medically necessary" is a term for describing requested service which is reasonably calculated to prevent, diagnose, correct, cure, alleviate or prevent the worsening of conditions that endanger life, or cause suffering or pain, or result in illness or infirmity, or threaten to cause or aggravate a handicap, or cause physical deformity or malfunction, and there is no other equally effective more conservative or substantially less costly course of treatment available or suitable for the recipient requesting the service. For the purpose of this section "course of treatment" may include mere observation or, where appropriate, no treatment at all.

((43)) (45) "Medicare" is a commonly used term for the federal government health insurance program for certain aged or disabled recipients under Titles II and XVII of the Social Security Act.

((44)) (46) "Nursing care consultant" shall mean a qualified and licensed registered nurse employed by the department at the CSO level.

((45)) (47) "Outpatient" is a nonhospitalized patient receiving care in an outpatient or emergency department of a hospital, or away from a hospital such as in a physician's office or the patient's own home.

((46)) (48) "Part A" is the hospital insurance portion of medicare.

((47)) (49) "PAS" - professional activity study is a compilation of inpatient hospital data by diagnosis and age, conducted by the commission of professional and hospital activities, which resulted in the determination of an average length of stay for patients. These data were published in a book entitled "Length of Stay in PAS Hospitals, (United States) Western". The department has adopted this book as the basis for authorizing payment for the maximum number of ((days of)) inpatient hospital (care for which the department is responsible for payment) days for recipients of state funded programs, or where no memorandum of understanding with a PSRO exists.

((48)) (50) "Part B" is the supplementary medical insurance benefit (SMIB) or the "doctor portion" of medicare.

((49)) (51) "Participation" is that part of the cost of medical care which the recipient who has available resources must pay.

((50)) (52) "Physician" is a doctor of medicine, osteopathy or podiatry who is legally authorized to perform the functions of his profession by the state in which he performs them.

((51) "Professional audit" shall mean that unit of the department which audits and authorizes payment for Title XIX provider billings.

((52)) (53) "Professional standards review organization" (PSRO) (is the community-based organization responsible for the review of the professional activities for which payment may be made for the purpose of determining whether services (a) are medically necessary, (b) constitute appropriate medical care, and (c) meet professionally recognized standards of quality care)). See "Washington state professional standards review organization".

((53)) (54) "Provider" or "provider of service" means those institutions, agencies, or individuals furnishing medical care and goods and/or services to recipients and who are eligible to receive payment from the department. See also "vendor".

(55) "Provider services" shall mean the office of the division of medical assistance which authorizes payment for medical billings under Title XIX and state funded programs.

((54)) (56) "Recipient of continuing assistance" is a person certified by the CSO as eligible to receive a continuing maintenance grant, that is, a recipient of federal aid or continuing general assistance (GAU) or a child receiving foster care.

((55)) (57) "Recipient of medical assistance" (MA) is a resident of the state of Washington who is receiving medical care as a recipient of a federal aid grant or SSI benefit, as a foster child, as a recipient of general assistance categorically related or under the H category, as an "essential person", or who has been certified as eligible to receive federal aid medical care only (FAMCO).

((56)) (58) "Recipient of medical only" (MO) (is a resident of the state of Washington) is an individual who is not eligible for a grant or for medical assistance (MS), and who has been certified for the treatment of acute and emergent conditions only, under that part of the state funded medical care services (MS) program known as "medical only".

((57)) (59) "Recipient of noncontinuing general assistance" is a person certified by the department as eligible to receive temporary general assistance (GAN).

((58)) (60) Residence - the state which officially meets one or more of the following:

(a) The state where the applicant/recipient is living with the intent to remain there permanently or for an indefinite period;

(b) The state which he/she entered with a job commitment or to seek employment, whether or not currently employed;

(c) The state making a state supplementary payment;

(d) The state making placement in an out-of-state institution;

(e) The state of the parents or legal guardian, if one has been appointed, of an institutionalized individual who is under age twenty-one or is age twenty-one or over and who became incapable of determining residential intent before age twenty-one(-);

(f) The state where the person over age twenty-one judged to be legally incompetent is living.

((59)) (61) "Resource" is any asset which could be applied toward meeting the costs of medical care. A nonexempt resource is one which is available to meet the costs of medical care. An exempt resource is not considered available to meet the costs of medical care.

((60)) (62) "Retroactivity" is the process used to certify applicant/recipients related to federal programs no earlier than the first day of the third month prior to the month of application to cover unpaid bills for covered medical care.

((61)) (63) "Skilled nursing facility" shall mean a licensed facility certified to provide skilled nursing care for which an agreement has been executed.

~~((62))~~ (64) "Skilled nursing home", unless otherwise described, shall mean any institution or facility licensed by the department as a nursing home, or is a nursing home unit of a hospital licensed by the state department of social and health services. Also known as "skilled nursing facility".

~~((63))~~ (65) "Spell of illness" (benefit period) begins on the first day a person eligible for medicare receives covered services in a hospital or extended care facility. A spell of illness ends as soon as he has been out of any hospital, extended care facility, or a nursing home providing skilled nursing service, for sixty consecutive days.

~~((64))~~ (66) "Spouse" -

(a) Eligible spouse is a person in a two-person household who, in addition to the eligible individual, is eligible for cash benefits under SSI. This person is automatically eligible for medicaid.

(b) Ineligible spouse is a person in a two person household of an eligible individual who is not eligible for a cash benefit under SSI. This person is not automatically eligible for medicaid and must apply in his or her own right.

~~((65))~~ (67) "State office" or "SO" shall mean the division of medical assistance of the department.

~~((66))~~ (68) "Supplementary security income" is a cash benefit provided as a federal payment and/or state supplement under Title XVI for the aged, blind and disabled.

~~((67))~~ (69) "Title XVI" is a program administered by the social security administration which provides supplementary security income to the aged, blind and disabled.

~~((68))~~ (70) "Transfer of property" shall mean any act or any omission to act whereby title to property is assigned or set over or otherwise vested or allowed to vest in another person, including delivery of personal property, bills of sale, deeds, mortgages, pledges, or any other instrument conveying or relinquishing whole or partial title of property.

~~((69))~~ (71) "Vendor" is a provider of medical goods or services under these rules.

(72) "Washington state professional standards review organization" (WSPSRO) is the state level organization responsible for determining the medical necessity, length of stay and appropriateness of care for hospitalization of medicare and medicaid recipients.

NOTE* Specific definitions applicable to: Medical assistance to the aged and those under 21 years of age in mental institutions are in WAC 388-95-005, Title XVI related recipients are in WAC 388-92-005, and "Grandfathered" recipients are in WAC 388-93-005.

AMENDATORY SECTION (Amending Order 1233, filed 8/31/77)

WAC 388-81-005 MEDICAL CARE PROGRAM. The department of social and health services provides a medical care program, administered through the ~~((office))~~ division of medical assistance, designed to meet the health care needs of eligible individuals who do not have resources to meet the full cost of medical care. This medical care program is offered through use of certified providers of medical services as described in WAC 388-87-007.

AMENDATORY SECTION (Amending Order 264, filed 11/24/67)

WAC 388-81-015 INSTITUTION OF CONTROL. The department shall establish and enforce such administrative controls as may be necessary to prevent abuses by vendors or recipients including, but not limited to, determination of need for and duration of services, assurance of justification of services, reasonableness of costs, and operation of the program within the limits of the legislative appropriation.

(1) The department shall conduct audits and investigations of providers of medical and other services provided as authorized by chapter 74.09 RCW to determine compliance with the rules and regulations of the program.

(a) In the conduct of such audits or investigations, the secretary or his authorized representative may examine only those records or portion thereof including patient records pertaining to services rendered by a health care provider and reimbursed by the department. Copies of, but no original records shall be removed from the premises of the health care provider. The secretary shall destroy all copies of recipient medical records made during an audit or investigation. This destruction will take place no later than ninety days after the point when no further actions can be taken or are going to be taken either by the department, the provider or the courts on a particular audit, investigation

or proceeding. The provider will be notified in writing that such destruction has taken place.

(b) The department shall give twenty days notice to providers that his/her patient medical records are to be audited for compliance with program rules and standards. This notice provision shall not apply to investigations of providers for fraudulent or abusive practices. Such notice shall not include names of patient files which are to be reviewed. For the purpose of this provision, prescriptions or records of drugs dispensed are not to be defined as patient medical records.

(c) The department shall work with the provider to minimize inconvenience and disruption of health care delivery.

(2) Based upon the findings of an audit, investigation or other proceeding, the secretary or his authorized representative may order repayment of excess benefits or payments received by the provider, plus interest on the amount of excess benefits and assess civil penalties as provided for in chapter 74.09 RCW. Civil penalties shall be assessed in an amount not to exceed three times the amount of excess benefits or payments received by the provider.

(3) Whenever the department imposes a civil penalty or suspends or terminates a provider from the program, it shall give written notice of the action taken to the appropriate licensing agency and/or disciplinary board. The department may refer to the appropriate disciplinary board providers who have demonstrated a significant noncompliance with the provisions of the medical care program through the results of an audit, investigation or utilization review function. The Washington state medical disciplinary board shall generally serve in an advisory capacity to the secretary in the conduct of audits or investigations of physicians.

(4) The secretary or his authorized representative shall refer all cases to the appropriate prosecuting authority for possible criminal action where the department finds substantial evidence supporting a finding of fraud. Prima facie evidence does not in itself provide a substantial basis for criminal prosecution.

AMENDATORY SECTION (Amending Order 1112, filed 4/15/76)

WAC 388-81-025 ELIGIBILITY—GENERAL. (1) Financial eligibility is established when the department certifies that the applicant meets the appropriate financial requirements in chapter 388-83 WAC.

(2) The department shall be responsible for payment of medical care provided within the scope of the program to recipients of medical assistance (MA), to recipients of continuing general assistance (GAU) who cannot be categorically related, ~~((to recipients of noncontinuing general assistance (GAN)))~~ and to recipients of medical only (MO) who have an acute and emergent medical need. Services provided and limitations thereto are specified in chapter 388-86 WAC.

AMENDATORY SECTION (Amending Order 1112, filed 4/15/76)

WAC 388-81-030 CASE EXCEPTION. ~~((The need for medical care is not subject to inflexible determination which can be described in policy, rule, or regulation. Professional judgment must be exercised in each case and exceptions granted in those instances where unusual need and circumstances exist. Where undue hardship may result to an individual, if medical care services are denied by strict application of a rule or regulation, exceptions to policy may be made according to WAC 388-20-020.))~~ Medical care services denied by strict application of a rule or regulation are reviewed by the division of medical assistance, the single state agency for administering Title XIX. See WAC 388-20-020 for exception to policy procedures.

AMENDATORY SECTION (Amending Order 1346, filed 9/27/78)

WAC 388-81-040 FAIR HEARING. (1) Any applicant for or recipient of medical care provided under chapter 74.09 RCW who feels aggrieved by a decision rendered by the department has a right to a fair hearing as provided by chapter 388-08 WAC.

(2) When the fair hearing request calls into question a decision of a medical consultant or when eligibility is being determined in the federal aid medical care only or medical only programs, a prehearing review is the responsibility of the ~~((office))~~ division of medical assistance.

(3) Chapter 388-08 WAC applies when a request for a fair hearing is related to medical care.

(4) The medical director or his designee shall review all fair hearing requests referred by the examiner to determine:

(a) Whether or not the appellant's request for service was filed according to the applicable rules and regulations,

(b) Whether or not the decisions have been made upon complete and accurate evaluation of the facts, existing standards, regulations, and policies.

(5) All records and information necessary to determine the validity of the appellant's fair hearing request shall be furnished upon request to the reviewing authority and forwarded not later than ten days from such request.

(6) An independent medical assessment by a person and/or persons not a party to the action being appealed may be obtained at the request of the examiner or the appellant.

(7) Upon receipt of the necessary material, evidence, or reports, the designated reviewing authority shall evaluate the appellant's request in accord with existing rules, regulations, and policies of the department. The reviewing authority:

(a) May reverse the decision when such adverse decision has been made contrary to rules, regulations and policies of the division.

(b) May resolve a situation resulting in the fair hearing request by adjusment.

~~((7))~~ (8) In providing a system for fair hearings for applicants or recipients of medical care, the rules in chapter 388-08 WAC (~~and in WAC 388-81-040~~) shall be adhered to and, where appropriate, (~~WAC 388-33-365 through 388-33-385 shall apply as construed to pertain to eligibility for medical care, change in circumstances (participation), reduction in the scope of care, termination and notice thereof and continuation of medical care pending a fair hearing decision~~) other portions of WAC which are applicable to the particular circumstances of the appellant.

NEW SECTION

WAC 388-81-042 FAIR HEARING—PROVIDER. Any certified provider of medical care services who is assessed a civil penalty pursuant to RCW 74.09.210 or otherwise served with notice that repayment of excess benefits is due pursuant to RCW 74.09.210, has a right to a fair hearing as provided by chapter 388-08 WAC.

AMENDATORY SECTION (Amending Order 1265, filed 1/13/78)

WAC 388-82-005 MEDICAL CARE—GENERAL DESCRIPTION OF PROGRAMS. There are two medical care programs (under which medical care is available) as set forth under these rules and regulations. Medical assistance (MA) provides full scope of medical care to individuals whose needs can be related to a federal category. Medical care services (MS) provides a generally more limited scope of care financed entirely by state funds to those who cannot be so related.

AMENDATORY SECTION (Amending Order 1346, filed 9/27/78)

WAC 388-82-010 PERSONS ELIGIBLE FOR MEDICAL ASSISTANCE. Medical assistance is provided for:

(1) A recipient of AFDC (including AFDC foster child) or beneficiary of supplemental security income who has applied for medical assistance;

(2) The essential person of a converted supplemental security income beneficiary as defined in WAC 388-92-070;

(3) A child, other than AFDC-FC foster child, for whom the department is making a foster care payment and who is determined eligible for medical assistance;

(4) An individual qualifying for the "H" federally aided category;

(5) A recipient of a continuing general assistance grant who can be categorically related;

(6) An individual who qualifies for federal aid medical care only (FAMCO) by meeting the eligibility standards in

(a) Chapter 388-83 WAC, and
 (b) WAC 388-24-040(1) through (7), 388-24-050(2) through (7), and 388-24-550, for aid to families with dependent children, except for WIN registration, or

(c) Chapter 388-93 WAC for age, blindness or disability certified before January 1, 1974(;;), or

(d) Chapter 388-92 WAC for age, blindness or disability certified after January 1, 1974.

AMENDATORY SECTION (Amending Order 1265, filed 1/13/78)

WAC 388-82-015 "H" CATEGORY (FEDERAL AID). (1) An applicant for the "H" category of medical assistance shall meet the following eligibility conditions:

(a) Not be eligible for or related to AFDC as outlined in WAC 388-82-012(;;).

((ff)) Obstetric care, other than an abortion, is considered to be care of the unborn child with the mother's care considered as incidental. The parents of a pregnant minor are not financially responsible for the unborn child of the minor and therefore are not responsible for the costs associated with the pregnancy. An unmarried pregnant minor, who is otherwise financially eligible, is eligible under the AFDC-related category (rather than the H-program) on behalf of the unborn for the prenatal care and for six weeks of postpartum care. After the postpartum period of care, the minor mother's nonobstetrical medical care continues as the responsibility of her parents. Parents continue to be financially responsible for medical costs associated with abortion of a pregnant minor as they are for any nonobstetric care. (See WAC 388-82-015(4))

(b) Be a resident of the state of Washington, and

(c) Be under the age of twenty-one, or if age twenty-one or over, be pregnant, and

(d) Be financially in need according to WAC 388-83-035 through 388-83-055, or be a recipient of a continuing general assistance grant.

(2) Marital or emancipation status does not affect eligibility. The applicant may be single, married, divorced, separated, emancipated or not, a parent or not a parent.

(3) The parent (age twenty-one or older) of an applicant for "H" category of medical assistance must qualify in his own right under the medical assistance or medical care services programs.

(4) The pregnant individual over twenty-one may qualify under the "H" category because of the eligibility of the unborn child. Prenatal and six weeks postpartum care is provided and certified to the end of the month in which the postpartum care is provided.

AMENDATORY SECTION (Amending Order 1402, filed 5/16/79)

WAC 388-82-020 MEDICAL CARE SERVICES. An individual eligible for medical care services (MS) under the fully state-financed program is one who cannot meet the eligibility requirements under any medical assistance (MA) program, but does meet either (1)(;) or (2) (~~and (3)~~) of the requirements below:

(1) Is eligible to receive a continuing general assistance grant or is a dependent other than a spouse included in a federal grant.

(2) Is in need of medical care only (MO) (~~and has satisfied a deductible of \$200 over a twelve month period from the date of application, and meets financial criteria according to WAC 388-83-035 through 388-83-055~~) by reason of an acute and emergent condition (see WAC 388-86-120(2)), and has satisfied a deductible of \$200 over a twelve month period from date of denied application and meets financial criteria according to WAC 388-83-045. Certification covers the acute and emergent condition only. See WAC 388-85-015(3) and 388-86-032.

~~((3) Is medically eligible by reason of an acute and emergent condition (see WAC 388-86-120(2)). Certification covers the acute and emergent condition only, see WAC 388-85-015(3) and 388-86-032.))~~

AMENDATORY SECTION (Amending Order 1203, filed 4/1/77)

WAC 388-82-035 OUT-OF-STATE RESIDENT REQUIRING MEDICAL CARE IN WASHINGTON STATE. (1) The eligibility of an out-of-state applicant (adult or child from another state temporarily in the state of Washington who requires emergent medical care) shall be determined according to the standards of care provided under the medical only (MO) program. Any entitlement to Title XIX benefits in another state or any other medical resource shall be utilized. Exception to the scope of care provided a resident of another state is made for a child or unmarried mother receiving child welfare services. For such person the full scope of care is provided even though he is under the medical only (MO) program.

(2) A person establishing residence in the state of Washington for medical assistance purposes who previously received medical assistance related to disability from another state shall not be automatically eligible for medical assistance related to disability. His application must be pending for medical assistance categorically related to Title XVI disability. The procedures in WAC 388-92-015 shall be followed.

(3) Benefits of the medical assistance (MA) or medical care services (MS) programs shall not be available to residents of other states who enter the state of Washington for the primary purpose of obtaining medical care. (~~However, when a person can no longer be considered a resident of another state and/or expresses his intention to remain permanently in Washington, his eligibility shall be determined as a resident of Washington (see WAC 388-26-055(3)).~~) See WAC 388-80-005(60) for determination of state of residence. If there is evidence

that the person is maintaining a home in another state, see WAC 388-28-420(4) about sale of resource.

(4) A recipient of public assistance from Alaska who is sent to Washington according to agreement with the Alaska state department of health and welfare to obtain nursing home care does not gain residence and become eligible for assistance in Washington while he remains in the nursing home.

AMENDATORY SECTION (Amending Order 1061, filed 10/8/75)

WAC 388-83-010 USE OF ALTERNATIVE SOURCES FOR MEDICAL CARE. (1) All ~~((other))~~ resources for medical care available to the applicant ~~((at time of application))~~ or ~~((to a))~~ recipient must be utilized to the fullest possible extent in the payment for the medical care ~~((provided to an otherwise eligible applicant or recipient))~~ prior to participation by the department.

(2) Additional payments or contributions by an applicant, a recipient, or other person meant to increase the level of care beyond that normally provided will be considered as a nonexempt resource and will be applied against the cost of care normally provided under the program.

(3) The department makes agreements with providers of prepaid medical plans. Eligible recipients who choose to participate in a prepaid program are required to utilize such providers of service exclusively except for certain noncovered services for which the department may be responsible under the medical care program. See WAC 388-87-010(4).

AMENDATORY SECTION (Amending Order 1427, filed 8/24/79)

WAC 388-83-030 COMPUTATION OF AVAILABLE INCOME AND RESOURCES. (1) Income and net income shall be as defined in WAC 388-22-030. Resource is defined in WAC 388-80-005(61).

~~((a))~~ (2) Total income and resources of a beneficiary of supplemental security income, except for institutionalized recipients, ~~((is))~~ are not considered ~~((an))~~ available ~~((resource))~~. See WAC 388-92-025(1)(a) for SSI-related recipients.

~~((b))~~ (3) Net cash income shall be determined as for the federal aid category to which the FAMCO recipient is relating according to WAC 388-28-515 through 388-28-535 and 388-28-560 through 388-28-580~~((:))~~ except that:

(a) Contrary to WAC 388-28-515(5) the cost of child care necessary to employment shall be deducted from earned income as an employment expense if such care is not provided without cost or as departmental service. The expense allowed shall be the actual cost.

(b) Contrary to WAC 388-28-570(6), earned income exemptions for applicants and recipients of medical assistance related to AFDC do not apply.

~~((c))~~ (4) To arrive at available income, the following items shall be deducted from net income:

(a) Support payments being paid by the applicant or recipient under court order,

(b) Special nonmedical needs, such as payment to a wage earner's plan (specified by the court in a bankruptcy proceeding), or previously contracted major household repairs if failure to make such payments would result in garnishment of wages or loss of employment.

AMENDATORY SECTION (Amending Order 1478, filed 1/18/80)

WAC 388-83-040 MONTHLY ~~((MAINTENANCE STANDARD))~~ PERSONAL NEEDS ALLOWANCE—APPLICANT IN INSTITUTION. The ~~((standard))~~ allowance for clothing and personal ~~((maintenance))~~ needs for an individual in a skilled nursing facility or general hospital is as set forth in ~~((WAC 388-29-125. See))~~ WAC 388-92-035.

AMENDATORY SECTION (Amending Order 1479, filed 1/18/80)

WAC 388-83-045 ALLOCATION OF AVAILABLE INCOME AND NONEXEMPT RESOURCES. (1) For AFDC-related, H and MO recipients available income according to WAC 388-83-030 shall be allocated in the following order to:

(a) Maintenance needs of the applicant/recipient living in his own home, or of legal dependents living in the family home if the applicant/recipient is in an institution.

The maintenance standards in WAC 388-83-035 shall apply unless the legal dependents are applying for or receive public assistance when the grant standards in chapters 388-28 and 388-30 WAC shall apply.

(b) ~~((Maintenance))~~ Personal needs allowance according to WAC ~~((388-83-040))~~ 388-92-035 for an applicant or recipient in an institution.

(c) Maintenance of the home of an individual who has been certified by a physician to need nursing home care (SNF, ICF, ICF/MR) for no more than six consecutive months.

(i) Income thus exempted must be used to retain the independent living situation of an individual with no dependents through payment of such requirements as rent or mortgages, real estate taxes, insurance, gas, electricity, oil, water or sewer necessary to maintain the home.

(ii) Up to one hundred eighty dollars per month may be exempted from the individual's actual income based on the verified actual cost to retain the home during six consecutive months.

(iii) The six-month period begins on the first of the month following date of admission for medicaid eligible recipients or the date of eligibility for individuals changing from private to medicaid and ceases when patient is discharged to an independent living arrangement or at the end of six months if the recipient has not been discharged.

(iv) CSO social service staff shall document initial need for the income exemption and review the individual's circumstances after ninety days.

(d) Supplementary medical insurance premiums for a FAMCO recipient related to Title XVI and not in a nursing home who is eligible for medicare during the month of authorization and the month following if not withheld from the RSI/RR benefit (see WAC 388-81-060).

(e) Health and accident insurance premiums for policies in force at time of application.

(f) Costs not covered under this program for medical or remedial care as determined necessary by the attending physician or, where appropriate, a dentist (see WAC 388-91-016(1)(a)), except that costs for services denied as medically inappropriate or not medically necessary, covered by medicare or other benefits or denied because of poor justification or late billing may not be exempted.

(g) Payments made or being made for covered or noncovered medical care incurred within three months prior to month of application (FAMCO recipient only).

(h) See WAC 388-92-025 for allocation of income for SSI-related recipients.

(2) Participation in cost of care shall apply to

(a) ~~((The monthly excess income multiplied by six or the anticipated excess income that will be available within a six-month period, whichever is greater))~~ Excess income, which is regular, anticipated, and income in kind available within a six-month period minus the monthly maintenance standard multiplied by six, if the individual is living outside an institution.

(b) Lump sum income which is applied in the month it is received or prorated over the period for which it is intended. The monthly maintenance standard is deducted for the month(s) for which it is considered, if the individual is living outside an institution.

~~((b))~~ (c) The monthly excess income of a person in an institution must not exceed the department rate for type of care provided after allowing for ~~((clothing and personal incidentals))~~ personal needs allowance. See WAC 388-92-035.

~~((c))~~ (d) The resources in excess of those listed in WAC 388-28-430(2)(a); WAC 388-83-055 and 388-83-060.

~~((d))~~ (e) Additional cash resources that come into possession of the recipient during a period of certification.

~~((e))~~ (f) For recipients of medical only (MO) ~~((and of noncontinuing general assistance who cannot be categorically related to Title XVI, and))~~ who are not undergoing detoxification for an acute alcoholic condition, participation with excess income or nonexempt resources is applicable after allowance is made for mandatory deductions of employment, union dues, the monthly maintenance standard and a \$200 deductible per family. The \$200 deductible per family shall be applied no more than once during a twelve-month period and is effective with the date of application. The seven day rule in WAC 388-86-120(2)(h) applies to the accrual of the deductible. ~~((The \$200 deductible is the minimum amount of participation during the twelve-month period. Participation from excess income is applied as in subdivision (2)(a) less any deductible.))~~

~~((f))~~ (g) For recipients of medical only (MO) ~~((and of noncontinuing general assistance who cannot be related to Title XVI,))~~ who are undergoing detoxification for an acute alcoholic condition, the \$200 deductible will not be required as an eligibility factor for the covered period of detoxification. There is no participation for the person undergoing detoxification. Applicants with income and resources in excess of the monthly maintenance standard are not eligible for

detoxification. Continued hospitalization for a concurrent acute and emergent condition beyond the number of days approved for detoxification as a single diagnosis will require the application of the \$200 deductible.

(3) The twenty percent increase in social security benefits shall be considered exempt income when determining eligibility and participation for:

(a) Persons who in August 1972 received OAA, AFDC, AB or DA and also received RSI benefits and who became ineligible for OAA, AFDC, AB or DA solely because of the twenty percent increase in social security benefits under Public Law 92-336, and

(b) Current applicants for AFDC or FAMCO who were entitled to RSI benefits in August 1972 and would have been eligible for OAA, AFDC, AB or DA in August 1972 but are not currently eligible solely because of the twenty percent increase in social security benefits under Public Law 92-336.

AMENDATORY SECTION (Amending Order 1427, filed 8/24/79)

WAC 388-83-050 AVAILABILITY OF RESOURCES. (1) In establishing eligibility for medical care, only resources actually available after applying the department's rules for disregarding or setting aside any resource for the future needs of an applicant or recipient shall be considered. Nonexempt real property shall be considered as available only when it is identified as being under the control of the applicant, "in hand", or will be available within a three-month period, including the month in which the services were rendered.

(2) If a minor applies for medical care other than for obstetrical care the parent legally responsible for the support of the minor is also by law financially responsible for the payment for medical care provided to the minor. In such case the standards in WAC 388-83-035 shall apply to determine available income to meet the medical care needs of the minor. See also WAC ((388-24-550;)) 388-28-350 and 388-28-355. For a pregnant minor see WAC 388-82-015(1)(a)(i).

(3) For a foster child, other than an AFDC-FC, for whom the department is making a foster care payment, only income and resources of the child are considered available in determining eligibility.

(4) Even if state law confers adult status at age eighteen ((see WAC 388-24-550;)) the department must consider parental income and resources as available for a child if he is living with the parent until he becomes twenty-one.

AMENDATORY SECTION (Amending Order 1233, filed 8/31/77)

WAC 388-83-055 EXEMPT RESOURCES. The following resources shall be classified as exempt in determining eligibility for the medical care program:

(1) For recipients of grants, exempt resources shall follow standards for the appropriate grant program.

(2) For an applicant/recipient for federal aid medical care only (FAMCO), rules for exempt resources shall follow WAC 388-92-045 and 388-92-050. When separate property is a consideration, see WAC 388-28-365 and 388-28-370.

(3) For an applicant/recipient for the medical only (MO) program, rules for exempt resources shall follow WAC 388-28-420 and 388-28-430(1). Cash, marketable securities, or any nonexempt resource which can be converted into cash shall be considered available toward meeting the costs of medical care. A used and useful automobile shall be exempt. ((See WAC 388-83-045(7)(d) for allocation of nonexempt resources and WAC 388-83-065 for transfer of resources.

(4) Consideration shall also be given the potential earning power of the applicant or recipient of medical only (MO). For example, even if an applicant has no cash resources, his current employment or his possibility of employment in the future, as evidenced by his past opportunities, may be such that he could be reasonably expected to pay all or part of the cost of his medical care out of future earnings:))

AMENDATORY SECTION (Amending Order 400, filed 11/5/69)

WAC 388-83-060 NONEXEMPT RESOURCES. All resources not specifically exempted in WAC 388-83-055 shall be considered available for medical and nonmedical needs following priorities set forth in WAC 388-83-035 through 388-83-045. Value shall be assigned resources according to WAC 388-28-450 and 388-28-455.

(1) The possession of a nonexempt resource affects eligibility for medical care. Except for nonexempt real property, the value assigned to such resources shall be the "fair market value". The "fair market

value" of the resource is considered available toward the cost of medical care. Such amount is considered at the time of each review for as long as the resource is possessed by the applicant. See WAC 388-85-020.

(2) In assigning the value to nonexempt real property as described in WAC 388-28-455, the following sequence shall be followed:

(a) First consideration shall be given to the sale of nonexempt real property based on the "quick sale value".

(b) If the sale is not possible, rental or lease must be considered with the income derived from such rental or lease being considered available to meet the cost of medical care.

(c) If the property cannot be sold, rented, or leased and if the applicant has used reasonable diligence in seeking a purchaser, renter, or leasee, then no resource value for this property shall be considered to exist for the purpose of determining eligibility. The property shall remain on the market for as long as the applicant is certified for medical care.

((††)) If the applicant refuses to dispose of his property or refuses to attempt to dispose of his property as outlined in (2), (a), (b), and (c) above, his application for medical assistance shall be denied.

(3) Consideration shall also be given the potential earning power of the applicant or recipient of medical only (MO). For example even if an applicant has no cash resources, his current employment or his possibility of employment in the future, as evidenced his past opportunities may be such that he could be reasonably expected to pay all or part of the cost of his medical care out of future earnings.

AMENDATORY SECTION (Amending Order 1402, filed 5/16/79)

WAC 388-84-005 RIGHT TO APPLY. (1) All individuals wishing to make application for medical care shall have an opportunity to do so.

(a) Application shall mean a request for medical care made to the local office verbally or in writing by a person in his own behalf or in behalf of another person, except that verbal applications must be reduced to writing before payment for care can be made. If death of the applicant intervenes, his relatives or other interested persons may complete the application form. Any type of ((contact pertaining to a)) request for medical care ((made with any staff member of a local office by an individual or a person acting in his behalf)) is construed as an official notification and is the beginning of the application process.

(b) The applicant, or anyone acting in his behalf, is required to participate to the fullest extent possible in the application process. It is the responsibility of the applicant to provide such information and material pertinent to his financial affairs and resources, etc., as is necessary to establish a determination of financial eligibility. Verification of resources by the department shall be limited to those reasonably necessary to determine the extent to which the available resources may be utilized.

(c) Application procedures in WAC 388-38-030 through 388-38-050 will be followed.

(2) Eligibility for medical services received before the date of application may be retroactively certified and approved for payment provided that

(a) The applicant has declared a need for retroactive certification at the time of application,

(b) The individual would have satisfied all eligibility requirements for federal aid medical care only at the time the medical services were furnished,

((††)) (c) The medical services received were consistent with the scope of care which may be provided to FAMCO recipients,

((†††)) (d) The unpaid bills were incurred no earlier than the first day of the third month preceding the month of application for medical assistance(;

(d) The local office was notified of unpaid bills before the end of the billing limitation period for FAMCO recipients (see WAC 388-87-015(3)) or supplemental security income beneficiaries (see WAC 388-87-015(4)). For certification of recipients of medical care only see WAC 388-86-120(2)).

(3) For an applicant who is a resident of Washington temporarily out of the state, an application may be made by an individual, person or an agency acting in his behalf directly to the local office.

(4) The applicant shall be given:

(a) DSHS 16-04 (16PA04) with an explanation of the civil rights act,

(b) DSHS 16-03 (16PA03) fair hearing information,

(c) Family planning information, when appropriate.

AMENDATORY SECTION (Amending Order 1196, filed 3/3/77)

WAC 388-85-010 AUTHORIZATION PROCEDURE. (1) For an applicant for medical care also applying for a continuing grant, medical care shall be authorized first, unless eligibility for the grant can be established concurrently, as the date of certification for care will precede the effective date of the grant.

(a) If the applicant is found eligible for medical care but not a grant, denial of the grant follows WAC 388-38-172; such denial will not affect eligibility for medical care.

(b) Certification for federal aid medical care only, which is related to Title XVI of the social security act, or for medical care services does not carry over to such applicant's spouse. The spouse's category for care is individually determined and authorized separately; however, for those individuals who were recipients of federal aid grants or would have been eligible for federal aid grants in August 1972 and who were also RSDI beneficiaries and whose grants were terminated or would have been terminated solely because of the twenty percent increase under Public Law 92-336 need not have their spouses' eligibility for FAMCO determined separately. Certification for these individuals will be determined as though eligibility exists for the appropriate grant category.

(2) When a continuing grant recipient becomes ineligible for a grant, eligibility for medical care shall be redetermined. If there is a current medical need and the recipient is otherwise eligible, no new application is required. ((See WAC 388-83-027(5)-))

AMENDATORY SECTION (Amending Order 1233, filed 8/31/77)

WAC 388-85-015 PERIOD OF CERTIFICATION. (1) For the recipient of federal aid medical care only (FAMCO), the period of certification may be up to six months, depending upon the anticipated duration of medical need, except that FAMCO related to aid to families with dependent children-employable (AFDC-E), may be certified only to a maximum of three months. ((See WAC 388-83-027(5) for exception.))

(2) For ((such)) a recipient in ((a skilled nursing home, state mental hospital, state school for the retarded, intermediate care facility, or tuberculosis sanatorium)) an institution with which the department has an agreement to provide care, no termination date is shown on the certification document; eligibility however, must be reviewed within one year.

(3) For medical care services the period of certification shall be for one condition and not to exceed three months. The recipient of continuing general assistance who cannot be related to a federal aid category continues to be eligible for full scope medical care as long as the grant continues but is not eligible for out-of-state care.

(4) ((A recipient of noncontinuing general assistance who cannot be related to a federal aid category and)) An applicant for medical only shall not be authorized medical care unless an acute and emergent condition exists as defined in WAC 388-86-032 and 388-86-120(2)(a), and until a deductible of (((\$100)) \$200) per family has been satisfied subsequent to initial application. The certification period for medical only shall be for only as long as the acute and emergent condition is estimated to exist but the period of certification shall not exceed three months.

AMENDATORY SECTION (Amending Order 1346, filed 9/27/78)

WAC 388-85-020 REDETERMINATION OF ELIGIBILITY.

(1) Eligibility for medical care shall be redetermined no less often than every six months for a recipient of federal aid medical care only, except that

(a) for a recipient of FAMCO related to AFDC-E, eligibility shall be redetermined no less often than every three months ((see WAC 388-83-027(5) for exception)),

(b) for a recipient in ((a skilled nursing home, psychiatric facility, state school for the retarded, intermediate care facility or tuberculosis sanatorium,)) an institution eligibility shall be redetermined within one year.

(2) Eligibility for a person receiving medical care and a grant shall be redetermined according to the policies and procedures for financial assistance specified in WAC 388-38-280 through 388-38-290.

(3) Any person receiving medical care who comes into possession of property, resources, or income in excess of that amount previously declared, shall notify the department. (See WAC 388-38-255). Eligibility shall be redetermined within thirty days following an indication of a change in circumstances.

AMENDATORY SECTION (Amending Order 1299, filed 6/1/78)

WAC 388-86-005 SERVICES AVAILABLE TO RECIPIENTS OF MEDICAL ASSISTANCE. (1) For recipients of medical assistance (MA), the department shall authorize ambulance service and other means of transportation for medical reasons, early and periodic screening services to eligible individuals under twenty-one years of age, family planning services, home health agency services, inpatient and outpatient hospital care, other laboratory and x-ray services, skilled nursing home care, and physicians' services in the office or away from the office as needed for necessary and essential medical care.

(2) The following additional services shall also be authorized when medically necessary: anesthetization services; blood; dental services; drugs and pharmaceutical supplies; eyeglasses and examination; hearing aids and examinations; medical-social services; oxygen; physical therapy services; special-duty nursing services; surgical appliances, prosthetic devices, and certain other aids to mobility.

(3) Treatment, transplants, dialysis, equipment and supplies for acute and chronic nonfunctioning kidneys are provided in the home, hospital and kidney center. ((f)) See WAC 388-86-050(5)((g)).

(4) Organ transplants, other than kidney transplants are not provided as a part of physician services or hospital care authorized under the medical assistance program.

(5) Treatment to detoxify narcotic addiction cases in a hospital or on an outpatient basis is not provided as a part of the medical care program. The department will provide treatment for concurrent diseases and complications.

(6) Detoxification of an acute alcoholic condition will be provided only in a certified detoxification center or in a general hospital with certified detoxification facilities.

(7) Orthodontic treatment is not provided. See WAC 388-86-020(7).

(8) Treatment for obesity is not provided as part of the medical care program. The department will provide treatment for concurrent diseases and complications.

(9) Where evidence is obtainable to establish medical necessity, as defined in WAC 388-80-005, the department shall approve the request if the recipient or provider submits sufficient objective clinical information (including, but not limited to, a physiological description of the disease, injury, impairment or other ailment; pertinent laboratory findings; x-ray reports; and patient profiles).

((f)) (10) A request for medical services may be denied by the department if the requested service is not medically necessary as defined by WAC 388-80-005, is generally regarded by the medical profession as experimental in nature or as unacceptable treatment, unless the recipient can demonstrate through sufficient objective clinical evidence the existence of particular circumstances which render the requested service medically necessary.

((g)) (11) The department shall approve or deny all requests for medical services within fifteen days of the receipt of the request, except that if additional justifying information is necessary before a decision can be made, the request shall be neither approved nor denied but shall be returned to the provider within five working days of the original receipt. If additional justifying information is not returned within thirty days of the date it was returned to the provider, then the original request shall be approved or denied. However, if such information is returned to the department, the request shall be acted upon within five working days of the receipt of the additional justifying information.

((h)) (12) Whenever the department denies a request for medical services the department shall, within five working days of the decision, give written notice of the denial to the recipient and the provider. In order to fully inform the recipient, the notice shall state:

- The specific reasons for the department's conclusion to deny the requested service.
- If a fair hearing is requested, a medical assessment other than that of the person or persons involved in making the original decision may be obtained at the expense of the department of social and health services, and instructions on how to obtain such assessment.
- The recipient has a right to a fair hearing if the request is made within ((thirty)) ninety days of receipt of the denial, with the instruction on how to request the hearing.
- The recipient may be represented at the hearing by legal counsel or other representative.
- That upon request, the ((ESSE)) CSO shall furnish the recipient the name and address of the nearest legal services office.

AMENDATORY SECTION (Amending Order 1265, filed 1/13/78)

WAC 388-86-008 PATIENT OVERUTILIZATION. ~~((+)) The department may require an individual to designate a primary physician and/or a single pharmacy for exclusive provider service in an effort to:~~

- ~~(a) Protect the individual's health and safety;~~
- ~~(b) Provide continuity of medical care;~~
- ~~(c) Avoid duplication of service by providers;~~
- ~~(d) Avoid inappropriate and unnecessary utilization of medical assistance.~~

~~(2) The department may initiate this action whenever payment records and other information indicate that the prescription of medications exceeds the safe maximum dosages published in current medical and pharmacological references including Physicians' Desk Reference published by Medical Economics Company, Oradell, New Jersey 07649, and Facts and Comparisons published by Facts and Comparisons, Inc., Gene H. Schwach, President, 12011 Marine Avenue, Suite 220, St. Louis, MO 63141.~~

~~(3) The individual will be given written notice of his overutilization and the opportunity to select a primary physician and a single pharmacy. The notice will advise the individual that failure to cooperate in this procedure will justify the department's requiring prior approval for all nonemergent medical services and in listing the name of the individual on a provider information memorandum. It will also include the individual's right to request a fair hearing within 30 days if he disagrees with the findings and the department's action.~~

~~(4) In the event of a bona fide emergency, the individual may be seen by a physician other than one selected. The primary physician may also refer him to a specialist when necessary.)~~ (1) Whenever payment records and other information indicate that recipient utilization is excessive or inappropriate with reference to medical need, the department may require an individual to designate a primary physician and/or a single pharmacy for exclusive provider service in an effort to:

- (a) Protect the individual's health and safety;
- (b) Provide continuity of medical care;
- (c) Avoid duplication of service by providers;
- (d) Avoid inappropriate or unnecessary utilization of medical assistance as defined by community practices and standards;
- (e) Avoid excessive utilization of prescription medications.

Excessive utilization of prescription medications will be determined from published current medical and pharmacological references to include Physicians' Desk Reference published by Medical Economics Company, Oradell, New Jersey 07649; or Facts and Comparisons published by Facts and Comparisons, Inc., 12011 Marine Avenue, Suite 220, St. Louis, MO 63141; or The Pharmacological Basis of Therapeutics published by Macmillan Publishing Co., 866 Third Avenue, New York, NY 10022.

(2) The individual will be given written notice of his/her excessive or inappropriate utilization and will be requested to select a single physician and/or pharmacy. The notice will include the individual's right to request a fair hearing within ninety days if he/she disagrees with the findings and the department's action. The notice will also advise the individual that failure to cooperate in this procedure will necessitate the department designating a physician and/or pharmacy for the individual. Names of restricted individuals and their designated providers will be listed on provider information memoranda.

(3) In the event of a bona fide emergency, the individual may be seen by a physician other than the one selected. The primary physician may also refer the individual to a specialist when necessary.

AMENDATORY SECTION (Amending Order 1265, filed 1/13/78)

WAC 388-86-012 AUDIOMETRIC SERVICES. (1) Evaluation of hearing by audiometric equipment is available with prior medical consultant approval to recipients of continuing assistance or FAMCO when administered by an approved audiologist and/or specialist in ENT.

AMENDATORY SECTION (Amending Order 1402, filed 5/16/79)

WAC 388-86-020 DENTAL SERVICES. (1) The department shall provide dental care subject to limitations and conditions set forth below and further defined in current departmental memoranda and dental schedule of maximum allowances.

(2) Prior authorization is required for nonessential dental services for recipients of medical assistance (MA) and for continuing general assistance (GAU). Prior authorization is not required for essential dental services, as defined in the current departmental memoranda and

schedule of allowances. ~~((For dental services provided to recipients of EPSDT see WAC 388-86-027(1)(c) and (3).))~~ For out-of-state dental care see WAC 388-86-115(5).

(3) Dental services for recipients of medical only (MO) who have satisfied the deductible are subject to the following limitations:

(a) No care is provided outside the state of Washington except in border situations as specified in WAC 388-82-030(4).

(b) Dental treatment is limited to the relief of pain, which may or may not involve extraction, and surgical repair of the maxilla and/or mandible.

(4) Dentures and all other nonessential services, as designated in departmental memoranda and schedule of allowances, require prior approval.

(5) Dentures provided by the department but subsequently lost will not be replaced except where medical necessity is clearly demonstrated and prior approval given by the chief of the office of medical assistance or his designee.

(6) Hospitalization for dental conditions, other than acute and emergent, requires prior approval of the chief of the office of medical ~~((assistance))~~ policy and procedure or his designee. Hospitalization for acute and emergent dental conditions requires approval.

(7) ~~((Orthodontia and fixed prostheses are not provided.))~~ Orthodontic treatment is defined as the use of any appliance, intraoral or extraoral, removable or fixed, or any surgical procedure designed to move teeth. The service is not provided.

(8) Recipients residing in nursing homes are eligible for dental care subject to the same regulations as those in the general recipient population with the following additional qualifications:

(a) The patient's attending physician will initiate a referral for dental care when a significant dental problem is identified by that physician, the patient, family, nursing home staff or nursing care consultant.

(b) The patient shall have freedom of choice of dentists, including referral to a dentist who has provided services to the patient in the past. The staff dentist may be called when the patient has no choice of dentists and concurs with the request.

(c) The department ~~((will provide transportation to a private dental office for treatment but))~~ may approve bedside dental care when sufficient justification exists to show transporting the patient is inappropriate.

(d) Examination or treatment of a nonemergent nature in a nursing home, congregate care facility or group home requires prior approval for each patient. Payment for multiple screening examinations of patients in these settings will not be made.

AMENDATORY SECTION (Amending Order 1457, filed 11/26/79)

WAC 388-86-027 EARLY AND PERIODIC SCREENING, DIAGNOSIS AND TREATMENT OF ELIGIBLE INDIVIDUALS UNDER TWENTY-ONE YEARS OF AGE. (1) The department will make available to individuals under twenty-one years of age ~~((see WAC 388-86-005))~~ who are recipients of medical assistance (MA), early and periodic screening and diagnosis to ascertain their physical and/or mental defects, and preventive health care and treatment to correct or ameliorate the defects and chronic conditions discovered thereby, to the extent provided under these rules. There will be freedom of choice in obtaining screening services from among participating providers. The following services are included in the program:

(a) Screening by providers of screening services that have been authorized by the division of medical assistance ~~((division))~~ to provide at least the following items in an unclothed physical examination:

- (i) medical history
- (ii) assessment of physical growth and nutritional status
- (iii) developmental assessment (physical and mental)
- (iv) inspection for obvious defects
- (v) inspection of ears, nose, mouth, teeth and throat
- (vi) visual screening; auditory testing
- (vii) screening for cardiac abnormalities
- (viii) screening for anemia
- (ix) urine screening
- (x) blood pressure (children twelve years of age or older)
- (xi) assessment of immunization status and updating immunization
- (xii) referral to a dentist for diagnosis and treatment for children three years of age and over.

(b) When indicated by screening findings, providers of screening services will provide, or refer eligible children for more definitive diagnostic study and/or treatment.

(c) ~~((Treatment shall be limited to the same amount, duration, and scope of care available to other recipients of medical assistance (MA).))~~

except regardless of any such limitations, eyeglasses, hearing aids and other kinds of treatment for visual and hearing defects, and at least such dental care as is necessary for relief of pain and infection and for restoration of teeth and maintenance of dental health shall be provided for those determined to be in need of such care, subject, however, to such utilization controls as may be imposed by the department.)) Treatment for conditions identified by a screening is limited to the same amount, duration and scope of care available to other recipients of medical assistance (MA). See WAC 388-86-005(7) and 388-86-020(7) for limitations of the dental program. See WAC 388-86-040(4) for management of hearing defects.

(2) The EPSDT requirement applies to all individuals under twenty-one years of age who are determined to be eligible for medical assistance (MA).

((3) EPSDT represents an exception to the requirement for comparability of services under Title XIX. EPSDT services to individuals under twenty-one years of age may be provided without providing similar services for those over twenty-one.))

AMENDATORY SECTION (Amending Order 1359, filed 12/8/78)

WAC 388-86-030 EYEGLASSES AND EXAMINATIONS.

(1) The department shall provide eye examinations and eyeglasses when a refractive error of sufficient magnitude exists to require corrective lenses. Payment shall be made on the basis of rates established by the department or through HMO or optical supplier contracts.

(2) Prior authorization by the CSO medical consultant or his designee in the county of residence is not required for eye examinations performed for the purpose of prescribing corrective lenses except in the provision of certain eyeglasses (lenses or frames).

(3) Examinations, unless medically indicated, are limited to two in a twelve-month period, except for eye examinations and eyeglasses provided to recipients of EPSDT, see WAC 388-86-027(1)(c) and (3).

(4) A choice of frames listed in current ((DSHS)) division of medical assistance numbered memoranda is offered recipients. Frames are not provided for cosmetic effect or psychological support.

(5) Sunglasses, photochromic aspheric or varalux type lenses are not provided.

(6) Two pair of glasses in lieu of bifocal or trifocal lenses are not provided.

(7) Contact lenses and orthoptics therapy are not provided.

AMENDATORY SECTION (Amending Order 1402, filed 5/16/79)

WAC 388-86-032 EXCEPTIONS—TREATMENT FOR ACUTE AND EMERGENT CONDITIONS. ((+)) The scope of care for persons eligible for medical only is limited to the treatment of acute and emergent conditions only. However, certain nonacute and nonemergent conditions if not treated by conservative means may result in severe complications. ((As specified in this section)) Exceptions to the rule limiting treatment to acute and emergent conditions may be granted by the CSO when approved by the ((local)) medical consultant. See WAC 388-86-120(3).

((2) Maternity care for persons not categorically relatable or eligible under "H" program. This will usually apply only to nonresidents who have no medical coverage through the state of residence and for out-of-state child welfare services cases. Care may include prenatal, delivery, post partum, and such ancillary medical services as may be requested by the attending physician and approved by the medical consultant.

(3) Rabies prevention inoculation. Treatment for rabies is considered acute and emergent. Initial treatment may be started on an emergency basis; however, the approval of the medical consultant must be requested within fourteen days, including date treatment was initiated. Rabies serum shall be requested from the epidemiology section of the department's division of health services, Olympia.

(4) Drugs for former patients of state mental institutions. Tranquilizers, anti-depressants, antiepileptics, and agents used for treatment of drug-induced Parkinsonism may be provided to former patients of state hospitals and schools for the mentally retarded. The attending physician prescribes the necessary drugs on form 6-02 mental hospitals or form 13-32 schools for the mentally retarded and mails the prescription directly to the institution.

(5) Certain necessary drugs for conditions such as cardiovascular disease, diabetes, epilepsy, nephritis, and carcinoma may be prescribed subject to approval by the local medical consultant. Examples of such drugs are cardiac control agents, insulin and oral anti-diabetic tablets,

anti-convulsant agents, urinary anti-infective agents, broncho-dilator agents and antineoplastics.))

AMENDATORY SECTION (Amending Order 1265, filed 1/13/78)

WAC 388-86-045 HOME HEALTH SERVICES. The department shall provide home health nursing and other services for which the home health agency has been certified as requested by the attending physician and furnished by a home health services agency certified by the division of ((health)) medical assistance. Approval by the office of medical ((assistance)) policy and procedure is required for any care extending beyond the ((second calendar month and any care which exceeds \$350)) limits established by the division of medical assistance.

AMENDATORY SECTION (Amending Order 1439, filed 9/25/79)

WAC 388-86-050 INPATIENT HOSPITAL CARE. (1) The department will provide hospitalization for recipients under age sixty-five and for recipients sixty-five and over who have exhausted medicare benefits. With exceptions and limitations listed below, the recipient will have free choice of hospitalization.

(2) Hospitalization for services covered by the program requires approval by:

(a) The local medical consultant for:

(i) Prior approval of nonemergent surgery;

(ii) admission and length of stay for recipients on the GAU and MO programs;

(iii) retroactive certification and out-of-state care, including hospitalization in border cities, for recipients on federal aid programs;

(b) The Washington state professional standards review organization ((PSRO)) (WSPSRO) by certification, when previous agreement with the department and the PSRO exists, and when review is timely and concurrent with hospitalization, for:

(i) Medical illness and emergent surgery for recipients on federal programs;

(ii) admission and length of stay for recipients on federal programs.

(3) Department authorization for inpatient hospital care for eligible individuals shall be limited to the lesser of the minimum number of days consistent with practice normally followed in the community or the maximum number of days established at the 75th percentile in the edition adopted by the department of the publication "Length of Stay in PAS Hospitals, by Diagnosis United States Western Region", unless prior contractual arrangements are made by the department for a specified length of stay ((see)) as defined in WAC 388-80-005((46)) and WAC 388-87-013(2)). Hospital stays shall be subject to the same utilization review as established for private patients in the community. A daily list of all recipient inpatients with diagnostic information shall be submitted by the hospital to the local medical consultant. ((In rare instances medical complications develop or new medical conditions are diagnosed which may require care exceeding the maximum number of days of hospitalization provided for under the specified PAS time limits. In such cases, when presented within sixty days of final service and adequately justified by the attending physician, extensions may be granted by the chief of the office of medical assistance, or by his professional designee, or by the full time medical consultant in the CSO or regional office where such is employed for recipients of GAU and MO.)) When hospitalization of a recipient of GAU or MO exceeds the maximum number of days specified in PAS, an extension request shall be presented with adequate justification by the attending physician to the chief, office of medical policy and procedure or his designee within sixty days of final service. The Washington state professional standards review organization ((PSRO)) (WSPSRO) will determine length of stay for recipients on federally-related programs.

(a) Eligible recipients are covered for involuntary admissions for acute psychiatric conditions up to a maximum of seventeen days under the Involuntary Treatment Act in hospitals certified as evaluation and treatment facilities. If an involuntarily committed recipient reverts to voluntary status, PAS days are computed from day of admission and applied to any period exceeding the mandatory seventeen days. If PAS days are less than seventeen, the maximum of seventeen days will prevail.

(b) No payment will be made for care in a private psychiatric hospital that has not been certified under Title XVIII. Authorization for admission of an eligible individual to a private psychiatric hospital shall be under the same conditions and program limitations as for treatment of psychiatric conditions in a general hospital.

(c) Medicaid payment will be made for care in a state mental institution for AFDC recipients or SSI beneficiaries under age twenty-one and for all recipients age sixty-five and older. Other age groups are covered under the Involuntary Treatment Act and/or other state funded programs. ~~((f))~~ See WAC 388-82-025. ~~((g))~~

(4) The department is prohibited from paying for hospitalization of any individual for the treatment of tuberculosis in a general hospital after such a diagnosis has been established. ~~((f))~~ See WAC 388-82-025. ~~((g))~~

(5) Hospitalization for the treatment of acute and chronic renal failure shall be provided, except that the department shall pay only deductibles and coinsurance for a recipient who is a medicare beneficiary and who is hospitalized for such treatment or for kidney transplant.

(6) Except for an emergency no hospital admission shall be made on Friday or Saturday for scheduled surgery on Monday. The attending physician may admit the recipient on Sunday to accomplish the necessary preoperative work-up.

(7) Approval for hospitalization of a recipient shall be based on the recipient's need for semi-private accommodations and reimbursement made at the multiple occupancy rate regardless of accommodations provided by the hospital. Special rates may be established for recipients covered by the Involuntary Treatment Act. Semi-private accommodations shall mean not less than two nor more than a four-bed room.

AMENDATORY SECTION (Amending Order 1402, filed 5/16/79)

WAC 388-86-085 PATIENT TRANSPORTATION. ~~((t))~~ The department shall provide to eligible individuals transportation for necessary medical or remedial care purposes. (See also WAC 388-87-035).

~~(2) Ambulance transportation shall be provided when the medical necessity is such that the use of any other method of transportation is inadvisable.~~

~~(3) Transportation by private automobile furnished by a friend, relative or by the individual is payable at rates established by the department.~~

~~(4) The recipient of medical only must have satisfied the deductible of \$200 before transportation is provided for medical reasons.~~

~~(5) Providers of ambulance, cabulance, taxi and private automobile transportation service must show medical necessity justification on the billing document.)~~ (1) The department will assure the availability of necessary transportation for recipients to and from medical care providers.

(2) Ambulance or cabulance transportation shall be provided when medical necessity is clearly demonstrated or the physical condition of the recipient is such that the use of any other method of transportation is inadvisable.

(3) Transportation by taxi will be provided only when approved by the local medical consultant.

(4) Transportation by private automobile furnished by a friend or relative is payable at rates established by the department.

(5) The recipient of medical only must have satisfied the deductible of \$200 before transportation is provided for medical reasons.

(6) Providers of ambulance, cabulance and private automobile transportation must show medical necessity justification on the billing document.

AMENDATORY SECTION (Amending Order 1265, filed 1/13/78)

WAC 388-86-090 PHYSICAL THERAPY. Physical therapy, other than that provided in a hospital as part of inpatient treatment, may be authorized only when such therapy:

(1) Will avoid the need for hospitalization, or
(2) Will reduce the length of stay of a recipient in a nursing home, or

(3) Will assist the recipient in becoming employable, or
(4) Is medically indicated in unusual circumstances and is requested by the attending physician and concurred with by the medical consultant, ~~((or))~~ and

(5) Is performed by a registered physical therapist or physiatrist and has approval by the local medical consultant.

AMENDATORY SECTION (Amending Order 1346, filed 9/27/78)

WAC 388-86-095 PHYSICIANS' SERVICES. The department shall purchase the services of physicians participating in the program

on a fee-for-service or contract basis subject to the exceptions and restrictions listed below.

(1) Physicians' services are provided through contract agreements for certain voluntary child care agencies and maternity homes according to WAC 388-86-105.

(2) Cost of a physical examination is authorized only for recipients related to federal programs under the following circumstances:

(a) For admission to skilled nursing facility if within 48 hours of admission or change of status from a private-pay to a Medicaid-eligible patient.

(b) Given as a screening under the EPSDT program; see WAC 388-86-027.

(c) For physical examination not covered by Medicaid, see the following:

(i) AFDC incapacity, see WAC 388-24-065 ~~((t))~~ ~~((e))~~ (2)

(ii) Determination of whether an individual's health will or will not permit his return to his home, see WAC 388-28-420(4)(b)

(iii) Request by the claimant or examiner in a fair hearing procedure, see WAC 388-08-503

(iv) Foster home placement, see chapter 388-70 WAC

(v) Adoptive home placement, see WAC 388-70-440 ~~((d))~~

(vi) Employability for WIN program, see WAC 388-24-107(1)(b)

(vii) Incapacity for GAU program, see WAC 388-37-032(4).

(3) ~~((Combined dosage immunizations are authorized only when not otherwise available through local health facilities at no cost or as part of EPSDT screening.~~

~~((4))~~ When covered services of a consultant or specialist are necessary, approval need not be obtained from the medical consultant. Payment shall be made in accordance with local medical bureau practices.

(a) A fee for consultation shall not be paid when the specialist subsequently performs surgery or renders treatment for which flat fees or fees-for-service accrue.

~~((a))~~ (b) On initial or subsequent visits for the purpose of establishing a diagnosis and when services of a specialist or consultant are required, payment shall be limited to not more than two such services. Any additional specialist or consultant requests shall be justified by the attending physician and approved by the medical consultant.

~~((5))~~ (4) Limitations on payment for physicians' services:

(a) Payment for physicians' calls for nonemergent conditions in the office, home, intermediate care facility, nursing home, or outpatient department of a hospital is limited to one call per month except for screening under the EPSDT program if such screening is an additional visit during the month. Requests for payment for additional visits must be justified on form DSHS 525-100 at the time the billing is submitted by the physician.

(b) Payment for physicians' calls in a skilled nursing facility shall be limited to two calls per month. Requests for payment for additional visits must be justified on form DSHS 525-100 as in subdivision ~~((5))~~ (4)(a).

(c) Payment for treatment of new and acute conditions with necessary X-ray, laboratory and consultative services shall be limited to two calls. Requests for payment for additional calls must be justified on form DSHS 525-100.

(d) On occasion, the physician may treat several members of a family in one office visit. An initial office fee is paid for the first member; payment for the remaining visits will be based on equitable adjustment determined by the medical director.

(e) Payment for hospital calls is limited to one call per day. This is applicable to other than flat fee care.

(f) Treatment for psychiatric or mental conditions by a psychiatrist shall be limited to one hour a month individual psychotherapy or equivalent combinations. When the individual is in an acute phase, however, up to a maximum of two hours psychotherapy may be authorized, when justified, during the first month of treatment. Subdivisions ~~((5))~~ (4)(a) through ~~((5))~~ (4)(e) also apply unless other rules take precedence. See WAC 388-86-067(1) for service provided by a contracting mental health center.

~~((6))~~ (5) All surgical procedures require approval by the medical consultant.

(a) Nonemergent surgical procedures require prior approval by the chief of the office of medical ~~((assistance))~~ policy and procedure or his designees ~~((including medical consultants employed full-time by the department)).~~

(b) Minor surgery and diagnostic procedures performed in a physician's office do not require prior approval. ~~((Surgery for cosmetic and self-limiting conditions and))~~

(c) CAT scans must have prior approval.

(6) No payment will be made for cosmetic, reconstructive or plastic surgery which is defined as surgery performed to revise or change the texture, configuration or relationship of structure with continuous structure when the purpose is primarily psychological and will not correct or materially improve body function, or is intended to alter any part of the body which could be considered to be "normal" within broad range of variation for function, age, ethnic, or familial origin.

(7) A recipient of public assistance is not required to obtain medical care in the county of his residence. ((f))See also WAC 388-83-025.((g))

(8) For limitations on out-of-state physicians' services see WAC 388-86-115.

NEW SECTION

WAC 388-86-096 PODIATRY. (1) Podiatry services are provided which are necessary and essential for:

- (a) The diagnosis or treatment of illness or injury; or
 - (b) Improving the function of a malformed body member.
- (2) Treatment is not provided for:
- (a) Flat-foot conditions and support devices.
 - (b) Subluxations (incomplete or partial dislocations) of the foot.
 - (c) Routine foot care including the cutting or removal of corns, calluses, the trimming of nails and other routine hygienic care.
 - (d) Repair of chronic conditions of the foot.

AMENDATORY SECTION (Amending Order 1402, filed 5/16/79)

WAC 388-86-120 STATE FINANCED MEDICAL CARE SERVICES. (1) A recipient of continuing general assistance who cannot be related to a federal aid category is eligible to receive the same scope of care as a recipient of medical assistance, except that no care will be provided outside the state of Washington other than in bordering states as specified in WAC 388-82-030(4).

(2) A recipient of medical only shall be authorized for treatment of acute and emergent conditions only. A deductible of \$200 per family over a twelve month period from date of a denied application for medical care shall be required before a positive determination of eligibility for medical only may be made. ((f))See WAC 388-83-045(2)(e)((g)).

- (a) Citizenship is not a requirement of eligibility.
- (b) All treatment and drugs must be approved by the medical consultant((f)). See WAC 388-87-025(1)((g)).
- (c) Recipients undergoing detoxification for an acute alcoholic condition are not required to incur the \$200 deductible as an eligibility factor for the covered period of detoxification.
- (d) Care for mental or psychiatric conditions is limited to hospitalization for an acute and emergent condition. Voluntary admission and involuntary commitment by the court are covered by the program for eligible recipients((f)). See WAC 388-86-050(3)(a) and (b) for other limitations on stay((g)).

(e) Hearing aids, chiropractic services and eyeglasses are not provided. Dental service is limited to relief of pain (see WAC 388-86-020).

(f) Care outside the state of Washington is not provided except in bordering states as specified in WAC 388-82-030(4).

(g) An "acute condition" is defined as having a short and relatively severe course, not chronic; and "emergent condition" is defined as occurring unexpectedly and demanding immediate action. In programs in which care is limited to the treatment of acute and emergent conditions it is understood that:

- (i) The condition must be justified as acute and emergent, except that
 - (A) included will be those conditions of less urgency where medical experience indicates a failure to treat will usually result in the rapid development of an emergent situation;
 - (B) family planning and obstetrical care will be provided;
 - (C) when other care, including necessary drugs, is requested by the attending physician and approved by the local medical consultant as medically necessary, approval may be granted for service that might otherwise be excluded. See WAC 388-86-032.
 - (D) detoxification for an acute alcoholic condition will be provided only in a certified detoxification center or in a general hospital with certified detoxification facilities.
- (ii) Once care is initiated, it is continued to a logical completion; that is, the provided care is complete in amount, duration, and scope within the limitations of the medical care program.
- (iii) In addition, an acute and emergent condition will be assumed to exist when an applicant for medical care indicates he has an undefined

medical condition. Provided financial eligibility has been established, at least one office call will be allowed for diagnosis. Treatment will be contingent upon the criteria for acute and emergent being met.

(h) If the department is notified within seven days of the date medical care began or within seven days after an individual who is admitted in a coma to a hospital or other treatment facility becomes rational, certification shall cover this period if all eligibility factors have been met. The three month retroactive certification period referred to in WAC 388-84-005(2) does not apply to the fully state funded medical program. If notification is received in the local office subsequent to the seventh day of initiation of service, certification shall begin on the date notification is received, with allowance for mail delivery. Seven days shall include the date of initiation of services but shall not include Saturday, Sunday or legal holidays.

(3) Certain nonacute and nonemergent conditions are covered in the MO program and may be approved by the medical consultant.

(a) Maternity care for persons not categorically relatable or eligible under "H" program. This will usually apply only to nonresidents who have no medical coverage through the state of residence and for out-of-state child welfare services cases. Care may include prenatal, delivery, post partum, and such ancillary medical services as may be requested by the attending physician and approved by the medical consultant.

(b) Rabies prevention inoculation. Treatment for rabies is considered acute and emergent. Initial treatment may be started on an emergency basis; however, the approval of the medical consultant must be requested within fourteen days, including date treatment was initiated. Rabies serum shall be requested from the epidemiology section of the department's division of health services, Olympia.

(c) Drugs for former patients of state mental institutions. Tranquilizers, anti-depressants, antiepileptics, and agents used for treatment of drug-induced Parkinsonism may be provided to former patients of state hospitals and schools for the mentally retarded. The attending physician prescribes the necessary drugs on form 6-02 mental hospitals or form 13-32 schools for the mentally retarded and mails the prescription directly to the institution.

(d) Certain necessary drugs for conditions such as cardiovascular disease, diabetes, epilepsy, nephritis, and carcinoma may be prescribed subject to approval by the local medical consultant. Examples of such drugs are cardiac control agents, insulin and oral anti-diabetic tablets, anti-convulsant agents, urinary anti-infective agents, broncho-dilator agents and antineoplastics.

REPEALER

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

WAC 388-86-010 ANESTHETIZATION SERVICES.

AMENDATORY SECTION (Amending Order 1346, filed 8/31/77)

WAC 388-87-005 PAYMENT—ELIGIBLE PROVIDERS DEFINED—GROUNDS FOR TERMINATING PARTICIPATION.

(1) ~~((All providers of services under the department's medical care program shall agree to adhere to the department's rules and regulations and established fee or price schedules.~~

- ~~((2))~~ Eligible providers are
- (a) Persons currently licensed by the state of Washington to practice medicine, chiropractic, osteopathy, dentistry, optometry, or podiatry,
 - (b) Persons currently licensed by the state of Washington as professional or practical nurses, or as physical therapists,
 - (c) A hospital currently licensed by the department,
 - (d) A nursing home currently licensed and classified by the department as a skilled nursing or intermediate care facility,
 - (e) A licensed pharmacy,
 - (f) A home health services agency certified by the department,
 - (g) An independent (outside) laboratory qualified to participate under Title XVIII or determined currently to meet the requirements for such participation,
 - (h) A company or individual (not excluded in subsection (3)) supplying items such as ambulance service, oxygen, eyeglasses, other appliances, or approved services,
 - (i) A provider of screening services that has signed an agreement with the department to provide such services to eligible individuals in the EPSDT program,
 - (j) A certified center for the detoxification of acute alcoholic conditions,

(k) An outpatient clinical community mental health center, drug treatment center or Indian health service clinic,

(l) A medicare certified rural health clinic,

(m) Approved prepaid health maintenance, prepaid health plans and/or health insuring organizations,

(n) An out-of-state provider of services (a) through (g) with comparable qualifications in state of residence or location of practice.

~~((3))~~ (2) Under the mandatory and discretionary provision of RCW 74.09.530, the services of the following practitioners will not be furnished to applicants or recipients:

Sanipractors
Naturopaths
Homopathists
Herbalists
Masseurs or manipulators
Christian Science practitioners or theological healers
Any other licensed or unlicensed practitioners not otherwise specifically provided for in these rules.

~~((4)) Any violation of the department's rules and regulations or administrative policies by a provider eligible to receive payment for services may be considered grounds for terminating the provider's participation in the medical care program:))~~

NEW SECTION

WAC 388-87-007 MEDICAL PROVIDER AGREEMENT. The medical care program is offered through the use of certified providers of medical services. To be certified, a provider must be licensed to provide said services, must meet the conditions of eligibility defined in WAC 388-87-005, and must submit a form to the department stating his/her intention to participate in the program according to the terms of this section. This form and participation by the provider according to the terms of this section shall constitute the agreement between the department and the provider. Certified providers shall be issued a provider number by the department which is authorization to participate in the medical care program. Providers who participate in the program by providing services to recipients of medical assistance and billing the department for such services are bound by the rules and standards set forth in this section and as issued by the department.

(1) Providers shall keep all records necessary to disclose the extent of services the provider furnishes to recipients of medical assistance.

(2) Providers shall furnish the department with any information it may request regarding payments claimed by the provider for furnishing services to recipients of medical assistance.

(3) The provider shall bill according to instructions issued by the department and accept payment for services according to the schedule of maximum allowances, the drug formulary and other applicable maximum payment levels or schedules. Such payment shall constitute complete remuneration for such services.

(4) Each billing invoice submitted to the department by a provider shall contain the following language and verification: "I hereby certify under penalty of perjury, that the material furnished and service rendered is a correct charge against the state of Washington; the claim is just and due; that no part of the same has been paid and I am authorized to sign for the payee; and that all goods furnished and/or services rendered have been provided without discrimination on the grounds of race, creed, color, national origin or the presence of any sensory, mental or physical handicap."

(5) Providers shall render all services without discrimination on the grounds of race, color, sex, religion, national origin, creed, marital status, or the presence of any sensory, mental or physical handicap.

(6) The department may suspend or withdraw the provider's number and authorization to participate in the medical care program upon thirty days written notice to the provider.

(7) Providers shall render all services according to the applicable sections of the Revised Code of Washington, the Washington Administrative Code, federal regulations and program instructions issued by the department.

(8) Nothing in this section shall preclude the department and any provider or provider group or association from jointly negotiating or entering into another form of written agreement for provision of medical care services to eligible recipients.

AMENDATORY SECTION (Amending Order 1402, filed 5/16/79)

WAC 388-87-010 CONDITIONS OF PAYMENT—GENERAL. (1) The department shall be responsible for payment of service

rendered to a recipient only when the services ~~((have been))~~ are within the scope of care, properly authorized and the recipient certified as eligible. ~~((Payment for well baby care is not authorized except as provided for under the EPSDT program (see WAC 388-86-027(3)).))~~

(2) The fees and rates established by ~~((agreement between))~~ the department ~~((and providers of service))~~ shall constitute the full charge for approved medical care and services provided to recipients by the providers.

(3) When a provider of service furnishes services to a known eligible recipient and does not bill the department for services for which the department is responsible for payment, or fails to satisfy department conditions of payment such as prior approval and timely billing, the recipient is under no obligation to pay the provider.

(4) Payment for any service furnished to a recipient by a provider may not be made to or through a factor who advances money to that provider for accounts receivable.

(5) The department will not be responsible for payment for medical care and goods and/or services provided to a recipient enrolled in a department-contracted, prepaid medical plan who fails to use the provider under contract unless emergency conditions exist or the department has approved payment to another provider for provision of a service not covered by the prepaid plan.

~~((5))~~ (6) The department will not be responsible for payment of that portion of medical care or services reimbursable within a reasonable time by a third party resource available to the recipient such as health insurance coverage, casualty insurance or when medical needs result from accident or injury caused by another party. See WAC 388-83-010(1).

~~((6))~~ (7) Payment for care on the federally aided medical programs will be retroactive for three months prior to the month of application provided the applicant would have been eligible when the care was received. The applicant to a federally aided program need not be eligible for medical assistance at the time of actual application. (See WAC 388-84-005(2)(b)). Payment for care on the fully state funded medical program may be retroactive for seven days prior to the date of application according to WAC 388-86-120(2)(h). Participation in the cost of medical care must be applied as outlined in WAC 388-83-045(6), and the service must be within the scope of care provided by the program. Medical services that require approval under the appropriate medical program must be approved by the ESSO medical consultant for the retroactive period. (See WAC 388-86-095(6)(a)).

~~((7))~~ (8) ~~((A provider of services to a person determined ineligible subsequent to the time service was rendered may be paid under the following))~~ A claim by a provider for payment for services rendered to a person who subsequently is determined to be ineligible at the time service was rendered may be paid under the following conditions only:

(a) The ineligible person must have been certified as both financially and medically eligible ~~((at the time the service was rendered))~~,

(b) Payment has not been made ~~((;))~~ from sources outside the department.

(c) ~~((The))~~ A request for such payment ~~((is approved as a case exception (see WAC 388-81-030))~~ must be submitted and approved by the division of medical assistance.

(9) The department reimbursement level will not exceed the maximum rates established by Medicare. Payment for medically necessary services shall be made on the basis of usual and customary charges or the rates established by the department, whichever is lower.

(10) Payment for well baby care is not authorized except as provided under the EPSDT program. See WAC 388-86-027.

AMENDATORY SECTION (Amending Order 1265, filed 1/13/78)

WAC 388-87-013 CONDITIONS OF PAYMENT—HOSPITAL CARE. (1) A hospital must request approval of admission from the local medical consultant before payment is made for services provided to recipients of state funded programs.

(2) The department will not be responsible for payment for additional days of hospitalization in the case of a hospitalized recipient when the PAS limitations have been exceeded and the provider has not requested an extension within ~~((sixty days of final))~~ termination of service or an extension request has been denied unless prior contractual arrangements are made by the department for a specified length of stay. Payment for the additional ~~((time))~~ days spent in the hospital would then depend upon any private agreement or contract between the provider and the patient.

(3) A beneficiary of Title XVIII medicare who is not in a state institution shall use his nonrenewable lifetime hospitalization reserve of

sixty days before payment for hospitalization will be made from Title XIX funds.

AMENDATORY SECTION (Amending Order 1402, filed 5/16/79)

WAC 388-87-025 SERVICES REQUIRING APPROVAL OF MEDICAL CONSULTANT. (1) All services rendered recipients of medical only require approval of the local medical consultant. When a medical emergency is alleged but not apparent, the otherwise eligible applicant for medical only may be referred to a participating physician for diagnosis and medical treatment if indicated. Such applicant may not be authorized this one office call unless \$200 in medical costs have been accrued within seven days prior to application. Subsequent to such denial a medical only applicant has twelve months from the date of application to incur \$200 in medical costs. For this one office call only, the signature on the authorization form may be by a CSO designee whose signature is on file in the ~~((professional audit section))~~ office of provider services.

(2) Services to recipients of medical assistance and continuing general assistance requiring approval are

(a) All surgical procedures require approval by the local medical consultant - see WAC 388-86-095(6) and 388-86-110. The requesting physician shall submit form 525-100 to the CSO. Only the surgeon need obtain written approval for surgery. The services of the surgical assistant and the anesthesiologist or anesthesiologist do not require approval. Their billings for payment, however, must show the patient's diagnosis and a cross reference to the surgeon. For approval of nonemergent surgery see WAC 388-87-027.

~~((Prior approval for all nonemergent surgical procedures shall be obtained from the chief of the office of medical assistance, from his professional designee, or from the full-time medical consultant in the CSO or regional office where such is employed.))~~

(b) Requests for medical appliances and prosthetic devices must have prior approval with the following exceptions:

(i) External braces involving neck, trunk and/or extremities.

(ii) Other nonreusable items costing less than \$150 if provision of the item will expedite a recipient's release from a hospital.

(c) All requests for reusable medical equipment and requests for surgical appliances provided, other than as described in subdivision (b), must be submitted on form 525-101 for the medical consultant's approval. If approval is received and the material to be supplied is to be billed by another provider of service it is necessary for the physician to transmit the approved form 525-101 to the provider for billing purposes - see WAC 388-86-100.

(d) Requests for allergy testing shall be submitted on appropriate state form for prior approval by the local medical consultant. The extent of service to be provided shall be indicated. In the event an independent laboratory bills for the allergy testings, the requesting physician shall send the approved state form to the laboratory as the billing authority.

(e) Drugs not listed in the department's formulary or any single prescription exceeding the maximum limit established - see WAC 388-91-020.

(f) Admission to a hospital - see WAC 388-87-070 and 388-86-050(2).

(g) Initial provision of oxygen service for a recipient under sixty-five years of age in his own home. Repeat deliveries of oxygen for the same illness do not require medical consultant approval - see 388-86-080(1) and 388-87-080.

(h) Approval of physical therapy on an outpatient basis or in a nursing home when prescribed by the attending physician - see WAC 388-86-090.

(i) For certain border situations and out-of-state medical care - see WAC 388-82-030(4) and (5), and 388-86-115.

(j) All major appliances - see WAC 388-86-100.

(k) For consultant or specialist referral when such referrals exceed two such consultants or specialists - see WAC 388-86-095(4).

(l) Respiratory therapy in excess of five treatments requires approval.

(m) Speech therapy requires an initial evaluation; both the evaluation and subsequent therapy require prior approval - see WAC 388-86-098.

(n) Psychological evaluation provided in connection with medical diagnosis and treatment (see WAC 388-87-012(6)).

(o) Requests for audiometric evaluation require prior approval. See WAC 388-86-012.

AMENDATORY SECTION (Amending Order 1427, filed 8/24/79)

WAC 388-87-027 SERVICES REQUIRING PRIOR APPROVAL BY STATE OFFICE. (1) The following services requiring approval of the local medical consultant shall also receive prior approval of the chief of the office of medical ~~((assistance))~~ policy and procedure:

(a) Nonemergent surgical procedures - see WAC 388-86-095~~((6))~~(5);

(b) Prosthetic devices and major appliances - see WAC 388-86-100~~((:))~~;

(i) Purchase of reusable medical appliances and aids to mobility costing more than five hundred dollars,

(ii) Purchase of nonreusable surgical appliances or prosthetic devices costing more than five hundred dollars except those described in WAC 388-87-025(2)(b).

(2) With the exception of prosthetic devices and major appliances, subsection (1) does not apply to CSOs or regions which have full time medical consultants who are authorized to give approval.

(3) The medical director or designee may approve the purchase of a hearing aid for less than 50 decibel loss if social information justifies the need.

AMENDATORY SECTION (Amending Order 1233, filed 8/31/77)

WAC 388-87-030 RESPONSIBILITY OF PHYSICIAN—PATIENT ADMITTED TO HOSPITAL. (1) Admission to a hospital shall be requested by the attending physician. The signature of the attending physician on the department's hospital invoice is not required; however, the hospital must enter the diagnosis, justification for admission and the physician's name ~~((in the diagnosis and justification))~~ and provider number in the appropriate section of the ((form)) invoice.

(2) The ~~((department's))~~ completed hospital invoice shall be forwarded to the ((ESSG)) CSO for review and appropriate action by the medical consultant.

AMENDATORY SECTION (Amending Order 1244, filed 10/10/77)

WAC 388-87-035 PAYMENT—AMBULANCE AND OTHER TRANSPORTATION FOR MEDICAL REASONS. ~~((Payment for ambulance service and other means of transportation shall be made for eligible individuals according to WAC 388-86-085.~~

~~((2) Payment shall include the cost of transportation for the individual by ambulance, taxi, common carrier or other appropriate means and the cost of oxygen and its administration when required and justified. When medically or otherwise necessary, payment may be made for an additional attendant to accompany a patient to a medical resource except that no salary shall be allowed for an additional attendant who is a member of the patient's family.~~

~~((3) Payment for transportation for medical reason shall be made on the basis of rates established by the department.~~

~~((4) No payment is made to providers of medical care, other than subsection (2) above, for mileage related to house calls and consultation visits, see WAC 388-87-095(2)(a).))~~ (1) Payment for ambulance service and other means of transportation shall be made for eligible individuals according to WAC 388-86-085.

(2) Payment may be made for the cost of medically necessary transportation by ambulance, cabulance, privately owned automobile or other appropriate means.

(a) Costs of oxygen and its administration associated with ambulance services will be reimbursed when medical necessity is clearly documented.

(b) Payment may be made for an additional attendant to accompany a patient in an ambulance unless the additional attendant is a member of the patient's family or is a staff member of a hospital, in which case no salary shall be allowed.

(3) Payment for taxi will be made only when approved by the local medical consultant.

(4) Payment for medically necessary transportation shall be made on the basis of usual and customary charges or the rates established by the department, whichever is lower.

(5) No payment is made to providers of medical care, other than subsection (2) above, for mileage related to house calls and consultation visits, see WAC 388-87-095(2)(a).

AMENDATORY SECTION (Amending Order 1203, filed 4/1/77)

WAC 388-87-047 PAYMENT—CHIROPRACTIC SERVICES. (1) Payment shall be made by the department for services

rendered by a licensed chiropractor as described in WAC 388-86-023 subject to the following limitations:

(a) ~~((Payment is limited to three treatments per month, except that eight treatments within a 30 day period may be allowed for acute traumatic conditions:~~

~~(b)) Payment is restricted to a maximum of twenty treatments per calendar year per recipient subsequent to an initial visit payable only the first time a new patient is seen.~~

~~(b) Payment for x-rays is limited to single area films when the treatment area can be isolated. Maximum allowance is for two areas.~~

~~(c) Payment will not be made for modalities such as light, heat, hydro-therapy, and physiotherapy.~~

~~(d) Payment shall not be made for any food supplement, medication or drug.~~

~~(e) Payment for chiropractic services received out-of-state is limited to three treatments for acute and emergent conditions for recipients related to federal programs.~~

(2) Billing for chiropractic services shall be submitted to the department on state form 525-101. All rules pertaining to billing are applicable to chiropractors.

AMENDATORY SECTION (Amending Order 1112, filed 4/15/76)

WAC 388-87-065 PAYMENT—HOME HEALTH AGENCY. Fees for home health visits shall be paid at rates established by the ~~((department))~~ division of medical assistance. The department will pay for the services of a home health agency certified under Title XVIII for an eligible recipient under age sixty-five and for those recipients sixty-five years of age and over who have exhausted Part A Medicare and do not have Part B. These services shall be requested by appropriate state form. Approval is required for care which extends beyond the ~~((second calendar month or exceeds \$350))~~ limits established by the division of medical assistance.

AMENDATORY SECTION (Amending Order 1359, filed 12/8/78)

WAC 388-87-070 PAYMENT—HOSPITAL CARE. (1) The department will pay hospital costs of eligible persons who are patients in general hospitals when such hospitals meet the criteria as defined in RCW 70.41.020. ~~((These persons))~~ Except for nonallowable revenue codes, reimbursable cost will be determined according to Medicare cost reimbursement methods. Recipients of Medicaid funded hospital services must have been approved as financially and medically eligible for hospitalization. They are:

- (a) Recipients of federal aid grants, including essential persons,
- (b) Children in foster care for whom the department is making payment, who are eligible for medical assistance,
- (c) Recipients of continuing general assistance,
- (d) Recipients of federal aid medical care only,
- (e) Recipients of medical only who cannot be categorically related and who have satisfied the \$200 deductible as specified by WAC 388-83-045(2)(e).

(2) Payment shall be based on the satisfaction of the criteria for the minimum deductible of \$200 for recipients of medical only.

AMENDATORY SECTION (Amending Order 995, filed 12/31/74)

WAC 388-87-075 PAYMENT—LABORATORY SERVICES. (1) A physician using his own laboratory to provide necessary laboratory services shall bill the department according to its schedule of maximum allowances, using form DSHS ~~((6-30))~~ 525-100.

(2) A physician using the services of an independent laboratory shall request services for a recipient in the same manner he requests services for his private patient.

(3) An independent laboratory may bill the department directly on form DSHS ~~((6-30 and is paid on the basis of the department's schedule of maximum allowances;))~~ 525-100 or may bill the physician. The physician is reimbursed by the department ~~((according to its schedule of maximum allowances for physicians' services)).~~

AMENDATORY SECTION (Amending Order 1265, filed 1/13/78)

WAC 388-87-095 PAYMENT—PHYSICIAN SERVICE. (1) General provisions.

(a) ~~((The physician bills for his services on a fee-for-service basis using the department's schedule of maximum allowances for physicians' services. Where no fee can be found in the schedule applicable to a complicated or unusual procedure, the physician may submit his billing at a fee he considers reasonable. The final determination of the~~

reasonableness of such fees shall be made by the chief of the office of medical assistance-)) Billing and payment for physician services will be made in accordance with divisional billing instructions and schedule of maximum allowances.

~~(b) ((Form 525-100 shall be used by the physician in billing for persons under age sixty-five, and for those persons sixty-five years of age and older who do not have Part B benefits under medicare.~~

~~(c)) The ((local office)) CSO may request a physician to complete a physical examination as described in WAC 388-86-095(2). In such cases, the local office requests the physician to arrange an appointment for the individual and provides the physician with a preapproved form A-19 for billing. A predetermined fee has been established for the cost of such examination, plus necessary laboratory and X-ray procedures. If the physician completes form 13-21, medical report, from available medical records without conducting an examination, an adjusted fee shall be paid.~~

(2) Exclusions and limitations

(a) No payment is made to the physician for mileage.

(b) No payment is made to the physician for prescription refills.

(c) ~~((No payment will be made for podiatric items or services:~~

~~(i) Which are not reasonable and necessary for the diagnosis or treatment of illness or injury or to improve the functioning of a malformed body member;~~

~~(ii) Which constitute personal comfort items;~~

~~(iii) Where such expenses are for cosmetic surgery or are incurred in connection therewith, except as required for the prompt repair of accidental injury or for improvement of the functioning of a malformed body member, or~~

~~(iv) Where such expenses are for:~~

~~(A) The treatment of flat foot conditions and the prescription of supportive devices therefor;~~

~~(B) The treatment of subluxations (incomplete or partial dislocations) of the foot, or~~

~~(C) Routine foot care including the cutting or removal of corns, calluses, the trimming of nails, and other routine hygienic care.~~

~~(v) These limitations apply to services provided by a podiatrist in his office, in a patient's home, in a hospital or nursing home.~~

~~(d)) No payment is generally made for medical supplies used in conjunction with an office visit; however, payment may be made for items such as sling and swathe, clavicle and shoulder splints, cervical collars and ace bandages, subject to the limitations of the physician's acquisition cost.~~

~~((c)) (d) When it comes to the attention of the office of medical assistance that a physician bills the department for inpatient hospitalization visits and the period of hospitalization has been denied, no payment will be made.~~

AMENDATORY SECTION (Amending Order 1203, filed 4/1/77)

WAC 388-87-105 PAYMENT—MEDICAL CARE OUTSIDE STATE OF WASHINGTON. (1) Medical care furnished in border states mentioned in WAC 388-82-030(4) is not considered to be out-of-state care. Payment is made to the provider of service as for care provided within the state of Washington. Provider licensure requirements, however, would be those of the state in which care is rendered.

(2) Payment is authorized for out-of-state medical care furnished only to recipients of medical assistance (MA).

(3) The three month retroactive coverage applies to out-of-state care given to eligible applicants. (See WAC 388-84-005(2)(b))

(4) When out-of-state service is provided (excluding state office approved care in a skilled nursing home) in a state with a Title XIX medical care program, payment shall be authorized at the rate paid by the medical care program of the state in which the service is rendered. If provided in a state without a Title XIX program, payment shall be authorized at the rate charged, but not to exceed the rate paid for the service under Title XVIII medicare.

(5) Out-of-state providers shall be furnished with necessary billing forms and instructions, except dentists whose billings shall be submitted to the Washington Dental Service.

(6) If the deductible or coinsurance portions of medicare are claimed, it will be necessary for the provider to submit his billing to the intermediary or carrier in his own state on the appropriate medicare billing form. If the state of Washington is checked as being responsible for medical billing on the form, the intermediary or carrier may bill on behalf of the provider or may return the billing to the provider for submitting to the state.

(7) Approved care in out-of-state skilled nursing home will be paid either at the rates for care charged in that state for recipients of public

assistance, or in an amount not to exceed the rate for skilled nursing home care in the state of Washington, whichever is the lesser amount. Exceptions to the rule in this subsection may be granted only by the ((chief)) director of the ((office)) bureau of nursing home affairs.

REPEALER

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

WAC 388-87-040 PAYMENT—ANESTHETIZATION SERVICES.

AMENDATORY SECTION (Amending Order 1402, filed 5/16/79)

WAC 388-91-035 DRUGS—PHARMACIST'S AGREEMENT.

(1) Vendor service agreement, form DSHS 6-48 must be filed with department of social and health services, Olympia, Washington 98504. Forms may be obtained from the department's ((Professional Audit and Systems Section;)) office of provider services LG 11, Olympia, WA 98504.

(2) To participate in this program, a licensed pharmacy must agree to furnish goods and services in accordance with the department's rules, regulations and payment procedures. Fees and rates established by the department according to WAC 388-91-020(3) shall constitute the full and complete charge for approved medical care and goods and services provided to recipients by the vendor or providers.

(3) All pharmacists and pharmacies agreeing to render goods and services to eligible persons shall submit such charges as agreed upon between the department and the individual or firm monthly and shall present their final charges not more than ((sixty)) one hundred twenty days after the termination of their service or as otherwise provided by state law. Bills presented after the required ((sixty)) one hundred twenty-day period shall be a charge against the state only when a written extension has been given by the health services division before the ((sixty)) one hundred twenty-day period ends.

AMENDATORY SECTION (Amending Order 1427, filed 8/24/79)

WAC 388-92-025 COMPUTATION OF AVAILABLE INCOME. (1) Income shall be defined as in WAC 388-92-005.

(a) Total income of a beneficiary of supplemental security income, except for institutionalized recipients, is not considered an available resource.

(b) Income and resources are considered jointly for spouses who live together in a common household and blind or disabled children who live with their parent(s). Income and resources are considered separately when spouses and/or children and parents cease to live together except for purposes of eligibility determination only, then income and resources are considered mutually available

(i) for the first six months after the month they cease to live together where both spouses apply for FAMCO as aged, blind or disabled,

(ii) for the month of separation where only one spouse applies for FAMCO as aged, blind, or disabled or where blind or disabled children are separated from parents.

(c) If a minor applies for medical care the parent legally responsible for the support of the child is also by law financially responsible for the payment for medical provided to the child. In such case the standards in WAC 388-83-035 shall apply to determine available income to meet the medical needs of the child. See also WAC 388-24-550.

(d) For a pregnant minor see WAC 388-82-015.

(e) Even if state law confers adult status at age eighteen (see WAC 388-24-550), the department must consider parental income and resources as available for a child if he is living with the parent until he becomes twenty-one.

(2) Net cash income shall be determined as for the Title XVI category to which the applicant for FAMCO is relateable according to WAC 388-92-015((+))((3)).

(3) To arrive at available income, the following items shall be excluded sequentially from income:

(a) Any amount received from any public agency as a return or refund of taxes paid on real property or on food purchased by such individual or spouse;

(b) State public assistance based on financial need;

(c) Any portion of any grant, scholarship, or fellowship received for use in paying the cost of tuition and fees at any educational institution;

(d) Income that is not reasonably anticipated, or received infrequently or irregularly, if such income does not exceed twenty dollars per month if unearned, or ten dollars per month if earned;

(e) Any amounts received for the foster care of a child, who is not an eligible individual, but who is living in the same house as such individual and was placed in such home by a public or nonprofit private child-placement or child-care agency;

(f) One-third of any payment for child support received from an absent parent will be excluded((-));

(g) The first twenty dollars per month of earned or unearned income, not otherwise excluded above, for a person at home. The exclusion is considered only once for a husband and wife. There is no exclusion on income which is paid on the basis of need of the eligible individual, such as VA pension and cash from private charitable organizations. For a person in an institution, the exclusion is considered in determining eligibility and allocated as participation in cost of medical care. See WAC 388-92-035 for employed institutionalized individuals;

(h) Tax exempt payments received by Alaska natives under the Alaska Native Claims Settlement Act;

(i) Tax rebates or special payments exempted by federal regulations and publicized by numbered memoranda from the state office;

(j) Compensation provided to volunteers in ACTION programs established by Public Law 93-113, the Domestic Volunteer Service Act of 1973.

(4) An individual under the age of twenty-one who is a student regularly attending a school, college or university or pursuing a course of vocational or technical training designed to prepare him for gainful employment will have all earned income excluded.

(5) For a recipient at home, disregard the following earned income

(a) If such individual is blind and under age sixty-five((-+)), the first ((eighty-five)) sixty-five dollars per month of earned income not excluded according to subsection (3), plus one-half of the remainder;

((ii) The expenses reasonably attributable to the earning of any income as defined in subsection (-+);)

(b) If such an individual is disabled but not blind and is under age sixty-five((-+)), the first sixty-five dollars per month of earned income not excluded according to subsection (3), plus one-half of the remainder;

((ii) The expenses reasonably attributable to the earning of any income as defined in subsection (-+);)

(c) If such an individual is age sixty-five or over((-+)), the first sixty-five dollars per month of earned income not excluded according to subsection (3), plus one-half the remainder;

((ii) The expenses reasonably attributable to the earning of any income as defined in subsection (-+);)

(d) If a spouse of ((the)) an eligible individual ((in subdivisions ((6)(a), (b) or (c))) applies in his or her own right and can meet the appropriate criteria under Title XVI, the "disregards" are considered only once for the husband and wife.

((6) To arrive at net income of nonapplying spouse, the following personal and nonpersonal work expenses shall be deducted from earned income:

(a) Mandatory deductions as required by law or as a condition of employment;

(b) Necessary cost of public transportation or eight cents a mile for private car to and from place of employment;

(c) Expenses of employment which are necessary to that employment such as tools, materials, union dues;

(d) Additional clothing costs: For individual eighteen years or older, five dollars and seventy cents; for persons enrolled in a remedial education or vocational training course, the actual cost of uniforms and/or special clothing;

(e) The cost of child care necessary to employment if not provided without cost or as departmental service. The actual expense shall be deducted but not to exceed standard in WAC 388-15-170.))

AMENDATORY SECTION (Amending Order 1478, filed 1/18/80)

WAC 388-92-035 MONTHLY ((MAINTENANCE STAND-
ARD)) PERSONAL NEEDS ALLOWANCE—PERSON IN INSTITUTION. The monthly ((maintenance amount)) needs allowance for aged, blind, and disabled individuals receiving continuous care throughout a calendar month in a hospital, skilled nursing home, intermediate care facility or institution for mental disease, who are covered under Title XIX, shall be ((the amount allowed for medicaid recipients related to Title XVI for clothing and personal incidentals: For a person in an institution, income exclusions and disregards are allocated as participation in cost of medical care. For definition of institution see WAC 388-92-005)) \$32.50. Individuals residing in skilled nursing, intermediate care and ICF/MR facilities may retain

the current ((clothing;)) personal ((and incidental)) needs allowance plus ((the first sixty-five dollars per month from)) wages received for work approved by the department as part of a training or rehabilitative program designed to prepare the individual for less restrictive placement. The total personal needs allowance including the initial \$32.50 may not exceed the monthly maintenance standard in WAC 388-92-030. There are no deductions for expenses of employment. When the total amount of wages received plus the initial needs allowance exceeds the monthly maintenance standard the excess wages are applied to the cost of care.

WSR 80-08-083
PROPOSED RULES
GAMBLING COMMISSION
[Filed July 2, 1980]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Gambling Commission intends to adopt, amend, or repeal rules concerning communications with commission, amending WAC 230-60-070;

that such agency will at 1:30 p.m., Wednesday, August 13, 1980, in the Red Lion Inn, Sea Tac, 18740 Pacific Highway South, Seattle, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 1:30 p.m., Wednesday, August 13, 1980, in the Red Lion Inn, Sea Tac, 18740 Pacific Highway South, Seattle, WA.

The authority under which these rules are proposed is RCW 9.46.070(13).

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 1:30 p.m., Wednesday, August 13, 1980, Red Lion Inn, Sea Tac, 18740 Pacific Highway South, Seattle, WA.

Dated: July 2, 1980
By: Jeffrey O. C. Lane
Assistant Attorney General

STATEMENT OF PURPOSE

- I. Name of Agency: Washington State Gambling Commission
- II. General Purpose of Rule: The attached rule amendment simply deleted reference to a post office box in the Commission's address, which box is no longer being used. The amendment was not made necessary by federal law or federal or state court action.
- III. Description, Summary and Statutory Authority for Rules: Amendment to WAC 230-60-070 Communications With Commission. This amendment simply deletes reference to a post office box in the Commission's address, which box is no longer being used. The statutory authority for passage of this amendment is found in RCW 9.46.070(13).
- IV. Responsible Department Personnel: In addition to the Gambling Commissioners themselves, the following agency personnel have responsibility for drafting, implementing and enforcing these rules:

<u>NAME</u>	<u>TITLE</u>	<u>ADDRESS</u>	<u>PHONE</u>
William E. Bjork	Director	Capital Plaza Bldg. 1025 East Union Olympia, WA 98504	234-0865 753-0865
Ronald O. Bailey	Ass't Dir. Enforcement	Capital Plaza Bldg. 1025 East Union Olympia, WA 98504	234-1076 753-1076
Chas. Montgomery	Admin.	Capital Plaza Bldg. 1025 East Union Olympia, WA 98504	234-0861 753-0861

- V. Person or Organization Proposing Rule: This rule amendment is proposed by the Commission staff.
- VI. Agency Comments: The agency believes the rule amendment described above is self-explanatory.
SUBMITTED in accordance with chapter 186, Laws of 1980, this 2nd day of July, 1980.

AMENDATORY SECTION (Amending Order 75, filed 9/16/77)

WAC 230-60-070 COMMUNICATIONS WITH COMMISSION. All written communications with the commission pertaining to the administration or enforcement of chapter 42.17 RCW and these rules shall be addressed as follows: Washington state gambling commission, capital plaza building, ((p. o. box 2007;)) 1025 east union, Olympia, Washington 98504, attention public records officer.

WSR 80-08-084
PROPOSED RULES
DEPARTMENT OF ECOLOGY
[Filed July 2, 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 the amending of WAC 173-19-2521 Seattle, City of and WAC 173-19-290 Lewis County. (The foregoing sections are part of chapter 173-19 WAC Shoreline Management Act—State Master Program.);

that such agency will at 10:00 a.m., Tuesday, August 6, 1980, in the Hearings Room, Department of Ecology, Air and Land Offices, Rowsix, Building 4, 4224 6th Avenue S.E., Lacey, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Tuesday, August 12, 1980, in the Hearings Room, Department of Ecology, Air and Land Offices, Rowsix, Building 4, 4224 6th Avenue S.E., Lacey, WA.

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

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to August 8, 1980 and/or orally at the above hearing.

Dated: July 2, 1980.
By: Elmer C. Vogel
Deputy Director

STATEMENT OF PURPOSE

This statement of purpose is written to comply with RCW 34.04.045 to accompany the Notice of Intention to Adopt, Amend or Repeal Rules of the Department of Ecology (CR-1).

Title of Rule: Amending WAC 173-19-2521—Seattle, City of, and WAC 173-19-290—Lewis County.

Description of Rule's Purpose: Adoption of revised shoreline master programs for the City of Seattle and Lewis County.

Statutory Authority for Rule: RCW 90.58.120 and 90.58.200

Summary of Rule and Statement of the Reasons Supporting the Proposed Action: Shoreline master programs and revisions thereto are developed by local government and submitted to the Department of Ecology for approval. The programs do not become effective until adopted by the Department of Ecology in accordance with the Administrative Procedures Act.

Agency Personnel Responsible for Drafting, Implementation, and Enforcement of the Rule: Michael Rundlett, Shorelines Management Section, Department of Ecology, Olympia, WA 98504, (206) 753-4388

Governmental Organization Proposing the Rule: Department of Ecology

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement and Fiscal Matters Pertaining to the Rule: [No information supplied by agency]

Is this Rule Necessary as the Result of Federal Law or Federal or State Court Action? No

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

WAC 173-19-2521 SEATTLE, CITY OF. City of Seattle master program approved June 30, 1976. Revision approved March 11, 1977. Revision approved August 12, 1980.

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

WAC 173-19-290 LEWIS COUNTY. Lewis County master program approved November 1, 1974. Revision approved January 16, 1978. Revision approved September 24, 1979. Revision approved August 12, 1980.

WSR 80-08-085

PROPOSED RULES

DEPARTMENT OF ECOLOGY

[Filed July 2, 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 the amending of chapter 173-24 WAC Regulation relating to tax exemptions and credits for pollution control facilities;

that such agency will at 10:00 a.m., Wednesday, August 6, 1980, in the Hearings Room, Department of Ecology, Air and Land Offices, Rowsix, Building 4, 4224 6th Avenue S.E., Lacey, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Tuesday, August 26, 1980, in the Hearings Room, Department of Ecology, Air and Land Offices, Rowsix, Building 4, 4224 6th Avenue S.E., Lacey, WA.

The authority under which these rules are proposed is RCW 43.21A.080, 43.21A.090 and chapter 82.34 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to August 20, 1980, and/or orally at the above hearing.

Dated: July 2, 1980

By: Elmer C. Vogel
Deputy Director

STATEMENT OF PURPOSE

This statement of purpose is written to comply with RCW 34.04.045 to accompany the Notice of Intention to Adopt, Amend or Repeal Rules of the Department of Ecology (CR-1).

Title of Rule: Amending chapter 173-24 WAC—Regulation Relating to Tax Exemptions and Credits for Pollution Control Facilities.

Description of Rule's Purpose: To clarify existing rule and to simplify procedures.

Statutory Authority for Rule: RCW 43.21A.080 and 43.21A.090 and chapter 82.34 RCW.

Summary of Rule and Statement of the Reasons Supporting the Proposed Action: The change in WAC 173-24-060 is meant to simplify operating procedures. The change in WAC 173-24-090 is meant to clarify misunderstandings about legislative intent regarding chapter 82.34 RCW. The amendments make it clear that only requirements of the department or a local air authority promulgated under chapter 90.48 or 70.94 RCW may create eligibility for tax benefits. New section WAC 173-24-125 simply restates the statutory language regarding procedures for revocation of tax credit certificates.

Agency Personnel Responsible for Drafting, Implementation, and Enforcement of the Rule: Donald Provost, (206) 753-2817, Richard Burkhalter, (206) 753-2966, Department of Ecology, Olympia, WA 98504.

Governmental Organization Proposing the Rule: Department of Ecology

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement and Fiscal Matters Pertaining to the Rule: A negative declaration was filed pursuant to the State Environmental Policy Act, and an economic analysis revealed no economic impact.

Is this Rule Necessary as the Result of Federal Law or Federal or State Court Action? No

AMENDATORY SECTION (Amending Order DE 78-2, filed 3/14/78)

WAC 173-24-060 ACTION BY THE DEPARTMENT WITHIN THIRTY DAYS—REQUEST FOR FURTHER INFORMATION. The department shall within thirty days of receipt of an application from the department of revenue make the identification and classification described in WAC 173-24-070 and approval or denial described in WAC 173-24-080, or it shall request further information from the applicant. A copy of any request from the department to the applicant for further information shall be transmitted to the department of revenue. The failure of the applicant to supply any additional information requested by the department, without reasonable grounds for such failure, may result in disapproval of all or part of the application.

The department shall notify the department of revenue and the applicant in writing of its decisions on any application submitted to it (~~and a copy of such notification shall be sent to the applicant by certified mail~~).

AMENDATORY SECTION (Amending Order DE 70-7, filed 8/4/71)

WAC 173-24-090 INSTALLATION FOR THE PURPOSE OF POLLUTION CONTROL. A facility will be considered to be installed or intended to be installed for the primary purpose of pollution control when:

(1) It was installed or intended to be installed in response to a requirement of the department or a regional or local air pollution control authority contained in a permit, order, or regulation which applies to the particular industry or commercial establishment in question, and such facility meets the requirements of such permit, order, or regulation, ~~((or;))~~ and

(2) It was installed ~~((or intended to be installed to meet the requirements of generally applicable air or water pollution control standards or regulations promulgated by federal, state, or regional agencies, and does in fact meet or exceed all such applicable standards; or;~~

~~((3) It was installed or intended to be installed to achieve the best known, available, and reasonable means of preventing and controlling air and water pollution and meets or exceeds all federal, state, and regional requirements applicable to the facility in question))~~ pursuant to a requirement developed under chapter 90.48 or 70.94 RCW, and no other chapter, whether administered by the department of ecology or any other government entity.

NEW SECTION

WAC 173-24-125 REVISION OF PRIOR FINDINGS. On its own initiative or on complaint of the local or regional air pollution control agency in which an air pollution control facility is located, the department may revise the prior findings of the appropriate control agency whenever it appears that any of the conditions listed in RCW 82.34.100 (1) or (2) have been met or when the department determines that the prior determination had been made in error.

WSR 80-08-086
ADOPTED RULES
DEPARTMENT OF ECOLOGY
 [Order DE 80-22—Filed July 2, 1980]

I, Elmer C. Vogel, deputy director of the Department of Ecology, do promulgate and adopt at the Department of Ecology, Lacey, Washington, the annexed rules relating to the amending of chapter 173-22 WAC Adoption of designations of wetlands associated with shorelines of the state.

This action is taken pursuant to Notice No. WSR 80-05-079 filed with the code reviser on April 30, 1980. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 90.58.120, 90.58.200 and 90.58.030(2)(f) 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 26, 1980.

By Elmer C. Vogel
Deputy Director

AMENDATORY SECTION (Amending Order DE 73-11, filed 7/20/73)

WAC 173-22-030 DEFINITIONS. As used herein, the following words have the following meanings:

(1) "Wetlands" or "wetland areas" means those lands extending landward for two hundred feet in all directions as measured on a horizontal plane from the ordinary high-water mark; and all marshes, bogs, swamps, floodways, river deltas and flood plains associated with the streams, lakes and tidal waters which are subject to the provisions of chapter 90.58 RCW.

(2) "Associated wetlands" means those wetlands or wetland areas which either influence or are ((strongly)) influenced by and are in ((close)) proximity to any stream, river, lake, or tidal water, or combination thereof, subject to chapter 90.58 RCW.

(3) The definitions set forth in chapter 90.58 RCW shall also apply as used herein.

AMENDATORY SECTION (Amending Order DE 76-30, filed 7/27/76)

WAC 173-22-040 DESIGNATION CRITERIA.

(1) Salt-water areas and lakes. The wetlands shall be

measured on a horizontal plane two hundred feet in all directions from the line of vegetation. If there is no vegetative cover, the measurement will be, wherever possible, from a line connecting the lines of vegetation on either side of an area; otherwise, the measurement will be from the mean higher high tide on salt water, and the mean high water on fresh water.

(2) Riverine flood plains.

(a) The wetland area within the flood plains shall be not less than those lands extending landward for two hundred feet in all directions as measured on a horizontal plane from the ordinary high water mark or floodway pursuant to subsection (b) below, whichever is greater. The wetland area shall not be greater than the 100-year flood plain boundary as established by acceptable methods.

(b) Wetland boundaries ((within the flood plain)) shall remain as the 100-year flood plain boundary, as defined by chapter 173-22 WAC, unless local government chooses to change the wetland boundaries. If the boundaries are changed, those changes shall be according to one of the following methods:

((+)) (i) Appropriate surface soil type boundaries.

((2)) (ii) Changes in type, quantity or quality of vegetative ground cover.

((3)) (iii) Readily identifiable natural barriers or permanent flood control devices such as levees, dikes or revetments.

((4)) (iv) Any reasonable method which meets the objectives of the shoreline management act.

(c) The proposed revision of wetland boundaries by any of the above methods must be submitted to the department of ecology for review. Prior to submittal to the department of ecology, a decision as to the relative environmental significance of the revision shall be made pursuant to chapter 197-10 WAC, the SEPA guidelines. If the department of ecology is satisfied that the proposal conforms to the criteria contained herein, the local shoreline master program shall be revised to reflect the boundary changes. The department of ecology shall amend chapter 173-19 WAC (State Master Program) at a reasonable interval following amendment of the local shoreline master program.

(3) Marshes, bogs and swamps. If marshes, bogs and swamps which constitute associated wetlands extend more than two hundred feet beyond the ordinary high-water mark of the body of water with which they are associated, their perimeters shall be the outer limit of the wetland designation. Such marshes, bogs and swamps shall be defined and designated according, but not limited to, the following definitions ((contained in Peat Resources of Washington, Bulletin No. 44, department of conservation, (1958))):

(a) Marsh - A low flat area on which the vegetation consists mainly of herbaceous plants such as cattails, bulrushes, tules, sedges, skunk cabbage, and other aquatic or semi-aquatic plant. Shallow water usually stands on a marsh, at least during a considerable part of the year. The surface is commonly soft mud or muck((; and no peat is present)).

(b) Bog - A depression or other undrained or poorly drained area containing, or covered with, peat (usually

more than one layer) on which characteristic kinds of sedges, reeds, rushes, mosses, and other similar plants grow. In the early stages of development the vegetation is herbaceous and the peat is very wet. In middle stages the dominant vegetation is brush. In mature stages trees are usually the dominant vegetation, and the peat, at least near the surface, may be comparatively dry.

(c) Swamp – A swamp is similar to a marsh except that reeds and shrubs comprise the characteristic vegetation. Marshes and swamps merge into each other, and both tend to merge into bogs.

AMENDATORY SECTION (Amending Order DE 73-11, filed 7/20/73)

WAC 173-22-050 REVIEW OF DESIGNATIONS. (~~Five years from the effective date of chapter 90.58 RCW and as frequently before then as is deemed advisable by the department,~~) The department shall review all the designations made herein at least once in every five-year period following the effective date of chapter 90.58 RCW or as frequently before then as is deemed advisable by the department, and prepare the necessary revisions to ensure that the designations conform to the policies of chapter 90.58 RCW and of chapter 173-22 WAC in the manner and form (~~proscribed~~) prescribed for adopting and amending rules and regulations in chapter 34.04 RCW (the administrative procedure act). (~~Review of these designations shall be conducted thereafter at least once in every five-year period following the effective date of chapter 90.58 RCW.~~)

AMENDATORY SECTION (Amending Order DE 73-11, filed 7/20/73)

WAC 173-22-055 CONFLICTS BETWEEN DESIGNATIONS AND CRITERIA. In the event that any of the wetland designations shown on the maps conflict with the criteria set forth in (~~WAC 173-22-040~~) this chapter the criteria shall control. The boundary of the designated wetland areas shall be governed by the criteria as follows:

(1) Saltwater areas and lakes. The wetland boundary for saltwater areas and lakes shall be designated as set forth in WAC 173-22-040.

(2) Riverine flood plains. The wetland boundary in riverine flood plain areas shall be designated as set forth in WAC 173-22-040. The 100-year flood plain boundary shown on the designation maps shall control except, where this boundary has been established and mapped by others using acceptable methods. As to the 100-year floodway, the flood insurance study maps published by the Federal Insurance Administration shall, when adopted by the local government, be used to ascertain the 100-year floodway location, provided that these criteria not affect the designations nor the criteria for designation of marshes, bogs or swamps which lie within the floodplain or floodways.

(3) Marshes, bogs, and swamps. The wetland boundary for marshes, bogs, and swamps shall be designated as set forth in WAC 173-22-040.

Table of WAC Sections Affected

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16-231-810	NEW-P	80-02-073	16-232-220	NEW-P	80-02-078	16-318-080	AMD	80-06-118
16-231-810	NEW	80-03-028	16-232-220	NEW	80-03-032	16-318-090	AMD-P	80-04-114
16-231-815	NEW-P	80-02-073	16-232-225	NEW-P	80-02-078	16-318-090	AMD	80-06-118
16-231-815	NEW	80-03-028	16-232-225	NEW	80-03-032	16-319-020	AMD-P	80-04-116
16-231-820	NEW-P	80-02-073	16-232-230	NEW-P	80-02-078	16-319-020	AMD-P	80-06-099
16-231-820	NEW	80-03-028	16-232-230	NEW	80-03-032	16-319-020	AMD-P	80-08-046
16-231-825	NEW-P	80-02-073	16-304-040	AMD-P	80-04-136	16-319-030	AMD-P	80-04-116
16-231-825	NEW	80-03-028	16-304-040	AMD	80-06-103	16-319-030	AMD-P	80-06-099
16-231-830	NEW-P	80-02-073	16-304-050	AMD-P	80-04-136	16-319-030	AMD-P	80-08-006
16-231-830	NEW	80-03-028	16-304-050	AMD	80-06-103	16-319-030	AMD-P	80-08-046
16-231-835	NEW-P	80-02-073	16-304-110	AMD-P	80-03-100	16-319-041	AMD-P	80-04-116
16-231-835	NEW	80-03-028	16-304-110	AMD-P	80-05-081	16-319-041	AMD-P	80-06-099

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
16-319-041	AMD-P	80-08-006	16-620-006	REP	80-07-034	18-52-086	NEW-P	80-02-097
16-319-051	AMD-P	80-04-116	16-620-205	NEW-P	80-05-115	18-52-086	NEW	80-04-048
16-319-051	AMD-P	80-06-099	16-620-205	NEW	80-07-034	18-52-086	REP-P	80-06-164
16-319-051	AMD-P	80-08-006	16-620-255	NEW-P	80-05-115	18-52-091	REP-P	80-02-097
16-319-051	AMD-P	80-08-046	16-620-255	NEW	80-07-034	18-52-091	REP-E	80-02-011
16-319-061	AMD-P	80-04-116	16-620-275	NEW-P	80-05-115	18-52-091	REP	80-04-048
16-319-061	AMD-P	80-06-099	16-620-275	NEW	80-07-034	25-12-010	NEW-E	80-02-081
16-319-061	AMD-P	80-08-006	16-620-360	AMD-P	80-05-115	25-12-010	NEW-P	80-02-084
16-319-061	AMD-P	80-08-046	16-620-360	AMD	80-07-034	25-12-010	NEW-P	80-04-007
16-321-001	NEW-P	80-04-117	16-654-003	REP-P	80-06-124	25-12-010	NEW	80-06-096
16-321-001	NEW	80-06-104	16-654-030	AMD-P	80-06-124	25-12-020	NEW-E	80-02-081
16-321-010	NEW-P	80-04-117	16-654-040	AMD-P	80-06-124	25-12-020	NEW-P	80-02-084
16-321-010	NEW	80-06-104	16-750-010	AMD	80-03-075	25-12-020	NEW-P	80-04-007
16-321-020	NEW-P	80-04-117	18-32-009	REP-P	80-01-114	25-12-020	NEW	80-06-096
16-321-020	NEW	80-06-104	18-32-009	REP	80-03-071	25-12-030	NEW-E	80-02-081
16-321-030	NEW-P	80-04-117	18-32-010	REP-P	80-01-114	25-12-030	NEW-P	80-02-084
16-321-030	NEW	80-06-104	18-32-010	REP	80-03-071	25-12-030	NEW-P	80-04-007
16-321-040	NEW-P	80-04-117	18-32-020	REP-P	80-01-114	25-12-030	NEW	80-06-096
16-321-040	NEW	80-06-104	18-32-020	REP	80-03-071	25-12-040	NEW-E	80-02-081
16-321-050	NEW-P	80-04-117	18-32-030	REP-P	80-01-114	25-12-040	NEW-P	80-02-084
16-321-050	NEW	80-06-104	18-32-030	REP	80-03-071	25-12-040	NEW-P	80-04-007
16-321-060	NEW-P	80-04-117	18-32-040	REP-P	80-01-114	25-12-040	NEW	80-06-096
16-321-060	NEW	80-06-104	18-32-040	REP	80-03-071	25-12-050	NEW-E	80-02-081
16-321-070	NEW-P	80-04-117	18-32-050	REP-P	80-01-114	25-12-050	NEW-P	80-02-084
16-321-070	NEW	80-06-104	18-32-050	REP	80-03-071	25-12-050	NEW-P	80-04-007
16-321-080	NEW-P	80-04-117	18-32-060	REP-P	80-01-114	25-12-050	NEW	80-06-096
16-321-080	NEW	80-06-104	18-32-060	REP	80-03-071	25-12-060	NEW-P	80-04-007
16-321-090	NEW-P	80-04-117	18-32-990	REP-P	80-01-114	25-12-060	NEW	80-06-096
16-321-090	NEW	80-06-104	18-32-990	REP	80-03-071	25-12-070	NEW-P	80-04-007
16-321-100	NEW-P	80-04-117	18-32-99001	REP-P	80-01-114	25-12-070	NEW	80-06-096
16-321-100	NEW	80-06-104	18-32-99001	REP	80-03-071	25-18-010	NEW-P	80-02-082
16-321-110	NEW-P	80-04-117	18-46-010	REP-P	80-01-114	25-18-010	NEW	80-05-001
16-321-110	NEW	80-06-104	18-46-010	REP	80-03-071	25-18-020	NEW-P	80-02-082
16-321-120	NEW-P	80-04-117	18-46-020	REP-P	80-01-114	25-18-020	NEW	80-05-001
16-321-120	NEW	80-06-104	18-46-020	REP	80-03-071	25-18-030	NEW-P	80-02-082
16-406-050	AMD-E	80-08-049	18-46-030	REP-P	80-01-114	25-18-030	NEW	80-05-001
16-406-060	AMD-E	80-08-049	18-46-030	REP	80-03-071	25-18-040	NEW-P	80-02-082
16-414-100	NEW-P	80-05-109	18-46-040	REP-P	80-01-114	25-18-040	NEW	80-05-001
16-414-100	NEW	80-08-010	18-46-040	REP	80-03-071	25-18-050	NEW-P	80-02-082
16-414-110	NEW-P	80-05-109	18-46-050	REP-P	80-01-114	25-18-050	NEW	80-05-001
16-414-110	NEW	80-08-010	18-46-050	REP	80-03-071	25-18-060	NEW-P	80-02-082
16-414-120	NEW-P	80-05-109	18-52-010	REP-P	80-06-164	25-18-060	NEW	80-05-001
16-414-120	NEW	80-08-010	18-52-016	REP-P	80-06-164	25-18-070	NEW-P	80-02-082
16-414-130	NEW-P	80-05-109	18-52-021	AMD-E	80-02-011	25-18-070	NEW	80-05-001
16-414-130	NEW	80-08-010	18-52-021	AMD-P	80-02-097	25-18-080	NEW-P	80-02-082
16-494-040	AMD-P	80-04-125	18-52-021	AMD	80-04-048	25-18-080	NEW	80-05-001
16-494-040	AMD	80-06-114	18-52-021	REP-P	80-06-164	25-18-090	NEW-P	80-02-082
16-495-085	AMD-P	80-04-123	18-52-031	REP-P	80-06-164	25-18-090	NEW	80-05-001
16-495-085	AMD	80-06-116	18-52-036	REP-P	80-06-164	25-18-100	NEW-P	80-02-082
16-512-030	AMD	80-03-019	18-52-041	AMD-E	80-02-011	25-18-100	NEW	80-05-001
16-512-040	AMD-P	80-06-143	18-52-041	AMD-P	80-02-097	25-18-110	NEW-P	80-02-082
16-516-020	AMD	80-05-073	18-52-041	AMD	80-04-048	25-18-110	NEW	80-05-001
16-516-040	AMD	80-05-073	18-52-041	REP-P	80-06-164	25-18-120	NEW-P	80-02-082
16-532-040	AMD-P	80-02-157	18-52-050	REP-E	80-02-011	25-18-120	NEW	80-05-001
16-532-040	AMD	80-05-090	18-52-050	REP-P	80-02-097	25-18-130	NEW-P	80-02-082
16-560-06001	AMD-P	80-02-159	18-52-050	REP	80-04-048	25-18-130	NEW	80-05-001
16-560-06001	AMD	80-05-091	18-52-051	NEW-E	80-02-011	25-24-010	NEW-E	80-02-083
16-561-040	AMD-P	80-02-158	18-52-051	NEW-P	80-02-097	25-24-010	NEW-P	80-02-085
16-565-010	NEW-P	80-06-142	18-52-051	NEW	80-04-048	25-24-010	NEW	80-05-002
16-565-020	NEW-P	80-06-142	18-52-051	REP-P	80-06-164	25-24-020	NEW-E	80-02-083
16-565-030	NEW-P	80-06-142	18-52-056	NEW-E	80-02-011	25-24-020	NEW-P	80-02-085
16-565-040	NEW-P	80-06-142	18-52-056	NEW-P	80-02-097	25-24-020	NEW	80-05-002
16-565-050	NEW-P	80-06-142	18-52-056	NEW	80-04-048	25-24-030	NEW-E	80-02-083
16-565-060	NEW-P	80-06-142	18-52-056	REP-P	80-06-164	25-24-030	NEW-P	80-02-085
16-565-070	NEW-P	80-06-142	18-52-061	REP-P	80-06-164	25-24-030	NEW	80-05-002
16-620-001	REP-P	80-05-115	18-52-071	AMD-E	80-02-011	25-24-040	NEW-E	80-02-083
16-620-001	REP	80-07-034	18-52-071	REP-P	80-06-164	25-24-040	NEW-P	80-02-085
16-620-002	REP-P	80-05-115	18-52-076	REP-E	80-02-011	25-24-040	NEW	80-05-002
16-620-002	REP	80-07-034	18-52-076	REP-P	80-02-097	25-24-050	NEW-E	80-02-083
16-620-004	REP-P	80-05-115	18-52-076	REP	80-04-048	25-24-050	NEW-P	80-02-085
16-620-004	REP	80-07-034	18-52-077	NEW-P	80-02-097	25-24-050	NEW	80-05-002
16-620-005	REP-P	80-05-115	18-52-077	NEW	80-04-048	25-24-060	NEW-E	80-02-083
16-620-005	REP	80-07-034	18-52-077	REP-P	80-06-164	25-24-060	NEW-P	80-02-085
16-620-006	REP-P	80-05-115	18-52-080	REP-P	80-06-164	25-24-060	NEW	80-05-002

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
132B-120-070	NEW-P 80-03-021	132H-148-090	REP-P 80-03-025	132L-30-220	NEW 80-04-059
132B-120-080	NEW-P 80-03-021	132H-148-100	AMD-P 80-02-154	132L-30-230	NEW-P 80-02-046
132B-120-090	NEW-P 80-03-021	132H-160-095	REP-P 80-03-025	132L-30-230	NEW 80-04-059
132B-120-100	NEW-P 80-03-021	132H-160-095	NEW 80-02-102	132L-30-240	NEW-P 80-02-046
132B-120-110	NEW-P 80-03-021	132I-128-330	AMD-P 80-02-138	132L-30-240	NEW 80-04-059
132B-120-120	NEW-P 80-03-021	132L-20-010	AMD 80-04-009	132L-30-250	NEW-P 80-02-046
132B-120-130	NEW-P 80-03-021	132L-20-020	AMD 80-04-009	132L-30-250	NEW 80-04-059
132B-120-140	NEW-P 80-03-021	132L-20-040	AMD 80-04-009	132L-30-260	NEW-P 80-02-046
132B-120-150	NEW-P 80-03-021	132L-20-050	AMD 80-04-009	132L-30-260	NEW 80-04-059
132B-120-160	NEW-P 80-03-021	132L-20-060	AMD 80-04-009	132L-30-270	NEW-P 80-02-046
132B-120-170	NEW-P 80-03-021	132L-20-070	AMD 80-04-009	132L-30-270	NEW 80-04-059
132B-120-180	NEW-P 80-03-021	132L-20-080	AMD 80-04-009	132L-30-280	NEW-P 80-02-046
132B-120-190	NEW-P 80-03-021	132L-20-090	AMD 80-04-009	132L-30-280	NEW 80-04-059
132B-120-200	NEW-P 80-03-021	132L-20-100	AMD 80-04-009	132L-30-290	NEW-P 80-02-046
132C-120-010	NEW 80-05-004	132L-20-110	AMD 80-04-009	132L-30-290	NEW 80-04-059
132C-120-015	NEW 80-05-004	132L-20-120	AMD 80-04-009	132L-30-300	NEW 80-04-059
132C-120-020	NEW 80-05-004	132L-20-140	AMD 80-04-009	132L-112-040	AMD-P 80-02-047
132C-120-025	NEW 80-05-004	132L-20-150	AMD 80-04-009	132L-112-040	AMD-E 80-03-013
132C-120-030	NEW 80-05-004	132L-20-160	AMD 80-04-009	132L-112-040	AMD 80-04-060
132C-120-035	NEW 80-05-004	132L-20-170	AMD 80-04-009	132L-112-200	AMD-P 80-02-047
132C-120-040	NEW 80-05-004	132L-22-020	AMD 80-04-009	132L-112-200	AMD-E 80-03-013
132C-120-045	NEW 80-05-004	132L-22-030	AMD 80-04-009	132L-112-200	AMD 80-04-060
132C-120-050	NEW 80-05-004	132L-22-040	AMD 80-04-009	132L-112-230	AMD-P 80-02-047
132C-120-055	NEW 80-05-004	132L-22-050	AMD 80-04-009	132L-112-230	AMD-E 80-03-013
132C-120-060	NEW 80-05-004	132L-22-070	AMD 80-04-009	132L-112-230	AMD 80-04-060
132C-120-065	NEW 80-05-004	132L-24-010	AMD 80-04-009	132L-112-250	AMD-P 80-02-047
132C-120-070	NEW 80-05-004	132L-24-030	AMD 80-04-009	132L-112-250	AMD-E 80-03-013
132C-120-075	NEW 80-05-004	132L-24-050	AMD 80-04-009	132L-112-250	AMD 80-04-060
132C-120-080	NEW 80-05-004	132L-24-060	AMD 80-04-009	132L-112-280	NEW-P 80-02-047
132C-120-085	NEW 80-05-004	132L-24-070	AMD 80-04-009	132L-112-280	NEW-E 80-03-013
132C-120-090	NEW 80-05-004	132L-24-080	AMD 80-04-009	132L-112-280	NEW 80-04-060
132C-120-095	NEW 80-05-004	132L-30-010	NEW-P 80-02-046	132L-112-290	NEW-P 80-02-047
132C-120-100	NEW 80-05-004	132L-30-010	NEW 80-04-059	132L-112-290	NEW-E 80-03-013
132C-120-105	NEW 80-05-004	132L-30-020	NEW-P 80-02-046	132L-112-290	NEW 80-04-060
132C-120-110	NEW 80-05-004	132L-30-020	NEW 80-04-059	132L-117-010	NEW-E 80-03-012
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
132C-120-125	NEW 80-05-004	132L-30-040	NEW-P 80-02-046	132L-117-040	NEW-E 80-03-012
132C-120-130	NEW 80-05-004	132L-30-040	NEW 80-04-059	132L-117-050	NEW-E 80-03-012
132C-120-135	NEW 80-05-004	132L-30-050	NEW-P 80-02-046	132L-117-060	NEW-E 80-03-012
132C-120-140	NEW 80-05-004	132L-30-050	NEW 80-04-059	132L-117-070	NEW-E 80-03-012
132C-120-145	NEW 80-05-004	132L-30-060	NEW-P 80-02-046	132L-117-080	NEW-E 80-03-012
132C-120-150	NEW 80-05-004	132L-30-060	NEW 80-04-059	132L-117-090	NEW-E 80-03-012
132C-120-155	NEW 80-05-004	132L-30-070	NEW-P 80-02-046	132L-117-100	NEW-E 80-03-012
132C-120-160	NEW 80-05-004	132L-30-070	NEW 80-04-059	132L-117-110	NEW-E 80-03-012
132C-120-165	NEW 80-05-004	132L-30-080	NEW-P 80-02-046	132L-117-120	NEW-E 80-03-012
132C-120-170	NEW 80-05-004	132L-30-080	NEW 80-04-059	132L-117-130	NEW-E 80-03-012
132C-120-175	NEW 80-05-004	132L-30-090	NEW-P 80-02-046	132L-117-140	NEW-E 80-03-012
132C-120-180	NEW 80-05-004	132L-30-090	NEW 80-04-059	132L-117-150	NEW-E 80-03-012
132C-120-185	NEW 80-05-004	132L-30-100	NEW-P 80-02-046	132L-117-160	NEW-E 80-03-012
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
132C-120-220	NEW 80-05-004	132L-30-130	NEW 80-04-059	132L-117-230	NEW-E 80-03-012
132C-120-225	NEW 80-05-004	132L-30-140	NEW-P 80-02-046	132L-117-240	NEW-E 80-03-012
132C-132-110	AMD 80-05-004	132L-30-140	NEW 80-04-059	132L-520-010	REP 80-04-009
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

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
132P-116-210	NEW-P	80-06-151	136-16-025	NEW-P	80-06-126	173-19-220	AMD-P	80-06-049
132P-116-220	NEW-P	80-06-151	136-16-042	AMD-P	80-06-126	173-19-220	AMD	80-07-007
132P-116-230	NEW-P	80-06-151	136-16-050	AMD-P	80-06-126	173-19-2201	NEW	80-02-123
132P-116-240	NEW-P	80-06-151	173-14-060	AMD-P	80-02-172	173-19-2202	NEW	80-02-123
132P-116-250	NEW-P	80-06-151	173-14-060	AMD	80-04-027	173-19-2203	NEW	80-02-123
132P-116-260	NEW-P	80-06-151	173-18-044	NEW-P	80-05-077	173-19-2204	NEW	80-02-123
132P-116-270	NEW-P	80-06-151	173-18-044	NEW	80-08-052	173-19-2204	AMD-P	80-04-140
132P-116-280	NEW-P	80-06-151	173-18-046	NEW-P	80-05-077	173-19-2204	AMD-P	80-06-049
132P-116-290	NEW-P	80-06-151	173-18-046	NEW	80-08-052	173-19-2204	AMD-P	80-07-006
132P-120-710	REP-P	80-07-013	173-18-080	AMD-P	80-05-077	173-19-2204	AMD-P	80-08-051
132P-120-720	REP-P	80-07-013	173-18-080	AMD	80-08-052	173-19-2205	NEW	80-02-123
132P-120-730	REP-P	80-07-013	173-18-120	AMD-P	80-05-077	173-19-2206	NEW	80-02-123
132P-120-810	REP-P	80-07-013	173-18-120	AMD	80-08-052	173-19-2207	NEW	80-02-123
132P-120-815	REP-P	80-07-013	173-18-210	AMD-P	80-05-077	173-19-2208	NEW	80-02-123
132P-120-816	REP-P	80-07-013	173-18-210	AMD	80-08-052	173-19-2208	AMD	80-02-123
132P-120-820	REP-P	80-07-013	173-18-340	AMD	80-08-052	173-19-2301	NEW	80-02-123
132P-120-825	REP-P	80-07-013	173-18-390	AMD	80-08-052	173-19-2302	NEW	80-02-123
132P-120-830	REP-P	80-07-013	173-19-030	AMD	80-02-123	173-19-2303	NEW	80-02-123
132P-120-910	REP-P	80-07-013	173-19-060	AMD	80-02-123	173-19-240	AMD	80-02-123
132P-132-010	REP-P	80-07-013	173-19-062	NEW	80-02-123	173-19-2401	NEW	80-02-123
132P-144-010	REP-P	80-07-013	173-19-064	NEW	80-02-123	173-19-250	AMD	80-02-123
132P-144-020	REP-P	80-07-013	173-19-080	AMD	80-02-123	173-19-2501	NEW	80-02-123
132P-168-010	REP-P	80-07-013	173-19-100	AMD	80-02-123	173-19-2502	NEW	80-02-123
132P-180-010	REP-P	80-07-013	173-19-1001	NEW	80-02-123	173-19-2503	NEW	80-02-123
132S-04-010	AMD-P	80-06-055	173-19-1002	NEW	80-02-123	173-19-2504	NEW	80-02-123
132S-197-010	NEW	80-03-014	173-19-110	AMD	80-02-123	173-19-2505	NEW	80-02-123
132S-197-012	NEW	80-03-014	173-19-1101	NEW	80-02-123	173-19-2506	NEW	80-02-123
132V-23-010	NEW-E	80-02-107	173-19-1102	NEW	80-02-123	173-19-2507	NEW	80-02-123
132V-23-020	NEW-E	80-02-107	173-19-1103	NEW	80-02-123	173-19-2508	NEW	80-02-123
132V-23-030	NEW-E	80-02-107	173-19-1104	NEW	80-02-123	173-19-2509	NEW	80-02-123
132V-23-040	NEW-E	80-02-107	173-19-1105	NEW	80-02-123	173-19-2510	NEW	80-02-123
132V-23-050	NEW-E	80-02-107	173-19-120	AMD	80-02-123	173-19-2511	NEW	80-02-123
132V-23-060	NEW-E	80-02-107	173-19-120	AMD-P	80-05-128	173-19-2512	NEW	80-02-123
132V-23-070	NEW-E	80-02-107	173-19-120	AMD	80-08-054	173-19-2513	NEW	80-02-123
132V-23-080	NEW-E	80-02-107	173-19-1201	NEW	80-02-123	173-19-2514	NEW	80-02-123
132V-120-010	NEW-P	80-05-069	173-19-1202	NEW	80-02-123	173-19-2515	NEW	80-02-123
132V-120-020	NEW-P	80-05-069	173-19-1203	NEW	80-02-123	173-19-2516	NEW	80-02-123
132V-120-030	NEW-P	80-05-069	173-19-1204	NEW	80-02-123	173-19-2517	NEW	80-02-123
132V-120-040	NEW-P	80-05-069	173-19-1205	NEW	80-02-123	173-19-2518	NEW	80-02-123
132V-120-050	NEW-P	80-05-069	173-19-130	AMD	80-02-123	173-19-2519	NEW	80-02-123
132V-120-060	NEW-P	80-05-069	173-19-1301	NEW	80-02-123	173-19-2520	NEW	80-02-123
132V-120-070	NEW-P	80-05-069	173-19-140	AMD	80-02-123	173-19-2521	NEW	80-02-123
132V-120-080	NEW-P	80-05-069	173-19-1401	NEW	80-02-123	173-19-2521	AMD-P	80-08-084
132V-120-090	NEW-P	80-05-069	173-19-1402	NEW	80-02-123	173-19-2522	NEW	80-02-123
132V-120-100	NEW-P	80-05-069	173-19-1403	NEW	80-02-123	173-19-2523	NEW	80-02-123
132V-120-110	NEW-P	80-05-069	173-19-1404	NEW	80-02-123	173-19-2524	NEW	80-02-123
132V-120-120	NEW-P	80-05-069	173-19-1405	NEW	80-02-123	173-19-2525	NEW	80-02-123
132V-120-130	NEW-P	80-05-069	173-19-150	AMD	80-02-123	173-19-260	AMD	80-02-123
132V-120-140	NEW-P	80-05-069	173-19-1501	NEW	80-02-123	173-19-2601	NEW	80-02-123
132V-120-150	NEW-P	80-05-069	173-19-1502	NEW	80-02-123	173-19-2602	NEW	80-02-123
132V-120-160	NEW-P	80-05-069	173-19-160	AMD	80-02-123	173-19-2603	NEW	80-02-123
132V-120-170	NEW-P	80-05-069	173-19-160	AMD-P	80-02-173	173-19-2604	NEW	80-02-123
132V-120-180	NEW-P	80-05-069	173-19-1601	NEW	80-02-123	173-19-270	AMD	80-02-123
132V-120-190	NEW-P	80-05-069	173-19-1602	NEW	80-02-123	173-19-2701	NEW	80-02-123
132V-120-200	NEW-P	80-05-069	173-19-1603	NEW	80-02-123	173-19-2702	NEW	80-02-123
132V-120-210	NEW-P	80-05-069	173-19-1603	AMD	80-04-026	173-19-2703	NEW	80-02-123
132V-120-220	NEW-P	80-05-069	173-19-1604	NEW	80-02-123	173-19-280	AMD	80-02-123
132V-120-230	NEW-P	80-05-069	173-19-1605	NEW	80-02-123	173-19-2801	NEW	80-02-123
132V-120-240	NEW-P	80-05-069	173-19-1605	AMD	80-04-026	173-19-2802	NEW	80-02-123
132V-120-250	NEW-P	80-05-069	173-19-170	AMD	80-02-123	173-19-2803	NEW	80-02-123
132V-120-260	NEW-P	80-05-069	173-19-1701	NEW	80-02-123	173-19-290	AMD	80-02-123
132V-120-270	NEW-P	80-05-069	173-19-1702	NEW	80-02-123	173-19-290	AMD-P	80-08-084
132V-120-280	NEW-P	80-05-069	173-19-1703	NEW	80-02-123	173-19-2901	NEW	80-02-123
132V-120-290	NEW-P	80-05-069	173-19-180	AMD	80-02-123	173-19-2902	NEW	80-02-123
132V-120-300	NEW-P	80-05-069	173-19-1801	NEW	80-02-123	173-19-2903	NEW	80-02-123
132V-120-310	NEW-P	80-05-069	173-19-190	AMD	80-02-123	173-19-2904	NEW	80-02-123
132V-120-320	NEW-P	80-05-069	173-19-1901	NEW	80-02-123	173-19-2905	NEW	80-02-123
132W-104-040	AMD-P	80-03-022	173-19-210	AMD	80-02-123	173-19-2906	NEW	80-02-123
132W-104-040	AMD	80-05-106	173-19-2101	NEW	80-02-123	173-19-2907	NEW	80-02-123
136-11-010	NEW	80-02-105	173-19-2102	NEW	80-02-123	173-19-300	AMD	80-02-123
136-11-020	NEW	80-02-105	173-19-2103	NEW	80-02-123	173-19-3001	NEW	80-02-123
136-11-030	NEW	80-02-105	173-19-2104	NEW	80-02-123	173-19-3002	NEW	80-02-123
136-16-020	AMD-P	80-06-126	173-19-220	AMD	80-02-123	173-19-310	AMD	80-02-123
136-16-022	NEW-P	80-06-126	173-19-220	AMD-P	80-04-140	173-19-310	AMD-P	80-03-117

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
173-410-061	REP-P	80-06-163	173-490-207	NEW-P	80-06-166	173-563-010	NEW	80-08-021
173-410-062	NEW-P	80-06-163	173-509	NEW-P	80-05-076	173-563-020	NEW-P	80-01-113
173-410-066	AMD-E	80-02-013	173-509-010	NEW	80-07-005	173-563-020	NEW	80-08-021
173-410-066	REP-P	80-02-096	173-509-015	NEW	80-07-005	173-563-030	NEW-P	80-01-113
173-410-066	REP	80-04-050	173-509-020	NEW	80-07-005	173-563-030	NEW	80-08-021
173-410-067	NEW-P	80-02-096	173-509-030	NEW	80-07-005	173-563-040	NEW-P	80-01-113
173-410-067	NEW	80-04-050	173-509-040	NEW	80-07-005	173-563-040	NEW	80-08-021
173-410-067	AMD-P	80-06-163	173-509-050	NEW	80-07-005	173-563-050	NEW-P	80-01-113
173-410-071	NEW-E	80-02-013	173-509-060	NEW	80-07-005	173-563-050	NEW	80-08-021
173-410-071	NEW-P	80-02-096	173-509-070	NEW	80-07-005	173-563-060	NEW-P	80-01-113
173-410-071	NEW	80-04-050	173-509-080	NEW	80-07-005	173-563-060	NEW	80-08-021
173-410-071	AMD-P	80-06-163	173-509-090	NEW	80-07-005	173-563-070	NEW-P	80-01-113
173-410-081	REP-E	80-02-013	173-509-100	NEW	80-07-005	173-563-070	NEW	80-08-021
173-410-081	REP-P	80-02-096	173-510-010	NEW	80-04-047	173-563-080	NEW-P	80-01-113
173-410-081	REP	80-04-050	173-510-020	NEW	80-04-047	173-563-080	NEW	80-08-021
173-410-086	NEW-E	80-02-013	173-510-030	NEW	80-04-047	173-563-090	NEW-P	80-01-113
173-410-086	NEW-P	80-02-096	173-510-040	NEW	80-04-047	173-563-090	NEW	80-08-021
173-410-086	NEW	80-04-050	173-510-050	NEW	80-04-047	173-563-100	NEW	80-08-021
173-410-086	AMD-P	80-06-163	173-510-060	NEW	80-04-047	173-563-900	NEW-P	80-01-113
173-410-090	NEW-P	80-06-163	173-510-070	NEW	80-04-047	173-563-900	NEW	80-08-021
173-410-091	AMD-P	80-06-163	173-510-080	NEW	80-04-047	173-563-901	NEW-P	80-01-113
173-415-010	NEW-P	80-06-164	173-510-090	NEW	80-04-047	174-112-465	NEW-P	80-03-086
173-415-020	NEW-P	80-06-164	173-510-100	NEW	80-04-047	174-116-115	AMD-P	80-03-086
173-415-030	NEW-P	80-06-164	173-513-010	NEW-P	80-04-139	174-116-115	AMD	80-06-034
173-415-040	NEW-P	80-06-164	173-513-010	NEW	80-08-019	174-162-330	NEW-P	80-03-086
173-415-050	NEW-P	80-06-164	173-513-020	NEW-P	80-04-139	174-162-330	NEW	80-05-067
173-415-060	NEW-P	80-06-164	173-513-020	NEW	80-08-019	180-10-001	NEW-P	80-04-097
173-415-070	NEW-P	80-06-164	173-513-030	NEW-P	80-04-139	180-10-001	NEW	80-06-092
173-415-080	NEW-P	80-06-164	173-513-030	NEW	80-08-019	180-10-003	NEW-P	80-04-097
173-415-090	NEW-P	80-06-164	173-513-040	NEW-P	80-04-139	180-10-003	NEW	80-06-092
173-422-010	NEW	80-03-070	173-513-040	NEW	80-08-019	180-10-005	NEW-P	80-04-097
173-422-020	NEW	80-03-070	173-513-050	NEW-P	80-04-139	180-10-005	NEW	80-06-092
173-422-030	NEW	80-03-070	173-513-050	NEW	80-08-019	180-10-010	NEW-P	80-04-097
173-422-040	NEW	80-03-070	173-513-060	NEW-P	80-04-139	180-10-010	NEW	80-06-092
173-422-050	NEW	80-03-070	173-513-060	NEW	80-08-019	180-16-220	AMD-P	80-04-098
173-422-060	NEW	80-03-070	173-513-070	NEW-P	80-04-139	180-16-220	AMD	80-06-093
173-422-070	NEW	80-03-070	173-513-070	NEW	80-08-019	180-16-225	AMD-P	80-04-098
173-422-080	NEW	80-03-070	173-513-080	NEW-P	80-04-139	180-16-225	AMD	80-06-093
173-422-090	NEW	80-03-070	173-513-080	NEW	80-08-019	180-20-215	AMD-E	80-06-091
173-422-100	NEW	80-03-070	173-513-090	NEW-P	80-04-139	180-20-215	AMD-P	80-06-097
173-422-110	NEW	80-03-070	173-513-090	NEW	80-08-019	180-20-220	AMD-E	80-06-091
173-422-120	NEW	80-03-070	173-513-100	NEW-P	80-04-139	180-20-220	AMD-P	80-06-097
173-422-130	NEW	80-03-070	173-513-100	NEW	80-08-019	180-20-225	AMD-E	80-06-091
173-422-140	NEW	80-03-070	173-531	REP-P	80-05-052	180-20-225	AMD-P	80-06-097
173-422-150	NEW	80-03-070	173-531-010	REP-P	80-01-112	180-20-235	NEW-E	80-06-091
173-422-160	NEW	80-03-070	173-531-010	REP	80-08-020	180-20-235	NEW-P	80-06-097
173-422-170	NEW	80-03-070	173-531-020	REP-P	80-01-112	180-30-071	NEW-P	80-04-099
173-422-180	NEW	80-03-070	173-531-020	REP	80-08-020	180-30-071	NEW	80-07-001
173-475-010	NEW-P	80-01-114	173-531-030	REP-P	80-01-112	180-30-100	AMD-P	80-04-099
173-475-010	NEW	80-03-071	173-531-030	REP	80-08-020	180-30-100	AMD	80-07-001
173-475-020	NEW-P	80-01-114	173-531-040	REP-P	80-01-112	180-30-116	NEW-P	80-04-099
173-475-020	NEW	80-03-071	173-531-040	REP	80-08-020	180-30-116	NEW	80-07-001
173-475-030	NEW-P	80-01-114	173-531-050	REP-P	80-01-112	180-30-800	NEW	80-02-145
173-475-030	NEW	80-03-071	173-531-050	REP	80-08-020	180-30-805	NEW	80-02-145
173-475-040	NEW-P	80-01-114	173-531-060	REP-P	80-01-112	180-30-805	AMD-E	80-04-102
173-475-040	NEW	80-03-071	173-531-060	REP	80-08-020	180-30-805	AMD-P	80-04-099
173-475-050	NEW-P	80-01-114	173-531-070	REP-P	80-01-112	180-30-805	AMD	80-07-001
173-475-050	NEW	80-03-071	173-531-070	REP	80-08-020	180-30-807	NEW	80-02-145
173-490-010	AMD-P	80-06-166	173-531A-010	NEW-P	80-05-126	180-30-807	AMD-E	80-04-102
173-490-020	AMD-P	80-06-166	173-531A-010	NEW	80-08-022	180-30-807	AMD-P	80-04-099
173-490-025	AMD-P	80-06-166	173-531A-020	NEW-P	80-05-126	180-30-807	AMD	80-07-001
173-490-030	AMD-P	80-06-166	173-531A-020	NEW	80-08-022	180-30-810	NEW	80-02-145
173-490-040	AMD-P	80-06-166	173-531A-030	NEW-P	80-05-126	180-30-810	AMD-E	80-04-102
173-490-070	AMD-P	80-06-166	173-531A-030	NEW	80-08-022	180-30-810	AMD-P	80-04-099
173-490-071	NEW-P	80-06-166	173-531A-040	NEW-P	80-05-126	180-30-810	AMD	80-07-001
173-490-080	AMD-P	80-06-166	173-531A-040	NEW	80-08-022	180-30-815	NEW	80-02-145
173-490-150	AMD-P	80-06-166	173-531A-050	NEW-P	80-05-126	180-30-820	NEW	80-02-145
173-490-200	NEW-P	80-06-166	173-531A-050	NEW	80-08-022	180-30-825	NEW	80-02-145
173-490-201	NEW-P	80-06-166	173-531A-060	NEW-P	80-05-126	180-30-825	AMD-P	80-04-099
173-490-202	NEW-P	80-06-166	173-531A-060	NEW	80-08-022	180-30-825	AMD-E	80-04-102
173-490-203	NEW-P	80-06-166	173-531A-070	NEW-P	80-05-126	180-30-825	AMD	80-07-001
173-490-204	NEW-P	80-06-166	173-531A-070	NEW	80-08-022	180-30-830	NEW	80-02-145
173-490-205	NEW-P	80-06-166	173-563	NEW-P	80-05-051	180-30-830	AMD-P	80-04-099
173-490-206	NEW-P	80-06-166	173-563-010	NEW-P	80-01-113	180-30-830	AMD-E	80-04-102

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
180-30-830	AMD	80-07-001	182-12-135	REP	80-05-016	204-70-99002	NEW	80-03-069
180-30-835	NEW	80-02-145	182-12-190	AMD-P	80-02-148	204-70-99003	NEW	80-03-069
180-30-835	AMD-P	80-04-099	182-12-190	AMD-E	80-03-007	204-70-99004	NEW	80-03-069
180-30-835	AMD-E	80-04-102	182-12-190	AMD	80-05-016	204-70-99005	NEW	80-03-069
180-30-835	REP	80-07-001	192-12-041	NEW	80-02-034	204-72-010	NEW-P	80-06-081
180-30-840	NEW	80-02-145	192-12-041	AMD-P	80-08-026	204-72-020	NEW-P	80-06-081
180-30-840	AMD-P	80-04-099	192-12-042	NEW	80-02-034	204-72-030	NEW-P	80-06-081
180-30-840	AMD-E	80-04-102	192-12-182	AMD-P	80-08-026	204-72-040	NEW-P	80-06-081
180-30-840	REP	80-07-001	192-12-184	AMD-P	80-08-026	204-72-050	NEW-P	80-06-081
180-30-845	NEW	80-02-145	192-15-150	AMD-P	80-05-047	204-72-060	NEW-P	80-06-081
180-30-845	AMD-P	80-04-099	192-15-150	AMD	80-07-026	204-74-010	NEW-P	80-06-048
180-30-845	AMD-E	80-04-102	192-16-009	AMD-E	80-07-027	204-74-020	NEW-P	80-06-048
180-30-845	AMD	80-07-001	192-16-009	AMD-P	80-08-026	204-74-030	NEW-P	80-06-048
180-40-225	AMD-P	80-07-043	192-16-013	AMD-E	80-07-027	204-74-040	NEW-P	80-06-048
180-40-230	AMD-P	80-07-043	192-16-013	AMD-P	80-08-026	204-74-050	NEW-P	80-06-048
180-43-005	NEW	80-02-146	192-16-015	AMD-E	80-07-027	204-74-060	NEW-P	80-06-048
180-43-010	NEW	80-02-146	192-16-015	AMD-P	80-08-026	204-74-070	NEW-P	80-06-048
180-43-015	NEW	80-02-146	192-16-023	AMD-E	80-07-027	204-74-080	NEW-P	80-06-048
180-56-031	AMD	80-02-147	192-16-023	AMD-P	80-08-026	204-76-010	NEW-E	80-05-110
180-75-030	AMD-P	80-04-100	192-16-025	NEW-E	80-07-027	204-76-010	NEW-P	80-06-048
180-75-030	AMD	80-06-129	192-16-025	NEW-P	80-08-026	204-76-020	NEW-E	80-05-110
180-75-040	AMD-P	80-04-100	192-18-010	NEW-P	80-05-049	204-76-020	NEW-P	80-06-048
180-75-040	AMD	80-06-129	192-18-010	NEW	80-07-026	204-76-030	NEW-E	80-05-110
180-75-045	AMD-P	80-04-100	192-18-020	NEW-P	80-05-049	204-76-030	NEW-P	80-06-048
180-75-045	AMD	80-06-129	192-18-020	NEW	80-07-026	204-76-040	NEW-E	80-05-110
180-75-050	AMD-P	80-04-100	192-18-030	NEW-P	80-05-049	204-76-040	NEW-P	80-06-048
180-75-050	AMD	80-06-129	192-18-030	NEW	80-07-026	204-76-050	NEW-E	80-05-110
180-75-061	NEW-P	80-04-100	192-18-040	NEW-P	80-05-049	204-76-050	NEW-P	80-06-048
180-75-061	NEW	80-06-129	192-18-040	NEW	80-07-026	204-76-060	NEW-E	80-05-110
180-75-065	AMD-P	80-04-100	192-18-050	NEW-P	80-05-049	204-76-060	NEW-P	80-06-048
180-75-065	AMD	80-06-129	192-18-050	NEW	80-07-026	204-76-070	NEW-E	80-05-110
180-75-070	AMD-P	80-04-100	192-18-060	NEW-P	80-05-049	204-76-070	NEW-P	80-06-048
180-75-070	AMD	80-06-129	192-18-060	NEW	80-07-026	204-76-99001	NEW-E	80-05-110
180-75-075	AMD-P	80-04-100	192-18-070	NEW-P	80-05-049	204-76-99001	NEW-P	80-06-048
180-75-075	AMD	80-06-129	192-18-070	NEW	80-07-026	204-76-99002	NEW-E	80-05-110
180-75-085	AMD-P	80-04-100	192-20-010	NEW-P	80-05-048	204-76-99002	NEW-P	80-06-048
180-75-090	AMD-P	80-04-100	192-20-010	NEW	80-07-026	204-76-99003	NEW-E	80-05-110
180-75-090	AMD	80-06-129	204-38-010	NEW-P	204-76-080	204-76-99003	NEW-P	80-06-048
180-75-100	AMD-P	80-04-100	204-38-010	NEW-E	80-05-110	204-76-99004	NEW-E	80-05-110
180-75-100	AMD	80-06-129	204-38-010	NEW	80-06-083	204-76-99004	NEW-P	80-06-048
180-79-010	AMD-P	80-04-101	204-38-020	NEW-P	80-04-080	204-990	REP	80-03-068
180-79-010	AMD	80-06-130	204-38-020	NEW-E	80-05-110		(PART)	
180-79-045	AMD-P	80-04-101	204-38-020	NEW	80-06-083	220-16-130	AMD-P	80-08-079
180-79-045	AMD	80-06-130	204-38-030	NEW-P	80-04-080	220-16-257	NEW-P	80-08-079
180-79-060	AMD-P	80-04-101	204-38-030	NEW-E	80-05-110	220-20-010	AMD-P	80-05-082
180-79-060	AMD	80-06-130	204-38-030	NEW	80-06-083	220-20-010	AMD-P	80-06-149
180-79-065	AMD-P	80-04-101	204-38-040	NEW-P	80-04-080	220-20-010	AMD	80-07-017
180-79-065	AMD	80-06-130	204-38-040	NEW-E	80-05-110	220-20-01000C	NEW-E	80-06-054
180-79-100	AMD-P	80-04-101	204-38-040	NEW	80-06-083	220-20-01000C	REP-E	80-06-144
180-79-100	AMD	80-06-130	204-38-050	NEW-P	80-04-080	220-20-01000D	NEW-E	80-06-144
180-79-115	AMD-P	80-04-101	204-38-050	NEW-E	80-05-110	220-20-01200A	NEW-E	80-08-080
180-79-115	AMD	80-06-130	204-38-050	NEW	80-06-083	220-20-020	AMD-P	80-06-138
180-79-120	AMD-P	80-04-101	204-66	AMD-P	80-06-082	220-20-025	AMD-P	80-08-079
180-79-120	AMD	80-06-130	204-66-060	AMD	80-02-093	220-20-02500A	NEW-E	80-06-127
180-79-125	AMD-P	80-04-101	204-66-060	AMD-P	80-04-080	220-22-020	AMD-P	80-06-138
180-79-125	AMD	80-06-130	204-66-060	AMD-E	80-05-110	220-22-030	AMD-P	80-02-177
180-79-245	AMD-P	80-04-101	204-66-160	AMD-P	80-04-080	220-22-030	AMD	80-04-070
180-79-245	AMD	80-06-130	204-66-160	AMD-E	80-05-110	220-20-038	NEW-P	80-08-079
180-79-250	AMD-P	80-04-101	204-66-170	AMD-P	80-04-080	220-22-410	AMD-P	80-05-082
180-79-250	AMD	80-06-130	204-66-170	AMD-E	80-05-110	220-22-410	AMD	80-07-017
182-12-115	AMD-P	80-02-148	204-68-080	AMD-P	80-06-081	220-24-01000C	NEW-E	80-07-016
182-12-115	AMD-E	80-03-007	204-70	NEW-P	80-02-092	220-24-01000C	REP-E	80-07-042
182-12-115	AMD	80-05-016	204-70-010	NEW	80-03-069	220-24-01000D	NEW-E	80-07-042
182-12-122	AMD-P	80-02-148	204-70-020	NEW	80-03-069	220-24-02000E	NEW-E	80-07-016
182-12-122	AMD-E	80-03-007	204-70-030	NEW	80-03-069	220-28-003FOA	NEW-E	80-08-009
182-12-122	AMD	80-05-016	204-70-040	NEW	80-03-069	220-28-003GOA	NEW-E	80-08-040
182-12-130	AMD-P	80-02-148	204-70-050	NEW	80-03-069	220-28-00400G	NEW-E	80-04-078
182-12-130	AMD-E	80-03-007	204-70-060	NEW	80-03-069	220-28-00400G	REP-E	80-05-061
182-12-130	AMD	80-05-016	204-70-070	NEW	80-03-069	220-28-00400H	NEW-E	80-05-061
182-12-132	NEW-P	80-02-148	204-70-080	NEW	80-03-069	220-28-00400H	REP-E	80-05-075
182-12-132	NEW-E	80-03-007	204-70-090	NEW	80-03-069	220-28-00400I	NEW-E	80-05-075
182-12-132	NEW	80-05-016	204-70-100	NEW	80-03-069	220-28-004BOP	NEW-E	80-05-019
182-12-135	REP-P	80-02-148	204-70-120	NEW	80-03-069	220-28-004BOP	REP-E	80-06-121
182-12-135	REP-E	80-03-007	204-70-99001	NEW	80-03-069	220-28-004BOQ	NEW-E	80-06-121

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
220-28-004B0Q	REP-E	80-07-041	220-28-01300P	REP-E	80-02-014	220-52-050	AMD-P	80-08-079
220-28-004B0R	NEW-E	80-07-041	220-28-01300Q	NEW-E	80-02-043	220-52-05000A	NEW-E	80-06-120
220-28-00500R	NEW-E	80-05-019	220-28-013G0F	REP-E	80-02-014	220-52-05300F	NEW-E	80-05-064
220-28-00500R	REP-E	80-06-121	220-28-013G0G	NEW-E	80-02-043	220-52-054	NEW-P	80-08-079
220-28-00500S	NEW-E	80-06-121	220-28-013G0G	REP-E	80-03-016	220-52-060	AMD-P	80-08-079
220-28-00500S	REP-E	80-07-041	220-32-02200D	NEW-E	80-03-056	220-52-063	AMD-P	80-08-079
220-28-00500T	NEW-E	80-07-041	220-32-03000U	NEW-E	80-03-056	220-52-066	AMD-P	80-08-079
220-28-00600Q	NEW-E	80-05-019	220-32-03600C	NEW-E	80-03-056	220-52-073	AMD-P	80-08-079
220-28-00600Q	REP-E	80-06-121	220-32-04000G	NEW-E	80-02-125	220-52-074	AMD-P	80-08-079
220-28-00600R	NEW-E	80-06-121	220-32-04000G	REP-E	80-03-056	220-52-075	AMD-P	80-08-079
220-28-00600R	REP-E	80-07-041	220-32-04000H	NEW-E	80-03-056	220-55	NEW-P	80-02-045
220-28-00600S	NEW-E	80-07-041	220-32-04100B	NEW-E	80-06-036.1	220-55-05600A	NEW-E	80-08-025
220-28-006A0L	NEW-E	80-05-019	220-32-04100B	REP-E	80-07-029	220-55-05600A	REP-E	80-08-030
220-28-006A0L	REP-E	80-06-121	220-32-04100C	NEW-E	80-07-029	220-55-05600B	NEW-E	80-08-030
220-28-006A0M	NEW-E	80-06-121	220-32-05100M	NEW-E	80-02-125	220-55-065	AMD-P	80-08-079
220-28-006A0M	REP-E	80-07-041	220-32-05500C	NEW-E	80-06-128	220-55-070	NEW	80-03-064
220-28-006A0N	NEW-E	80-07-041	220-32-05700F	NEW-E	80-02-125	220-55-075	NEW	80-03-064
220-28-006B0P	NEW-E	80-06-121	220-32-05700G	NEW-E	80-06-046	220-55-080	NEW	80-03-064
220-28-006B0P	REP-E	80-08-008	220-36-020	AMD-P	80-06-138	220-55-085	NEW	80-03-064
220-28-006B0Q	NEW-E	80-08-008	220-36-02000B	NEW-E	80-08-081	220-55-090	NEW	80-03-064
220-28-006C0J	NEW-E	80-05-019	220-36-021	AMD-P	80-06-138	220-55-095	NEW	80-03-064
220-28-006C0J	REP-E	80-06-121	220-36-02100R	NEW-E	80-08-081	220-55-100	NEW	80-03-064
220-28-006C0K	NEW-E	80-06-121	220-36-022	AMD-P	80-06-138	220-55-105	NEW	80-03-064
220-28-006C0K	REP-E	80-07-041	220-36-024	AMD-P	80-06-138	220-55-110	NEW	80-03-064
220-28-006C0L	NEW-E	80-07-041	220-36-03001	AMD-P	80-06-138	220-55-115	NEW	80-03-064
220-28-006D0F	NEW-E	80-08-008	220-40-02000C	NEW-E	80-08-081	220-55-120	NEW	80-03-064
220-28-006F0H	NEW-E	80-08-008	220-40-021	AMD-P	80-06-138	220-55-125	NEW	80-03-064
220-28-00700G	NEW-E	80-05-019	220-40-02100I	NEW-E	80-08-081	220-55-130	NEW	80-03-064
220-28-00700G	REP-E	80-06-080	220-40-022	AMD-P	80-06-138	220-55-135	NEW	80-03-064
220-28-00700H	NEW-E	80-06-080	220-40-024	AMD-P	80-06-138	220-56	REP-P	80-02-045
220-28-00700H	REP-E	80-07-041	220-40-030	AMD-P	80-06-138	220-56	NEW-P	80-02-045
220-28-00700I	NEW-E	80-07-041	220-47-250	REP-P	80-06-149	220-56-010	REP	80-03-064
220-28-007A0F	NEW-E	80-05-019	220-47-307	NEW-P	80-06-149	220-56-013	REP	80-03-064
220-28-007A0F	REP-E	80-06-080	220-47-311	AMD-P	80-06-149	220-56-019	REP	80-03-064
220-28-007A0G	NEW-E	80-06-080	220-47-312	AMD-P	80-06-149	220-56-020	REP	80-03-064
220-28-007A0G	REP-E	80-07-041	220-47-313	AMD-P	80-06-149	220-56-02000A	NEW-E	80-03-053
220-28-007A0H	NEW-E	80-07-041	220-47-314	AMD-P	80-06-149	220-56-02000A	REP-E	80-04-094
220-28-007B0N	NEW-E	80-05-019	220-47-317	REP-P	80-06-149	220-56-021	REP	80-03-064
220-28-007C0T	NEW-E	80-05-019	220-47-319	AMD-P	80-06-149	220-56-022	REP	80-03-064
220-28-007C0T	REP-E	80-08-033	220-47-324	REP-P	80-06-149	220-56-023	REP	80-03-064
220-28-007C0U	NEW-E	80-08-033	220-47-401	AMD-P	80-06-149	220-56-030	REP	80-03-064
220-28-007F0J	REP-E	80-02-056	220-47-402	AMD-P	80-06-149	220-56-040	REP	80-03-064
220-28-007F0K	NEW-E	80-05-019	220-47-403	AMD-P	80-06-149	220-56-050	REP	80-03-064
220-28-007G0G	NEW-E	80-08-033	220-47-411	AMD-P	80-06-149	220-56-05000B	NEW-E	80-02-126
220-28-00800Y	NEW-E	80-05-019	220-47-412	AMD-P	80-06-149	220-56-05000B	REP-E	80-04-094
220-28-00800Y	REP-E	80-06-121	220-47-413	AMD-P	80-06-149	220-56-060	REP	80-03-064
220-28-00800Z	NEW-E	80-06-121	220-47-414	AMD-P	80-06-149	220-56-063	REP	80-03-064
220-28-008F0A	NEW-E	80-06-121	220-47-415	REP-P	80-06-149	220-56-064	REP	80-03-064
220-28-008F0Z	NEW-E	80-05-019	220-47-418	REP-P	80-06-149	220-56-065	REP	80-03-064
220-28-008F0Z	REP-E	80-06-121	220-47-426	REP-P	80-06-149	220-56-070	REP	80-03-064
220-28-00900I	NEW-E	80-06-121	220-48-08000B	NEW-E	80-03-061	220-56-071	REP	80-03-064
220-28-00900I	REP-E	80-08-008	220-48-08000B	REP-E	80-06-046	220-56-072	REP	80-03-064
220-28-00900J	NEW-E	80-08-008	220-48-09000B	NEW-E	80-05-134	220-56-073	REP	80-03-064
220-28-01000L	NEW-E	80-06-121	220-48-09100B	NEW-E	80-02-044	220-56-074	REP	80-03-064
220-28-01000L	REP-E	80-08-008	220-48-09600D	NEW-E	80-03-080	220-56-080	REP	80-03-064
220-28-01000M	NEW-E	80-08-008	220-48-09600D	REP-E	80-04-063	220-56-082	REP	80-03-064
220-28-01000M	REP-E	80-08-033	220-48-09600E	NEW-E	80-04-063	220-56-084	REP	80-03-064
220-28-01000N	NEW-E	80-08-033	220-48-09800B	NEW-E	80-04-020	220-56-086	REP	80-03-064
220-28-010A0P	NEW-E	80-06-121	220-49-02000D	NEW-E	80-05-030	220-56-088	REP	80-03-064
220-28-010B0N	NEW-E	80-06-121	220-49-02000D	REP-E	80-05-071	220-56-090	REP	80-03-064
220-28-010B0N	REP-E	80-08-008	220-49-02000E	NEW-E	80-03-053	220-56-092	REP	80-03-064
220-28-010B0P	NEW-E	80-08-008	220-49-02000E	REP-E	80-04-094	220-56-100	NEW	80-03-064
220-28-010C0L	NEW-E	80-06-121	220-49-02100E	NEW-E	80-05-071	220-56-105	NEW	80-03-064
220-28-010C0L	REP-E	80-08-008	220-49-02100E	REP-E	80-05-105	220-56-110	NEW	80-03-064
220-28-010COM	NEW-E	80-08-008	220-49-02100F	NEW-E	80-05-105	220-56-115	NEW	80-03-064
220-28-010DOM	NEW-E	80-06-121	220-49-02100F	REP-E	80-05-133	220-56-115	AMD-P	80-08-015
220-28-010DOM	REP-E	80-08-008	220-49-02100G	NEW-E	80-05-133	220-56-120	NEW	80-03-064
220-28-010DON	NEW-E	80-08-008	220-49-02100G	REP-E	80-06-035	220-56-125	NEW	80-03-064
220-28-011A0J	NEW-E	80-05-019	220-49-02100H	NEW-E	80-06-035	220-56-128	NEW	80-03-064
220-28-011F0I	NEW-E	80-05-019	220-49-05600A	NEW-E	80-03-053	220-56-130	NEW	80-03-064
220-28-011G0E	NEW-E	80-05-019	220-49-05600A	REP-E	80-04-094	220-56-135	NEW	80-03-064
220-28-012F0E	REP-E	80-02-127	220-52-01901	AMD-P	80-08-079	220-56-140	NEW	80-03-064
220-28-012G0A	REP-E	80-02-014	220-52-040	AMD-P	80-08-079	220-56-145	NEW	80-03-064
220-28-012H0A	REP-E	80-02-127	220-52-046	AMD-P	80-08-079	220-56-150	NEW	80-03-064

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220-56-160	NEW 80-03-064	220-57-190	AMD 80-03-064	220-69-271	AMD-P 80-03-096
220-56-165	NEW 80-03-064	220-57-220	AMD 80-03-064	220-69-271	AMD 80-05-093
220-56-165	AMD-P 80-05-082	220-57-235	AMD 80-03-064	220-69-280	AMD-P 80-03-096
220-56-165	AMD 80-07-017	220-57-250	AMD 80-03-064	220-69-280	AMD 80-05-093
220-56-175	NEW 80-03-064	220-57-255	AMD 80-03-064	220-105	REP-P 80-02-045
220-56-180	NEW 80-03-064	220-57-260	AMD 80-03-064	220-105-010	REP 80-03-064
220-56-18000A	NEW-E 80-06-029	220-57-270	AMD 80-03-064	220-105-015	REP 80-03-064
220-56-185	NEW 80-03-064	220-57-27000D	NEW-E 80-08-009	220-105-020	REP 80-03-064
220-56-190	NEW 80-03-064	220-57-290	AMD 80-03-064	220-105-025	REP 80-03-064
220-56-19000A	NEW-E 80-05-092	220-57-29000B	NEW-E 80-06-040	220-105-030	REP 80-03-064
220-56-195	NEW 80-03-064	220-57-300	AMD 80-03-064	220-105-035	REP 80-03-064
220-56-200	NEW 80-03-064	220-57-310	AMD 80-03-064	220-105-040	REP 80-03-064
220-56-205	NEW 80-03-064	220-57-315	AMD 80-03-064	220-105-045	REP 80-03-064
220-56-210	NEW 80-03-064	220-57-319	AMD 80-03-064	220-105-046	REP 80-03-064
220-56-215	NEW 80-03-064	220-57-335	AMD 80-03-064	220-105-047	REP 80-03-064
220-56-220	NEW 80-03-064	220-57-340	AMD 80-03-064	220-105-050	REP 80-03-064
220-56-225	NEW 80-03-064	220-57-345	AMD 80-03-064	220-105-055	REP 80-03-064
220-56-235	NEW 80-03-064	220-57-360	REP 80-03-064	220-105-060	REP 80-03-064
220-56-235	AMD-P 80-05-082	220-57-370	AMD 80-03-064	220-105-065	REP 80-03-064
220-56-235	AMD 80-07-017	220-57-385	AMD 80-03-064	223-08-010	AMD-P 80-06-052
220-56-240	NEW 80-03-064	220-57-400	AMD 80-03-064	224-12-090	AMD 80-06-058
220-56-245	NEW 80-03-064	220-57-405	AMD 80-03-064	230-02-030	AMD-P 80-06-152
220-56-250	NEW 80-03-064	220-57-415	AMD 80-03-064	230-02-150	AMD-P 80-03-093
220-56-250	AMD-P 80-05-082	220-57-435	AMD 80-03-064	230-02-155	NEW-P 80-03-093
220-56-250	AMD 80-07-017	220-57-440	AMD 80-03-064	230-04-140	AMD-E 80-02-119
220-56-25000A	NEW-E 80-04-094	220-57-450	AMD 80-03-064	230-04-140	AMD 80-03-059
220-56-25000A	REP-E 80-07-032	220-57-455	AMD 80-03-064	230-04-200	AMD 80-03-059
220-56-25000B	NEW-E 80-07-032	220-57-460	AMD 80-03-064	230-04-260	AMD 80-03-060
220-56-255	NEW 80-03-064	220-57-473	AMD 80-03-064	230-04-305	NEW 80-03-060
220-56-260	NEW 80-03-064	220-57-480	AMD 80-03-064	230-08-020	AMD 80-03-059
220-56-265	NEW 80-03-064	220-57-485	AMD 80-03-064	230-20-030	REP 80-03-060
220-56-270	NEW 80-03-064	220-57-495	AMD 80-03-064	230-20-070	AMD 80-03-060
220-56-275	NEW 80-03-064	220-57-505	AMD 80-03-064	230-20-110	AMD 80-03-059
220-56-280	NEW 80-03-064	220-57-50500B	NEW-E 80-03-095	230-20-130	AMD-P 80-03-017
220-56-285	NEW 80-03-064	220-57-510	AMD 80-03-064	230-20-130	AMD-P 80-04-082
220-56-290	NEW 80-03-064	220-57-515	AMD 80-03-064	230-20-130	AMD 80-06-038
220-56-295	NEW 80-03-064	220-57-525	AMD 80-03-064	230-20-210	AMD-P 80-03-093
220-56-300	NEW 80-03-064	220-57A	AMD-P 80-02-045	230-20-210	AMD 80-05-060
220-56-305	NEW 80-03-064	220-57A-005	AMD 80-03-064	230-25-030	AMD-E 80-04-053
220-56-310	NEW 80-03-064	220-57A-010	AMD 80-03-064	230-25-030	AMD-P 80-04-082
220-56-31000A	NEW-E 80-07-004	220-57A-012	NEW 80-03-064	230-25-030	AMD 80-06-038
220-56-315	NEW 80-03-064	220-57A-017	NEW 80-03-064	230-25-033	NEW-P 80-04-082
220-56-320	NEW 80-03-064	220-57A-040	AMD 80-03-064	230-25-033	NEW 80-06-038
220-56-325	NEW 80-03-064	220-57A-065	AMD 80-03-064	230-25-100	AMD 80-03-060
220-56-32500A	NEW-E 80-05-064	220-57A-080	AMD 80-03-064	230-40-010	AMD-E 80-04-053
220-56-330	NEW 80-03-064	220-57A-095	AMD 80-03-064	230-40-010	AMD-P 80-06-152
220-56-335	NEW 80-03-064	220-57A-115	AMD 80-03-064	230-40-015	AMD-P 80-06-152
220-56-340	NEW 80-03-064	220-57A-120	AMD 80-03-064	230-40-030	AMD-P 80-04-082
220-56-345	NEW 80-03-064	220-57A-135	AMD 80-03-064	230-40-030	AMD-P 80-06-037
220-56-350	NEW 80-03-064	220-57A-150	AMD 80-03-064	230-40-050	AMD-P 80-06-152
220-56-355	NEW 80-03-064	220-57A-152	NEW 80-03-064	230-40-120	AMD 80-03-059
220-56-360	NEW 80-03-064	220-57A-155	AMD 80-03-064	230-40-225	AMD-P 80-04-082
220-56-36000A	NEW-E 80-08-025	220-57A-185	AMD 80-03-064	230-40-225	AMD-P 80-06-078
220-56-365	NEW 80-03-064	220-57A-190	AMD 80-03-064	230-42-010	AMD-P 80-04-082
220-56-370	NEW 80-03-064	220-69-230	AMD-P 80-03-096	230-50-010	AMD 80-03-059
220-56-372	NEW-P 80-08-079	220-69-230	AMD 80-05-093	230-60-070	AMD-P 80-08-083
220-56-375	NEW 80-03-064	220-69-232	AMD-P 80-03-096	232-12-040	AMD-P 80-05-130
220-56-380	NEW 80-03-064	220-69-232	AMD 80-05-093	232-12-130	AMD-P 80-02-167
220-56-382	NEW-P 80-08-079	220-69-233	AMD-P 80-03-096	232-12-130	AMD 80-05-022
220-56-385	NEW 80-03-064	220-69-233	AMD 80-05-093	232-12-171	AMD-P 80-02-167
220-56-390	NEW 80-03-064	220-69-234	AMD-P 80-03-096	232-12-250	REP-P 80-08-078
220-56-400	NEW 80-03-064	220-69-234	AMD 80-05-093	232-12-690	AMD-P 80-02-167
220-56-405	NEW 80-03-064	220-69-23401	NEW-P 80-03-096	232-12-690	AMD 80-05-022
220-56-410	NEW 80-03-064	220-69-23401	NEW 80-05-093	232-12-710	AMD-P 80-02-167
220-57	AMD-P 80-02-045	220-69-25401	NEW-P 80-03-096	232-12-710	AMD 80-05-022
220-57-120	AMD 80-03-064	220-69-25401	NEW 80-05-093	232-16-100	REP-P 80-05-130
220-57-125	AMD 80-03-064	220-69-260	AMD-P 80-03-096	232-16-620	NEW-P 80-08-078
220-57-130	AMD 80-03-064	220-69-260	AMD 80-05-093	232-28-102	REP-P 80-05-130
220-57-135	AMD 80-03-064	220-69-261	AMD-P 80-03-096	232-28-103	NEW-P 80-05-130
220-57-140	AMD 80-03-064	220-69-261	AMD 80-05-093	232-28-202	REP-P 80-04-112
220-57-160	AMD 80-03-064	220-69-264	AMD-P 80-03-096	232-28-203	NEW-P 80-04-112
220-57-16000G	NEW-E 80-03-095	220-69-264	AMD 80-05-093	232-28-302	REP-P 80-04-112
220-57-165	AMD 80-03-064	220-69-26401	NEW-P 80-03-096	232-28-303	NEW-P 80-04-112

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232-28-403	NEW-P	80-08-078	248-14-247	NEW-P	80-03-112	248-30-020	REP-P	80-03-101
232-28-502	REP-P	80-05-130	248-14-247	NEW	80-06-086	248-30-020	REP-P	80-05-020
232-28-503	NEW-P	80-05-130	248-14-250	AMD-P	80-03-112	248-30-020	REP	80-06-065
232-28-602	REP-P	80-08-078	248-14-250	AMD	80-06-086	248-30-030	REP-P	80-03-101
232-28-60201	NEW-E	80-05-012	248-14-260	AMD-P	80-03-112	248-30-030	REP-P	80-05-020
232-28-60202	NEW-E	80-05-043	248-14-260	AMD	80-06-086	248-30-030	REP	80-06-065
232-28-60203	NEW-P	80-05-130	248-14-264	NEW-P	80-03-112	248-30-040	REP-P	80-03-101
232-28-60203	NEW-E	80-06-070	248-14-264	NEW	80-06-086	248-30-040	REP-P	80-05-020
232-28-60204	NEW-E	80-06-071	248-14-266	NEW-P	80-03-112	248-30-040	REP	80-06-065
232-28-60205	NEW-E	80-06-072	248-14-266	NEW	80-06-086	248-30-050	REP-P	80-03-101
232-28-603	NEW-P	80-08-078	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
232-28-702	NEW	80-03-042	248-14-510	NEW-P	80-03-112	248-30-060	REP-P	80-03-101
232-28-801	REP-P	80-04-112	248-14-510	NEW	80-06-086	248-30-060	REP-P	80-05-020
232-28-801	REP	80-06-059	248-14-520	NEW-P	80-03-112	248-30-060	REP	80-06-065
232-28-802	NEW-P	80-04-112	248-14-520	NEW	80-06-086	248-30-070	NEW-P	80-03-101
232-28-802	NEW	80-06-059	248-14-530	NEW-P	80-03-112	248-30-070	NEW-P	80-05-020
232-32-117	NEW-E	80-02-048	248-14-530	NEW	80-06-086	248-30-070	NEW	80-06-065
232-32-117	REP-E	80-03-067	248-14-540	NEW-P	80-03-112	248-30-080	NEW-P	80-03-101
232-32-118	NEW-E	80-02-057	248-14-540	NEW	80-06-086	248-30-080	NEW-P	80-05-020
232-32-119	NEW-E	80-02-058	248-14-550	NEW-P	80-03-112	248-30-080	NEW	80-06-065
232-32-120	NEW-E	80-02-132	248-14-550	NEW	80-06-086	248-30-090	NEW-P	80-03-101
232-32-121	NEW-E	80-02-133	248-14-560	NEW-P	80-03-112	248-30-090	NEW-P	80-05-020
232-32-122	NEW-E	80-02-134	248-14-560	NEW	80-06-086	248-30-090	NEW	80-06-065
232-32-123	NEW-E	80-04-011	248-14-999	REP-P	80-03-112	248-30-100	NEW-P	80-03-101
232-32-124	NEW-E	80-04-017	248-14-999	REP	80-06-086	248-30-100	NEW-P	80-05-020
232-32-125	NEW-E	80-04-052	248-16-045	AMD	80-02-003	248-30-100	NEW	80-06-065
248-14-001	AMD-P	80-03-112	248-18-040	AMD	80-02-003	248-30-110	NEW-P	80-03-101
248-14-001	AMD	80-06-086	248-18-220	AMD-P	80-05-120	248-30-110	NEW-P	80-05-020
248-14-020	AMD-P	80-03-112	248-18-220	AMD-P	80-07-022	248-30-110	NEW	80-06-065
248-14-020	AMD	80-06-086	248-18-222	NEW-P	80-02-021	248-30-120	NEW-P	80-03-101
248-14-050	AMD-P	80-03-112	248-18-222	NEW	80-03-085	248-30-120	NEW-P	80-05-020
248-14-050	AMD	80-06-086	248-18-510	AMD-P	80-01-108	248-30-120	NEW	80-06-065
248-14-055	AMD-P	80-03-112	248-18-510	AMD	80-03-062	248-64-290	AMD-P	80-02-020
248-14-055	REP	80-06-086	248-18-607	NEW-P	80-02-021	248-64-290	AMD	80-03-044
248-14-060	AMD-P	80-03-112	248-18-607	NEW	80-03-085	248-72	AMD-P	80-04-090
248-14-060	AMD	80-06-086	248-18-636	NEW-P	80-02-021	248-72	AMD	80-07-002
248-14-065	AMD-P	80-03-112	248-18-636	NEW	80-03-085	248-72-100	REP-P	80-04-090
248-14-065	AMD	80-06-086	248-18-718	AMD-P	80-01-108	248-72-100	REP	80-07-002
248-14-090	AMD-P	80-03-112	248-18-718	AMD	80-03-062	248-96-020	AMD-P	80-01-107
248-14-090	AMD	80-06-086	248-18-718	AMD-P	80-04-079	248-96-020	AMD	80-04-038
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248-14-100	AMD	80-06-086	248-22-520	AMD	80-02-003	248-96-040	AMD	80-04-038
248-14-110	AMD-P	80-03-112	248-23-001	NEW	80-03-079	248-96-075	AMD-P	80-01-107
248-14-110	AMD	80-06-086	248-23-010	NEW	80-03-079	248-96-075	AMD	80-04-038
248-14-115	NEW	80-06-086	248-23-020	NEW	80-03-079	248-96-080	AMD-P	80-01-107
248-14-120	AMD-P	80-03-112	248-23-030	NEW	80-03-079	248-96-080	AMD	80-04-038
248-14-120	AMD	80-06-086	248-23-040	NEW	80-03-079	248-100-163	AMD-P	80-05-119
248-14-130	AMD-P	80-03-112	248-23-050	NEW	80-03-079	248-100-163	AMD-P	80-07-023
248-14-130	AMD	80-06-086	248-23-060	NEW	80-03-079	248-140-220	AMD-P	80-08-077
248-14-140	AMD-P	80-03-112	248-23-070	NEW	80-03-079	248-140-230	NEW-P	80-08-077
248-14-140	AMD	80-06-086	248-29-001	NEW-P	80-03-102	250-20-011	AMD-P	80-02-149
248-14-150	AMD-P	80-03-112	248-29-001	NEW	80-05-099	250-20-011	AMD	80-05-025
248-14-150	AMD	80-06-086	248-29-010	NEW-P	80-03-102	250-20-021	AMD-P	80-02-149
248-14-160	AMD-P	80-03-112	248-29-010	NEW	80-05-099	250-20-021	AMD	80-05-025
248-14-160	AMD	80-06-086	248-29-020	NEW-P	80-03-102	250-20-011	AMD-P	80-08-074
248-14-170	AMD-P	80-03-112	248-29-020	NEW	80-05-099	250-20-041	AMD-P	80-02-149
248-14-170	AMD	80-06-086	248-29-030	NEW-P	80-03-102	250-20-041	AMD	80-05-025
248-14-180	AMD-P	80-03-112	248-29-030	NEW	80-05-099	250-20-091	NEW-P	80-08-074
248-14-180	AMD	80-06-086	248-29-040	NEW-P	80-03-102	250-40-040	AMD-P	80-02-150
248-14-190	REP-P	80-03-112	248-29-040	NEW	80-05-099	250-40-040	AMD	80-05-024
248-14-190	REP	80-06-086	248-29-050	NEW-P	80-03-102	250-40-050	AMD-P	80-02-150
248-14-200	AMD-P	80-03-112	248-29-050	NEW	80-05-099	250-40-050	AMD	80-05-024
248-14-200	AMD	80-06-086	248-29-060	NEW-P	80-03-102	250-55-030	AMD-P	80-02-152
248-14-210	REP-P	80-03-112	248-29-060	NEW	80-05-099	250-55-030	AMD	80-05-017
248-14-210	REP	80-06-086	248-29-070	NEW-P	80-03-102	251-04-020	AMD-P	80-05-108
248-14-220	REP-P	80-03-112	248-29-070	NEW	80-05-099	251-04-020	AMD	80-08-073
248-14-220	REP	80-06-086	248-29-080	NEW-P	80-03-102	251-06-060	AMD	80-02-111
248-14-235	AMD-P	80-03-112	248-29-080	NEW	80-05-099	251-09-090	AMD	80-02-111
248-14-235	AMD	80-06-086	248-29-090	NEW-P	80-03-102	251-18-176	AMD-P	80-05-108
248-14-240	AMD-P	80-03-112	248-29-090	NEW	80-05-099	251-18-176	AMD	80-08-073
248-14-240	AMD	80-06-086	248-30-010	REP-P	80-03-101	251-18-250	AMD-P	80-05-108
248-14-245	AMD-P	80-03-112	248-30-010	REP-P	80-05-020	251-18-250	AMD	80-08-073

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296-115-040	NEW-E	80-06-076	304-25-530	NEW	80-02-041	308-120-219	NEW-P	80-02-091
296-115-050	NEW-E	80-06-076	304-25-540	NEW	80-02-041	308-120-220	NEW-P	80-02-091
296-115-060	NEW-E	80-06-076	304-25-550	NEW	80-02-041	308-120-221	NEW-P	80-02-091
296-115-070	NEW-E	80-06-076	304-25-555	NEW	80-02-041	308-120-222	NEW-P	80-02-091
296-115-100	NEW-E	80-06-076	304-25-560	NEW	80-02-041	308-120-505	NEW	80-04-072
296-115-120	NEW-E	80-06-076	304-25-570	NEW	80-02-041	308-120-506	NEW	80-04-072
296-116-040	REP-P	80-01-102	304-25-580	NEW	80-02-041	308-120-507	NEW	80-04-072
296-116-040	REP	80-03-081	304-25-590	NEW	80-02-041	308-120-508	NEW	80-04-072
296-116-080	AMD-P	80-01-102	308-13-010	AMD-P	80-03-058	308-120-509	NEW	80-04-072
296-116-080	AMD	80-03-081	308-13-010	AMD	80-05-141	308-120-510	NEW	80-04-072
296-116-082	NEW-P	80-01-102	308-13-030	AMD-P	80-03-058	308-120-511	NEW	80-04-072
296-116-082	NEW	80-03-081	308-13-030	AMD	80-05-141	308-120-512	NEW	80-04-072
296-116-090	REP-P	80-01-102	308-13-040	AMD-P	80-03-058	308-120-513	NEW	80-04-072
296-116-090	REP	80-03-081	308-13-040	AMD	80-05-141	308-120-514	NEW	80-04-072
296-116-095	REP-P	80-01-102	308-13-080	AMD-P	80-03-058	308-120-515	NEW	80-04-072
296-116-095	REP	80-03-081	308-13-080	AMD	80-05-141	308-120-516	NEW	80-04-072
296-116-100	REP-P	80-01-102	308-16-350	AMD	80-02-079	308-120-517	NEW	80-04-072
296-116-100	REP	80-03-081	308-36-050	AMD-P	80-01-104	308-120-518	NEW	80-04-072
296-116-105	REP-P	80-01-102	308-36-050	AMD	80-03-063	308-120-519	NEW	80-04-072
296-116-105	REP	80-03-081	308-36-055	NEW-P	80-03-094	308-120-520	NEW	80-04-072
296-116-110	AMD-P	80-01-102	308-36-065	NEW	80-05-063	308-120-521	NEW	80-04-072
296-116-110	AMD	80-03-081	308-40-101	AMD-P	80-03-094	308-120-522	NEW	80-04-072
296-116-130	AMD-P	80-01-102	308-40-101	AMD	80-05-063	308-122-040	NEW	80-02-114
296-116-130	AMD	80-03-081	308-40-105	NEW-P	80-03-094	308-122-050	NEW	80-02-114
296-116-160	REP-P	80-01-102	308-40-105	NEW	80-05-063	308-122-220	AMD-P	80-04-068
296-116-160	REP	80-03-081	308-42-120	NEW-P	80-02-166	308-122-220	AMD	80-07-010
296-116-180	REP-P	80-01-102	308-42-120	NEW	80-04-057	308-122-410	AMD-P	80-04-068
296-116-180	REP	80-03-081	308-51-130	AMD	80-04-012	308-122-410	AMD	80-07-010
296-116-185	REP-P	80-01-102	308-53-145	NEW-P	80-01-103	308-150-006	NEW-P	80-06-153
296-116-185	AMD	80-03-081	308-53-145	NEW	80-04-054	308-150-007	NEW-P	80-06-153
296-116-190	REP-P	80-01-102	308-53-146	NEW-P	80-01-103	308-150-008	NEW-P	80-06-153
296-116-190	REP	80-03-081	308-53-146	NEW	80-04-054	308-150-009	NEW-P	80-06-153
296-116-210	REP-P	80-01-102	308-53-280	NEW-P	80-01-103	308-150-010	REP-P	80-03-092
296-116-210	REP	80-03-081	308-53-280	NEW	80-04-054	308-150-010	REP-P	80-06-153
296-116-220	REP-P	80-01-102	308-54-150	AMD-P	80-02-163	308-150-011	NEW-P	80-06-153
296-116-220	REP	80-03-081	308-54-150	AMD	80-04-069	308-150-012	NEW-P	80-06-153
296-116-300	AMD-P	80-03-097	308-54-160	AMD-P	80-05-059	308-150-013	NEW-P	80-06-153
296-116-300	AMD-P	80-05-021	308-54-160	AMD	80-08-066	308-150-015	REP-P	80-03-092
296-116-300	AMD	80-06-084	308-54-170	AMD-P	80-05-059	308-150-015	REP-P	80-06-153
296-116-300	AMD-E	80-06-085	308-54-170	AMD	80-08-066	308-150-020	REP-P	80-03-092
296-116-310	REP-P	80-01-102	308-54-180	AMD-P	80-05-059	308-150-020	REP-P	80-06-153
296-116-310	REP	80-03-081	308-54-180	AMD	80-08-066	308-150-025	REP-P	80-06-153
296-116-320	AMD-P	80-01-102	308-54-190	REP-P	80-05-059	308-150-040	REP-P	80-03-092
296-116-320	AMD	80-03-081	308-54-190	REP	80-08-066	308-150-040	REP-P	80-06-153
296-116-351	REP	80-03-081	308-54-225	AMD-P	80-05-059	308-150-060	NEW-P	80-06-153
296-306-147	NEW-P	80-03-082	308-54-225	AMD	80-08-066	308-150-061	NEW-P	80-06-153
296-401-060	NEW	80-02-052	308-54-320	NEW-P	80-02-166	308-150-062	NEW-P	80-06-153
296-401-070	NEW	80-02-052	308-54-320	NEW	80-04-057	308-150-070	NEW-P	80-03-092
296-401-080	NEW	80-02-052	308-55-010	NEW-P	80-05-139	308-150-070	NEW-P	80-06-153
296-401-090	NEW	80-02-052	308-55-010	NEW	80-08-003	308-150-080	NEW-P	80-03-092
296-401-100	NEW	80-02-052	308-61-110	AMD	80-02-053	308-150-090	NEW-P	80-03-092
296-401-110	NEW	80-02-052	308-61-155	AMD	80-02-053	308-150-100	NEW-P	80-03-092
296-401-120	NEW	80-02-052	308-120-100	AMD-P	80-02-091	308-150-110	NEW-P	80-03-092
296-401-130	NEW	80-02-052	308-120-100	AMD	80-04-072	308-150-120	NEW-P	80-03-092
296-401-140	NEW	80-02-052	308-120-120	REP-P	80-02-091	308-150-130	NEW-P	80-03-092
296-401-150	NEW	80-02-052	308-120-120	REP	80-04-072	308-150-140	NEW-P	80-03-092
296-401-160	NEW	80-02-052	308-120-130	REP-P	80-02-091	308-150-150	NEW-P	80-03-092
296-401-170	NEW	80-02-052	308-120-130	REP	80-04-072	308-150-160	NEW-P	80-03-092
296-401-180	NEW	80-02-052	308-120-140	REP-P	80-02-091	308-150-170	NEW-P	80-03-092
304-25	AMD	80-02-041	308-120-140	REP	80-04-072	308-150-200	NEW-P	80-03-092
304-25-010	AMD	80-02-041	308-120-205	NEW-P	80-02-091	308-150-210	NEW-P	80-03-092
304-25-020	AMD	80-02-041	308-120-206	NEW-P	80-02-091	308-150-220	NEW-P	80-03-092
304-25-030	AMD	80-02-041	308-120-207	NEW-P	80-02-091	308-150-230	NEW-P	80-03-092
304-25-040	AMD	80-02-041	308-120-208	NEW-P	80-02-091	308-150-240	NEW-P	80-03-092
304-25-050	AMD	80-02-041	308-120-209	NEW-P	80-02-091	308-151-080	NEW-P	80-03-092
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304-25-080	REP	80-02-041	308-120-212	NEW-P	80-02-091	308-151-090	NEW	80-05-032
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304-25-100	AMD	80-02-041	308-120-214	NEW-P	80-02-091	308-151-100	NEW	80-05-032
304-25-110	AMD	80-02-041	308-120-215	NEW-P	80-02-091	314-16-040	AMD-P	80-02-035
304-25-120	AMD	80-02-041	308-120-216	NEW-P	80-02-091	314-16-040	AMD	80-02-094
304-25-510	NEW	80-02-041	308-120-217	NEW-P	80-02-091	314-52	AMD-P	80-07-018

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
314-52	AMD-P	80-08-007	332-44-110	NEW-E	80-06-060	360-11-023	NEW	80-08-036
314-52-005	AMD-P	80-05-080	332-44-110	NEW-E	80-08-012	360-11-027	NEW-P	80-04-071
314-52-010	AMD-P	80-05-080	332-44-120	NEW-E	80-06-060	360-11-027	NEW-P	80-06-077
314-52-015	AMD-P	80-05-080	332-100-030	AMD-P	80-06-139	360-11-027	NEW	80-08-036
314-52-020	AMD-P	80-05-080	332-100-050	NEW-P	80-06-139	360-11-030	AMD-P	80-04-071
314-52-030	AMD-P	80-05-080	332-100-060	NEW-P	80-06-139	360-11-030	AMD-P	80-06-077
314-52-030	AMD-P	80-08-007	352-32-010	AMD-P	80-02-176	360-11-033	NEW-P	80-04-071
314-52-040	AMD-P	80-05-080	352-32-010	AMD	80-05-007	360-11-033	NEW-P	80-06-077
314-52-050	AMD-P	80-05-080	352-32-030	AMD-P	80-02-176	360-11-033	NEW	80-08-036
314-52-060	AMD-P	80-05-080	352-32-030	AMD	80-05-007	360-11-037	NEW-P	80-04-071
314-52-070	AMD-P	80-05-080	352-32-035	NEW-P	80-02-175	360-11-037	NEW-P	80-06-077
314-52-080	AMD-P	80-05-080	352-32-035	NEW	80-05-006	360-11-037	NEW	80-08-036
314-52-090	AMD-P	80-05-080	352-32-045	AMD-P	80-02-176	360-11-040	AMD-P	80-04-071
314-52-110	AMD-P	80-05-080	352-32-045	AMD	80-05-007	360-11-040	AMD-P	80-06-077
314-52-111	AMD-P	80-05-080	352-32-050	AMD-P	80-02-176	360-11-040	AMD	80-08-036
314-52-112	AMD-P	80-05-080	352-32-050	AMD	80-05-007	360-11-045	NEW-P	80-04-071
314-52-113	AMD-P	80-05-080	352-32-250	AMD-P	80-02-176	360-11-045	NEW-P	80-06-077
314-52-115	AMD-P	80-05-080	352-32-250	AMD	80-05-007	360-11-045	NEW	80-08-036
314-52-120	AMD-P	80-05-080	352-48-010	NEW-P	80-08-070	360-11-050	REP-P	80-04-071
320-20	NEW-P	80-08-065	352-48-020	NEW-P	80-08-070	360-11-050	REP-P	80-06-077
320-20-010	NEW-P	80-05-140	352-48-030	NEW-P	80-08-070	360-11-050	REP	80-08-036
320-20-020	NEW-P	80-05-140	352-48-040	NEW-P	80-08-070	360-11-050	AMD-P	80-04-071
320-20-030	NEW-P	80-05-140	352-48-050	NEW-P	80-08-070	360-11-060	AMD-P	80-06-077
320-20-040	NEW-P	80-05-140	352-48-060	NEW-P	80-08-070	360-11-060	AMD	80-08-036
320-20-050	NEW-P	80-05-140	352-48-070	NEW-P	80-08-070	360-12-140	NEW-P	80-05-070
320-20-060	NEW-P	80-05-140	352-48-080	NEW-P	80-08-070	360-12-140	NEW	80-08-035
320-20-070	NEW-P	80-05-140	356-06-010	AMD-P	80-05-111	360-18-010	NEW-P	80-03-091
320-20-080	NEW-P	80-05-140	356-06-010	AMD-P	80-07-033	360-18-010	NEW	80-05-074
320-20-090	NEW-P	80-05-140	356-06-020	AMD-P	80-04-075	360-18-020	NEW-P	80-03-091
332-10-150	NEW-E	80-04-066	356-06-020	AMD	80-06-032	360-18-020	AMD-P	80-05-070
332-10-160	NEW-E	80-04-066	356-06-040	AMD-P	80-02-137	360-18-020	NEW	80-05-074
332-10-170	NEW-E	80-04-066	356-06-040	AMD	80-04-025	360-18-020	AMD	80-08-035
332-10-180	NEW-E	80-04-066	356-10-050	AMD-P	80-06-132	360-18-030	NEW-P	80-03-091
332-10-190	NEW-E	80-04-066	356-10-060	AMD-P	80-06-132	360-18-030	NEW	80-05-074
332-12-010	AMD-E	80-07-003	356-14-140	AMD-P	80-02-038	360-18-040	NEW-P	80-03-091
332-12-020	AMD-E	80-07-003	356-14-140	AMD	80-03-024	360-25-001	REP-P	80-03-091
332-12-060	AMD-E	80-07-003	356-15-050	AMD-P	80-02-039	360-25-001	REP	80-05-074
332-24-090	AMD-E	80-04-003	356-15-120	AMD-P	80-02-039	360-36-010	AMD-P	80-03-091
332-24-090	AMD-E	80-05-015	356-15-120	AMD-P	80-04-075	360-36-010	AMD	80-05-074
332-30	NEW-P	80-02-015	356-15-120	AMD-P	80-06-031	360-36-230	AMD-P	80-03-091
332-30	NEW-P	80-03-002	356-18-015	NEW-P	80-02-039	360-36-230	AMD	80-05-074
332-30	NEW-P	80-04-001	356-18-020	AMD-P	80-02-039	360-49-040	NEW	80-02-113
332-30	NEW-P	80-04-067	356-18-025	AMD-P	80-02-039	360-52-060	AMD	80-02-113
332-30-100	NEW-P	80-05-113	356-18-030	AMD-P	80-02-039	360-52-070	AMD-P	80-02-112
332-30-103	NEW-P	80-05-113	356-18-040	AMD-P	80-02-039	360-52-070	AMD-P	80-02-164
332-30-106	NEW-P	80-05-113	356-18-070	AMD	80-02-037	365-31-010	AMD-P	80-02-122
332-30-109	NEW-P	80-05-113	356-18-090	AMD-P	80-02-039	365-31-010	AMD-E	80-03-011
332-30-112	NEW-P	80-05-113	356-18-150	AMD-P	80-06-132	365-31-010	AMD	80-05-023
332-30-115	NEW-P	80-05-113	356-22-030	AMD-P	80-02-038	365-31-020	AMD-P	80-02-122
332-30-118	NEW-P	80-05-113	356-22-130	AMD-P	80-03-077	365-31-020	AMD-E	80-03-011
332-30-119	NEW-P	80-03-001	356-22-130	AMD-P	80-04-086	365-31-020	AMD	80-05-023
332-30-119	NEW-P	80-04-062	356-22-130	AMD	80-06-033	365-31-110	AMD-P	80-02-122
332-30-119	NEW-P	80-05-114	356-26-030	AMD-P	80-02-038	365-31-110	AMD-E	80-03-011
332-30-119	NEW	80-08-071	356-26-030	AMD-P	80-02-137	365-31-110	AMD	80-05-023
332-30-121	NEW-P	80-05-113	356-26-030	AMD-P	80-04-024	365-31-111	NEW-P	80-02-122
332-30-124	NEW-P	80-05-113	356-26-030	AMD-P	80-06-132	365-31-111	NEW-E	80-03-011
332-30-125	NEW-P	80-05-113	356-26-060	AMD-P	80-02-137	365-31-111	NEW	80-05-023
332-30-127	NEW-P	80-05-113	356-26-060	AMD	80-04-025	365-31-120	AMD-P	80-02-122
332-30-130	NEW-P	80-05-113	356-30-070	AMD-P	80-02-137	365-31-120	AMD-E	80-03-011
332-30-133	NEW-P	80-05-113	356-30-070	AMD	80-04-025	365-31-120	AMD	80-05-023
332-30-136	NEW-P	80-05-113	356-30-146	AMD-P	80-02-137	365-31-130	AMD-P	80-02-122
332-30-139	NEW-P	80-05-113	356-30-146	AMD	80-04-025	365-31-130	AMD-E	80-03-011
332-30-142	NEW-P	80-05-113	356-30-320	AMD-P	80-06-132	365-31-130	AMD	80-05-023
332-30-145	NEW-P	80-05-113	356-30-330	AMD-P	80-04-075	365-31-150	AMD-P	80-02-122
332-30-148	NEW-P	80-05-113	356-30-330	AMD-P	80-06-030	365-31-150	AMD-E	80-03-011
332-30-151	NEW-P	80-05-113	356-42-010	AMD-P	80-05-111	365-31-150	AMD	80-05-023
332-30-154	NEW-P	80-05-113	356-42-010	AMD-P	80-07-033	365-31-160	AMD-P	80-02-122
332-30-157	NEW-P	80-05-113	356-46-060	AMD-P	80-04-075	365-31-160	AMD-E	80-03-011
332-30-160	NEW-P	80-05-113	356-46-060	AMD	80-06-033	365-31-160	AMD	80-05-023
332-30-163	NEW-P	80-05-113	360-11-010	AMD-P	80-04-071	365-31-170	AMD-P	80-02-122
332-30-166	NEW-P	80-05-113	360-11-010	AMD-P	80-06-077	365-31-170	AMD-E	80-03-011
332-30-169	NEW-P	80-05-113	360-11-010	AMD	80-08-036	365-31-170	AMD	80-05-023
332-44-100	NEW-E	80-06-060	360-11-023	NEW-P	80-04-071	365-31-180	REP-P	80-02-122
332-44-100	NEW-E	80-08-012	360-11-023	NEW-P	80-06-077	365-31-180	REP-E	80-03-011

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365-31-210	AMD-P	80-02-122	365-37-130	REP	80-05-023	365-50-150	REP-P	80-05-100
365-31-210	AMD-E	80-03-011	365-37-210	REP-P	80-02-122	365-50-150	REP	80-08-056
365-31-210	AMD	80-05-023	365-37-210	REP-E	80-03-011	365-50-160	REP-P	80-05-100
365-31-310	REP-P	80-02-122	365-37-210	REP	80-05-023	365-50-160	REP	80-08-056
365-31-310	REP-E	80-03-011	365-37-220	REP-P	80-02-122	365-50-170	REP-P	80-05-100
365-31-310	REP	80-05-023	365-37-220	REP-E	80-03-011	365-50-170	REP	80-08-056
365-31-320	REP-P	80-02-122	365-37-220	REP	80-05-023	365-50-180	REP-P	80-05-100
365-31-320	REP-E	80-03-011	365-37-310	REP-P	80-02-122	365-50-180	REP	80-08-056
365-31-320	REP	80-05-023	365-37-310	REP-E	80-03-011	365-50-190	REP-P	80-05-100
365-31-330	AMD-P	80-02-122	365-37-310	REP	80-05-023	365-50-190	REP	80-08-056
365-31-330	AMD-E	80-03-011	365-37-320	REP-P	80-02-122	365-50-200	REP-P	80-05-100
365-31-330	AMD	80-05-023	365-37-320	REP-E	80-03-011	365-50-200	REP	80-08-056
365-31-340	REP-P	80-02-122	365-37-320	REP	80-05-023	365-50-210	REP-P	80-05-100
365-31-340	REP-E	80-03-011	365-37-330	REP-P	80-02-122	365-50-210	REP	80-08-056
365-31-340	REP	80-05-023	365-37-330	REP-E	80-03-011	365-50-220	REP-P	80-05-100
365-31-350	REP-P	80-02-122	365-37-330	REP	80-05-023	365-50-220	REP	80-08-056
365-31-350	REP-E	80-03-011	365-37-340	REP-P	80-02-122	365-50-230	REP-P	80-05-100
365-31-350	REP	80-05-023	365-37-340	REP-E	80-03-011	365-50-230	REP	80-08-056
365-31-360	REP-P	80-02-122	365-37-340	REP	80-05-023	365-50-240	REP-P	80-05-100
365-31-360	REP-E	80-03-011	365-37-410	REP-P	80-02-122	365-50-240	REP	80-08-056
365-31-360	REP	80-05-023	365-37-410	REP-E	80-03-011	365-50-250	REP-P	80-05-100
365-31-370	REP-P	80-02-122	365-37-410	REP	80-05-023	365-50-250	REP	80-08-056
365-31-370	REP-E	80-03-011	365-37-510	REP-P	80-02-122	365-50-260	REP-P	80-05-100
365-31-370	REP	80-05-023	365-37-510	REP-E	80-03-011	365-50-260	REP	80-08-056
365-31-410	REP-P	80-02-122	365-37-510	REP	80-05-023	365-50-270	REP-P	80-05-100
365-31-410	REP-E	80-03-011	365-37-520	REP-P	80-02-122	365-50-270	REP	80-08-056
365-31-410	REP	80-05-023	365-37-520	REP-E	80-03-011	365-50-280	REP-P	80-05-100
365-31-420	REP-P	80-02-122	365-37-520	REP	80-05-023	365-50-280	REP	80-08-056
365-31-420	REP-E	80-03-011	365-37-530	REP-P	80-02-122	365-50-290	REP-P	80-05-100
365-31-420	REP	80-05-023	365-37-530	REP-E	80-03-011	365-50-290	REP	80-08-056
365-31-430	REP-P	80-02-122	365-37-530	REP	80-05-023	365-50-300	REP-P	80-05-100
365-31-430	REP-E	80-03-011	365-37-540	REP-P	80-02-122	365-50-300	REP	80-08-056
365-31-430	REP	80-05-023	365-37-540	REP-E	80-03-011	365-50-310	REP-P	80-05-100
365-31-440	REP-P	80-02-122	365-37-540	REP	80-05-023	365-50-310	REP	80-08-056
365-31-440	REP-E	80-03-011	365-37-550	REP-P	80-02-122	365-50-320	REP-P	80-05-100
365-31-440	REP	80-05-023	365-37-550	REP-E	80-03-011	365-50-320	REP	80-08-056
365-31-450	REP-P	80-02-122	365-37-550	REP	80-05-023	365-50-330	REP-P	80-05-100
365-31-450	REP-E	80-03-011	365-37-560	REP-P	80-02-122	365-50-330	REP	80-08-056
365-31-450	REP	80-05-023	365-37-560	REP-E	80-03-011	365-50-340	REP-P	80-05-100
365-31-460	REP-P	80-02-122	365-37-560	REP	80-05-023	365-50-340	REP	80-08-056
365-31-460	REP-E	80-03-011	365-37-570	REP-P	80-02-122	365-50-350	REP-P	80-05-100
365-31-460	REP	80-05-023	365-37-570	REP-E	80-03-011	365-50-350	REP	80-08-056
365-31-470	REP-P	80-02-122	365-37-570	REP	80-05-023	365-50-360	REP-P	80-05-100
365-31-470	REP-E	80-03-011	365-37-580	REP-P	80-02-122	365-50-360	REP	80-08-056
365-31-470	REP	80-05-023	365-37-580	REP-E	80-03-011	365-50-370	REP-P	80-05-100
365-33-730	REP-P	80-02-122	365-37-580	REP	80-05-023	365-50-370	REP	80-08-056
365-33-730	REP-E	80-03-011	365-50-010	REP-P	80-05-100	365-50-380	REP-P	80-05-100
365-33-730	REP	80-05-023	365-50-010	REP	80-08-056	365-50-380	REP	80-08-056
365-33-740	REP-P	80-02-122	365-50-020	REP-P	80-05-100	365-50-390	REP-P	80-05-100
365-33-740	REP-E	80-03-011	365-50-020	REP	80-08-056	365-50-390	REP	80-08-056
365-33-740	REP	80-05-023	365-50-030	REP-P	80-05-100	365-50-400	REP-P	80-05-100
365-33-750	REP-P	80-02-122	365-50-030	REP	80-08-056	365-50-400	REP	80-08-056
365-33-750	REP-E	80-03-011	365-50-040	REP-P	80-05-100	365-50-500	REP-P	80-05-100
365-33-750	REP	80-05-023	365-50-040	REP	80-08-056	365-50-500	REP	80-08-056
365-33-760	REP-P	80-02-122	365-50-050	REP-P	80-05-100	365-50-510	REP-P	80-05-100
365-33-760	REP-E	80-03-011	365-50-050	REP	80-08-056	365-50-510	REP	80-08-056
365-33-760	REP	80-05-023	365-50-060	REP-P	80-05-100	365-50-520	REP-P	80-05-100
365-35-010	REP-P	80-02-122	365-50-060	REP	80-08-056	365-50-520	REP	80-08-056
365-35-010	REP-E	80-03-011	365-50-070	REP-P	80-05-100	365-50-530	REP-P	80-05-100
365-35-010	REP	80-05-023	365-50-070	REP	80-08-056	365-50-530	REP	80-08-056
365-35-900	REP-P	80-02-122	365-50-080	REP-P	80-05-100	365-50-540	REP-P	80-05-100
365-35-900	REP-E	80-03-011	365-50-080	REP	80-08-056	365-50-540	REP	80-08-056
365-35-900	REP	80-05-023	365-50-090	REP-P	80-05-100	365-50-550	REP-P	80-05-100
365-37-010	REP-P	80-02-122	365-50-090	REP	80-08-056	365-50-550	REP	80-08-056
365-37-010	REP-E	80-03-011	365-50-100	REP-P	80-05-100	365-50-560	REP-P	80-05-100
365-37-010	REP	80-05-023	365-50-100	REP	80-08-056	365-50-560	REP	80-08-056
365-37-110	REP-P	80-02-122	365-50-110	REP-P	80-05-100	371-08-010	AMD-P	80-06-052
365-37-110	REP-E	80-03-011	365-50-110	REP	80-08-056	388-08	AMD-P	80-08-067
365-37-110	REP	80-05-023	365-50-120	REP-P	80-05-100	388-08-00401	NEW-P	80-05-118
365-37-120	REP-P	80-02-122	365-50-120	REP	80-08-056	388-08-080	AMD-P	80-04-135
365-37-120	REP-E	80-03-011	365-50-130	REP-P	80-05-100	388-08-080	AMD	80-06-090
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365-37-130	REP-P	80-02-122	365-50-140	REP-P	80-05-100	388-08-610	REP-P	80-04-093

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388-15-020	AMD	80-02-049	388-53-090	AMD-P	80-02-121	388-81-015	AMD-P	80-08-082
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388-17-160	AMD	80-02-135	388-53-100	AMD-P	80-02-121	388-81-040	AMD-P	80-08-082
388-22-030	AMD-P	80-05-104	388-53-100	AMD	80-04-039	388-81-042	NEW-P	80-08-082
388-24-052	AMD-P	80-04-014	388-53-110	REP-E	80-02-118	388-82-005	AMD-P	80-08-082
388-24-052	AMD-E	80-04-083	388-53-110	REP-P	80-02-121	388-82-010	AMD-P	80-08-082
388-24-052	AMD	80-06-066	388-53-110	REP	80-04-039	388-82-015	AMD-P	80-08-082
388-24-107	AMD-P	80-03-009	388-53-120	AMD-E	80-02-118	388-82-020	AMD-P	80-08-082
388-24-107	AMD-E	80-03-010	388-53-120	AMD-P	80-02-121	388-82-035	AMD-P	80-08-082
388-24-107	AMD	80-05-045	388-53-120	AMD	80-04-039	388-83-010	AMD-P	80-08-082
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392-109-085	NEW-P	80-05-136	392-123-053	AMD	80-06-043	392-133-040	REP	80-06-041
392-109-085	NEW	80-07-038	392-123-054	AMD-P	80-04-111	392-133-045	REP-P	80-04-110
392-109-090	NEW-P	80-05-136	392-123-054	AMD	80-06-043	392-133-045	REP	80-06-041
392-109-090	NEW	80-07-038	392-123-055	AMD-P	80-04-111	392-133-050	REP-P	80-04-110
392-109-095	NEW-P	80-05-136	392-123-055	AMD	80-06-043	392-133-050	REP	80-06-041
392-109-095	NEW	80-07-038	392-123-060	AMD-P	80-04-111	392-134-001	NEW-P	80-03-104
392-109-100	NEW-P	80-05-136	392-123-060	AMD	80-06-043	392-134-001	NEW	80-05-035
392-109-100	NEW	80-07-038	392-123-065	AMD-P	80-04-111	392-134-005	NEW-P	80-03-104
392-109-105	NEW-P	80-05-136	392-123-065	AMD	80-06-043	392-134-005	NEW	80-05-035
392-109-105	NEW	80-07-038	392-123-071	AMD-P	80-04-111	392-134-010	NEW-P	80-03-104
392-109-110	NEW-P	80-05-136	392-123-071	AMD	80-06-043	392-134-010	NEW	80-05-035
392-109-110	NEW	80-07-038	392-123-072	AMD-P	80-04-111	392-134-015	NEW-P	80-03-104
392-109-115	NEW-P	80-05-136	392-123-072	AMD	80-06-043	392-134-015	NEW	80-05-035
392-109-115	NEW	80-07-038	392-123-074	NEW-P	80-04-111	392-134-020	NEW-P	80-03-104
392-109-120	NEW-P	80-05-136	392-123-074	NEW	80-06-043	392-134-020	NEW	80-05-035
392-109-120	NEW	80-07-038	392-123-075	REP-P	80-04-111	392-134-025	NEW-P	80-03-104
392-121-005	REP-P	80-06-176	392-123-075	REP	80-06-043	392-134-025	NEW	80-05-035
392-121-010	REP-P	80-06-176	392-123-076	AMD-P	80-04-111	392-134-030	NEW-P	80-03-104
392-121-015	REP-P	80-06-176	392-123-076	AMD	80-06-043	392-134-030	NEW	80-05-035
392-121-020	REP-P	80-06-176	392-123-077	AMD-P	80-04-111	392-135-005	AMD-P	80-03-105
392-121-025	REP-P	80-06-176	392-123-077	AMD	80-06-043	392-135-005	AMD	80-05-036
392-121-030	REP-P	80-06-176	392-123-078	NEW-P	80-04-111	392-135-010	AMD-P	80-03-105
392-121-035	REP-P	80-06-176	392-123-078	NEW	80-06-043	392-135-010	AMD	80-05-036
392-121-040	REP-P	80-06-176	392-123-079	NEW-P	80-04-111	392-135-025	REP-P	80-03-105
392-121-045	REP-P	80-06-176	392-123-079	NEW	80-06-043	392-135-025	REP	80-05-036
392-121-050	REP-P	80-06-176	392-123-080	AMD-P	80-04-111	392-136-005	NEW-E	80-06-051
392-121-055	REP-P	80-06-176	392-123-085	AMD-P	80-04-111	392-136-005	NEW-P	80-06-175
392-121-060	REP-P	80-06-176	392-123-090	REP-P	80-04-111	392-136-005	NEW-E	80-07-028
392-121-065	AMD-E	80-04-019	392-123-090	REP	80-06-043	392-136-010	NEW-E	80-06-051
392-121-065	REP-P	80-06-176	392-123-095	AMD-P	80-04-111	392-136-010	NEW-P	80-06-175
392-121-100	NEW-P	80-06-176	392-123-095	AMD	80-06-043	392-136-010	NEW-E	80-07-028
392-121-105	NEW-P	80-06-176	392-123-100	AMD-P	80-04-111	392-136-015	NEW-E	80-06-051
392-121-110	NEW-P	80-06-176	392-123-105	AMD-P	80-04-111	392-136-015	NEW-P	80-06-175
392-121-115	NEW-P	80-06-176	392-123-110	AMD-P	80-04-111	392-136-015	NEW-E	80-07-028
392-121-120	NEW-P	80-06-176	392-123-115	AMD-P	80-04-111	392-136-020	NEW-E	80-06-051
392-121-125	NEW-P	80-06-176	392-123-115	AMD	80-06-043	392-136-020	NEW-P	80-06-175
392-121-130	NEW-P	80-06-176	392-123-125	AMD-P	80-04-111	392-136-020	NEW-E	80-07-028
392-121-135	NEW-P	80-06-176	392-125-035	AMD-P	80-04-109	392-137-001	NEW-P	80-03-106
392-121-140	NEW-P	80-06-176	392-125-035	AMD	80-06-042	392-137-001	NEW	80-05-037
392-121-145	NEW-P	80-06-176	392-125-040	AMD-P	80-04-109	392-137-002	NEW-P	80-03-106
392-121-150	NEW-P	80-06-176	392-125-054	NEW-P	80-04-109	392-137-002	NEW	80-05-037

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392-137-003	NEW	80-05-037	392-153-020	AMD-P	80-06-171	392-167-065	REP	80-05-040
392-137-005	REP-P	80-03-106	392-153-032	AMD-P	80-06-171	392-167-070	REP-P	80-03-109
392-137-005	REP	80-05-037	392-153-035	AMD-P	80-06-171	392-167-070	REP	80-05-040
392-137-020	AMD-P	80-03-106	392-153-040	AMD-P	80-06-171	392-167-075	REP-P	80-03-109
392-137-020	AMD	80-05-037	392-160-001	NEW-P	80-05-135	392-167-075	REP	80-05-040
392-137-045	AMD-P	80-03-106	392-160-001	NEW	80-07-039	392-171	AMD-P	80-08-002
392-137-045	AMD	80-05-037	392-160-005	NEW-P	80-05-135	392-171-300	AMD-P	80-05-137
392-137-050	REP-P	80-03-106	392-160-005	NEW	80-07-039	392-171-305	NEW-P	80-05-137
392-137-050	REP	80-05-037	392-160-010	NEW-P	80-05-135	392-171-310	AMD-P	80-05-137
392-137-051	NEW-P	80-03-106	392-160-010	NEW	80-07-039	392-171-311	NEW-P	80-05-137
392-137-051	NEW	80-05-037	392-160-015	NEW-P	80-05-135	392-171-315	AMD-P	80-05-137
392-137-055	NEW-P	80-03-106	392-160-015	NEW	80-07-039	392-171-320	AMD-P	80-05-137
392-137-055	NEW	80-05-037	392-160-020	NEW-P	80-05-135	392-171-325	AMD-P	80-05-137
392-137-060	NEW-P	80-03-106	392-160-020	NEW	80-07-039	392-171-330	REP-P	80-05-137
392-137-060	NEW	80-05-037	392-160-025	NEW-P	80-05-135	392-171-331	NEW-P	80-05-137
392-137-065	NEW-P	80-03-106	392-160-025	NEW	80-07-039	392-171-335	REP-P	80-05-137
392-137-065	NEW	80-05-037	392-160-030	NEW-P	80-05-135	392-171-336	NEW-P	80-05-137
392-140-001	AMD-P	80-03-107	392-160-030	NEW	80-07-039	392-171-340	REP-P	80-05-137
392-140-001	AMD	80-05-038	392-160-035	NEW-P	80-05-135	392-171-341	RECOD-P	80-05-137
392-140-002	REP-P	80-03-107	392-160-035	NEW	80-07-039	392-171-345	REP-P	80-05-137
392-140-002	REP	80-05-038	392-160-040	NEW-P	80-05-135	392-171-346	RECOD-P	80-05-137
392-140-003	REP-P	80-03-107	392-160-040	NEW	80-07-039	392-171-350	AM/DE-P	80-05-137
392-140-003	REP	80-05-038	392-160-045	NEW-P	80-05-135	392-171-351	RECOD-P	80-05-137
392-140-004	REP-P	80-03-107	392-160-045	NEW	80-07-039	392-171-355	AM/DE-P	80-05-137
392-140-004	REP	80-05-038	392-161-005	AMD-P	80-06-177	392-171-356	AM/DE-P	80-05-137
392-140-005	REP-P	80-03-107	392-161-010	AMD-P	80-06-177	392-171-358	RECOD-P	80-05-137
392-140-005	REP	80-05-038	392-161-025	AMD-P	80-06-177	392-171-360	REP-P	80-05-137
392-140-006	REP-P	80-03-107	392-161-040	AMD-P	80-06-177	392-171-361	RECOD-P	80-05-137
392-140-006	REP	80-05-038	392-161-065	AMD-P	80-06-177	392-171-365	REP-P	80-05-137
392-140-007	REP-P	80-03-107	392-161-080	AMD-P	80-06-177	392-171-366	RECOD-P	80-05-137
392-140-007	REP	80-05-038	392-161-085	AMD-P	80-06-177	392-171-370	REP-P	80-05-137
392-140-008	REP-P	80-03-107	392-161-090	AMD-P	80-06-177	392-171-371	RECOD-P	80-05-137
392-140-008	REP	80-05-038	392-161-100	REP-P	80-06-177	392-171-375	AM/DE-P	80-05-137
392-141-005	AMD-P	80-03-108	392-161-101	NEW-P	80-06-177	392-171-376	NEW-P	80-05-137
392-141-005	AMD	80-05-039	392-161-104	NEW-P	80-06-177	392-171-380	AM/DE-P	80-05-137
392-141-007	NEW-P	80-03-108	392-161-105	REP-P	80-06-177	392-171-381	NEW-P	80-05-137
392-141-007	NEW	80-05-039	392-161-110	REP-P	80-06-177	392-171-385	REP-P	80-05-137
392-141-008	NEW-P	80-03-108	392-161-115	REP-P	80-06-177	392-171-386	NEW-P	80-05-137
392-141-008	NEW	80-05-039	392-161-116	NEW-P	80-06-177	392-171-390	REP-P	80-05-137
392-141-010	REP-P	80-06-036	392-161-118	NEW-P	80-06-177	392-171-391	NEW-P	80-05-137
392-141-015	REP-P	80-06-036	392-161-135	AMD-P	80-06-177	392-171-395	AM/DE-P	80-05-137
392-141-017	NEW-P	80-03-108	392-161-145	AMD-P	80-06-177	392-171-396	NEW-P	80-05-137
392-141-017	NEW	80-05-039	392-161-150	AMD-P	80-06-177	392-171-400	AM/DE-P	80-05-137
392-141-018	NEW-P	80-03-108	392-161-155	AMD-P	80-06-177	392-171-401	NEW-P	80-05-137
392-141-018	NEW	80-05-039	392-161-160	AMD-P	80-06-177	392-171-405	AM/DE-P	80-05-137
392-141-020	REP-P	80-06-036	392-161-170	NEW-P	80-06-177	392-171-406	RECOD-P	80-05-137
392-141-025	REP-P	80-06-036	392-161-175	NEW-P	80-06-177	392-171-410	REP-P	80-05-137
392-141-027	NEW-P	80-03-108	392-161-180	NEW-P	80-06-177	392-171-411	RECOD-P	80-05-137
392-141-027	NEW	80-05-039	392-161-185	NEW-P	80-06-177	392-171-415	REP-P	80-05-137
392-141-028	NEW-P	80-03-108	392-167-005	REP-P	80-03-109	392-171-416	RECOD-P	80-05-137
392-141-028	NEW	80-05-039	392-167-005	REP	80-05-040	392-171-420	AM/DE-P	80-05-137
392-141-030	REP-P	80-06-036	392-167-010	REP-P	80-03-109	392-171-421	NEW-P	80-05-137
392-141-035	REP-P	80-06-036	392-167-010	REP	80-05-040	392-171-425	AM/DE-P	80-05-137
392-141-037	NEW-P	80-03-108	392-167-015	REP-P	80-03-109	392-171-426	RECOD-P	80-05-137
392-141-037	NEW	80-05-039	392-167-015	REP	80-05-040	392-171-430	AM/DE-P	80-05-137
392-141-038	NEW-P	80-03-108	392-167-020	REP-P	80-03-109	392-171-431	RECOD-P	80-05-137
392-141-038	NEW	80-05-039	392-167-020	REP	80-05-040	392-171-435	AM/DE-P	80-05-137
392-141-040	REP-P	80-06-036	392-167-025	REP-P	80-03-109	392-171-436	NEW-P	80-05-137
392-141-042	NEW-P	80-03-108	392-167-025	REP	80-05-040	392-171-440	AM/DE-P	80-05-137
392-141-042	NEW	80-05-039	392-167-030	REP-P	80-03-109	392-171-441	NEW-P	80-05-137
392-141-043	NEW-P	80-03-108	392-167-030	REP	80-05-040	392-171-445	AM/DE-P	80-05-137
392-141-043	NEW	80-05-039	392-167-035	REP-P	80-03-109	392-171-446	NEW-P	80-05-137
392-141-045	AMD-P	80-03-108	392-167-035	REP	80-05-040	392-171-450	AM/DE-P	80-05-137
392-141-045	AMD	80-05-039	392-167-040	REP-P	80-03-109	392-171-451	NEW-P	80-05-137
392-141-050	REP-P	80-06-036	392-167-040	REP	80-05-040	392-171-455	AM/DE-P	80-05-137
392-141-055	AMD-P	80-03-108	392-167-045	REP-P	80-03-109	392-171-456	RECOD-P	80-05-137
392-141-055	AMD	80-05-039	392-167-045	REP	80-05-040	392-171-460	AM/DE-P	80-05-137
392-141-060	REP-P	80-06-036	392-167-050	REP-P	80-03-109	392-171-461	RECOD-P	80-05-137
392-145-030	AMD-P	80-06-174	392-167-050	REP	80-05-040	392-171-465	REP-P	80-05-137
392-151-015	AMD-P	80-06-172	392-167-055	REP-P	80-03-109	392-171-466	RECOD-P	80-05-137
392-151-050	AMD-P	80-06-172	392-167-055	REP	80-05-040	392-171-470	REP-P	80-05-137
392-151-090	AMD-P	80-06-172	392-167-060	REP-P	80-03-109	392-171-471	RECOD-P	80-05-137
392-153-010	AMD-P	80-06-171	392-167-060	REP	80-05-040	392-171-475	REP-P	80-05-137

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392-171-480	AM/DE-P 80-05-137	392-171-661	RECOD-P 80-05-137	392-181-030	REP 80-05-041
392-171-481	RECOD-P 80-05-137	392-171-665	AM/DE-P 80-05-137	392-181-035	REP-P 80-03-110
392-171-485	AM/DE-P 80-05-137	392-171-666	RECOD-P 80-05-137	392-181-035	REP 80-05-041
392-171-486	RECOD-P 80-05-137	392-171-670	AM/DE-P 80-05-137	392-183-005	REP-P 80-03-111
392-171-490	AM/DE-P 80-05-137	392-171-671	RECOD-P 80-05-137	392-183-005	REP 80-05-042
392-171-491	RECOD-P 80-05-137	392-171-675	AM/DE-P 80-05-137	392-183-010	REP-P 80-03-111
392-171-495	AM/DE-P 80-05-137	392-171-676	RECOD-P 80-05-137	392-183-010	REP 80-05-042
392-171-496	RECOD-P 80-05-137	392-171-680	REP-P 80-05-137	392-183-015	REP-P 80-03-111
392-171-500	AM/DE-P 80-05-137	392-171-685	AM/DE-P 80-05-137	392-183-015	REP 80-05-042
392-171-501	RECOD-P 80-05-137	392-171-686	RECOD-P 80-05-137	392-183-020	REP-P 80-03-111
392-171-505	AM/DE-P 80-05-137	392-171-690	AM/DE-P 80-05-137	392-183-020	REP 80-05-042
392-171-506	RECOD-P 80-05-137	392-171-691	RECOD-P 80-05-137	392-183-025	REP-P 80-03-111
392-171-510	AM/DE-P 80-05-137	392-171-695	AM/DE-P 80-05-137	392-183-025	REP 80-05-042
392-171-511	RECOD-P 80-05-137	392-171-696	RECOD-P 80-05-137	392-183-030	REP-P 80-03-111
392-171-515	AM/DE-P 80-05-137	392-171-700	AM/DE-P 80-05-137	392-183-030	REP 80-05-042
392-171-516	NEW-P 80-05-137	392-171-701	RECOD-P 80-05-137	392-190-010	AMD-P 80-06-173
392-171-520	AM/DE-P 80-05-137	392-171-705	AM/DE-P 80-05-137	392-190-035	AMD-P 80-06-173
392-171-521	RECOD-P 80-05-137	392-171-706	RECOD-P 80-05-137	392-190-040	AMD-P 80-06-173
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392-171-535	AM/DE-P 80-05-137	392-171-720	AM/DE-P 80-05-137	402-19-530	NEW 80-02-080
392-171-536	RECOD-P 80-05-137	392-171-721	RECOD-P 80-05-137	434-28-010	AMD-P 80-03-115
392-171-540	AM/DE-P 80-05-137	392-171-725	AM/DE-P 80-05-137	434-28-010	REP 80-05-014
392-171-541	NEW-P 80-05-137	392-171-726	RECOD-P 80-05-137	434-28-012	NEW 80-05-014
392-171-545	AM/DE-P 80-05-137	392-171-730	AM/DE-P 80-05-137	434-28-030	REP-P 80-03-115
392-171-546	NEW-P 80-05-137	392-171-731	NEW-P 80-05-137	434-28-030	REP 80-05-014
392-171-550	AM/DE-P 80-05-137	392-171-735	AM/DE-P 80-05-137	434-69-005	NEW-P 80-03-119
392-171-551	RECOD-P 80-05-137	392-171-736	RECOD-P 80-05-137	434-69-005	NEW 80-05-013
392-171-555	AM/DE-P 80-05-137	392-171-740	AM/DE-P 80-05-137	434-69-010	NEW-P 80-03-119
392-171-556	RECOD-P 80-05-137	392-171-741	RECOD-P 80-05-137	434-69-010	NEW 80-05-013
392-171-560	AM/DE-P 80-05-137	392-171-745	AM/DE-P 80-05-137	434-69-020	NEW-P 80-03-119
392-171-561	RECOD-P 80-05-137	392-171-746	RECOD-P 80-05-137	434-69-020	NEW 80-05-013
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392-171-566	RECOD-P 80-05-137	392-171-751	RECOD-P 80-05-137	434-69-030	NEW 80-05-013
392-171-570	AM/DE-P 80-05-137	392-171-755	AM/DE-P 80-05-137	434-69-040	NEW-P 80-03-119
392-171-571	RECOD-P 80-05-137	392-171-756	RECOD-P 80-05-137	434-69-040	NEW 80-05-013
392-171-575	AM/DE-P 80-05-137	392-171-760	AM/DE-P 80-05-137	434-69-050	NEW-P 80-03-119
392-171-576	RECOD-P 80-05-137	392-171-761	RECOD-P 80-05-137	434-69-050	NEW 80-05-013
392-171-580	AM/DE-P 80-05-137	392-171-766	RECOD-P 80-05-137	434-69-060	NEW-P 80-03-119
392-171-581	RECOD-P 80-05-137	392-171-771	RECOD-P 80-05-137	434-69-060	NEW 80-05-013
392-171-585	AM/DE-P 80-05-137	392-171-776	RECOD-P 80-05-137	434-69-070	NEW-P 80-03-119
392-171-586	RECOD-P 80-05-137	392-171-781	RECOD-P 80-05-137	434-69-070	NEW 80-05-013
392-171-590	AM/DE-P 80-05-137	392-171-786	NEW-P 80-05-137	434-69-080	NEW-P 80-03-119
392-171-591	RECOD-P 80-05-137	392-173	AMD-P 80-05-088	434-69-080	NEW 80-05-013
392-171-595	AM/DE-P 80-05-137	392-173	AMD-P 80-08-001	446-20-010	NEW-P 80-05-101
392-171-596	RECOD-P 80-05-137	392-173-005	AMD-P 80-05-088	446-20-010	NEW-E 80-05-102
392-171-600	AM/DE-P 80-05-137	392-173-010	AMD-P 80-05-088	446-20-010	NEW 80-08-057
392-171-601	RECOD-P 80-05-137	392-173-015	AMD-P 80-05-088	446-20-020	NEW-P 80-05-101
392-171-605	AM/DE-P 80-05-137	392-173-020	AMD-P 80-05-088	446-20-020	NEW-E 80-05-102
392-171-606	RECOD-P 80-05-137	392-173-025	AMD-P 80-05-088	446-20-020	NEW 80-08-057
392-171-610	AM/DE-P 80-05-137	392-173-030	AMD-P 80-05-088	446-20-030	NEW-P 80-05-101
392-171-611	RECOD-P 80-05-137	392-173-035	AMD-P 80-05-088	446-20-030	NEW-E 80-05-102
392-171-615	AM/DE-P 80-05-137	392-173-040	AMD-P 80-05-088	446-20-030	NEW 80-08-057
392-171-616	RECOD-P 80-05-137	392-173-045	AMD-P 80-05-088	446-20-040	NEW-P 80-05-101
392-171-620	AM/DE-P 80-05-137	392-173-050	AMD-P 80-05-088	446-20-040	NEW-E 80-05-102
392-171-621	RECOD-P 80-05-137	392-173-055	AMD-P 80-05-088	446-20-040	NEW 80-08-057
392-171-625	AM/DE-P 80-05-137	392-173-060	REP-P 80-05-088	446-20-050	NEW-P 80-05-101
392-171-626	RECOD-P 80-05-137	392-173-065	AMD-P 80-05-088	446-20-050	NEW-E 80-05-102
392-171-630	AM/DE-P 80-05-137	392-173-070	REP-P 80-05-088	446-20-050	NEW 80-08-057
392-171-631	RECOD-P 80-05-137	392-173-075	AMD-P 80-05-088	446-20-060	NEW-P 80-05-101
392-171-635	AM/DE-P 80-05-137	392-173-080	AMD-P 80-05-088	446-20-060	NEW-E 80-05-102
392-171-636	RECOD-P 80-05-137	392-181-005	REP-P 80-03-110	446-20-060	NEW 80-08-057
392-171-640	AM/DE-P 80-05-137	392-181-005	REP 80-05-041	446-20-070	NEW-P 80-05-101
392-171-641	RECOD-P 80-05-137	392-181-010	REP-P 80-03-110	446-20-070	NEW-E 80-05-102
392-171-645	AM/DE-P 80-05-137	392-181-010	REP 80-05-041	446-20-070	NEW 80-08-057
392-171-646	RECOD-P 80-05-137	392-181-015	REP-P 80-03-110	446-20-080	NEW-P 80-05-101
392-171-650	AM/DE-P 80-05-137	392-181-015	REP 80-05-041	446-20-080	NEW-E 80-05-102
392-171-651	RECOD-P 80-05-137	392-181-020	REP-P 80-03-110	446-20-080	NEW 80-08-057
392-171-655	AM/DE-P 80-05-137	392-181-020	REP 80-05-041	446-20-090	NEW-P 80-05-101
392-171-656	RECOD-P 80-05-137	392-181-025	REP-P 80-03-110	446-20-090	NEW-E 80-05-102
392-171-660	AM/DE-P 80-05-137	392-181-025	REP 80-05-041	446-20-090	NEW 80-08-057

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
446-20-100	NEW-P	80-05-101	448-12-020	AMD-P	80-04-004	458-57-140	NEW-P	80-01-116
446-20-100	NEW-E	80-05-102	448-12-020	AMD-E	80-04-005	458-57-140	NEW	80-03-048
446-20-100	NEW	80-08-057	448-12-020	AMD	80-05-112	458-57-150	NEW-P	80-01-116
446-20-110	NEW-P	80-05-101	448-12-090	AMD-P	80-04-004	458-57-150	NEW	80-03-048
446-20-110	NEW-E	80-05-102	448-12-090	AMD-E	80-04-005	458-57-160	NEW-P	80-01-116
446-20-110	NEW	80-08-057	448-12-090	AMD	80-05-112	458-57-160	NEW	80-03-048
446-20-120	NEW-P	80-05-101	448-12-100	AMD-P	80-04-004	458-57-170	NEW-P	80-01-116
446-20-120	NEW-E	80-05-102	448-12-100	AMD-E	80-04-005	458-57-170	NEW	80-03-048
446-20-120	NEW	80-08-057	448-12-100	AMD	80-05-112	458-57-180	NEW-P	80-01-116
446-20-130	NEW-P	80-05-101	458-20-192	AMD-E	80-08-058	458-57-180	NEW	80-03-048
446-20-130	NEW-E	80-05-102	458-40-18600	AMD-P	80-05-117	458-57-190	NEW-P	80-01-116
446-20-130	NEW	80-08-057	458-40-18600	AMD	80-08-041	458-57-190	NEW	80-03-048
446-20-140	NEW-P	80-05-101	458-40-18600	AMD-E	80-08-042	458-57-200	NEW-P	80-01-116
446-20-140	NEW-E	80-05-102	458-40-18629	AMD	80-02-019	458-57-200	NEW	80-03-048
446-20-140	NEW	80-08-057	458-40-18643	NEW-P	80-05-117	458-57-210	NEW-P	80-01-116
446-20-150	NEW-P	80-05-101	458-40-18643	NEW	80-08-041	458-57-210	NEW	80-03-048
446-20-150	NEW-E	80-05-102	458-40-18643	NEW-E	80-08-042	458-57-220	NEW-P	80-01-116
446-20-150	NEW	80-08-057	458-40-18644	NEW-P	80-05-117	458-57-220	NEW	80-03-048
446-20-160	NEW-P	80-05-101	458-40-18644	NEW	80-08-041	458-57-230	NEW-P	80-01-116
446-20-160	NEW-E	80-05-102	458-40-18644	NEW-E	80-08-042	458-57-230	NEW	80-03-048
446-20-160	NEW	80-08-057	458-40-18645	NEW-P	80-05-117	458-57-240	NEW-P	80-01-116
446-20-170	NEW-P	80-05-101	458-40-18645	NEW	80-08-041	458-57-240	NEW	80-03-048
446-20-170	NEW-E	80-05-102	458-40-18645	NEW-E	80-08-042	458-57-250	NEW-P	80-01-116
446-20-170	NEW	80-08-057	458-40-18646	NEW-P	80-05-117	458-57-250	NEW	80-03-048
446-20-180	NEW-P	80-05-101	458-40-18646	NEW	80-08-041	458-57-260	NEW-P	80-01-116
446-20-180	NEW-E	80-05-102	458-40-18646	NEW-E	80-08-042	458-57-260	NEW	80-03-048
446-20-180	NEW	80-08-057	458-40-18647	NEW-P	80-05-117	458-57-270	NEW-P	80-01-116
446-20-190	NEW-P	80-05-101	458-40-18647	NEW	80-08-041	458-57-270	NEW	80-03-048
446-20-190	NEW-E	80-05-102	458-40-18647	NEW-E	80-08-042	458-57-280	NEW-P	80-01-116
446-20-190	NEW	80-08-057	458-40-18648	NEW-P	80-05-117	458-57-280	NEW	80-03-048
446-20-200	NEW-P	80-05-101	458-40-18648	NEW	80-08-041	458-57-290	NEW-P	80-01-116
446-20-200	NEW-E	80-05-102	458-40-18648	NEW-E	80-08-042	458-57-290	NEW	80-03-048
446-20-200	NEW	80-08-057	458-40-19000	AMD-P	80-05-117	458-57-300	NEW-P	80-01-116
446-20-210	NEW-P	80-05-101	458-40-19000	AMD	80-08-041	458-57-300	NEW	80-03-048
446-20-210	NEW-E	80-05-102	458-40-19000	AMD-E	80-08-042	458-57-310	NEW-P	80-01-116
446-20-210	NEW	80-08-057	458-40-19001	AMD-P	80-05-117	458-57-310	NEW	80-03-048
446-20-220	NEW-P	80-05-101	458-40-19001	AMD	80-08-041	458-57-320	NEW-P	80-01-116
446-20-220	NEW-E	80-05-102	458-40-19001	AMD-E	80-08-042	458-57-320	NEW	80-03-048
446-20-220	NEW	80-08-057	458-40-19002	AMD-P	80-05-117	458-57-330	NEW-P	80-01-116
446-20-230	NEW-P	80-05-101	458-40-19002	AMD	80-08-041	458-57-330	NEW	80-03-048
446-20-230	NEW-E	80-05-102	458-40-19002	AMD-E	80-08-042	458-57-340	NEW-P	80-01-116
446-20-230	NEW	80-08-057	458-40-19003	AMD-P	80-05-117	458-57-340	NEW	80-03-048
446-20-240	NEW-P	80-05-101	458-40-19003	AMD	80-08-041	458-57-350	NEW-P	80-01-116
446-20-240	NEW-E	80-05-102	458-40-19003	AMD-E	80-08-042	458-57-350	NEW	80-03-048
446-20-240	NEW	80-08-057	458-40-19004	AMD-P	80-05-117	458-57-360	NEW-P	80-01-116
446-20-250	NEW-P	80-05-101	458-40-19004	AMD	80-08-041	458-57-360	NEW	80-03-048
446-20-250	NEW-E	80-05-102	458-40-19004	AMD-E	80-08-042	458-57-370	NEW-P	80-01-116
446-20-250	NEW	80-08-057	458-57	NEW-P	80-03-003	458-57-370	NEW	80-03-048
446-20-260	NEW-P	80-05-101	458-57-010	NEW-P	80-01-116	458-57-380	NEW-P	80-01-116
446-20-260	NEW-E	80-05-102	458-57-010	NEW	80-03-048	458-57-380	NEW	80-03-048
446-20-260	NEW	80-08-057	458-57-020	NEW-P	80-01-116	458-57-390	NEW-P	80-01-116
446-20-270	NEW-P	80-05-101	458-57-020	NEW	80-03-048	458-57-390	NEW	80-03-048
446-20-270	NEW-E	80-05-102	458-57-030	NEW-P	80-01-116	458-57-400	NEW-P	80-01-116
446-20-270	NEW	80-08-057	458-57-030	NEW	80-03-048	458-57-400	NEW	80-03-048
446-20-400	NEW-P	80-05-101	458-57-040	NEW-P	80-01-116	458-57-410	NEW-P	80-01-116
446-20-400	NEW-E	80-05-102	458-57-040	NEW	80-03-048	458-57-410	NEW	80-03-048
446-20-400	NEW	80-08-057	458-57-050	NEW-P	80-01-116	458-57-420	NEW-P	80-01-116
446-20-410	NEW-P	80-05-101	458-57-050	NEW	80-03-048	458-57-420	NEW	80-03-048
446-20-410	NEW-E	80-05-102	458-57-060	NEW-P	80-01-116	458-57-430	NEW-P	80-01-116
446-20-410	NEW	80-08-057	458-57-060	NEW	80-03-048	458-57-430	NEW	80-03-048
446-20-420	NEW-P	80-05-101	458-57-070	NEW-P	80-01-116	458-57-440	NEW-P	80-01-116
446-20-420	NEW-E	80-05-102	458-57-070	NEW	80-03-048	458-57-440	NEW	80-03-048
446-20-420	NEW	80-08-057	458-57-080	NEW-P	80-01-116	458-57-450	NEW-P	80-01-116
446-20-430	NEW-P	80-05-101	458-57-080	NEW	80-03-048	458-57-450	NEW	80-03-048
446-20-430	NEW-E	80-05-102	458-57-090	NEW-P	80-01-116	458-57-460	NEW-P	80-01-116
446-20-430	NEW	80-08-057	458-57-090	NEW	80-03-048	458-57-460	NEW	80-03-048
446-20-440	NEW-P	80-05-101	458-57-100	NEW-P	80-01-116	458-57-470	NEW-P	80-01-116
446-20-440	NEW-E	80-05-102	458-57-100	NEW	80-03-048	458-57-470	NEW	80-03-048
446-20-440	NEW	80-08-057	458-57-110	NEW-P	80-01-116	458-57-480	NEW-P	80-01-116
446-20-450	NEW-P	80-05-101	458-57-110	NEW	80-03-048	458-57-480	NEW	80-03-048
446-20-450	NEW-E	80-05-102	458-57-120	NEW-P	80-01-116	458-57-490	NEW-P	80-01-116
446-20-450	NEW	80-08-057	458-57-120	NEW	80-03-048	458-57-490	NEW	80-03-048
448-12-015	AMD-P	80-04-004	458-57-130	NEW-P	80-01-116	458-57-500	NEW-P	80-01-116
448-12-015	AMD-E	80-04-005	458-57-130	NEW	80-03-048	458-57-500	NEW	80-03-048

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
460-10A-015	AMD-P	80-02-098	461-08-006	NEW-P	80-06-052	480-40-070	AMD-P	80-06-155
460-10A-015	AMD	80-04-037	461-08-070	AMD	80-02-100	480-40-075	NEW-P	80-04-031
460-16A-085	AMD-P	80-02-098	466-06-010	REP-P	80-06-148	480-40-075	NEW-E	80-04-032
460-16A-085	AMD	80-04-037	468-38-450	AMD-P	80-03-043	480-40-075	NEW-P	80-06-155
460-20A-220	AMD-P	80-02-098	468-38-450	AMD-E	80-04-043	480-70-330	AMD-P	80-04-029
460-20A-220	AMD	80-04-037	468-38-450	AMD	80-04-044	480-70-330	AMD-E	80-04-030
460-32A-235	AMD-P	80-02-098	468-42-014	AMD-E	80-02-042	480-70-330	AMD-P	80-06-154
460-32A-235	AMD	80-04-037	468-42-125	NEW	80-02-088	480-70-400	AMD-P	80-04-029
460-42A-080	AMD-P	80-02-098	468-42-129	AMD	80-03-020	480-70-400	AMD-E	80-04-030
460-42A-080	AMD	80-04-037	468-42-542	AMD-P	80-03-065	480-70-400	AMD-P	80-06-154
460-42A-085	NEW-P	80-02-098	468-42-542	AMD-E	80-03-066	480-70-405	NEW-P	80-04-029
460-42A-085	NEW	80-04-037	468-42-542	AMD	80-05-028	480-70-405	NEW-E	80-04-030
460-44A-010	AMD-P	80-02-098	468-58-050	AMD-P	80-03-015	480-70-405	NEW-P	80-06-154
460-44A-010	AMD	80-04-037	468-58-050	AMD-E	80-03-055	480-120-056	AMD-P	80-05-131
460-44A-020	AMD-P	80-02-139	468-58-050	AMD	80-05-027	480-120-056	AMD-P	80-08-031
460-44A-020	AMD	80-04-037	468-66-010	AMD-P	80-02-141	480-120-061	AMD-P	80-05-131
460-44A-030	AMD-P	80-02-098	468-66-010	AMD-P	80-04-035	480-120-061	AMD-P	80-08-031
460-44A-030	AMD	80-04-037	468-66-010	AMD-P	80-05-026	480-120-081	AMD-P	80-05-131
460-44A-040	REP-P	80-02-098	468-66-010	AMD	80-06-057	480-120-081	AMD-P	80-08-031
460-44A-040	REP	80-04-037	468-66-030	AMD-P	80-02-141	482-12-010	REP-P	80-05-142
460-44A-041	NEW-P	80-02-098	468-66-030	AMD-P	80-04-035	482-12-015	REP-P	80-05-142
460-44A-041	NEW	80-04-037	468-66-030	AMD	80-04-095	482-12-020	REP-P	80-05-142
460-44A-045	NEW-P	80-02-098	468-66-040	REP-P	80-02-141	482-12-025	REP-P	80-05-142
460-44A-045	NEW	80-04-037	468-66-040	REP-P	80-04-035	482-12-030	REP-P	80-05-142
460-44A-060	AMD-P	80-02-098	468-66-040	REP	80-04-095	482-12-035	REP-P	80-05-142
460-44A-060	AMD	80-04-037	468-66-050	AMD-P	80-02-141	482-12-040	REP-P	80-05-142
460-44A-065	NEW-P	80-02-098	468-66-050	AMD-P	80-04-035	482-12-050	REP-P	80-05-142
460-44A-065	NEW	80-04-037	468-66-050	AMD	80-05-055	482-12-060	REP-P	80-05-142
460-44A-070	NEW-P	80-02-098	468-66-070	AMD-P	80-02-141	482-12-100	REP-P	80-05-142
460-44A-070	NEW	80-04-037	468-66-070	AMD-P	80-04-035	482-12-105	REP-P	80-05-142
460-44A-075	NEW-P	80-02-098	468-66-070	AMD	80-05-055	482-12-110	REP-P	80-05-142
460-44A-075	NEW	80-04-037	468-66-140	AMD-P	80-02-141	482-12-150	REP-P	80-05-142
460-60A-015	AMD-P	80-02-098	468-66-140	AMD	80-04-095	482-12-160	REP-P	80-05-142
460-60A-015	AMD	80-04-037	468-95	AMD-P	80-02-110	482-12-190	REP-P	80-05-142
460-80-105	NEW-P	80-02-099	468-95	AMD	80-04-045	482-12-210	REP-P	80-05-142
460-80-110	AMD-P	80-02-099	468-300-005	AMD-P	80-02-174	482-16-010	REP-P	80-05-142
460-80-110	AMD	80-04-036	468-300-005	AMD	80-04-104	482-16-015	REP-P	80-05-142
460-80-120	REP-P	80-02-099	468-300-010	AMD-P	80-02-174	482-16-025	REP-P	80-05-142
460-80-120	REP	80-04-036	468-300-010	AMD	80-04-104	482-16-035	REP-P	80-05-142
460-80-125	NEW-P	80-02-099	468-300-010	AMD	80-04-104	482-16-045	REP-P	80-05-142
460-80-125	NEW	80-04-036	468-300-020	AMD-P	80-02-174	482-16-050	REP-P	80-05-142
460-80-130	REP-P	80-02-099	468-300-020	AMD	80-04-104	482-16-060	REP-P	80-05-142
460-80-130	REP	80-04-036	468-300-030	AMD-P	80-02-174	482-16-100	REP-P	80-05-142
460-80-140	AMD-P	80-02-099	468-300-030	AMD	80-04-104	484-10-030	AMD-P	80-05-142
460-80-140	AMD	80-04-036	468-300-040	AMD-P	80-02-174	484-20-010	AMD-P	80-05-142
460-80-150	REP-P	80-02-099	468-300-050	AMD	80-04-104	484-20-015	AMD-P	80-05-142
460-80-150	REP	80-04-036	468-300-050	AMD-P	80-02-174	484-20-020	AMD-P	80-05-142
460-80-170	REP-P	80-02-099	468-300-100	NEW-P	80-06-148	484-20-030	AMD-P	80-05-142
460-80-170	REP	80-04-036	468-300-110	NEW-P	80-06-148	484-20-035	AMD-P	80-05-142
460-80-180	REP-P	80-02-099	468-300-500	REP-P	80-02-174	484-20-040	AMD-P	80-05-142
460-80-180	REP	80-04-036	468-300-500	REP	80-04-104	484-20-050	AMD-P	80-05-142
460-80-200	REP-P	80-02-099	468-300-700	NEW-P	80-06-148	484-20-055	AMD-P	80-05-142
460-80-200	REP	80-04-036	478-116-240	AMD-P	80-06-133	484-20-065	AMD-P	80-05-142
460-80-210	REP-P	80-02-099	478-116-600	AMD-P	80-06-133	484-20-068	AMD-P	80-05-142
460-80-210	REP	80-04-036	478-132-030	AMD	80-03-049	484-20-070	AMD-P	80-05-142
460-80-220	REP-P	80-02-099	478-138-050	AMD-P	80-06-133	484-20-075	AMD-P	80-05-142
460-80-220	REP	80-04-036	478-156-016	AMD	80-03-005	484-20-080	AMD-P	80-05-142
460-80-300	AMD-P	80-02-099	478-156-017	AMD	80-03-005	484-20-090	AMD-P	80-05-142
460-80-300	AMD	80-04-036	479-16-015	AMD-P	80-06-063	484-20-100	AMD-P	80-05-142
460-80-315	NEW-P	80-02-099	479-20-036	AMD-P	80-06-063	484-20-110	AMD-P	80-05-142
460-80-315	NEW	80-04-036	480-12-180	AMD-P	80-06-157	484-20-145	AMD-P	80-05-142
460-80-320	REP-P	80-02-099	480-12-186	NEW-P	80-06-157	484-40-005	AMD-P	80-05-142
460-80-320	REP	80-04-036	480-12-195	AMD-E	80-08-029	484-40-020	AMD-P	80-05-142
460-80-330	REP-P	80-02-099	480-12-195	AMD-P	80-08-032	490-38-010	REP-P	80-02-004
460-80-330	REP	80-04-036	480-12-260	AMD-E	80-08-029	490-38-010	REP	80-05-062
460-80-900	REP-P	80-02-099	480-12-260	AMD-P	80-08-032	490-38-020	REP-P	80-02-004
460-80-900	REP	80-04-036	480-30-095	NEW-P	80-04-033	490-38-020	REP	80-05-062
460-80-905	NEW-P	80-02-099	480-30-095	NEW-E	80-04-034	490-38-030	REP-P	80-02-004
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