

APRIL 15, 1981

OLYMPIA, WASHINGTON

ISSUE 81-08



IN THIS ISSUE

Agriculture, Department of
Attorney General, Office of the
Bellevue Community College
Boiler Rules, Board of
Centralia College
Central Washington University
Dental Examiners, Board of
Ecology, Department of
Education, State Board of
Energy Facility Site Evaluation Council
Evergreen State College, The
Fisheries, Department of
Gambling Commission
Game, Department of

General Administration, Department of
Health, Board of
Horse Racing Commission
Insurance Commissioner/Fire Marshal
Jail Commission
Labor and Industries, Department of
Massage Examining Board
Public Disclosure Commission
Social and Health Services, Department of
Tacoma Community College
Transportation, Department of
University of Washington
Vocational Education, Advisory Council On
Washington State University

(Subject/Agency index at back of issue)
This issue contains documents officially
filed not later than April 1, 1981.

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 81-15-37.

PUBLIC INSPECTION OF DOCUMENTS

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

REPUBLICATION OF OFFICIAL DOCUMENTS

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

CERTIFICATE

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

DENNIS W. COOPER
Code Reviser

WASHINGTON STATE REGISTER

(ISSN 0164-6389) is published twice each month by the Statute Law Committee, Office of the Code Reviser, Olympia, WA 98504, pursuant to chapter 240, Laws of 1977 ex. sess. Subscription rate \$50 per year, postpaid to points in the United States. Second-class postage paid at Olympia, Washington.

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

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

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

Robert L. Charette,
Chairman, Statute Law Committee

Dennis W. Cooper,
Code Reviser

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

GayLynne Marelius
Editor

Joyce Christian
Subscription Clerk

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.

1981

DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue No.	Distribution Date	First Agency Action Date ²	Closing Dates ¹		
			OTS ³ OR 10 pages maximum (14 days)	Non-OTS and 11 to 29 pages (28 days)	Non-OTS and 30 pages or more (42 days)
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
81-13	Jul 1	Jul 21	Jun 17	Jun 3	May 20
81-14	Jul 15	Aug 4	Jul 1	Jun 17	Jun 3
81-15	Aug 5	Aug 25	Jul 22	Jul 8	Jun 24
81-16	Aug 19	Sep 8	Aug 5	Jul 22	Jul 8
81-17	Sep 2	Sep 22	Aug 19	Aug 5	Jul 22
81-18	Sep 16	Oct 6	Sep 2	Aug 19	Aug 5
81-19	Oct 7	Oct 27	Sep 23	Sep 9	Aug 26
81-20	Oct 21	Nov 10	Oct 7	Sep 23	Sep 9
81-21	Nov 4	Nov 24	Oct 21	Oct 7	Sep 23
81-22	Nov 18	Dec 8	Nov 4	Oct 21	Oct 7
81-23	Dec 2	Dec 22	Nov 18	Nov 4	Oct 21
81-24	Dec 16	Jan 5, 1982	Dec 2	Nov 18	Nov 4

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 81-08-001**ADOPTED RULES****JAIL COMMISSION**

[Order 12—Filed March 19, 1981]

Be it resolved by the Washington State Jail Commission, acting at State Office Building #2, Olympia, Washington, that it does promulgate and adopt the annexed rules relating to revisions to detention and correctional facility custodial care standards relating to overcrowding, adopting WAC 289-15-220 and housing of juveniles, amending WAC 289-16-230(3)(b).

This action is taken pursuant to Notice No. WSR 81-04-063 filed with the code reviser on February 4, 1981. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to chapter 70.48 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 March 12, 1981.

By George Edensword-Breck
Director

NEW SECTION**WAC 289-15-220**

OVERCROWDING (DETENTION AND CORRECTIONAL FACILITIES) (1) No prisoner shall be required to sleep directly on the floor for any length of time, or on a mattress on the floor in excess of one 72-hour period, unless there are reasonable grounds to believe that such provisions are necessary to prevent the prisoner from damaging property, inflicting bodily harm to himself or others or substantially compromising the security of the jail.

(2) Existing Jails. (a) The director of the local department of corrections or chief law enforcement officer shall establish a maximum reasonable capacity and an emergency capacity for each existing detention and correctional facility. Notice of such established maximum reasonable capacity and emergency capacity shall be delivered to the State Jail Commission within 30 days of the final adoption of this standard.

(b) Within 45 days of the receipt by the Jail Commission of notice of an established maximum reasonable capacity and emergency capacity for a given facility, the Commission shall schedule a public meeting at which time action will be taken to concur in or revise those capacity figures, pursuant to RCW 34.04.025 through 34.04.058. A written notice of such meeting shall be provided by the Director to all known interested parties at least 20 days in advance of such meeting. It shall be the responsibility of the Jail Commission to establish the invalidity of the established maximum capacities proposed by the governing unit in question.

(3) New facilities. (a) The Commission shall establish a maximum reasonable capacity for each newly constructed detention or correctional facility which is funded at the total fundable capacity set by the Commission. Such maximum reasonable capacity shall be based upon the physical plant standards set forth in Chapter 289-12 WAC.

(b) An emergency capacity for each new facility shall be established in accordance with the procedures set forth under WAC 289-15-220(2).

(c) The maximum reasonable capacity shall not be exceeded for more than five days within any 30-day period and in such cases the number of prisoners held shall not exceed the emergency capacity established for the facility.

(4) Overcrowding. (a) Any holding of prisoners beyond the established emergency capacity for any period of time, or beyond the maximum reasonable capacity for more than five days in a given 30-day period, shall be reported in writing by mail to the Director by the department of corrections or chief law enforcement officer on the first business day following its concurrence. Each such case of overcrowding shall be referred to the Commission for possible enforcement action under Chapter 289-30 WAC.

(b) Any report of conditions of overcrowding required under this section shall be considered as a notice of an emergency suspension of standards within the meaning of WAC 289-14-010.

(c) An emergency suspension of the overcrowding standard established under this section must be approved by the Director.

(d) No emergency suspension of the standards relative to established maximum reasonable capacities beyond five days within any 30-day period shall be approved except when the following conditions are met:

(i) Any related suspension of other custodial care standards is also specifically approved;

(ii) All existing diversion programs have been fully utilized;

(iii) All prisoners being held for other jurisdictions have been transferred to those jurisdictions to the extent possible;

(iv) All facilities within adjacent counties have been utilized to the fullest extent reasonably practical and permissible by their classifications; and

(v) Staff are available to and do, in fact, check each overcrowded living area at least once within every 30-minute period, except as provided under WAC 289-16-210 and 289-16-230(3)(b).

(e) Each department of corrections or chief law enforcement officer shall establish, with the cooperation of the presiding judge of the superior court, a procedure for release of prisoners before the end of their term when overcrowding occurs as herein defined.

(f) In the event of overcrowding caused in part by the existence of state prisoners, the Director shall contact the State Division or Department of Adult Corrections in an effort to have such prisoners removed.

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

AMENDATORY SECTION (Amending Order 10, filed 3/18/81)WAC 289-16-230CLASSIFICATION/SEGREGATION. (DETENTION AND CORRECTIONAL FACILITIES.) (1) Classification.

(a) The department of corrections or chief law enforcement officer shall establish written classification and reclassification procedures which shall be included in the manual of policies and procedures.

(b) A classification committee, or individual shall be designated as responsible for classification of prisoners confined in the facility in accordance with such written procedures: PROVIDED, That this does not preclude designation of alternate persons to serve in such individuals' absence: PROVIDED FURTHER, That certain classification functions, such as initial cell assignment, may be delegated, in writing, to staff not assigned to classification functions.

(c) It is recommended that no less than two facility staff members be responsible for classification determinations when reasonably possible. WAC 289-16-230(1)(c) ADVISORY.

(d) For each prisoner confined in a detention or correctional facility, those responsible for classification shall determine the degree of security required, housing assignment, program eligibility, and regulations for association within and outside the confinement area.

(2) Classification procedures.

(a) Each prisoner confined in a detention or correctional facility shall be interviewed by the persons responsible for classification determinations or other designated staff. Where designated staff conduct the interviews, the information shall be reported to the classification committee, or person responsible in a uniform manner.

(b) Each prisoner shall be classified as soon as reasonably possible.

(c) The prisoner shall be promptly informed of any classification housing assignment decision other than "general population", and of his right to have that decision reviewed upon making a request. Such notice shall also be given with regard to any reclassification action.

(d) A prisoner who is dissatisfied with his housing assignment shall be entitled to a review of the decision by the department of corrections or chief law enforcement officer upon making a written request, and shall be promptly informed of this right. Such request shall be reviewed by the department of corrections, chief law enforcement officer, or a designated staff member supervisory to the classification committee, within 72 hours of its receipt by staff. The prisoner shall receive a written decision of the review of such assignment, including reason(s).

(3) Criteria for prisoner classification.

(a) The primary criteria for classification shall be the safety of the prisoner and the security of the institution.

(b) Juveniles.

(i) No juvenile shall be held in a jail without sight and sound separation from adult prisoners. For purposes of

this standard, a juvenile is a person under the chronological age of eighteen, who has not been remanded to superior court jurisdiction: PROVIDED, That no person under the chronological age of sixteen shall be held in a jail in which adult prisoners are also being held((-)); PROVIDED FURTHER, That this standard does not preclude or prohibit the housing of remanded pretrial prisoners under the chronological age of eighteen within juvenile detention facilities rather than city or county adult detention facilities.

(ii) All governing units are advised of the provisions of the Juvenile Justice and Delinquency Prevention Act of 1974 (Public Law 93-415) as amended by the Juvenile Amendments of 1980 (Public Law 96-509) which provide that no juveniles be housed in adult detention facilities after 1985, denies certain federal funds to states which do not comply with this requirement, and directs that guidelines shall be established for meeting this requirement over the five-year period. WAC 289-16-230(3)(b)(ii) ADVISORY.

(c) Females shall be segregated from visual communication and physical contact with male prisoners except under the direct supervision of a staff person.

(d) Special problem prisoners who endanger the health and safety of other prisoners (or themselves) shall be segregated and closely supervised.

(e) Prisoners on work release or weekend confinement programs, and any other prisoners who have regular contact outside the jail shall be segregated from other prisoner categories.

(f) Factors to be considered in classification shall include, but are not limited to, age, type of crime, pretrial versus post-trial status, and offender sophistication.

(4) Administrative segregation.

(a) Written classification procedures shall include provisions for the separation of certain prisoners for their own protection, for purposes of investigation, and for the security of the facility.

(b) Written documentation shall be maintained for each case of administrative segregation.

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

Reviser's Note: 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 81-08-002

ADOPTED RULES

TACOMA COMMUNITY COLLEGE

[Order 6-81, Resolution 81-6—Filed March 19, 1981]

Be it resolved by the board of trustees, of the Tacoma Community College, Community College District 22, acting at John Binns Room, Building 7, Tacoma Community College, that it does promulgate and adopt the annexed rules relating to faculty tenure rights and procedures, amending chapter 132V-22 WAC.

This action is taken pursuant to Notice No. WSR 81-03-061 filed with the code reviser on January 20, 1981.

Such rules shall take effect pursuant to RCW 28B.19.050(2).

This rule is promulgated pursuant to RCW 28B.50.140(13) and is intended to administratively implement that statute.

This rule is promulgated pursuant to RCW 28B.50.852 which directs that the appointing authority of Community College District 22 has authority to implement the provisions of the rules and regulations pertaining to the Community College Faculty Tenure Act, RCW 28B.50.850 through 28B.50.869.

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

APPROVED AND ADOPTED March 17, 1981.

By Larry P. Stevens
Secretary

AMENDATORY SECTION (Amending Order 16, filed 12/28/73)

WAC 132V-22-010 PURPOSE—TENURE. The Board of Trustees of Community College District ((No:)) 22 hereby establishes the following rules on ((faculty)) academic employee tenure(;-). The purpose of ((which)) tenure is twofold(;-):

(1) To protect faculty appointment rights and faculty involvement in the establishment and protection of those rights at Tacoma Community College and all subsequent community colleges hereafter established within Community College District ((No:)) 22; and

(2) To assure that tenure is granted to ((faculty members)) academic employees of such character and scholarly ability that the district, so far as its resources permit, can justifiably undertake to employ them for the rest of their academic careers.

Reviser's Note: RCW 28B.19.077 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 16, filed 12/28/73)

WAC 132V-22-020 DEFINITIONS. As used in this chapter ((WAC 132V-22)), the following terms and definitions shall mean

(1) "Appointing authority" shall mean the Board of Trustees of Community College District ((No:)) 22.

(2) The definitions of "tenure", "faculty appointment", "probationary faculty appointment", "probationer", and "administrative appointment", shall be the same as are contained within ((section 33, chapter 283, Laws of 1969 ex. sess., as amended by sections 1 and 3 of chapter 5, Laws of 1970, and)) RCW 28B.50.851 as now or hereafter amended.

(3) "Regular college year" shall mean a faculty appointment normally inclusive of consecutive fall, winter, and spring quarters.

(4) "President" shall mean the president of Tacoma Community College District ((No:)) 22, or in such president's absence, the acting president.

(5) "College" shall mean Tacoma Community College and any subsequent community college hereafter established within Community College District ((No:)) 22.

(6) "Tenure Review Committee" shall mean a committee composed of ((two faculty members)) three academic employees who hold tenured faculty appointments ((and)) a division chairman ((appointed pursuant to WAC 132V-22-030)), or management supervisor and a student appointed pursuant to WAC 132V-22-030.

(7) "Full-time" shall mean an appointment ((for at least two-thirds of a standard full-time workload as)) which is consistent with the full-time contractual assignment specified ((in this)) within Article 6.00 of the this negotiated agreement.

(8) "Dismissal" shall mean the termination of a tenured faculty appointment or a probationary faculty appointment by the appointing authority.

Reviser's Note: RCW 28B.19.077 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

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

AMENDATORY SECTION (Amending Order 16, filed 12/28/73)

WAC 132V-22-030 COMPOSITION OF REVIEW COMMITTEES. (1) A separate tenure review committee ((shall be established for each full-time probationer)), which shall serve as a standing committee until such time as the appointment is terminated, shall be established for each full-time probationer.

(2) Each tenure review committee shall be composed of ((three)) five persons((, two of whom)); Three shall be tenured faculty appointees selected by a majority of the tenured faculty members and faculty department heads acting in a body prior to October 15 of the probationer's first full regular college year of employment ((and additionally, each review committee shall consist of the probationer's division chairman. The division chairman shall act as chairman of the committee and)); one shall be the probationer's division chairman (or his/her management supervisor if he/she is not supervised by a division chairman); one shall be a student representative who shall be a full-time student and who shall be chosen by the student association of the college in such a manner thereof shall determine. Each tenure review committee shall select its own chairman. If the elected chairman fails to perform his/her required duties in the time period specified, management shall appoint a chairman from among the other committee members to fulfill the responsibilities. Each ((such)) review committee shall meet at the call of the chairman when, in his/her discretion, the need for such meeting arises, provided, that the committee shall meet with the probationer at least twice during each winter quarter((-and)). Additionally, the committee shall meet within ten days ((of the receipt of a written request setting forth good

~~cause to meet directed to the chairman by the probationer)) after the chairman receives the probationer's written request which states the purpose of the meeting.~~

(3) If a vacancy occurs upon any tenure review committee prior to the expiration of the probationer's appointment as such, an administrative ~~((or))~~, faculty or student member, as appropriate, shall be appointed to fill the vacancy pursuant to subsection (2) of this rule to serve for the duration of the committee's obligation.

Reviser's Note: RCW 28B.19.077 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 16, filed 12/28/73)

WAC 132V-22-040 DUTIES AND RESPONSIBILITIES OF REVIEW COMMITTEE. (1) The general duty and responsibility of the tenure review committee shall be to assess and advise the probationer of his/her professional strengths and weaknesses and to make reasonable efforts to encourage and aid him/her to overcome his/her deficiencies.

(2) The first order of business for each tenure review committee shall be to establish the procedure it will follow in evaluating the performance and professional competence of the full-time probationer assigned thereto. The committee's evaluation of the probationer shall be directed toward and result in the determination of whether or not the probationer possesses the necessary personal characteristics and professional competence to perform effectively in his/her appointment. In determining professional competence, the committee shall give due consideration to the criteria under which the employee was hired, as established by the probationer's department, program, or advisory group. A review committee's evaluation procedures should include, as it deems necessary, the following:

(a) Classroom observations by members of the tenure review committee;

(b) Student evaluation administered by ~~((someone other than the probationer))~~ a member of the review committee;

(c) Assessment of the probationer's contributions to the department, program, division, and institution by the department or program, and division heads~~((,-by))~~ and other faculty~~((,-by the representative faculty organization));~~ and

(d) Self-evaluation.

(3) Each tenure review committee shall be required to conduct an on-going evaluation of the full-time probationer assigned thereto and render the following written reports to the president, probationer, and the appointing authority on or before the designated times during each regular college year that such appointee is on a probationary status, or, as is also required, within fifteen days of the president's written request therefor:

(a) A written evaluation of each full-time probationary faculty appointee's performance, including the degree to which the probationer has overcome stated

deficiencies, on or before February 15. The review committee shall obtain the appointee's written acknowledgment of receipt of the written evaluation.

(b) A written recommendation regarding the employment or nonemployment of the probationer for the ensuing regular college year on or before February 15.

(c) A written recommendation that the appointing authority award or not award tenure, such written recommendations to be submitted ~~((at times))~~ during the regular college year deemed appropriate by each review committee, provided~~((;))~~ that during such probationer's third regular college year of appointment~~((;))~~ the review committee shall, prior to February 15 of such regular college year, make a written recommendation as to the award or nonaward of tenure. The failure of any review committee to make such written recommendation by February 15 of a probationer's third consecutive regular college year shall require that the probationer's supervising dean make a written recommendation as to the award or nonaward of tenure~~((;))~~ by the following February 25.

(4) The appointing authority shall ~~((only))~~ be required to give reasonable consideration to any recommendation of a review committee and is not bound thereby.

(5) All written evaluations and recommendations prepared and submitted by a review committee pursuant to these rules shall include the committee's findings and supportive data and analysis.

(6) If the probationer disagrees with the review committee's recommendation as to the award or nonaward of tenure, the probationer shall be provided an opportunity to challenge the review committee's recommendations before a committee of the appointing authority.

(7) On or before the last day of the winter quarter of ~~((a probationer's third consecutive))~~ each regular college year of a probationary appointment, the appointing authority shall notify ~~((him))~~ the probationer of their decision to either grant him/her tenure or not renew his/her appointment for the ensuing year.

(8) The decision of the appointing authority to not rehire a probationary academic employee for a second or third year of the probationary period or to not grant tenure is final, and the academic employee affected by this decision shall not have access to the Hearing Procedure Relating to Dismissal for Cause and Reduction-in-Force as provided by Section 12.32 of the Negotiated Agreement, but the academic employee may submit written appeal and appear, in person, at the next board meeting following such nonrenewal.

(9) As per Chapter 112, laws of 1975, 1st Extraordinary Session, those academic employees funded more than fifty-one of their annual salaries by other than state funds are nontenurable, per WAC 131-16-400. Inclusion of this paragraph shall not limit the union in its court appeal of this law, rulings pursuant thereto and its effect on present employees in this category. Management will make every effort to shift presently affected employees to tenurable jobs as they become available. Management and the union agree to make necessary modifications in this section in order to bring it into compliance with subsequent court decisions, if any.

Reviser's Note: RCW 28B.19.077 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

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

AMENDATORY SECTION (Amending Order 16, filed 12/28/73)

WAC 132V-22-050 PROCEDURE RELATING TO THE DISMISSAL FOR CAUSE OF TENURED AND PROBATIONARY FACULTY MEMBERS. A tenured faculty member shall not be dismissed by the college except for sufficient cause, nor shall a faculty member who holds a probationary faculty appointment be dismissed prior to the written terms of the appointment except for sufficient cause. Sufficient cause may include, but is not limited to:

- (1) Demonstrated incompetency in his/her professional assignment;
- (2) Proven neglect of ((duty)) recognized duties;
- (3) Proven insubordination;
- (4) Diagnosed physical or mental inability to perform assigned duties ((as a professional employee));
- (5) Convicted of any unlawful act of violence during the period of employment;
- (6) Convicted of any unlawful act resulting in destruction of college property;
- (7) Convicted of any unlawful interference with the orderly conduct of the educational process.

Reviser's Note: RCW 28B.19.077 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 16, filed 12/28/73)

WAC 132V-22-060 PRELIMINARY PROCEDURE RELATING TO THE DISMISSAL FOR CAUSE OF A TENURED OR PROBATIONARY FACULTY MEMBER. When reason arises to question the fitness of ((a faculty member)) an academic employee, the initial step shall be for the appropriate administrative officer to discuss the matter with him/her in personal conference. At this conference, the academic employee may request the presence of a union representative. The matter may be terminated by mutual consent at this point; but if an adjustment does not result, the case shall be referred to the president of the college. If the president of the college deems that the case warrants dismissal, ((and if the reasons for the dismissal are other than those specified in WAC 132V-22-100 Reduction in Force;)) the dismissal process shall ((proceed as follows)) be governed by the following procedure:

- (1) At least fifteen calendar days prior to the effective date of the dismissal action and at least thirty days prior to the convening of the dismissal for cause committee, the academic employee, who is to be dismissed by the appointing authority, and the union shall be furnished

with written notice which shall include grounds for dismissal, a statement of the legal authority and jurisdiction of the president's notice, and information of the employee's right of appeal. The notification shall be furnished directly to the employee during working hours, or shall be mailed by certified return receipt mail to the academic employee's last known address.

(2) A dismissal review committee will be established. The dismissal review committee shall be the same tenure review committee. If the tenure review committee is no longer available the dismissal review committee shall ((be made up of two teaching faculty and a member of the administrative staff appointed by the president)) have the same membership as required for a tenure review committee for a probationary academic employee. The members representing the ((teaching faculty)) academic employees shall be selected by a majority of the ((teaching faculty)) academic employees and ((faculty department heads)) department chairmen acting as a body. The president shall deliver to the review committee the statement of charges provided to the employee.

(3) Remaining steps in the procedure for dismissal for cause of tenured or probationary faculty members are as specified in ((WAC 132V-22-200 Academic Employee Hearing Procedure)) WAC 132V-22-200 of these rules.

Reviser's Note: RCW 28B.19.077 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 16, filed 12/28/73)

WAC 132V-22-100 PROCEDURE RELATING TO REDUCTION IN FORCE. (1) Definition: A reduction-in-force is a dismissal of faculty members ((because of budget reasons, lack of funds, change instructional or service programs, or lack of students participating in particular programs or services)) without prejudice and for adequate cause which shall include lack of funds and necessary curtailment of work.

(2) ((Layoff Unit: The union-management committee will define the layoff units, compile lists of employees within each unit, and recommend same to the president.)) Lay-off units and procedure for assignment:

(a) A full-time academic employee's assignment to a lay-off unit will be that within which his/her job responsibility is classified.

(b) For the duration of this agreement, the lay-off units and assignments thereto, as agreed to in the union-management meeting of February 3, 1974, or the most recent updating of those lay-off units and assignments thereto, shall be used as the basis of reduction-in-force. A person may be assigned to only one lay-off unit even though he/she is teaching in more than one unit.

(c) The institutional seniority list, which is to be published annually by November 1st of each year, under Article 9 of the Negotiated Agreement, will also include the lay-off unit to which an academic employee is currently assigned.

(3) ((Basis for Reduction: If the number of full-time contracted professional employees is to be reduced, the

~~college president, with advice from the appropriate supervising administrators, including department chairmen, shall determine in the case of each affected department or program what courses and services are most necessary to maintain quality education and services at Tacoma Community College. In making his determinations on reductions, the college president shall consider the following factors in addition to those reasons as defined in part (1) definition, above:~~

~~(a) The enrollment, the trends in enrollment, and their effect upon the department or program.~~

~~(b) The present and anticipated service needs of the college and its students and prospective students.~~

~~(c) Information concerning faculty and administrative vacancies occurring through retirement, resignation, and professional and other leave.~~

~~(d) Before arriving at proposed reduction in force decisions, the president will confer with representatives of the designated faculty organization and the student government regarding proposed reduction plans and will consider their opinions in the matter.)) Alternatives to reduction-in-force: Alternatives to reduction-in-force shall be implemented by management prior to the initiation of reduction-in-force procedures. The application of these alternatives will be handled through the appropriate division and department. A full-time employee will be given sections normally staffed by part-time employees before being offered other alternatives to reduction-in-force. Such alternatives may include, but not be limited to, those in Article 6.00 of the Negotiated Agreement.~~

~~An academic employee's agreement to one or any combination of the above-referenced alternatives, or any other alternative agreed to, will be submitted in writing to the college president.~~

~~(4) ((Order of Reduction: If a reduction is determined to be necessary within a layoff unit, the employment needs of the department or program will be the primary basis for identifying the order of reduction in force. Strong consideration will also be given to seniority as defined in Art. IX of the Negotiated Agreement. PROVIDED, That consideration results in the retention of qualified professionals to replace and perform the necessary duties of the personnel to be reduced. In determining what duties a professional is qualified to perform the president will consider but not be limited to:~~

~~(a) general professional experience;~~

~~(b) actual work experience in the area under consideration, and~~

~~(c) educational background:)) Basis for reduction: If the number of full-time contracted academic employees is to be reduced, the college president, with advice from the appropriate supervising administrators and department chairmen shall determine in the case of each affected department or program what courses and services are most necessary to maintain quality education and services at Tacoma Community College. In making his determination on reductions, the college president shall consider the following factors:~~

~~(a) Budget limitations, lack of funds, change in instructional or service programs, or lack of students participating in particular programs or services.~~

~~(b) The enrollment, the trends in enrollment, and their effect upon the department or program.~~

~~(c) The present and anticipated service needs of the college and its students and prospective students.~~

~~(d) Information concerning faculty and administrative vacancies occurring through retirement, resignation, and professional and other leave.~~

~~Before arriving at proposed reduction-in-force decisions, the president will confer with representatives of the designated faculty organization and the student government regarding proposed reduction plans and will consider their opinions in the matter.~~

~~(5) ((Right to Recall: A full-time faculty member whose contract is not renewed as a result of this reduction in force procedure shall have the right to recall to any faculty position, either a newly created position or a vacancy. PROVIDED, That the individual is determined to be qualified for such position by the college president following recommendation by the supervising dean, department chairman and/or program director. The right of recall shall extend one year from the date of layoff.)) Order of reduction: If a reduction is determined to be necessary within a lay-off unit, the employment needs of the department or program shall be the primary basis for identifying the order of reduction-in-force. First consideration will also be given to seniority as defined in Article 9.00 of the Negotiated Agreement, provided that such consideration results in the retention of qualified academic employees to replace and perform the necessary duties of the personnel reduced. In determining what duties an academic employee is qualified to perform, the president will consider, but not be limited to:~~

~~(a) General professional experience;~~

~~(b) Actual work experience in the area under consideration; and~~

~~(c) Educational background.~~

~~(6) ((Dismissal Review Committee: (1) A dismissal review committee shall be composed of three members of the faculty who shall be selected by a majority of the faculty and faculty department heads acting in a body and two administrators who shall be appointed by the college president.)) Right to recall: A full-time faculty member whose contract is not renewed as a result of this reduction-in-force procedure shall have the right to recall to any faculty position, either a newly created position or a vacancy. PROVIDED, That the individual is determined to be qualified for such position by the president of the college following recommendations by the supervising dean, department chairman and/or program director. The right of recall shall extend two years from date of lay-off.~~

~~(7) ((Procedure for Reduction in Force: In the event of a reduction in force the review committee shall consolidate all matters into a single hearing. At the hearing each individual professional staff member affected shall have the opportunity to be represented by counsel, respond to and present evidence and arguments on all issues involved, and to examine and cross-examine witnesses. At the hearing, each individual professional staff member affected shall have opportunity provided in the hearing for his counsel to protect his individual due process rights to respond and to present evidence and~~

~~argument on all issues involved and to examine and cross-examine witnesses.~~

Remaining steps in the procedure for reduction in force are as specified in WAC 132V-22-200 ~~academic employee hearing procedure.~~) Reduction-in-force review committee: A reduction-in-force review committee shall be composed of three members of the faculty who shall be selected by a majority of the faculty and faculty department heads acting in a body, one administrator who shall be appointed by the college president, and one student representative who shall be chosen by the student association of the college in such a manner as the members thereof shall determine.

(8) Preliminary procedure for reduction-in-force: When reason arises to dismiss an academic employee as a result of reduction-in-force, the initial step shall be for the appropriate administrative officer to discuss the matter with him/her in personal conference. At this conference, the academic employee may request the presence of a union representative. The matter may be terminated by mutual consent at this point; but if an adjustment does not result, the case shall be referred to the president of the college. If the president of the college still deems dismissal to be necessary, the dismissal process shall be governed by the following procedure:

(a) At least thirty calendar days prior to the convening of the dismissal review committee, the union and the academic employee who is threatened with dismissal by the appointing authority shall be furnished with written notice which shall include grounds for dismissal, a statement of the legal authority and jurisdiction of the president's notice, and information of the employee's right of appeal. The notification shall be furnished directly to the employee during working hours, or if this is not possible because of the absence of the employee, it shall be mailed by certified return receipt mail to the academic employee's last known address.

(b) A reduction-in-force review committee will be established. The reduction-in-force review committee shall be the same as the tenure review committee. If the tenure review committee is no longer available, the reduction-in-force review committee shall have the same membership as required for a tenure review committee for a probationary academic employee. The members representing academic employees shall be selected by a majority of the academic employees and department chairmen acting as a body. The president shall deliver to the reduction-in-force review committee the statement of charges provided to the employee.

(c) In the event of a reduction-in-force, the reduction-in-force review committee shall conduct a hearing. At the hearing, the academic employee affected shall have the opportunity to be represented by counsel, to respond to and present evidence and arguments on all issues involved, and to examine and cross-examine witnesses. At the hearing, the academic employee shall have the opportunity for his counsel to protect his due process rights to respond to and present evidence and arguments on all issues involved and to examine and cross-examine witnesses.

(d) Subsequent steps in the procedure for reduction-in-force are specified in WAC 132V-22-200 of these rules.

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

AMENDATORY SECTION (Amending Order 16, filed 12/28/73)

WAC 132V-22-200 ((~~ACADEMIC EMPLOYEE~~)) HEARING PROCEDURE RELATING TO DISMISSAL FOR CAUSE AND REDUCTION-IN-FORCE. ((~~The following procedure shall apply to tenure dismissals and to reduction in force dismissals of academic employee(s).~~) (1) The president shall deliver to the review committee and to the faculty member a short and plain statement which contains:

(a) The grounds for dismissal in reasonable particularity;

(b) A statement of the legal authority and jurisdiction under which the hearing is to be held;

(c) Reference to any particular statutes or rules involved.

(2) After receiving the president's recommendation for dismissal, the affected professional may request a hearing within the following ten days. If the president does not receive this request within ten days, it will be assumed the professional has chosen to withdraw from his employment and his right to a hearing will be deemed waived.

((3)) (1) The required notice of Dismissal for Cause or Reduction-In-Force to the affected academic employee(s) shall include notice of the right of a hearing before the review committee and that if the affected employee does not request such a hearing, from the president of the college within ten days after the effective date of separation from the payroll. Management will request a written determination from the employee as to whether he/she wishes to avail themselves of the right to a hearing. If after five additional days the academic employee fails to respond, this failure to request a hearing shall constitute acceptance of dismissal and waiver of any right to a hearing under the provisions of this negotiated agreement.

(2) In the event the president receives a request for a hearing, all parties shall be afforded an opportunity for a hearing after not less than twenty days' notice. The notice shall include:

(a) A statement of the time, place, and nature of the proceeding;

(b) A statement of the legal authority and jurisdiction under which the hearing is to be held;

(c) A reference to the particular rules of the ((~~institution~~)) colleges that are involved;

(d) A short and plain statement to the matters asserted.

((4) At) (3) Prior to the time of the hearing, the board and the union shall request an impartial hearing officer ((~~appointed by the board shall~~)) from the Public Employment Relations Commission to sit as a nonvoting member of the committee. It shall be his/her responsibility to:

(a) Make all rulings regarding the evidentiary and procedural issues presented during the course of the dismissal review committee hearings;

(b) Meet and confer with the members of the dismissal review committee and advise them in regard to procedural and evidentiary issues considered during the course of the committee's deliberations;

(c) Appoint a court reporter, who shall operate at the direction of the presiding officer and shall record all testimony, receive all documents and other evidence introduced during the course of the hearings, and record any other matters relating to the hearing as directed by the presiding officer;

(d) Prepare the record if requested under subsection (6) herein.

~~((5))~~(4) Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved, and to examine and cross-examine witnesses.

~~((6))~~(5) Oral proceedings shall be transcribed, if necessary, for the purposes of rehearing(;) or court reviews. A copy of the record or any part thereof shall be transcribed and furnished to any party to the hearing upon request thereof and payment of the costs thereof.

~~((7))~~(6) The record in a contested case shall include:

- (a) All documents, motions, and intermediate rulings;
- (b) Evidence received or considered;
- (c) A statement of matters officially noticed;
- (d) Questions and offers of proof, objections, and rulings thereon;

(e) Proposed findings and exceptions; and
(f) Any decisions, opinion, or report by the officer or committee chairman presiding at the hearing.

~~((8))~~(7) Findings of fact shall be based exclusively on the evidence and on matters officially noticed.

~~((9))~~(8) The ~~((institution;))~~ college or its authorized hearing officer or committee(;) may:

(a) Administer oaths and affirmations, examine witnesses, and receive evidence(,; and). No person shall be compelled to divulge information which he/she could not be compelled to divulge in a court of common law;

(b) Issue subpoenas;
(c) Take or cause depositions to be taken pursuant to rules promulgated by the ~~((institution; and))~~ college. No person shall be compelled to divulge information which he/she could not be compelled to divulge by deposition in connection with a court proceeding;

(d) Regulate the course of the hearing;
(e) Hold conferences for the settlement or simplification of the issues by consent of the parties.

~~((10))~~(9) Within twenty days following the review hearing, the review committee shall prepare recommendations on the action they propose be taken and submit such recommendations to the appointing authority. A copy of the recommendations shall be given to the ~~((faculty member))~~ academic employee involved and the president.

~~((11))~~(10) The board ~~((of trustees))~~ shall meet within thirty days ~~((subsequent to its))~~ after receipt of the dismissal review committee recommendations to consider those recommendations. ~~((The dismissal review committee's recommendations shall be advisory only and~~

~~in no respect binding in fact or law upon the decision maker, the board of trustees. In addition to the recommendations of the review committee, the board of trustees shall give consideration to other evidence or recommendations they deem necessary.))~~ The academic employee affected by the review committee recommendations may request a hearing before the board within ten days after receipt of the said recommendations. If board action affects academic employees other than the academic employee against whom dismissal action was originally taken, those academic employees shall be guaranteed protection of the entire dismissal for cause hearing procedure provided for herein. Within thirty days after the hearing before the board, the appointing authority shall inform the affected academic employee of their decision by letter.

~~((12) Within fifteen days thereafter, the appointing authority shall inform the faculty member by letter of their decision regarding the case.~~

~~((13) Any faculty member dismissed shall have a right to appeal the final decision of the appointing authority within thirty days after receipt of the notice of dismissal.~~

~~The appeal to the board shall be based on the record. The filing of an appeal shall not stay enforcement of the decision of the board of trustees.))~~

Reviser's Note: RCW 28B.19.077 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 81-08-003
PROPOSED RULES
BOARD OF HEALTH
[Filed March 19, 1981]

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 Ophthalmia Neonatorum (Infectious Conjunctivitis of the newborn), amending WAC 248-100-295;

that such agency will at 9:00 a.m., Wednesday, May 13, 1981, in Room 320, Spokane County Health District, West 1101 College Avenue, Spokane, 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, May 13, 1981, in Room 320, Spokane County Health District, West 1101 College Avenue, Spokane, 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 May 13, 1981, and/or orally at 9:00 a.m., Wednesday, May 13, 1981, Room 320, Spokane County Health District, West 1101 College Avenue, Spokane, WA.

Dated: March 19, 1981
By: John A. Beare, MD
Secretary

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Amend WAC 248-100-295 Ophthalmia Neonatorum (Infectious Conjunctivitis of the newborn).

Purpose: The purpose of the regulation is to provide guidelines for the reporting, isolation and prevention of ophthalmia neonatorum. The purpose of the rule change is to medically update the regulation and reduce its existing vagueness.

Statutory authority: RCW 43.20.050.

Summary: The amended regulation specifies how long an infant should be isolated when diagnosed as having ophthalmia neonatorum and delegates to the Health Services Division, DSHS, the responsibility for designating in a policy statement which prophylactic agents shall be used in the eyes of newborns to prevent gonococcal conjunctivitis and when the instillation shall occur. The rule change also defines the responsibilities for the administration of eye prophylaxis.

Person responsible for the drafting, implementation and enforcement of the rule:

Name: Larry Klopfenstein

Title: Supervisor

Office: Venereal Disease Program, Office of Community Health Services, Health Services Division, DSHS

Mailstop: LB-12B

Phone: 753-5810

These rules are not necessary as a result of federal laws, federal court decisions or state court decisions.

AMENDATORY SECTION (Amending Regulation .100.295, effective 3/11/60)

WAC 248-100-295 ((OPHTHALMIA)) OPTHALMIA NEONATORUM (INFECTIOUS CONJUNCTIVITIS OF THE NEWBORN.)

Regulations:

((Epidemiologic report required: isolation — Strict isolation technique must be carried out until recovery:))

Reporting:

A case of gonococcal ophthalmia neonatorum shall be reported to the local health officer on a special form provided by the state department of social and health services, health services division, in accordance with the provisions set forth in WAC 248-100-065.

Isolation:

Upon discovery that an infant is infected, the infant shall be placed in strict isolation and maintained in isolation for at least twenty-four hours after initiation of systemic antibiotic therapy.

Prevention:

(1) ((Instillation of a one percent solution of silver nitrate into the conjunctival sacs of the eyes of all infants shortly after birth.

(2) Upon request of the medical staff of a hospital, the use of some other effective and suitable preparation in lieu of silver nitrate solution may be authorized by the state director of health, providing the name and concentration of the prophylactic agent is recorded on the birth certificate of the infant.

See APHA manual for additional information and recommendations:)) It shall be the duty of any physician, nurse, midwife or other medically licensed person who attends to, or assists in, the birth of any infant or have care of same after birth, to instill or cause to be instilled into the conjunctival sacs of each newborn an effective prophylactic ophthalmic agent approved by the state director, health services division.

(2) The ophthalmic prophylactic used shall be selected from the list of approved agents as are designated in a policy statement issued by the state director, health services division. Instillation of the selected prophylactic agent shall be accomplished within the time limits specified in the policy statement.

WSR 81-08-004

WITHDRAWAL OF PROPOSED RULES
DEPARTMENT OF ECOLOGY

[Filed March 19, 1981]

Pursuant to RCW 34.04.048, the Department of Ecology hereby withdraws the Notice of Intention to Adopt Rules in Notice No. WSR 81-01-037, filed with the Code Reviser on December 11, 1980.

John F. Spencer
Deputy Director

WSR 81-08-005

ADOPTED RULES
DEPARTMENT OF ECOLOGY

[Order DE 81-4—Filed March 19, 1981]

I, John F. Spencer, deputy director of the Department of Ecology, do promulgate and adopt at the Department of Ecology, Lacey, Washington, the annexed rules relating to Tacoma, City of, amending WAC 173-19-3514.

This action is taken pursuant to Notice No. WSR 81-03-080 filed with the code reviser on January 21, 1981. 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 March 17, 1981.

By John F. Spencer
Deputy Director

AMENDATORY SECTION (Amending Order DE 80-10, filed 3/18/80)

WAC 173-19-3514 TACOMA, CITY OF. City of Tacoma master program approved April 5, 1977. Revision approved December 5, 1979. Revision approved March 17, 1981.

WSR 81-08-006
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 81-18—Filed March 20, 1981]

I, Rolland A. Schmitten, director of the State Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial shellfish regulations.

I, Rolland Schmitten, 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 scheduled for a public hearing April 21, 1981. The geoduck fishery is managed on a maximum sustained yield basis and proper enforcement and control of the harvest is necessary to safeguard the stocks from overharvest.

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

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

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

APPROVED AND ADOPTED March 20, 1981.

By Rolland A. Schmitten
 Director

NEW SECTION

WAC 220-52-01900F GEODUCK CLAMS *Notwithstanding the provisions of WAC 220-52-019, effective immediately until further notice, it is unlawful to*

(1) take, fish for or possess geoduck clams for commercial purposes from 6:00 p.m. to 6:00 a.m. or on Saturday or Sunday from the following geoduck tracts as described in Department of Natural Resources harvest agreements:

Cooper Point Geoduck Tract, (Thurston County)

Dana Pass Geoduck Tract, (Thurston County)

Dover Point Geoduck Tract (Thurston County)

Hunter Point Geoduck Tracts, (Thurston County)

(2) take, fish for or possess sea cucumbers during commercial geoduck clam harvesting operations. It is unlawful to possess sea cucumbers on board a vessel that has commercially harvested geoducks aboard.

NEW SECTION

WAC 220-52-07100A SEA CUCUMBERS *Notwithstanding the provisions of WAC 220-52-071, effective immediately until further notice, it is unlawful to*

(1) take, fish for or possess sea cucumbers for commercial purposes from 6:00 p.m. to 6:00 a.m. It is unlawful to take, fish for or possess sea cucumbers for commercial purposes on Saturday or Sunday.

(2) take, fish for or possess geoduck clams during commercial sea cucumber harvesting operations, or possess geoduck clams on board a vessel that has commercially harvested sea cucumber aboard.

WSR 81-08-007

ATTORNEY GENERAL OPINION

Cite as: AGLO 1981 No. 7

[March 19, 1981]

PENSIONS—RETIREMENT—CITIES AND TOWNS—POLICE—FIREMEN—LEOFF—USE OF MUNICIPAL FIREMEN'S PENSION FUND

(1) Monies in a prior municipal firemen's pension fund may now lawfully be used for the payment of service retirement, disability retirement and other pension benefits to qualified members of the former paid firemen's pension system and, as well, for the payment of hospitalization costs and other medical expenses incurred by firefighters covered by the Law Enforcement Officers' and Fire Fighters' System Plan I.

(2) Monies in a prior municipal firemen's pension fund may not, under existing law, be transferred to the city, town or district's current expense fund merely on the basis of an actuarial report that the pension fund contains monies in excess of the estimated needs of the applicable pension program; however, the legislature could amend the law to authorize such transfers.

Requested by:

Honorable Eleanor Lee
 State Senator, 33rd District
 105 Institutions Building
 Olympia, Washington 98504

WSR 81-08-008

PROPOSED RULES

DEPARTMENT OF TRANSPORTATION

[Filed March 23, 1981]

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

Amd	WAC 468-06-030	Exempted records.
Amd	WAC 468-06-050	Public records officer.
Amd	WAC 468-06-070	Requests for public record.
Amd	WAC 468-06-130	Records index;

that such agency will at 10:00 a.m., Monday, May 18, 1981, in the Board Room, 1D 9, Highway Administration Building, Olympia, Washington, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Monday, May 18,

1981, in the Board Room, 1D 9, Highway Administration Building, Olympia, Washington.

The authority under which these rules are proposed is RCW 42.17.250 through 42.17.350.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to May 18, 1981, and/or orally at 10:00 a.m., Monday, May 18, 1981, Board Room, 1D 9, Highway Administration Building, Olympia, Washington.

Dated: March 23, 1981

By: V. W. Korf
Deputy Secretary

STATEMENT OF PURPOSE

Title: Revisions to chapter 468-06 WAC, Public access to information and records.

Amendment to WAC 468-06-030, Exempted records. Changed and added language to be in compliance with chapter 42.17 RCW, Public records.

Amendment to WAC 468-06-050, Public records officer. Changed Administrative Services Officer to Forms and Records Manager who shall serve as the Public Records Officer in the absence of the Manager, Administrative Services.

Amendment to WAC 468-06-070, Requests for public records. Deleted DOT Form 722-018 and substituted, S.F. 276, Request for Public Record. Changed and added language to incorporate the use of this new form into the WAC.

Amendment to WAC 468-06-130, Records index. Deleted reference to the index to be maintained as specified in chapter 42.17 RCW. Amended to read that it would be unduly burdensome for the department to maintain.

Result of Federal Law or State Court Action: Not applicable.

Statutory Authority: Chapter 42.17 RCW, Public Records.

Summary of Rule: Added language to WAC to comply with chapter 40.17 RCW and made administrative change of authority. Deleted DOT Form 722-018, Request for Public Records, and added the standardized state form S.F. 276, Request for Public Record. Changed and added language to incorporate this form into the WAC. Deleted reference of an index to be maintained as it would be unduly burdensome for the department to maintain. Added language that any indices developed for agency use in the future will be available for public disclosure. Reason for Rule: The changes were made to show an administrative change of authority in the department; wording was added to Exempted Records to be identical with the wording in chapter 42.17 RCW, a form was deleted to use a standardized state version;

and to amend the statement that a current index will be maintained by the department. Changed and added language that the index would be unduly burdensome and would interfere with agency operations.

For Further Information Contact: Mr. Robert S. Anderson, Manager, Administrative Services Office, Management Services Division, Department of Transportation, Room 3A-26, Transportation Building, Olympia, Washington 98504, phone 753-7361, is responsible for the drafting and implementation of this rule.

Proponents of Rule: The Washington State Department of Transportation is the proponent of the rule.

Agency Comments or Recommendations: The Public Disclosure Commission and the Washington State Department of Transportation are responsible for the enforcement of this rule. The language used in making the revisions is such as used in other state agency WAC's.

AMENDATORY SECTION (Amending DOT Order 10 & Comm. Order 1, Resolution 13, filed 12/20/78)

WAC 468-06-030 EXEMPTED RECORDS. In accordance with RCW 42.17.310, the following personal and other records shall be exempt from public inspection and copying:

(1) Personal information in any files maintained for students in public schools, patients or clients of public institutions or public health agencies, welfare recipients, prisoners, probationers or parolees.

(2) Personal information in files maintained for employees, appointees or elected officials of any public agency to the extent that disclosure would violate their right to privacy.

(3) Information required of any taxpayer in connection with the assessment or collection of any tax if the disclosure of the information to other persons would violate the taxpayer's right to privacy or would result in unfair competitive disadvantage to such taxpayer.

(4) Specific intelligence information and specific investigative files compiled by investigative, law enforcement and penology agencies, and state agencies vested with the responsibility to discipline members of any profession, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.

(5) Information revealing the identity of persons who file complaints with investigative, law enforcement or penology agencies, (~~except as the complainant may authorize~~) other than the public disclosure commission, if disclosure would endanger any person's life, physical safety, or property: PROVIDED, That if at the time the complaint is filed the complainant indicates a desire for disclosure or nondisclosure, such desire shall govern: PROVIDED, FURTHER, That all complaints filed with the public disclosure commission about any elected official or candidate for public office must be made in writing and signed by the complainant under oath.

(6) Test questions, scoring keys, and other examination data used to administer a license, employment or academic examination.

(7) Except as provided by chapter 8.26 RCW, the contents of real estate appraisals, made for or by any agency relative to the acquisition or sale of property, until the project or prospective sale is abandoned or until such time as all of the property has been acquired, or the property to which the sale appraisal relates is sold, but in no event shall disclosure be denied for more than three years after the appraisal.

(8) Valuable formulae, designs, drawings and research data obtained by any agency within five years of the request for disclosure when disclosure would produce private gain and public loss.

(9) Preliminary drafts, notes, recommendations, and intraagency memorandums in which opinions are expressed or policies formulated or recommended except that a specific record shall not be exempt when publicly cited by an agency in connection with any agency action.

(10) Records which are relevant to a controversy to which an agency is a party but which records would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts.

(11) Records, maps, or other information identifying the location of archaeological sites in order to avoid the looting or depredation of such sites.

The exemptions of this section shall be inapplicable to the extent that information, the disclosure of which would violate personal privacy or vital governmental interest, can be deleted from the specific records sought. No exemption shall be construed to permit the nondisclosure of statistical information not descriptive of any readily identifiable person or persons.

AMENDATORY SECTION (Amending DOT Order 10 & Comm. Order 1, Resolution 13, filed 12/20/78)

WAC 468-06-050 PUBLIC RECORDS OFFICER. The department's public records shall be in the charge of the manager, administrative services, who shall be the public records officer for the department. In the absence of the manager, administrative services, the ((administrative services officer)) forms and records manager shall serve as the public records officer. The persons so designated shall be located in the Transportation Building, Olympia, Washington. The public records officer shall be responsible for the following: The implementation of the department's rules and regulations regarding release of public records, coordinating the staff of the department in this regard, and generally insuring compliance by the staff with the public records disclosure requirements of chapter 1, Laws of 1973.

AMENDATORY SECTION (Amending DOT Order 10 & Comm. Order 1, Resolution 13, filed 12/20/78)

WAC 468-06-070 REQUESTS FOR PUBLIC RECORDS. Subject to the provisions of subsection (3) of this section, and in accordance with the requirements of chapter 1, Laws of 1973, that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records are only obtainable by members of the public when those members of the public comply with the following procedures.

(1) A request shall be made in writing upon a form ((which shall be substantially in the form provided in this section)) which shall be available at the district offices of the department of transportation or from the public records officer, Transportation Building, Olympia, Washington 98504, and shall be presented to the public records officer. Such request shall include the following:

(a) The name of the ((person requesting the record)) requester.
(b) The date and time of day ((and calendar date on which)) the request was made.

(c) ((If the matter requested is referenced within the current index maintained by the department records officer, a reference to the requested record as it is described in such current index.)) Public records or information requested.

(d) ((If the requested matter is not identifiable by reference to the department's current records index, a statement that identifies the specific record requested.

(e) A verification that the records requested shall not be used to compile a commercial sales list.)) Requester's signature.

(2) The department hereby adopts for use by all persons making written request for inspection and/or copying or copies of its records, the form S.F. 276, Request for Public Record, as it exists or may hereafter be revised.

(3) The public records officer shall inform the member of the public making the request whether or not the requested record is available for inspection or copying at a district office or at the Transportation Building in Olympia, Washington.

(4) The records requested are not to be used to compile a commercial sales list.

~~((3))~~ (5) When it appears that a request for a record is made by or on behalf of a party to a lawsuit or a controversy to which the department is also a party (or when such a request is made by or on behalf of an attorney for such a party) the request shall be referred to the assistant attorney general assigned to the department for appropriate response.

((Public Records Officer
Washington State
Department of Transportation
Transportation Building
Olympia, Washington 98504

Re: Request for Public Record(s)

1. Name of person or organization requesting record(s)

Street City State Zip

2. Date and time of request

3. Current Index Reference(s)

4. Description of Record(s) if not Indexed

The undersigned hereby verifies that the record(s) request shall not be used to compile a commercial sales list:

Signature of Requestor

Received by

Date received

Staff time expended

No. pages copied

AMENDATORY SECTION (Amending DOT Order 10 & Comm. Order 1, Resolution 13, filed 12/20/78)

WAC 468-06-130 RECORDS INDEX. ~~((1))~~ Index. The department has available to all persons at its headquarters in Olympia a current index which provides identifying information as to the following records issued, adopted or promulgated since June 30, 1972:

(a) Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;

(b) Those statements of policy and interpretations of policy, statute and the constitution which have been adopted by the agency;

(c) Administrative staff manuals and instructions to staff that affect a member of the public;

(d) Planning policies and goals, and interim and final planning decisions;

(e) Factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports or surveys, whether conducted by public employees or others; and

(f) Correspondence, and materials referred to therein, by and with the agency relating to any regulatory, supervisory or enforcement responsibilities of the agency, whereby the agency determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private party.

(2) Availability. The current index promulgated by the department shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection.))

(1) The department finds that it would be unduly burdensome and would interfere with agency operations to maintain an index of records as specified in RCW 42.17.260(3) because of the complexity and diversity of its operations and the resulting volume of manuals, correspondence, reports, surveys, staff studies and other materials.

(2) The department will make available for public disclosure all indices which may at a future time be developed for agency use.

WSR 81-08-009
NOTICE OF PUBLIC MEETINGS
ADVISORY COUNCIL
ON VOCATIONAL EDUCATION
 [Memorandum—March 20, 1981]

The regular meeting of the Washington State Advisory Council on Vocational Education will be held Friday, April 24, 1981, in the Auditorium at the Seattle-Tacoma International Airport, Seattle, Washington. The Auditorium is located on the Mezzanine level of the Airport. The meeting is scheduled to begin at 10:00 a.m.

This meeting is being held in a barrier-free site. Interpreters for the deaf, and brailled or taped information for the blind will be provided on request, if the State Advisory Council on Vocational Education is notified by April 9, 1981.

For further information, please contact Dennis D. Coplen, Executive Director, State Advisory Council on Vocational Education, 120 East Union, Room 207, M/S EK-21, Olympia, WA 98504, telephone (206) 753-3715.

WSR 81-08-010
ADOPTED RULES
CENTRAL WASHINGTON UNIVERSITY
 [Order 46—Filed March 23, 1981]

I, Al Teeple, Chief of Campus Safety of Central Washington University, do promulgate and adopt at Kachess Room, Samuelson Union Building, CWU Campus, the annexed rules relating to parking and traffic regulations, chapter 106-116 WAC.

This action is taken pursuant to Notice No. WSR 81-04-050 filed with the code reviser on February 4, 1981. Such rules shall take effect pursuant to RCW 28B.19.050(2).

This rule is promulgated pursuant to RCW 28B.19.050 and 28B.35.120 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED March 11, 1981.

By Al Teeple
 Chief of Campus Safety

AMENDATORY SECTION (Amending Order 45, filed 8/13/80)

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

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

Reviser's Note: RCW 28B.19.077 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 45, filed 8/13/80)

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

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

WAC 106-116-102 FACULTY-STAFF AND STUDENTS. (1) Faculty, staff and students shall obtain a permit for all motor vehicles they park on ((the)) posted university grounds at specified times. Fees may be charged and parking permits issued, which will allow vehicles to be parked in specific areas.

(2) A faculty, staff, or student owner, operator, and/or permit holder for a motor vehicle shall be held responsible for any violation involving that vehicle.

AMENDATORY SECTION (Amending Order 45, filed 8/13/80)

WAC 106-116-201 PERMITTED PARKING AREAS. (1) University owned parking areas are marked with signs reading, "Parking by University Permit Only." Vehicles parked without valid parking permits will be ticketed from 7:30 a.m. to 5:30 p.m. Monday through Friday, except:

(2) Vehicles parked in the C-1 Pavilion parking area without a valid parking permit will be ticketed from 7:30 a.m. to 4:00 p.m. Monday through Friday. No parking permitted daily in C-1 lot from 4:00 a.m. to 5:00 a.m.

(3) Vehicles parked in the C-2 Stadium parking area without a valid parking permit will be ticketed from 7:30 a.m. to 3:00 p.m. Monday through Friday.

(4) Enforcement shall be in effect twenty-four hours a day in the following parking areas:

- (a) Residence hall staff parking areas,
- (b) Buttons Apartments,
- (c) ((Thirty minute parking)) Limited time zones,
- (d) J Lot
- (e) Handicapped areas.

(5) Vehicles parked in "B" Lot, Hertz Music Building parking area without a valid parking permit will be ticketed from 7:30 a.m. to 4:00 p.m. Monday through Friday.
 Monday through Friday.

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

Reviser's Note: RCW 28B.19.077 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

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

WAC 106-116-204 COMMUTER STUDENTS. Students who commute and park in university parking areas must purchase and display a valid parking permit. They may not park in Staff and Faculty ~~((reserved-lots))~~ zones or areas, nor in Student Reserved lots or zones.

AMENDATORY SECTION (Amending Order 45, filed 8/13/80)

WAC 106-116-205 APARTMENT RESIDENTS. (1) Residents of Brooklane Village, Roy P. Wahle University Complex, Student Village Apartments, Getz Short Apartments and Buttons Apartments do not need parking permits to park in front of or immediately adjacent to their respective apartments but must register their vehicles with the university.

(2) Apartment residents may purchase a commuter parking permit.

(3) Residents of Student Village may park in Lots G-1 and G-2 without a permit.

(4) Only residents of Anderson Apartments who purchase a parking permit may park in J Lot.

Reviser's Note: RCW 28B.19.077 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 43, filed 5/16/79)

WAC 106-116-304 DISABILITY PERMIT. Any university employee, student or visitor who can show physical disability may apply to the Handicapped Student Services Office for a disability parking permit. Certification by a physician may be required.

Disability permits issued by the state of Washington in all forms and disability permits issued by other state agencies or institutions shall be honored.

AMENDATORY SECTION (Amending Order 45, filed 8/13/80)

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

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

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

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

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

Reviser's Note: RCW 28B.19.077 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

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

WAC 106-116-306 TEMPORARY PARKING PERMITS. Temporary parking permits may be:

(1) Purchased on a daily basis from coin-operated dispensers ~~((on))~~ in Lots B, C-1 and D.

(2) Purchased from the Cashier in Mitchell Hall, on a weekly basis.

(3) Obtained through the scheduling center in the Samuelson Union Building for attendees of conferences, workshops, and meetings scheduled through that office.

(4) Valid only in areas not falling within prohibitions of WAC 106-116-202 and WAC 106-116-203.

Reviser's Note: RCW 28B.19.077 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 45, filed 8/13/80)

WAC 106-116-403 VISITOR PARKING PERMITS. Visitors may obtain parking permits from ~~((the Campus Safety Department or))~~ the automatic permit dispensers. Permit ~~((dispenser))~~ dispensers ~~((is))~~ are located near the entrance in "B" Lot, "C-1" Lot in front of Nicholson Pavilion, and "D" Lot.

Visitors on official business may obtain a courtesy permit from the Campus Safety Office, located at 11th and D Street near the entrance to "B" lot.

Reviser's Note: RCW 28B.19.077 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 37, filed 1/18/78)

WAC 106-116-513 PROCEDURE—~~((CITATIONS))~~ INFRACTIONS AND SERVICE THEREOF. Upon probable cause to believe that a violation of these regulations has occurred, an appropriate ~~((citation))~~ notice of infraction may be issued setting forth the date, the approximate time, the locality, and the nature of the violation. Such ~~((citations))~~ notice may be served by delivering or mailing a copy thereof to the alleged violator, or by placing a copy thereof in some prominent place within, upon or attached to such vehicle. Service by mail shall be accomplished by placing a copy of the ~~((citation))~~ notice in the mail addressed to the alleged violator at the address shown on the records of the Office of the Registrar or the Staff Personnel Office for that person or any other last known address of that person.

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

WAC 106-116-514 ELECTION TO FORFEIT OR CONTEST. The ~~((citation))~~ notice of infraction issued pursuant to WAC 106-116-513 of these regulations shall inform the alleged violator that he/she may elect either to forfeit the ~~((fine-applicable))~~ monetary penalty to the ~~((violation(s)))~~ infraction(s) charged or to contest the matter(s) in the manner described by the court of the Justice of the Peace for Kittitas County, otherwise known as the Lower Kittitas County District Court.

(1) If the alleged violator chooses to forfeit the ~~((fine(s)))~~ penalty, he/she may do so by paying the appropriate amount to the Justice of the Peace for Kittitas County. Payment will be in cash, by certified check, or by money order. Such payment may also be made by mail. Such forfeiture shall constitute a waiver of a right to a hearing.

(2) If the alleged violator chooses to contest, he/she may do so by contacting the office of the Justice of the Peace for Kittitas County ~~((and requesting a date to appear in court))~~ in accordance with directions given on the infraction notice.

Reviser's Note: RCW 28B.19.077 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

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

WAC 106-116-515 PROCEDURE—COMPLAINT AND INFORMATION. (1) ~~((A citation))~~ An infraction served in accordance with the provisions of WAC 106-116-513 of these regulations shall constitute the complaint or information against the person to whom delivered or mailed; the person to whom a permit was issued for the vehicle in which it was placed or to which it was attached; or if no permit for the vehicle cited has been issued, the owner of the vehicle.

(2) The complaint or information may be amended at any time, either in writing delivered or mailed to the alleged violator or upon motion at trial in his presence, to include new charges of violations of these regulations.

Reviser's Note: RCW 28B.19.077 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 45, filed 8/13/80)

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

(2) The Chief of Campus Safety will cause:
(a) These regulations or a reasonable condensation thereof to be prominently displayed in the Campus Safety Department.

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

AMENDATORY SECTION (Amending Order 45, filed 8/13/80)

WAC 106-116-603 ((FINES)) MONETARY PENALTY SCHEDULE FOR COURT.

Offense	Fine
(1) Improper display of permit	\$1.00
(2) Parking faculty-staff area	\$1.00
(3) Parking yellow stripe or curb	\$2.00
(4) Parking outside designated parking area	\$2.00
(5) Live parking area	\$2.00
(6) Obstructing traffic	\$2.00
(7) Double Parking	\$2.00
(8) Parking at improper angle or using more than one stall, or backing into parking stall	\$2.00
(9) Violation of the bicycle parking rules in WAC 106-116-901	\$1.00
(10) Reserved parking area	\$2.00
(11) No parking area	\$2.00
(12) Failure to remove keys from ignition	\$2.00
(13) Overtime parking	\$1.00
(14) Vehicle not registered	\$2.00
(15) Falsification of vehicle registration	\$5.00
(16) Using counterfeit, falsely made or altered permit	\$10.00
(17) Illegal use of permit	\$10.00
(18) No current permit	\$2.00
(19) Parking service drive	\$2.00
(20) Parking/driving sidewalks, malls	\$5.00
(21) Parking/driving lawns	\$10.00
(22) Parking fire lane	\$10.00
(23) Parking fire hydrant	\$10.00
(24) Driving, walking, leading, etc., certain animals on campus without permit (WAC 106-116-10401)	\$10.00
(25) Other violations of the objectives of the CWU Parking and Traffic Regulations	\$1.00 to \$10.00
(26) Parking in a space marked "Disability Permits Only"	\$10.00
(27) (a) When ((a citation)) an infraction notice for offenses (1), (2), (9), and (13) is issued, any violator may, within one full business day of the issuance thereof, present such ((citation)) notice to the District Court office in the Kittitas County Courthouse and therewith pay \$.75 and no additional fine or penalty shall be imposed for such violation.	
(b) The Court Commissioner of the Kittitas County District Court and authorized deputies, or during non-business hours of said Court the office of the Sheriff of Kittitas County will accept payments made under this rule.	
(c) This schedule of ((fines)) monetary penalties and provisions for their payment corresponds with rules laid	

down by the Lower Kittitas County District Court. ((The court may issue arrest warrants for fines not paid within ten days.))

Reviser's Note: RCW 28B.19.077 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 45, filed 8/13/80)

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

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

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

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

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

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

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

(e) Bicyclists must ride in designated lanes where they exist.

(4) Impounding for illegal parking:

(a) Bicycles parked on paths, sidewalks, in buildings or near building exits may be impounded. Except in areas adjacent to residence halls, ((bicycles)) or as otherwise permitted and designated by the Director of Housing as bike storage rooms. Bicycles left over 72 hours may be impounded.

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

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

Reviser's Note: RCW 28B.19.077 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 81-08-011
EMERGENCY RULES
DEPARTMENT OF GAME
[Order 125—Filed March 23, 1981]

Be it resolved by the undersigned, Frank R. Lockard, Director, Washington State Department of Game, that I promulgate and adopt at Olympia, Washington, as emergency rule of this governing body, the annexed rule relating to the closure of the Columbia River from Megler-Astoria Bridge upstream to Highway 12 Bridge at Pasco including Drano Lake and the Wind River from its mouth upstream to Shipherds Falls to the taking of all trout including steelhead until June 1, 1981, adopting WAC 232-28-60301.

I, Frank R. Lockard, 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 the public interest. A statement of facts constituting such emergency is an extremely depressed run of upriver spring chinook salmon are currently moving upstream in the Columbia River. It is necessary to close other fisheries that may intercept these fish to prevent incidental catch and handling that would result in direct or delayed mortalities. Pursuant to RCW 77.12.010 this closure is necessary to maximize public recreational opportunities. Future recreational fisheries for Columbia River spring chinook may be threatened if this age group is not fully protected. Such a closure will not result in an over-escapement of steelhead trout.

Such rule is therefore adopted as an emergency rule.

This rule is promulgated under the authority of the Director of Game as authorized in RCW 77.12.150 with the approval of the Game Commission as provided in that statute.

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

This order, after being first recorded in the Order Register of this governing body, shall be forwarded to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED March 23, 1981.

By Frank R. Lockard
Director

NEW SECTION

WAC 232-28-60301 CLOSURE OF THE COLUMBIA RIVER FROM MEGLER-ASTORIA BRIDGE UPSTREAM TO HIGHWAY 12 BRIDGE AT PASCO INCLUDING DRANO LAKE AND THE WIND RIVER FROM ITS MOUTH UPSTREAM TO SHIPHERDS FALLS TO THE TAKING OF ALL TROUT INCLUDING STEELHEAD UNTIL JUNE 1, 1981. Notwithstanding the provisions of WAC 232-28-603, it shall be unlawful for any sports fishermen to take, fish for, or possess trout including

steelhead trout in the Columbia River from Megler-Astoria Bridge upstream to Highway 12 Bridge at Pasco including Drano Lake and the Wind River from its mouth upstream to Shiphers Falls.

This regulation shall become effective April 1, 1981, 12:00 midnight, and remain effective until June 1, 1981.

WSR 81-08-012
PROPOSED RULES
HORSE RACING COMMISSION
 [Filed March 24, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington Horse Racing Commission, intends to adopt, amend, or repeal rules concerning WAC 260-40-120, relating to horse identification; WAC 260-60-050, relating to the requisites for a claim; WAC 260-60-210, relating to cancellation of claims; WAC 260-70-140, relating to hypodermic instruments; WAC 260-36-180, relating to consent to searches; and WAC 260-60-115, relating to claims made in bad faith;

and that the adoption, amendment, or repeal of such rules will take place at 1:30 p.m., Tuesday, April 14, 1981, in the Washington Horsebreeders' Offices, 2600 S.W. Oaksdale, Renton, WA.

The authority under which these rules are proposed is RCW 67.16.020 and 67.16.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 10, 1981, and/or orally at 1:30 p.m., Tuesday, April 14, 1981, Washington Horsebreeders' Offices, 2600 S.W. Oaksdale, Renton, WA.

This notice is connected to and continues the matter noticed in Notice Nos. WSR 81-01-060 and 81-07-020 filed with the code reviser's office on December 15, 1980 and March 11, 1981.

Dated: March 23, 1981
 By: George McIvor
 Executive Secretary

WSR 81-08-013
ADOPTED RULES
HORSE RACING COMMISSION
 [Order 81-01—Filed March 24, 1981]

Be it resolved by the Washington Horse Racing Commission, acting at Yakima, Washington, that it does promulgate and adopt the annexed rules relating to WAC 260-12-010, relating to definition of terms; WAC 260-12-140, relating to application of rules to licensed personnel; WAC 260-24-280, relating to the authority of the stewards to award punishment; WAC 260-52-010, relating to rules for paddock to post; WAC 260-52-040, relating to rules for post to finish; WAC 260-60-120, relating to disclosure of incumbencies and cancellation of claims; and adopting WAC 260-20-075, relating to the prohibition of firearms.

This action is taken pursuant to Notice Nos. WSR 81-01-060 and 81-07-020 filed with the code reviser on 12/15/80 and 3/11/81. 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 Horse Racing Commission as authorized in RCW 67.16.020 and 67.16.040.

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

APPROVED AND ADOPTED March 23, 1981.

By George McIvor
 Executive Secretary

AMENDATORY SECTION (Amending Rules of racing, Rule 1.22(22), filed 8/23/66)

WAC 260-12-010 DEFINITIONS. In applying the rules herein set forth and all amendments thereof the following definitions, constructions and interpretations shall apply, except where otherwise indicated in said rules:

(1) Age of a horse is reckoned as beginning on the first day of January in the year in which the horse is foaled.

(2) "Arrears" ((includes)) shall mean all moneys due for entrance forfeits, fees (including jockey's, etc. fees), forfeitures, subscriptions, stake, purchase money in claiming races, and also any default in money incident to the rules.

(3) "Authorized agent" ((is)) shall mean a person appointed by a written instrument signed and acknowledged before a notary public by the owner and filed in accordance with the rules.

(4) "Association(:)" shall mean any person or persons, associations, or corporations licensed by the commission to conduct racing for any stake, purse or reward.

(5) "Breeder" of a horse ((is)) shall mean the owner of its dam at the time of foaling.

(6) "Breeding place" ((is)) shall mean the place of horse's birth.

(7) "Calendar day" ((is)) shall mean twenty-four hours ending at midnight.

(8) "Declaration" shall mean the act of withdrawing an entered horse from a race before the closing of overnight entries.

(9) "Entry" shall mean according to the requirement of the text (a) a horse made eligible to run in a race, (b) two or more which are entered or run in a race owned by the same owner or trained by the same trainer.

(10) "Equipment," as applied to a horse, shall mean whips, blinkers, tongue straps, muzzle, nosebands, bits, shadow rolls, martingales, breast plates, bandages, boots and plates.

(11) "Forfeit" shall mean money due because of an error, fault, neglect of duty, breach of contract, or a penalty.

(12) "Horse" includes filly, mare, colt, horse, gelding or ridgling.

(13) "Jockey" ((is)) shall mean a race rider, whether a licensed jockey, apprentice or amateur.

(14) "Maiden" ((is)) shall mean a horse which at the time of starting has never won a race on the flat in any country, at a track which is covered by a recognized racing publication showing the complete results of the race. A maiden which has been disqualified after finishing first is still to be considered a maiden.

(15) "Meeting(-)" shall mean the entire consecutive period for which license to race has been granted to any one association by the commission.

(16) "Month" ((is)) shall mean a calendar month.

(17) "Nominator" ((is)) shall mean a person in whose name a horse is entered for a race.

(18) "Owner" includes sole owner, part owner or lessee of a horse. An interest only in the winnings of a horse does not constitute part ownership.

(19) "Place" in racing shall mean first, second or third and in that order is called "Win", "Place", and "Show".

(20) "Post position" ((is)) shall mean the position assigned to the horse at the starting line of the race.

(21) "Post time" ((is)) shall mean the time set for the arrival at the starting point of the horses in a race and must be shown a reasonable time prior to the race on a clock device, provided for that purpose, prominently displayed and clearly readable from the grandstand.

(22) "Race(-)" shall mean a contest between horses for purse, stakes, or reward on any licensed course and in the presence of judge or judges. A race which overfills may be contested in two or more divisions.

(a) "Claiming race" ((is)) shall mean a race in which any horse entered therein may be claimed in conformity with the rules.

(b) "Free handicap" ((is)) shall mean a handicap in which no liability for entrance money is incurred.

(c) "Handicap" ((is)) shall mean a race in which the weights to be carried by the entered horses are adjusted by a handicapper or board of handicappers for the purpose of equalizing their respective chances of winning.

(d) "Highweight handicap" ((is)) shall mean a handicap in which the weight assigned to the top horse in that handicap is not less than 140 pounds.

(e) "Match" ((is)) shall mean a private sweepstakes between two horses which are the property of two different owners. If prior to the running of the race either of the horses entered in the match dies, or if either owner dies the match is void. It remains a match even if money or any other award is added to the stakes.

(f) "Optional claiming race" ((is)) shall mean a race restricted to horses entered to be claimed for a stated claiming price and to those which have started previously for that claiming price or less. In the case of horses entered to be claimed in such a race, the

race will be considered, for the purposes of these rules, a claiming race.

(g) "Overnight race" (~~(is one)~~) shall mean a race for which entries close seventy-two hours, or less, before the time set for the first race of the day on which such race is to be run.

(h) "Owner's handicap" ((is)) shall mean a race wherein the owner fixes, at the time of entry, the weight his horse is to carry.

(i) "Post race" ((is)) shall mean a race in which the subscribers announce at declaration time the horse, or horses, each intends to start, without limitations of choice other than prescribed by the rules and conditions of the race.

(j) "~~((A))~~ "Private sweepstakes" (~~(is one)~~) shall mean a race to which no money or other prize is added, and which, previous to closing, has not been advertised, either by publication, or by circular or entry blank, or in any other way.

(k) "~~((A))~~ "Produce race" (~~(is one)~~) shall mean a race to be run for by the produce of horses named or described at the time of entry.

(l) "Purse race" ((is)) shall mean a race for money or any other prize to which the owners of the horses engaged do not contribute.

(23) "Race day" shall mean((s)) any period of twenty-four hours beginning at midnight and included in the period of a race meeting and in the matter of penalties the word "day" means a "calendar day".

(24) "Recognized meeting" shall ((be)) mean any meeting wherever held under the sanction of a turf authority having reciprocal relations with the commission and other turf authorities (approved by said commission) for the mutual enforcement of rulings imposed on persons guilty of fraudulent turf practices of any kind.

(25) "Rules" shall mean the rules herein prescribed and any amendments or additions thereto.

(26) "Scratch" shall mean the act of withdrawing an entered horse from the race after the closing of overnight entries.

(27) "Scratch time" shall mean the time set by the association for the closing of applications for permission to withdraw from races of that day.

(28) "Stake race" or "Sweepstakes" ((is)) shall mean a race (~~(to which nominators of the engaged entries contribute to a purse, to which money, or any other award, may be added, but no overnight race, regardless of its condition shall be deemed a stake race))~~) for which nominations close more than seventy-two hours in advance of its running and for which subscribers contributed money toward its purse, or a race for which horses are invited by an association to run for a guaranteed purse of thirty thousand dollars or more without payment of stakes.

(29) "Starter." A horse is a "starter" for a race when the stall doors of the starting gate open in front of it at the time the starter dispatches the horses.

(30) "Stewards" shall mean the stewards of the meeting or their duly appointed deputies.

(31) "Subscription" shall mean the act of nominating to a stake race.

(32) "Untried horse" ~~((is one))~~ shall mean a horse whose produce are maidens.

(33) "Walk over ~~((When))~~" shall mean a situation in which two horses in entirely different interest do not run in a race.

(34) "Weight for age" shall mean ~~((s))~~ standard weight according to the rules. A "weight for age" race is one in which all horses carry weight according to the scale without penalties or allowances.

(35) "Year" shall mean a calendar year.

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

WAC 260-12-140 OWNERS, ETC., BOUND BY RULES. All owners and trainers of horses, and their stable employees ~~((:))~~ are subject to the laws of Washington and the rules promulgated by ~~((its))~~ the commission ~~((, immediately upon acceptance and occupancy of stabling accommodations from, or approved by an association, or upon making entry to run on its track))~~ beginning on the day an association accepts entries for the first day of racing of a meet. Said owners, trainers and stable employees shall abide by said laws and rules and accept the decision of the stewards on any and all questions to which their authority extends, subject to their right of appeal to the commission.

AMENDATORY SECTION (Amending Order 72-6, filed 10/13/72)

WAC 260-24-280 STEWARDS—AUTHORITY TO AWARD PUNISHMENT. The stewards have the power to punish at their discretion any person subject to their control either by suspension of the privilege of attending the races during the meeting; or by suspension from acting or riding during the meeting; or by fine not exceeding ~~((\$200.00))~~ \$400.00; or both, and if in their discretion they deem it necessary they may impose a suspension up to thirty ~~((30))~~ days beyond the meet; for any further punishment or additional fine, they shall so report to the commission. Persons subject to these rules are deemed to come within the control of the board of stewards assigned to a meet beginning on the day an association accepts entries for the first day of racing of that meet.

AMENDATORY SECTION (Amending Rules 187 through 196, filed 4/21/61)

WAC 260-52-010 PADDOCK TO POST. (1) Permission must be obtained from a steward to exercise a horse between races unless the horse is being warmed up on the way to and just prior to entering the paddock for the next race to be run.

(2) When a horse is being so warmed up before entering the paddock, his official program number shall be displayed by the rider.

(3) In a race, each horse shall carry a conspicuous saddlecloth number and a head number, corresponding

to his number on the official program. In the case of an entry each horse making up the entry shall carry the same number (head and saddlecloth) with a distinguishing letter. For example, 1-1A, 1X. In the case of a field the horses comprising the field shall carry an individual number; i.e., 12, 13, 14, 15, and so on.

(4) After the horses enter the track, no jockey shall dismount and no horse shall be entitled to the care of an attendant without consent of the stewards or the starter, and the horse must be free of all hands other than those of the jockey or assistant starter before the starter releases the barrier.

(5) In case of accident to a jockey, his mount or equipment, the stewards or the starter may permit the jockey to dismount and the horse to be cared for during the delay, and may permit all jockeys to dismount and all horses to be attended during the delay.

(6) All horses shall parade and, under penalty of disqualification, shall carry their weight from the paddock to the starting post, such parade to pass the steward's stand.

(7) After entering the track not more than 12 minutes shall be consumed in the parade of the horses to the post except in cases of unavoidable delay. After passing the stand once, horses will be allowed to break formation and canter, warm up or go as they please to the post. When horses have reached the post, they shall be started without unnecessary delay.

(8) If the jockey is so injured on the way to the post as to require another jockey, the horse shall be taken to the paddock and another jockey obtained.

(9) No person shall wilfully delay the arrival of a horse at the post.

(10) No person other than the rider, starter, or assistant starter shall be permitted to strike a horse, or attempt, by shouting or otherwise to assist it in getting a start.

(11) In all races in which a jockey will not ride with a whip, an announcement of that fact shall be made over the public address system.

NOTES:

Numbers, jockey and horse to wear: See WAC 260-32-140.

AMENDATORY SECTION (Amending Rule 211, filed 4/21/61)

WAC 260-52-040 POST TO FINISH. (1) When clear, a horse may be taken to any part of the course ~~((provided)),~~ except that crossing or weaving in front of contenders may constitute interference or intimidation for which the offender may be disciplined.

(2) A horse crossing ~~((another))~~ so as actually to impede ~~((him))~~ another horse is disqualified, unless the impeded horse was partly in fault or the crossing was wholly caused by the fault of some other horse or jockey.

(3) If a horse or jockey jostle another horse, the aggressor may be disqualified, unless the jostled horse or his jockey was partly in fault or the jostle was wholly caused by the fault of some other horse or jockey.

(4) If a jockey wilfully strikes another horse or jockey, or rides wilfully or carelessly so as to injure another

horse, which is in no way in fault, or so as to cause other horses to do so, his horse is disqualified.

(5) When a horse is disqualified under this rule the other horse or horses in the same race coupled as an entry under WAC 260-48-110 may be disqualified.

(6) Complaints under this rule can only be received from the owner, trainer or jockey of the horse alleged to be aggrieved, and must be made to the clerk of the scales or to the stewards before or immediately after his jockey has passed the scales. But nothing in this rule shall prevent the stewards taking cognizance of foul riding.

(7) Any jockey against whom a foul is claimed shall be given the opportunity to appear before the stewards before any decision is made by them.

(8) A jockey whose horse has been disqualified or who unnecessarily causes his horse to shorten his stride with a view to complaint, or an owner, trainer or jockey who complains frivolously that his horse was crossed or jostled, may be punished.

(9) All horses are expected to give their best efforts in races in which they run, and any instructions or advice to jockeys to ride or handle their mounts otherwise than for the purpose of winning are forbidden and will subject all persons giving or following such instructions or advice to disciplinary action by the stewards and the commission.

(10) No jockey carrying a whip during a race shall fail to use the whip in a manner consistent with using his best efforts to win. Jockeys are prohibited from whipping a horse during the post parade, over the head, or in an excessive or brutal manner.

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

WAC 260-60-120 DISCLOSURE OF INCUMBRANCES—((UNPAID STUD FEES)) ENTRY OF MARE IN FOAL IN A CLAIMING RACE. The conditions of any mortgage or lien against a horse must be filed with the racing commission before a horse is entered, and if the animal is leased this fact must be fully disclosed. ~~((No mare shall be entered in a claiming race where there are any unpaid stud fees against her.))~~ No person shall enter a mare in a claiming race when such mare is pregnant, unless prior to the time of entry the owner shall have deposited with the racing secretary a signed agreement providing that the owner will at the time of entry provide for the successful claimant of such mare, without cost, protest, or fee of any kind, a valid stallion service certificate covering the breeding of the mare. A successful claimant of a mare may file with the commission a petition for rescission of the claim if it is determined the claimed mare is pregnant and the agreement concerning the stallion service certificate was not deposited as required by this section.

NEW SECTION

WAC 260-20-075 FIREARMS PROHIBITED ON ASSOCIATION GROUNDS. Each racing association shall exclude from its grounds any person found to have firearms in his possession, except security personnel

employed by the association or commission and law enforcement officers. Any licensee or permit holder who brings firearms onto the grounds of any racing association, except security personnel and law enforcement officers, may be subject to revocation or suspension of such license or permit, and any other authorized penalty the stewards may deem necessary.

WSR 81-08-014

ADOPTED RULES

JAIL COMMISSION

[Order 13—Filed March 24, 1981]

Be it resolved by the Washington State Jail Commission, acting at State Office Building #2, Olympia, Washington, that it does promulgate and adopt the annexed rules relating to revisions to custodial care standards applicable to holding facilities.

This action is taken pursuant to Notice No. WSR 81-04-062 filed with the code reviser on February 4, 1981. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to chapter 70.48 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 March 12, 1981.

By George Edensword-Breck
Director

AMENDATORY SECTION (Amending Order 10, filed 3/18/81)

WAC 289-14-005 INTRODUCTION TO CUSTODIAL CARE STANDARDS. (1) The provisions of chapters 289-14 through 289-24 WAC incorporate custodial care standards applicable to holding, detention or correctional facilities as defined under WAC 289-02-020. Each standard is mandatory for the classification to which it applies unless specifically labeled as advisory or not applicable.

(2) Within each chapter, paragraphs numbered from 010 to 099 are introductory or definitional in nature and apply to all jails unless otherwise noted. Paragraphs numbered from 100 to 199 apply to holding facilities. Paragraphs numbered from 200 to 299 apply to detention and correctional facilities unless otherwise noted. For this purpose, "holding" and "detention" and "correctional" facilities are defined as set forth in WAC 289-02-020. For purposes of the holding facility standards, a distinction is made between different maximum time periods persons are held within such facility, including thirty-day facility, seventy-two hour facility, and six-hour facility.

(3) The adoption of the mandatory custodial care standards is intended to meet minimum legal requirements relating to prisoner health, welfare, and security and does not preclude the adoption of more stringent requirements not in conflict with such standards by the governing authority, chief law enforcement officer, or department of corrections responsible for a particular jail.

~~(4) Until the time of adoption of specific holding facility standards, the mandatory detention and correctional facility standards are designated as advisory for holding facilities to the extent that they reasonably apply.~~

NEW SECTION

WAC 289-14-100 GENERAL ADMINISTRATION (HOLDING FACILITIES). There shall be written policies and procedures which shall be made available to each authorized person who is responsible for the confinement of a prisoner in the facility.

NEW SECTION

WAC 289-14-120 TRAINING (HOLDING FACILITIES). (1) All authorized persons responsible for the confinement of a prisoner shall receive an orientation to the policies and procedures of the facility relative to their duties. On the job training shall be provided as deemed appropriate by the chief law enforcement officer.

(2) All jail staff whose primary responsibility is the supervision of prisoners shall successfully complete the Washington State Criminal Justice Training Commission basic correctional academy within the first year of their employment unless such training has already been received. (30 day) (Not applicable - 72 hour, 6 hour)

NEW SECTION

WAC 289-14-130 RECORDS (HOLDING FACILITIES). (1) Confidentiality. All holding facility personnel shall be advised of the statutory provisions for confidentiality of jail records under RCW 70.48.100(2).

(2) Individual prisoner records.

(a) An individual file or record shall be kept for each prisoner.

(b) If formal booking occurs in the facility, the information should be recorded on a booking form. WAC 289-14-130(2)(b) ADVISORY

(3) Medical.

(a) Any prisoner medical information other than that included in the prisoner's individual file under WAC 289-14-130(2)(a) shall be maintained separately to the extent necessary to maintain confidentiality. (30 day, 72 hour) (Not applicable - 6 hour)

(b) Any medical problems experienced by a prisoner while in the facility shall be recorded and such records maintained. Information concerning medical problems shall be transmitted at the time the prisoner is transported to another jail, hospital, or other facility.

(4) Prisoner population accounting. Each holding facility shall keep a jail register as required by RCW 70.48.100.

(5) Infraction and disciplinary. Written records shall be maintained for all incidents which result in major property damage or bodily harm.

(6) Incident reports. The jail commission shall be notified within seven business days of any death, completed escape from the secure area of the facility or serious fire. Reports of such incidents shall be retained.

(7) Activity log. A log of daily activity should be kept within the facility. WAC 289-14-130(7) ADVISORY

(8) Personnel. Performance and training records should be maintained for each staff member employed by the facility. WAC 289-14-130(8) ADVISORY

NEW SECTION

WAC 289-15-100 EMERGENCY PROCEDURES (HOLDING FACILITIES). (1) The department of corrections or chief law enforcement officer shall establish and maintain written emergency procedures as appropriate for the specific facility.

(2) The emergency plan shall outline the responsibilities of jail facility staff, evacuation procedures, and subsequent disposition of the prisoners after removal from the area or facility.

(3) Emergency plans shall always be available to the authorized person in charge of the jail.

(4) All personnel should be trained in the emergency procedures. WAC 289-15-100(4) ADVISORY

NEW SECTION

WAC 289-15-110 FIRE PREVENTION AND SUPPRESSION (HOLDING FACILITIES). The department of corrections or chief law enforcement officer shall establish and maintain a written fire prevention, suppression, and evacuation plan.

NEW SECTION

WAC 289-15-120 OVERCROWDING (HOLDING FACILITIES). No prisoner shall be required to sleep on a mattress on the floor in excess of seventy-two hours, or directly on the floor for any period of time, unless there are reasonable grounds to believe that such provisions are necessary to prevent the prisoner from damaging property, inflicting bodily harm to himself or others, or substantially compromising the security of the jail.

NEW SECTION

WAC 289-15-130 USE OF FORCE (HOLDING FACILITIES). (1) Only lawful and reasonable force to the person of a prisoner shall be used.

(2) A record of the use of such force shall be made.

NEW SECTION

WAC 289-16-100 ADMISSIONS (HOLDING FACILITIES). (1) Authorized confinement. No prisoner shall be confined without proper legal authority.

(2) Telephone. Each prisoner, within a reasonable period of time after completion of booking, shall be advised of his right to, and be allowed to complete, at least two local or collect calls to persons of his choice who

may be able to come to his assistance. If the prisoner chooses not to place the calls allowed, this information shall be noted on the booking form: PROVIDED, That appropriate protection of access to an attorney shall be maintained for prisoners without funds.

(3) Language problems. Reasonable provisions for communication with non-English speaking, handicapped and illiterate prisoners shall be provided.

(4) Booking process. The booking process shall be completed promptly unless extenuating circumstances necessitate delay.

(5) Search. Each prisoner shall be searched for contraband in such a manner as staff determine is necessary to protect the safety of prisoners, staff, and institutional security. Such search shall be conducted in a professional manner which protects the prisoner's dignity to the extent possible.

(6) Strip search. Only an authorized person of the same sex as that of the prisoner shall conduct a strip search. Such search shall be conducted in a private area.

(7) Body vermin. Any person with body vermin shall be treated appropriately.

(8) Medical complaints. Complaints of illness or injury expressed or detected during booking shall be acted upon promptly by the staff person on duty and the prisoner shall be provided medical treatment as necessary.

(9) Communicable diseases. Prisoners suspected of having a communicable disease detrimental to the health of the other prisoners shall be segregated.

(10) Prisoner property. At the time of booking, if the prisoner's personal property is taken from him, the authorized jail staff shall record and store such items, and issue the prisoner a receipt.

(11) Bedding and personal care items. At a reasonable time after completion of booking, each prisoner shall be issued clean bedding, as well as such personal care items as required under WAC 289-20-180.

(12) Writing paper. Upon prisoner request, a reasonable supply of writing material shall be furnished.

NEW SECTION

WAC 289-16-110 PRECLASSIFICATION PROCEDURES (HOLDING FACILITIES). Prior to classification, reasonable precautions shall be taken to insure the safety and welfare of prisoners and the security of the institution.

NEW SECTION

WAC 289-16-120 ORIENTATION (HOLDING FACILITIES). As soon as reasonable after booking, the prisoner shall be advised of any facility rules and regulations. His questions shall be answered.

NEW SECTION

WAC 289-16-130 CLASSIFICATION/SEGREGATION (HOLDING FACILITIES). (1) Classification procedures. Written classification procedures shall be included in the policies and procedures.

(2) Classification. The department of corrections or chief law enforcement officer, or his designee, shall be

responsible for classification in accordance with written procedures.

(3) Classification training. At least one staff person per shift shall be trained in the facility's classification procedures and shall be responsible for classification. (30 day, 72 hour) (Not applicable - 6 hour)

(4) Classification criteria. To the extent possible in the available physical plant, the following classification criteria shall be used. If (4)(a) through (d) cannot be enforced, arrangements shall be made to immediately transfer the prisoners involved to another facility which can segregate and supervise them.

(a) The primary criteria for classification shall be safety of the prisoner and the security of the institution.

(b) Juvenile.

(i) No juvenile shall be held in a jail without sight and sound separation from adult prisoners. For purposes of this standard, a juvenile is a person under the chronological age of eighteen, who has not been remanded to superior court jurisdiction: PROVIDED, That no person under the chronological age of sixteen shall be held in a jail in which adult prisoners are also being held: PROVIDED FURTHER, That this standard does not preclude or prohibit the housing of remanded pretrial prisoners under the chronological age of eighteen within juvenile detention facilities rather than city or county adult detention facilities.

(ii) All governing units are advised of the provisions of the Juvenile Justice and Delinquency Prevention Act of 1974 (Public Law 93-415) as amended by the Juvenile Justice Amendments of 1980 (Public Law 96-509) which provide that no juveniles be housed in adult detention facilities after 1985, denies certain federal funds to states which do not comply with this requirement, and directs that guidelines shall be established for meeting this requirement over the five-year period. WAC 289-16-130(4)(b)(ii) ADVISORY

(c) Females shall be segregated from visual and physical contact with male prisoners except under continual supervision of a staff person.

(d) Special problem prisoners who endanger the health or safety of other prisoners (or themselves) shall be segregated and closely supervised.

(e) Prisoners on work release and weekend confinement programs, and any other prisoners who have regular contact outside the jail should be segregated from other prisoner categories (30 day, 72 hour). WAC 289-16-130(4)(e) ADVISORY (Not applicable - 6 hour)

(f) Factors to be considered in classification shall include, but are not limited to, age, type of crime, pretrial versus post trial status, and offender sophistication.

NEW SECTION

WAC 289-16-140 GOOD TIME (HOLDING FACILITIES). The director of the department of corrections or the chief law enforcement officer should develop written policies regarding time off for good behavior. Such policies should insure that good time, when authorized by sentencing courts, is given on a consistent basis, and in accordance with RCW 70.48.210 and 9.92.150. (30 day) WAC 289-16-140 ADVISORY (Not applicable - 72 hour, 6 hour)

NEW SECTIONWAC 289-16-150 RELEASE AND TRANSFER (HOLDING FACILITIES). (1) Release.

(a) The releasing officer shall determine prisoner identity and ascertain that there is legal authority for the release.

(b) The information required on the release forms shall be recorded for each prisoner released from the facility (30 day, 72 hour). (Not applicable - 6 hour)

(c) All prisoners being released shall sign a witnessed receipt for personal property returned.

(2) Transfer. In addition to the release procedures designated above, the releasing officer shall determine that the receiving unit or person has the authority to accept custody.

NEW SECTION

WAC 289-16-160 TRANSPORTATION (HOLDING FACILITIES). When jail facility staff are responsible for prisoner transportation and when the prisoner is still in the custody and under the supervision of the jail, the department of corrections or chief law enforcement officer shall develop and maintain written instructions which insure the safety of the prisoners and staff.

NEW SECTION

WAC 289-18-100 STAFFING (HOLDING FACILITIES). (1) General staffing. At all times at least one staff member shall be awake, alert, and directly responsible for supervision and surveillance: PROVIDED, That this section does not require the presence of such staff when no prisoners are being housed or booked in the facility.

(2) Same sex staffing. A jail staff member of the same sex as the prisoner shall be available in a reasonable time for all custodial activities which involve intimate physical contact or activities which are commonly afforded reasonable protection against opposite sex observation or supervision except where the health, safety, and security of the individual or the staff member would be jeopardized: PROVIDED, That personal observation of prisoners for this or other sections of these standards may be by opposite sex staff so long as opposite sex privacy concerns are given appropriate protection.

(3) Surveillance.

(a) There shall be continual sight and/or sound surveillance of all prisoners.

(b) Such surveillance may be by remote means, provided there is the ability of staff to respond face-to-face to any prisoner within three minutes: PROVIDED, That special problem prisoners are subject to the more stringent personal observation and supervision requirements of other sections.

(c) Each prisoner shall be personally observed by staff at various times. All prisoner checks shall be recorded in writing and retained in the jail records.

(d) In the absence of unusual behavior or other concerns for prisoner security and health, personal observation of prisoners by staff may be reduced to, but should

not be less frequent than, at least once within every sixty minute period. WAC 289-18-100(3)(d) ADVISORY

NEW SECTION

WAC 289-18-110 SUPERVISION AND SURVEILLANCE (HOLDING FACILITIES). (1) Prisoner identification. All holding facilities shall establish a means of identifying prisoners.

(2) Perimeter security. Perimeter security shall be maintained within existing physical plant limitations.

(3) Security devices. Minimum necessary security devices shall be maintained in proper working condition at all times.

(4) Prisoner authority. No prisoner shall be permitted to have authority over other prisoners.

(5) Prisoner counts. A system should be maintained for taking and recording prisoner counts as necessary. WAC 289-18-110(5) ADVISORY

(6) Contraband control. All holding facilities shall establish and maintain a written procedure regarding searches of prisoners, visitors, and the facility to prevent the introduction of contraband. All jails which permit visiting shall post a sign displaying the penalty for the introduction of contraband. (RCW 9A.76.010, 9A.76.140, 9A.76.150, 9A.76.160.)

NEW SECTION

WAC 289-18-120 CRITICAL ARTICLES (HOLDING FACILITIES). (1) All holding facilities shall establish written procedures to insure that weapons shall be inaccessible to prisoners at all times.

(2) Weapon lockers should be located outside of booking and confinement areas. WAC 289-18-120(2) ADVISORY

(3) Whenever possible, keys to weapon lockers should be located outside of booking and confinement areas. WAC 289-18-120(3) ADVISORY

(4) Keys and locking devices.

(a) Key regulations shall be established by the department of corrections or chief law enforcement officer and read and initialed by all staff.

(b) A control point shall be designated for key cataloging and logging the distribution of keys.

(c) There shall be at least two sets of jail facility keys, one set in use and the other stored securely but easily accessible to staff for use in the event of an emergency.

(d) All keys not in use shall be stored in a secure area inaccessible to prisoners.

(e) Emergency keys shall be marked and placed where they may be quickly identified in case of an emergency.

(f) Keys shall be accounted for at all times.

(g) Jail facility keys shall never be issued to a prisoner.

(h) If electronic devices are used in place of keys, there shall be key or other manual override capabilities available for immediate use in case of an emergency and/or failure of the system.

(5) The department of corrections or the chief law enforcement officer shall establish and maintain written procedures regarding storage of protective equipment and dangerous kitchen utensils, if applicable.

NEW SECTION

WAC 289-19-010 INTRODUCTION. It is assumed that disciplinary procedures are usually not applicable to six-hour holding facilities, but where any disciplinary rules or sanctions exist, the facility must comply with the applicable provisions of this chapter.

NEW SECTION

WAC 289-19-100 PRISONER RIGHTS (HOLDING FACILITIES). Each holding facility should establish a written statement of prisoner rights, to be reviewed at the time of orientation, which should include, but not be limited to, access to courts, confidential access to attorneys and/or legal assistance, protection from abuse and corporal punishment, freedom from discrimination based on race or sex, access to information on facility rules and regulations and sanctions, communication such as telephone calls, and access to necessary medical care. (30 day, 72 hour) **WAC 289-19-100 ADVISORY.** (6 hour - see WAC 289-16-120)

NEW SECTION

WAC 289-19-110 PRISONER RULES OF CONDUCT (HOLDING FACILITIES). (1) Rules established.

(a) The department of corrections or chief law enforcement officer shall establish uniform rules and disciplinary sanctions to guide the conduct of all prisoners which rules shall designate major and minor infractions. (30 day, 72 hour)

(b) Appropriate rules relating to the imposition of discipline, if any, shall be established in writing. (6 hour)

(2) Prisoners informed.

(a) Printed rules and possible disciplinary sanctions shall be given to each prisoner and/or posted conspicuously within the jail or conveyed orally to each prisoner. Reasonable efforts shall be made to inform non-English speaking prisoners. (30 day, 72 hour)

(b) Prisoners shall be informed of facility rules and sanctions, if any are established. (6 hour)

(3) Major infractions. If major infractions are handled within the facility, rather than as criminal proceedings, the following shall apply:

(a) All major infractions of the rules shall be reported in writing to the supervisor prior to shift change by the staff member observing or discovering the act. Such reports shall become a part of the prisoner's jail record.

(b) Disciplinary committee.

(i) The director of the department of corrections or the chief law enforcement officer or such person's designee or designees shall hear and decide all charges of major violation of facility rules and impose sanctions. (30 day) (Not applicable - 72 hour, 6 hour)

(ii) It is recommended, but not required, that there be a committee of two or more staff to perform the function of disciplinary committee. (30 day) **WAC 289-19-110(3)(b)(ii) ADVISORY.** (Not applicable - 72 hour, 6 hour)

(iii) Any facility staff member involved in a charge shall not be allowed to participate as a hearing officer

with respect to that charge. (30 day) (Not applicable - 72 hour, 6 hour)

(c) Disciplinary procedures.

(i) Any charge pending against a prisoner shall be acted on as soon as possible and no later than forty-eight hours (exclusive of Saturdays, Sundays, and holidays) after observation or discovery of the infraction. (30 day) (Not applicable - 72 hour, 6 hour)

(ii) At least twenty-four hours prior to hearing, the prisoner shall receive a copy of the written infraction report made in conformance with WAC 289-19-110(3)(a). If the prisoner is illiterate, the infraction report shall be read to him. (30 day) (Not applicable - 72 hour, 6 hour)

(iii) The prisoner alleged to have committed a major infraction shall have, and be promptly advised of, the following rights:

(A) The prisoner shall have the right to be present at all stages of the hearing, except during the decisional deliberations;

(B) The prisoner shall be allowed to appear on his own behalf, to present witnesses, and to present documentary evidence unless the exercise of such rights would be unduly hazardous to institutional safety or correctional goals, in which case the prisoner shall be given a written statement of the reasons for such judgments and the prisoner's record shall contain a statement with regard to such grounds;

(C) A prisoner who is unable to represent himself in such a hearing shall be informed of his right to be assisted by another person in understanding and participating in the proceedings;

(D) The prisoner shall be advised of the decision in a written notice giving the reasons for the disciplinary action, if any, and evidence relied on; and

(E) The prisoner shall be permitted to appeal the disciplinary hearing decision to the department of corrections or the chief law enforcement officer or his or her designee in accordance with appeal procedures established by each facility and included in the printed procedures established by each facility and included in the printed rules. (30 day) (Not applicable - 72 hour, 6 hour)

(iv) All disciplinary proceedings shall be recorded. (30 day) (Not applicable - 72 hour, 6 hour)

(v) There shall be a finding of guilt based on the preponderance of evidence before imposition of a sanction. (30 day) (Not applicable - 72 hour, 6 hour)

(4) Minor infractions. Minor infractions may be handled by any staff person by reprimand, warning, or minor sanction as defined by local rules. Such incidents may become part of the prisoner's record only with the approval of the supervisor and verbal notification to the prisoner.

NEW SECTION

WAC 289-19-120 DISCIPLINE (HOLDING FACILITIES). (1) Corrective action or forms of discipline.

(a) When punitive measures are imposed, such measures shall be in accordance with law, and recommended sanctions, and appropriate to the severity of the infraction.

(b) Acceptable forms of discipline shall include, but not be limited to, the following:

- (i) Loss of privileges;
- (ii) Removal from work detail or other assignment;
- (iii) Recommendation of forfeiture of "good time" credit;
- (iv) Transfer to the maximum security or segregation section. (30 day, 72 hour) (Not applicable - 6 hour)

(2) Limitations on punishment.

(a) No prisoner or group of prisoners shall be given authority to administer punishment to any other prisoner or group of prisoners.

(b) Deprivation of regular feeding, clothing, bed, bedding, or normal hygienic implements and facilities shall not be used as a disciplinary sanction.

(c) Correspondence privileges shall not be denied or restricted, except in cases where the prisoner has violated correspondence regulations. In no case shall the correspondence privilege with any member of the bar, holder of public office, the courts, or the department of corrections or chief law enforcement officer be suspended.

(d) Restrictions on visitation.

(i) Visitation privileges should not be denied or restricted as a sanction for infractions of rules of the institution unrelated to visitation. WAC 289-19-120(2)(d)(i) ADVISORY.

(ii) Under no circumstances shall attorney-client visits be restricted.

(e) No prisoner shall be held in disciplinary segregation for more than five consecutive days without review by the disciplinary hearing body or chief law enforcement officer or his or her designee, and in no event shall a prisoner be held in disciplinary segregation for more than ten consecutive days as the result of any one hearing. (30 day) (Not applicable - 72 hour, 6 hour)

(f) Corporal punishment and physical restraint (e.g., handcuffs, leather restraints, and strait jackets) shall not be used as sanctions.

NEW SECTION

WAC 289-19-130 GRIEVANCE PROCEDURES (HOLDING FACILITIES). The department of corrections or chief law enforcement officer for each jail should develop and maintain procedures for the collection of prisoner grievances. Such procedures should provide for persons to whom grievances are to be directed, for timely review of grievances, and for notification of action taken regarding the grievance. (30 day, 72 hour) WAC 289-19-130 ADVISORY. (Not applicable - 6 hour)

NEW SECTION

WAC 289-20-100 WRITTEN PROCEDURES FOR MEDICAL SERVICES (HOLDING FACILITIES). (1) There shall be on file, in the jail, a written procedure which provides that necessary medical services will be provided twenty-four hours a day by one or more of the following:

- (a) A licensed physician.
- (b) A health care professional supervised by a licensed physician.

(c) A hospital or clinic.

(2) Security. All providers of medical services in holding facilities shall observe the security regulations which apply to jail personnel.

(3) Licensing and certifications. Medical services shall be provided only by licensed or certified health care providers.

NEW SECTION

WAC 289-20-105 HEALTH CARE POLICIES AND PROCEDURES (HOLDING FACILITIES). Written standard operating procedures shall consist of but not be limited to the following:

- (1) Receiving screening;
- (2) Nonemergency medical services;
- (3) Deciding the emergency nature of illness or injury;
- (4) First-aid;
- (5) Notification of next of kin or legal guardian in case of serious illness, injury or death;
- (6) Screening, referral and care of mentally ill and retarded inmates, and prisoners under the influence of alcohol and other drugs;
- (7) Detoxification procedures; and
- (8) Pharmaceuticals.

NEW SECTION

WAC 289-20-110 HEALTH SCREENING (HOLDING FACILITIES). (1) Receiving screening shall be performed on all prisoners upon admission to the facility, and the findings recorded on a printed screening form.

(2) If the results of receiving screening indicate a medical problem that may be detrimental to the health or safety of the prisoner, but is of a nonemergency nature, then the prisoner shall be seen within a reasonable time by a physician or nurse to determine the need for further diagnosis or treatment.

NEW SECTION

WAC 289-20-120 ACCESS TO HEALTH CARE (HOLDING FACILITIES). (1) Written procedures for gaining access to medical services shall be given to each prisoner at the time of admission and/or posted conspicuously in the jail. (30 day, 72 hour) (6 hour - WAC 289-20-120(1) ADVISORY)

(2) Prisoner complaints of injury or illness, or staff observations of such shall be acted upon by staff as soon as reasonably possible. Prisoners shall be provided with medical diagnosis or treatment as necessary.

(3) Work release prisoners should be allowed to see their own physician. (30 day, 72 hour) WAC 289-20-120(3) ADVISORY (Not applicable - 6 hour)

(4) Emergency care.

(a) Standard first-aid kits shall be conveniently available to all jails.

(b) Emergency medical and dental care shall be available on a twenty-four hour basis in accordance with a written plan which includes:

- (i) Arrangements for the emergency evacuation of the prisoner from the jail;

- (ii) Arrangements for the use of an emergency medical vehicle;
- (iii) Arrangements for the use of one or more designated hospital emergency rooms or other appropriate health facilities;
- (iv) Arrangements for emergency on-call physician and dentist services when an emergency health facility is not located in a nearby community;
- (v) Arrangements for emergency mental illness care for prisoners.

NEW SECTION

WAC 289-20-130 HEALTH CARE TRAINING (HOLDING FACILITIES). (1) Jail personnel shall be trained in standard first-aid equivalent to that defined by the American Red Cross and usual emergency care procedures prior to employment or during the probationary period. Written standard operating procedures and training of staff shall include but not be limited to:

- (a) Awareness of potential medical emergency situations;
 - (b) Notification or observation-determination that a medical emergency is in progress;
 - (c) First-aid and resuscitation;
 - (d) Call for help; and
 - (e) Transfer to appropriate medical provider.
- (2) At least one person per shift shall have training in receiving screening.
- (3) At least one person available per shift shall have training in basic life support cardiopulmonary resuscitation (CPR).
- (4) All persons delivering medication shall be properly trained.

NEW SECTION

WAC 289-20-140 MEDICATIONS CONTROL (HOLDING FACILITIES). (1) If stock prescriptive medication is maintained within the holding facility, standard operating procedures for the proper management of pharmaceuticals shall include:

- (a) A formulary specifically developed for the facility when stock medications are maintained within the jail. Such formulary shall be in accordance with WAC 360-16-070 (clinic dispensary);
- (b) A policy that jails with an on-site pharmacy shall adhere to regulations established by the state board of pharmacy. Such policy shall require, as a minimum, a consulting pharmacist for the operation of the pharmacy or the dispensing shall be done by each prescribing physician in person (WAC 360-16-070);
- (c) A policy regarding the prescription of all medications with particular attention to behavior modifying medications and those subject to abuse;

(2) The standard operating procedures for medication dispensing and administration shall include, but not be limited to, policies regarding:

- (a) Nonmedical jail personnel delivering medication(s) to prisoners;
- (b) Disposition of medication(s) brought in by prisoners at the time of admission to the facility;

(c) The medications system, which shall insure that all medications shall be kept in containers which have been labeled securely and legibly by a pharmacist or the prescribing physician, or in their original container labeled by their manufacturer. Medications shall not be transferred from the original container except for the preparation of a dose administration;

(d) Safeguards with regard to delivery of medications to prisoners; and

(e) Disposition of unused medication(s).

(3) The standard operating procedures should include a policy regarding the maximum security storage and weekly inventory of all controlled substances, nonprescription medication(s), and any syringes, needles and surgical instruments. (30 day, 72 hour) WAC 289-20-140(3) ADVISORY (Not applicable - 6 hour)

(4) The person delivering medication shall be accountable for following the order of the prescribing physician. (30 day, 72 hour) (Not applicable - 6 hour)

NEW SECTION

WAC 289-20-150 HEALTH CARE RECORDS (HOLDING FACILITIES). (1) Prisoner file maintenance.

(a) Prisoner medical files shall contain the completed receiving screening form, all findings, diagnoses, treatments, dispositions, prescriptions and administration of medications, notes concerning patient education, notations of place, date and time of medical encounters and terminations of treatment from long term or serious medical or psychiatric treatment, if applicable. (30 day)

(b) A record of the date, time, place and name of the health care provider shall be retained on file at the jail if any health care services are provided to prisoners. (72 hour, 6 hour)

(2) Prisoner file confidentiality.

(a) Medical records shall be maintained separately from other jail records to the extent necessary to protect their confidentiality.

(b) Medical records shall not be released to other persons or agencies without the written authorization of the prisoner.

(3) The responsible physician or medical care provider shall communicate information obtained in the course of medical screening and care to jail authorities when necessary for the protection of the welfare of the prisoner or other prisoners, management of the jail, or maintenance of jail security and order. (30 day)

(4) Information regarding known serious health problems shall be communicated to any transferring officer or receiving jail or correctional institution at the time of transfer. (72 hour, 6 hour)

(5) The person delivering medications shall record the actual date and time of the delivery.

NEW SECTION

WAC 289-20-160 SPECIAL MEDICAL ISSUES (HOLDING FACILITIES). (1) Informed consent. All examinations, treatments and procedures affected by informed consent standards in the community shall likewise be observed for prisoner care.

(2) Special medical.

(a) Jail staff suspecting prisoner mental illness shall notify the appropriate mental health authorities.

(b) Appropriate medically supervised treatment in accordance with written procedures established under WAC 289-20-105 shall be given in the jail to prisoners determined to be mentally ill or under the influence of alcohol, opiates, barbiturates, and similar drugs when such care is not provided in a community health facility. (30 day, 72 hour) (Not applicable - 6 hour)

NEW SECTION

WAC 289-20-165 ACCESS TO FACILITIES (HOLDING FACILITIES). (1) Regular bathing (shower) shall be permitted at least twice each week. (30 day) (Not applicable - 72 hour, 6 hour)

(2) Each prisoner shall have access to toilet, sink, drinking water, and adequate heat and ventilation.

NEW SECTION

WAC 289-20-170 FOOD (HOLDING FACILITIES). (1) Meal service.

At least three meals a day shall be served at regular intervals. The morning meal shall be served within fourteen hours of the previous day's evening meal. (30 day, 72 hour) (Not applicable - 6 hour)

(2) Nutritional and caloric intake.

(a) Jail meals shall be nutritious, and provide for appropriate caloric intake.

(b) Jail menus shall be reviewed by the local county health department, the county extension service, or other qualified nutrition consultant to insure that diets approximate the dietary allowances specified. (30 day) (Not applicable - 72 hour, 6 hour)

(c) Medically ordered diets shall be strictly observed.

(3) Food service operations.

(a) If there is a food service operation within the holding facility, it shall conform to the sanitation rules and regulations set forth in chapter 248-84 WAC.

(b) All prisoners and other persons working in the food service shall be free from infectious disease.

(c) In all jails, a paid staff member responsible for kitchen supervision and food preparation shall obtain a food and beverage workers permit (chapters 248-86 and 248-87 WAC). Under supervision of this staff member, prisoners may assist in the kitchen and need not acquire a food and beverage workers permit.

(d) Local health departments may have more stringent requirements which, if ordered by them, shall be followed.

NEW SECTION

WAC 289-20-180 CLOTHING, BEDDING AND PERSONAL ITEMS (HOLDING FACILITIES). (1) Clothing.

(a) Provisions shall be made for separate insect proof clothing storage to prevent migration of lice from infested clothing. (30 day, 72 hour) (Not applicable - 6 hour)

(b) Each jail shall insure that prisoners' outer garments are laundered and made available to them at least once a week, and that prisoners' undergarments and

socks are laundered and made available to them at least twice a week. (30 day) (Not applicable - 72 hour, 6 hour)

(2) Bedding.

Prisoners shall be issued clean bedding within a reasonable time. Bedding shall include, but not be limited to:

(a) A mattress which shall have a washable surface which shall be sanitized at least semi-annually or more often if needed;

(b) A mattress cover or sheet which shall be washed weekly or more often as needed, and always before reissue;

(c) A blanket which shall be washed at frequent intervals to maintain a clean condition, and always before reissue.

(3) Personal care items.

(a) Personal care items issued to each prisoner held in excess of six hours shall include, but not be limited to, soap and towel. Female prisoners shall be supplied with necessary feminine hygiene items. (30 day, 72 hour) (Not applicable - 6 hour)

(b) Toothpaste, toothbrush and comb shall be provided for all prisoners held in excess of six hours. Such items shall be available for purchase or shall be issued as needed: PROVIDED, That indigent prisoners shall have access to these minimum items without cost. (30 day, 72 hour) (Not applicable - 6 hour)

(c) Each prisoner should be permitted to have a reasonable number of additional personal items, the possession of which does not substantially impede jail management or security. (30 day, 72 hour) WAC 289-20-180(3)(c) ADVISORY (Not applicable - 6 hour)

NEW SECTION

WAC 289-20-190 SANITATION (HOLDING FACILITIES). (1) General sanitation.

(a) All jails shall be kept in a clean and sanitary condition, free from any accumulation of dirt, filth, rubbish, garbage, or other matter detrimental to health.

(b) When the facility is occupied, the housekeeping program shall include a daily general sanitation inspection and daily removal of trash and garbage. (30 day) (Not applicable - 72 hour, 6 hour)

(c) Each prisoner shall clean his own living area daily.

(2) Insects, rodents, and pets.

(a) Insects and rodents shall be eliminated by safe and effective means.

(b) Pets shall not be allowed in jail facilities.

(3) Laundry. Each jail shall arrange for adequate laundry services. (30 day, 72 hour) (Not applicable - 6 hour)

NEW SECTION

WAC 289-22-100 SERVICES (HOLDING FACILITIES). (1) Commissary.

(a) The department of corrections or chief law enforcement officer of each holding facility shall either establish, maintain, and operate a commissary, or provide prisoners with a list of approved items to be purchased at cost at least once a week at local stores. (30 day)

(b) The department of corrections or chief law enforcement officer may provide prisoners with a list of approved items to be purchased at cost. (72 hour) WAC 289-22-100(1)(b) ADVISORY. (Not applicable - 6 hour)

(c) Commissary items shall include books, periodicals, and newspapers.

(d) Proceeds from a jail facility store shall be used for operation and maintenance of the commissary service and/or prisoner welfare expenses. (30 day) (Not applicable - 72 hour, 6 hour)

(e) If jail rules do not permit prisoners to keep money on their persons, payments for commissary purchases shall be made by debit on a cash account maintained for the prisoner. All expenditures from a prisoner's account shall be accurately recorded and receipted. (30 day, 72 hour) (Not applicable - 6 hour)

(2) Basic hair care. Reasonable arrangements should be made to provide basic hair care. (30 day) WAC 289-22-100(2) ADVISORY. (Not applicable - 72 hour, 6 hour)

(3) Reading materials. Each jail should provide for reading materials and library services. WAC 289-22-100(3) ADVISORY

(4) Legal assistance.

(a) When adequate professional legal assistance is not available to prisoners for purposes of preparing and filing legal papers, a jail shall provide access to necessary law books and reference materials. (30 day) (Not applicable - 72 hour, 6 hour)

(b) Facility rules shall not prohibit one prisoner from assisting another in the preparation of legal papers. (30 day) (Not applicable - 72 hour, 6 hour)

(5) Religious services.

(a) Upon reasonable request from a prisoner, the jail facility staff shall arrange for confidential religious consultation. (30 day) (72 hour - WAC 289-22-100(5)(a) ADVISORY) (Not applicable - 6 hour)

(b) Holding facilities with an average daily population of twenty-five or more should arrange for weekly religious services. (30 day) WAC 289-22-100(5)(c) ADVISORY. (Not applicable - 72 hour, 6 hour)

(c) Prisoners should be permitted to observe religious holidays and receive sacraments of their faith. (30 day) WAC 289-22-100(5)(d) ADVISORY. (Not applicable - 72 hour, 6 hour)

(d) Attendance at religious services shall be voluntary. (30 day) (Not applicable - 72 hour, 6 hour)

(6) Counseling, guidance, and ancillary services.

(a) Counseling services should be available to provide prisoners in holding facilities with an opportunity to discuss their problems. (30 day, 72 hour) WAC 289-22-100(6)(a) ADVISORY. (Not applicable - 6 hour)

(b) The department of corrections or chief law enforcement officer may utilize volunteer counseling resources available in the community, provided that the security of the facility is not jeopardized. (30 day, 72 hour) WAC 289-22-100(6)(b) ADVISORY. (Not applicable - 6 hour)

(c) Prisoners are not required to receive counseling services unless ordered by the appropriate court or the disciplinary review body.

NEW SECTION

WAC 289-22-110 PROGRAMS (HOLDING FACILITIES). (1) Each prisoner should be allowed an opportunity for physical exercise. WAC 289-22-110(1) ADVISORY.

(2) Work programs. The department of corrections or chief law enforcement officer may establish work programs. (30 day) WAC 289-22-110(2) ADVISORY. (Not applicable - 72 hour, 6 hour)

(3) Participation in work programs by pretrial detainees shall be voluntary.

(4) Education or training programs. The department of corrections or chief law enforcement officer may allow the prisoner to contact or be contacted by community representatives of education or training programs. (30 day, 72 hour) WAC 289-22-110(4) ADVISORY. (Not applicable - 6 hour)

(5) Leisure time activity programs. Holding facilities should provide opportunities for all prisoners to participate in leisure time activities. WAC 289-22-110(5) ADVISORY.

AMENDATORY SECTION (Amending Order 2, filed 6/27/79)

WAC 289-24-010 INTRODUCTION. (~~((+)) Communication between prisoners and persons outside any jail, and communication between prisoners and staff, shall be encouraged for the purposes of retaining constructive community relationships, stimulating intellectual pursuits, assisting in the attainment of vocational or educational goals, and facilitating legal inquiries.~~

~~(2) Communication is deemed a right rather than a privilege and the specific protections afforded communication under this chapter may be abridged only when there are reasonable grounds to believe that facility security or the welfare of the prisoners or staff is endangered.~~

~~WAC 289-24-010 MANDATORY for detention and correctional facilities; advisory for holding facilities.)~~

It is assumed that mail will usually not be sent or received in 72 hour or 6 hour holding facilities, but facilities which do handle mail must comply with the applicable provisions in this chapter.

NEW SECTION

WAC 289-24-100 TELEPHONE USAGE (HOLDING FACILITIES). (1) The governing unit shall establish and post rules which specify regular telephone usage times and the maximum length of calls (not to be less than five minutes). (30 day) (72 hour, 6 hour - WAC 289-24-100(1) ADVISORY)

(2) Telephone usage hours shall include time during the normal work day and time during the evening, at least once a week per prisoner: PROVIDED, That established social telephone usage shall not preclude reasonable access to a telephone to contact the prisoner's attorney or legal representative.

(3) Long distance calls shall be at the prisoner's expense or collect: PROVIDED, That appropriate protection of access to an attorney shall be maintained for prisoners without funds.

(4) Location of telephone facilities shall insure reasonable privacy, and telephone conversations shall not be monitored, tape recorded, or spot-checked except by court order.

(5) Reasons for calls shall be the personal concern of the prisoner, except in consideration of requests for emergency calls beyond normal telephone hours.

NEW SECTION

WAC 289-24-110 MAIL (HOLDING FACILITIES). (1) Newspapers, books, periodicals, other printed materials, and photographs.

(a) Prisoners shall generally be permitted to receive books, newspapers, periodicals and other printed materials or photographs which may lawfully be delivered through the United States mails. Such materials shall be denied a prisoner only if such denial furthers a substantial governmental interest in jail security or the welfare of prisoners or staff. (30 day) (Not applicable - 72 hour, 6 hour)

(b) If such materials are withheld from a prisoner:

(i) The prisoner shall receive written notice that the publication is being denied, accompanied by an explanation of the reason(s) for the denial;

(ii) The affected prisoner shall be promptly informed of his right to have such decision reviewed by the disciplinary hearing body, the department of corrections, or the chief law enforcement officer upon written request;

(iii) A written decision of the review of the denial, including reason(s), shall be given to the prisoner requesting review. (30 day) (Not applicable - 72 hour, 6 hour)

(2) Correspondence.

(a) General.

(i) Incoming or outgoing mail shall be retained no more than one business day. (30 day) (Not applicable - 72 hour, 6 hour)

(ii) Except in the case of prisoners without funds, prisoners shall be permitted to mail out any number of letters including letters to attorneys, the courts, and elected federal, state, county and city officials. Prisoners without funds shall be permitted to mail up to three letters per calendar week at public expense: PROVIDED, That no limit may be set on the number of letters which may be sent to the prisoner's attorney or to the courts. (30 day) (Not applicable - 72 hour, 6 hour)

(iii) No restrictions shall be placed on the number of letters a prisoner may receive or on the persons with whom he may correspond, except by order of a court of competent jurisdiction, or as provided under (c) of this subsection. (30 day) (Not applicable - 72 hour, 6 hour)

(iv) These rules shall not preclude a prisoner being required to place his name and return post office address on outgoing mail. (30 day) (Not applicable - 72 hour, 6 hour)

(b) Opening or censoring mail.

(i) No general restriction of the number of letters prisoners may receive or of classes of persons with whom

they may correspond shall be made by facility rule or policy. (30 day) (Not applicable - 72 hour, 6 hour)

(ii) Incoming mail shall not be censored, but may be opened and inspected for contraband, cash, and checks and may be perused for content when the responsible staff person designated by the department of corrections or chief law enforcement officer has reasonable grounds to believe that the content of a letter may present a clear and present danger to institutional security, or violates state or federal law. Whenever mail is not delivered by the jail staff directly to the prisoner to whom it is addressed, it shall be resealed. (30 day) (Not applicable - 72 hour, 6 hour)

(iii) Except by order of a court of competent jurisdiction, outgoing mail shall not be opened unless the responsible staff person designated by the department of corrections or chief law enforcement officer has reasonable grounds to believe that the content of a letter may present a clear and present danger to institutional security, or violates state or federal law. (30 day) (Not applicable - 72 hour, 6 hour)

(c) Notice of disapproval of prisoner mail.

(i) If a prisoner is prohibited from sending a letter, the letter and a written and signed notice stating the reason for disapproval, and indicating the portion(s) of the letter causing disapproval, shall be given the prisoner. (30 day) (Not applicable - 72 hour, 6 hour)

(ii) When a prisoner is prohibited from receiving a letter, the letter and a written signed notice stating the reason(s) for denial and indicating the portion(s) of the letter causing the denial shall be given the sender. The prisoner shall be given notice in writing that the letter has been prohibited, indicating the reason(s) and the sender's name. (30 day) (Not applicable - 72 hour, 6 hour)

(iii) When a prisoner is prohibited from sending or receiving mail, the affected prisoner is entitled to have such decision reviewed by the disciplinary hearing body, the department of corrections, or the chief law enforcement officer upon written request and shall be promptly informed of this right. (30 day) (Not applicable - 72 hour, 6 hour)

(iv) A written decision of the review of such denial shall be promptly delivered to the prisoner. (30 day) (Not applicable - 72 hour, 6 hour)

(d) Limitations.

(i) Incoming mail of postconviction prisoners that is clearly marked as coming from an attorney, court, or elected federal, state, county or city officials shall be opened only in the presence of the addressee. (30 day) (Not applicable - 72 hour, 6 hour)

(ii) Mail to or from attorneys, courts, or elected federal, state, county or city officials shall not be read. (30 day) (Not applicable - 72 hour, 6 hour)

(iii) There shall be no additional restrictions on prisoner correspondence for disciplinary or punishment purposes, unless the prisoner has violated rules as to correspondence. Upon proper showing of the alleged violation, the prisoner's mail may be restricted for a limited time, but such restriction shall not apply to attorney-client mail or correspondence with the courts. (30 day) (Not applicable - 72 hour, 6 hour)

(3) Packages. If a facility allows prisoners to send or receive packages;

(a) All packages shall be opened and inspected. (30 day) (Not applicable - 72 hour, 6 hour)

(b) Packages may be received only if the contents conform to rules adopted by the department of corrections or chief law enforcement officer, and a witnessed receipt for permissible items shall be promptly delivered to the prisoner, unless such package is opened in the presence of the prisoner and all items are given directly to him. (30 day) (Not applicable - 72 hour, 6 hour)

(c) Outgoing. Outgoing packages of prisoner's personal property shall be inspected to insure ownership and compliance with United States postal regulations. (30 day) (Not applicable - 72 hour, 6 hour)

(4) Contraband.

(a) Items which are not permitted by jail rules may be destroyed upon the prisoner's written request, placed in the prisoner's personal property box, or returned collect to the sender. (30 day) (Not applicable - 72 hour, 6 hour)

(b) Permissible items received in the mail, including money or checks, shall be recorded by a staff member and notification thereof given to the prisoner. (30 day) (Not applicable - 72 hour, 6 hour)

(c) Contraband, as defined in RCW 9A.76.010, shall be turned over to the proper authorities, for handling as evidence, for disciplinary action or possible prosecution under RCW 9A.76.140, 9A.76.150, or 9A.76.160, or other applicable statute(s). (30 day) (Not applicable - 72 hour, 6 hour)

NEW SECTION

WAC 289-24-120 VISITATION (HOLDING FACILITIES). (1) Security.

(a) Open visitation should be provided for those prisoners determined to present a minimal degree of risk to the safety and security of the institution. (30 day) WAC 289-24-120(1)(a) ADVISORY. (Not applicable - 72 hour, 6 hour)

(b) The degree of security required for each prisoner during visitation shall be determined by the person or persons responsible for classification under WAC 289-16-130. (30 day, 72 hour) (Not applicable - 6 hour)

(2) Social visits.

The department of corrections or chief law enforcement officer shall establish and post rules which permit reasonable opportunities for social visits for each prisoner and specifying times therefor. (30 day) (72 hour - WAC 289-24-120(2) ADVISORY) (Not applicable - 6 hour)

(3) Business and professional visits.

(a) Each prisoner shall be allowed confidential visits from his attorney or legal assistants and his pastor at reasonable hours.

(b) The department of corrections or chief law enforcement officer should allow confidential visits from business, educational and law enforcement professionals. (30 day, 72 hour) WAC 289-24-120(3)(b) ADVISORY. (Not applicable - 6 hour)

(4) Visitor regulations.

(a) Signs giving notice that all visitors and their accompanying possessions are subject to search shall be conspicuously posted.

(b) Any person may refuse a search but, subsequent to such refusal, may then be denied entrance.

(c) Other reasons for denying entrance to visitors shall include, but not to be limited to:

(i) An attempt, or reasonable suspicion of an attempt, to bring contraband into the facility.

(ii) Obvious influence or effect of alcohol or controlled substances.

(iii) Request from the prisoner's physician.

(iv) Request from the prisoner.

(v) Reasonable grounds to believe a particular visit would present a substantial danger to jail security, or management, or to the welfare of prisoners, staff, or other visitors.

(d) If a visitor is refused admittance during regular visiting hours;

(i) The prisoner shall receive notice of the refusal stating the reasons therefor.

(ii) The affected prisoner is entitled to have such decision reviewed by the disciplinary hearing body, the department of corrections, or the chief law enforcement officer upon written request and shall be promptly informed of this right.

(iii) A written decision of the reviewing body's determination stating the reason(s) therefor, shall be furnished the prisoner who requested such review.

**WSR 81-08-015
PROPOSED RULES
DEPARTMENT OF
GENERAL ADMINISTRATION**

[Filed March 24, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, 43.19.125 and 46.08.150, that the Department of General Administration, intends to adopt, amend, or repeal rules concerning:

Amd WAC 236-12-430 Demonstration, parades—Obstructing traffic, state business—Prohibiting.

Amd WAC 236-12-470 Prohibiting access to state capitol buildings and grounds while armed with dangerous weapons or with devices used to disrupt state business;

that such agency will at 9:00 a.m., Tuesday, May 5, 1981, in the conference room, Department of General Administration, 218 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., Tuesday, May 5, 1981, in the conference room, Department of General Administration, 218 General Administration Building, Olympia, Washington.

The authority under which these rules are proposed is RCW 43.19.125, 46.08.150 and 43.17.060.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to May 5, 1981, and/or orally at 9:00 a.m.,

Tuesday, May 5, 1981, conference room, Department of General Administration, 218 General Administration Building, Olympia, Washington 98504.

Dated: March 24, 1981

By: Keith A. Angier
Director

STATEMENT OF PURPOSE

Title And Description: WAC 236-12-430, Demonstrations, parades—Obstructing traffic, state business—Prohibiting; WAC 236-12-470, Prohibiting access to state capitol buildings and grounds while armed with dangerous weapons or with devices used to disrupt state business (Emergency Rules). WAC 236-12-430, presently prohibits individuals or groups from conducting demonstrations or parades on the state capitol grounds in such a manner as to disrupt the flow of traffic, and WAC 236-12-470 establishes restrictions against carrying dangerous weapons on the capitol campus or in state buildings.

Summary Of Rule: The Director of the Department of General Administration, Keith A. Angier, has adopted on March 24, 1981, the emergency rules summarized as follows: WAC 236-12-430 has been amended to also prohibit persons from engaging in demonstrations or parades in such a manner as to disrupt the conduct of state business in state buildings or on the state capitol grounds. WAC 236-12-470 has been amended to also prohibit persons from carrying into any state capitol campus buildings any noise-producing devices, (such as voice-amplification equipment, blow horns, and sirens) which may be used to disrupt the conduct of state business by state employees.

There exists an urgent need to control and regulate the occurrence of incidents where persons desire to enter state buildings with noise-producing devices for the purpose of disrupting the conduct of state business, especially during the legislative session.

Agencies, Personnel Responsible: Keith A. Angier, Director of the Department of General Administration, 218 General Administration Building, Olympia (753-5434) is responsible for implementation of these regulatory provisions. The Washington State Patrol, Captain R. G. Engle, Capitol Security, 1505 South Cherry, Olympia (753-2191) is responsible for enforcement of such regulations.

AMENDATORY SECTION (Amending Order 12, filed 12/19/73)

WAC 236-12-430 DEMONSTRATIONS, PARADES—OBSTRUCTING TRAFFIC, STATE BUSINESS—PROHIBITING. No person, singly, or in combination with others, shall engage in demonstrations or parades in such a manner ~~((that))~~ as to disrupt the orderly flow of pedestrian or vehicular traffic on the state capitol grounds or the conduct of state business by state employees on the

state capitol grounds or in any buildings on the state capitol grounds ((is disrupted)).

AMENDATORY SECTION (Amending Order 76-7, filed 10/18/76)

WAC 236-12-470 PROHIBITING ACCESS TO STATE CAPITOL BUILDINGS AND GROUNDS WHILE ARMED WITH DANGEROUS WEAPONS OR WITH DEVICES USED TO DISRUPT STATE BUSINESS. Unless otherwise permitted in advance by the director of the Department of General Administration, no person shall carry any firearm or other dangerous weapon on the state capitol grounds or in any building on the state capitol grounds: PROVIDED, That this regulation shall not apply to duly authorized federal, state, and local law enforcement officers or to any federal, state, and local government employee authorized to carry firearms in the course of their public employment; nor shall any person carry into any building on the state capitol grounds any voice-amplification equipment, blow horns, sirens, or other similar noise-producing devices which may be used to disrupt the conduct of state business by state employees.

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 81-08-016
EMERGENCY RULES
DEPARTMENT OF
GENERAL ADMINISTRATION
[Order 81-1—Filed March 24, 1981]

I, Keith A. Angier, director of the Department of General Administration, do promulgate and adopt at the Office of the Director, Department of General Administration, 218 General Administration Building, Olympia, Washington 98504, the annexed rules relating to:

- Amd WAC 236-12-430 Demonstrations, parades—Obstructing traffic, state business—Prohibiting.
Amd WAC 236-12-470 Prohibiting access to state capitol buildings and grounds while armed with dangerous weapons or with devices used to disrupt state business.

I, Keith A. Angier, Director of the Department of General Administration, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is that there exists an urgent need to control and regulate the occurrence of incidents where persons desire to enter state buildings with noise-producing devices with the intent to disrupt the conduct of state business, especially during the legislative session.

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

This rule is promulgated pursuant to RCW 43.19.125, 46.08.150 and 43.17.060 and is intended to administratively implement that statute.

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

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

APPROVED AND ADOPTED March 24, 1981.

By: Keith A. Angier
Director

AMENDATORY SECTION (Amending Order 12, filed 12/19/73)

WAC 236-12-430 DEMONSTRATIONS, PARADES—OBSTRUCTING TRAFFIC, STATE BUSINESS—PROHIBITING. No person, singly, or in combination with others, shall engage in demonstrations or parades in such a manner ((that)) as to disrupt the orderly flow of pedestrian or vehicular traffic on the state capitol grounds or the conduct of state business by state employees on the state capitol grounds or in any buildings on the state capitol grounds ((is disrupted)).

AMENDATORY SECTION (Amending Order 76-7, filed 10/18/76)

WAC 236-12-470 PROHIBITING ACCESS TO STATE CAPITOL BUILDINGS AND GROUNDS WHILE ARMED WITH DANGEROUS WEAPONS OR WITH DEVICES USED TO DISRUPT STATE BUSINESS. Unless otherwise permitted in advance by the director of the Department of General Administration, no person shall carry any firearm or other dangerous weapon on the state capitol grounds or in any building on the state capitol grounds: PROVIDED, That this regulation shall not apply to duly authorized federal, state, and local law enforcement officers or to any federal, state, and local government employee authorized to carry firearms in the course of their public employment; nor shall any person carry into any building on the state capitol grounds any voice-amplification equipment, blow horns, sirens, or other similar noise-producing devices which may be used to disrupt the conduct of state business by state employees.

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 81-08-017
PROPOSED RULES
INSURANCE COMMISSIONER
STATE FIRE MARSHAL
[Filed March 25, 1981]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Insurance Commissioner/State Fire Marshal, intends to adopt, amend, or repeal rules concerning:

- New ch. 212-54 WAC Day care centers and day treatment centers, standards for fire protection.
- New ch. 212-55 WAC Mini day care centers, standards for fire protection.
- Rep ch. 212-56 WAC Group home in family abode, standards for fire protection.
- Rep ch. 212-57 WAC Group home other than in family abode, standards for fire protection.

- Rep ch. 212-58 WAC Group home for developmentally disabled persons, standards for fire protection.
- Rep ch. 212-59 WAC Mini day care center in family abode, standards for fire protection.
- Rep ch. 212-60 WAC Mini day care centers other than in family abode, standards for fire protection.
- Rep ch. 212-61 WAC Day care center in family abode, standards for fire protection.
- Rep ch. 212-62 WAC Day care center and day treatment center program other than in family abode, standards for fire protection.
- Rep ch. 212-63 WAC Child care institutions, standards for fire protection.
- Amd ch. 212-64 WAC Maternity services, standards for fire protection.
- New ch. 212-65 WAC Group care facilities, standards for fire protection;

that such agency will at 10:00 a.m., Tuesday, May 19, 1981, in the State Fire Marshal's Office, Room 500B, State Modular Office Building, Tumwater, Washington 98504, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Tuesday, May 26, 1981, in the State Fire Marshal's Office, Room 500B, State Modular Office Building, Tumwater, Washington 98504.

The authority under which these rules are proposed is RCW 74.15.050.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to May 19, 1981, and/or orally at 10:00 a.m., Tuesday, May 19, 1981, State Fire Marshal's Office, Room 500B, State Modular Office Building, Tumwater, Washington 98504.

This notice is connected to and continues the matter noticed in Notice Nos. WSR 81-03-051 and 81-06-022 filed with the code reviser's office on 1/19/81 and 2/25/81.

Dated: March 24, 1981
By: Thomas R. Brace
Director, Division of State Fire Marshal

**WSR 81-08-018
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Order 1626—Filed March 25, 1981]**

I, David A. Hogan, Director, Client and Community Relations Division of the Department of Social and Health Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Standards for additional requirements under specified circumstances—Daily restaurant meals, repealing WAC 388-29-170.

This action is taken pursuant to Notice No. WSR 81-04-037 filed with the code reviser on February 2, 1981. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the secretary of Department of Social and Health Services as authorized in RCW 74.08.090.

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

APPROVED AND ADOPTED March 25, 1981.

By David A. Hogan
Director, Client and
Community Relations Division

REPEALER

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

WAC 388-29-170 STANDARDS FOR ADDITIONAL REQUIREMENTS UNDER SPECIFIED CIRCUMSTANCES—DAILY RESTAURANT MEALS.

WSR 81-08-019

ADOPTED RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Order 1625—Filed March 25, 1981]

I, David A. Hogan, Director, Client and Community Relations Division of the Department of Social and Health Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Food stamps—Income—Deductions, amending WAC 388-54-740.

This action is taken pursuant to Notice No. WSR 81-04-001 filed with the code reviser on January 26, 1981. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 74.04.510 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED March 25, 1981.

By David A. Hogan
Director, Client and
Community Relations Division

AMENDATORY SECTION (Amending Order 1584, filed 12/30/80)

WAC 388-54-740 INCOME—DEDUCTIONS. In computing net income, only the following deductions shall be allowed:

(1) A standard deduction of ((~~\$75~~)) \$85 per household per month.

(2) An earned income deduction of twenty percent of gross earned income. Earnings which are excluded in WAC 388-54-735 shall not be included in gross earned income for purposes of computing earned income deductions.

(3) Payments for the care of a child or other dependent when necessary for a household member to accept or continue employment, seek employment, or attend training or education preparatory to employment.

The amount to be deducted for child care shall be the amount actually paid not to exceed ((~~\$90~~)) \$115. The dependent care deduction in combination with the shelter deduction shall not exceed ((~~\$90~~)) \$115.

(4) Shelter costs in excess of fifty percent of the household's income after the above deductions. The shelter deductions alone or in combination with the dependent care deduction, shall not exceed ((~~\$90~~)) \$115.

(a) "Shelter costs" mean rent or mortgage payment plus taxes on a dwelling and property, insurance on the structure only, unless the costs for insuring the structure and its contents cannot be separated, assessments, and utility costs such as heat and cooking fuel, electricity, water, garbage, sewage disposal and basic service fee for one telephone (plus tax) and initial installation fees for utility services. One time deposits shall not be included as shelter costs.

Shelter costs shall also include continuing charges leading to the ownership of the shelter such as loan repayments for the purchase of a mobile home, including interest on such payments.

(b) Shelter costs for a home not occupied because of employment, training away from home, illness or abandonment caused by casualty loss or natural disaster shall be allowed if:

- (i) The household intends to return to the house;
- (ii) The current occupants, if any, are not claiming shelter costs for food stamp purposes;
- (iii) The home is not being leased or rented during the household's absence.

(c) Charges for the repair of the home which was substantially damaged or destroyed due to a natural disaster such as a fire or flood.

(d) Standardized amounts shall be used to compute the shelter costs for utilities such as heat and cooking fuel, electricity, water, garbage, sewage disposal, and telephone and shall be effective November 1, 1980.

	Persons in Household	Food Stamp Utility Standards
	November 1, 1980 thru April 30, 1981	May 1, 1981 thru October 31, 1981
1	\$128.00	\$ 81.00
2	137.00	86.00
3	148.00	90.00
4	158.00	94.00
5	166.00	101.00
6	177.00	106.00
7	184.00	111.00
8	190.00	114.00
9	200.00	118.00
10 or more	208.00	124.00

(e) Households which do not incur any separate utility charges or which are billed separately for only telephone costs, water, sewage, and garbage collection fees shall not be entitled to claim the standard utility allowance.

(f) If a household is not entitled to the standard utility allowance, it may claim actual utility expenses for any utility which it does pay separately, except the telephone.

(g) If a household requests and can verify that its utility bills are higher than the standards, the actual utility costs shall be used.

(i) The telephone standard, for families incurring telephone costs, but not entitled to claim the single standard, is ten dollars.

(ii) A household shall be allowed to switch to or from the standard during its certification period.

(h) The telephone allowance applies to households which are not entitled to claim the overall standard, but which have telephone expenses.

(5) Households which contain one or more members who are sixty years of age or older, receive supplemental security income (SSI), or receive social security disability payments under Title II of the Social Security Act shall be authorized, effective January 1, 1980:

(a) A dependent care deduction up to ~~((\\$90))~~ \$115 as specified in WAC 388-54-740(3) and

(b) An excess shelter deduction as specified in WAC 388-54-740(4) for the monthly amount that exceeds fifty percent of the household's monthly income after all applicable deductions have been made.

(6) An individual who is sixty years of age or older, or receives supplemental security income (SSI), or receives social security disability, or has received emergency SSI from the social security administration shall be authorized effective January 1, 1980, a deduction for unreimbursable monthly medical expenses over \$35.

(a) Allowable medical expenses are:

(i) The cost of maintaining an attendant, homemaker, home health aide, housekeeper and/or child care service. These expenses, which could be claimed either as a medical or child care expense must be considered as medical expenses;

(ii) The cost of medical insurance;

(iii) Medicare premiums related to coverage under Title XVIII of the Social Security Act;

(iv) Any cost-sharing or spend down expenses incurred by medicaid (medical only) recipients;

(v) Hospitalization or outpatient treatment, nursing care, and nursing home care including payments by the household for an individual who was a household member immediately prior to entering a hospital or licensed nursing home;

(vi) Prescription drugs and other over-the-counter medication (including insulin) when prescribed or approved by a licensed practitioner or other qualified health professional;

(vii) The cost of medical supplies, sick-room equipment (including rental) or other prescribed equipment;

(viii) Dentures, hearing aids, prosthetics, and eye glasses prescribed by an optometrist or physician skilled in eye disease;

(ix) Securing and maintaining a seeing eye dog including the cost of dog food and veterinarian bills;

(x) Reasonable cost of transportation and lodging to obtain medical treatment or services.

(b) Nonallowable expenses are:

(i) The cost of health and hospital insurance which pays in lump sum settlements or which continue mortgage or loan payments while the beneficiary is disabled;

(ii) The cost of special diets.

WSR 81-08-020

ADOPTED RULES

DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Institutions)

[Order 1627—Filed March 25, 1981]

I, David A. Hogan, Director, Client and Community Relations Division of the Department of Social and Health Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to liability for costs of care and hospitalization of the mentally ill, amending chapter 275-16 WAC.

This action is taken pursuant to Notice No. WSR 81-04-038 filed with the code reviser on February 2, 1981. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 81.02.412[71.02.412] and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED March 25, 1981.

By David A. Hogan
Director, Client and
Community Relations Division

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

WAC 275-16-010 AUTHORITY. ~~((+))~~ The following rules regarding hospitalization charges are hereby adopted under the authority of Title 71 RCW.

~~((2)) "Hospitalization" includes treatment, transportation, examination, diagnosis, care, detention, training, pharmaceutical services, outpatient services and other services provided for patients needing mental health treatment:))~~

NEW SECTION

WAC 275-16-015 DEFINITIONS. (1) "Adjusted charges" are those charges levied upon a patient who is or has been confined to a state hospital for the mentally ill, either by voluntary or involuntary admission, and their estates and responsible relatives, which are less than the actual cost of hospitalization as reflected in the Schedule of Charges herein and which has been established by the issuance of a Notice of Finding of Responsibility.

(2) "Adjusted gross income" is that gross income of the estate of the patient and responsible relatives less any deductions, contributions or payments mandated by law including, but not necessarily limited to, income tax and social security.

(3) "Dependent" means any spouse, minor son or daughter, or permanently disabled son or daughter, of the patient living in the patient's household. If the patient is a minor, then the same definitions shall apply in determining the dependency of members of the parent's

household. If a minor son or daughter is not living in the patient's household, that son or daughter shall not be considered a dependent unless the patient is in fact contributing more than fifty percent of that child's support in accordance with a court order or court-recognized agreement.

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

(5) "Determination officer" is that duly appointed and qualified claims investigator who is delegated authority by the secretary to conduct or cause to have conducted an investigation of the financial condition of the estate of the patient and responsible relatives; to evaluate the results of such investigations; to make determinations of the ability to pay hospitalization charges from such investigations and evaluations; and to issue Notices of Findings of Responsibility to the responsible parties.

(6) "Estate of patient and responsible relative" means the total assets available to the patient and his responsible relatives to reimburse the department for hospitalization charges incurred by the patient in a state hospital for the mentally ill in accordance with these regulations.

(7) "Gross income" means the total assets available to the estate of the patient and responsible relatives expressed in terms of their cash equivalent on a monthly basis. It includes gross wages for service; net earnings from self-employment; and all other assets of the estate prior to any mandatory deductions.

(8) "Secretary" means the secretary of the department of social and health services.

NEW SECTION

WAC 275-16-035 AVAILABLE ASSETS OF ESTATE OF PATIENTS AND RESPONSIBLE RELATIVES. (1) The department will include, but not necessarily be limited to, in their determination of the assets of the estates of present and former patients of state hospitals for the mentally ill and their responsible relatives, cash, stocks, bonds, savings, security interests, insurance benefits, guardianship funds, trust funds, governmental benefits, pension benefits and personal property.

(2) Real property shall also be an available asset to the estate: PROVIDED, That the patient's home shall not be considered an available asset if that property is owned by the estate and serves as the principal dwelling and actual residence of the patient, the patient's spouse, and/or minor children and disabled sons or daughters: PROVIDED FURTHER, That if the home is not being used for residential purposes by the patient, the patient's spouse, and/or minor children and disabled sons or daughters, and in the opinion of two physicians, there is no reasonable expectancy that the patient will be able to return to the home during the remainder of his life, the home shall be considered an asset available to the estate.

(3) In determining if a particular asset is available to the estate of a patient who is eligible or potentially eligible for Medicaid, the determination officer will apply the standards of WAC 388-92-045.

NEW SECTION

WAC 275-16-055 NOTICE OF FINDING OF RESPONSIBILITY (NFR). The determination officer's assessment of the ability and liability of the estate to pay hospitalization charges shall be issued in the form of a Notice of Finding of Responsibility, hereinafter referred to as an NFR, as prescribed by RCW 71.02.413. The NFR will be served upon those responsible parties as otherwise required by law, will indicate the charges being assessed, and explain the procedure for appeal therefrom. When the NFR is for full hospitalization charges as specified in WAC 275-16-030, the financially responsible person will be informed of the current charges and that those charges are periodically recomputed by the department in accordance with RCW 71.02.410. When the NFR is for adjusted charges, those charges will be expressed in a daily rate. Charges for ancillary services will be set aside when the NFR is for adjusted charges.

NEW SECTION

WAC 275-16-065 DETERMINATION OF LIABILITY. (1) In determining the ability of the estate of the patient and responsible relative to pay hospitalization charges, first priority shall be given to any third party benefits which might be available. The availability of third party benefits, such as medical insurance, health insurance, Medicare, Medicaid, CHAMPUS, CHAMPVA, shall be considered as an available asset of the estate and shall justify a finding for actual costs of hospitalization during such period as the coverage is in effect.

(2) In the absence of third party benefits, charges shall be based upon the available assets of the estate giving consideration to any unusual and exceptional circumstances and other pertinent factors. No financial determination of the ability of the estate to pay hospitalization charges shall conflict with the eligibility requirements for Medicaid for those patients who are eligible or potentially eligible for such benefits.

(3) The ability of the estate to pay adjusted charges will be determined by applying the following formula:

$$X = (Z-E)F$$

$$\text{where } Z = (A-Y-N-R) \div D$$

Z = available income per family member

X = adjusted charges (daily)

A = gross income

Y = mandatory deductions

N = allowance for unusual and exceptional circumstances

R = allowance for other pertinent factors

D = number of dependents

E = exempt income

F = a factor which converts the monthly figures to a daily rate (.0328767).

All calculations are expressed in monthly terms except the final adjusted charge which is converted to a daily rate. All final figures are rounded out to the nearest cent.

(4) The adjusted gross income (A-Y) is determined by first developing the gross income of the estate. Gross income (A) includes not only gross wages for services rendered, and/or net earnings from self-employment, but all other available assets converted to some reasonable monthly figure. All mandatory deductions (Y), such as income tax and social security, are deducted from the gross income to arrive at the adjusted gross income.

(5) Approved allowances for unusual and exceptional circumstances (N) and for other pertinent factors (R) are then subtracted from the adjusted gross income.

(6) The available income (A-Y-N-R) is then divided by the number of dependents in the household of the patient (D) to determine the available income per family member.

(7) Exempt income (E) as defined in WAC 275-16-045 is then subtracted from the available income per family member to arrive at the monthly adjusted charges.

(8) The monthly adjusted charges are multiplied by the factor of .0328767 which converts the monthly figure to a daily rate.

NEW SECTION

WAC 275-16-075 UNUSUAL AND EXCEPTIONAL CIRCUMSTANCES. Unusual and exceptional circumstances for these purposes will cover those expenses other than usual or common; rare and extraordinary; that are of a medical nature and must be supplied to the patient for his health, medical or physical well being. Such expenses do not include those expenses that are reimbursable from insurance benefits or can be reasonably obtained from welfare agencies, health maintenance organizations, free clinics, or other free private or governmental sources. The existence and necessity of such unusual and exceptional circumstances must be attested to in writing, by the institution superintendent, that those expenses resulting therefrom are an integral part of the patient's treatment plan and that allowance for such circumstances is necessary for the medical and/or mental well-being of the patient. Upon such written certification, the resources necessary to meet the unusual and exceptional circumstances will not be considered as an asset available to the estate of the patient and responsible relatives for these purposes: **PROVIDED**, That any such attestation by the institution superintendent must conform with the eligibility criteria of Medicaid if the patient is eligible or potentially eligible for such benefits.

NEW SECTION

WAC 275-16-085 OTHER PERTINENT FACTORS. In considering other pertinent factors in determining the ability of the estate of the patient and responsible relatives to pay, the determination officer may consider those factors related to the well-being, education and training, child support obligations set by court order or by administrative finding under chapter 74.20A RCW, and/or rehabilitation of the patient and his or her immediate family, to whom the patient owes a duty of support. The patient and/or responsible relatives

must show the existence and the necessity for the pertinent factors as defined. Upon such a showing, the determination officer may consider such resources necessary to reasonably provide for such pertinent factors as assets not available to the estate of the patient and responsible relatives: **PROVIDED**, That any allowance for other pertinent factors must not conflict with Medicaid eligibility requirements for those patients who are eligible or potentially eligible for such benefits.

NEW SECTION

WAC 275-16-095 FAILURE TO COOPERATE WITH DEPARTMENT. Any patient, former patient, guardian, or other responsible party or parties who, after diligent effort by the department, has been shown to have failed to cooperate with the financial investigation by the department; or fails to comply with, or ignores, departmental correspondence; or supplies false or misleading information; or willfully conceals assets or potential assets; will be subject to a determination by the department that the estate of the patient and responsible relatives has the ability to pay full hospitalization charges: **PROVIDED**, That no person adjudged incompetent by a court of this state at the time of said investigation shall be penalized by his or her actions: **PROVIDED FURTHER**, That such a finding of liability to pay full hospitalization charges shall in no way diminish the responsible party's right to appeal such a finding of responsibility.

NEW SECTION

WAC 275-16-105 PETITION FOR REVIEW. (1) After a finding of responsibility becomes final in accordance with RCW 71.02.413, the responsible party may petition for a review of such findings to the secretary. The petitioner must show a substantial change in the financial ability of the estate to pay the charges in a petition for review. The burden of proof of a change in financial ability rests with the petitioner.

(2) A petition for review shall be in writing and to the following address:

Secretary, DSHS
Attn: Determination Officer
P.O. Box 9768
Olympia, WA 98504

(3) The determination officer, upon receipt of the petition for review, may conduct or cause to have conducted such investigation as may be necessary to verify the alleged changes in financial status or to determine any other facts which would bear upon the financial ability of the estate to pay.

(4) Based upon the review of the facts, the determination officer may modify or vacate the NFR under the provisions of RCW 71.02.415.

(5) The NFR will not be modified or vacated, if such modification or vacation inflicts or causes the loss of Medicaid eligibility; jeopardizes the eligibility for other third-party benefits; or has the potential end result of diminishing or jeopardizing the recovery of hospitalization cost by the department without a clear showing of

real benefit, financial or otherwise, to the patient and/or responsible relatives.

(6) Nothing herein is intended to preclude the reinvestigation and/or review of the finding of responsibility by the department of its own volition.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 275-16-040 FACTORS IN DETERMINING ABILITY TO PAY.

WSR 81-08-021
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 1628—Filed March 25, 1981]

I, David A. Hogan, Director, Client and Community Relations Division of the Department of Social and Health Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

Amd WAC 388-28-480 Use of income and income potentials—
Types of income—Effect on need.
Amd ch. 388-54 WAC Food stamps.

This action is taken pursuant to Notice No. WSR 81-04-036 filed with the code reviser on February 2, 1981. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 74.04.510 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED March 25, 1981.

By David A. Hogan
Director, Client and
Community Relations Division

AMENDATORY SECTION (Amending Order 1547, filed 10/1/80)

WAC 388-28-480 USE OF INCOME AND INCOME POTENTIALS—TYPES OF INCOME—EFFECT ON NEED. (1) The CSO shall determine the income available to the applicant.

(2) An applicant whose recurrent income for the month exceeds the monthly standards for basic requirements is not eligible to receive assistance whether the income is received weekly, biweekly or monthly, except as specified in WAC 388-24-250 through 388-24-265. Weekly income is multiplied by 4.3 to determine monthly total.

(3) Treatment of income

(a) Earned and unearned nonexempt net recurrent income and appreciable nonrecurring income which is received by the applicant between the first day of the month and the date of initial grant authorization shall be taken into account for the month by prorating the income at public assistance standards from the first of the month until the date of grant authorization. The remainder, if any, shall be deducted from the assistance grant for the month.

(b) Income received by the applicant during the month but after the date of initial grant authorization shall be considered available to meet need on the first of the following month providing such income is reported to the CSO by the twenty-first day of the month.

(c) Income received during the month and reported after the twenty-first day of the month shall be taken into account in the grant computation for the second month following the month of receipt.

(d) Unearned nonexempt recurrent income received in regular monthly amounts shall be deducted from requirements in the month of receipt beginning the month of initial grant authorization.

(e) Income not reported until the month following its acquisition and after the twenty-first day of the month in which it is reported shall be treated as an overpayment.

~~(4)~~ ~~((Deleted~~

~~(5)~~ ~~(5))) Irregular income up to five dollars per month received by an applicant may be disregarded towards meeting need by the CSO if the probability exists that such future income will not be appreciable.~~

~~((6) Deleted~~

~~(7) Deleted))~~

(5) Earned income credit (EIC) payments for the tax year beginning January 1, 1980 shall be considered earned income during the month received, whether received as advance payments or as an income tax refund, in accordance with P.L. 96-222.

~~((8)))~~ (6) Any contractually agreed loan acquired by an applicant/recipient which commits all funds for a specific purpose other than current maintenance, and so expended, shall not be taken into account as income. The property used as collateral for the loan shall not be included in determining property reserves. The equity accumulated in the specified property shall be considered toward the resource ceiling.

~~((9)))~~ (7) A gift in-kind, as named below, supplied on condition that it be used only in a manner or for a purpose specified in writing by the donor shall not be considered as a resource or as income which is available to meet need.

(a) Real or personal property, excluding cash and marketable securities, which is exempted for an applicant and which is within the ceiling values. Example: A home or a new furnace.

(b) Any item in the department's standards for additional requirements which is not a requirement for the recipient of such a gift. Example: Telephone service.

(c) Needed goods or services not currently included as additional requirements in the department's standards, for example, repair of house or of household equipment.

~~((+0))~~ (8) WAC 388-28-482 and 388-28-484 cover newly-acquired income received by a recipient.

AMENDATORY SECTION (Amending Order 1496, filed 3/21/80)

WAC 388-54-725 INCOME—DEFINITIONS.

(1) Earned income shall include:

- (a) All wages and salaries of an employee.
- (b) Total gross income from a self-employment enterprise including the total gain from the sale of any capital goods or equipment related to the business, excluding the cost of doing business.
 - (i) Payments from a roomer or boarder.
 - (ii) Returns on rental property, only if the household member is engaged in management of said property at least an average of 20 hours a week.
- (c) Training allowances from vocational and rehabilitative programs recognized by federal, state or local governments, such as WIN or CETA, to the extent they are not a reimbursement.

(d) ~~((Advance))~~ Payments of earned income tax credit (EIC).

(2) Unearned income shall include but not be limited to:

- (a) Payments received from federally-aided public assistance programs, general assistance or other assistance programs based on need.
- (b) An annuity, pension, retirement, veteran's or disability benefit; workmen's or unemployment compensation; and old-age or survivor's benefits; or strike benefits.
- (c) The total payment to a household on behalf of a legally-assigned foster child or adult.
- (d) Support and alimony payments from nonhousehold members made directly to the household.
- (e) Scholarships, educational grants (including loans on which repayment is deferred), fellowships and veteran's education benefits in excess of amounts excluded. Such income shall be averaged over the period which it is intended to cover.

(f) Payments received from government sponsored programs.

(g) Dividends, interest, royalties and all other direct money payments which are gain or benefit.

(h) Gross income minus cost of doing business derived from rental property in which a household member is not actively engaged in the management of the property at least 20 hours a week.

(3) The following items shall be disregarded as income:

- (a) Moneys withheld voluntarily or involuntarily from an assistance payment, earned income or other source to repay a prior overpayment.
- (b) Child support payments received by AFDC recipients which must be transferred to support enforcement.

AMENDATORY SECTION (Amending Order 1492, filed 3/7/80)

WAC 388-54-735 INCOME—EXCLUSIONS.

The following income is excluded:

(1) Payments received under Title II of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970;

(a) Payments to persons displaced as a result of the acquisition of real property;

(b) Relocation payments to a displaced homeowner toward the purchase of a replacement dwelling provided the homeowner purchases and occupies a dwelling within one year following displacement;

(c) Replacement housing payments to displaced persons not eligible for a homeowner's payment.

(2) Payments made under the Domestic Volunteer Services Act of 1973. Those payments under Title I (VISTA) to volunteers shall be excluded for those individuals who were receiving public assistance or food stamps at the time they joined VISTA and for those households receiving a VISTA exclusion at the time of conversion to the Food Stamp Act of 1977. Temporary interruptions in food stamp participation shall not alter the exclusion once an initial determination has been made.

(3) Income derived from certain submarginal land of the United States which is held in trust for certain Indian tribes under Public Law 94-114, Section 6, or Public Law 94-540.

(4) Income derived from the disposition of funds to the Grand River Band of Ottawa Indians.

(5) Any payments received by Alaskan Natives under the terms of the Alaskan Native Claims Settlement Act.

(6) Payments from the Special Crisis Intervention Program.

(7) Earnings received by any youth under Title IV CETA amendments of 1978 as follows:

- (a) Youth incentive entitlement pilot projects;
- (b) Youth community conservation and improvement projects;
- (c) Youth employment and training programs.

(8) Income received as compensation for services as an employee or income from self-employment by a child residing in the household who is under 18 years of age and attending at least half time (as defined by the institution), a kindergarten or preschool, a grade school, high school, vocational school, technical school, training program, college or university. This exclusion shall apply to a student under the parental control of another household member.

If the child's earnings or amount of work performed cannot be differentiated from that of other household members, the total earnings shall be prorated equally among the working members and the child's pro rata share excluded.

(9) Income which is received too infrequently or irregularly to be reasonably anticipated as available during a three-month period provided such infrequent or irregular income of all household members shall not exceed thirty dollars in a three-month period.

(10) All loans, including loans from private individuals as well as commercial institutions, other than educational loans on which repayment is deferred.

(11) Education loans on which payment is deferred, grants, scholarships, fellowships, veterans' educational benefits, OASDI educational benefits, and the like to the

extent that they are used for tuition and mandatory school fees at an institution of higher education, including correspondence schools at that level, or a school at any level for the physically or mentally handicapped.

(12) Money((s)) received in the form of a nonrecurring lump-sum payments, such as, but not limited to, insurance settlements, sale of property (except property related to self-employment as previously provided for), cash prizes, awards and gifts (except those for support maintenance, or the expense of education), inheritances, retroactive lump-sum social security and railroad retirement pension payments, income tax refunds(~~(, an earned income tax credit (EIC) [(EIC)]~~ payment,)) and similar nonrecurring lump-sum payments.

(13) The cost of producing self-employment income.

(14) Reimbursements for past or future expenses not to exceed the actual expense or which do not represent a gain or benefit to the household.

(a) The following are considered reimbursements which are excludable, which do not represent a gain or benefit:

(i) Flat allowances for job or training-related expenses such as per diem, travel, uniforms and transportation to and from the job or training site.

(ii) Reimbursements for out-of-pocket expenses of volunteers incurred in the course of their work.

(iii) Reimbursement for medical or dependent care.

(iv) Reimbursements or allowances to students for specific education expenses. Portions of a general grant or scholarship must be specifically earmarked by the grantor for educational expenses such as travel or books. For purposes of this provision, "grantor" shall include any agents of the grantor responsible for the administration of the grant, and "grant or scholarship" shall include any grant which must be used for educational purposes regardless of the fact that the grantee must perform services to obtain the grant.

(b) The following are considered reimbursements which are not excludable, which do represent a gain or benefit:

Reimbursements for normal living expenses such as rent or mortgage, personal clothing, or food eaten at home.

(15) Any gain or benefit which is not in money, such as in-kind benefits, including public housing, meals or clothing.

(16) Money payments that are not owed or payable directly to a household, but are paid to a third party for a household expense, are vendor payments and are excludable as follows:

(a) A payment made in money on behalf of a household whenever a person or other organization outside of the household uses its own funds to make a direct payment to either the household's creditors or a person or organization providing a service to the household.

(b) Rent or mortgage payments, made to landlords or mortgagees by the department of housing and urban development (HUD) or by state or local housing authorities, are vendor payments and are excluded.

(c) Money((s)) that ((are)) is legally obligated and otherwise payable to the household, but which ((are)) is diverted by the provider of the payment to a third party

for a household expense, shall be counted as income and not excluded as a vendor payment.

(17) Money((s)) received and used for the care and maintenance of a third-party beneficiary who is not a household member. Representative payee payments shall be included, however, as income to the beneficiary's household.

(a) If the intended beneficiaries of a single payment are both household and nonhousehold members, any identifiable portion of the payment intended and used for the care and maintenance of the nonhousehold member shall be excluded.

(b) If the nonhousehold member's portion cannot be readily identified, the payment shall be evenly prorated among intended beneficiaries and the exclusion applied to the nonhousehold members prorata share or the amount actually used for the nonhousehold member's care and maintenance, whichever is less.

(18) (~~Deleted~~) Money received as a department of housing and urban development (HUD) refund payment pursuant to the "Underwood versus Harris" class action settlement agreement under Section 236 of the National Housing Act shall be excluded as income and shall be excluded as a resource for a two month period. After two months, any remaining portions of the refund payment shall be considered as a resource.

(19) Supplemental energy allowance payments made under Public Law 96-126 which include special SSI energy payments, supplemental energy allowance payments from DSHS and payments from the energy crisis assistance program.

(20) That portion of SSI state supplementary payments that state law designates as an energy standard for individuals, and couples in which both spouses are eligible for SSI.

WSR 81-08-022
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
(Board of Boiler Rules)
[Filed March 25, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 70.79 RCW, that the Board of Boiler Rules, intends to adopt, amend, or repeal rules concerning the amending of WAC 296-104-200 concerning 1980 Winter Addenda to the ASME Boiler and Pressure Vessel Code.

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

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

Correspondence relating to this notice and the proposed rules should be addressed to: Martin Forseth,

Chief Boiler Inspector, 300 W. Harrison, Seattle, WA 98119;

that such agency will at 10:00 a.m., Tuesday, May 19, 1981, in the Conference Room 412, 300 West Harrison, Seattle, 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, May 19, 1981, in the Conference Room 412, 300 West Harrison, Seattle, WA.

The authority under which these rules are proposed is RCW 70.79.030.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to May 19, 1981, and/or orally at 10:00 a.m., Tuesday, May 19, 1981, Conference Room 412, 300 West Harrison, Seattle, WA.

Dated: March 14, 1981

By: Taylor A. Anderson
Chairman

STATEMENT OF PURPOSE

Title and WAC number of rule(s) or chapter: WAC 296-104-200.

Statutory authority: RCW 70.79.030.

Summary of the rule(s): Amends WAC 296-104-200 to include the 1980 Winter Addenda to the ASME Boiler and Pressure Vessel Code.

Description of the purpose of the rule(s): To update the Washington regulations and maintain consistency with national standards.

Reasons supporting the proposed rule(s): To better enforce safe standards for boilers and unfired pressure vessels.

The agency personnel, with office location and telephone number, who are responsible for the drafting, implementation and enforcement of the rule:

Drafting: Martin Forseth, Chief Boiler Inspector, 300 West Harrison, Seattle, WA 8-576-6854.

Implementation: Same as above.

Enforcement: Same as above.

Name of the person or organization, whether private, public, or governmental, that is proposing the rule: Board of Boiler Rules.

Agency comments or recommendations, if any, regarding statutory language, implementation, enforcement and fiscal matters pertaining to the rule: None.

The rule is not necessary to comply with a federal law or a federal or state court decision.

Any other information that may be of assistance in identifying the rule or its purpose: None.

AMENDATORY SECTION

WAC 296-104-200 INSPECTION OF SYSTEMS - STANDARD FOR NEW CONSTRUCTION. The standard for new construction shall be the 1980 edition of the ASME Boiler & Pressure

Vessel code and ANSI B31.3 for oil and chemical plants and ANSI B31.1 for other non-nuclear construction with all addenda made thereto prior to ((December 1, 1980)) February 1, 1981. The 1980 code as applicable may be used on and after the date of issue and becomes mandatory twelve months after adoption by the board as defined in Paragraph (2) of RCW 70.79.050. The board recognizes that the ASME Code states that new editions of the code become mandatory on issue and that subsequent addenda become mandatory six months after the date of issue. Also, in circumstances such as nuclear systems the time period for addenda becoming mandatory is defined in the Code of Federal Regulations. Note: Editions of the ASME Code including semiannual addenda will be adopted in accordance with the Administrative Procedures Act. Check with the Office of the Chief Boiler Inspector for the current code date.

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

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

WSR 81-08-023

EMERGENCY RULES

**ENERGY FACILITY SITE
EVALUATION COUNCIL**

[Order 81-2—Filed March 25, 1981]

Be it resolved by the Energy Facility Site Evaluation Council, acting at Olympia, Washington, that it does promulgate and adopt the annexed rules relating to emergency action by chairman.

We, the Energy Facility Site Evaluation Council, 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 state is in process of promulgating emergency response plans effective April 1, 1981, which require the chairman of the council to be able to respond to any imminent emergency concerning matters under council's general oversight and jurisdiction.

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

This rule is promulgated pursuant to RCW 80.50.040(1) which directs that the Energy Facility Site Evaluation Council has authority to implement the provisions of chapter 80.50 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 March 25, 1981.

By William L. Fitch
Executive Secretary

AMENDATORY SECTION (Amending Order 78-3, filed 6/23/78)

WAC 463-54-070 EMERGENCY ACTION BY CHAIRMAN. (1) *The chairman of the council or his designee is authorized and shall take action to immediately and effectively halt or eliminate any imminent or substantial endangerments to the health or welfare of persons resulting from the ~~((discharge))~~ release of pollutants from facilities sited under chapter 80.50 RCW including as appropriate:*

(a) *The issuance of ~~((a stop work))~~ an order to immediately terminate and endangerment or an endangering ~~((discharge))~~ release and ~~((suspend))~~ the suspension of the NPDES or other permit issued by the council.*

(b) *The ~~((requesting))~~ notification of the departments of emergency services and social and health services and other appropriate agencies, as necessary, ~~((to immediately take))~~ that protective measures are required immediately to safeguard the health or welfare of persons ~~((resulting from the discharge of pollutants))~~ so endangered.*

(c) *The reference of matters to the attorney general for appropriate enforcement action for violations of site certification agreements and NPDES or other permits issued by the council.*

(2) *The chairman's action will be confirmed or modified by the council within seventy-two hours of execution at a special or regular meeting of the council, whichever will occur the earliest.*

WSR 81-08-024**WITHDRAWAL OF PROPOSED RULES
HORSE RACING COMMISSION**

[Filed March 26, 1981]

This is to notify you that the Washington Horse Racing Commission is withdrawing the proposed amendment to WAC 260-32-040, as filed in Notice No. WSR 81-01-059 and continued in Notice No. WSR 81-07-021. Further, the Commission is also withdrawing the proposed amendment to WAC 260-36-040, as filed in Notice No. WSR 81-01-060 and continued by Notice No. WSR 81-07-020.

George McIvor
Executive Secretary

WSR 81-08-025**ADOPTED RULES
PUBLIC DISCLOSURE COMMISSION**

[Order 81-01—Filed March 26, 1981]

Be it resolved by the Public Disclosure Commission, acting at 403 Evergreen Plaza Building, FJ-42, Olympia, Washington 98504, that it does promulgate and adopt the annexed rules relating to Agency lobbying—Reporting of lobbying by independent contractors, adopting WAC 390-20-054.

This action is taken pursuant to Notice No. WSR 81-05-007 filed with the code reviser on February 9, 1981. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 42.17.370(1) which directs that the Public Disclosure Commission has authority to implement the provisions of the Washington State Open Government Act.

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

APPROVED AND ADOPTED March 24, 1981.

By Graham E. Johnson
Administrator

NEW SECTION

WAC 390-20-054 AGENCY LOBBYING—REPORTING OF LOBBYING BY INDEPENDENT CONTRACTORS. (1) An independent contractor who is retained to lobby on behalf of an agency shall register and report as a lobbyist pursuant to RCW 42.17.150 and 42.17.170.

(2) An agency which retains an independent contractor as a lobbyist and reports all of its expenditures in connection therewith pursuant to RCW 42.17.190 shall not be obligated to file a report pursuant to RCW 42.17.180 with regard to that lobbyist.

WSR 81-08-026**ADOPTED RULES
STATE BOARD OF EDUCATION**

[Order 1-81—Filed March 26, 1981]

Be it resolved by the State Board of Education, acting at Tumwater, Washington, that it does promulgate and adopt the annexed rules relating to state support of public schools, amending WAC 180-16-220.

This action is taken pursuant to Notice No. WSR 81-04-046 filed with the code reviser on February 3, 1981. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the State Board of Education as authorized in RCW 28A.04.120(4).

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

APPROVED AND ADOPTED March 20, 1981.

By Wm. Ray Broadhead
Secretary

AMENDATORY SECTION (Amending Order 7-80, filed 5/29/80)

WAC 180-16-220 **SUPPLEMENTAL PROGRAM AND BASIC EDUCATION ALLOCATION ENTITLEMENT REQUIREMENTS.** The following requirements, while not imposed by the "Basic Education Act of 1977," are hereby established by the state board of education as supplemental conditions to a school district's entitlement to state basic education allocation funds.

(1) Student to certificated staff ratio requirement. The ratio of students enrolled in a school district to full-time equivalent certificated employees shall not exceed twenty-three to one: PROVIDED, That nonhigh school districts or school districts that have a student enrollment of two hundred fifty or less in grades nine through twelve may, as an alternative to the foregoing requirement, have a ratio of students to full-time equivalent certificated classroom teachers of twenty-six to one or less. For the purpose of this subsection, "certificated employees" shall mean those employees who are required by state statute or by rule of the state board of education, or by written policy of the school district to possess a professional education permit, certificate or credential issued by the superintendent of public instruction, as a condition to employment and "classroom teacher" shall be defined as in WAC 180-16-210 and the students to classroom teachers ratio shall be computed in accordance with WAC 180-16-210(1).

(2) Current and valid certificates. Every school district employee required by state statute and/or rule of the state board of education to possess a professional education permit, certificate, or credential issued by the superintendent of public instruction for his/her position of employment, shall have a current and valid permit, certificate or credential.

~~(3) ((Participation in accreditation. Each school district shall participate in an accreditation process in accordance with the provisions of RCW 28A.04.120(4) and chapter 180-56 WAC, each as now or hereafter amended.~~

~~(4))~~ Student learning objectives. Each school district shall have implemented a program of student learning objectives in the areas of language arts, reading and mathematics for grades kindergarten through eight and on or before September 1, 1981, for grades nine through twelve.

(a) Each school district must evidence community participation in defining the objectives of such a program.

(b) The student learning objectives of such program shall be measurable as to the actual student attainment. Student attainment shall be locally assessed annually.

(c) The student learning objectives program shall be reviewed at least every two years by the school district.

WSR 81-08-027

ADOPTED RULES

STATE BOARD OF EDUCATION

[Order 2-85—Filed March 26, 1981]

Be it resolved by the State Board of Education, acting at Tumwater, Washington, that it does promulgate and adopt the annexed rules relating to school accreditation, adopting chapter 180-55 WAC.

This action is taken pursuant to Notice No. WSR 81-04-044 filed with the code reviser on February 3, 1981. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the State Board of Education as authorized in RCW 28A.04.120(4).

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

APPROVED AND ADOPTED March 20, 1981.

By Wm. Ray Broadhead
Secretary

Chapter 180-55 WAC
SCHOOL ACCREDITATION

NEW SECTION

WAC 180-55-005 **STATUTORY AUTHORITY.** Pursuant to provision of RCW 28A.04.120(4), the state board of education hereby establishes standards and procedures for accreditation of all schools as hereinafter set forth.

NEW SECTION

WAC 180-55-010 **INTENT AND PURPOSES.**
(1) Intent. It is the intent of the state board of education to establish accreditation procedures in which participation by schools is voluntary and by which such procedures:

(a) Enhance the quality of a school's educational program.

(b) Facilitate a comprehensive self-examination of the school including but not limited to: Program planning, program balance, human and material resources, services and facilities.

(c) Provide means whereby such self-examination may be validated by objective observers.

(d) Promote the subsequent implementation of an effective plan for program improvement.

(e) Provide maximum flexibility to the district and the school by making available different procedures for accreditation.

(f) Provide assurance to the public that students in an accredited elementary school have available a program containing a comprehensive foundation of knowledge and learning skills.

(g) Provide assurance to the public that students in an accredited middle school or junior high school have available a program containing an expanded and reinforced foundation of knowledge and learning skills, a variety of introductory and survey courses that offer exploratory opportunities to meet emerging individual student interests, and a suitable transitional experience designed to provide a bridge from elementary to secondary instructional organization.

(h) Provide assurance to the public that students in an accredited comprehensive secondary school have available a program in which they can prepare for the requirements of higher education and/or occupational opportunities.

(2) Purposes. The provision of school accreditation procedures by the state board of education is designed to serve the following purposes:

(a) Improve the general quality of the educational program at a school.

(b) Promote staff growth and commitment.

(c) Promote improved community awareness of and sensitivity to the school program.

(d) Provide a statement of accountability to the public.

(e) Fulfill such assessment and planning requirements as may exist.

NEW SECTION

WAC 180-55-015 DEFINITIONS. (1) An accredited school is a public or an approved private school that meets all statutory provisions for schools in the state of Washington and all regulations established by the state board of education, and one that has completed either self-study or standards-only accreditation procedures described by the state superintendent of public instruction pursuant to RCW 28A.04.120(4) and WAC 180-55-005 through 180-55-135.

(2) "Accredited" status shall be assigned to public or approved private schools that:

(a) Complete and meet fully the requirements for self-study accreditation procedures as described in WAC 180-55-040 through 180-55-065, or;

(b) Complete and meet substantially the requirements for standards-only accreditation procedures as described in WAC 180-55-070 through 180-55-135; or

(c) Participate and qualify in accordance with standards and procedures established by the Northwest Association of Schools and Colleges (NWASC).

(3) "Self-study" shall mean an approved comprehensive set of needs-assessment and program improvement plan procedures as described in WAC 180-55-040 through 180-55-065.

(4) "Standards-only" shall mean an appraisal whereby requirements established by the state board of education are applied to an individual school as described in WAC 180-55-070 through 180-55-135.

(5) "Plan for program improvement" shall mean a formal document produced as a result of the self-study procedure for implementation at an accredited school.

(6) "Validation" shall mean an objective, external review of self-study or standards-only activities for the purposes of establishing their correctness, accuracy and

thoroughness, and in the case of self-study accreditation procedures, an objective, external review of the plan for program improvement in terms of its feasibility of operation, as described in WAC 180-55-035.

(7) "Northwest Association of Schools and Colleges alternative" shall mean the secondary school accreditation activities provided through school membership in the NWASC and shall be accepted by the state board of education in lieu of state board accreditation procedures as described in WAC 180-55-025 through 180-55-135.

(8) "Approved private school" shall mean a school approved by the state board of education pursuant to chapter 180-90 WAC.

NEW SECTION

WAC 180-55-020 COMPLIANCE WITH REQUIREMENTS FOR ENTITLEMENT TO BASIC EDUCATION ALLOCATION FUNDS OR APPROVED PRIVATE SCHOOL STATUS. (1) Public schools.

(a) District compliance. Certification by the state board of education of compliance by a school district's program pursuant to provisions of "basic education allocation entitlement requirements" or receipt of waiver therefrom (WAC 180-16-191 through 180-16-225) shall be prerequisite to a public school's participation in accreditation activities and to a public school's receipt of any accreditation status from the state board of education. Such requirements hereby are included within the standards upon which accreditation is conditioned.

(b) School contribution to district compliance with requirements for entitlement to basic education allocation funds. Each school engaged in the state board of education's accreditation procedures must review the school's contribution to district compliance with such entitlement requirements (WAC 180-16-191 through 180-16-225). Although these entitlement requirements are enforced at the district level rather than at the individual school, the intent of this review shall be to serve the following purposes:

(i) Increase the awareness of and familiarity with such entitlement requirements by staff and community members.

(ii) Identify those instances where district compliance is affected adversely by the school.

(iii) Prepare rationale or proposals for corrective action in such instances.

(c) Assessment of school compliance with supplemental program standards. Supplemental program standards (WAC 180-16-240), if unmet, do not affect basic education allocations to the district. At the school level, however, failure to comply with these standards may create an adverse impact on the instructional program. Therefore, each school engaged in the state board of education's accreditation procedures must review the school's compliance with these standards in order to serve the following purposes:

(i) Increase the awareness of and familiarity with supplemental program standards by staff and community members.

(ii) Identify those instances where district compliance is affected adversely by the school.

(iii) Prepare rationale or proposals for corrective action in such instances.

(2) Private schools. Certification by the state board of education of compliance by a private school with the approval requirements of chapter 180-90 WAC shall be prerequisite to a private school's participation in the state board of education's accreditation activities and to a private school's receipt of any accreditation status from the state board of education. Such requirements hereby are included within the standards upon which accreditation is conditioned.

NEW SECTION

WAC 180-55-025 TYPES OF ACCREDITATION—CONDITIONS—EFFECTIVE PERIODS. (1) Self-study procedures:

(a) Standard accreditation - seven years, shall be granted to a school upon successful completion of self-study activities, adoption of a plan for program improvement based upon findings of the self-study, and validation of the self-study and the plan by an objective review process external to the school being considered for accreditation.

(b) Conditional accreditation, is limited to a one year period and shall be designated for a school where validation identifies minor omissions, inaccuracies or weaknesses in the accreditation procedures, the plan, or the school program, and which are not addressed in the plan. Should such omissions from the plan not be so addressed, or not be explained satisfactorily in terms of constraints on the district, during the one year term of this rating, the school will be reclassified downward in accreditation status.

(c) Probationary accreditation, is limited to a one year period, and shall be designated for a school where validation identifies major omissions, inaccuracies, or weaknesses in the accreditation procedures, the plan, or the school program, and which are either not addressed in the plan for program improvement or not explained satisfactorily in terms of constraints on the district, or, for schools where prior conditional rating has not been upgraded. If upgraded accreditation status is not achieved by the end of the one year period, the school will be reclassified as unaccredited.

(d) Unaccredited status shall be assigned to a participating school that fails to upgrade probationary accreditation status within the prescribed time, or to a participating school that has drastic inadequacies or omissions in major required self-study components or procedures.

(2) Standards-only procedures:

(a) Standard accreditation - two years, shall be granted to a school upon submission and approval of a standards-only accreditation document. Renewal of standard accredited status through continuing use of the appraisal procedure is required biennially.

(b) Conditional accreditation, is limited to a one year period, and shall be designated for a school where validation identifies minor deviations, omissions or weaknesses in the school program in the area(s) of the accreditation standards. Such status must be improved to standard accreditation the following year or the

school will be reclassified downward in accreditation status.

(c) Probationary accreditation, is limited to a one year period, and shall be designated for a school where validation identifies major omissions, inaccuracies, or weaknesses in the school program in the area(s) of the accreditation standards, or, for a school where prior conditional rating has not been upgraded. If upgraded accreditation status is not achieved by the end of the one year period, the school will be reclassified as unaccredited.

(d) Unaccredited status is assigned to a participating school that fails to upgrade probationary accreditation status within the prescribed time limits or to a participating school that has drastic inadequacies or omissions in major standards.

(3) Nonparticipating schools. Schools electing not to participate in accreditation procedures will be considered as "nonparticipating."

NEW SECTION

WAC 180-55-030 ADMINISTRATION OF ACCREDITATION PROCEDURES. The following general procedures hereby are established to effect the state board of education's school accreditation program:

(1) Application. Application for school accreditation shall be made to the state superintendent of public instruction on or before the first day of November. Such application shall be submitted jointly by the appropriate officials of the school and school district in accordance with procedures and timelines established by the state superintendent. The state superintendent may place yearly limits on the number of schools authorized to participate in self-study accreditation procedures described in WAC 180-55-040 through 180-55-065.

(2) Self-studies, reviews, examinations. The state superintendent of public instruction shall direct a program of self-studies, reviews, and examinations as specified in WAC 180-55-040 through 180-55-135.

(3) Validations. The state superintendent of public instruction shall direct such validation activities as are necessary to implement WAC 180-55-035.

(4) Findings and recommendations. The state superintendent of public instruction upon determining whether the school meets statutory and state board of education requirements for accreditation shall submit his findings and recommendations to the state board of education.

NEW SECTION

WAC 180-55-035 VALIDATION OF ACCREDITATION ACTIVITIES. Validation of school accreditation activities shall be a necessary final step preceding the assignment of any accredited status to a school by the state board of education. Validation activities shall be conducted by persons external to the school and district concerned. Each school participating in a self-study accreditation procedure shall nominate three or more staff members for the state validation pool. Such persons may be called upon to serve as members of visiting

teams assigned to validate other schools' self-study procedures and plans for program improvement. No persons so designated shall be required to serve as a visiting team member more than twice during the ensuing two years, after which the school's foregoing obligation expires.

Validation of either self-study or standards-only accreditation activities shall include a review of a public school's rationale or proposals for corrective action in instances where such a school adversely impacts a district's ability to comply with requirements for entitlement to basic education allocation funds (WAC 180-16-191 through 180-16-225) and/or supplemental program standards (WAC 180-16-240).

(1) Self-study accreditation validation. Validation of one of the three types of self-study accreditation activities described in WAC 180-55-050 through 180-55-065 and the subsequent plan for program improvement shall be administered by the state superintendent of public instruction and conducted by visiting teams appointed by the state superintendent. Such teams shall at least review and examine the following areas:

(a) The thoroughness and adequacy of the planning and preparation activities leading to the self-study.

(b) The levels of participation, comprehensiveness, and validity of the findings of the self-study.

(c) The feasibility and comprehensiveness of the plan for program improvement, with particular attention given to:

(i) Fiscal practicability.

(ii) The relationship between the self-study and the prioritized goals of the improvement plan.

(d) Evidence of appropriate implementation plans and activities including:

(i) Timeline.

(ii) Task and assignments; responsibilities.

(iii) Internal monitoring and evaluation procedures.

(iv) Feedback and revision procedures.

(2) Standards-only accreditation validation. Validation of standards-only accreditation activities shall be conducted by audit committees appointed by the state superintendent of public instruction. Such committees shall utilize such means and measures as the state superintendent deems appropriate to assess school compliance with pertinent accreditation standards.

SELF-STUDY ACCREDITATION

NEW SECTION

WAC 180-55-040 SELF-STUDY—APPROVAL TO PARTICIPATE. Approval to participate in self-study accreditation procedures must be obtained from the state superintendent of public instruction prior to beginning official activities. Such approval is contingent upon proper completion of the application procedures described in WAC 180-55-030(1) and is subject to participation limits authorized therein.

NEW SECTION

WAC 180-55-045 SELF-STUDY—TYPES. There shall be three types of self-study accreditation procedures:

(1) Input/standards assessment as described in WAC 180-55-055.

(2) Process/outcomes analysis as described in WAC 180-55-060.

(3) Self-designed as described in WAC 180-55-065.

NEW SECTION

WAC 180-55-050 SELF-STUDY—COMMON GUIDELINES. Each of the three types of state board of education's self-study accreditation procedures shall include at least the following:

(1) A coordinator generally responsible for the self-study.

(2) A steering committee generally responsible for guiding the self-study.

(3) Planned participation from the following individuals or groups: A district-level administrator, the principal, teachers, parents, and classified employees, and students (secondary only).

(4) The self-study shall be comprehensive in scope, with needs assessments conducted in the following areas: Instructional program, staff, services, materials and resources, and facilities.

(5) The product of the self-study procedure shall be a plan for program improvement which shall set priorities, identify constraints that may affect reaching the desired goals, include an implementation timeline, describe an internal monitoring process, and provide for revisions and periodic updating.

NEW SECTION

WAC 180-55-055 SELF-STUDY—INPUT/STANDARDS ASSESSMENT. Input/standards assessment (I/SA) self-study accreditation procedures shall focus upon the resources applied to the school's total educational effort, consistent with school and district standards, priorities, and established goals. The input/standards assessment procedures shall emphasize the following:

(1) Standards for adequate resources. Those who are managing the self-study procedures shall identify, adapt, or develop standards of adequate resources for the areas being studied.

(2) Instructional program balance. The assessment of instructional program resources shall review program balance, comprehensiveness, and flexibility.

(3) Staffing balance. The survey of staff shall review staffing balance in terms of preparation, certification, experience, and special qualifications.

(4) Equitability of services. The assessment activities shall review the extent and appropriateness of services provided to students, parents, and staff.

(5) Facilities. Self-study procedures shall include an assessment of the suitability and adequacy of school facilities.

(6) Impact of resources. The assessment activity shall evaluate the impact of available resources on the ability

of the school to meet identified standards, priorities, and goals.

(7) School climate (optional). The school climate assessment is an optional activity for the input/standards assessment self-study accreditation procedures.

NEW SECTION

WAC 180-55-060 PROCESS/OUTCOMES

Process/outcomes analysis (P/OA) self-study accreditation procedures shall focus on the quality and appropriateness of the school's educational program and the results of such operational efforts. A required component of these procedures shall be the school climate survey, an assessment of the affective environment of the school and the impact of school climate upon the educational processes and outcomes. The process/outcomes analysis procedure shall emphasize the following:

(1) Instructional program analysis. The assessment activity shall review the instructional program and shall evaluate at least: student learning objectives, student achievement, instructional planning, course and content offerings, quality and effectiveness of instruction, and staff inservice activity.

(2) School climate.

(3) Additional problem areas. Preliminary assessments shall be made in the areas of staffing, services, materials and facilities. Detailed analyses shall be applied to any such areas that are indicated as problem areas in terms of their effective operation and/or contribution to desired outcomes.

NEW SECTION

WAC 180-55-065 SELF-STUDY—SELF-DESIGNED. Self-designed (S-D) self-study accreditation procedures may be developed for use at a participating school. Self-designed self-study procedure proposals must be approved in advance by the state superintendent of public instruction and shall address at least the following areas:

(1) Accreditation readiness. Readiness for participation in accreditation activities shall be evaluated in terms of purposes, objectives, commitment and constraints in terms of how each will affect the conduct of the self-study and the implementation of the plan for program improvement.

(2) Direction and coordination. Management of the self-study and the administration of preparation of the plan for program improvement shall be described.

(3) Scope. The self-study must be comprehensive in scope in at least the major areas of program, staff, services, materials, and facilities.

(4) Relationship of findings to the plan for program improvement. The development of the plan for program improvement must be based upon the findings of the self-study.

(5) Timeline. Progress checkpoints in the form of a timeline must be observed during the self-study procedures and provided during the resultant plan for program improvement.

(6) School climate (optional). The school climate assessment is an optional activity for the self-designed self-study accreditation procedures.

STANDARDS-ONLY ACCREDITATION

NEW SECTION

WAC 180-55-070 STANDARDS-ONLY—GENERAL CONDITIONS—TYPES. Standards-only accreditation procedures are provided as officially acceptable alternatives to the preferred self-study procedures for establishing accredited status. Such standards are established for elementary school and middle school accreditation in WAC 180-55-075 through 180-55-115, and for junior high school and senior high school accreditation in WAC 180-55-075 through 180-55-100 and 180-55-120 through 180-55-135.

There shall be no yearly limits on the number of schools that may participate in standards-only accreditation procedures.

NEW SECTION

WAC 180-55-075 STANDARDS-ONLY—ELEMENTARY AND SECONDARY—PROFESSIONAL PREPARATION OF STAFF. In applying the following standards it should be understood that the basic reference for approval is completion of state-approved programs of preparation for the several fields of teaching and school service, rather than any specified courses or any particular number of course credits. School district recommendation and documentation (justification) of preparation including other than institutional programs, when appropriate, will be required when evidence of institutional program completion is lacking.

(1) Principal. The official heads of the school (principals and vice principals) must have the appropriate credentials in accordance with regulations of the state board of education.

(2) Teacher. Teachers should be assigned to their proper grade level or subject area in accordance with their competency based on training and experience. Teachers must have the appropriate credentials in accordance with regulations of the state board of education.

(3) Learning resources specialist (library/audio-visual) and counselor. School programs of instruction and supporting professional services should be staffed by professional personnel recommended by teacher education institutions. School districts shall provide evidence that documents the fact that personnel have completed programs of preparation appropriate to the school functions to which they are assigned. When assignments are not consistent with instructional preparation, the school district shall provide information which in its judgment will justify the assignments.

NEW SECTION

WAC 180-55-080 STANDARDS-ONLY—ELEMENTARY AND SECONDARY—GUIDANCE SERVICES. (1) Physical facilities. Physical facilities

suitably equipped to provide privacy for individual counseling.

(2) Recommended organization and program.

(a) A counselor's job description, plus description of administrator's relationship to guidance program.

(b) A functional guidance committee (secondary only).

(c) A testing program that includes achievement and intelligence testing.

(d) Adequate and up-to-date materials pertaining to educational and occupational opportunities (secondary only).

(e) A program of continuous identification of student developmental needs.

(f) Complete and permanent student records maintained with adequate adult clerical help.

NEW SECTION

WAC 180-55-085 STANDARDS-ONLY—ELEMENTARY AND SECONDARY—SCHOOL HEALTH SERVICES. (1) Recommended physical facilities. Provide a health service area with adequate space for the following health appraisal and counseling activities:

(a) Isolating students who are ill.

(b) Administering vision screening tests.

(c) Administering hearing tests.

(d) Providing privacy for conferences with students, parents, teachers and other school personnel.

(2) Recommended organization and program.

(a) Provide help to teachers in observation and referral of students whose characteristics show deviations from those of healthy children.

(b) Provide guidance and assistance in the identification of students with unobservable handicaps who may need special educational opportunities.

(c) Maintain concise and pertinent records containing information that will help to further educational opportunities and potentials of students.

(d) Develop procedures to help prevent and control disease, provide first aid procedures for the injured and emergency care for cases of sudden illness.

(e) Coordinate with the health services of professional and official health agencies in the community.

NEW SECTION

WAC 180-55-090 STANDARDS-ONLY—ELEMENTARY AND SECONDARY—TEXTBOOK AND SUPPLEMENTARY REFERENCE MATERIALS. Each school must have textbooks and supplementary reference materials which allow for an adequate comprehensive school program consistent with criteria established by the state superintendent of public instruction.

NEW SECTION

WAC 180-55-095 STANDARDS-ONLY—ELEMENTARY AND SECONDARY—EQUIPMENT

AND MATERIALS. Each school must have equipment and materials which allow for an adequate comprehensive school program consistent with criteria established by the state superintendent of public instruction.

NEW SECTION

WAC 180-55-100 STANDARDS-ONLY—ELEMENTARY AND SECONDARY—FACILITIES. Each school must have facilities which allow for an adequate comprehensive school program consistent with criteria established by the state superintendent of public instruction.

NEW SECTION

WAC 180-55-105 STANDARDS-ONLY—ELEMENTARY—PROGRAM OFFERINGS. The assessment of adequacy of elementary program offerings shall be based upon the minimum requirements for entitlement to basic education allocation funds (WAC 180-16-191 through 180-16-225) as follows:

(1) Program hours. The school schedule shall meet or exceed the program hour requirements (WAC 180-16-200).

(2) Program mix and subject area coverage. The school program shall meet or exceed the program mix requirements, and all required subjects shall be included in the instructional program (WAC 180-16-200).

NEW SECTION

WAC 180-55-110 STANDARDS-ONLY—ELEMENTARY—NUMBER AND TIME ASSIGNMENT OF PERSONNEL. The provisions below are for the purpose of determining minimum number and time assignments of personnel.

Credit toward personnel requirements of any one of the following categories may not be claimed for personnel who are reported in other categories for the same time period.

The enrollment (E) figure to be used in determining the minimum number of required staff members shall be the latest October 1 enrollment.

Schools with fewer than 100 students refer to (6), below.

(1) Administrative staff. Minimum FTE administrative staff time assigned shall be calculated as follows:

	E
100-200 students:	_____
	200
201-500 students:	1.0
	E
501 students and over:	_____
	500

In schools having an enrollment above 500, administrative time above 1.0 FTE may be allocated to increase counseling personnel time. Such increase shall be in addition to the counseling personnel staff requirement as

computed in WAC 180-55-110(2) and shall be calculated as follows:

E in excess of 500
<hr style="width: 50%; margin: 0 auto;"/>
800

(2) Counseling personnel. Minimum FTE counseling staff time assigned shall be calculated as follows:

E
<hr style="width: 50%; margin: 0 auto;"/>
100 students and over:
800

(Do not include converted administrative time.)

Schools shall have the option of instituting other guidance programs provided that they can show such programs to be equivalent to the standard.

(3) Teachers. A full-time equivalent teacher (FTE) is one who spends 6 hours per day in instruction-related activities. Exclude self-contained special education students and staff from the following calculation for minimum FTE teaching staff time assigned:

E
<hr style="width: 50%; margin: 0 auto;"/>
100 students and over
25

(4) Learning resource specialists. Minimum FTE learning resource (library/audio-visual) staff time assigned shall be calculated as follows:

100-150 students:	0.5
	E
151-300 students:	<hr style="width: 50%; margin: 0 auto;"/>
	300
301 students and over:	1.0

Schools with district facilities for central cataloging and processing of books may deduct 15% of the required learning resource personnel time assignment.

Schools shall have the option of instituting other learning resource programs provided that they can show such programs to be equivalent to the standard.

(5) Clerical staff. Paid adult clerical staff shall be provided at the school for aid to school administrators, teachers, counseling personnel and learning resource specialists at the following hourly rates per week:

100-150 students: Regular classroom hours students are at school x 5.

151-500 students: 40 hrs/wk

E
<hr style="width: 50%; margin: 0 auto;"/>
501 students and over:
40
$500 + .2 \times$

Clerical time assigned to perform services related to lunch program operation shall not be counted toward fulfillment of the time required by formula.

Schools shall have the option of instituting other clerical staff assignment programs provided that they can show such programs to be equivalent to the standard.

(6) Time assignment - schools with less than 100 students enrolled.

- (a) Administrator: .5 FTE
- (b) Teachers: E

25

- (c) Learning Resource Specialist: .2 FTE
- (d) Counselor: .1 FTE
- (e) Clerical Staff: .5 FTE (20 hours)

Assignment time may not be claimed for time assigned to tasks associated with district-level operations.

NEW SECTION

WAC 180-55-115 STANDARDS-ONLY—ELEMENTARY—INSTRUCTIONAL AND LEARNING RESOURCES. (1) Resources.

- (a) Teaching materials.
 - (i) Books: 2000 or 7 per student, whichever is greater.
 - (ii) Films: Access to 250 titles.
 - (iii) Filmstrips and slide sets: Access to 200 titles.
 - (iv) Periodicals: 15.
 - (v) Tapes and records: Access to 200 titles.

(vi) Wide variety of teaching-learning materials: Vertical file collections; pamphlets; study prints; folded maps; 8 mm films; overhead transparencies and transparency masters; globes; dioramas; realia - all readily available and easily accessible to both teachers and students.

(b) Facilities. Library room(s) seating largest class plus 10 up to 10% of enrollment, if such exceeds the largest class plus 10, with special room for storage and check-out of audio-visual equipment, easily accessible to the charge desk, plus work office, conference areas equipped for listening and viewing; independent work areas (carrels) in larger schools.

(c) Budget. The budget shall provide adequately for library book purchases, materials and supplies, equipment, and equipment maintenance and repair.

(2) Recommended organization and program:

(a) Materials collections classified and cataloged for use.

(b) Library available for reading, listening, conferences, and reference throughout the school day.

(c) Professional personnel of the learning resource center and teachers plan together for the program of library instruction.

(d) Professional personnel of the learning resource center plan with teachers for the active use of all communication media by students and teachers alike.

(e) Skilled help to aid teachers and students in the production of teaching-learning materials.

NEW SECTION

WAC 180-55-120 STANDARDS-ONLY—SECONDARY—UNIT OF CREDIT. (1) For the purpose of assessing minimum offerings (WAC 180-55-125) one unit of credit shall be equivalent to a minimum of 60 hours of instruction including normal class change passing time. Fractional credits may be given for fewer or more than 60 hours.

(2) Time spent in class shall be one criterion in judging the worth of a program; however, experimentation in

organization is encouraged to provide for individual differences in pupils and better utilization of staff. Deviations from the 60 clock hour unit shall be subject to approval by the state superintendent of public instruction.

NEW SECTION

WAC 180-55-125 STANDARDS-ONLY—SECONDARY—MINIMUM PROGRAM OFFERINGS. The following table lists minimum offerings for secondary school programs, grades seven through twelve, and for each secondary school organization plan. The alternation of courses in successive years may be counted in the year's total offerings, subject to requirements of WAC 180-16-200.

MINIMUM OFFERINGS

SUBJECT	GRADES	GRADES	GRADES	GRADES	GRADES
	7-8	9-12	7-12	7-9	10-12
Language Arts	4	14	18	8	10
(May include reading, drama, speech, journalism, college prep English, etc.) (See note a)					
Social Studies	4	10	14	5	9
Mathematics	4	10	14	8	6
Science	2	10	12	4	8
(See note b)					
Foreign Language		6	6	2	6
(See note c)					
Business Education		10	10		10
Physical Education		10	10		10
Grades 7-8 Provide an average of at least 20 minutes in each school day					
Grades 9-12 Provide for a minimum of 90 minutes in each school week					
Health					
(See note d)					
Practical Arts	1	11	12	4	8
(May include industrial arts, agriculture, trade and industry classes, etc.)					
Homemaking	1	7	8	3	5
Music	Must be offered at all grade levels (See note e)				
Art	Must be offered at all grade levels				
Driver Education	May be offered outside of school hours				

- a/ Including 6-year sequence.
- b/ Must include 1 credit each of life science and physical science in grades 7, 8, and/or 9. All science courses in grades 7-12 should be laboratory oriented.
- c/ Including 3-year sequence.
- d/ Separate 1 credit course must be offered in grades 9-12; in grades 7-8 course may be integrated.
- e/ Secondary programs must include offerings in both vocal and instrumental music.

NEW SECTION

WAC 180-55-130 STANDARDS-ONLY—SECONDARY—NUMBER AND TIME ASSIGNMENT OF PERSONNEL. The provisions below are for the purpose of determining minimum number and time assignments of personnel.

Credit toward personnel requirements of any one of the following categories may not be claimed for personnel who are reported in other categories for the same time period.

The enrollment (E) figure to be used in determining the minimum number of required staff members shall be the latest October 1 enrollment.

Schools with fewer than 150 students refer to (6), below.

(1) Administrative staff. Assigned administrative staff shall be at the rate of one for the first 300 students plus one for each additional 600 students or a fraction of one for any portion thereof.

For schools with fewer than 300 students:

$$\text{Minimum administrative assignment} = \frac{E}{300}$$

For schools with 300 or more students:

$$\text{Minimum administrative assignment} = \frac{E}{600} + \frac{1}{2}$$

Administrative staff requirements in addition to two full-time credentialed administrators may be met by assignment of certificated personnel at the same staff-enrollment ratio.

(2) Teacher staff. Assigned teaching staff shall be at the rate of one for each 25 students.

$$\text{Minimum teaching staff} = \frac{E}{25}$$

(3) Professional library staff. Assigned library staff shall be at the rate of one for the first 400 students plus one for each additional 1,200 students.

For schools with fewer than 400 students:

$$\text{Minimum library staff} = \frac{E}{400}$$

For schools with 400 or more students:

$$\text{Minimum library staff} = \frac{E}{1200} + \frac{2}{3}$$

Library staff requirements in addition to one full-time librarian recommended by a teacher education institution may be met by assigning certificated personnel at the same staff-enrollment ratio.

Schools with central cataloging and processing of books may deduct 15% of the required certificated library personnel and 6% of the total minimum clerical requirement.

(4) Trained counselors. Assigned counseling staff shall be at the rate of one for each 400 students.

$$\text{Minimum counseling staff} = \frac{E}{400}$$

Administrators shall not be considered in determining compliance with guidance personnel requirements for schools with enrollments over 150 in grades 7-12.

(5) Clerical staff. Paid adult clerical staff shall be provided at the school for aid to school administrators, teachers, guidance personnel and learning resources specialists at the rate of one for each 350 students.

$$\begin{array}{r} \text{Minimum} \\ \text{clerical} \\ \text{staff} \end{array} = \frac{\text{E}}{350}$$

(6) Under 150 enrollment in grades 7-12. School districts with fewer than 150 students in grades 7-12 must have the following minimum personnel to provide the instructional program in grades 7-12:

- Administrators—1/2
- Teachers—8
- Librarian—1/2
- Counselor—1/2
- Total Certificated Personnel—9 1/2
- Clerks—4/7

Assignment time may not be claimed for time assigned to tasks associated with district-level operations.

NEW SECTION

WAC 180-55-135 STANDARDS-ONLY—SECONDARY—INSTRUCTIONAL AND LEARNING RESOURCES. (1) Resources.

- (a) Teaching materials.
 - (i) Books: 2000 minimum or 7 books per student whichever is greater.
 - (ii) Films, 16 mm: 250 titles (available through rental or loan sources).
 - (iii) Film strips and slide sets: 200 (available through rental or loan sources.)
 - (iv) Newspapers: 1 local, 1 national and 2 area metropolitan dailies.
 - (v) Periodicals—Magazines (including professional); 35 junior high; 50 senior high.
 - (vi) Tapes and records (excluding tapes for language laboratory): 200 (Available through rental or loan sources).
 - (vii) Wide variety of teaching-learning materials: Vertical file collections; pamphlets; study prints; folded maps; 8 mm films; overhead transparencies and transparency masters; globes; dioramas; realia - all readily available and easily accessible to both teachers and students.
- (b) Facilities. Library room(s) seating largest class plus 10 up to 10% of enrollment, if such exceeds the largest class plus 10, with special room for storage and check-out of audio-visual equipment, easily accessible to the charge desk, plus work, office, conference areas equipped for listening and viewing; independent work areas (carrels) in larger schools.
- (c) Budget.
 - (i) Books: \$900 minimum or \$3.50 per student whichever is greater.
 - (ii) Other: Adequate budget in addition to book budget for regular encyclopedia replacement, periodical

subscriptions, audio-visual materials, supplies and binding.

- (2) Recommended organization and program.
 - (a) Materials collections classified and cataloged for use.
 - (b) Library available for reading, listening, conferences and reference throughout the school day.
 - (c) Professional personnel of the learning resource center and teachers plan together for the program of library instruction.
 - (d) Professional personnel of the learning resource center plan with teachers for the active use of all communication media by students and teachers alike.
 - (e) Skilled help to aid teachers and students in the production of teaching-learning materials.

WSR 81-08-028
ADOPTED RULES
STATE BOARD OF EDUCATION
 [Order 3-81—Filed March 26, 1981]

Be it resolved by the State Board of Education, acting at Tumwater, Washington, that it does promulgate and adopt the annexed rules relating to secondary education, chapter 180-56 WAC.

This action is taken pursuant to Notice No. WSR 81-04-045 filed with the code reviser on February 3, 1981. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the State Board of Education as authorized in RCW 28A.04.120(4).

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

APPROVED AND ADOPTED March 20, 1981.
 By Wm. Ray Broadhead
 Secretary

REPEALER

The following sections of the Washington Administrative Code are repealed:

- (1) WAC 180-56-305 STATUTORY AUTHORITY.
- (2) WAC 180-56-306 INTENT.
- (3) WAC 180-56-307 DEFINITIONS.
- (4) WAC 180-56-310 TYPES OF ACCREDITATION—CONDITIONS—EFFECTIVE PERIOD.
- (5) WAC 180-56-315 APPROVAL OF SCHOOL DISTRICT PROGRAM.
- (6) WAC 180-56-320 ANNUAL REPORT.
- (7) WAC 180-56-325 UNIT OF CREDIT.
- (8) WAC 180-56-330 MINIMUM PROGRAM OFFERINGS.

(9) WAC 180-56-335 STANDARDS FOR ACCREDITATION OF COMPREHENSIVE SECONDARY SCHOOLS—MINIMUM REQUIREMENTS FOR STUDENTS—GRADES 9-12.

(10) WAC 180-56-340 PROFESSIONAL PREPARATION OF STAFF.

(11) WAC 180-56-345 NUMBER AND TIME ASSIGNMENT OF PERSONNEL.

(12) WAC 180-56-350 INSTRUCTIONAL AND LEARNING RESOURCES.

(13) WAC 180-56-355 GUIDANCE SERVICES.

(14) WAC 180-56-360 SCHOOL HEALTH SERVICES.

(15) WAC 180-56-365 TEXTBOOK AND SUPPLEMENTARY REFERENCE MATERIALS.

(16) WAC 180-56-370 EQUIPMENT AND MATERIALS.

(17) WAC 180-56-375 FACILITIES.

(18) WAC 180-56-380 ADMINISTRATION OF ACCREDITATION PROCEDURES.

WSR 81-08-029

ATTORNEY GENERAL OPINION

Cite as: AGO 1981 No. 3

[March 26, 1981]

TAXATION—PROPERTY—COUNTIES—CITIES AND TOWNS—APPLICATION OF 106 PERCENT LIMITATION TO COUNTY TAX REFUND LEVY

The 106 percent limitation on property taxes imposed by RCW 84.55.010 applies to taxes levied by a county pursuant to RCW 84.68.040 for the county refund fund; and the limitation is to be applied to the levy for the year in which the refund is made and not the year for which it is made.

Requested by:

Honorable Norm Maleng
King County Prosecuting Attorney
E550 King County Courthouse
Seattle, Washington 98104

WSR 81-08-030

EMERGENCY RULES

HORSE RACING COMMISSION

[Order 81-02—Filed March 27, 1981]

Be it resolved by the Washington Horse Racing Commission, acting at Yakima, Washington, that it does promulgate and adopt the annexed rules relating to WAC 260-20-170, relating to first aid equipment and personnel; WAC 260-48-110, relating to wagers on "entries"; and WAC 260-48-326, relating to wagering on short fields.

We, the Washington Horse Racing 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 WAC 260-70-170: An inability of the smaller tracks to secure the services of a competent physician in time to open requires this amendment to protect the public health and safety; WAC 260-48-110 and 260-48-326: These rule changes are necessary to preserve the stability of on-going race meets and protect revenues to the state of Washington, all necessary in the general welfare.

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 Horse Racing Commission as authorized in RCW 67.16.020 and 67.16.040.

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

APPROVED AND ADOPTED March 27, 1981.

By George McIvor
Executive Secretary

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

WAC 260-20-170 FIRST AID EQUIPMENT AND PERSONNEL. Each racing association shall equip and maintain at its track temporary facilities with not less than two beds, equipped with such first aid appliances and material as shall be approved by the commission, and shall provide the attendance of a competent physician and one registered nurse thereat during racing hours. A racing association conducting a meet with an average daily handle of one hundred twenty thousand dollars or less may provide at its track a licensed paramedic in lieu of a physician if the services of a competent physician cannot be obtained.

AMENDATORY SECTION (Amending Order 73.8, filed 10/23/73)

WAC 260-48-110 "ENTRY"—WAGER ON ONE IS WAGER ON ALL. When two or more horses run in a race, and are coupled because of common ties they are called an "entry" and a wager on one of them shall be a wager on all of them. In cases where the only common tie is that the horses are trained by the same trainer, the horses shall be uncoupled for wagering purposes except in quinella or exacta races. At nonprofit or sixty-forty meets, when the only common tie is that the horses are trained by the same trainer, the horses may be uncoupled for wagering purposes.

NOTES:

Coupled horse disqualified, others may be: WAC 260-52-040(5).

NEW SECTION

WAC 260-48-326 WAGERING ON "SHORT FIELDS." *At any race meet, if the number of horses entered in a race is fewer than, or falls below, six horses, the commission may authorize that the wagering on that race be conducted by the Quinella or Exacta type methods.*

WSR 81-08-031
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 81-19—Filed March 27, 1981]

I, Rolland A. Schmitt, director of the state Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial shellfish regulations.

I, Rolland A. Schmitt, 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 small shrimp in the closed area have increased in size. Also, Oregon and California seasons are now open, decreasing fishing pressure off the Washington coast.

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

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

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

APPROVED AND ADOPTED March 27, 1981.

By Rolland A. Schmitt
 Director

REPEALER

The following section of the Washington Administrative Code is repealed effective April 1, 1981:

WAC 220-52-05300H CLOSED SEASON - SHRIMP (81-11)

WSR 81-08-032
PROPOSED RULES
THE EVERGREEN STATE COLLEGE
 [Filed March 27, 1981]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030 and 28B.40.120(11), that The

Evergreen State College intends to adopt, amend, or repeal rules concerning library circulation policy, WAC 174-136-130 and 174-136-140;

that such institution will at 11 a.m., Thursday, May 14, 1981, in the Board of Trustees Room, Library Building #3112, The Evergreen State College, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 11 a.m., Thursday, May 14, 1981, in the Board of Trustees Room, Library Building #3112, The Evergreen State College, Olympia.

The authority under which these rules are proposed is RCW 24B.40.120(11)[28B.40.120(11)].

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution prior to May 7, 1981, and/or orally at 11 a.m., Thursday, May 14, 1981, The Evergreen State College, Board of Trustees Room, #3112 Library Building, Olympia.

Dated: March 26, 1981
 By: Richard N. Schwartz
 Vice President for Business

STATEMENT OF PURPOSE

Title: Addendum to the Library's Circulation Policies.

Summary: Library circulation policies should include statements on confidentiality of borrower records and selection of resources and services. The Evergreen State College Library proposes to add these statements to its existing circulation policies. The first statement protects borrowers from invasion of personal privacy by making individual borrowers' records confidential. The second statement allows the library to protect its resources, including materials, library equipment, and library services, from censorship.

Staff: Susan P. Smith, Library 2306, Acting Dean of Library Services, 866-6262; and M. Deborah Robinson, Library 2301, Head of Circulation, 866-6250.

Organization: The Evergreen State College.
 Necessity: No legislative or legal requirement.

NEW SECTION

WAC 174-136-130 CIRCULATION RECORDS. In order to prevent an unreasonable invasion of personal privacy (including but not limited to RCW 42.17.260 and 42.17.310) all records relating to the registration of patrons and their requests for use and subsequent circulation of materials by The Evergreen State College Library are hereby deemed confidential, regardless of the source of inquiry or request for information.

NEW SECTION

WAC 174-136-140 SELECTION OF RESOURCES AND SERVICES. It is the policy of The Evergreen State College to select for its library the best and most suitable library materials, library equipment and library services. The college expressly rejects any form of selection based on censorship of materials or prejudicial considerations based upon race, religion, sex, national origin or political view point.

WSR 81-08-033
PROPOSED RULES
UNIVERSITY OF WASHINGTON
 [Filed March 27, 1981]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030 and 42.30.060, that the University of Washington intends to adopt, amend, or repeal rules concerning parking and traffic regulations, amending WAC 478-116-240 and 478-138-050;

that such institution will at 3:30 p.m., Thursday, May 14, 1981, in the Administration Building, Room 142, University of Washington, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 1:00 p.m., Friday, June 12, 1981, in the Regent's Room, Administration Building, University of Washington, Seattle, Washington.

The authority under which these rules are proposed is RCW 28B.10.560.

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution prior to May 14, 1981, and/or orally at 3:30 p.m., Thursday, May 14, 1981, Administration Building, Room 142, University of Washington.

Dated: March 24, 1981

By: Elsa Kircher Cole
 Assistant Attorney General

STATEMENT OF PURPOSE

A public hearing will be held at 3:30 p.m., Thursday, May 14, 1981, in Room 142 Administration Building for the purpose of allowing interested persons an opportunity to present their views either orally or in writing regarding the proposed revisions to the Boat Moorage Regulations and the Parking and Traffic Regulations. Current holders of annual boat moorage permits will be advised in writing of the proposed boat moorage fee increases and advised of the schedule public hearing. They will also be advised that if they wish to make comments on the proposal and are unable to attend the hearing, that comments may be submitted to Mr. Stanton Schmid, Director of University Relations and Hearing Officer.

The material to be discussed at the hearing is enclosed as follows: Proposed Boat Moorage Fee Increase, WAC 478-138-050; Proposed revision to Parking and Traffic Regulations, WAC 478-116-240, Visitor Parking.

The statutory authority for the two rules and the ability to amend them are granted under RCW 28B.10.560.

The purpose of the Boat Moorage Regulations is to provide water access for persons attending special events at the University of Washington, such as football games, and to provide for controlled use of the moorage

facilities through issuance of moorage permits and collection of moorage fees.

The parking division has recommended that the current moorage fees (for each event) be revised to more appropriately reflect the cost of the moorage operation and revise categories of boat lengths to correspond to appropriate moorage fees.

Rules and regulations for use of the university's boat moorage facilities were adopted by the board of regents in June, 1973. The rules were designed to control moorage at the facilities and ensure access for emergency equipment. At this time, a revised fee schedule was established and a system for the sale of moorage permits was instituted. The sale of permits provided assurance that only the number of boats which could be accommodated safely would be allowed to use the facility.

This proposal to increase the boat moorage fees, to be effective July 27, 1981, is only the second time the moorage fees have been revised since their inception in 1963. The moorage fees have not kept pace with yearly inflation rates and they are not adequate to underwrite the direct operating costs of the moorage facilities. It is recognized that a program of maintenance and improvements to the boat moorage facilities is essential to the safety of the boat moorage users and their property. The facilities are primarily used by students, faculty and staff in connection with the University Yacht Club, canoe rentals, and sailing boating classes. The facilities are intensely used during the football season when fans arrive by private and charter boats. The arrival, moorage, and departure of approximately 200 pleasure craft per game contributes significantly to the maintenance of the floats. Therefore, the necessary repairs and maintenance of the boat moorage facilities, to include a twenty-year replacement cycle of floats has been assumed by the parking system. The proposed fee increases will underwrite only a portion of the operation and maintenance costs of the Boat Moorage Program. The fee increase is primarily designed to offset inflationary costs that have increased 65% (75% if the fee is implemented 7/81) since the last fee increase in June, 1973, as well as revise the categories of boats to more appropriately represent the classifications of boats mooring during the football season. Revenue from all athletic events held during each year is adequate to cover all operating costs for these events including capital improvements to the moorage facilities.

The first two categories of boat size under the proposed fee schedule would have their fees increased by 50 percent over the current

fee schedule; the third boat size category would increase approximately 75 percent and the fourth boat category increase by 100 percent. This is recommended due to the size of the boats and corresponding wear and tear they inflict upon the floats. It is recommended that seaplanes be eliminated from the moorage regulations due to the fact that accommodations are not currently available to adequately secure this type of craft.

The Transportation Office has recommended the revision to the Parking and Traffic Regulations, WAC 478-116-240 Visitor Parking (2). The purpose of this regulation is to control where and how vehicles owned by contractors and their employees may park on the University of Washington campus during construction projects.

The proposed revision to this section will bring into agreement the current contractor parking provisions contained in all project specifications with the regulations.

The proposed revisions to the Boat Moorage and the Parking and Traffic Regulations were endorsed by the Faculty Council on University Facilities and Services at their January 7, 1981, meeting and by the Transportation Advisory Committee at their February 12, 1981, meeting. The proposed revisions have also been reviewed by the ASUW and GPSS presidents.

The Parking Division is responsible for implementing the Boat Moorage and Parking and Traffic Regulations and for enforcing the Boat Moorage Regulations. The University Police Department is responsible for enforcing the Parking and Traffic Regulations. The proposed revisions to the Boat Moorage and Parking and Traffic Regulations will be submitted to the board of regents for action at their regular meeting on Friday, June 12, 1981. If the proposed revisions to the WAC regulations are adopted by the board of regents they will become effective on approximately July 27, 1981.

Agency Personnel Responsible for Drafting: Jerri McCray, Transportation Officer, 545-1428.

The proposed changes do not result from federal law or federal or state court action.

Recommendation: It is the recommendation of the Parking Division that the Boat Moorage Regulations (WAC 478-138-050) be revised to allow for an increase in the Boat Moorage Fee Schedule, and to revise the categories of boat length that correspond to

the appropriate moorage fee and to add a new fee category for loading and unloading of charter boats, and further to eliminate the category seaplanes and corresponding fee from the Moorage Regulations.

Recommendation: It is the recommendation of the Transportation Office that the Parking and Traffic Regulations be revised to bring into agreement the contractor parking provisions contained in project specifications with the contractor parking provisions in the Parking and Traffic Regulations.

AMENDATORY SECTION (Amending Order 80-1, filed 8/22/80)

WAC 478-116-240 VISITOR PARKING. All visitors, including guests, salespersons, hospital or health center patients and in-patient visitors, maintenance or service personnel, and all other members of the public shall park only in available space as directed by the parking division and shall pay the established parking fee, except as noted below:

(1) Federal, state, county, city, school district and similar governmental personnel on official business either in vehicles with tax exempt licenses or by prior arrangements with the parking division shall be admitted to the campus without charge.

(2) Vehicles owned by contractors and their employees working on campus construction may be parked in ((spaces)) designated ((by the contractor within)) construction ((sites)) work areas as shown on the construction project drawings without charge. A valid construction parking permit must be visibly displayed in these vehicles.

(3) Members of the press, television, radio and wire services on official business may park in designated spaces without charge.

(4) Taxis and commercial delivery vehicles may enter the campus without payment of the parking fee for pickup or delivery of passengers, supplies and equipment only.

(5) Visitors and guests attending special university-wide events such as commencement will be parked without charge. Parking fees shall be charged for college and departmental events such as open houses, symposiums, social and cultural events, unless exempted elsewhere in these regulations.

(6) Visitors invited to the campus for the purpose of rendering uncompensated services to departmental areas will be parked in designated areas without charge. In such event, the department receiving the uncompensated service will pay the parking fee from its operating budget.

(7) Persons invited to the campus for the purpose of rendering uncompensated services to the University of Washington, as identified by the Office of the President, will be parked in designated areas without charge.

(8) Persons holding emeritus or similar appointments will be parked in designated areas without charge.

AMENDATORY SECTION (Amending Order, filed 7/2/73 and 7/27/73)

WAC 478-138-050 USE OF UNIVERSITY STADIUM BOAT MOORAGE FACILITIES—MOORAGE FEE (FOR EACH EVENT).

Private Boats:

Length to 20 feet	.....	(((\$2.00)))	\$3.00
Length 21 to 30 feet	.....	(((\$4.00)))	\$6.00
Length ((over 30)) 31 to 40 feet	.....	(((\$6.00)))	\$10.00
Length over 40 feet	.....		\$12.00

Charter Boats: ((~~.....~~)) \$30.00))

Load and unload plus moorage	.....		\$60.00
Load and unload only	.....		\$12.00

(((Seaplanes:))) \$6.00))

Other Craft: Set by manager of parking division if necessary for single occurrence.

WSR 81-08-034
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 1629—Filed March 30, 1981]

I, David A. Hogan, Director, Client and Community Relations Division of the Department of Social and Health Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

Amd WAC 388-80-005 Definitions.

Amd WAC 388-82-010 Persons eligible for medical assistance.

I, David A. Hogan, 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 clarifies Order #1602, filed February 27, 1981, in order to conform more closely to legislative intent expressed in chapter 8, Laws of 1981.

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 the Department of Social and Health Services as authorized in RCW 74.08.090.

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

APPROVED AND ADOPTED March 30, 1981.

By David A. Hogan
 Director, Client and
 Community Relations Division

AMENDATORY SECTION (Amending Order 1542, filed 9/9/80)

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))~~) medical care for GAU, see WAC 388-86-120.

(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 written request for ((medical care made to the CSO)) financial or medical assistance from the department of social and health services made by a person in his/her 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))~~ (3) "Assignment" is the method by which the provider receives payment for services under Part B of medicare.

(4) "Assistance unit" means a person or members of a family unit who are eligible for cash or medical assistance under a federally matched program including state supplement.

(5) "Authorization" means an official approval of a departmental action.

(a) "Authorization date" means the date the prescribed form authorizing assistance for a new, reopened or reinstated case is signed.

(b) "Authorization of grant" means attesting the applicant's eligibility for assistance in an amount as determined by his/her circumstances and department standards and giving authority to make payment accordingly.

(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))~~ (7) "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")~~) the time period used in determining whether medicare can pay for covered Part A services. A benefit period begins the first day a beneficiary is furnished inpatient hospital or extended care services by a qualified provider. It ends when the beneficiary has not been an inpatient of a hospital or other facility primarily providing skilled nursing or rehabilitation services for sixty consecutive days. There is no limit to the number of benefit periods a beneficiary can have.

~~((9))~~ (8) "Carrier" is ~~((the agency having a contract to serve as a third-party agency in behalf of the federal government for))~~ an organization who has a contract with the federal government to process claims under Part B of medicare.

~~((10))~~ (9) "Categorically ((related)) needy" refers to a resident of the state of Washington whose income and resources are evaluated as for cash assistance and 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.))~~ Receiving cash assistance.

(i) Aid to Families of Dependent Children (AFDC).

(ii) Supplemental Security Income (SSI), including grandfathered individuals and individuals with essential spouses.

(iii) State supplement.

(b) Eligible for but not receiving assistance.

(i) AFDC.

(ii) SSI and/or state supplemental.

(iii) Special categories.

(c) A financially eligible person under twenty-one who would be eligible for AFDC but does not qualify as a dependent child and who is in:

- (i) Foster care, or
 - (ii) Subsidized adoption, or
 - (iii) A skilled nursing home, intermediate care facility, or intermediate care facility for mentally retarded, or
 - (iv) An inpatient psychiatric facility.
- (d) Individuals related to SSI above in institutions who would not be eligible for such assistance if they were not institutionalized solely because of the cash level of their income.

~~((11))~~ (10) "Central disbursements" is the state office section which audits nonmedicaid medical claims for payment ((billed on form DSHS 6-06 (A-19))).

~~((12))~~ (11) "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)) date" means the date the worker certifies changes in a recipient's circumstances and authorizes an action.

(12) "CFR" means the code of federal regulations and is a codification of the general and permanent rules published in the federal register by the executive departments and agencies of the federal government.

(13) "Child" or "minor child" means a person under eighteen years of age.

(14) "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)(c).)

(15) "Client" means an applicant or recipient of financial and/or social services provided by the department of social and health services.

(16) "Coinsurance" means the portion of reimbursable hospital and medical expenses, after subtraction of any deductible, which medicare does not pay. Under Part A, coinsurance is a per day dollar amount, and under Part B, is twenty percent of reasonable charges.

(17) "CSO" (community service office) is an office of the department which administers the various social and health services at the county level.

(18) "Continuing assistance" means payments to persons who presumably will be eligible for and receive, from the date of authorization, regular monthly grants

on a prepayment basis. Continuing assistance includes federal aid and continuing general assistance grants to unemployable persons.

(19) "Deductible" means an initial specified amount that is the responsibility of the applicant and/or recipient.

(a) Part A of medicare - Inpatient hospital deductible - an initial amount in each benefit period which medicare does not pay.

(b) Part B of medicare - The first sixty dollars in expenses which must be incurred before medicare starts to pay.

(20) "Delayed certification" shall mean the date of certification for medicaid and date of application for SSI are the same for an SSI beneficiary whose eligibility decision was delayed due to administrative action.

~~((17))~~ (21) "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))~~ (22) "Division of medical assistance" shall mean the single state agency authorized to administer the Title XIX medical ((care)) assistance program.

(23) "Eligible couple" means an eligible individual and eligible spouse.

(24) "Eligible individual" means an aged, blind or disabled person as defined in Title XVI of the Social Security Act. If two such persons are husband and wife (and have not been living apart for more than six months), only one of them may be considered an eligible individual.

~~((20))~~ (25) "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.

~~((21))~~ (26) "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)) means a person whose needs were taken into account in determining the need of OAA, AB, or DA recipient for December, 1973, who continues to live in the home of such recipient, and continues to be an essential person.

~~((22))~~ "ESSO" (economic and social service office) see "CSO".

~~((23))~~ (27) "Extended care facility" (ECF) See "skilled nursing facility".

~~((24))~~ (28) "Extended care patient" is a recently hospitalized medicare patient who needs relatively short-term skilled nursing and rehabilitative care in a skilled nursing facility.

(29) "Fair hearing" means an administrative proceeding by which the department hears and decides the appeal of an applicant/recipient from an action or decision of the department.

~~((25))~~ (30) "Federal aid" ((shall)) means the ((medical)) assistance ((or aid to families with dependent children programs for which the state receives matching funds)) grant programs for which funds-in-aid are received by the state from the federal government.

~~((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.~~

~~(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.~~

~~(28) "Fiscal intermediary" is the agency having a contract to serve as fiscal agent for Part A of medicare.)~~

~~(31) "Fraud" shall mean a deliberate, intentional and wilful act, with the specific purpose of deceiving the department with respect to any material, fact, condition, or circumstances affecting eligibility or need.~~

~~(32) "General assistance - continuing" (GAU) means assistance to unemployable persons who are not eligible for or not receiving federal aid assistance.~~

~~((29)) (33) "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) A noninstitutionalized individual who meets all current requirements for medicaid eligibility except the criteria for blindness or disability; and~~

~~(i) As eligible for medicaid in December, 1973, as blind or disabled, whether or not he/she was receiving cash assistance in December, 1973; and~~

~~(ii) For each consecutive month after December, 1973, continue to meet the criteria for blindness and disability and other conditions of eligibility used under the medicaid plan in December, 1973; and~~

~~(iii) The needs of the "essential person" shall only be considered when he/she is living with such person in the same household.~~

~~(b) An institutionalized individual who was eligible for medicaid in December, 1973, or any part of that month, as an inpatient of a medical institution or resident of intermediate care facility that was participating in the medicaid program and for each consecutive month after December, 1973:~~

~~(i) Continued to meet the requirements for medicaid eligibility that were in effect under the state's plan in December, 1973, for institutionalized individuals; and~~

~~(ii) Remained institutionalized.~~

~~((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.~~

~~(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.~~

~~(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.~~

~~(32)) (34) "Home health agency" is an agency or organization certified under medicare to provide skilled nursing and other therapeutic services to the patient in his/her place of residence.~~

~~((33)) (35) "Hospital" shall mean any institution licensed as a hospital by the official state licensing authority.~~

~~((34)) (36) "Institution" shall mean an establishment which furnishes food and shelter to four or more persons unrelated to the proprietor and, in addition provides medically related 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.~~

~~(37) "Intermediary" is an organization who has an agreement with the federal government to process medicare claims under Part A.~~

~~((35)) (38) "Intermediate care facility" shall mean a licensed facility certified to provide intermediate care for which an agreement has been executed.~~

~~((36)) (39) "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)) the CFR regulations to provide ((24)) twenty-four hour health-related care and services to mentally retarded persons or persons with related conditions.~~

~~((37)) (40) "Legal dependents" are persons whom an individual is required by law to support.~~

~~((38) "Local office": See CSO.~~

~~(39)) (41) "Medicaid" or "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 an eligible child receiving foster care)) AFDC.~~

~~(b) A recipient of ((a continuing general assistance grant who is categorically related)) SSI.~~

~~(c) A recipient of ((a continuing general assistance grant who is eligible for care under the "H" category)) state supplement.~~

~~(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))) financially eligible person under twenty-one who is in:~~

~~(i) Foster care, or~~

~~(ii) Subsidized adoption, or~~

~~(iii) A skilled nursing home, intermediate care facility, or intermediate care for mentally retarded, or~~

~~(iv) An inpatient psychiatric facility.~~

~~(e) Individuals related to category (b) above in institutions who would not be eligible for cash assistance solely because of the level of their income if they were not institutionalized.~~

~~(f) Individuals who are eligible but not receiving cash assistance under (a), (b), or (c) above.~~

~~((c) The spouse of an aged, blind or disabled beneficiary for whom a cash allowance is included in the SSI benefit.~~

~~(40) "Medical audit". See "provider services".~~

~~(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.~~

~~(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).~~

~~(43)) (42) "Medical consultant" shall mean a physician employed by the department at the CSO level.~~

~~(43) "Medical facility" see "Institution".~~

~~(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.~~

~~(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.~~

~~(46) "Nursing care consultant" shall mean a qualified and licensed registered nurse employed by the department at the CSO level.~~

~~(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.~~

~~(48) "Part A" is the hospital insurance portion of medicare.~~

~~(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, Western". The department has adopted this book as the basis for authorizing payment for the maximum number of inpatient hospital days for recipients of state funded programs, or where no memorandum of understanding with a PSRO exists.~~

~~(50) "Part B" is the supplementary medical insurance benefit (SMIB) or the "doctor portion" of medicare.~~

~~(51) ("Participation" is that part of the cost of medical care which the recipient who has available resources must pay.~~

~~(52)) "Physician" is a doctor of medicine, or osteopathy ((or podiatry)) who is legally authorized to perform the functions of his profession by the state in which he performs them.~~

~~((53)) (52) "Professional standards review organization" (PSRO). See "Washington state professional standards review organization".~~

~~((54)) (53) "Provider" or "provider of service" means ((those)) an institution((s)), ((agencies)) agency, or individual((s furnishing)) who has a signed agreement to furnish medical care and goods and/or services to recipients and who ((are)) is eligible to receive payment from the department. ((See also "vendor".))~~

~~((55)) (54) "Provider services" shall mean the office of the division of medical assistance which ((authorizes)) processes claims for payment ((for medical billings)) under Title XIX and state funded programs.~~

~~((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.~~

~~(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).~~

~~(58) "Recipient of medical only" (MO) 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".~~

~~(59) "Recipient of noncontinuing general assistance" is a person certified by the department as eligible to receive temporary general assistance (GAN).)~~

~~((60)) (55) Residence ((=the)), state ((which officially meets one or more)) of ((the following)) means:~~

~~(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.~~

~~((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.~~

~~((62)) (56) "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)) means the period of no more than three months prior to month of application during which an individual applying under medicaid may be certified.~~

~~((63)) (57) "Skilled nursing facility" shall mean a licensed facility certified to provide skilled nursing care for which an agreement has been executed.~~

~~((64)) (58) "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".~~

~~((65)) (59) "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)) - see benefit period.~~

~~((66)) (60) "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)) means an aged, blind or disabled individual who is the husband or wife of an eligible individual and who has not been living apart from such eligible individual for more than six months.~~

~~(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)) means the husband or wife of an eligible individual who is not aged, blind or disabled, or although aged, blind or disabled has not applied for such assistance.~~

~~(c) "Nonapplying spouse" means the husband or wife of an eligible individual who although aged, blind or disabled has not applied for such assistance.~~

~~(61) "State-funded medical care" shall mean medical care, as defined by DSHS, provided to eligible persons on continuing general assistance.~~

~~((67)) (62) "State office" or "SO" shall mean the division of medical assistance of the department.~~

~~((68)) (63) "Supplementary ((security income) payment" ((is a cash benefit provided as a federal payment and/or state supplement under Title XVI for the aged, blind and disabled)) means the state money payment to individuals receiving benefits under Title XVI (or who would, but for their income, be eligible for such benefits) as assistance based on need in supplementation of SSI benefits. This payment includes:~~

~~(a) "Mandatory state supplement" means the state money payment with respect to individuals who, for December, 1973, were recipients of money payments under the department's former programs of old age assistance, aid to the blind and disability assistance.~~

~~(b) "Optional state supplement" means the elected state money payment to individuals eligible for SSI benefits or who except for the level of their income would be eligible for such benefits.~~

~~((69) "Title XVI" is a program administered by the social security administration which provides supplementary security income to the aged, blind and disabled.~~

~~(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.~~

~~(71) "Vendor" is a provider of medical goods or services under these rules:))~~

~~(64) "Supplemental security income (SSI) program, Title XVI," means the federal program of supplemental security income for the aged, blind, and disabled established by section 301 of the social security amendments of 1972, and subsequent amendments, and administered by the Social Security Administration (SSA).~~

~~(65) "Third party" means any entity that is or may be liable to pay all or part of the medical cost of injury, disease, or disability of an applicant or recipient of medicaid.~~

~~((72)) (66) "Washington State Professional Standards Review Organization" (WSPSRO) is the state level organization responsible for determining whether health care activities are medically necessary, meet professionally acceptable standards of health care, and are appropriately provided in an out-patient or institutional setting for ((recipients of federally related programs)) beneficiaries of medicare and recipients of medicaid and maternal and child health.~~

~~((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 1542, filed 9/9/80)

WAC 388-82-010 PERSONS ELIGIBLE FOR MEDICAL ASSISTANCE. Medical assistance ((is provided for:)) is available to any individual who is categorically needy.

(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 "II" 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.)~~ Individuals receiving or eligible to receive a cash assistance payment.

Categories under which individuals may qualify include:

(a) Aid to families with dependent children (AFDC);

(b) Supplemental security income (SSI);

(c) State supplemental payment; and

(d) Individuals under age twenty-one whose income is less than the one person AFDC standard and who are in:

(i) Foster care; or

(ii) Subsidized adoption; or

(iii) Skilled nursing home, intermediate care facility, or intermediate care facility for mentally retarded (ICF/MR); or

(iv) Inpatient psychiatric facilities.

(2) Individuals in medical facilities:

(a) Who would be eligible for cash assistance if they were not institutionalized. This includes all categorically needy groups;

(b) Who are SSI categorically related and would not be eligible for cash assistance if they were not institutionalized. This includes only aged, blind, and disabled groups.

WSR 81-08-035
EMERGENCY RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
 [Order 81-7—Filed March 30, 1981]

I, Sam Kinville, director of Labor and Industries, do promulgate and adopt at the Director's office, Olympia, Washington, the annexed rules relating to administrative rules, chapter 296-27 WAC.

I, Sam Kinville, 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 be in compliance with the decision of the Walla Walla superior court that the Safety Division could not obtain a warrant until it complied with its own statute, RCW 49.17.050(6). This emergency rule sets out basic inspection procedures for safety, hygiene, electrical inspection, and marine and dock inspections pursuant to chapter 49.17 RCW.

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

This rule is promulgated pursuant to RCW 49.17.040 and 49.17.240 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED March 30, 1981.

By Sam Kinville
 Director

NEW SECTION

WAC 296-27-160 SAFETY AND HEALTH INSPECTIONS. The Washington Industrial Safety and Health Act (WISHA), chapter 49.17 RCW, authorizes the Department of Labor and Industries (the department) to inspect work places to protect the health and safety of employees. The primary purpose of safety and health inspections is to determine whether employers are (1) complying with safety and health standards and regulations promulgated under WISHA, and (2) furnishing places of employment free from recognized hazards that are causing or are likely to cause death or serious physical harm to their employees. The following sections describe the method, manner, and frequency of the department's safety and health inspections.

NEW SECTION

WAC 296-27-16001 DEFINITIONS. For the purpose of these inspection rules:

(1) "BLS" shall mean Bureau of Labor Statistics.

(2) "Compensable claim" shall mean an industrial insurance claim in which an injured worker or dependent has received, or is expected to receive, a time-loss, permanent partial disability, pension or burial payment.

(3) "Department" shall mean the Department of Labor and Industries.

(4) "Incidence rate" shall mean the number of injuries and illnesses per 200,000 hours of work exposure or 100 full-time equivalent workers.

(5) "Industrial insurance modification factor" is based on a comparison of the actual incurred losses to the expected losses for the oldest three of the four fiscal years preceding the effective date of premium rates.

(a) A modification factor greater than 1.0000 indicates that an employer's actual incurred losses are greater than expected.

(b) A modification factor of less than 1.0000 indicates that an employer's actual incurred losses are less than expected.

(c) New firms and some firms qualifying for transition rating adjustments are assigned a base modification factor of 1.0000. Self-insured employers will be assigned a modification factor of less than 1.0000.

(6) "Industry" shall mean a group of businesses as classified by standard industrial classification code according to the type of activity in which they are engaged.

(7) "Target inspections" shall mean inspections scheduled under "WITS".

(8) "WISHA" shall mean the Washington Industrial Safety and Health Act.

(9) "WITS" shall mean Washington Inspection Targeting System.

(10) "Work place" shall mean any plant, yard, premises, room, or other place where an employee or employees are employed for the performance of labor or service over which the employer has the right of access or control. Work place shall include Temporary Labor Camps.

NEW SECTION

WAC 27-16003 CONDUCT OF INSPECTIONS. (1) An inspection shall be made during the regular working hours of the work place being inspected, unless special circumstances otherwise require. RCW 49.17.190 (1) prohibits an employer from receiving advance notice of an inspection, except as authorized by the director or his or her authorized representative.

(2) When an inspector arrives at a work place, he or she will present his or her credentials to the owner or manager of the work place, and explain the nature and purpose of his or her visit. The inspector shall not sign any release or waiver form, including forms concerned with trade secrets, to gain entry to the work place. The inspector may, however, sign a visitor's register, plant pass, or other book or form used to control the entry and movement of persons. If a governmental security clearance is required for entry, the inspector shall obtain it before the inspection.

The inspector and all concerned employees of the department shall preserve the confidentiality of trade secrets.

(3) Before beginning an inspection, the inspector should conduct a joint opening conference with the employer and employee representatives. The employee representative is the employee designated by the union, safety committee, or employees to accompany the inspector during the inspection. If it is impractical to hold a joint conference, separate conferences with the representatives can be held.

(4) A representative of the employer and a representative authorized by the employees shall have the opportunity to accompany the inspector during the inspection. During the inspection, the inspector may interview any employee who wants to discuss a possible violation. The inspector may conduct an interview at any time during an inspection; if an interview would unduly hinder an employer's operations, however, the inspector should interview the employee during a break or after working hours. If the inspector receives a complaint during an inspection, he or she should inspect the alleged violation during that inspection.

The inspector may photograph a violation, take environmental samples, conduct tests, and employ other reasonable investigative techniques. A technique should not be used if it would cause a hazard.

An employer may immediately correct some violations during the inspection. The inspector should record the conditions and corrections to help judge the employer's

good faith, compliance, and cooperation. Although corrected, a violation shall remain the basis for a citation and a proposed penalty.

(5) At the end of the inspection, the inspector should conduct a joint closing conference with the employer and employee representatives. If it is impractical to hold a joint conference, separate conferences can be held. The inspector should advise both the employer and employee representatives of their right to participate in later conferences.

An inspector shall not show or reveal the name of a complainant to the employer, unless the complainant authorizes the inspector to do so.

(6) If a safety inspector notices potential health hazards that indicate an industrial hygiene inspection is necessary, the inspector shall report the hazards and request a health inspection.

(7) If a health inspector notices potential safety hazards that indicate a safety inspection is necessary, the inspector shall report the hazards and request a safety inspection.

Reviser's Note: The typographical error of omission in the above WAC section number occurred in the copy filed by the agency and appears herein pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 296-27-16005 OBJECTS OF INSPECTION. A safety and health inspection will primarily check for compliance with the substantive standards issued under WISHA. However, an inspector will also determine whether an employer has posted the WISHA notice that informs employees of their rights and obligations and, if necessary, has given the employees advance notice of the inspection. The inspector may also inspect the log and summary of recordable occupational injuries and illness, supplementary records of occupational injuries and illnesses, records of employee exposure to toxic chemicals and harmful physical agents, and other records relating to employee safety and health.

NEW SECTION

WAC 296-27-16007 CITATIONS AND PENALTY ASSESSMENTS. During an inspection, the inspector will record the violations he or she observes on a compliance worksheet. From the information written on the worksheet, and the photographs and tests, and inspector will prepare a citation and notice and a proposed penalty assessment. The citation and notice and the proposed penalty assessment will then be given or sent to the employer. The citation and notice will contain an abatement date of each violation. This is the date by which the employer must correct the violation.

NEW SECTION

WAC 296-27-16009 FOLLOW-UP INSPECTIONS. When an employer has been cited for a violation, the department may conduct a follow-up inspection to ensure that the violation has been corrected.

(1) If the department cited a serious violation, or a general violation for which a penalty was assessed, the department shall conduct a follow-up inspection. If

there is more than one abatement date, more than one follow-up inspection may be necessary.

(2) The department may, but is not required to, conduct follow-up inspections after issuing a citation other than those set out in subsection (1).

NEW SECTION

WAC 296-27-16011 OBJECTION TO INSPECTION. (1) If the employer refuses to permit an inspection, or if the employer permits an inspection but interferes with or limits an important part of the inspection, the inspector may end the inspection or confine the inspection to the areas or limits that the employer will allow. The inspector shall attempt to ascertain the reason for the refusal, interference, or limitation, and shall report it to his or her supervisor. The supervisor may consult with the assistant attorney general. The department may seek an *ex parte* inspection warrant or other compulsory process from a court if an inspection is refused or limited.

(2) The department may seek an *ex parte* inspection warrant or other compulsory process from a court prior to the inspection if the department anticipates that permission to conduct an inspection might be denied or improperly limited.

NEW SECTION

WAC 296-27-16013 METHOD OF SELECTING WORK PLACES FOR INSPECTION. The department conducts its inspections according to the following priority system. The first three priorities are inspections specifically mandated by chapter 49.17 RCW. The fourth priority is the department's plan for effective use of its inspection resources in the routine work place inspections required by chapter 49.17 RCW. The priority classifications are:

(1) Investigations of hazards that are imminently dangerous.

(2) Investigations of catastrophes, fatalities, and serious accidents.

(3) Investigations of complaints other than those that allege imminent danger.

(4) Washington Inspection Targeting System.

Inspections in the first three categories are made whenever the department receives a complaint or information that an accident has occurred. The inspections pending in the higher priorities must be made before inspections in the lower priorities may be scheduled. The department sets up a separate inspection schedule for each county.

NEW SECTION

WAC 296-27-16015 WITS—IN GENERAL. Some work places, because of the nature of their industry, are likely to have more hazards than others. The health and safety of employees will be more efficiently protected if the department concentrates its inspections on the more hazardous work places. The WITS program is a system that identifies the most hazardous industries and work places, and ranks them in an objective order for inspections.

NEW SECTION

WAC 296-27-16017 WITS—SAFETY. Some of the terms used in this section are defined in WAC 296-27-16001.

The department identifies the most hazardous industries and work places through information from the industrial insurance division of the department and the BLS Occupational Injury and Illness Survey.

(1) To identify the most hazardous industries, the department obtains data from the industrial insurance division that show the number of compensable claims in each industry for the most recent calendar year. The data are compiled by county. Health-related claims and claims that could not have been prevented by a safety inspection are excluded from the data.

The department selects from the data the industries in each county that have at least one percent of the total compensable claims for the county. If the number of industries that have at least one percent of the claims is less than 25, the department selects the 25 industries with the most compensable claims.

To further identify the most hazardous industries, the department reviews the statewide incidence rate for the same industries. The department also ranks the industries according to the incidence rate. The department combines the two lists to produce a list of hazardous industries by county. The lists are compiled annually.

(2) Each month, the department examines the industrial insurance modification factors and recent compensable claims charged to employers where payments were made in the previous calendar month.

(3) A work place is targeted for a safety inspection if it falls within the following categories:

(a) Category one. Work places in hazardous industries having two or more compensable claims and having a modification factor equal to or greater than 1.0000.

(b) Category two. Work places not in hazardous industries having two or more compensable claims and having a modification factor equal to or greater than 1.0000.

(c) Category three. Work places in hazardous industries having two or more compensable claims and having a modification factor of less than 1.0000.

(d) Category four. Work places not in hazardous industries having two or more compensable claims and having a modification factor of less than 1.0000.

(e) Category five. Work places in hazardous industries having one compensable claim and having a modification factor equal to or greater than 1.0000.

(f) Category six. Work places not in hazardous industries having one compensable claim and having a modification factor equal to or greater than 1.0000.

(g) Category seven. Work places in hazardous industries having one compensable claim and having a modification factor of less than 1.0000.

(4) If more than one work place has the same category, the work place with the largest number of worker hours within the lowest zip code is scheduled for an inspection first.

(5) For self-insured employers, 20 percent of all claims received by the department in the previous month

(excluding health-related claims and claims that could not have been prevented by a safety inspection) are used to determine the proper category under section (3) of this rule.

NEW SECTION

WAC 296-27-16021 WITS - SAFETY (1) After all inspections in the categories listed in WAC 296-27-16017(3)(a) through (g) are completed, the department schedules inspections of work places that are in hazardous industries in each county. The hazardous industries are those industries that have been determined under WAC 296-27-16017.

(2) The department chooses work places in hazardous industries for inspection in the following manner:

(a) The department ranks hazardous industries in each county in order from the worst to the best.

(b) The department determines how many inspections it will conduct during the next year in each hazardous industry in each county. The number of inspections to be conducted in each industry is then evenly spread among 12 inspection cycles.

(c) The department conducts the number of inspections required for each hazardous industry in each cycle. All inspections in one cycle are completed before the inspections in the next cycle are conducted. The full 12 inspection cycles might or might not be completed in each county in a one-year period.

(d) Particular work places in hazardous industries are chosen for inspection by zip code and number of reported worker hours for the previous year. The work places in each hazardous industry with the lowest zip code listed on their industrial insurance account are inspected first during the inspection cycle; if two or more work places have the same zip code, the one with the largest number of reported worker hours is scheduled first.

NEW SECTION

WAC 296-27-16023 FREQUENCY OF WITS INSPECTIONS. A workplace as defined in this chapter shall not be scheduled as defined in WAC 296-27-16001 and WAC 296-27-16021 more than once in a three month period.

NEW SECTION

WAC 296-27-16025 ADJUSTMENT FACTORS. The department may depart from its selection system in the following circumstances:

(1) If an industry is seasonal, an inspection may need to be rescheduled in the peak production period.

(2) Inspections of industries without fixed work places, such as construction and logging, are not selected by zip code and number of worker hours because of the difficulty in determining where a particular employer is working on a particular day.

WSR 81-08-036
EMERGENCY RULES
DEPARTMENT OF AGRICULTURE
[Order 1725—Filed March 30, 1981]

I, M. Keith Ellis, director of the Washington State Department of Agriculture, do promulgate and adopt at Olympia, Washington, the annexed rules relating to restricted use herbicides in Eastern Washington, amending WAC 16-230-660, 16-230-670 and 16-230-675.

I, M. Keith Ellis, 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, the department believes it is necessary to issue this emergency order effective immediately to further protect such 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 March 30, 1981.

By M. Keith Ellis
Director

AMENDATORY SECTION (Amending Order No. 1680, filed February 20, 1980)

WAC 16-230-660 ((TURNING AND LOW FLYING OF AIRCRAFT)) RESTRICTIONS ON AIRCRAFT APPLICATION. (1) Aircraft carrying restricted use herbicides are prohibited from turning and/or low flying during spraying operations over cities and towns unless authorized by the city or town in question pursuant to an agreement for pesticide applications; or residences, windbreaks, orchards or susceptible crops belonging to any person other than the owner of the property being treated, except by permission of the person whose residence, windbreak, orchard or susceptible crop is involved.

(2) Height of discharge requirements by aircraft of restricted use herbicides: 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.

AMENDATORY SECTION (Amending Order No. 1680, filed February 20, 1980)

WAC 16-230-670 AIRCRAFT BOOM, (~~LENGTH~~) NOZZLE AND PRESSURE REQUIREMENTS. (1) In all Areas 1 and 2, the working boom length on fixed wing aircraft shall not exceed 3/4 of the wing span and the working boom length on helicopters shall not exceed 6/7 of the total rotor length or 3/4 of the total rotor length where the rotor length exceeds forty feet.

(2) Round booms - should be attached to the lower wing with the center of the round boom even with the trailing edge (chord line) of the wing with no more than three inches between the trailing edge of the wing and leading surface of the boom.

(3) Airfoil booms - should be attached eight to ten inches below the trailing edge of the lower wing and three to five inches behind. Nipples should be tapped into the trailing edge of the airfoil boom.

(4) All nipples on the booms should be pointed straight back (relative to the air stream). Nozzles should be attached to the nipples using 45 degrees to 90 degrees street ells so that the point of pesticide release is approximately one and one half to three inches behind and slightly below the boom.

(5) Pressure for aerial equipment shall not exceed 25 psi at the nozzles: PROVIDED, That helicopters shall be allowed to use up to 35 psi in Area 3 and 4: PROVIDED FURTHER, That pressure up to 50 psi at the nozzle may be used with invert systems which are allowed by written permit only.

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 No. 1680, filed February 20, 1980)

WAC 16-230-675 MINIMUM NOZZLE ORIFICE AND CORE PLATE SIZES FOR AIRCRAFT APPLICATION. Minimum nozzle orifice and core plate sizes shall be as listed in the Dormant Season, Caution, Warning, and Danger Area Restrictions. (1) DORMANT SEASON AREA. (Dormant season only - refer to specific county regulations.)

(a) Fixed wing -

((+)) (i) Minimum nozzle orifice of 0.063 inches (no core plate). Nozzles shall be directed downward and backward 135 degrees or more from the direction of flight.

(ii) Minimum nozzle orifice of 0.075 inches (may use No. (+45) 46 or larger core plate) and nozzles shall be directed downward and backward ((+70)) 135 degrees or more from the direction of flight.

(b) Helicopter -

Minimum nozzle orifice of 0.047 inches (may use No. 45 or larger core plate) and nozzles shall be directed downward and backward 90 degrees or more than the direction of flight. Pressure over 35 psi is prohibited.

(2) CAUTION AREA.

(a) Fixed wing -

((+)) Minimum nozzle orifice of 0.075 inches ((no core plate)) (may use No. 46 or larger core plate). Nozzles shall be directed downward and backward 135 degrees or more from the direction of flight.

((+)) Minimum nozzle orifice of 0.125 inches (may use No. 45 or larger core plate). Nozzles shall be directed downward and backward 170 degrees or more from the direction of flight.)

(b) Helicopter -

(i) Area 2 -

Minimum nozzle orifice of 0.063 inches (may use No. 46 or larger core plate). Nozzles shall be directed downward and backward 90 degrees or more from the direction of flight.

(ii) Areas 3 and 4 -

Minimum nozzle orifice of 0.063 inches (may use No. 45 or larger core plate). Nozzles shall be directed downward and backward 90 degrees or more from the direction of flight.

(3) WARNING AREA

(a) Fixed wing -

(i) Minimum nozzle orifice of 0.075 inches (no core plate): PROVIDED, That visco elastic additive must be used at labeled rate. Nozzles shall be directed downward and backward 135 degrees or more from the direction of flight.

(ii) Minimum nozzle orifice of ((+125)) 0.094 inches (may use No. 46 or larger core plate in all counties under order except Franklin County and Benton County): PROVIDED, That visco elastic additive must be used at labeled rate. Nozzles shall be directed downward and backward ((+70)) 135 degrees or more from the direction of flight((-PROVIDED, That)).

(iii) Minimum nozzle orifice of 0.125 inches (may use No. 46 or larger core plate): PROVIDED, That visco elastic additive must be used at labeled rate. Nozzles shall be directed downward and backward 135 degrees or more from the direction of flight.

(iv) RD8 nozzles with orifice size 0.125 inches and No. 45 core plates may be used. Nozzles shall be directed downward and backward 170 degrees or more from direction of flight.

((+)) (v) No flat fan nozzles shall be allowed.

(b) Helicopter -

(i) Minimum nozzle orifice of 0.047 inches for applications made under sixty miles per hour (no core plate). Nozzles shall be directed downward and backward 90 degrees or more from the direction of flight.

(ii) ((and)) Minimum orifice of 0.063 inches for applications made over sixty miles per hour ((no core plate)) (may use No. 46 or larger core plate): PROVIDED, That visco elastic additive must be used at labeled rate. Nozzles shall be directed downward and backward 90 degrees or more from the direction of flight.

((+)) (iii) Minimum nozzle orifice of 0.125 inches (may use No. 46 or larger core plate in all counties under order except Franklin County and Benton County). Nozzles shall be directed downward and backward 90 degrees or more from the direction of flight((-PROVIDED, That)).

(iv) RD8 nozzles with orifice size of 0.125 inches and No. 45 core plates may be used. Nozzles shall be directed downward and backward 90 degrees or more from the direction of flight.

((iii)) (v) No flat fan nozzles shall be allowed.

(c) Flood jet and whirl jet nozzles must use visco elastic additive at labeled rate.

(4) DANGER AREA

(a) Fixed wing - ((Minimum nozzle or))

(i) Minimum nozzle orifice of 0.075 inches (no core plate)((-PROVIDED, That)). Nozzles shall be directed downward and backward 170 degrees or more from the direction of flight.

(ii) RD8 nozzles with orifice size of 0.125 inches and No. 46 core plates may be used. Nozzles shall be directed downward and backward 170 degrees or more from the direction of flight.

(iii) Minimum nozzle orifice of 0.094 inches (may use No. 46 or larger core plate): PROVIDED, That visco elastic additive must be used at labeled rate. Nozzles shall be directed downward and backward 135 degrees or more from the direction of flight.

((ii)) (iv) No flat fan nozzles shall be allowed.

(b) Helicopter -

(i) Minimum nozzle orifice of 0.063 inches ((no core plate)) (may use No. 46 or larger core plate): PROVIDED, That visco elastic additive must be used at labeled rate. Nozzles shall be directed downward and backward 90 degrees or more from the direction of flight.

(ii) RD8 nozzles with orifice size of 0.125 inches and core plate No. 46 may be used. Nozzles shall be directed downward and backward 90 degrees or more from the direction of flight.

((ii)) (iii) No flat fan nozzles shall be allowed.

(c) Flood jet and whirl jet nozzles must use visco elastic additive at labeled rate.

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 81-08-037

PROPOSED RULES

ENERGY FACILITY SITE EVALUATION COUNCIL

[Filed March 30, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and 80.50.040(1), that the Energy Facility Site Evaluation Council, intends to adopt, amend, or repeal rules concerning emergency action by chairman, amending WAC 463-54-070;

that such agency will at 1:30 p.m., Monday, May 11, 1981, in the EFSEC Hearing Room, 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 1:30 p.m., Monday, May 11, 1981, in the EFSEC Hearing Room, 4224 6th Avenue S.E., Lacey, WA.

The authority under which these rules are proposed is RCW 80.50.040(1).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to May 8, 1981, and/or orally at 1:30 p.m., Monday, May 11, 1981, EFSEC Hearing Room, 4224 6th Avenue S.E., Lacey, WA.

Dated: March 30, 1981

By: William L. Fitch

Executive Secretary

STATEMENT OF PURPOSE

Rule Title And Purpose: WAC 463-54-070
Emergency action by chairman.

Statutory Authority: RCW 80.50.040(1).

Rule Summary And Supporting Statement
On Proposed Action: WAC 463-54-070 relates to authorization of chairman to take emergency action to halt or eliminate any imminent or substantial endangerments to the health or welfare of persons resulting from release of pollutants from facilities sited under chapter 80.50 RCW and is being amended to clarify and reinforce this authority since state is in process of promulgating emergency response plans effective April 1, 1981.

Agency Responsibility For Drafting, Implementing and Enforcing:

Drafting: Management Committee, Russell Albert, Chairman, EFSEC, 4224 6th Avenue S.E., Lacey, WA 98504, 753-7384.

Implementing: William L. Fitch, Executive Secretary, Energy Facility Site Evaluation Council, 4224 6th Avenue S.E., Lacey, WA 98504, 753-7384.

Enforcing: Nicholas D. Lewis, Chairman, Energy Facility Site Evaluation Council, 4224 6th Avenue S.E., Lacey, WA 98504, 753-7384.

Person Or Organization Proposing Rule:
Washington State Energy Facility Site Evaluation Council.

Agency Comments, If Any: None.

AMENDATORY SECTION (Amending Order 78-3, filed 6/23/78)

WAC 463-54-070 EMERGENCY ACTION BY CHAIRMAN.

(1) The chairman of the council or his designee is authorized and shall take action to immediately and effectively halt or eliminate any imminent or substantial endangerments to the health or welfare of persons resulting from the ((discharge)) release of pollutants from facilities sited under chapter 80.50 RCW including as appropriate:

(a) The issuance of ((a stop work)) an order to immediately terminate an endangerment or an endangering ((discharge)) release and ((suspend)) the suspension of the NPDES or other permit issued by the council.

(b) The ((requesting)) notification of the departments of emergency services and social and health services and other appropriate agencies, as necessary, ((to immediately take)) that protective measures are required immediately to safeguard the health or welfare of persons ((resulting from the discharge of pollutants)) so endangered.

(c) The reference of matters to the attorney general for appropriate enforcement action for violations of site certification agreements and NPDES or other permits issued by the council.

(2) The chairman's action will be confirmed or modified by the council within seventy-two hours of execution at a special or regular meeting of the council, whichever will occur the earliest.

WSR 81-08-038
PROPOSED RULES
WASHINGTON STATE UNIVERSITY
[Filed March 30, 1981]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030 and 34.08.020, that the Washington State University, intends to adopt, amend, or repeal rules concerning policies of the Washington State University libraries, including general policies, borrower use rules, borrowing time limits, and return procedures for various classes of materials, fines and other charges, amending WAC 504-40-010, 504-40-020, 504-40-030, 504-40-040, 504-40-050, 504-40-060 and adopting WAC 504-40-900;

that such institution will at 3:00 p.m., Friday, May 15, 1981, in the Compton Union Building, Room B-17, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Friday, June 5, 1981, in the Compton Union Building, Regency Room.

The authority under which these rules are proposed is RCW 28B.30.125 and 28B.30.150.

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution prior to May 15, 1981, and/or orally at 3:00 p.m., Friday, May 15, 1981, Compton Union Building, Room B-17.

Dated: March 27, 1981
By: Wallis Beasley
Executive Vice President

STATEMENT OF PURPOSE

Statutory Authority for the Rule(s): RCW 28B.30.125 and 28B.30.150.

Purpose of the Rule(s): To revise and amend WAC 504-40-010 through -060 to reflect current needs and procedures of the Washington State University Libraries.

Summary of the Rule(s): Amends and revises rules pertaining to various library policies, including classifications of materials, borrower use rules, borrowing time limits, return procedures, fines and other charges.

Reasons Which Support the Proposed Action: Washington State University Libraries' services and needs have changed and expanded greatly since last amended in 1974. Current fine schedules are generally much lower than those of other Washington universities and are inadequate to secure prompt return of materials.

Name or Person or Organization Proposing the Rule(s): Washington State University Libraries:

Governmental X Private ___ Public ___

Agency Personnel Responsible for Drafting, Implementation and Enforcement of the Rule(s):

Drafting:

Name: Ronald Force

Office: 120 Holland Library

Telephone: 335-2691

Implementation:

Name: Allene Schnaitter

Office: 221 Holland Library

Telephone: 335-4557

Enforcement:

Name: Allene Schnaitter

Office: 221 Holland Library

Telephone: 335-4557

The Rule(s) Is (Are) Necessary as the Result of Federal Law___; Federal Court Action___; or State Court Action___. (If so, attach a copy of the law or decision.) [No information supplied by agency]

Agency Comments, if any, regarding (1) statutory language; (2) implementation; (3) enforcement; and (4) fiscal matters pertaining to the rule(s): Implementation of these amendments will enable the Libraries to make overdue charges which more accurately reflect actual costs of retrieving overdue materials.

Chapter 504-40 WAC
~~(LIBRARY)~~ LIBRARIES' POLICIES, RULES, AND REGULATIONS

AMENDATORY SECTION (Amending Order 74-1, filed 6/12/74)

WAC 504-40-010 GENERAL POLICIES. (1) Washington State University (~~(Library's)~~) Libraries' major functions are to acquire and preserve the corpus of information and knowledge essential to the institution's teaching, research, and service programs; to organize this information and knowledge; to store it; to retrieve it upon demand; and to adapt and to assist in adapting it for most effective use.

The (~~(Library's)~~) Libraries' collections (~~(consist of)~~) contain this information and knowledge in its physical forms—books, journals, manuscripts, microforms, films, recordings, maps, magnetic data files, and other resources including equipment significant to the teacher, the student, and the researcher.

(2) (~~(Library)~~) Libraries' policies, rules, and regulations are based on the belief that the needs of the University community as a whole take precedence over individual convenience.

(3) Upon request and suitable justification by the library user, exceptions to the regulations may be made. To insure that exceptions are made with the full knowledge of the research and instructional needs of the University community, such exceptions may be made only by a member of the Library Faculty.

(4) In the (~~(Library's)~~) Libraries' buildings persons are expected to maintain (~~(a decent and decorous)~~) appropriate public behavior. No eating of food or drinking of beverages is allowed in the reading and study areas. Smoking is permitted only (~~(in the lavatories and corridors where ash receptacles are available and in offices at the discretion of the occupants)~~) where posted.

(5) Consistent violators of (~~(Library)~~) Libraries' regulations may be subject to appropriate disciplinary action by the University.

(6) As a general rule, the (~~(Library)~~) Libraries will not release the names of borrowers to other library users.

(7) All (~~(main Library)~~) of the Libraries' policies, rules, and regulations will apply equally to all libraries operated by the Washington State University (~~(Library)~~) Libraries.

(8) The Board of Regents reserves the right to add, delete, or modify portions of these rules and regulations, including the fine schedules, in accordance with its regulations and applicable laws.

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 74-1, filed 6/12/74)

WAC 504-40-020 LIBRARY PATRON IDENTIFICATION.

(1) Under the regulations governing the use of varying types of resources by different groups of library patrons, the ~~((Library's))~~ Libraries' resources, facilities, and services are available to the Washington State University community, citizens of the state, students, faculty and staff of other academic institutions, and special borrowers not otherwise identified who have been granted permission to borrow library materials.

~~((a) The Washington State University Community:~~

~~(i) Graduate and professional students, and persons with on-leave graduate status:~~

~~(ii) Faculty, as defined by the Board of Regents, whether serving under visiting, acting, research, clinical, or affiliate appointment; whether serving in an active or retired capacity, visiting scholars:~~

~~(iii) Undergraduate students, unclassified students:~~

~~(iv) Extension and other special students:~~

~~(v) Nonacademic staff:~~

~~(b) The Off-Campus Community:~~

~~(i) Students, faculty, and staff of the University of Idaho and other neighboring academic institutions:~~

~~(ii) Reciprocal faculty (faculty of each of the Washington State Colleges and Universities):~~

~~(iii) Retired staff employees of Washington State University, their spouses, faculty spouses, and members in good standing of the Alumni Association:~~

~~(iv) Nonuniversity affiliated residents of the State of Washington:~~

~~(v) Special borrowers not otherwise identified who have been granted permission to borrow library materials:))~~

AMENDATORY SECTION (Amending Order 74-1, filed 6/12/74)

WAC 504-40-030 INTERNAL USE OF LIBRARY MATERIALS, FACILITIES, AND SERVICES. (1) Although the largest part of the collection is free to circulate outside the ~~((Library))~~ Libraries and most of the rest may circulate for restricted periods, certain kinds of materials, due to their nature, are restricted to use within the ~~((Library))~~ Libraries. These may be freely consulted or read within the ~~((Library))~~ Libraries. ~~((Members of the Library Faculty are on duty to assist users:))~~

(a) Reference ~~((Books:))~~ Materials(;) and Noncirculating Periodicals (bound and unbound) as determined by the ~~((Chief of the Area Library))~~ unit of the Libraries: Selected reference materials and periodicals, normally restricted to internal use, may circulate in very unusual circumstances, usually for a two-hour or one-day period.

(b) ~~((Manuscripts-Archives Collection))~~ Manuscripts, Archives, and Special Collections: These rare, unique, and often irreplaceable materials may be used only within the Manuscripts(,), Archives, ~~((Library))~~ and Special Collections unit. Each user must register with the attendant, must take extreme care in handling the materials, must keep intact their exact order and arrangement, and must make all notes in pencil.

~~((2) Locked Carrels:~~

~~(a) Carrels are intended primarily for graduate students who have begun work on their theses:~~

~~(b) Carrel assignments are made at the beginning of each semester, for that semester only. Occupants will be notified of the date of expiration of the assignment. Applications must be renewed for each succeeding semester. Only persons officially assigned are permitted to use carrels:~~

~~(c) Carrel keys will be issued on the basis of approved applications. During the term of occupancy, replacement for a lost key may be obtained by payment of \$1.00. If a key is not turned in by the expiration date, a five dollar (\$5.00) penalty charge will be assessed:~~

~~(d) Carrel occupants must observe the regulations governing their use of the facility. The Library reserves the right to enter carrels at any time, and to revoke assignment of any carrel insufficiently or improperly used:))~~

AMENDATORY SECTION (Amending Order 74-1, filed 6/12/74)

WAC 504-40-040 EXTERNAL USE OF LIBRARY RESOURCES. (1) Borrower ~~((t))~~ Identification(~~((t))~~) Cards:

In order to borrow library materials for use outside the ~~((Library))~~ Libraries, borrowers must present authorized library borrower cards.

(a) Such borrower ~~((t))~~ identification(~~((t))~~) cards are uniformly issued to all members of the University community. Status of the borrower conferred by the card is the responsibility of the issuing authority.

(b) Upon request and proper identification, authorized borrower cards are issued to persons not members of the University community.

(c) A borrower card is authorized for use only by the individual whose name appears on the card.

(d) Cards used in an unauthorized manner or cards reported as lost or stolen may be confiscated.

(e) Each borrower is responsible for keeping the appropriate University office informed of changes of address.

(2) Borrowing of Library Materials:

(a) Personal pick-up by borrower: Borrowers are expected to pick up library material personally.

(b) Proxy pick-up for faculty: Washington State University faculty may appoint not more than two agents or proxies to borrow on their behalf, but each ~~((proxy-borrower))~~ person appointing proxies must hold his or her own valid authorized borrower card. Information about proxy identification cards may be obtained from the ~~((Library-Administrative-Office))~~ circulation desk of any library unit.

(c) Library material may be loaned directly by mail to faculty and staff of Washington State University stationed off-campus, and to students enrolled in Washington State University correspondence courses.

(d) Responsibilities of borrowers: Borrowers are responsible for material checked out in their names until such material is returned. Faculty members utilizing agent or proxy borrowers assume the responsibility for all material borrowed in their names by the agent or proxy borrowers.

(3) Date Library Material is Due:

(a) All material borrowed for ~~((t))~~ one day or more is due by the closing time on the "date due" indicated.

(b) Two-hour material loaned overnight is due on the next day the library unit is open, no later than one hour after the opening of the library unit from which such material has been borrowed.

(c) All other hourly material is due at the hour specified.

(4) Return of Library Material:

~~((a) Material is considered returned to the issuing unit as of the hour and date returned to any Area Library operated by the Library. This does not include departmental collections not operated by Washington State University Library:~~

~~EXCEPTION: Periodicals, reserve materials, and material from special collections or categories must be returned to the particular library from which borrowed:))~~

~~(a) Reserve material and periodicals must be returned directly to the unit from which they were borrowed. If they are returned elsewhere, they will be considered returned at the time they are received at the unit from which they were borrowed. Special material may be designated for return to the unit from which it was borrowed.~~

~~(b) ((After-hours "book returns" are emptied before the Libraries open, and material found in them is considered to have been returned at the closing time of the previous day:)) All other material is considered returned the date it is returned to any unit in the system. This does not include departmental collections not operated by the WSU Libraries.~~

~~(c) Materials found in after-hours "book returns" are considered to have been returned at the closing time of the previous day.~~

(5) Holds(;) and Recalls (and Searches):

(a) Holds: Campus borrowers, or any operational unit of the ~~((Library))~~ Libraries, may place a reservation or ~~((hold))~~ HOLD on any material except 2-hour material. A borrower may not place a HOLD on material already checked out to ~~((himself))~~ him/herself.

(b) Recalls:

(i) Library material (14-day or longer loan period) on which a HOLD has been placed will be recalled any time after 14 days from the date checked out.

(ii) Library material with 3-day loan periods or longer may be recalled at any time after it has been borrowed if needed for Reserve or other restricted status.

~~((c) Searches: Borrowers who have not succeeded in locating material should request a Search:))~~

(6) Renewal of Library Material:

(a) Renewals of loaned material are ~~((allowed))~~ permitted unless material has restricted status or has been requested by another borrower. (See also 504-40-050(2)(c)(i) and (ii).)

(b) Materials subject to renewal may be renewed:

(i) In person with the materials in hand at the circulation desk where they had been originally checked out.

(ii) By telephoning borrower's identification number and the call numbers and accession numbers of materials to the circulation desk from which they ~~((had))~~ were originally ~~((been))~~ checked out.

(iii) By mail, with borrower's number, call numbers, and accession numbers of the materials.

(c) Overdue material may be renewed subject to the same conditions as similar material not overdue. Fine is assessed for overdue period.

EXCEPTION: Overdue material on which a replacement charge has been assessed must be brought in by the borrower for renewal.

(7) There is no limit to the number of items which may be borrowed at one time, but it is expected that no more than can be actually used within the time limits shall be borrowed.

~~((EXCEPTION: Only one 2-hour Reserve item may be borrowed at one time.))~~

(8) In accordance with general policy, and upon request and suitable justification by the library user, exceptions to these regulations may be made. To insure that exceptions are made with the full knowledge of the research and instructional needs of the University community, such exceptions may be made only by a member of the Library Faculty.

Reviser's Note: RCW 28B.19.077 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 74-1, filed 6/12/74)

WAC 504-40-050 LOAN TIME PERIODS. (1) Basis of Loan Time Periods: ~~((The Area Libraries))~~ Washington State University Libraries' units have established several loan time periods based on actual and anticipated demand for the various forms of material ((by the several classes of users)).

(2) Loan Time Periods:

(a) Serials: ~~((f))~~Serials are defined as publications issued in successive parts, usually at regular or stated intervals. Serials include periodicals, newspapers, annuals (reports, yearbooks, etc.), and memoirs, proceedings, and transactions of societies.~~((f))~~

(i) Noncirculating serials (bound and unbound), including duplicates and reference materials, may not be checked out except, in very unusual circumstances, by special permission.

(ii) Circulating serials (bound and unbound) may be checked out for ((2 hours, 1, 3, 7, 14, or 30 days as determined by the Chief of the Area Library. Serials circulating for less than 14 days are not subject to recall except by the Library for other restricted status)) periods as determined by the head of the Libraries' unit.

(b) Monographs and Serials with 14- or 30-Day Loan Periods: ~~((f))~~A monograph is defined as an individual book (not a serial).~~((f))~~

(i) The normal loan period for all users is 30 days, subject to recall after 14 days if requested by another patron.

(ii) ((Books borrowed for the normal loan period by Washington State University Faculty and Graduate Students, if not recalled, may be retained without penalty to the end of the semester. At that time material must be returned or renewed)) Washington State University faculty, staff, and students may request a semester loan. If not recalled, the book may then be retained without penalty to the last day of finals week.

(iii) An item may be recalled at any time after it has been borrowed if it is needed for ((RESERVE)) Reserve or other restricted status.

(iv) Upon request and suitable justification by the borrower(s), a member of the Library Faculty may grant extended loans up to a semester in length for materials not restricted. Such extended loans may be recalled as specified in WAC 504-40-040(5)(b)(i).

(c) Reserve Materials:

(i) ((Two-hour Reserve: Only one two-hour item may be borrowed by one person at a time. Exceptions may be made if no one else has requested the item. Loan is renewed only if no one else has requested the item. Two-hour items are not subject to recall, or to Holds)) Two-hour Reserve: Libraries' units may restrict the number of items borrowed by an individual at one time. Loan is renewed only if no one else has requested the item. Two-hour items are not subject to recall or to HOLDS.

(ii) One-, Three-, and Seven-Day Reserve: Renewable if there are no requests for them. Three- and seven-day items ((are)) may be subject to recall. ((Holds)) HOLDS may be requested.

(iii) Faculty members (and others) who have placed materials from their personal collections on Reserve may request return of such personal possessions at any time.

(d) Special Collections and Categories:

Certain material is maintained in special collections or has been defined as belonging to special categories. Borrowers should consult a member of the Library Faculty concerning conditions of use for these materials.

(e) Exceptions:

Upon request and suitable justification by the borrower, exceptions to these regulations may be made. To insure that exceptions are made with full knowledge of the research and instructional needs of the University community, such exceptions may be made only by a member of the Library Faculty.

AMENDATORY SECTION (Amending Order 74-1, filed 6/12/74)

WAC 504-40-060 FINES AND CHARGES. (1) ~~((SYSTEM-WIDE APPLICABILITY OF FINES AND CHARGES))~~ System-wide Applicability of Fines and Charges:

All borrowers are subject to a uniform system of fines and charges for late return of library materials((;)) and for replacement costs when required.

(2) ~~((NOTICE OF DUE DATES AND OVERDUE MATERIALS))~~ Notice of Due Dates and Overdue Materials:

(a) Overdue notices are sent five days subsequent to the date due for all materials on 30-day or longer loan time periods.

(b) For two-hour, and one-, three-, and seven-day materials and special category materials, overdue notices ((are)) may be phoned if possible, or borrowers ((are promptly)) may be notified by mail.

(c) Failure to receive a notice or invoice does not exempt the borrower from charges.

(d) Failure to inform the Libraries of changes of address does not exempt the borrower from charges.

(3) ~~((PAYMENT OF FINES AND CHARGES))~~ Payment of Fines and Charges:

(a) Fines and charges may be paid at the ((Library)) Holland Library Circulation Desk until the charges have been referred to the Controller. Payment may be made by cash, check, or money order. Departmental Purchase Orders or Interdepartmental Requisitions and Invoices are not acceptable on the basis that fines may not be appropriately paid by departmental, grant, or any other funds controlled by the University.

(b) Failure to pay fines and charges will result in the total amount assessed being referred to the Controller's Office for collection. The Controller may, if other collection methods 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 student transcripts or to withhold permission to re-enroll for an ensuing term until outstanding fines are paid.

(c) Failure to pay fines and charges may also result in revocation of borrowing privileges by the Director of Libraries.

(4) ~~((FINES AND CHARGES))~~ Fines and Charges:

(a) For materials on 30-day or longer loan periods:

The overdue fine is (((\$0.05)) \$0.25 per day beginning the day the material becomes overdue. ((The minimum fine on this class of material is \$0.30, and the first overdue notice will be produced no sooner than the fifth day material is overdue.))

EXCEPTION: See WAC 504-40-060(4)(d) for fines on recalled material.

(b) For materials limited in circulation to ((2)) two hours or less, including ((2)) two-hour Reserve materials: The overdue fine is (((\$0.25)) \$1.00 for ((every)) the first hour or fraction thereof and \$0.25 for each succeeding hour or fraction thereof.

(c) For one-, three-, and seven-day materials((;)): The overdue fine is (((\$0.25 per)) \$1.00 for the first day and \$0.25 for each subsequent day, accumulating from the time the material is due.

EXCEPTION: Reserve materials of this category are fined at (((\$0.50 per)) \$1.00 for the first day and \$0.50 for each subsequent day.

(d) For recalled material: The fine for recalled material is ~~((\$0.50))~~ \$1.00 for the first day and ~~((\$0.15))~~ \$0.50 per day thereafter, accumulating from the new assigned "date due" as indicated on the recall notice. The new assigned "date due" is five days after recall is initiated but not, in the case of 30-day material, before the end of the 14-day period assured the original borrower unless material is recalled for Reserve or other restricted status. ~~((f))~~ WAC 504-40-050(2)(b)(i) as limited by WAC 504-40-050(2)(b)(iii). ~~((f))~~

(e) For materials circulated by special permission but normally categorized as noncirculating: If overdue, fine is \$0.25 per hour.

(f) For audio-visual equipment: The overdue fine is \$0.25 for every hour or fraction thereof.

(g) For materials from ~~((the Audio-Visual Center))~~ Instructional Media Services: Late return of materials from ~~((the Audio-Visual))~~ Instructional Media Services' collections are treated as an extended loan by the user, subject to pro-rated rental charges based upon the fees listed in Films for Teaching, the University's film catalog.

(h) Repeated late return by a single user of ~~((Audio-Visual Center))~~ Instructional Media Services' equipment or materials will be considered grounds for discontinuance of service to that user. A letter of warning will be sent to the offender before final action is taken.

(i) All fines accrue from the time material becomes overdue.

(j) Fines do not accrue when the ~~((Library is))~~ Libraries are closed.

(k) If a loan period has been extended by special permission, the overdue fine is that of the original loan category of the material.

(l) The ~~((Library has))~~ Libraries have the right to reduce or forgive fines and charges for patrons with bona fide excuses for not returning materials when due.

(m) The maximum fine for audio-visual equipment is \$15.00. The maximum fine for ~~((2))~~ two-hour material is \$10.00. The maximum fine for all other library material is ~~((3.00))~~ \$7.50.

(5) ~~((REPLACEMENT CHARGES))~~ Replacement Charges:

(a) If library material or equipment is lost, or not returned by the time the maximum fine has accumulated, a replacement charge will be assessed.

This replacement charge includes the list price of the material plus a nonrefundable service charge of \$10.00 to cover the costs of searching, correspondence, cataloguing, binding, etc. This replacement charge is added to the maximum fine, and the delinquent borrower is charged this total sum.

(b) If material upon which a replacement charge has been assessed is found and returned within six months of the assessment date, the purchase price of the material will be refunded. The service charge and overdue fine are not refundable.

NEW SECTION

WAC 504-40-900 EFFECTIVE DATES OF 1981 AMENDMENTS. These amendments to Chapter 504-40 WAC shall take effect on September 1, 1981.

**WSR 81-08-039
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed March 30, 1981]**

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 388-80-005 Definitions.
- Amd WAC 388-82-010 Persons eligible for medical assistance.

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:

David A. Hogan, Director
Client and Community Relations Division

Department of Social and Health Services
Mailstop OB-44 D
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 April 22, 1981. The meeting site is in a location which is barrier free;

that such agency will at 10:00 a.m., Tuesday, May 5, 1981, in the Auditorium, General Administration Building, Olympia, Washington, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, May 20, 1981, in William B. Pope's office, 4th Floor, 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 May 5, 1981, and/or orally at 10:00 a.m., Tuesday, May 5, 1981, Auditorium, General Administration Building, Olympia, Washington.

Dated: March 30, 1981

By: David A. Hogan

Director, Client and

Community Relations Division

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Amend WAC 388-80-005 and 388-82-010. Purpose of the rule change is to amend medical assistance rules to conform to chapter 8, Laws of 1981.

Statutory authority: RCW 74.08.090.

Summary of the rule or rule change: WAC 388-80-005 revises definitions in the medical assistance program. WAC 388-82-010 lists categories of persons eligible for medical assistance.

Person or persons responsible for the drafting, implementation and enforcement of the rule:

Name of initiator: Patsy Brittain

Title: Section Supervisor

Office: Division of Medical Assistance

Mailstop: LK-1

Phone: 3-7313

These rules are not necessary as a result of federal laws, federal court decisions or state court decisions.

AMENDATORY SECTION (Amending Order 1542, filed 9/9/80)

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))~~ medical care for GAU, see WAC 388-86-120.

(2) ~~((^aApplicant 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 written request for ((medical care made to the CSO)) financial or medical assistance from the department of social and health services made by a person in his/her 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)) (3) "Assignment" is the method by which the provider receives payment for services under Part B of medicare.~~

~~(4) "Assistance unit" means a person or members of a family unit who are eligible for cash or medical assistance under a federally matched program including state supplement.~~

~~(5) "Authorization" means an official approval of a departmental action.~~

~~(a) "Authorization date" means the date the prescribed form authorizing assistance for a new, reopened or reinstated case is signed.~~

~~(b) "Authorization of grant" means attesting the applicant's eligibility for assistance in an amount as determined by his/her circumstances and department standards and giving authority to make payment accordingly.~~

~~(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)) (7) "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")) the time period used in determining whether medicare can pay for covered Part A services. A benefit period begins the first day a beneficiary is furnished inpatient hospital or extended care services by a qualified provider. It ends when the beneficiary has not been an inpatient of a hospital or other facility primarily providing skilled nursing or rehabilitation services for sixty consecutive days. There is no limit to the number of benefit periods a beneficiary can have.~~

~~((9)) (8) "Carrier" is ((the agency having a contract to serve as a third-party agency in behalf of the federal government for)) an organization who has a contract with the federal government to process claims under Part B of medicare.~~

~~((10)) (9) "Categorically ((related)) needy" refers to a resident of the state of Washington whose income and resources are evaluated as for cash assistance and 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:)) Receiving cash assistance.~~

~~(i) Aid to Families of Dependent Children (AFDC).~~

~~(ii) Supplemental Security Income (SSI), including grandfathered individuals and individuals with essential spouses.~~

~~(iii) State supplement.~~

~~(b) Eligible for but not receiving assistance.~~

~~(i) AFDC.~~

~~(ii) SSI and/or state supplemental.~~

~~(iii) Special categories.~~

~~(c) A financially eligible person under twenty-one who would be eligible for AFDC but does not qualify as a dependent child and who is in:~~

~~(i) Foster care, or~~

~~(ii) Subsidized adoption, or~~

~~(iii) A skilled nursing home, intermediate care facility, or intermediate care facility for mentally retarded, or~~

~~(iv) An inpatient psychiatric facility.~~

~~(d) Individuals related to SSI above in institutions who would not be eligible for such assistance if they were not institutionalized solely because of the cash level of their income.~~

~~((11)) (10) "Central disbursements" is the state office section which audits nonmedicaid medical claims for payment ((billed on form BSHS 6-06 (A-19))).~~

~~((12)) (11) "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)) date" means the date the worker certifies changes in a recipient's circumstances and authorizes an action.~~

~~(12) "CFR" means the code of federal regulations and is a codification of the general and permanent rules published in the federal register by the executive departments and agencies of the federal government.~~

~~(13) "Child" or "minor child" means a person under eighteen years of age.~~

~~(14) "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)(c:))~~

~~(15) "Client" means an applicant or recipient of financial and/or social services provided by the department of social and health services.~~

~~(16) "Coinsurance" means the portion of reimbursable hospital and medical expenses, after subtraction of any deductible, which medicare does not pay. Under Part A, coinsurance is a per day dollar amount, and under Part B, is twenty percent of reasonable charges.~~

~~(17) "CSO" (community service office) is an office of the department which administers the various social and health services at the county level.~~

~~(18) "Continuing assistance" means payments to persons who presumably will be eligible for and receive, from the date of authorization, regular monthly grants on a prepayment basis. Continuing assistance includes federal aid and continuing general assistance grants to unemployable persons.~~

~~(19) "Deductible" means an initial specified amount that is the responsibility of the applicant and/or recipient.~~

~~(a) Part A of medicare - Inpatient hospital deductible - an initial amount in each benefit period which medicare does not pay.~~

~~(b) Part B of medicare - The first sixty dollars in expenses which must be incurred before medicare starts to pay.~~

~~(20) "Delayed certification" shall mean the date of certification for medicaid and date of application for SSI are the same for an SSI beneficiary whose eligibility decision was delayed due to administrative action.~~

~~((17)) (21) "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)) (22) "Division of medical assistance" shall mean the single state agency authorized to administer the Title XIX medical ((care)) assistance program.~~

~~(23) "Eligible couple" means an eligible individual and eligible spouse.~~

~~(24) "Eligible individual" means an aged, blind or disabled person as defined in Title XVI of the Social Security Act. If two such persons are husband and wife (and have not been living apart for more than six months), only one of them may be considered an eligible individual.~~

~~((20)) (25) "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.~~

~~((21)) (26) "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)) means a person whose needs were taken into account in determining the need of OAA, AB, or DA recipient for December, 1973, who continues to live in the home of such recipient, and continues to be an essential person.~~

~~((22) "ESSO" (economic and social service office) see "CSO".~~

~~(23)) (27) "Extended care facility" (ECF) See "skilled nursing facility".~~

~~((24)) (28) "Extended care patient" is a recently hospitalized medicare patient who needs relatively short-term skilled nursing and rehabilitative care in a skilled nursing facility.~~

(29) "Fair hearing" means an administrative proceeding by which the department hears and decides the appeal of an applicant/recipient from an action or decision of the department.

~~((25))~~ (30) "Federal aid" ~~((shall))~~ means the ~~((medical))~~ assistance ~~((or aid to families with dependent children programs for which the state receives matching funds))~~ grant programs for which funds-in-aid are received by the state from the federal government.

~~((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.

(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.

(28) "Fiscal intermediary" is the agency having a contract to serve as fiscal agent for Part A of medicare.)

(31) "Fraud" shall mean a deliberate, intentional and wilful act, with the specific purpose of deceiving the department with respect to any material, fact, condition, or circumstances affecting eligibility or need.

(32) "General assistance - continuing" (GAU) means assistance to unemployable persons who are not eligible for or not receiving federal aid assistance.

~~((29))~~ (33) "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) A noninstitutionalized individual who meets all current requirements for medicaid eligibility except the criteria for blindness or disability; and

(i) As eligible for medicaid in December, 1973, as blind or disabled, whether or not he/she was receiving cash assistance in December, 1973; and

(ii) For each consecutive month after December, 1973, continue to meet the criteria for blindness and disability and other conditions of eligibility used under the medicaid plan in December, 1973; and

(iii) The needs of the "essential person" shall only be considered when he/she is living with such person in the same household.

(b) An institutionalized individual who was eligible for medicaid in December, 1973, or any part of that month, as an inpatient of a medical institution or resident of intermediate care facility that was participating in the medicaid program and for each consecutive month after December, 1973:

(i) Continued to meet the requirements for medicaid eligibility that were in effect under the state's plan in December, 1973, for institutionalized individuals; and

(ii) Remained institutionalized.

~~((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.

(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.

(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.

~~((23))~~ (34) "Home health agency" is an agency or organization certified under medicare to provide skilled nursing and other therapeutic services to the patient in his/her place of residence.

~~((33))~~ (35) "Hospital" shall mean any institution licensed as a hospital by the official state licensing authority.

~~((34))~~ (36) "Institution" shall mean an establishment which furnishes food and shelter to four or more persons unrelated to the proprietor and, in addition provides medically related 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.

(37) "Intermediary" is an organization who has an agreement with the federal government to process medicare claims under Part A.

~~((35))~~ (38) "Intermediate care facility" shall mean a licensed facility certified to provide intermediate care for which an agreement has been executed.

~~((36))~~ (39) "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))~~ the CFR regulations to provide ~~((24))~~ twenty-four hour health-related care and services to mentally retarded persons or persons with related conditions.

~~((37))~~ (40) "Legal dependents" are persons whom an individual is required by law to support.

~~((38))~~ "Local office" - See CSO.

~~((39))~~ (41) "Medicaid" or "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 an eligible child receiving foster care))~~ AFDC.

(b) A recipient of ~~((a continuing general assistance grant who is categorically related))~~ SSI.

(c) A recipient of ~~((a continuing general assistance grant who is eligible for care under the "H" category))~~ state supplement.

(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))~~ financially eligible person under twenty-one who is in:

(i) Foster care, or

(ii) Subsidized adoption, or

(iii) A skilled nursing home, intermediate care facility, or intermediate care for mentally retarded, or

(iv) An inpatient psychiatric facility.

(e) Individuals related to category (b) above in institutions who would not be eligible for cash assistance solely because of the level of their income if they were not institutionalized.

(f) Individuals who are eligible but not receiving cash assistance under (a), (b), or (c) above.

~~((e))~~ The spouse of an aged, blind or disabled beneficiary for whom a cash allowance is included in the SSI benefit.

(40) "Medical audit" - See "provider services".

(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.

(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).

~~((3))~~ (42) "Medical consultant" shall mean a physician employed by the department at the CSO level.

(43) "Medical facility" see "Institution".

(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.

(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.

(46) "Nursing care consultant" shall mean a qualified and licensed registered nurse employed by the department at the CSO level.

(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.

(48) "Part A" is the hospital insurance portion of medicare.

(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, Western". The department has adopted this book as the basis for authorizing

payment for the maximum number of inpatient hospital days for recipients of state funded programs, or where no memorandum of understanding with a PSRO exists.

(50) "Part B" is the supplementary medical insurance benefit (SMIB) or the "doctor portion" of medicare.

(51) ~~((4) "Participation" is that part of the cost of medical care which the recipient who has available resources must pay.~~

~~((52)) "Physician" is a doctor of medicine, or osteopathy ((or podiatry)) who is legally authorized to perform the functions of his profession by the state in which he performs them.~~

~~((53)) (52) "Professional standards review organization" (PSRO). See "Washington state professional standards review organization".~~

~~((54)) (53) "Provider" or "provider of service" means ((those)) an institution((s)), ((agencies)) agency, or individual((s-furnishing)) who has a signed agreement to furnish medical care and goods and/or services to recipients and who ((are)) is eligible to receive payment from the department. ((See also "Vendor".))~~

~~((55)) (54) "Provider services" shall mean the office of the division of medical assistance which ((authorizes)) processes claims for payment ((for medical billings)) under Title XIX and state funded programs.~~

~~((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.~~

~~(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).~~

~~(58) "Recipient of medical only" (MO) 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".~~

~~(59) "Recipient of noncontinuing general assistance" is a person certified by the department as eligible to receive temporary general assistance (GAN).)~~

~~((60)) (55) Residence ((-the)), state ((which officially meets one or more)) of ((the following)) means:~~

~~(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.~~

~~((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.~~

~~((62)) (56) "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)) means the period of no more than three months prior to month of application during which an individual applying under medicaid may be certified.~~

~~((63)) (57) "Skilled nursing facility" shall mean a licensed facility certified to provide skilled nursing care for which an agreement has been executed.~~

~~((64)) (58) "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".~~

~~((65)) (59) "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)) - see benefit period.~~

~~((66)) (60) "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)) means an aged, blind or disabled individual who is the husband or wife of an eligible individual and who has not been living apart from such eligible individual for more than six months.~~

~~(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)) means the husband or wife of an eligible individual who is not aged, blind or disabled; or although aged, blind or disabled has not applied for such assistance.~~

~~(c) "Nonapplying spouse" means the husband or wife of an eligible individual who although aged, blind or disabled has not applied for such assistance.~~

~~(61) "State-funded medical care" shall mean medical care, as defined by DSHS, provided to eligible persons on continuing general assistance.~~

~~((67)) (62) "State office" or "SO" shall mean the division of medical assistance of the department.~~

~~((68)) (63) "Supplementary ((security income)) payment" ((is a cash benefit provided as a federal payment and/or state supplement under Title XVI for the aged, blind and disabled)) means the state money payment to individuals receiving benefits under Title XVI (or who would, but for their income, be eligible for such benefits) as assistance based on need in supplementation of SSI benefits. This payment includes:~~

~~(a) "Mandatory state supplement" means the state money payment with respect to individuals who, for December, 1973, were recipients of money payments under the department's former programs of old age assistance, aid to the blind and disability assistance.~~

~~(b) "Optional state supplement" means the elected state money payment to individuals eligible for SSI benefits or who except for the level of their income would be eligible for such benefits.~~

~~((69) "Title XVI" is a program administered by the social security administration which provides supplementary security income to the aged, blind and disabled.~~

~~(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.~~

~~(71) "Vendor" is a provider of medical goods or services under these rules.)~~

~~(64) "Supplemental security income (SSI) program, Title XVI," means the federal program of supplemental security income for the aged, blind, and disabled established by section 301 of the social security amendments of 1972, and subsequent amendments, and administered by the Social Security Administration (SSA).~~

~~(65) "Third party" means any entity that is or may be liable to pay all or part of the medical cost of injury, disease, or disability of an applicant or recipient of medicaid.~~

~~((72)) (66) "Washington State Professional Standards Review Organization" (WSPSRO) is the state level organization responsible for determining whether health care activities are medically necessary, meet professionally acceptable standards of health care, and are appropriately provided in an out-patient or institutional setting for ((recipients of federally related programs)) beneficiaries of medicare and recipients of medicaid and maternal and child health.~~

~~((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 1542, filed 9/9/80)

WAC 388-82-010 PERSONS ELIGIBLE FOR MEDICAL ASSISTANCE. Medical assistance ~~((is provided for:))~~ is available to any individual who is categorically needy.

(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.)~~ Individuals receiving or eligible to receive a cash assistance payment. Categories under which individuals may qualify include:

(a) Aid to families with dependent children (AFDC);
(b) Supplemental security income (SSI);
(c) State supplemental payment; and
(d) Individuals under age twenty-one whose income is less than the one person AFDC standard and who are in:

(i) Foster care; or
(ii) Subsidized adoption; or
(iii) Skilled nursing home, intermediate care facility, or intermediate care facility for mentally retarded (ICF/MR); or
(iv) Inpatient psychiatric facilities.

(2) Individuals in medical facilities:
(a) Who would be eligible for cash assistance if they were not institutionalized. This includes all categorically needy groups;

(b) Who are SSI categorically related and would not be eligible for cash assistance if they were not institutionalized. This includes only aged, blind, and disabled groups.

WSR 81-08-040

ATTORNEY GENERAL OPINION

Cite as: AGO 1981 No. 4

[March 30, 1981]

**COURTS—DISTRICT—MUNICIPAL—MOTOR VEHICLES—
 TRAFFIC INFRACTIONS—JURISDICTION OF MUNICIPAL
 OR POLICE COURTS OVER TRAFFIC INFRACTIONS**

RCW 43.63.040[46.63.040] does not vest a municipal or police court with jurisdiction over a traffic infraction based on an alleged violation of state law—as distinguished from one involving a local, municipal ordinance; therefore, such a court does not have exclusive, or even concurrent, jurisdiction over a traffic infraction case which is so based, even in the absence of a contract with the county to have those traffic infractions committed within the city or town adjudicated by a district court.

Requested by:

Colonel R. W. Landon
 Chief
 Washington State Patrol
 General Administration Building
 Olympia, Washington 98504

WSR 81-08-041

PROPOSED RULES

COMMUNITY COLLEGE DISTRICT 12

[Filed March 31, 1981]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030 and 28B.50.140, that Community College District 12, intends to adopt, amend, or repeal rules concerning chapter 132L-26 WAC relating to emergency procedures;

that such institution will at 7:30 p.m., Thursday, May 14, 1981, in the Boardroom, Olympia Technical Community College, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 7:30 p.m., Thursday, May 14, 1981, in the Boardroom, Olympia Technical Community College.

The authority under which these rules are proposed is chapters 28B.10 and 28B.50 RCW.

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution prior to May 14, 1981, and/or orally at 7:30 p.m., Thursday, May 14, 1981, Boardroom, Olympia Technical Community College.

Dated: March 26, 1981

By: Hobart G. Jenkins

Assistant to the District President

STATEMENT OF PURPOSE

Title: WAC 132L-26-010 through 080, Emergency Procedures.

Description of Purpose: To amend district suspended operations rules to comply with Higher Education Personnel Board Rules.

Statutory Authority: Chapter 28B.50 RCW.

Summary of Rule: Outlines the procedures to be followed if the institution must be closed due to emergency conditions.

Reasons for Supporting Proposed Action: WAC 251-22-240 requires institutions of higher education to adopt suspended operation rules which must be in compliance with the provisions of chapter 251-22 WAC. The present rules of District 12 do not comply with changes in WAC 251-22-240 which will be effective as of April 6, 1981. The amendments proposed by this action will eliminate conflicts between District 12 and the Higher Education Personnel Board.

Agency Person Responsible for:

Drafting: Hobart G. Jenkins, Assistant to the District President, Community College District 12, P.O. Box 639, Centralia, WA 98531, 736-9391.

Implementation: John A. Hurley, Jr., District Director of Personnel (same address and phone)

Enforcement: Nels W. Hanson, District President (same address and phone)

Organization Proposing Rule: Community College District 12, a public agency.

Agency Comments: None.

Rule is not required as a result of federal law or court action.

AMENDATORY SECTION

132L-26-010	Authority to suspend operations.
132L-26-020	Remuneration for classified employees.
132L-26-025	Authority to staff campus—Limitations.
132L-26-030	Employee notification—Time.
132L-26-035	Return to work.
132L-26-040	Voluntary staffing.
132L-26-050	Mandatory staffing.
132L-26-055	Temporary duties.
132L-26-060	Suspended operation procedures after (twenty-one) fifteen days.
132L-26-065	Layoffs—Conditions.
132L-26-070	Closure notification plan—Recall plan.
132L-26-075	Option to recover time loss.
132L-26-080	Suspended operations—Not a lock-out.

AMENDATORY SECTION (Amending Order 77-30, filed 9/1/77)

WAC 132L-26-010 AUTHORITY TO SUSPEND OPERATIONS. The president of District 12 is authorized to suspend the operation of any or all campuses in the district if, in his opinion, an emergency condition beyond his control makes this closure advisable (~~(Such as, but not limited to: Riot, civil disturbance, mechanical failure, severe weather conditions, strike or work stoppage.))~~), and the public health, or property, or safety is jeopardized.

In accordance with WAC 251-22-240, as amended by the Higher Education Personnel Board (~~(December 22, 1975)~~), April 6, 1981, Community College District 12 adopts the following suspended operation rules.

AMENDATORY SECTION (Amending Order 77-30, filed 9/1/77)

WAC 132L-26-040 VOLUNTARY STAFFING. When the period of suspended operation is expected to exceed five working days, (~~(but less than twenty-one)~~) staffing shall be on a volunteer basis. Employees qualified to perform the task with the most layoff seniority shall be given the first option to work.

AMENDATORY SECTION (Amending Order 77-30, filed 9/1/77)

WAC 132L-26-060 SUSPENDED OPERATION PROCEDURES AFTER (~~TWENTY-ONE~~) FIFTEEN DAYS. If the period of suspended operation is expected to exceed (~~twenty-one~~) fifteen days, the (~~(full classified personnel layoff provisions shall apply.)~~) personnel director shall request an extension from the director of the Higher Education Personnel Board subject to confirmation by the board. If the period of suspended operation exceeds fifteen days and no extension is granted, the full classified personnel layoff provisions shall apply.

If the suspended operation exceeds the period for which an extension was granted, the full classified personnel layoff provisions shall apply.

AMENDATORY SECTION (Amending Order 77-30, filed 9/1/77)

WAC 132L-26-075 OPTION TO RECOVER TIME LOSS. The district shall have the option to make up lost time due to suspended operations by extending the calendar. Classified and administrative employees who lose regular work time as a result of suspended operation may request to work additional hours in accordance with WAC 251-22-240. The district president shall have the option to approve or deny such requests. This response must be made within fifteen days after receipt of the request.

WSR 81-08-042
PROPOSED RULES
DEPARTMENT OF LICENSING
(Massage Examining Board)
 [Filed March 31, 1981]

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

Massage Examining Board, intends to adopt, amend, or repeal rules concerning applications, amending WAC 308-51-010;

that such agency will at 10:00 a.m., Monday, May 11, 1981, in the Third Floor Conference Room, Highways-Licenses Building, 12th and Franklin, Olympia, Washington, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Monday, May 11, 1981, in the Third Floor Conference Room, Highways-Licenses Building, 12th and Franklin, Olympia, Washington.

The authority under which these rules are proposed is RCW 18.108.020.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to May 11, 1981, and/or orally at 10:00 a.m., Monday, May 11, 1981, Third Floor Conference Room, Highways-Licenses Building, 12th and Franklin, Olympia, Washington.

Dated: March 25, 1981

By: Yvonne Braeme
 Executive Secretary

STATEMENT OF PURPOSE

Name Of Agency: Washington State Massage Examining Board.

Purpose: The purpose of the amendment to the rules is to delete the requirement that applicants for original license or renewal of a license submit an official transcript or statement from the Washington State Patrol Identification Section attesting to their criminal record.

Statutory Authority: RCW 18.108.020.

Summary Of The Rules: WAC 308-51-010 contains the requirements for applications for original licensure or renewal of a license. They specify supporting documents that are required by the department and indicate where applications should be sent.

Reason Action Proposed: The amendment to the rule is proposed to eliminate an application requirement that had not assisted the department in administering the law, but rather seemed to impose requirements on applicants that were not necessary.

Responsible Personnel: In addition to the Massage Examining Board and the Director of the Department of Licensing, the following agency personnel have knowledge of and responsibility for drafting, implementing and enforcing these rules:

Yvonne Braeme, Executive Secretary, Third Floor, Highways-Licenses Building, Olympia, WA 98504, 234-0776 (Scan), 753-0776 (Comm).

Proponents: This amendment was proposed by the board as a result of a request from the Department of Licensing.

Agency comments: This amendment is promulgated pursuant to the authority contained in RCW 18.108.020.

AMENDATORY SECTION (Amending Order PL 255, filed 8/20/76)

WAC 308-51-010 APPLICATIONS. (1) Applications for an original license or renewal of a license to practice as a massage operator or to conduct a massage business shall be made to the Division of Professional Licensing, 12th and Franklin Streets, P.O. Box 9649, Olympia, Washington 98504. (Telephone number (206) 753-0776.)

(2) Application forms shall be prepared by the director and shall provide for the statement of all information required for the license in question. An applicant for the issuance or renewal of a massage operator's license and/or a massage business license shall be required to furnish the director with satisfactory evidence to establish that all requirements for the license have been fulfilled by the applicant, including the requirement that he is of good moral character and has not been convicted of, or forfeited bond for, a crime involving lewdness or moral turpitude or a crime involving possession, use, or distribution of any controlled substance except marihuana.

~~((a) The only acceptable evidence that the applicant has not been convicted of, or forfeited bond for, such a crime and that he is of good moral character shall be an official transcript or statement of the Washington State Patrol Identification Section as provided for in RCW 43.43.760(3), which is set forth below:~~

~~"Whenever any person is an applicant for appointment to any position or is an applicant for employment or is an applicant for a license to be issued by any governmental agency, and the law or a regulation of such governmental agency requires that the applicant be of good moral character or not have been convicted of a crime, or is an applicant for appointment to or employment with a criminal justice agency, the applicant may request any law enforcement agency to make an impression of his fingerprints to be submitted to the section. The law enforcement agency may comply with such request and make copies of the impressions on forms marked 'applicant,' and submit such copies to the section:~~

~~"The section shall accept such fingerprints and shall cause its files to be examined and shall promptly send to the appointing authority, employer, or licensing authority indicated on the form of application, a transcript of the record of previous crimes committed by the person described on the data submitted, or if there is no record of his commission of any crimes, a statement to that effect. "Any law enforcement agency may charge a fee not to exceed five dollars for the purpose of taking fingerprint impressions or searching its files of identification for noncriminal purposes."~~

(b) An applicant may establish proof of age by submitting a photocopy of his birth certificate. If it is not reasonably possible to obtain a photocopy of the birth certificate, an affidavit attesting to the date and place of birth may be accepted by the director in lieu of such photocopy.

(3) The term "applicant" as used in chapter 280, Laws of 1975 1st ex. sess. and chapter 18.108 RCW, relating to massage business license, is defined to include and shall be applied as follows to:

- (a) The owner, in case of sole proprietorship.
- (b) All partners, in case of a general or limited partnership.
- (c) A corporation, which may apply through its chief executive officer.

WSR 81-08-043

ADOPTED RULES

DEPARTMENT OF LICENSING

(Board of Dental Examiners)

[Order PL 374—Filed March 31, 1981]

Be it resolved by the Washington State Board of Dental Examiners, acting at Seattle, Washington, that it

does promulgate and adopt the annexed rules relating to the amending of WAC 308-36-020 and 308-40-101.

This action is taken pursuant to Notice No. WSR 81-04-047 filed with the code reviser on February 3, 1981. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 18.29.030 and 18.32.040 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED March 20, 1981.

By Raymond W. Haight, DDS
Chairman

AMENDATORY SECTION (Amending Order PL 277, filed 11/17/77)

WAC 308-36-020 APPLICATIONS FOR EXAMINATION. (1) To be eligible for the dental hygiene examination the applicant must have attained the age of eighteen years or be going to attain such age before the date of the examination, and must be a graduate from a dental hygiene school approved by the Washington state board of dental examiners. The board of dental examiners adopts those standards of the American Dental Association's Commission on Accreditation of Dental and Dental Auxiliary Educational Programs (C.A.D.D.A.E.P.) which were relevant to accreditation of dental hygiene schools and current on January 15, 1977, and has approved all and only those dental hygiene schools which were accredited by the C.A.D.D.A.E.P. as of January 15, 1977. Other dental hygiene schools which apply for board approval and which meet these adopted standards to the board's satisfaction will be approved, but it is the responsibility of a school to apply for approval and of a student to ascertain whether or not a school has been approved by the board.

(2) Application blanks for the examination may be secured from the Division of Professional Licensing, P.O. Box 9649, Olympia, Washington, upon request. The application must be completed in every respect and must reach the division of professional licensing in Olympia, at least sixty days prior to the examination.

(3) Completed in every respect means that all portions of the application blank are filled out and that included with the application is:

- (a) the required application fee;
- (b) either the National Board IBM card or a notarized copy of the National Board certificate. Applicants who have not passed the National Board or the Washington state theory examination will be given a theory examination;

(c) two photos of the applicant taken within the year immediately preceding the application and not over three by three inches in size. (One photo to be attached to the application.)

(4) The only acceptable proof of graduation from an approved dental hygiene school is either a certified copy of a diploma of graduation and an official transcript from such school, or a verified list of graduating students from the dean or director of the dental hygiene school. The verified list of candidates will only be acceptable from applicants who have graduated within 45 days of the examination date for which they are applying. An applicant may complete his other application requirements and be scheduled for the examination before he obtains his diploma, but no applicant will be admitted to the examination unless ((this)) the certified copy of the diploma and the official transcript or the verified list from the dean or director has been received by the division of professional licensing of the department of licensing on or before the day of the examination.

(5) Upon completion of his application for the examination, the division of professional licensing will mail to each applicant one "clinical examination record." It is imperative that the applicant bring this form, unfolded, to the examination as it will be used by the board throughout the practical examination.

(6) Any applicant found attempting to give or receive aid in any manner, either directly or indirectly, will be dismissed from the examination and all work rejected.

AMENDATORY SECTION (Amending Order PL 342, filed 4/22/80)

WAC 308-40-101 EXAMINATION PROCEDURE. (1) To be eligible for the dental examination, the applicant must be a graduate from a dental school approved by the Washington state board of dental examiners. The board of dental examiners adopts those standards of the American Dental Association's Commission on Accreditation of Dental and Dental Auxiliary Educational Programs (C.A.D.D.A.E.P.) which were relevant to accreditation of dental schools and current on January 15, 1977, and has approved all and only those dental schools which were accredited by the C.A.D.D.A.E.P. as of January 15, 1977. Other dental schools which apply for board approval and which meet these adopted standards to the board's satisfaction will be approved, but it is the responsibility of a school to apply for approval and of a student to ascertain whether or not a school has been approved by the board.

(2) Application blanks for the examination may be secured from the Division of Professional Licensing, P. O. Box 9649, Olympia, Washington 98504. The application must be completed in every respect, and reach the division of professional licensing in Olympia at least sixty days prior to the examination.

(3) Completed in every respect means that all portions of the application blank(s) are filled out and that included with the application are:

(a) the required application fee;

(b) either a notarized copy of the National Board IBM card or a notarized copy of the National Board certificate;

(c) two photos of the applicant, taken within the year immediately preceding the application, and not over three by three inches in size. (One photo to be attached to the application);

(d) if not a citizen of or resident alien in the United States, full citizenship or resident alien status must be attained within six years from issuance of the license, or the license will be cancelled;

(4) The only acceptable proof of graduation from an approved dental school is either a certified copy of a diploma of graduation and an official transcript from such school, or a verified list of graduating students from the dean of the dental school. The verified list of candidates will only be acceptable from applicants who have graduated within 45 days of the examination for which they are applying. An applicant may complete his other application requirements and be scheduled for the examination before he obtains his diploma, but no application will be admitted to the examination unless ((this)) the certified copy of the diploma and the official transcript or the verified list from the dean has been received by the division of professional licensing of the department of licensing on or before the first day of the examination.

(5) In case of applicant having previously been in practice, the board requires a sworn statement covering history of practice for a five-year period immediately preceding application for this examination. This statement must accompany the application when returning it to the division of professional licensing.

(6) A fee is required each time an applicant takes or retakes the board examination. Examination fees are not transferable from one applicant to another. Applicants who have paid the fee and do not appear for the next scheduled examination forfeit such fee.

(7) Upon completion of the application for the examination, the division of professional licensing will mail to each applicant one "clinical examination record." It is imperative that the applicant bring this form, unfolded, to the examination as it will be used by the board throughout the practical examination.

(8) Each applicant must furnish his or her own patient for all phases of the practical examination. Patients must be at least eighteen years of age. Patients should be selected carefully as this is a very important factor of the examination. Be certain that your patient will be present, on time, and will be able to remain at the clinic until the work is completed. An assistant will be permitted to assist the applicant at the chair. Dentists or undergraduate dental students are not acceptable as assistants.

(9) Neatness of the operation, cleanliness and care in handling of patients, thoroughness in technique, and quality of work will be considered in the grading. Quality of the work includes recontouring of restorations of approximating teeth to make good contact. All practical work must be done under the rubber dam, including the final check on the finished work. (At least six teeth must be exposed under the rubber dam.) An additional check of the foil restoration will be made after dam removal. Application, cleanliness, and neatness of the rubber dam is part of the consideration when grading.

(10) Any applicant whose conduct interferes with the evaluation of professional competency by the board may be dismissed from the examination and all of his or her work will be rejected. Such conduct shall include but not be limited to the following:

(a) Presentation of purported carious lesions which are artificially created, whether or not the applicant created them.

(b) Presentation of radiographs which have been mislabeled, altered, or contrived to represent other than the patient's true condition, whether or not the misleading radiograph was created by the applicant.

(c) Giving or receiving aid, either directly or indirectly, during the examination process.

(d) Failure to follow directions relative to the conduct of the examination, including termination of treatment procedures.

(11) All applicants shall occupy the space assigned to him or her throughout the entire examination.

(12) Under no circumstances may an examination paper be returned to an applicant once it has been turned in as completed.

(13) No persons, other than those directly connected with the examination, shall be admitted to the examination clinical operating and grading areas.

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 81-08-044
ADOPTED RULES
DEPARTMENT OF TRANSPORTATION
(Transportation Commission)
 [Order 17, Resolution 104—Filed March 31, 1981]

Be it resolved by the Washington State Transportation Commission, acting at Olympia, Washington, that it does promulgate and adopt the annexed rules relating to the adoption of a new Schedule of Tolls for the Washington State Ferry System, amending WAC 468-300-010, 468-300-020, 468-300-030, 468-300-040 and 468-300-050.

This action is taken pursuant to Notice No. WSR 81-04-031 filed with the code reviser on February 2, 1981. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 47.60.325 which directs that the Department of Transportation has authority to implement the provisions of RCW 47.60.325.

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

APPROVED AND ADOPTED March 17, 1981.

By Vaughn Hubbard
 Chairman

AMENDATORY SECTION (Amending Order 16, Resolution 90, filed 10/27/80)

WAC 468-300-010 FERRY PASSENGER TOLLS. (1) If additional tax support does not become available in the amount of \$7 million or more, as projected by the secretary of transportation or his designee for the 1981-83 biennium, tolls shall be as follows:

ROUTES	Full Fare One Way	Half Fare** One Way	PASSENGER SCHOOL		EXCURSION-ROUND TRIP***		
			COM-MU-TATION 20 Rides *****	COM-MU-TATION 20 Rides Ages 12-20 5-11	Full Fare	Half Fare**	
Fauntleroy-Southworth Seattle-Bremerton Seattle-Winslow	((1.20)) <u>1.50</u>	((.60)) <u>.75</u>	((14.40)) <u>24.00</u>	((12.00)) <u>15.00</u>	((6.00)) <u>7.50</u>	((1.70)) <u>2.15</u>	((.85)) <u>1.10</u>
Pt. Townsend-Keystone							
Edmonds-Kingston ((Pt. Townsend-Keystone))							
Fauntleroy-Vashon Southworth-Vashon	((1.50)) <u>1.90</u>	((.80)) <u>1.00</u>	((9.00)) <u>15.20</u> *****	((7.50)) <u>9.50</u>	((3.75)) <u>4.75</u>	N/A	N/A
Pt. Defiance-Tahlequah							
Mukilteo-Clinton Lofall-Southpoint	((.75)) <u>.95</u>	((.40)) <u>.50</u>	((9.00)) <u>15.20</u>	((7.50)) <u>9.50</u>	((3.75)) <u>4.75</u>	((1.05)) <u>1.35</u>	((.55)) <u>.70</u>

ROUTES	Full Fare One Way		Half Fare** One Way		COM-MU-TATION 20 Rides *****	PASSENGER SCHOOL COM-MU-TATION ***** 20 Rides	EXCURSION-ROUND TRIP***		
	Full Fare	One Way	Half Fare	One Way		Ages		Full Fare	Half Fare**
						12-20	5-11		
Anacortes to Lopez	((1.45)) 1.85		((.75)) .95		((17.40)) 29.60	((14.50)) 18.50	((7.25)) 9.25		
Shaw ((σ)) ₂ Orcas	((1.65)) 2.10		((.85)) 1.05		((19.80)) 33.60	((16.50)) 21.00	((8.25)) 10.50	N/A	N/A
or Friday Harbor	((1.80)) 2.30		((.90)) 1.15		((21.60)) 36.80	((18.00)) 23.00	((9.00)) 11.50		
Sidney	4.95		2.50		N/A	N/A	N/A	5.65	2.85
Friday Harbor to Lopez, Shaw or Orcas	((1.20)) 1.50		((.60)) .75		((14.40)) 24.00	((12.00)) 15.00	((6.00)) 7.50	N/A	N/A
Between Lopez, Shaw, or Orcas	((.75)) .95		((.40)) .50		((9.00)) 15.20	((7.50)) 9.50	((3.75)) 4.75	N/A	N/A
Sidney to Lopez	3.55		1.80		N/A	N/A	N/A	N/A	N/A
Shaw or Orcas	3.30		1.65		N/A	N/A	N/A	N/A	N/A
Friday Harbor	((3.30)) 3.15		((1.65)) 1.60						

*These routes operate on one-way only toll collection system.

**Half Fare

Senior Citizens - Passengers and driver, age 65 and over, with proper identification establishing proof of age, may travel at half-fare tolls on any route.

NOTE: Half-fare privilege does not include vehicle.

Children - Children under five years of age will be carried free when accompanied by parent or guardian. Children five through eleven years of age will be charged half-fare. Children twelve years of age will be charged full-fare.

Handicapped - Any individual who, by reason of illness, injury, congenital malfunction, or other incapacity or disability is unable without special facilities or special planning or design to utilize Ferry System services, may travel at half-fare tolls on any route upon presentation of a WSF Handicapped Travel Permit at time of travel. In addition, those handicapped persons who require attendant care while traveling on the ferries, and are so certified by their physician, may obtain an endorsement on their WSF Handicapped Travel Permit and such endorsement shall allow the attendant to also travel at half fare.

NOTE: Half-fare privilege does not include vehicle.

***One day excursion for walk-on passengers with limited time ashore. Special stay aboard excursion rate (one-half of amounts shown) effective only during designated special events on routes and at times as determined by the Secretary of Transportation (not to exceed 14 days per year on any route).

****School Commutation Tickets - Tickets are for the exclusive use of bona fide students under twenty-one years of age attending grade, junior high, and high schools. Student shall be required to present credentials at time of purchase. A letter indicating school attendance signed by school principal or authorized representative shall be considered proper credentials. Tickets are valid for transportation on school days only.

*****A combination Ferry/Bus Public Transit Passenger Monthly Reusable Ticket Rate may be available for a particular route in conjunction with a public transit operating authority whenever it is determined by the Transportation Commission that said ticket is a necessary element of a Transit Operating Plan designed to eliminate the necessity for assigning an additional ferry to such particular route; and that the resulting savings in Ferry System operating and amortized capital costs exceed the total revenue lost as a result of this reduced rate as projected during the period of time during which such transit operating plan is projected to eliminate the need for an additional ferry. The equivalent ferry fare per ride with this special rate shall be one-half the equivalent fare per ride with the standard commutation book, and shall assume 40 one-way trips per month. The total cost of the ticket shall be the cost of the ferry portion, calculated as described above plus the cost of the bus portion as determined by the Public Transit Operating Authority, subject to the approval of the Secretary of Transportation. The ticket shall be valid only for passengers on board a bus; or for walk-on passengers, on weekdays only, on those routes which have connecting bus service as part of the Transit Operating Plan. The assigning of an additional ferry to such particular route may be cause for removal of the special rate. If the conditions of eliminating the assignment of an additional ferry or realizing sufficient resulting savings cannot be met, the ticket may be sold for any route authorized by the Secretary of Transportation, at the full ferry commutation fare per ride based on forty one-way trips per month plus the cost of the bus portion.

*****On the Fauntleroy-Vashon route, a combination Ferry/Bus Public Transit Monthly Reuseable Ticket Rate shall apply.

*****Commutation tickets shall be valid only for 90-days from date of purchase after which time the tickets shall not be accepted for passage or for refunds. Washington state ferries shall enter into agreements with banks to sell commutation tickets.

(2) If additional tax support becomes available in the amount of \$7 million or more, as projected by the secretary of transportation or his designee for the 1981-83 biennium, tolls shall be as follows:

ROUTES	PASSENGER		SCHOOL		EXCURSION-		
			COM-	COM-	ROUND		
			MU-	MU-	TRIP***		
	Full	Half	TATION	TATION	Full	Half	
Fare	Fare**	One	One	Fare	Fare		
One	One	20	20		**		
Way	Way	Rides	Rides				
		*****	*****				
				Ages			
				12-20	5-11		
Fauntleroy-Southworth							
Seattle-Bremerton							
Seattle-Winslow	1.40	.70	22.40	14.00	7.00	1.95	1.00
Pt. Townsend-Keystone							
Edmonds-Kingston							
Fauntleroy-Vashon	* 1.70	.90	13.60	8.50	4.25	N/A	N/A
Southworth-Vashon							
Pt. Defiance-Tahlequah							
Mukilteo-Clinton							
Lofall-Southpoint	.85	.45	13.60	8.50	4.25	1.20	.60
Anacortes to Lopez	1.70	.85	27.20	17.00	8.50		
Shaw, Orcas or	1.90	.95	30.40	19.00	9.50	N/A	N/A
Friday Harbor	2.10	1.10	33.60	21.00	10.50		
Sidney	4.95	2.50	N/A	N/A	N/A	5.65	2.85
Friday Harbor to							
Lopez, Shaw or Orcas	1.40	.70	22.40	14.00	7.00	N/A	N/A
Between Lopez,							
Shaw, or Orcas	.85	.45	13.60	8.50	4.25	N/A	N/A
Sidney to Lopez	3.55	1.80					
Shaw or Orcas	3.30	1.65	N/A	N/A	N/A	N/A	N/A
Friday Harbor	3.15	1.60					

*These routes operate on one-way only toll collection system.

**Half Fare

Senior Citizens - Passengers and driver, age 65 and over, with proper identification establishing proof of age, may travel at half-fare tolls on any route. NOTE: Half-fare privilege does not include vehicle.

Children - Children under five years of age will be carried free when accompanied by parent or guardian. Children five through eleven years of age will be charged half-fare. Children twelve years of age will be charged full-fare.

Handicapped - Any individual who, by reason of illness, injury, congenital malfunction, or other incapacity or disability is unable without special facilities or special planning or design to utilize Ferry System services, may travel at half-fare tolls on any route upon presentation of a WSF Handicapped Travel Permit at time of travel. In addition, those handicapped persons who require attendant care while traveling on the ferries, and are so certified by their physician, may obtain an endorsement on their WSF Handicapped Travel Permit and such endorsement shall allow the attendant to also travel at half fare.

NOTE: Half-fare privilege does not include vehicle.

***One day excursion for walk-on passengers with limited time ashore. Special stay aboard excursion rate (one-half of amounts shown) effective only during designated special events on routes and at times as determined by the Secretary of Transportation (not to exceed 14 days per year on any route).

****School Commutation Tickets - Tickets are for the exclusive use of bona fide students under twenty-one years of age attending grade, junior high, and high schools. Student shall be required to present credentials at time of purchase. A letter indicating school attendance signed by school principal or authorized representative shall be considered proper credentials. Tickets are valid for transportation on school days only.

*****A combination Ferry/Bus Public Transit Passenger Monthly Reusable Ticket Rate may be available for a particular route in conjunction with a public transit operating authority whenever it is determined by the Transportation Commission that said ticket is a necessary element of a Transit Operating Plan designed to eliminate the necessity for assigning an additional ferry to such particular route; and that the resulting savings in Ferry System operating and amortized capital costs exceed the total revenue lost as a result of this reduced rate as projected during the period of time during which such transit operating plan is projected to eliminate the need for an additional ferry. The equivalent ferry fare per ride with this special rate shall be one-half the equivalent fare per ride with the standard commutation book, and shall assume 40 one-way trips per month. The total cost of the ticket shall be the cost of the ferry portion, calculated as described above plus the cost of the bus portion as determined by the Public Transit Operating Authority, subject to the approval of the Secretary of Transportation. The ticket shall be valid only for passengers on board a bus; or for walk-on passengers, on weekdays only, on those routes which have connecting bus service as part of the Transit Operating Plan. The assigning of an additional ferry to such particular route may be cause for removal of the special rate. If the conditions of eliminating the assignment of an additional ferry or realizing sufficient resulting savings cannot be met, the ticket may be sold for any route authorized by the Secretary of Transportation, at the full ferry commutation fare per ride based on forty one-way trips per month plus the cost of the bus portion.

*****On the Fauntleroy-Vashon route, a combination Ferry/Bus Public Transit Monthly Reuseable Ticket Rate shall apply.

*****Commutation tickets shall be valid only for 90-days from date of purchase after which time the tickets shall not be accepted for passage or for refunds. Washington state ferries shall enter into agreements with banks to sell commutation tickets.

AMENDATORY SECTION (Amending Order 15, Resolution 72, filed 4/1/80)

WAC 468-300-020 AUTO, MOTORCYCLE AND BICYCLE FERRY TOLLS. (1) If additional tax support does not become available in the amount of \$7 million or more, as projected by the secretary of transportation or his designee for the 1981-83 biennium, tolls shall be as follows:

	AUTO**		MOTORCYCLE			BICYCLE & RIDER			Excursion	
	INCL. DRIVER		INCL. DRIVER			Commutation			Round Trip***	
	One Way	20 Rides****	One Way	20 Rides****	Full Fare One Way	Half Fare One Way	20 Rides****	Full Fare	Half Fare	
Faultleroy-Southworth	(4.00)	<u>64.00</u>	<u>2.15</u>	<u>28.65</u>	<u>1.70</u>	<u>1.10</u>	<u>17.00</u>	<u>2.70</u>	<u>1.85</u>	
Seattle-Bremerton		5.10		<u>91.80</u>						2.75	44.00	2.15	1.40	34.40	3.45	2.40
Seattle-Winslow										
Pt. Townsend-Keystone										
Edmonds-Kingston										
((Pt. Townsend-Keystone))										
Faultleroy-Vashon	(5.40)	<u>43.20</u>	<u>2.90</u>	<u>19.35</u>	<u>2.30</u>	<u>1.60</u>	<u>11.50</u>	N/A	N/A	
Southworth-Vashon		6.90		<u>62.10</u>						<u>3.70</u>	29.60	2.90	2.00	23.20
Pt. Defiance-Tahlequah										
Mukilteo-Clinton	(2.70)	<u>43.20</u>	<u>1.45</u>	<u>19.35</u>	<u>1.15</u>	<u>.80</u>	<u>11.50</u>	<u>1.85</u>	<u>1.35</u>	
	<u>3.45</u>	<u>62.10</u>	<u>1.85</u>	<u>29.60</u>	<u>1.45</u>	<u>1.00</u>	<u>23.20</u>	<u>2.35</u>	<u>1.70</u>	
Lofall-Southpoint										
		10 Rides								
Anacortes to Lopez	(4.40)	<u>35.20</u>	<u>2.55</u>	<u>34.00</u>	<u>2.00</u>	<u>1.30</u>	<u>20.00</u>			
	<u>5.60</u>	<u>50.40</u>	<u>3.25</u>	<u>52.00</u>	<u>2.55</u>	<u>1.65</u>	<u>40.80</u>			
Shaw ((or)) ₁ Orcas	(4.95)	<u>39.60</u>	<u>2.95</u>	<u>39.35</u>	<u>2.25</u>	<u>1.45</u>	<u>22.50</u>	N/A	N/A	
	<u>6.30</u>	<u>56.70</u>	<u>3.75</u>	<u>60.00</u>	<u>2.85</u>	<u>1.80</u>	<u>45.60</u>			
or Friday Harbor	(5.65)	<u>45.20</u>	<u>3.40</u>	<u>45.35</u>	<u>2.55</u>	<u>1.65</u>	<u>25.50</u>			
	<u>7.20</u>	<u>64.80</u>	<u>4.30</u>	<u>68.80</u>	<u>3.25</u>	<u>2.10</u>	<u>52.00</u>			
Sidney	<u>21.20</u>	N/A	<u>10.65</u>	N/A	<u>6.95</u>	<u>4.50</u>	N/A	<u>9.65</u>	<u>6.85</u>	
Friday Harbor to Lopez,										
Shaw or Orcas	(3.55)	<u>28.40</u>	<u>2.15</u>	<u>28.65</u>	<u>1.70</u>	<u>1.10</u>	<u>17.00</u>	N/A	N/A	
	<u>4.50</u>	<u>40.50</u>	<u>2.75</u>	<u>44.00</u>	<u>2.15</u>	<u>1.40</u>	<u>34.40</u>			
Between Lopez, Shaw, or Orcas	(2.40)	<u>19.20</u>	<u>1.45</u>	<u>19.35</u>	<u>1.15</u>	<u>.80</u>	<u>11.50</u>	N/A	N/A	
	<u>3.05</u>	<u>27.45</u>	<u>1.85</u>	<u>29.60</u>	<u>1.45</u>	<u>1.00</u>	<u>23.20</u>			
Sidney to Lopez	<u>16.80</u>		<u>8.05</u>		<u>4.95</u>	<u>3.20</u>				
Shaw or Orcas	<u>16.25</u>	N/A	<u>7.65</u>	N/A	<u>4.70</u>	<u>3.05</u>	N/A	N/A	N/A	
Friday Harbor	<u>15.55</u>		<u>7.20</u>		<u>4.40</u>	<u>2.85</u>				

*These routes operate on one-way only toll collection system.

**Stages - option of paying Auto rate plus full fare for passengers (See Stages and Busses).

***Vanpools - A commuter vanpool which carries seven or more persons on a regular and expense-sharing basis for the purpose of travel to or from work or school and which is certified as such by a local organization approved by the Washington State Ferry System, may purchase for a \$10 fee, a permit valid for a three-month period on Mondays through Fridays only and valid only during the hours shown on the permit. The permit for commuter pool agency vanpools shall be valid for one year. These hours are selectable by the purchaser but shall designate two periods of use each day not to exceed two hours per period. The permit so purchased shall allow passage of the vehicle only during the valid periods. All riders in the van, including the driver, shall pay the applicable passenger fare. Except that the minimum total paid for all riders in the van shall not be less than the amount equal to seven times the applicable passenger fare.

****One day excursion for bicycle and rider with limited time ashore.

*****Commutation tickets shall be valid only for 90-days from date of purchase after which time the ticket shall not be accepted for passage or for refunds.

Washington state ferries shall enter into agreements with banks to sell commutation tickets.

SUMMER SURCHARGE

A 20% surcharge shall be applied during the summer schedule period (beginning the third Sunday in June and ending the third Saturday in September) to regular, noncommutation auto and oversized vehicle rates only.

PENALTY CHARGES

Owner of vehicle without driver will be assessed a \$50.00 penalty charge.

Overhang on passenger vehicles will be assessed a penalty charge of 10¢ per lineal foot of overhang in addition to regular applicable tolls, except that no charge for overhang will be assessed when overall length of vehicle and overhang is less than twenty feet. A fraction of a foot of overhang in excess of six inches will be counted as one foot in assessment of charge for overhang.

SPECIAL SCHOOL RATE

School groups when traveling in authorized school vehicles for institution-sponsored activities shall be assessed a flat fee of \$1.00 per vehicle load of students and/or advisors and staff. The flat fee shall be in addition to regular vehicle and drive toll. Private vehicles need letter of authorization.

NOTE: Special School Rate is \$2.00 on routes where one-way only toll systems are in effect. Special Student Rate not available on Anacortes-Sidney, B.C. route between May 1, and September 1 due to limited space.

(2) If additional tax support becomes available in the amount of \$7 million or more, as projected by the secretary of transportation or his designee for the 1981-83 biennium, tolls shall be as follows:

	AUTO**		MOTORCYCLE		BICYCLE & RIDER			Excursion	
	INCL. DRIVER		INCL. DRIVER		Commutation			Round Trip***	
	One Way	20 Rides****	One Way	20 Rides****	Full Fare	Half Fare	20 Rides****	Full Fare	Half Fare
Fauntleroy-Southworth									
Seattle-Bremerton									
Seattle-Winslow	4.60	82.80	2.50	40.00	1.95	1.25	31.20	3.05	2.10
Pt. Townsend-Keystone									
Edmonds-Kingston									
Fauntleroy-Vashon									
Southworth-Vashon	6.20	55.80	3.30	26.40	2.70	1.90	21.60	N/A	N/A
Pt. Defiance-Tahlequah									
Mukilteo-Clinton	3.10	55.80	1.65	26.40	1.35	.95	21.60	2.20	1.60
Lofall-Southpoint									
		10 Rides							
Anacortes to Lopez	5.10	45.90	2.95	47.20	2.30	1.45	36.80		
Shaw, Orcas	5.70	51.30	3.40	54.40	2.60	1.65	41.60	N/A	N/A
or Friday Harbor	6.50	58.50	3.90	62.40	2.95	1.95	47.20		
Sidney	21.20	N/A	10.65	N/A	6.95	4.50	N/A	9.65	6.85
Friday Harbor to Lopez,									
Shaw or Orcas	4.10	36.90	2.50	40.00	1.95	1.25	31.20	N/A	N/A
Between Lopez, Shaw, or Orcas	2.75	24.75	1.65	26.40	1.35	.95	21.60	N/A	N/A
Sidney to Lopez	16.80		8.05		4.95	3.20			
Shaw or Orcas	16.25	N/A	7.65	N/A	4.70	3.05	N/A	N/A	N/A
Friday Harbor	15.55		7.20		4.40	2.85			

*These routes operate on one-way only toll collection system.

**Stages - option of paying Auto rate plus full fare for passengers (See Stages and Busses).

***Vanpools - A commuter vanpool which carries seven or more persons on a regular and expense-sharing basis for the purpose of travel to or from work or school and which is certified as such by a local organization approved by the Washington State Ferry System, may purchase for a \$10 fee, a permit valid for a three-month period on Mondays through Fridays only and valid only during the hours shown on the permit. The permit for commuter pool agency vanpools shall be valid for one year. These hours are selectable by the purchaser but shall designate two periods of use each day not to exceed two hours per period. The permit so purchased shall allow passage of the vehicle only during the valid periods. All riders in the van, including the driver, shall pay the applicable passenger fare. Except that the minimum total paid for all riders in the van shall not be less than the amount equal to seven times the applicable passenger fare.

****One day excursion for bicycle and rider with limited time ashore.

*****Commutation tickets shall be valid only for 90-days from date of purchase after which time the ticket shall not be accepted for passage or for refunds. Washington state ferries shall enter into agreements with banks to sell commutation tickets.

SUMMER SURCHARGE

A 20% surcharge shall be applied during the summer schedule period (beginning the third Sunday in June and ending the third Saturday in September) to regular, noncommutation auto and oversized vehicle rates only.

PENALTY CHARGES

Owner of vehicle without driver will be assessed a \$50.00 penalty charge.

Overhang on passenger vehicles will be assessed a penalty charge of 10¢ per lineal foot of overhang in addition to regular applicable tolls, except that no charge for overhang will be assessed when overall length of vehicle and overhang is less than twenty feet. A fraction of a foot of overhang in excess of six inches will be counted as one foot in assessment of charge for overhang.

SPECIAL SCHOOL RATE

School groups when traveling in authorized school vehicles for institution-sponsored activities shall be assessed a flat fee of \$1.00 per vehicle load of students and/or advisors and staff. The flat fee shall be in addition to regular vehicle and drive toll. Private vehicles need letter of authorization.

NOTE: Special School Rate is \$2.00 on routes where one-way only toll systems are in effect. Special Student Rate not available on Anacortes-Sidney, B.C. route between May 1, and September 1 due to limited space.

AMENDATORY SECTION (Amending Order 15, Resolution 72, filed 4/1/80)

WAC 468-300-030 OVERSIZED VEHICLE, STAGE AND BUS, NEWSPAPER AND EXPRESS SHIPMENT FERRY TOLLS. (1) If additional tax support does not become available in the amount of \$7 million or more, as projected by the secretary of transportation or his designee for the 1981-83 biennium tolls shall be as follows:

ROUTES	OVERSIZED VEHICLES** UNDER 25' LONG		OVERSIZED VEHICLES** 25' OR LONGER		STAGES AND BUSES INCL. DRIVER***	
	One Way	Commutation 20 Rides *****	One Way	Commutation 20 Rides *****	One Way	Each Pass
Fauntleroy-Southworth Seattle-Bremerton	— ((6.40)) <u>8.15</u>	((102.40)) <u>146.70</u>	((8.80)) <u>11.20</u>	((140.80)) <u>201.60</u>	((8.80)) <u>11.20</u>	((.60)) <u>.75</u>
Seattle-Winslow Edmonds-Kingston Pt. Townsend-Keystone (Keystone						
Fauntleroy-Vashon	— ((8.50)) <u>10.80</u>	((68.00)) <u>97.20</u>	((11.30)) <u>14.40</u>	((180.80)) <u>129.60</u>	((11.30)) <u>14.40</u>	((.80)) <u>1.00</u>
Southworth-Vashon Pt. Defiance-Tahlequah						
Mukilteo-Clinton	— ((4.25)) <u>5.40</u>	((68.00)) <u>97.20</u>	((5.65)) <u>7.20</u>	((90.40)) <u>129.60</u>	((5.65)) <u>7.20</u>	((.40)) <u>.50</u>
Lofall-Southpoint						
Anacortes to Lopez, 10 Rides						((.75)) <u>.95</u>
Shaw, Orcas or Friday Harbor	— ((8.80)) <u>11.20</u>	((70.40)) <u>100.80</u>	((12.00)) <u>15.25</u>	((96.00)) <u>137.25</u>	((12.00)) <u>15.25</u>	((.85)) <u>1.05</u>
Sidney	— 28.95	N/A	39.55	N/A	39.55	2.50
Friday Harbor to Lopez, Shaw or Orcas	— ((6.40)) <u>8.15</u>	((51.20)) <u>73.35</u>	((8.80)) <u>11.20</u>	((70.40)) <u>100.80</u>	((8.80)) <u>11.20</u>	((.60)) <u>.75</u>
Between Lopez, Shaw or Orcas	— ((4.25)) <u>5.40</u>	((34.00)) <u>48.60</u>	((5.65)) <u>7.20</u>	((45.20)) <u>64.80</u>	((5.65)) <u>7.20</u>	((.40)) <u>.50</u>
Sidney to Lopez, Shaw, Orcas or Friday Harbor	— 20.15	N/A	27.55	N/A	27.55	1.80 1.65 1.60

((+)) (a) BULK NEWSPAPERS per 100 lbs. \$((+55))1.95
(Shipments exceeding 60,000 lbs. in any month shall be assessed ((75)) .95¢ per 100 lbs.)
((+2)) (b) EXPRESS SHIPMENTS per 100 lbs. \$((+5.00))19.05
(Shipments exceeding 100 lbs. assessed \$((5.00))6.35 for each 25 lbs. or fraction thereof.)

San Juan Inter-Island express shipments will be handled @ \$((2.00))2.55 per 100 lbs.

*These routes operate on one-way only toll collection system.

**Includes Motor Homes, and Mobile Campers that exceed eight feet in height. Excludes trucks licensed over 8,000, passenger busses and stages.

***Stages - Option of paying Auto-driver rate plus full fare for each passenger.

- A public transportation operator providing regularly scheduled week-day service for public necessity and convenience may pay a \$10 annual fee for each scheduled vehicle. This fee covers the fare for each trip of the vehicle and operator only. All occupants shall be assessed the applicable passenger rate per trip. The \$10 annual fee does not apply to vehicles providing chartered service or vehicles providing service for special events such as trips for recreational purposes.

- For vanpool fares, see WAC 468-300-020 under Auto.

****Half fare.

*****Commutation tickets shall be valid only for 90-days from date of purchase after which time the tickets shall not be accepted for passage or for refunds.

Washington state ferries shall enter into agreements with banks to sell commutation tickets.

SUMMER SURCHARGE

A 20% surcharge shall be applied during the summer schedule period (beginning the third Sunday in June and ending the third Saturday in September) to regular, noncommutation auto and oversized vehicle rates only.

PENALTY CHARGES

Owner of vehicle without driver will be assessed a \$50.00 penalty charge.

((+)) (a) Daily Newspapers, in bundles, to be received and delivered without receipt and subject to owner's risk, will be transported between ferry terminals on regular scheduled sailings.

((2)) (b) Emergency shipments will be handled on scheduled sailings when no other means of shipment is available to shipper. Shipments must be of a size and weight requiring a minimum of handling by carrier's employees. Carrier reserves the right to refuse shipment of any item. Carrier assumes no liability for loss or damage to any shipment. Minimum rate for any shipment shall be the rate for 100 pounds.

(2) If additional tax support becomes available in the amount of \$7 million or more, as projected by the secretary of transportation or his designee for the 1981-83 biennium, tolls shall be as follows:

ROUTES	OVERSIZED VEHICLES**		OVERSIZED VEHICLES**		STAGES AND BUSES	
	UNDER 25' LONG		25' OR LONGER		INCL. DRIVER***	
	One Way	Commutation 20 Rides *****	One Way	Commutation 20 Rides *****	One Way	Each Pass
Fauntleroy-Southworth Seattle-Bremerton Seattle-Winslow Edmonds-Kingston Pt. Townsend-Keystone	— 7.40	133.20	10.15	182.70	10.25	.70
Fauntleroy-Vashon Southworth-Vashon Pt. Defiance-Tahlequah *	— 9.80	88.20	13.00	117.00	13.00	.90
Mukilteo-Clinton Lofall-Southpoint	— 4.90	88.20	6.50	117.00	6.50	.45
Anacortes to Lopez, Shaw, Orcas or Friday Harbor Sidney	— 10.15	91.35	13.85	124.65	14.00	.85 .95 1.10 2.50
Friday Harbor to Lopez, Shaw or Orcas	— 7.40	66.60	10.15	91.35	10.25	.70
Between Lopez, Shaw or Orcas	— 4.90	44.10	6.50	58.50	6.50	.45
Sidney to Lopez, Shaw, Orcas or Friday Harbor	— 20.15	N/A	27.55	N/A	27.55	1.80 1.65 1.60

(a) **BULK NEWSPAPERS** per 100 lbs. \$1.80
(Shipments exceeding 60,000 lbs. in any month shall be assessed .85¢ per 100 lbs.)

(b) **EXPRESS SHIPMENTS** per 100 lbs. \$17.30
(Shipments exceeding 100 lbs. assessed \$5.75 for each 25 lbs. or fraction thereof.)

San Juan Inter-Island express shipments will be handled @ \$2.30 per 100 lbs.

*These routes operate on one-way only toll collection system.

**Includes Motor Homes, and Mobile Campers that exceed eight feet in height. Excludes trucks licensed over 8,000, passenger busses and stages.

***Stages - Option of paying Auto-driver rate plus full fare for each passenger.

- A public transportation operator providing regularly scheduled week-day service for public necessity and convenience may pay a \$10 annual fee for each scheduled vehicle. This fee covers the fare for each trip of the vehicle and operator only. All occupants shall be assessed the applicable passenger rate per trip. The \$10 annual fee does not apply to vehicles providing chartered service or vehicles providing service for special events such as trips for recreational purposes.

- For vanpool fares, see WAC 468-300-020 under Auto.

****Half fare.

*****Commutation tickets shall be valid only for 90-days from date of purchase after which time the tickets shall not be accepted for passage or for refunds.

Washington state ferries shall enter into agreements with banks to sell commutation tickets.

SUMMER SURCHARGE

A 20% surcharge shall be applied during the summer schedule period (beginning the third Sunday in June and ending the third Saturday in September) to regular, noncommutation auto and oversized vehicle rates only.

PENALTY CHARGES

Owner of vehicle without driver will be assessed a \$50.00 penalty charge.

(a) Daily Newspapers, in bundles, to be received and delivered without receipt and subject to owner's risk, will be transported between ferry terminals on regular scheduled sailings.

(b) Emergency shipments will be handled on scheduled sailings when no other means of shipment is available to shipper. Shipments must be of a size and weight requiring a minimum of handling by carrier's employees. Carrier reserves the right to refuse shipment of any item. Carrier assumes no liability for loss or damage to any shipment. Minimum rate for any shipment shall be the rate for 100 pounds.

AMENDATORY SECTION (Amending Order 15, Resolution 72, filed 4/1/80)

WAC 468-300-040 TRUCK FERRY TOLLS. (1) If additional tax support does not become available in the amount of \$7 million or more, as projected by the secretary of transportation or his designee for the 1981-83 biennium, tolls shall be as follows:

ROUTES	TRUCK, INCL. DRIVER									
	***8,001 to 10,000	10,001 to 16,000	16,001 to 22,000	22,001 to 28,000	28,001 to 36,000	36,001 to 48,000	48,001 to 60,000	60,001 to 72,000	Over 72,001 to 80,000	Over 80,000 per 1,000 Lbs.

Fauntleroy-Southworth Seattle-Bremerton Seattle-Winslow	(6.40) 8.25	8.80 11.25	11.40 14.50	13.80 17.50	17.00 21.50	22.20 28.25	27.60 35.00	32.80 41.75	38.00 48.25	.60) .75
Pt. Townsend-Keystone Edmonds-Kingston (Pt. Townsend-Keystone Fauntleroy-Vashon Southworth-Vashon	(8.40) 10.50	11.20 14.00	14.00 18.00	17.20 22.00	21.20 27.00	28.40 36.00	35.20 44.50	42.40 54.00	48.80 62.00	.80) 1.00
Pt. Defiance-Tahlequah										
Mukilteo-Clinton	(4.20) 5.25	5.60 7.00	7.00 9.00	8.60 11.00	10.60 13.50	14.20 18.00	17.60 22.25	21.20 27.00	24.40 31.00	.40) .50
Lofall-Southpoint										
**Anacortes to Lopez Shaw ((or)) ₂ Orcas	(8.80) 11.25	12.00 15.25	15.20 19.25	18.40 23.25	22.60 28.75	29.60 37.50	36.80 46.75	43.80 55.75	50.80 64.50	.80) 1.00
or Friday Harbor Sidney	29.00	(39.60) 39.50	50.20 50.25	60.80 60.75	73.40 73.50	97.40 97.50	121.60 121.50	145.60 145.50	152.20 152.25	2.60) 2.50
**Friday Harbor to Lopez, Shaw or Orcas	(6.40) 8.25	8.80 11.25	11.40 14.50	13.80 17.50	17.00 21.50	22.20 28.25	27.60 35.00	32.80 41.75	38.00 48.25	.60) .75
**Between Lopez, Shaw or Orcas	(4.20) 5.25	5.60 7.00	7.00 9.00	8.60 11.00	10.60 13.50	14.20 18.00	17.60 22.25	21.20 27.00	24.40 31.00	.40) .50
**Sidney to Lopez Shaw ((or)) ₂ Orcas	(20.20) 20.25	27.60 27.50	35.40 35.50	42.40 42.50	50.80 50.75	67.80 67.75	84.80 84.75	101.60) 101.50	106.00	((1.80)) 1.75
or Friday Harbor										

*These routes operate on one-way only toll collection system.

**Commercial trucks are allowed stop-over at intermediate points upon payment of \$2.50 per stop-over.

***Trucks under 8,001 lbs. will be classified as automobiles, unless over 8 feet in overall height. (See Oversized Vehicles.)

****UNITED STATES GOVERNMENT SPECIAL RATE - Special rates are available to the United States Government through advance, bulk ticket purchase at the general offices of Washington State Ferries. The per unit price is the same as the "22,001 to 28,000" rate. Semi-trucks are considered two truck units.

PENALTY CHARGES -

Owner of vehicle without driver will be assessed a \$50.00 penalty charge.

DISCOUNT PERCENTAGES FROM REGULAR TOLL -

~~((12 or more, one-way unit crossings within any consecutive six day period 25%
Semi-trucks are considered two truck units.))~~

The current 25 percent discount rate for volume usage by trucks shall be reduced to 20 percent, and shall be extended to stages and buses. Discounted script shall be available in minimum lots of \$500 for use by trucks and stages and buses only. Truck and stage and bus discount tolls may be obtained only through payment in such script.

OVERWIDTH CHARGES -

Any over legal width vehicle, trailer, load or combination requiring a special permit for highway use (exceeding 8 feet in width as provided in RCW 46.44.010) shall be assessed a 50% surcharge applied to the total fare.

Emergency trips during nonservice hours - while at locations where crew is on duty charge shall be equal to the cost of fuel consumed to make emergency trip. Such trips shall only be offered as a result of official requests from an emergency services agency and only in the case of no reasonable alternative.

(2) If additional tax support becomes available in the amount of \$7 million or more, as projected by the secretary of transportation or his designee for the 1981-83 biennium, tolls shall be as follows:

ROUTES	TRUCK, INCL. DRIVER									
	***8,001	10,001	16,001	22,001	28,001	36,001	48,001	60,001	Over 72,001	Over 80,000
	to 10,000	to 16,000	to 22,000	to 28,000	to 36,000	to 48,000	to 60,000	to 72,000	to 80,000	per 1,000 Lbs.

Fauntleroy-Southworth										
Seattle-Bremerton										
Seattle-Winslow	7.50	10.00	13.00	16.00	19.50	25.50	31.75	37.75	43.75	.75
Pt. Townsend-Keystone										
Edmonds-Kingston										
Fauntleroy-Vashon										
Southworth-Vashon	9.50	13.00	16.00	20.00	24.50	33.00	40.50	49.00	56.50	1.00
Pt. Defiance-Tahlequah										
Mukilteo-Clinton	4.75	6.50	8.00	10.00	12.25	16.50	20.25	24.50	28.25	.50
Lofall-Southpoint										
**Anacortes to Lopez										
Shaw, Orcas or Friday Harbor	10.25	13.75	17.50	21.25	26.00	34.25	42.50	50.50	58.50	1.00
Sidney	29.00	39.50	50.25	60.75	73.50	97.50	121.50	145.50	152.25	2.50
**Friday Harbor to Lopez,										
Shaw or Orcas	7.50	10.25	13.25	16.00	19.50	25.50	32.00	38.00	44.00	.75
**Between Lopez,										
Shaw or Orcas	4.75	6.50	8.00	10.00	12.25	16.50	20.25	24.50	28.25	.50
**Sidney to Lopez										
Shaw, Orcas or Friday Harbor	20.25	27.50	35.50	42.50	50.75	67.75	84.75	101.50	106.00	1.75

*These routes operate on one-way only toll collection system.

**Commercial trucks are allowed stop-over at intermediate points upon payment of \$2.50 per stop-over.

***Trucks under 8,001 lbs. will be classified as automobiles, unless over 8 feet in overall height. (See Oversized Vehicles.)

****UNITED STATES GOVERNMENT SPECIAL RATE - Special rates are available to the United States Government through advance, bulk ticket purchase at the general offices of Washington State Ferries. The per unit price is the same as the '22,001 to 28,000' rate. Semi-trucks are considered two truck units.

PENALTY CHARGES -

Owner of vehicle without driver will be assessed a \$50.00 penalty charge.

DISCOUNT PERCENTAGES FROM REGULAR TOLL -

The current 25 percent discount rate for volume usage by trucks shall be reduced to 20 percent, and shall be extended to stages and buses. Discounted script shall be available in minimum lots of \$500 for use by trucks and stages and buses only. Truck and stage and bus discount tolls may be obtained only through payment in such script.

OVERWIDTH CHARGES -

Any over legal width vehicle, trailer, load or combination requiring a special permit for highway use (exceeding 8 feet in width as provided in RCW 46.44.010) shall be assessed a 50% surcharge applied to the total fare.

Emergency trips during nonservice hours - while at locations where crew is on duty charge shall be equal to the cost of fuel consumed to make emergency trip. Such trips shall only be offered as a result of official requests from an emergency services agency and only in the case of no reasonable alternative.

AMENDATORY SECTION (Amending Order 15, Resolution 72, filed 4/1/80)

WAC 468-300-050 TRAILER FERRY TOLLS. (1) If additional tax support does not become available in the amount of \$7 million or more, as projected by the secretary of transportation or his designee for the 1981-83 biennium, tolls shall be as follows:

ROUTES	TRAILER					
	UNDER 10' One Way	10'-0" to Under 20' One Way	20'-0" to Under 30' One Way	30'-0" to Under 40' One Way	40'-0" to Under 50' One Way	50'-0" & Over One Way
Fauntleroy-Southworth Seattle-Bremerton Seattle-Winslow	((2.15	4.00	6.40	13.75	22.25	27.55))
Pt. Townsend-Keystone Edmonds-Kingston (Pt. Townsend-Keystone	<u>2.75</u>	<u>5.10</u>	<u>8.15</u>	<u>17.45</u>	<u>28.25</u>	<u>35.00</u>
Fauntleroy-Vashon Southworth-Vashon	((2.90	5.40	8.50	17.00	28.30	35.40))
Pt. Defiance-Tahlequah	<u>3.70</u>	<u>6.90</u>	<u>10.80</u>	<u>21.60</u>	<u>35.90</u>	<u>45.00</u>
Mukilteo-Clinton	((1.45	2.70	4.25	8.50	14.15	17.70))
Lofall-Southpoint	<u>1.85</u>	<u>3.45</u>	<u>5.40</u>	<u>10.80</u>	<u>17.95</u>	<u>22.50</u>
Anacortes to Lopez	((2.55	4.40)				
Shaw or Orcas	<u>3.25</u>	<u>5.60</u>				
Friday Harbor	((2.95	4.95	8.80	18.40	29.70	36.75))
Sidney	<u>3.75</u>	<u>6.30</u>	<u>11.20</u>	<u>23.35</u>	<u>37.70</u>	<u>46.65</u>
Friday Harbor to Lopez, Shaw or Orcas	((3.40	5.65))				
Between Lopez, Shaw, or Orcas	<u>4.30</u>	<u>7.20</u>				
Sidney to Lopez Shaw or Orcas Friday Harbor	<u>10.65</u>	<u>21.20</u>	<u>28.95</u>	<u>60.75</u>	<u>97.45</u>	<u>121.50</u>
Friday Harbor to Lopez, Shaw or Orcas	((2.15	3.55	6.40	13.75	22.25	27.55))
Between Lopez, Shaw, or Orcas	<u>2.75</u>	<u>4.50</u>	<u>8.15</u>	<u>17.45</u>	<u>28.25</u>	<u>35.00</u>
Sidney to Lopez Shaw or Orcas Friday Harbor	((1.45	2.40	4.25	8.50	14.15	17.70))
	<u>1.85</u>	<u>3.05</u>	<u>5.40</u>	<u>10.80</u>	<u>17.95</u>	<u>22.50</u>
Sidney to Lopez Shaw or Orcas Friday Harbor	<u>8.05</u>	<u>16.80</u>	<u>20.15</u>	<u>42.40</u>	<u>67.80</u>	<u>84.75</u>

*These routes operate on one-way only toll collection system.

(2) If additional tax support becomes available in the amount of \$7 million or more, as projected by the secretary of transportation or his designee for the 1981-83 biennium, tolls shall be as follows:

ROUTES	TRAILER					
	UNDER 10' One Way	10'-0" to Under 20' One Way	20'-0" to Under 30' One Way	30'-0" to Under 40' One Way	40'-0" to Under 50' One Way	50'-0" & Over One Way
Fauntleroy-Southworth Seattle-Bremerton Seattle-Winslow	2.50	4.60	7.40	15.85	25.70	31.80
Pt. Townsend-Keystone Edmonds-Kingston						
Fauntleroy-Vashon Southworth-Vashon	2.30	6.20	9.80	19.60	32.70	40.90
Pt. Defiance-Tahlequah						
Mukilteo-Clinton Lofall-Southpoint	1.65	3.10	4.90	9.80	16.35	20.45
Anacortes to Lopez Shaw or Orcas Friday Harbor Sidney	2.95	5.10	10.15	21.25	34.25	42.40
Friday Harbor to Lopez, Shaw or Orcas	2.50	4.10	7.40	15.85	25.65	31.80
Between Lopez, Shaw, or Orcas	1.65	2.75	4.90	9.80	16.35	20.45
Sidney to Lopez Shaw or Orcas Friday Harbor	8.05	16.80	20.15	42.40	67.80	84.75

*These routes operate on one-way only toll collection system.

WSR 81-08-045
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 1631—Filed March 31, 1981]

I, David A. Hogan, Director, Client and Community Relations Division of the Department of Social and Health Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to low-income supplemental energy allowance, amending WAC 388-29-290.

This action is taken pursuant to Notice No. WSR 81-04-035 filed with the code reviser on February 2, 1981. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the secretary of Department of Social and Health Services as authorized in RCW 74.08.090.

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

APPROVED AND ADOPTED March 25, 1981.

By David A. Hogan
 Director, Client and
 Community Relations Division

AMENDATORY SECTION (Amending Order 1498, filed 4/16/80)

WAC 388-29-290 LOW-INCOME ((SUPPLEMENTAL)) ENERGY ASSISTANCE ALLOWANCE. The department, acting as an agent of the Washington state planning and community affairs agency within the limits of DSHS Contract No. 9147-APE-28267, will implement a portion of the low income energy assistance program. The following delineates the rules applicable to that portion of the program:

(1) The low-income ((supplemental)) energy assistance allowance is a one-time ((federal)) payment to an energy payment assistance unit intended to reduce the burden of the high cost of energy for the ((1979-1980)) 1980-1981 winter.

(2) An energy payment assistance unit is defined as a group of food stamp ((head-of)) households and/or AFDC, SSI, GA-U, or ((IRAP)) Refugee Assistance payees who ((have common CSO and basic case numbers)) meet the definition of household in 45 CFR Part 260.

(3) ((Only)) Energy payment assistance units who ((were authorized to receive food stamp benefits or AFDC, GA-U, or IRAP grants for January 1980)):

(a) Were on the December 1, 1980 warrant roll, and
 (b) Have correctly completed and returned an energy assistance application, and

(c) Have incomes at or below one hundred twenty-five percent of Community Services Administration (CSA) poverty level, and

(d) Are vulnerable to rising energy costs as defined by 45 CFR Part 260, and

(e) Whose energy application substantiates they are vulnerable, will be eligible for ((supplemental)) energy assistance allowances.

~~((4)) Energy payment assistance units known to be receiving SSI during January 1980 will not be eligible for supplemental energy allowances.~~

~~((5))~~ (4) A recipient residing in foster care, a group home for developmentally disabled, nursing home, congregate care facility or an institution for the mentally retarded will not be eligible for an ((supplemental)) energy assistance allowance.

~~((6))~~ (5) The ((supplemental)) energy assistance allowance standards shall be the rates established by the ((department)) Washington state planning and community affairs agency.

~~((7))~~ (6) A recipient may request an administrative review by the Washington state planning and community affairs agency regarding denial or underpayment of an ((supplemental)) energy assistance allowance no later than ((March)) May 31, ((1980)) 1981.

~~((8))~~ (7) No ((supplemental)) energy assistance allowance payments will be made after June 30, ((1980)) 1981.

~~((9))~~ (8) Energy payments made under Title III Public Law ((96-126)) 96-223 shall be exempt as income and resources for all public assistance programs and food stamps. ((These payments include DSHS supplemental energy allowance payments, special SSI energy payments, and payments from the energy crisis assistance program.

~~((10))~~ (9) These rules shall be effective ((January)) December 1, 1980.

WSR 81-08-046
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Filed March 31, 1981]

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 food stamps, amending chapter 388-54 WAC.

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

David A. Hogan, Director
 Client and Community Relations Division
 Department of Social and Health Services
 Mailstop OB-44 D
 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 April 29, 1981. The meeting site is in a location which is barrier free;

that such agency will at 10:00 a.m., Wednesday, May 13, 1981, in the Auditorium, 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, May 20, 1981, in William B. Pope's office, 4th Floor, Office Building #2, 12th and Franklin, Olympia, Washington.

The authority under which these rules are proposed is RCW 74.04.510.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to May 13, 1981, and/or orally at 10:00 a.m., Wednesday, May 13, 1981, Auditorium, Office Building #2, 12th and Franklin, Olympia, Washington.

Dated: March 31, 1981

By: David A. Hogan

Director, Client and

Community Relations Division

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Amend chapter 388-54 WAC.

Purpose of the rule or rule change is to implement federally mandated changes in the food stamp program.

Statutory authority: RCW 74.04.510.

Summary of the rule or rule change: WAC 388-54-630, 388-54-645, 388-54-770 and 388-54-775 are being revised to comply with FNS regulations published effective January 13, 1981.

These rules provide increased authority to verify information in a number of areas of eligibility determinations. The purpose is to improve program integrity without creating barriers to households with a legitimate need of food assistance. It will also reduce administrative error and increase program effectiveness.

WAC 388-54-675 is being revised to include additional work registration requirements mandated by recent FNS regulations which reflect Congressional legislation. These additions are as follows:

The department shall verify any questionable claims for exemption;

The department shall verify any questionable claim for exemption through WIN participation.

Migrant and seasonal farm workers who have a contract or other similar agreement to begin employment within thirty days are provided exemption to work registration; Registrants who move from jurisdiction of one DES office to another must re-register for work;

Persons losing exemption status due to any change of circumstances: Subject to reporting requirements, shall register for work; the work registration report form shall be completed and returned within ten calendar days of the date the department hands or mails the form to the household member reporting the change. Failure to complete and return the form shall require termination of the household;

Not subject to reporting requirements shall register for employment at the household's next recertification;

The household shall be held liable for any overissuances which result from erroneous information given by the household member or the household's authorized representative. WAC 388-54-678, a new section, is proposed to establish the job search requirements for the food stamp program. Conditions are as follows:

Persons required to register for work shall be subject to job search requirements in accordance with the established categories I, II, and III;

Persons in category I must contact, as required by DES, up to 24 prospective employers during a mandatory eight week job search period during twelve months;

Persons failing or refusing without good cause to comply shall render the entire household ineligible;

A notice of adverse action shall be issued by the department within ten days of the non-cooperation;

Household members have a right to a fair hearing to appeal the denial, reduction or termination of benefits due to a determination of non-exempt status or failure to comply.

Person or persons responsible for the drafting, implementation and enforcement of the rule:

Name of initiator: Mick Determan

Title: Program Manager

Office: Bureau of Income Maintenance

Mailstop: OB-31 C

Phone: 3-4381.

The person or organization (if other than DSHS) who proposed these rules is: None.

These rules are necessary as a result of Federal law, 7 CFR, Parts 272 and 273.

AMENDATORY SECTION (Amending Order 1529, filed 8/6/80)

WAC 388-54-630 APPLICATION AND PARTICIPATION—VERIFICATION. (1) Mandatory verifications shall include:

(a) Gross nonexempt income. Where verification is not possible because either the person or organization providing the income has failed to cooperate or is unavailable, the department shall determine the amount to be used for certification purposes based on the best available information.

(b) Alien status. The department shall verify the alien status of those household members identified as aliens on the application by the

use of INS documents, court orders or other appropriate documentations in possession of the household member. The department shall not contact the INS to obtain information about the alien's correct status without the alien's written consent.

(c) Social security number (SSN) for each household member eighteen years and over and children receiving countable income (effective June 1, 1980).

(i) Certification shall not be delayed solely for the verification of SSNs, even if the thirty-day processing period has not expired.

(ii) A verified SSN shall be reverified only if the SSN or the identity of the individual becomes questionable.

(iii) If verification of SSN is not completed at initial certification, it shall be completed at the time of or prior to the household's recertification.

(iv) If verification is not completed within ninety days of initial certification, only the individual whose SSN is not verified shall be disqualified if he/she is unable to show "good cause" for failure to acquire or apply for the SSN. (See WAC 388-54-687).

(d) Identity. The department shall verify the identity of the person making the application. When an authorized representative applies for a household, the identity of the authorized representative and the head of household shall be verified.

(e) Residency. The residency requirements in WAC 388-54-685 shall be verified except in unusual cases (such as migrant households or households newly arrived in the area) where verification of residency cannot reasonably be accomplished.

(f) Continuing shelter expenses. Shelter costs, other than utilities, shall be verified if allowing the expense could potentially result in a deduction. Verification will be on a one-time basis unless the household has moved, reported an increase in cost which would affect the level of the deduction (only the changed cost shall be verified) or unless questionable.

~~((f))~~ (g) Utility expenses. The department shall verify ((the)) utility expenses ((only if the household wishes to claim expenses in excess of the utility standard and the expense would actually result in a deduction)):

(i) If the ((utility expense cannot be verified in the thirty days application period, the standard utility allowance shall be used.)) household is entitled to the utility standard (one qualifying utility shall be verified on a one-time basis unless the household has moved, changed its utilities or the information is questionable), or

(ii) ((Expenses claimed for an unoccupied home will be the actual expenses incurred)) If the household wishes to claim expenses in excess of the utility standard and the expense would actually result in a deduction.

(iii) The utility standard shall be used if the utility expense cannot be verified in the thirty-day application period.

(iv) Utility expenses claimed for an unoccupied home will be the actual expenses incurred.

(2) If a deductible expense which a household is entitled to claim (shelter cost, utilities, medical) cannot be verified within thirty days of the date of application, the department shall determine the household's eligibility and benefit level without providing a deduction of the claimed but unverified expense.

~~((2))~~ (3) The following need not be verified unless inconsistent with other information on the application, previous applications, or other documented information known to the department.

(a) Resource information or the exempt status of income.

(b) Nonfinancial information such as household composition, tax dependency, deductible expenses, liquid resources and loans, citizenship.

If it is necessary to verify a loan, a simple statement signed by both parties to the loan shall be sufficient.

~~((3))~~ (4) The following sources of verification shall be used:

(a) Documentary evidence shall be the primary source of verification. Documentary evidence consists of a written confirmation of a household's circumstances. Whenever documentary evidence cannot be obtained, the department shall use alternate sources of verifications such as:

(i) Collateral contacts. A collateral contact is a verbal confirmation of a household's circumstances by a person outside of the household. This contact may be made either in person or over the phone with any individual who can provide an accurate third-party verification of the household's statements.

(ii) Home visits shall be made only if documentary evidence cannot be obtained and the visit is scheduled in advance with the household.

(b) Documentation shall be in sufficient detail to permit a reviewer to determine the reasonableness and accuracy of the determination.

~~((4))~~ (5) The household has primary responsibility for providing documentary evidence to support its income statements and to resolve any questionable information. If it would be difficult or impossible for the household to obtain the documentary evidence in a timely manner, the department shall offer assistance in obtaining this evidence. Designation of a collateral contact is also the responsibility of the household.

~~((5))~~ (6) At recertification, a change in income or source of income, medical expenses, or actual utility expenses claimed, in an amount over ~~((25))~~ twenty-five dollars, shall be verified.

(a) All other changes shall be subject to the same verification procedures as apply at initial certification.

(b) Unchanged information shall not be verified unless questionable.

AMENDATORY SECTION (Amending Order 1529, filed 8/6/80)

WAC 388-54-645 APPLICATION AND PARTICIPATION—EXPEDITED SERVICE. The department must screen applicants at the time of application to determine which households are eligible for expedited service.

(1) If otherwise eligible, the following households are entitled to expedited service.

(a) Households with zero net monthly income;

(b) Households who are destitute as defined in WAC 388-54-655.

(2) For households eligible for expedited service.

(a) The department shall mail the ATP card or coupons no later than the close of business of the second working day following the date the application was filed; unless the household opts to pick up the ATP or coupons no later than the start of business of the third working day following the date the application was filed.

(b) For residents of drug or alcoholic treatment and rehabilitation centers who are eligible, the department shall make the ATP and coupons available within seven working days following the date the application was filed.

(3) When expediting certification and issuance the department shall:

(a) Postpone the verification usually required. The household's identity and residency shall be verified however through a collateral contact or readily available documentary evidence.

(b) Require the applicant to register for work unless exempt or unless the household has designated an authorized representative to apply on its behalf; postpone work registration of other members of the household if it cannot be accomplished within the expedited service time frames.

~~((b))~~ (c) Benefits shall not be delayed beyond the delivery standard described in subsection (2) ~~((above))~~ of this section solely because income has not been verified.

~~((c))~~ (d) The CSO shall promptly contact the collateral contact or otherwise assist the household in obtaining the necessary verification.

(4) Households that are certified on an expedited basis and have provided all necessary verification required prior to certification shall be assigned a normal certification period. When social security numbers are the only mandatory items not verified, the household shall be certified for a three-month period. Individuals required to provide SSNs for verification must do so at or prior to recertification unless able to show good cause for not meeting this requirement. If good cause is established, the participant may continue to participate provided the individual has documentation indicating he/she has applied for an SSN. If all necessary verification was postponed the household will be certified for one month only.

(a) Benefits will not be continued past the month of application if verification continues to be postponed.

(b) At the time of reapplication, the household must complete the verification requirements which were postponed.

(c) There is no limit to the number of times a household can be certified under expedited procedures, so long as prior to each expedited certification, the household either completes the verification requirements postponed at the last expedited certification, or was certified under normal processing standards since the last expedited certification.

(5) A household entitled both to expedited service and waiver of office interview shall be interviewed by the first working day following the date the application was filed. If the application is not complete and a telephone interview is conducted, the department shall complete the application for the household during the interview and mail the completed application the same day to the household for signature. Time limits shall be calculated from the date a completed and signed application is received rather than the date the application was filed.

AMENDATORY SECTION (Amending Order 1558, filed 10/20/80)

WAC 388-54-675 WORK REGISTRATION REQUIREMENT. (1) Each individual between the ages of ~~((+8))~~ eighteen and ~~((60))~~ sixty is required to register for employment prior to certification, and once every ~~((6))~~ six months after initial registration, except:

(a) A person physically or mentally unfit for employment;

(b) A parent, or other member of the household, who has responsibility for the care of a dependent child under ~~((+2))~~ twelve years of age, or of an incapacitated person;

If the child has its ~~((+2th))~~ twelfth birthday within a certification period, the individual responsible for the care of the child shall fulfill the work registration requirement as part of the next scheduled recertification process, unless the individual qualifies for another exemption.

(c) A parent, or other caretaker, of a child under ~~((+8))~~ eighteen years of age in a household where another able-bodied parent is registered for work or is exempt as a result of employment;

(d) A person receiving unemployment compensation, or a person who has applied for, but not yet begun to receive unemployment compensation, but has registered for work as a requirement for receiving unemployment compensation;

(e) A household member subject to and participating in the WIN program;

Household members, who are required to register for work under WIN or unemployment compensation and fail to comply with the work registration requirements of those programs, shall not be denied food stamp benefits solely for this failure. These members lose their exemption and must register for work if they qualify in ~~((+))~~ (1) of this section.

(f) A person who is employed, or self-employed, at least ~~((30))~~ thirty hours per week, or receiving weekly earnings equal to the federal minimum wage, multiplied by ~~((30))~~ thirty hours;

(g) A student enrolled at least half time in any recognized school, training program or institution of higher education provided that those students have met the eligibility conditions in WAC 388-54-670;

(h) A regular participant in a drug addiction or alcoholic treatment and rehabilitation program;

(i) A child who has its ~~((+8th))~~ eighteenth birthday within the certification period. This child shall fulfill the work registration requirement as part of the next scheduled recertification process, unless the child qualifies for another exemption~~((:))~~;

(j) A person who is complying with work requirements imposed as a participant in any refugee resettlement program including but not limited to the Indochinese refugee assistance program, or the E&T program when approved by FNS. The program must demonstrate that work registration requirements are at least equivalent to food stamp requirements, activities are monitored, and that all other household members who are not exempt are registered for work;

(k) A migrant or seasonal farmworker who is under contract or similar agreement with an employer to begin employment within thirty days;

(1) The department shall verify any claim for exemption which it determines to be questionable.

(2) The department shall provide work registration forms to the applicant for each household member who is required to register for employment. Household members are registered when a completed work registration form is submitted to the department. The department shall forward the completed form to the state employment service.

(3) The applicant's statement concerning the employability of each member of the household shall be accepted unless the information is questionable.

(4) Each member required to register for employment shall also be required to:

(a) Report for an interview to the office where he is registered upon reasonable request;

(b) Respond to a request from the employment service office requiring supplemental information regarding employment status or availability for work;

(c) Report to an employer to whom he has been referred by such office, if the potential employment is suitable;

(d) Accept a bona fide offer of suitable employment to which he is referred by such office;

(e) Continue suitable employment to which the registrant was referred by such office until the employment is no longer considered suitable, the registrant becomes exempt, or is terminated from employment due to circumstances beyond the registrant's control.

(5) If the department finds that a household member refused or failed to comply with the work registration requirement without good

cause, the household shall be ineligible for participation in the program, until the member complies, becomes exempt, or, for ~~((2))~~ two months, whichever is earlier.

(6) In determining whether good cause existed for failure to comply, facts and circumstances shall be considered including information submitted by the employment office, the household member and the employer. "Good cause" includes circumstances beyond the member's control, such as but not limited to, illness, illness of another household member sufficiently serious to require the presence of the household member, unavailability of transportation, and unanticipated emergency. Problems caused by inability of the work registrant to speak or write English could constitute good cause.

(7) Employment will be considered unsuitable if:

(a) The wages offered are less than the highest amount of the standard following:

(i) The applicable state or federal minimum wage,

(ii) ~~((80%))~~ Eighty percent of the federal minimum wage~~((:))~~;

(b) The employment offered is on a piece-rate basis and the average hourly yield the employee can reasonably be expected to earn is less than the hourly wages specified in subsection (7)(a) of this section;

(c) The registrant, as a condition of employment, or continuing employment, is required to join, resign from, or refrain from joining any legitimate labor organization; or

(d) The work offered is at a site subject to a strike or a lockout at the time of the offer, unless the strike has been enjoined under section 208 of the labor-management relations act (commonly known as the Taft-Hartley act) or unless an injunction has been issued under section 10 of the railway labor act.

(8) Employment shall be considered suitable unless the household member can demonstrate, or the department otherwise becomes aware that:

(a) The degree of risk to the registrant's health and safety is unreasonable.

(b) The registrant is not physically or mentally fit to perform the employment offered, as documented by medical evidence or reliable information obtained from other sources.

(c) The employment offered is outside the registrant's major field of experience unless, after a period of ~~((30))~~ thirty days from registration, job opportunities in his major field have not been offered.

(d) The distance from the member's home to the place of employment is unreasonable considering the expected wages and the time and cost of commuting.

(e) If daily commuting time, not including the transporting of a child to and from a child care facility, exceeds two hours, or if the place of employment is too far to walk to and neither private nor public transportation is available to the client.

(f) The working hours or nature of the employment interferes with the member's religious observances, convictions, or beliefs.

(g) In case of students, the employment is offered during class hours or is more than ~~((20))~~ twenty hours a week.

(9) No household shall be denied participation solely on the grounds that a member of the household is not working because of a strike or a lockout at his or her place of employment unless the strike has been enjoined under paragraph 208 of the labor-management relations act (commonly known as the Taft-Hartley act), or unless an injunction has been issued under section 10 of the railway labor act.

(10) At the end of the ~~((2))~~ two-month disqualification period, a household may apply to ~~((re-establish))~~ reestablish eligibility. Eligibility may be reestablished during the disqualification period if the reason for disqualification is corrected.

(11) A registrant who moves out of the jurisdiction of the department of employment security (DES) office with which he/she is registered must reregister at his/her new location.

(12) Persons losing exemption status due to any change of circumstance:

(a) Subject to reporting requirements shall register for work; the work registration report form shall be completed and returned within ten calendar days of the date the department hands or mails the form to the household member reporting the change. Failure to complete and return the form within that period shall result in termination of the household;

(b) Not subject to reporting requirements shall register for employment at the household's next recertification.

(13) The household shall be held liable for any overissuances which result from erroneous information given by the household member or the household's authorized representative.

NEW SECTION**WAC 388-54-678 JOB SEARCH REQUIREMENT. (1)(a)**

Persons required to register for work shall be subject to job search requirements in accordance with the following categories:

(i) Category I – job ready – work registrants who have no apparent substantial barriers to employment;

(ii) Category II – nonjob ready – work registrants with substantial barriers to employment, for example, medical, transportation, language or family problems;

(iii) Category III – exempt – work registrants for whom a job search is determined to be impractical, specifically including those individuals residing an unreasonable distance from the appropriate DES office or potential employers, and migrant and seasonal farmworkers away from their home base and following the work stream.

(b) Category assignment and exempt status shall be determined by DES at the time the work registration form is received from the department.

(2) Registrants subject to job search:

(a) Shall contact, as required by DES, up to twenty-four prospective employers during an eight-week, or two four-week period(s) of mandatory job search each time they are entered into the food stamp program or each twelve months, whichever occurs sooner;

(b) Shall report at a prescheduled time to the DES on the result of all job contacts twice during the eight-week period;

(c) Shall comply with DES follow-up interviews. If a household member has refused or failed without good cause to comply with the requirement of this section, the entire household shall be ineligible;

(d) Within ten days after a determination of failure to comply, shall be issued a notice of adverse action by the department;

(e) Have a right to a fair hearing to appeal a denial, reduction or termination of benefits due to a determination of nonexempt status or failure to comply.

(3) Work registrants classified as category II will not be assigned any specific job search activity.

(a) Job attached persons who have not returned to their jobs or otherwise become exempt from the job search requirement may be called in for job search categorization reassessment at the end of sixty days;

(b) Other persons may be called in for job search categorization reassessment during the six-month period.

(4) Work registrants classified as category III will not be required to fulfill job search requirements until such time as they are reclassified into an active job search category.

(5) Failure to comply with the job search requirement without good cause shall result in household disqualification for a two-month period unless the member who caused the disqualification becomes exempt from the work requirement, is no longer a member of the household, or the member complies.

(6) In determining whether good cause exists for failure to comply, facts and circumstances shall be considered including information submitted by DES, the member and the employer.

"Good cause" includes circumstances beyond the member's control, such as but not limited to, illness, illness of another household member sufficiently serious to require the presence of the household member, unavailability of transportation and unanticipated emergency; problems resulting from inability of the work registrant to speak or write English could constitute good cause.

(7) Each household has a right to a fair hearing through the department to appeal a denial, reduction or termination of benefits due to a determination of nonexempt status or failure to comply with work registration and job search requirements of this section and WAC 388-54-675.

Each household may request a review of any decision made on the part of DES, such as a job search classification, prior to requesting a fair hearing through the department.

AMENDATORY SECTION (Amending Order 1545, filed 9/17/80)

WAC 388-54-770 CERTIFICATION PERIODS—REPORTING CHANGES DURING. (1) The recipient household is required to report the following changes in circumstances:

(a) All changes in income of more than ~~(\$25.00)~~ twenty-five dollars and source of income, except changes in public assistance grants.

(b) All changes in household composition such as addition or loss of a household member.

(c) Changes in residence and the resulting change in shelter costs.

(d) The acquisition of a licensed vehicle not fully exempt under WAC 388-54-717.

(e) When nonexempt liquid resources reach or exceed ~~(\$1,750.00)~~ one thousand seven hundred fifty dollars. (See WAC 388-54-715(1)(a)).

(2) All changes in status must be reported within ten calendar days of the date the change becomes known to the household. Reporting may be by telephone, mail or personal contact.

(3) Changes shall be considered to be reported by the household on the date the report is received by the CSO or if mailed the date the household's report is postmarked.

(4) Individuals shall not be disqualified for failing to report a change, unless the individual is disqualified in accordance with the fraud disqualification procedures.

(5) The client is entitled to receive:

(a) A change report form at the time of initial certification.

(b) Acknowledgment of receipt of a notice of change given by the client to the department pursuant to subsection (2) (~~above~~) of this section.

(c) Notification of the amount of change in the allotment if the reported change results in such an adjustment.

(d) Notification of any additional verification requirements brought about by the reported change of circumstances.

(e) Notification that failure to provide required verification within ten days will result in delay of increased benefits (~~reverting to the original allotment~~).

(f) A new change report form when a change has been reported.

AMENDATORY SECTION (Amending Order 1466, filed 12/19/79)

WAC 388-54-775 CERTIFICATION PERIODS—EFFECTING CHANGES DURING. (1) For changes which result in an increase in benefits the department will make the change effective not later than the first allotment issued ~~((+0))~~ ten days after the change was reported to the department, provided that the household has furnished the required verification within ten days. The time frames shall run from the date the change was reported, not from the date of verification. If verification is not provided within ten days, the increase in benefits shall be effective not later than the first allotment issued ten days after the verification is provided.

(2) For changes which result in an increase in a household's benefits due to the addition of a new household member who is not a member of another certified household, or due to a decrease of ~~(\$50)~~ fifty dollars or more in the household's gross monthly income, the department shall:

(a) Make the change effective not later than the first allotment issued ~~((+0))~~ ten days after the date the change was reported, except that;

(b) In no event shall these changes take effect any later than the month following the month in which the change is reported.

(3) If the household's benefit level decreases or the household becomes ineligible as a result of the change, the department will take the following action:

(a) Issue a notice of adverse action within ~~((+0))~~ ten days of the date the change was reported.

(b) The decrease in the benefit level shall be made effective with the first allotment to be issued after the ~~((+0))~~ ten day notice of adverse action has expired, provided a fair hearing and continuation of benefits have not been requested.

(4) If the department discovers that the household has failed to report a change as required and has received benefits to which it was not entitled, the department shall file a claim against the household for the amount of the overpayment.

Individuals shall not be terminated for failing to report a change, unless the individual is disqualified in accordance with the fraud disqualification procedures.

(5) Public assistance households which report a change in circumstances to the department shall be considered to have reported the change for food stamp purposes.

(6) Changes reported to the department pursuant to WAC 388-54-770(2), whether they result in an increase, decrease or no change in the allotment amount shall be documented in the case records as to:

(a) Date received; and

(b) Circumstances.

(7) If the department fails to take action on reported changes as specified in subsection (1) (~~above~~) of this section, restoration of lost benefits shall be provided to the client.

~~((8) Verification of circumstances which result in an increased allotment shall be provided by the client. Such verification must be obtained prior to the issuance of the second monthly allotment after the change is reported.~~

~~(a) If the client does not provide verification, benefits will revert to the original allotment level without a notice of adverse action.~~

~~(b) If the department determines that a client has refused to cooperate, the client's eligibility shall be terminated following a notice of adverse action.)~~

WSR 81-08-047
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Health)

[Filed March 31, 1981]

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 nursing homes, amending chapter 248-14 WAC.

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

David A. Hogan, Director
Client and Community Relations Division
Department of Social and Health Services
Mailstop OB-44 D
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 April 22, 1981. The meeting site is in a location which is barrier free;

that such agency will at 10:00 a.m., Wednesday, May 6, 1981, in the Auditorium, 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, May 20, 1981, in William B. Pope's office, 4th floor, Office Building #2, 12th and Franklin, Olympia, Washington.

The authority under which these rules are proposed is RCW 18.51.070.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to May 6, 1981, and/or orally at 10:00 a.m., Wednesday, May 6, 1981, Auditorium, Office Building #2, 12th and Franklin, Olympia, Washington.

Dated: March 31, 1981

By: David A. Hogan
Director, Client and
Community Relations Division

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Regarding:

Amendments to the following sections:
WAC 248-14-001, 248-14-100, 248-14-

110, 248-14-120, 248-14-130, 248-14-140, 248-14-150, 248-14-160, 248-14-170, 248-14-180 and 248-14-200.

New sections: WAC 248-14-114, 248-14-125, 248-14-128, 248-14-152 and 248-14-155.

Repealing WAC 248-14-115.

Purpose of the rule or rule changes is to:

Fully implement chapters 18.51 and 74.42 RCW as passed by the 1979 and 1980 legislative sessions.

Update definitions.

Develop new construction regulations.

Statutory authority: RCW 18.51.070.

Summary of the rule or rule change:

Implements old and new laws relating to physical plant requirements, chapter 74.42 RCW.

Amends definitions, WAC 248-14-001.

Persons responsible for the drafting, implementation, and enforcement of the rule.

Persons jointly responsible are:

Name of initiator: Conrad Thompson

Title: Director

Office: Bureau of Nursing Home Affairs

Division of Social and Health Services

Mailstop: OB-31

Phone: 753-5840

Name of initiator: Myrtle O'Boyle

Title: Section Head

Office: Health Facility Development Section

Health Services Division

Mailstop: LP-13

Phone: 753-5827

The persons or organization (if other than DSHS) who prepared these rules is: None.

These rules are not necessary as a result of federal laws, federal court decisions or state court decisions.

Agency comments/recommendations: DSHS, Division of Social and Financial Services, and Health Services Division agree that updating of these nursing home licensure rules and regulations is long overdue.

Fiscal, in new construction or major alternations of physical facilities, the new requirements for physical plant have been combined from the various federal and state codes to combine all necessary building regulations in one location. Builders are required to meet most of these construction codes now.

Legal opinion has been received which will negate the proposal for 1 and 2 bedrooms.

Proposed regulations have been reviewed by and consultation received from the Nursing Home Advisory Council and State Board of Health as mandated by statute RCW 18.51.070. A public hearing was held November 26, 1980. The decision was to delay adoption for 120 days pending further legal opinions and the effects of 1981 legislation.

AMENDATORY SECTION (Amending Order 1509, filed 5/28/80)

WAC 248-14-001 DEFINITIONS. (1) All adjectives and adverbs such as adequate, approved, immediately, qualified, reasonable, reputable, satisfactory, ~~((sufficiently))~~ sufficient, or suitable, used in these ~~((rules and))~~ nursing home regulations to qualify a ~~((person; equipment or building;))~~ requirement shall be as determined by the Washington state department of social and health services with the advice and guidance of the nursing home advisory council and the state board of health.

(2) "Activity director" ~~((means someone on the staff of a nursing home))~~ - an employee who is responsible for the development, implementation, and maintenance of a program for ~~((patients))~~ residents which is intended to provide activities to meet their needs and interests ~~((and not be in conflict with the plan of treatment)).~~

(3) "Alterations" - structural, functional, mechanical, or electrical changes made to existing facilities except for painting or repair.

(4) "Ambulatory person" - ~~((means))~~ a person, who, unaided by another person, is physically and mentally capable of walking a normal path to safety, including the ascent and descent of stairs.

~~((4))~~ (5) "Attending physician" - ~~((means))~~ the ~~((physician))~~ doctor who is responsible for a particular person's total medical care ~~((during the period of time the person is an inpatient or outpatient of the nursing home)).~~

~~((5))~~ (6) "Bathing facility" - ~~((means))~~ a bathtub or shower. ~~((Does not include sitz baths or other fixtures designed primarily for therapy.~~

~~((6))~~ "Client" - see "Patient".)

(7) "Citation" - the deficiency written by a surveyor on an official state and/or federal statement of deficiencies form following a full survey, post survey or complaint investigation.

(8) "Department" - ~~((means))~~ the state department of social and health services.

~~((8))~~ (9) "Dialysis" - ~~((means))~~ the process of separating crystalloids and colloids in solution by means of their unequal diffusion through a natural or artificial, semi-permeable membrane.

(a) "Acute dialysis" - ~~((means))~~ hemodialysis or peritoneal dialysis in the treatment of a person with renal failure for a period of time during which it is medically determined whether renal function may be restored or the failure is irreversible.

(b) ~~((Maintenance dialysis" - means recurrent hemodialysis or peritoneal dialysis in the long term treatment of a person with chronic, irreversible renal failure of such severity that other medical management will not support life.~~

~~((c))~~ "Hemodialysis" - ~~((means))~~ dialysis of the blood by means of an "artificial kidney" through which blood is circulated on one side of a semi-permeable membrane while the other side is bathed by a salt solution. The accumulated toxic products diffuse out of the blood into the salt solution.

(c) "Maintenance dialysis" - recurrent hemodialysis or peritoneal dialysis in the long term treatment of a person with chronic, irreversible renal failure of such severity that other medical management will not support life.

(d) "Peritoneal dialysis" - ~~((means))~~ dialysis of the blood by inserting a tube into a person's abdomen and instilling a sterile salt solution into the peritoneal cavity. Accumulated toxic products diffuse out of the blood through the semi-permeable membrane of the peritoneum into the salt solution. After a period of time for diffusion, the solution is allowed to drain from the peritoneal cavity.

(e) "Self-dialysis" - ~~((means))~~ carrying out dialysis on oneself, assuming primary responsibility for the dialysis procedure whether or not one has assistance.

(f) "Self-dialysis training" - a program of patient education in which a patient is taught how to perform self-dialysis safely and effectively and to care for dialysis equipment and supplies.

~~((9))~~ (10) "Dialysis room" - ~~((means))~~ a room in which a patient undergoes dialysis.

~~((10))~~ "Dose" - means the amount of drug to be administered at one time.)

(11) "Drug"

(a) Substances recognized as drugs in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States, or any supplement to any of them.

(b) Substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man.

(c) "Drug administration" - the direct application of a drug by injection, inhalation, ingestion or any other means to the body of a patient.

(d) "Drug dispensing" - an act entailing the interpretation of an order for a drug or biological and, pursuant to that order, the proper selection, measuring, labeling, packaging, and issuance of the drug or biological to a residential care unit.

(e) "Legend drug" - a drug bearing the legend, "Caution, federal law prohibits dispensing without a prescription."

(12) "Drug facility" - ~~((means))~~ a room or area designed and equipped for drug storage and the preparation of drugs for administration.

~~((12))~~ (13) "Facilities" - ~~((means))~~ a room or area and/or equipment to serve one or more specific functions.

~~((13))~~ Faucet controls: (a) "Wrist control" - means water supply controls at least 4 inch overall horizontal length designed and installed to be operated by the wrists.

(b) "Elbow control" - means water supply controls at least 6 inch overall horizontal length designed and installed to be operated by the elbow.

(c) "Knee control" - means water supply controls, each operated by a mixing valve designed and installed to be operated by the knee.

(d) "Foot control" - means water supply controls, each operated by a mixing valve designed and installed to be operated by the foot.

(14) "Free hanging space for clothes" - means separated space in an enclosed wardrobe or closet with a rod which provides for daytime clothing to hang full length without touching the floor of the closet.

(15) "Functional abilities" - means the physical, mental, emotional, and social abilities to cope with the activities and affairs of daily living.

~~((16))~~ (14) "Grade" - ~~((means))~~ the level of ground adjacent to the building measured at required windows. The ground must be level or slope downward for a distance of at least 10 feet from the wall of the building. From there the ground may slope upward not greater than an average of one foot vertical to two feet horizontal within a distance of 18 feet from the building.

~~((17))~~ "Handwashing facility" - means a lavatory or a sink designed and equipped to serve for handwashing purposes.

(18) "He, him, his and himself" - are the pronouns used in reference to a person of either sex, male or female. This choice of pronouns has been adopted for the purpose of consistency and to facilitate reading of these rules and regulations and does not mean preference for nor exclude reference to either sex.

~~((19))~~ (15) "Immediate supervision" ~~((means))~~ on site supervision ~~((of the performance))~~ of one or more persons ~~((when both supervisor and the person(s) over whose performance he exercises supervision are on duty within the nursing home)).~~

~~((20))~~ (16) "Kidney center" - ~~((means))~~ a health care facility which is designed, equipped, staffed, organized and administered to provide the following services:

(a) Medical, social and psychological evaluation and selection of persons eligible for maintenance dialysis or kidney transplantation by a formal review body.

(b) Dialysis.

(c) Kidney transplantation for patients with chronic renal failure, either directly or by appropriate referral where this form of therapy is medically indicated.

(d) Training program for physicians, nurses, technicians and members of other disciplines involved in the care and treatment of persons with chronic renal failure who receive dialysis.

(e) Self-dialysis training program for patients.

(f) Evaluation of situations or facilities and assistance in planning necessary alterations and installations to ensure safe and adequate facilities for maintenance dialysis.

(g) An organized system by which patients undergoing dialysis at home or in a nursing home or other satellite facility procure the supplies and equipment necessary to safe and efficient administration of dialysis.

(h) Continued medical management and surveillance of care of patients receiving maintenance dialysis at home or in a nursing home or other satellite facility by means of outpatient clinic services and a continuing program of review, consultation and training.

(i) An in-hospital dialysis program which can provide the full gamut of services for diagnosis and treatment of persons with chronic renal disease. The in-hospital services may be provided by means of an association or affiliation with an in-hospital dialysis program.

~~((21))~~ (17) "Lavatory" - ~~((means))~~ a plumbing fixture designed and equipped to serve for handwashing purposes.

~~((22))~~ "Legend drug" - means a drug bearing the legend, "Caution, federal law prohibits dispensing without a prescription."

~~((23))~~ (18) "Licensed nurse" - ((means)) either a registered nurse or a licensed practical nurse.

~~((24))~~ (a) "Licensed practical nurse" - ((means)) a person duly licensed under the provisions of the Licensed Practical Nurse Act of the state of Washington, chapter 18.78 RCW.

(b) "Registered nurse" - a person duly licensed under the provisions of the law regulating the practice of registered nursing in the state of Washington, chapter 18.88 RCW.

~~((25))~~ (19) "New construction" shall include any of the following, ((started after)) when the preliminary plans have not been reviewed and accepted at the time of adoption of these ((rules and)) regulations ((by the department)):

(a) New buildings to be used as a nursing home.

(b) Additions to existing buildings to be used as a nursing home.

(c) Conversions including buildings which have been licensed previously as nursing homes and have not been used as such for a period in excess of one year.

(d) Alterations other than repairs ~~((; except where an exemption has been granted by the director under WAC 248-18-060)).~~

~~((26))~~ "Night light" - means a light fixture which is flush-mounted on the wall near the entrance doorway centered about fourteen inches above the floor providing from 0.5 to 1.5 footcandles of light measured on the floor at a distance of three feet from the light fixture.

~~((27))~~ (20) "Nursing care" - ((means)) services designed to maintain or promote achievement of optimal independent function and health status ~~((; and))~~ which are planned, supervised and evaluated by a registered nurse in the context of an overall individual plan of care.

~~((28))~~ (21) "Nursing home" - ((means)) any home, place or institution which operates or maintains facilities providing convalescent or chronic care, or both, for a period in excess of twenty-four consecutive hours for three or more patients not related by blood or marriage to the operator, who, by reason of illness or infirmity, are unable properly to care for themselves. Convalescent and chronic care may include, but not be limited to, any or all procedures commonly employed in waiting on the sick, such as administration of medicines, preparation of special diets, giving of bedside nursing care, application of dressings and bandages, and carrying out of treatment prescribed by a duly licensed practitioner of the healing arts. Nothing in this definition shall be construed to include ~~((general hospitals or other places which provide care and treatment for the acutely ill and maintain and operate facilities for major surgery or obstetrics or both. Nothing in this definition shall be construed to include any boarding home, guest home, hotel or related institution which is held forth to the public as providing, and which is operated to give only board, room and laundry, to persons not in need of medical or nursing treatment or supervision except in the case of temporary acute illness. Nothing in this definition shall be construed to include any facility licensed under chapter 71.12 RCW as a private establishment. The mere designation by the operator of any place or institution as a hospital, sanitarium, or any other similar name, which does not provide care for the acutely ill and maintain and operate facilities for major surgery or obstetrics, or both, shall not exclude such place or institution from the provisions of this chapter))~~ facilities precluded by RCW 18.51.010.

~~((29))~~ (22) "Nursing services" - an organized department under the direction of a registered nurse, the members of which provide nursing care.

~~((30))~~ (23) "Outpatient service" is any service provided to ~~((an outpatient))~~ a nonresident.

~~((31))~~ (24) "Patient" - ((means)) a ~~((resident))~~ person who is receiving preventive, diagnostic, therapeutic, habilitative, rehabilitative, maintenance or palliative health related services under professional direction.

(a) "In-patient" - ~~((means))~~ a ~~((patient))~~ resident who is receiving services with board and room in a nursing home on a continuous 24-hour a day basis.

(b) "Out-patient" - ~~((means))~~ a ~~((patient))~~ nonresident who is receiving services at a nursing home which is not providing him/her these services with room and board on a continuous 24-hour a day basis.

(c) ~~((Self-dialysis patient" - means a patient who performs self-dialysis.~~

~~((d))~~ "Patients requiring skilled nursing care" - ((means)) those residents whose conditions, needs, and/or services are of such complexity and sophistication so as to require the continuous or frequent observation and intervention of a licensed physician and/or a registered nurse. These patients require ongoing assessments of physiological and/or psychological needs, and the development and

implementation of a comprehensive total plan of care involving ~~((multidisciplinary))~~ interdisciplinary planning input and coordination. Patient needs include ongoing evaluations, care plan revisions and the teaching necessary to provide for those whose condition is unstable and/or complex.

~~((e))~~ (d) "Patients requiring intermediate nursing care" - ((means)) those residents whose physiological and psychological conditions and needs are relatively stable, but who require individually planned health programs under the direction of a registered nurse for supervision, assistance, protection and restoration. The primary needs of these residents are for interdisciplinary programs/attention, designed to foster optimum independent function and prevent deterioration and disability and which may be provided by nonprofessional persons.

~~((f))~~ (e) "Patients requiring care for mental retardation or related conditions" - ((means)) residents who are found eligible by the division of developmental disabilities and who require health care services in accord with subparagraph ~~((d))~~ (c) or ~~((e))~~ (d) of this subsection, and who are in need of a comprehensive habilitative/developmental program which is incorporated into a 24-hour overall program plan.

(25) "Peninsular (or island) bathtub" - a bathtub which is installed so it is accessible from two sides and the end of the tub with sufficient clearances between the sides and the end of the tub and a wall or any fixed equipment to accommodate patients, equipment, and attendants.

~~((32))~~ (26) "Pharmacist" - ((means)) a person duly licensed by the Washington state board of pharmacy ~~((to engage in the practice of pharmacy))~~ under the provisions of chapter 18.64 RCW.

~~((33))~~ (27) "Pharmacy" - ((means)) a place where the practice of pharmacy is conducted, properly licensed under the provisions of chapter 18.64 RCW ~~((by the Washington state board of pharmacy)).~~

~~((34))~~ "p.r.n. drug" - means a drug which a physician has ordered to be administered only when needed under certain circumstances.

~~((35))~~ "Registered nurse" - means a person duly licensed under the provisions of the law regulating the practice of registered nursing in the state of Washington, chapter 18.88 RCW.)

(28) "Physician's assistant" - a person acting as an extender for a designated physician and under a plan of utilization approved by the Board of Medical Examiners or the Board of Osteopathic Medicine and Surgery and is registered under the provisions of the law regulating the practice of physician's assistant in the state of Washington, chapters 18.71A or 18.57A RCW.

(29) "Practitioner" - a physician under chapter 18.71 RCW; an osteopathic physician or an osteopathic physician and surgeon under chapter 18.57 RCW; a dentist under chapter 18.32 RCW; a podiatrist under chapter 18.22 RCW; a registered nurse under chapter 18.88 RCW when authorized by the board of nursing; an osteopathic physician's assistant under chapter 18.57A RCW when authorized by the committee of osteopathic examiners; a physician's assistant under chapter 18.71A RCW when authorized by the board of medical examiners; or a pharmacist under chapter 18.64 RCW.

(30) "Resident" - means an in-patient.

(31) "Residential care unit" - a separate, physical and functional unit which includes resident rooms, toilets, bathing facilities, and basic service facilities as identified in WAC 248-14-120(2)(a).

~~((36))~~ (32) "Respiratory isolation" - ((means)) a procedure for the prevention of transmission of pathogenic organisms by means of droplets and droplet nuclei that are coughed, sneezed, or breathed into the environment.

~~((37))~~ (33) "Responsible party" is that legally responsible person to whom the rights of a client have legally devolved.

~~((38))~~ "Self-dialysis training" - means a program of patient education in which a patient is taught how to perform self-dialysis safely and effectively and to care for dialysis equipment and supplies.

(39) "Shall" - means compliance is mandatory.

(40) "Should" - means a suggestion or recommendation.

(41) "Single unit" - means one, discrete pharmaceutical dosage form (e.g., one tablet or one capsule) of a drug. A single unit becomes a unit dose, if the physician orders that particular amount of the drug for a person.

(42) "Stop order" - means a written policy that definitely prescribes the number of doses or the period of time after which administration of a drug to a patient must be stopped automatically, unless the physician's order for the drug specified the number of doses or the period of time the order was to be in effect.

~~((43))~~ (34) "Supervision" - ~~((means))~~ the process of overseeing ~~((the))~~ performance ~~((of one or more persons))~~ while having the responsibility and authority to guide or direct and critically evaluate ~~((performance of the person(s) and to take corrective action when indicated))~~.

~~((44))~~ (35) "Toilet" - ~~((means))~~ a room containing at least one water closet.

~~((45))~~ (36) "Unit-dose" - ~~((means))~~ the ordered amount of a drug in a dosage form ready for administration to a particular person ~~((by the prescribed route at the prescribed time))~~.

~~((46))~~ (37) "Unit-dose drug distribution system" - ~~((means))~~ a system ~~((whereby a pharmacist dispenses))~~ of drug dispensing and control that is characterized by the dispensing of the majority of drugs in unit doses ~~((so the selection and issuance of individual doses of drugs for administration are pharmacy based and controlled))~~ and for most drugs, not more than a forty-eight hour supply of doses is available at the residential care unit at any time.

~~((47))~~ (38) "Usable floor space" ~~((, as used in reference to new construction))~~ excludes areas taken up by vestibules, closets, wardrobes, portable lockers and toilet rooms.

~~((48))~~ (39) "Water closet" - ~~((means))~~ a plumbing fixture ~~((for defecation))~~ fitted with a seat and a device for flushing defecation from the bowl of the fixture with water.

NEW CONSTRUCTION

AMENDATORY SECTION (Amending Order 1509, filed 5/28/80)

~~WAC 248-14-100 ((NEW CONSTRUCTION PHYSICAL PLANT))~~ APPROVAL OF PLANS. (1) ~~((When new construction is contemplated, preliminary plans shall be submitted, in duplicate to the department for review. These plans shall be drawn to scale and shall include the plot plan, showing streets, entrance ways, sewage disposal system, and the arrangement of buildings on the site, and drawings giving the general arrangement within the building (existing and proposed), including the intended purpose and fixed equipment of each room. The preliminary plans shall be accompanied by a statement of source of water supply, and method of sewage and garbage disposal and a general description of construction and materials, including interior finishes.))~~ Narrative program. The sponsor for each new construction or alteration project shall provide a narrative which describes:

- ~~(a) functional space requirements,~~
- ~~(b) staffing patterns,~~
- ~~(c) departmental relationships,~~
- ~~(d) traffic patterns,~~
- ~~(e) a description of each function to be performed,~~
- ~~(f) types of equipment required,~~
- ~~(g) description of necessary services which are available elsewhere in the community.~~

~~(2) ((In addition to specific requirements, the department may make recommendations designed to promote ease and efficiency of operation.))~~ Preliminary plans.

~~(a) Plans and specifications for new construction shall be prepared by or under the direction of a Washington licensed architect or engineer, and be submitted in duplicate.~~

~~(b) If a project sponsor believes the work to be done is not extensive enough to require professional architectural or engineering services a written description of the proposed construction shall be submitted to the department for a determination of the applicability of requirement WAC 248-14-100(2)(a).~~

~~(c) Plans shall be drawn to scale and shall include:~~

- ~~(i) Plot plan showing streets, entrance ways, sewage disposal system, and the arrangement of buildings on the site; and~~
- ~~(ii) Floor plans showing existing and proposed arrangements within the building, including the fixed equipment;~~
- ~~(iii) Each room, space, and corridor shall be identified by function and numbered consecutively.~~

~~(d) Plans shall be accompanied by a statement of approval of the water supply, sewage and garbage disposal systems.~~

~~(e) Preliminary specifications shall include a general description of construction and materials, including interior finishes.~~

~~(3) Final construction documents.~~

~~(a) Construction or alterations shall not be commenced until duplicate sets of final plans drawn to scale and complete specifications, ~~((approved by applicable local authorities,))~~ have been submitted, in ~~((triplicate))~~ duplicate, to the department and approved.~~

~~(b) These plans and specifications shall show complete details to be furnished contractors for construction of buildings ~~((These should include)),~~ including:~~

- ~~((a))~~ (i) Plot plan;
- ~~((b))~~ (ii) Plans of each floor of the building, ~~((including intended purpose and))~~ showing fixed equipment ~~((of each room)),~~ and ~~((probable))~~ arrangement of beds in patients' rooms;
- ~~((c))~~ (iii) Elevations, sections, and construction details;
- ~~((d))~~ (iv) Schedule of floor, wall, and ceiling finishes, door and window sizes and types;
- ~~((e))~~ (v) Plumbing, heating, ~~((and))~~ ventilating and electrical systems including fire protection system and devices~~(;~~

~~(f) Specifications fully describing workmanship and materials).~~

~~((4) Adequate provisions shall be made for the safety and comfort of patients if construction work takes place in or near occupied areas.~~

~~(5) A review of all plans submitted for approval in accordance with these regulations shall be mailed directly to the operator within 30 days of their receipt by the department and shall clearly show the items disapproved with a citation to the regulation violated. In the event that said review is not mailed or delivered to the operator within 30 days, the plans shall be deemed approved.~~

~~(6) Specifications fully describing workmanship and materials. If carpets are to be installed the following information must be provided:~~

~~(a) A floor plan showing areas to be carpeted and adjoining areas. These areas shall be labeled, according to function, and the proposed carpeted areas coded on the plan and keyed to the appropriate carpet sample.~~

~~(b) A 3" x 5" sample of each carpet type, labeled to identify the following:~~

~~(i) Manufacturer.~~

~~(ii) Specific company designation (trade name and number).~~

~~(c) Information showing that proposed carpeting meets the specifications as listed in WAC 248-14-130(d).~~

~~(4) Preinstallation submissions shall include:~~

~~(a) Shop drawings for fire protection systems and devices.~~

~~(b) If carpets are to be installed, the following information must be provided:~~

~~(i) A floor plan showing areas to be carpeted and adjoining areas. These areas shall be labeled, according to function, and the proposed carpeted areas coded on the plan and keyed to the appropriate carpet sample;~~

~~(ii) A three-inch by five-inch sample of each carpet type, labeled to identify the manufacturer and specific company trade name and number;~~

~~(iii) Information showing that proposed carpeting meets the specifications as listed in WAC 248-14-130(1)(e).~~

~~(c) Plans showing provision for noise, dust and draft control, fire protection, safety and comfort of the resident if construction work takes place in or near occupied areas.~~

~~(5) All construction shall take place in accordance with the approved final plans and specifications. Changes must be reviewed and receive approval by the department prior to incorporation into the construction project.~~

~~(a) If construction has not begun within one year from the date of approval, the plans must be resubmitted for review in accordance with current requirements.~~

~~(b) If construction is not completed within two years from the date of approval, the plans shall be resubmitted for approval of the remaining construction consistent with current requirements.~~

~~(c) If an extension beyond two years is required such petition shall be submitted and justified to the department thirty days prior to the end of the two year period.~~

AMENDATORY SECTION (Amending Order 1509, filed 5/28/80)

~~WAC 248-14-110 ((NEW CONSTRUCTION PHYSICAL PLANTSITE))~~ IMR EXCEPTIONS TO PHYSICAL PLANT REQUIREMENTS. (1) ~~((Site and grounds. Nursing homes shall be located on good roads kept open to automobile traffic at all times, properly drained and not subject to flooding.~~

~~(2) The nursing home shall not be located where excessive noise, odors, dust, smoke, or traffic interferes with patient comfort.~~

~~(3) There should be adequate outdoor space for exercise and recreation of patients.~~

~~(4) The grounds should include lawns, gardens, outdoor sitting and recreation areas, and space for automobile parking. The building(s)~~

should not cover more than one-half of the lot.) The following regulations may not apply in intermediate care facilities certified exclusively for the care of the mentally retarded (IMR) or those with related conditions:

- (a) WAC 248-14-120(3)(i), Room arrangements.
- (b) WAC 248-14-120(4)(a), (b), and (f), Resident room equipment.
- (c) WAC 248-14-120(5)(a), Toilets directly accessible from each resident room and from each bathing facility.
- (d) WAC 248-14-120(5)(b), Bedpan flushing equipment.
- (e) WAC 248-14-120(8)(a)(i), Clean utility room.
- (f) WAC 248-14-120(11)(a), Nursing and medical equipment storage.
- (g) WAC 248-14-130(7)(a) and (b), Corridors, except that a six-foot corridor width is acceptable and handrails along both sides of the corridor may be omitted.
- (h) WAC 248-14-130(8)(a), Doors, except that three-foot wide resident room door is acceptable.
- (i) WAC 248-14-130(13)(b), Drinking fountain.
- (j) WAC 248-14-155(2)(a) and (b), Call system.
- (k) WAC 248-14-160(3), Reading light.
- (l) WAC 248-14-180(1)(d), Utility room(s).
- (2) The following need not be provided in every building in an IMR facility with multiple living units of twenty beds or less, but must be available on the grounds.
 - (a) WAC 248-14-114(2)(a), (b), (c), and (e), Lobby.
 - (b) WAC 248-14-114(3), Interview space.
 - (c) WAC 248-14-114(4), Offices.
 - (d) WAC 248-14-114(5), Inservice education facilities.
 - (e) WAC 248-14-114(6), Staff facilities.
 - (f) WAC 248-14-120(7), Nurses' station, except that a desk with a file drawer for record storage and a telephone are required.
 - (g) WAC 248-14-120(8)(b)(i), (ii), (iii), (iv), (v), and (vi), Soiled utility room, except that a soiled workroom for washing soiled toys and equipment shall be provided. It shall include a work counter, storage cabinets and a twelve-inch minimum depth double compartment sink. This soiled work area may be combined with the laundry facilities, if they are provided.
 - (h) WAC 248-14-120(11)(b), Wheelchairs and other ambulation equipment.
 - (i) WAC 248-14-128(1)(a) and (b), Laundry facilities, laundry services shall be provided in accordance with the narrative program.
 - (j) WAC 248-14-155(1), Telephones, except that a telephone shall be provided in accordance with the program.

NEW SECTION

WAC 248-14-114 ADMINISTRATION AND PUBLIC AREAS. (1) Entrance(s). The main entrances to the nursing home shall be sheltered from the weather. Main entrances and exits shall be accessible to the handicapped.

(2) Lobby. The nursing home shall have a lobby or areas in close proximity which include:

- (a) Waiting space with seating accommodations;
- (b) Reception and information area;
- (c) Space to accommodate persons in wheelchairs;
- (d) Public toilet(s);
- (e) Drinking fountain;
- (f) Public telephone.
- (3) Interview space or area shall be designed for auditory privacy.
- (4) Offices.
 - (a) Office space shall be provided for the administrator, the director of nursing services, and other personnel as appropriate.
 - (b) Facilities shall be provided for locked storage, including fire and water protection, of health records.
 - (c) Space and facilities shall be provided for the safe storage and handling of financial and business records of the nursing home. Safety consideration shall include fire, water and security protections.
- (5) Inservice education facilities. Space and facilities shall be designated for inservice education.
- (6) Staff facilities. There shall be a lounge, lockers, and toilets provided for employees and volunteers.

AMENDATORY SECTION (Amending Order 1509, filed 5/28/80)

WAC 248-14-120 ((NEW CONSTRUCTION REQUIRED ROOMS AND AREAS)) RESIDENTIAL CARE UNIT. (1) ((Corridors and doors. Corridors shall be not less than seven feet in width

except in service areas (minimum of five feet) or except where conditions of exit, as determined by the Washington state fire marshal, require eight feet in width; and doors to patient rooms shall be not less than three feet eight inches in width. Doors to patient bathrooms and toilets shall be not less than three feet in width, and the plumbing fixtures in these rooms shall be arranged to accommodate wheelchair patients.

These minimum corridor and door width specifications will not be required in alterations of existing nursing homes.

No door shall open into the patient corridor except closet doors, unless otherwise required by the Washington state fire marshal.

All patients' toilet room doors not opening onto a patient corridor shall open outward, and it is recommended that toilet doors opening onto corridors be recessed and open outward. Doors to patient toilets and bathrooms having locks shall have readily available a means of unlocking same from the outside.

Handrails shall be provided along both sides of all corridors. Except that this regulation shall not apply in facilities certified exclusively for the care of the mentally retarded or those with related conditions. It is recommended that handrails be mounted 34 inches above the floor.

Stairways shall be provided with handrails on both sides, and all open stair wells shall be protected by guard rails, and be equipped with nonslip material on the treads.) Location. Each residential care unit shall be located to avoid through traffic to any general service, diagnostic, treatment, or administrative area. All rooms or areas within the unit shall be on the same floor level.

(2) Required facilities.

(a) Each unit shall have at least the following basic service facilities: A nurses' station, a medicine storage and preparation area, clean and soiled utility rooms, housekeeping facilities and storage space for linen, other supplies and equipment.

(b) Resident rooms in buildings which are connected to the main nursing home building by means of enclosed and heated passageways will be construed as portions of the main home.

((2)) (3) ((Patient)) Resident rooms.

(a) ((Access to; traffic through. The building shall be so arranged as to avoid all traffic through patient rooms, and excessive or undesirable traffic through other rooms. Each patient bedroom shall have direct access from a corridor and shall be so located as to minimize entrance of odors, noise and other disturbances.)) Each resident room floor shall be above grade level.

(b) Each resident room shall be directly accessible from the corridor of the nursing unit and shall be located to prevent through traffic.

((b)) (c) ((Window requirements.)) Every ((patient)) resident room shall be an outside room ((permitting entrance of natural light. The)) having a clear glass window area ((allowing for visibility by patients shall be)) of not less than one-eighth of the usable floor area ((Rooms, any portion of which are below grade at required windows, shall have the clear window area equal to not less than one-fifth the entire floor area of the room)), located in the outside wall. ((Opaque or translucent glass shall not be used in exterior windows in patient rooms.

No required)) (i) All resident room windows shall be located ((within)) at least 24 feet ((of)) (7.2 meters) from another building or the opposite wall of a court or ((within)) at least ten feet ((of)) (3 meters) away from a property line, except on street sides. If the depth of ((the)) a court is less than one-half ((the)) its width, the width requirement will not apply. ((Where the sill of a window is less than five feet above a public sidewalk, the wall in which the window occurs shall be at least eight feet from the walk.

(c) Below grade rooms. No room, the floor of which is more than three feet, six inches below grade at any required window, shall be used for the accommodation of patients.

(d) Room size and shape, ceiling height. There shall be at least 85 square feet of usable floor space for each bed in a multi-bed room and there shall be at least seven and one-half feet ceiling height over this required area. There shall be at least 100 square feet of usable floor space for each one-bed room. There shall also be not less than seven and one-half feet ceiling height over this required area.

All patient bedrooms shall provide at least a three foot space between the perimeter of the bed and walls, beds, and any fixed obstruction, provided that the above three foot requirement does not apply to the distance between the head of the bed and a wall.) The outside window wall shall be at least eight feet (2.4 meters) from an outside public walkway.

(ii) Window sills shall be three feet (91 cm) or less above the floor.

* (d) The maximum capacity of any ((patient)) resident bedroom shall be ((not more than four)) two beds. ((No patient bedroom shall be more than three beds deep from an exterior window wall.))

* (e) At least thirty percent of the beds shall be in rooms designed for one bed.

((=)) (f) ((There shall be at least one isolation room for the care of patients in a terminal condition or requiring isolation for communicable disease control.)) Resident rooms shall be arranged to provide for the placement of each bed so the length of the bed is parallel to the outside window wall.

(g) ((Such isolation room)) On each residential care unit there shall be at least one single uncarpeted bedroom capable of providing isolation care. It shall contain ((a lavatory with either foot, knee, wrist or elbow control, and shall have)):

(i) A lavatory with water supplied through a mixing valve,

(ii) Its own adjoining bathing facility, ((and))

(iii) Its own adjoining toilet equipped with a bedpan flushing attachment.

((One single bedroom with its own toilet and lavatory shall be provided for each additional 50 beds or fraction thereof. The lavatory may be within the patient bedroom or in the toilet room but shall be located adjacent to the exit from the single bedroom for which it is provided.))

(h) There shall be at least eighty-five square feet (7.65 square meters) of usable floor space per bed in each multibed room and at least one hundred square feet (9.29 square meters) of usable floor space for each one bed room.

(i) The dimensions and arrangements of rooms shall provide at least three feet (90 cm) of space between the perimeter of the bed and any wall, other fixed obstruction or other bed, however, this three-foot space requirement shall not apply to the distance between the head of the bed and the wall.

(4) Resident room equipment.

(a) There shall be a reading light and a nurse call signal device for each bed.

(b) There shall be a lavatory in each multibed room. There shall be a lavatory and in each single room which does not have an adjoining toilet containing a lavatory.

(c) There shall be a separate, enclosed closet for each bed in each room. The inside dimensions of each wardrobe or closet shall be at least twenty-two inches (55.9 cm) deep (front to back) by thirty inches (76.2 cm) wide. The clothes rod shall be placed to provide at least five feet (152 cm) and not more than five feet six inches (168 cm) of free hanging space from the center of the clothes rod to the floor of the room.

(d) There shall be a lockable drawer or enclosed shelf space for storage of other personal belongings for each resident bed in addition to the bedside cabinet.

(e) There shall be separate storage for extra pillows and blankets for each bed within a room. This may be combined with the wardrobe or closet for the bed provided additional space is allocated so it does not impinge upon the required space for clothing.

(f) Each multibed room shall have permanently installed cubicle curtain tracks or rods with flame-proof curtains approved by the state fire marshal which provide for enclosing the area around each bed.

(g) In any room in which there is provision for visual monitoring of a patient by television, there shall be a mechanism within reach of the resident for ensuring visual privacy.

(h) For electrical outlet and lighting requirements refer to electrical section, WAC 248-14-160.

(5) Resident toilet(s).

(a) There shall be a toilet directly accessible from each resident room and from each bathing facility without going through a general corridor. One toilet may serve two rooms except for those resident rooms for which private toilets are required. One toilet shall serve a maximum of four beds. For alterations of existing resident rooms the ratio of one water closet for each eight residents or fraction thereof is applicable.

(b) Each water closet in toilets adjoining resident rooms shall be equipped with a bedpan flushing attachment unless a siphon jet clinic service sink is provided in each soiled utility room.

(c) There shall be provision for storage of a bedpan brush container off the floor in each toilet room equipped with a bedpan flushing attachment.

(d) At least one lavatory shall be provided in each toilet, except when the toilet room opens into a single bed room which has a lavatory.

(e) Each resident toilet shall be designed to accommodate a person in a wheelchair.

(f) A properly located and securely mounted grab bar or its equivalent shall be provided at each side of a water closet.

(6) Resident bathing facilities.

(a) On each unit there shall be at least one bathtub or shower facility per every fifteen beds or fraction thereof which are not in rooms served by an adjoining bathroom.

(b) On each unit there shall be at least one peninsular or island bathtub accessible from the corridor.

(c) There shall be at least one roll-in shower accessible from the corridor on each unit. It shall be designed for shower chair use and have interior dimensions of at least three feet in width and four feet in depth. The bulkhead shall be a maximum of thirty-four inches high. Toe space shall be provided. The threshold to the shower stall shall be flush with the room floor. The shower stall shall be properly drained to prevent the flow of water outside the shower stall, but provide for safe use of a wheelchair within the stall. The water inlet shall be approximately four and one-half feet from floor level and have a flexible hose approximately five feet long with a lightweight, shampoo-type, spray attachment. If a conventional showerhead is also installed, it shall be valved off from the water inlet to which the flexible hose is attached.

(d) In each bathroom containing more than one bathing facility each bathtub or shower shall be in a separate room or compartment. The area for each bathtub and shower shall be sufficient to accommodate a wheelchair and attendant(s) and provide for visual privacy during bathing and dressing.

(e) Grab bars:

(i) One horizontal grab bar minimum 48 inches long shall be provided at the side of a standard bathtub and an L shaped bar at the faucet end. The horizontal side of the L shaped bar shall extend the width of the tub and the vertical bar shall rise thirty inches at the outer side of the tub.

(ii) At each peninsular bathtub there shall be at least one grab bar which is mounted parallel to and from 33 to 36 inches above the floor and extends the full width of the bathtub at a distance of at least ten inches from the wall at the faucet end of the tub.

(iii) A horizontal grab bar shall be provided on at least two sides of a shower stall and an L shaped bar mounted on the shower head side. Horizontal grab bars shall be mounted 31 inches to 36 inches above the floor.

(iv) At each roll-in shower there shall be horizontal grab bars on two sides of the shower stall mounted at 31 inches above the floor. The faucet end of the shower stall shall have an additional L shaped grab bar mounted 33 inches to 36 inches above the floor.

(f) Shower and tub bottom surfaces shall be slip-resistant.

(7) Nurses' station. On each residential care unit there shall be a nurses' station which shall have the following facilities:

(a) A charting surface;

(b) Seating area sufficient to accommodate at least twenty percent of unit staff;

(c) A rack or other storage unit for current health records;

(d) Storage for record supplies;

(e) A telephone;

(f) A nurse call annunciator;

(g) A clock.

((=)) (8) Utility ((area)) service rooms. There shall be adequate space and facilities for the preparation, cleansing, sanitizing sterilization, and ((storing)) storage of ((nursing)) resident care supplies and equipment. On each unit there shall be a clean utility room and a soiled utility room designed and equipped to ensure separation of clean and sterile supplies and equipment from those that are contaminated.

(a) Each clean utility room shall have a work counter, a sink and closed storage units for clean and sterile supplies and small equipment.

(b) Each soiled utility room shall have:

(i) At the minimum a two compartment sink mounted in or integral with a work counter of at least three feet in length on each side of the sink, the inside dimensions of each compartment shall be twenty-two by twenty-two by twenty inches deep.

(ii) Storage for cleaning supplies and other items;

(iii) Locked storage for cleaning agents, disinfectants and other caustic or toxic agents.

(iv) Adequate space for waste containers, linen hampers and other large equipment.

(v) The work counters, sinks and other fixed equipment shall be arranged to prevent intermingling of clean and contaminated items during processing.

(vi) A siphon jet type clinic service sink equipped with bedpan flushing attachment shall be provided unless a bedpan flushing device is provided in toilets adjoining resident rooms in the unit.

((A separate, centrally located nurses' utility room shall be provided on each floor or nursing unit used for the accommodation of patients. The utility room shall be equipped with a plumbing fixture with a waste line of sufficient size (usually four inches) to dispose of wastes, a deep sink, a work counter, storage cabinets or shelving, and a lavatory or small sink mounted in or adjacent to the counter.

(4) Drug facilities. (a) There shall be adequate drug facilities to provide for locked storage of all drugs without crowding and for the observance of safe procedures and techniques in the preparation of medicines for administration.

(i) Any room or area which serves as a drug facility shall serve clean functions only and shall be well illuminated and ventilated. When any mobile drug storage cabinet is not being used in the administration of medicines to patients, it shall be stored in a room which meets this requirement.

(ii) Each drug facility shall include a sink with hot and cold running water, a work counter and drug storage cabinets.

(iii) All drug storage cabinets (stationary or mobile) shall be designed and arranged so drug containers are readily accessible and shall be closed, locked cabinets unless they are stationary cabinets in a locked room which serves exclusively for storage of drugs and supplies and equipment used in the administration of drugs.

(iv) Drug storage cabinets, except those for schedule II controlled substances, within the same drug facility may be keyed alike. Locks and keys for one drug facility shall be different from those for any other drug facility and from any other locks and keys within the nursing home so that only the keys to a particular drug facility can be used to gain access to drugs stored within that drug facility.

(b) All drug storage shall be designed and finished so it can be cleaned easily.

(5) Miscellaneous rooms and areas:))

(9) Drug facilities.

(a) There shall be facilities for drug preparation and storage near the nurses' station on each unit.

(b) The drug facilities shall be well illuminated, ventilated and equipped with a work counter, sink with hot and cold running water and drug storage units.

(c) The drug storage units shall provide:

(i) Locked storage for all drugs.

(ii) Separately, keyed storage for Schedule II and III controlled substances.

(iii) Segregated storage of different resident's drugs.

(d) There shall be a refrigerator for storage of thermolabile drugs in the drug facility.

(e) Locks and keys for drug facilities shall be different from any other locks and keys within the nursing home.

(10) Linen storage.

(a) ((Laundry. If laundry is washed on the premises, adequate laundry and drying facilities shall be provided.

(b) Linen and clothing storage. Adequate provisions shall be made for the storage of soiled linens and patients' soiled clothing. This area shall be in a room separate and apart from the laundry facilities.

Adequate facilities shall be provided for the storage of clean linen.

There shall be a separate, enclosed closet for each patient bed in every patient bedroom. The inside dimensions of each wardrobe or closet shall not be less than 22 inches deep (front to back) by 20 inches wide. The clothes rod shall provide at least five feet and not more than five feet six inches of free hanging space from the center of the clothes rod to the floor of the room.

(c) Nurses' station. There shall be a nurses' station containing a facility for charting and storage of patients' records and a telephone.

(d) Day room. Well lighted, ventilated day room space (limited to lounge, solarium, dining room and/or recreation room) in accordance with the specifications below, which includes an outside room and which provides floor space in accordance with the following minimum specifications, shall be provided:

Up to 15 beds	150 square feet
16 to 25 beds, inclusive	10 square feet
per bed additional for each bed over 15	
26 beds and over	5 square feet
per bed additional for each bed over 25	

Example: A 37-bed nursing home:
 First 15 beds require 150 square feet

Second 10 beds require 10 square feet per bed (10 x 10 =	
100)	100
Additional 12 beds require 5 square feet per bed (12 x 5 =	
60)	60
Total	160

(c) Equipment storage. Adequate storage space for wheelchairs, walkers, patient lifts, and other equipment shall be provided.

(f) Garbage can area. There shall be a separate room or outside area for the washing of garbage and refuse cans, hot and cold water and floor drain connected to sewerage system in this area. Garbage storage area shall be provided.

(g) Each multi-bed room shall have permanently installed cubicle curtain tracks or rods with flame-proof curtains which shall permit enclosure of the area around each bed. Except that this regulation may not apply in facilities certified exclusively for the care of the mentally retarded or those with related conditions.

(h) There shall be proper facilities for housekeeping, with service sink and storage space.

(6) Annex buildings. Rooms in buildings for the accommodation of patients which are connected to the main nursing home building by means of enclosed and heated passageways will be construed as portions of the main home. Other areas for patient occupancy on the same property will be construed as annex buildings and shall provide all the patient facilities required in the main nursing home building, with the exception of kitchen if adequate provisions are made for bringing food to the annex building. These required facilities include toilet, lavatory, and bathing areas, day room, utility room, linen storage, and nurses' station. The call signal shall register in the main building unless the annex building is separately staffed 24 hours per day.

(7) Every nursing home shall provide an approved area within the home for the purpose of preparing, serving and storing food and drink unless food service is provided from facilities which have been inspected and which have been found to be at least equal to the facilities required by these regulations. All equipment used in the preparation, serving or storing of food in nursing homes shall be of a type approved by the department:))

A clean room or enclosed area shall be provided for storage of clean linen and other bedding on each unit.

(b) There shall be a soiled linen room for collection and temporary storage of soiled linen on each unit. This may be in an area of the soiled utility room but shall not be in a room or area which serves clean functions.

(11) Nursing and medical equipment storage.

(a) There shall be at least three square feet of storage space per bed, but in no case less than fifty square feet of storage space provided in a clean room for resident care equipment on or convenient to each unit in addition to the clean utility room.

(b) There shall be at least two square feet of storage space per bed for wheelchair and other ambulation equipment. Storage may be combined with an equipment storage room or be in a corridor alcove but shall not impinge upon the required corridor space. If the square footage is added to the resident room size, individual wheelchair(s) and other ambulation equipment may be stored in the room.

(12) Janitors' closet. A janitors' closet with a service sink and adequate storage space for housekeeping equipment and supplies shall be provided on each unit.

*Pending additional legal opinions and legislative decisions.

NEW SECTION

WAC 248-14-125 REQUIRED MISCELLANEOUS ROOMS AND AREAS. (1) Food service facilities.

(a) All food service facilities shall be constructed to be in compliance with chapter 248-84 WAC, rules and regulations of the state board of health governing food service sanitation.

(i) Approved areas shall be provided for the purpose of preparing, serving and storing food and drink unless food service is provided from facilities which have been found to be at least equal to the facilities required by these regulations.

(ii) All facilities shall be suitably located to facilitate delivery of stores, disposal of kitchen waste and transportation of food to nursing units.

(b) The kitchen shall be located and arranged to avoid contamination of food, to prevent objectionable heat, noise and odors to resident care areas and to eliminate through traffic.

(i) There shall be a receiving area located for ready access to the storage and refrigeration areas.

(ii) There shall be handwashing facilities conveniently located which include a lavatory, paper towel dispenser and waste receptacle, for food preparation and dishwashing personnel.

(c) The dishwashing room or separate area of the kitchen shall be adequately ventilated and equipped. It shall be located to avoid soiled dish traffic through food preparation areas.

(d) Garbage storage area shall be located in a well-ventilated room or outside area.

(e) A can-wash area shall be provided with hot and cold water and a floor drain connected to the sanitary sewage system.

(f) Space for an office or a desk and files shall be provided for food service management. It shall be located central to deliveries and kitchen operations.

(g) The dining room shall have at least ten square feet per bed for resident dining. Dining space shall be adequate to accommodate the total inpatients and outpatients at no more than two settings. Additional space shall be provided for outpatients in accordance with the program.

(h) Housekeeping facilities or a janitor's closet shall provide for a service sink and storage of housekeeping equipment and supplies for the exclusive use of food service.

(2) Dayroom, activity and recreation facilities shall be provided in addition to the required dining space.

(a) At least twenty square feet per bed for the first one hundred beds and seventeen square feet per bed for all beds in excess of one hundred shall be provided.

(b) Additional space shall be provided for outpatients in accordance with the program.

(c) Storage space shall be provided for all activity and recreational equipment and supplies, adjoining or adjacent to the facilities provided.

(3) Laundry storage.

(a) Soiled linens and patients' soiled clothing shall be stored and sorted in a separate enclosed room apart from washing and drying facilities. There shall be a handwashing facility and a floor drain in the room.

(b) Clean linen shall be stored in a separate enclosed room apart from washing and drying facilities.

(4) General storage area. General storage space of not less than ten square feet per bed shall be provided in addition to the closets and storage required in WAC 248-14-120 and shall generally be concentrated in one area.

NEW SECTION

WAC 248-14-128 OPTIONAL MISCELLANEOUS ROOMS AND AREAS. (1) Laundry facilities. If laundry is washed on the premises, adequate laundry and drying facilities shall be provided.

(a) The laundry shall be located to isolate noise, odors, objectionable heat, moisture, and contamination from patient care, supply and food service areas.

(b) When laundry facilities are maintained, an adequate supply of hot water shall be assured by providing sufficient hot water to allow each machine at least one hot water cycle of fifteen minutes duration per load at 140 degrees Fahrenheit or five minutes duration per load at 160 degrees Fahrenheit.

(2) Specialized rehabilitation facilities:

(a) All rehabilitation facilities shall be located for easy access in general service areas.

(b) Exercise, treatment, and supportive equipment shall be provided as required by the narrative program.

(c) Adequate space for exercise equipment and treatment table(s) with sufficient work space on each side shall be provided. Privacy cubicle curtain tracks or equivalent around the treatment table area(s) shall be provided.

(d) Hydrotherapy tanks shall be located in a separate room or area. Toilet, locker and shower facilities designed for patients in wheelchairs shall be available.

(e) Space and a desk or equivalent shall be provided for administrative, clerical, interviewing and consultive functions.

(f) Enclosed storage cabinets or shelving shall be provided for clean linen and supplies. Adequate storage space shall be provided for large equipment.

(g) A janitor's closet shall be located close to the area.

(3) Pharmacy. Pharmacies shall meet the requirements of and be licensed by the Washington state board of pharmacy. Refer to WAC 360-16-210.

(4) Dialysis services and facilities. Refer to WAC 248-14-300.

(5) Outpatient facilities. If provided, refer to WAC 248-14-295 and 248-14-296.

(6) Tuberculosis facilities. Refer to ventilation requirements, WAC 248-14-140(4)(a).

AMENDATORY SECTION (Amending Order 1509, filed 5/28/80)

WAC 248-14-130 ((NEW CONSTRUCTION REQUIRED ROOMS AND AREAS—FLOORS, WALLS, AND CEILINGS)) GENERAL DESIGN REQUIREMENTS. (1) ((Surfaces)) Accessibility to the handicapped. The facility shall be readily accessible to the handicapped to meet the requirements of the current American National Standards Institute (ANSI), or if applicable, the requirements of chapter 70.92 RCW, whichever is the more stringent.

(2) Vector control. ((Floors, walls and ceilings of all rooms shall have easily cleanable surfaces.)) Construction of the buildings shall be such as to prevent the entrance of rodents and insects.

(3) Roofs. Roofs shall be sloped a minimum of one-fourth inch per foot with provision made for removal of water by drains and gutters. Labor and materials shall meet industry and manufacturer's standards.

(4) Elevators.

(a) All buildings having residents' facilities such as bedrooms, dining rooms, recreation areas, or service areas located on other than the main entrance floor shall have electric or electrohydraulic elevator(s).

(i) At least one elevator sized to accommodate a resident bed and attendant shall be installed where one to fifty-nine resident beds are located on any floor other than the main entrance floor.

(ii) At least two elevators, one of which shall be sized to accommodate a bed and attendant; shall be installed where sixty to one hundred ninety-nine beds are located on floors other than the main entrance floor, or where the major inpatient services are located on a floor other than those containing beds.

(iii) At least three elevators shall be installed when the bed capacity above ground floor exceeds two hundred or more.

(b) Elevator controls, alarm buttons, and telephone shall be mounted at a height accessible to wheelchair occupants.

(i) Elevator call buttons, controls, and door safety stops shall be of a type that will not be activated by heat or smoke.

(ii) Control buttons and signals shall be such as to be usable by the blind.

(c) Handrails shall be provided around walls of the cab(s).

(5) Stairways.

(a) All interior and exterior stairways and stairwells including those in attics shall have railings on both sides. The railing ends shall be returned to the walls.

(b) Steps shall be equipped with nonslip material on the treads. All risers shall be closed. Nosings shall be flush, slip resistant and rounded to one-half inch maximum radius.

(6) Ramps. Ramps shall not exceed a slope ratio of one-in-twelve and shall have nonslip surfaces. Handrails shall be provided on both sides.

(7) Corridors.

(a) Resident use corridors and required exit way corridors shall be a minimum of eight feet in width; elsewhere they shall be a minimum of six feet wide.

(b) Equipment such as drinking fountains, telephone booths, vending machines and portable equipment shall be located so as not to restrict corridor traffic or reduce the corridor width below the required minimum.

(c) Handrails shall be provided along both sides of all resident use corridors. Ends of handrails shall be returned to the walls. Handrails shall be mounted thirty-two to thirty-four inches above the floor and shall project a maximum of three and one half inches from the wall.

(8) Doors.

(a) Doors to resident rooms shall be a minimum of three feet ten inches in width. Doors to resident bathrooms and toilets shall be a minimum of three feet in width. In alterations of existing nursing homes a three foot eight inch resident room door may be acceptable.

(b) All doors to resident toilets not opening onto a corridor shall open outward. Doors to toilets and bathrooms having locks shall have a means of unlocking same from the outside.

(c) Doors, except doors to spaces which are not subject to occupancy, shall not swing into corridors in a manner that might obstruct traffic flow or reduce the required corridor width unless approved by the Washington state fire marshal. Large walk-in type closets are considered as occupiable space.

(d) All passage doors shall be arranged so that they do not open onto or obstruct other doors.

(9) Windows. Refer to WAC 248-14-120(3)(c), patient room windows.

(10) Screens. Mesh screens or equivalent with a minimum mesh of 1/16 inch shall be provided on all windows, doors and other openings which serve for ventilation.

(11) Floor finishes.

(a) All floor finishes shall be easily cleanable and suitable to the function of the area.

(b) Floors at entrances and other areas subject to traffic while wet shall have nonslip finishes.

((a)) (c) All uncarpeted floors shall be smooth, nonabsorbent and easily cleanable.

((b)) If carpets are used, they must meet the following requirements: Meet the specifications pursuant to WAC 248-14-130(1)(d); be used only in selected areas pursuant to WAC 248-14-130(1)(c); be installed pursuant to WAC 248-14-130(1)(e); and be cleaned routinely pursuant to WAC 248-14-190(2)(a):

(c)) (d) Carpets may be used in the following selected areas: Administrative(;) areas, lobbies(;) lounges, chapels, dayrooms(;) waiting areas(;) nurses' stations(;) elevators, corridors ((excluding stairways or stair enclosures)); dining rooms, ((patient bedrooms f)) resident, excluding toilet(s) ((and)), bathrooms(;;), isolation areas, and equipment alcoves opening onto carpeted corridors or areas. ((Carpets may be used in other areas only upon written approval of such use by the department:

(d)) (e) Specifications for acceptable carpeting are:

(i) Pile yarn ((fiber:)) fibers which meet the standards of the state fire marshal ((see RCW 18.51.140) shaft) are acceptable provided the fiber is easily cleanable. See RCW 18.51.140.

(ii) Pile type(;) shall be round loop ((f)) in all resident use areas. Cut pile is acceptable in ((nonpatient occupied)) nonresident use areas.

(iii) Pile tufts ((per square inch:)) shall be a minimum 64 per square inch or equivalent density.

(iv) ((Rows:)) There shall be a minimum of eight rows per inch or equivalent density.

(v) Pile ((height:)) shall be level ((pile)), from a minimum height of .125 inches to a maximum of .255 inches. Variable pile height is acceptable in nonresident use areas and shall be from .125 inches to a maximum of .312 inches.

(vi) Backing((:)) shall be water impervious or a water impervious pad shall be permanently bonded to the backing, provided that a non-impervious carpet with or without a separate pad may be installed in ((nonpatient occupied)) nonresident use areas.

((e)) Installation of carpet material:))

(f) Carpets shall be installed to ensure that:

(i) Bonded pad carpet ((must be)) is cemented to the floor with waterproof cement.

(ii) Edges of carpet ((must be)) are covered and cove or base shoe is used at all wall junctures.

(iii) Seams are ((to be)) bonded together with manufacturer-recommended cement.

((iii)) Safety of patients or occupants shall be assured during installation. Rooms must be well ventilated and not be used by occupants or patients during installation. The room may not be returned to use until the room is free of volatile fumes and odors from adhesives:))

(12) Walls and ceilings.

(a) Walls and ceilings shall have easily cleanable surfaces.

(b) There shall be a waterproof, painted, glazed or similar waterproof finish extending above the splash line in all rooms or areas that are subject to splash or spray, such as, bathing facilities, janitors' closets, and can-wash areas.

(c) All ceiling heights shall be a minimum of seven feet six inches (227 cm).

(13) Miscellaneous.

(a) Rooms and service areas shall be identified by visible and tactile signs.

(b) Provide a minimum of one drinking fountain on each nursing unit.

(c) Equipment and casework shall be designed, manufactured and installed for ease of proper cleaning and maintenance.

Design, materials and finishes shall be suitable to the functions of each area.

AMENDATORY SECTION (Amending Order 1509, filed 5/28/80)

WAC 248-14-140 ((NEW CONSTRUCTION REQUIRED ROOMS AND AREAS)) VENTILATION. (1) General ventilation. Ventilation of all rooms shall be ((sufficient)) designed to prevent ((a)) objectionable odors ((and)), excessive condensation ((All patient rooms shall be ventilated by windows or by a positive mechanical device, and in such manner as)), and to avoid direct drafts on the ((patients)) residents.

(2) Natural ventilation. When window ventilation is used for ((patient)) resident rooms, the operable opening shall be ((not less than)) a minimum of one-((sixth)) twentieth of the required ((window)) floor area.

((All toilets and bathrooms shall be vented by a mechanical exhaust system:))

(3) Mechanical ventilation. All rooms not ventilated by windows and all inside habitable space shall be mechanically ventilated.

(a) All air-supply and air-exhaust systems shall be mechanically operated.

(b) Installation of handling duct systems shall meet the requirements of National Fire Protection Association (NFPA).

(c) Corridors shall not be used to supply air to or exhaust air from any room, except that air from corridors may be used to ventilate bathrooms, toilet rooms, janitors' closets, and small electrical or telephone closets opening directly on corridors.

(d) Room supply air inlets, recirculation and exhaust air outlets shall be located not less than three inches above the floor.

(e) Outdoor air intakes shall be located as far as practical but a minimum of twenty-five feet from the exhausts from any ventilating system, combustion equipment, or plumbing vent or areas which may collect vehicular exhaust and other noxious fumes. The bottom of outdoor air intakes shall be located as high as practical but a minimum of three feet above ground level, or if installed through the roof, three feet above the roof level.

(4) Minimum ventilation requirements.

(a) The ventilation rates shown in Table A shall be considered as minimum acceptable rates and shall not be construed as precluding the use of higher ventilation rates. Ventilation systems shall be designed and balanced to provide the pressure relationship as shown in Table A.

TABLE A PRESSURE RELATIONSHIPS AND VENTILATION OF CERTAIN AREAS

AREA DESIGNATION	PRESSURE RELATIONSHIP TO ADJACENT AREAS	PRESSURE MINIMUM AIR CHANGES OF OUTDOOR AIR PER HOUR SUPPLIED TO ROOM		MINIMUM TOTAL ¹	ALL AIR EXHAUSTED DIRECTLY TO OUTDOORS		RE-CIRCULATED WITHIN AREA
		PER HOUR	PER HOUR	PER HOUR	OPTIONAL	OPTIONAL	
Isolation Patient Room	N	2	2	2	Yes	No	No
TB Isolation Patient Room	N	2	12 ²	12 ²	Yes	No	No
Patient Room	E or P	2	2	2	Optional	Optional	Optional
Patient Area Corridor	N	2	2	2	Optional	Optional	Optional
Occupational Therapy	N	2	6	6	Optional	Optional	Optional
Physical Therapy and Hydrotherapy	N	2	6	6	Optional	Optional	Optional
Speech and Hearing Unit	E or P	2	2	2	Optional	Optional	Optional
Soiled Workroom and Soiled Holding	N	2	10	10	Yes	No	No
Clean Workroom and Clean Holding	P	2	4	4	Optional	Optional	Optional
Medicine Preparation Room	P	2	4	4	Optional	Optional	Optional

TABLE A PRESSURE RELATIONSHIPS AND VENTILATION OF CERTAIN AREAS

Activities of Daily Living	E or P	2	4	Optional	Optional
Treatment Room	E or P	2	6	Optional	Optional
Toilet Room and Locker Rooms	N	Optional	10	Yes	No
Bathroom	N	Optional	10	Yes	No
Janitors' Closet	N	Optional	10	Yes	No
Sterilizer Equipment Room	N	Optional	10	Yes	No
Linen and Trash Chute Room	N	Optional	10	Yes	No
Food Preparation Center	E	2	8 (10)	Yes	No
Washing Room	N	Optional	8 (10)	Yes	No
Personal Care Room	N	2	8	Optional	Yes
Dietary Day Storage	E or P	Optional	2	Optional	No
Laundry, General	V	2	10	Yes	No
Soiled Linen Sorting and Storage	N	Optional	10	Yes	No
Clean Linen Storage	P	Optional	2	Optional	Optional

P=Positive N=Negative E=Equal V=May Vary ()=Recommended

¹Requirements for outdoor air changes may be deleted or reduced and total air changes per hour supplied may be reduced to 25% of the figures listed when the affected room is unoccupied and unused provided that indicated pressure relationship is maintained. In addition, positive provisions such as an interconnect with room lights must be included to insure that the listed ventilation rates including outdoor air are automatically resumed upon reoccupancy of the space. This exception does not apply to certain areas such as toilets and storage which would be considered as "in use" even though "unoccupied."

General Note: The outdoor air quantities for central systems employing recirculating and serving more than a single area designation may be determined by summing the individual area quantity requirements rather than by providing the maximum listed ratio of outdoor air to total air. Maximum noise level caused by toilet room exhaust shall be 50 decibels on the A sound level as per ASHRAE Table 7.

²A minimum of six air changes may be permitted with a properly installed and maintained ultraviolet generator irradiation system. Fixture installation shall conform to the recommendation of the Illuminating Engineering Society Handbook, 5th Edition, Section 25, "Ultraviolet Energy".

(b) Exhaust hoods in food preparation centers and dishwashing areas shall have an exhaust rate not less than 50 cfm per square feet of face area. Face area is defined for this purpose as the open area from the exposed perimeter of the hood to the average perimeter of the cooking surfaces. All hoods over cooking ranges shall be equipped with fire extinguishing systems and heat actuated fan controls. Cleanout openings shall be provided every twenty feet in horizontal exhaust duct systems serving hoods. Kitchen ventilation shall be adequate to provide comfortable working temperatures.

(c) Boiler rooms, elevator equipment rooms, laundry rooms, and any heat producing spaces shall be provided with sufficient outdoor air to maintain combustion rates of equipment and to limit temperatures at the ceiling to ninety-seven degrees Fahrenheit. Effective Temperature (ET) is defined by the American Society of Heating, Refrigerating and Air-conditioning Engineers, (ASHRAE).

(d) Individual toilets and bathrooms may be ventilated either by individual mechanical exhaust systems or by a central mechanical exhaust system.

(5) Individual exhaust systems.

(a) Where individual mechanical exhaust systems are used to exhaust individual toilets or bathrooms, the individual ventilation fans shall be interconnected with room lighting to insure ventilation while room is occupied. The ventilation fan shall be provided with a time delay shut-off to ensure that the exhaust continues for a minimum of five minutes after the light switch is turned off.

(b) Air discharge openings through roofs or exterior walls shall be protected against the entrance of rain and snow, birds, large insects and foreign objects. Automatic louvers or backdraft dampers shall be provided to prevent a reverse flow of air when the fan is not in operation.

(c) The volume of air removed from the space by exhaust ventilation shall be replaced by an equal amount of tempered/conditioned air.

(6) Central exhaust systems.

(a) All fans serving central exhaust systems shall be located at the discharge end of the system.

(b) Fire and smoke dampers shall be located and installed in accordance with the requirements of NFPA except that all systems, regardless of size, which serve more than one smoke or fire zone, shall be

equipped with smoke detectors to automatically shut down fans as delineated in Paragraph 1002 of NFPA. Access for maintenance shall be provided at all dampers.

(c) Supply and exhaust ducts which pass through a required smoke barrier and through which smoke can be transferred to another room shall be provided with dampers at the barrier, controlled to automatically close when the fan stops, to prevent flow of air or smoke in either direction. Damper(s) shall be arranged to reopen by automatic means except that manual reopening will be permitted if dampers are conveniently located.

(d) Return air ducts which pass through a required smoke barrier shall be provided with a damper at the barrier, actuated by smoke or products of combustion detectors. These dampers shall be operated by the detectors used to actuate door closing devices in the smoke partition or by detectors located to sense smoke in the return air duct from the smoke zone.

(7) Air filters.

(a) All central ventilation or air conditioning systems shall be equipped with filters having efficiencies of at least eighty percent if the system supplies air to: Resident rooms, therapy areas, food preparation or laundry areas. This filter efficiency shall be warranted by the manufacturer and shall be based on atmospheric dust spot efficiency per ASHRAE standard 52-76². The filter bed shall be located upstream of the air conditioning equipment, unless a prefilter is employed. In this case, the prefilter shall be upstream of the equipment and the main filter bed may be located further downstream.

(b) The filter efficiency referred to in the preceding paragraph shall be based on atmospheric dust spot efficiency determined in accordance with ASHRAE.

(c) Filter frames shall be durable and carefully dimensioned to provide an airtight fit with the enclosing duct work. All joints between filter segments and enclosing duct work shall be gasketed or sealed to provide a positive seal against air leakage.

(d) All central air systems shall have a manometer installed across each filter bed.

(8) Humidifiers. If provided, humidifiers shall be a steam type.

AMENDATORY SECTION (Amending Order 1509, filed 5/28/80)

WAC 248-14-150 ((NEW CONSTRUCTION REQUIRED ROOMS AND AREAS TEMPERATURE)) HEATING. (1) Temperature. The heating system shall be capable of maintaining ((the)) a comfortable temperature in each room used by residents ((at a minimum of 76°F, measured 4 feet from the floor in the coldest weather)).

(2) Thermal insulation.

(a) The following shall be insulated within the building:

(i) Pipes conducting hot water at a temperature above one hundred twenty degrees Fahrenheit which are exposed to occupant contact.

(ii) Air ducts and casings with outside surface temperatures below ambient dew point.

(b) Insulation on cold surfaces shall include an exterior vapor barrier.

(3) Heating elements. Exposed heating elements shall be protected if they are exposed to contact by residents, materials or furnishings.

NEW SECTION

WAC 248-14-152 MECHANICAL COOLING/AIR CONDITIONING. (1) Where required. In communities where the design dry bulb temperature exceeds 85° F for 175 hours per year or 27% of time, there shall be a mechanical air cooling system. The latest edition, "Recommended Outdoor Design Temperatures - Washington State", published by Puget Sound chapter of ASHRAE shall be the criteria for determining design temperatures.

(2) System description. (a) The system shall have mechanical refrigeration equipment to provide summer air conditioning to resident rooms and therapy areas by either a central system with distribution ducts or piping, or packaged room or zonal air conditioners.

(b) The system shall be engineered in accordance with accepted engineering guides, such as, ASHRAE and SMACNA manual.

NEW SECTION

WAC 248-14-155 COMMUNICATION SYSTEMS. (1) Telephones. (a) There shall be a telephone at each nurses' station.

(b) At least one telephone to fifty residents shall be accessible for patient use away from the nurses' station and shall be mounted in accordance with the handicapped requirements.

(c) One phone on each unit shall have an amplifier.

(d) All resident rooms shall be provided with telephone outlets.

(2) Call systems.

(a) There shall be an electrical signaling system with a call device provided at the bedside of each resident. A call shall register by light at the resident room corridor door and by light and audible tone at the nurses' station.

(b) At least one call device shall be provided for each day room and other area used by residents and shall register at the room corridor door and at the nurses station.

(c) Patient toilet, bath and shower rooms shall be provided with an emergency signal device activated by a nonconductive pull cord. The pull cord shall be located for easy grasp by a resident. The call shall register by distinctive light at the room corridor door and by distinctive tone and light at nurses' station(s).

AMENDATORY SECTION (Amending Order 1509, filed 5/28/80)

WAC 248-14-160 ((NEW CONSTRUCTION REQUIRED ROOMS AND AREAS LIGHTING)) ELECTRICAL. (1) ((General illumination shall be provided in every usable room.)) Electrical codes. In addition to the specific requirements of these regulations, chapter 248-46 WAC, "Rules and Regulations for Installing Electrical Wires and Equipment and Administrative Rules", and the National Electric Code of the National Fire Protection Association (NFPA-70) as adopted by the Washington State Department of Labor and Industries shall apply.

(2) General illumination.

(a) Natural or artificial light for inside illumination shall be provided in every usable room area, including storerooms, attic and basement rooms, hallway, stairways, inclines, and ramps.

(b) All outside areas occupied by facility equipment and machinery, as well as parking lots, and approaches to buildings shall have proper lighting.

(c) All light fixtures shall be enclosed with a break resistant, incombustible shade and diffuser or equivalent.

(d) Lighting intensities. At a minimum the following intensities shall be provided.

Table B

Area	Minimum Footcandles
Corridors and interior ramps	20
Exit stairways and landings	10 on floor
Doorways, exterior	10
Administrative and lobby areas, day	50
Administrative and lobby areas, night	20
Chapel or quiet area	30
Physical therapy	20
Occupational therapy	30
Worktable, course work	100
Worktable, fine work	100
Recreation area	50
Dining area	30
Patient care unit (or room), general	10

Area	Minimum Footcandles
Patient care room, reading	30
Nurses' station, general, day	50
Nurses' station, general, night	20
Nurses' desk, for charts and records	70
Medicine preparation area	100
Utility room, general	20
Utility room, work counter	50
Janitor's closet	15
Toilet and bathing facilities, general	10
Toilet and bathing facilities at lavatories and mirrors	30
Barber and beautician area	50
Examination and treatment rooms, general	50
Examination and treatment rooms at examination table	100
Laundry	50

~~((2))~~ (3) **Reading lights.** A reading light shall be provided for each ((patient except that such lights may not be required at each bed in a facility certified exclusively for the care of the mentally retarded or those with related conditions. Lighting fixtures for reading shall provide at least thirty foot-candles of light on the reading surface, and light bulbs shall be shaded with an incombustible shade so as to prevent glare)) resident bedside area.

~~((3))~~ An adequate number of approved electrical outlets shall be provided.))

(4) ((There shall be not less than one duplex electrical receptacle located at least two feet above the floor at the head of each bed and at least two additional duplex electrical receptacles at separate, convenient locations in each patient room.

~~(5))~~ **Night lights.** A dim night light flush mounted on the wall, centered about fourteen inches above the floor and controlled by a switch at the entrance door shall be provided in each ((patient)) resident room.

~~((6))~~ The following lighting intensities shall be provided:

Location	Light Level (Foot-Candles)
Corridors and interior ramps	20
Exit stairways and landings, on floor	5
Nurses station (general), administrative and lobby	50 day 20 night
Nurses desk for charts and records	70
Nurses medicine cabinet	100
Utility room	20 general 50 work counter
Physical therapy	20
Occupational therapy	30
Recreation area	30
Dining area	30
Patient room	10 general 30 reading light
Janitors' closet	15
Toilet and bathing facilities	30
Barber and beautician areas	50
Examination and treatment room	50 general 100 examining table
Laundry	50))

(5) Receptacle outlets.

(a) An adequate number of approved electrical outlets shall be provided throughout the facility.

(b) There shall be one duplex electrical receptacle located at least forty inches above the floor at each side of the head of each bed or a 4-plex at one side of the head of each bed, and at least two additional duplex electrical receptacles at separate, convenient locations in each resident room. At least one duplex receptacle outlet shall be located adjacent to each lavatory intended for resident use. All receptacle outlets located within five feet of the lavatory or within toilet, bath or shower rooms shall be protected by a ground fault interruptor device.

(6) Switches. Quiet operating switches for night lights and general illumination shall be installed adjacent to doors in all areas. Only lighting fixtures which do not have timer switches installed shall be

used when the operation of the switch would leave the area without light.

(7) Emergency power.

(a) There shall be an alternate source of power and automatic transfer equipment to connect the alternate source within ten seconds of the failure of the normal source. The alternate source shall be either a generator set driven by a prime mover with on-site fuel supply, unit equipment permanently fixed in place and approved for emergency service, or a storage battery designed and approved for emergency service.

(b) The emergency power supply shall provide a minimum of four hours of effective power for:

(i) Lighting for night lights, exit signs, exit corridors, stairways, dining and recreation areas, nurses stations, medication preparation areas, boiler rooms, electrical service room and emergency generator locations.

(ii) Uninterrupted function of communication systems, all alarm systems, an elevator that reaches every resident floor including the ground floor, equipment to provide heating for resident rooms or a room to which all residents can be moved when the outside design temperature is +20 degrees Fahrenheit or lower based on the median of extremes as shown in the ASHRAE HANDBOOK OF FUNDAMENTALS.

(iii) Selected receptacles in medication preparation areas, pharmacy dispensing areas, nurses stations and patient corridors.

AMENDATORY SECTION (Amending Order 1509, filed 5/28/80)

WAC 248-14-170 ((NEW CONSTRUCTION REQUIRED ROOMS AND AREAS--)) WATER ((SUPPLY)). (1) Water supply.

(a) There shall be an adequate supply of water, meeting the quality standards of ((, and obtained from, a water supply system the location, construction, and operation of which complies with the standards of)) the department. Only ((such)) water approved for domestic purposes shall be used in nursing homes.

(b) Hot and cold water under pressure shall be available at all times.

(c) In the event that an unsafe water supply is used for irrigation, fire protection, or other purposes, a separate system shall be provided, and there shall be no connection between the safe and the unsafe system.

(2) Hot water temperatures.

(a) The hot water ((for general use)) system shall be ((+10° F. (plus or minus 10° F.)) capable of providing water at 110 degrees Fahrenheit plus or minus ten degrees at fixture used by residents. There shall be circulating systems as necessary to ensure a ready supply of hot water at all fixtures. Minimum ((recommended)) pressure is 15 pounds per square inch.

((3)) (b) If laundry facilities are maintained, an adequate supply of hot water at a temperature of ((+60° F.)) 160 degrees Fahrenheit shall be available in the laundry area.

AMENDATORY SECTION (Amending Order 1509, filed 5/28/80)

WAC 248-14-180 ((NEW CONSTRUCTION REQUIRED ROOMS AND AREAS--)) PLUMBING, ((TOILET, AND LAVATORY FACILITIES)) FIXTURES AND ACCESSORIES. ((+)) There shall be one water closet for each 8 patients or fraction thereof. Where urinals are provided for male patients, there shall be in addition at least one water closet for each 15 male patients or fraction thereof. Where more than one water closet is required for patient use, separate toilet rooms shall be provided for each sex.

(2) At least one lavatory shall be provided in each toilet room, except when the toilet room opens into the patient room, then the lavatory may be in the patient room. There shall be at least one lavatory for every 8 patients.

(3) Dispensers for single use towels shall be provided at each lavatory and sink.

(4) Every home shall provide adequate and conveniently located toilet and lavatory facilities for its employees separate from patient facilities.

(5) Dishwashing or utility sinks shall not be accepted as handwash facilities.

(6) Bathing facilities with hot and cold or tempered running water shall be provided in the ratio of one facility for each 15 patients or fraction thereof. There shall be at least one bathtub in the home. A

shower in which a chair on wheels may be used and an elevated island tub are recommended.

(7) Handrails shall be provided at bathing facilities and toilets.

(8) There shall be a toilet, lavatory, and bathing facility on each patient floor.

(9) Each sex shall be provided with separate toilet and lavatory facilities.

(10) Drinking fountains are recommended, and when provided they shall be of the inclined jet, sanitary type, meeting standards of the department.

(11) All cross-connections are prohibited. A "cross-connection" is defined as any physical arrangement whereby the domestic or potable water supply system is connected directly or indirectly with any other water supply system, sewer, drain, conduit, pool, storage reservoir, plumbing fixture, or other device which contains or may contain contaminated water, sewage, or other waste or liquid which would be capable of imparting contamination to the domestic or potable water supply as a result of backflow.)) (1) Fixtures.

(a) Lavatories shall be provided in each toilet room except where provided in connecting resident room, dressing room, or locker room.

(b) Drinking fountains shall be of the inclined jet, sanitary type.

(c) Each fixture except water closets, and special use fixtures shall be provided with hot and cold water through a mixing valve.

(d) Resident rooms capable of providing isolation and all utility rooms shall have sinks with gooseneck spouts or their equivalent and four inch wrist blade controlled faucets or their equivalent.

(e) Backflow prevention devices shall be provided on water supply to fixtures or group of fixtures where the use of extension hoses are anticipated. All cross connections are prohibited.

(2) Accessories. The following accessories with the necessary backing for mounting shall be provided:

(a) Suitable shelf or equivalent and mirror at each lavatory in toilet rooms, resident rooms and locker rooms.

(b) Towel bar or hook at each lavatory on residential care units and at each bathing facility.

(c) A robe hook at each bathing facility, water closet and in each examination room or therapy area.

(d) There shall be a toilet paper holder properly located and securely mounted at each water closet.

(e) All toilet seats shall be open front type.

(f) Dispensers for single use towels at all lavatories and sinks shall be mounted to avoid contamination from splash and spray.

(g) There shall be suitable provision for soap at each lavatory, sink and bathing facility.

(h) Sanitary napkin dispensers and disposers shall be provided in public and employee womens' toilets.

(i) Grab bars shall be of suitable strength, easily cleanable, resistant to corrosion, of functional design, securely mounted and properly located at toilet and bathing facilities. Grab bars and their anchorage shall have sufficient strength to sustain a dead weight of at least two hundred fifty pounds without permanent deflection.

AMENDATORY SECTION (Amending Order 1509, filed 5/28/80)

WAC 248-14-200 ((NEW CONSTRUCTION--)) SEWAGE AND LIQUID WASTE DISPOSAL. All sewage and liquid wastes shall be discharged into ((a)) an approved public sewage system where such system is available ((and is acceptable to the department)). Otherwise, sewage and liquid wastes shall be collected, treated, and disposed of in an independent sewerage system which meets with the approval of the department.

WSR 81-08-048

**NOTICE OF PUBLIC MEETINGS
STATE BOARD OF EDUCATION**

[Memorandum—March 30, 1981]

The State Board of Education schedule of meeting dates and locations for the 1981 calendar year as filed with the State Code Reviser on September 15, 1980, WSR 80-13-045, amended by notices filed December 8, 1980, WSR 81-01-023, and February 10, 1981, WSR 81-05-014, is amended to change the location and date of the

May, 1981 meeting of the State Board of Education as follows:

Date of meeting changed from May 14-15, 1981 to May 21-22, 1981;

Location of meeting changed from 7510 Armstrong Street S.W., Tumwater, Washington, to the Board Room of Educational Service District 112, 1313 N.E. 134th Street, Vancouver, Washington 98665.

The meeting will convene at 9:00 a.m. in the new location on the dates indicated.

WSR 81-08-049
PROPOSED RULES
STATE BOARD OF EDUCATION
[Filed April 1, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State Board of Education, intends to adopt, amend, or repeal rules concerning teachers' responsibilities, chapter 180-44 WAC;

that such agency will at 9:00 a.m., Thursday, May 21, 1981, in the Board Room, Educational Service District 112, 1313 N.E. 134th Street, Vancouver, WA 98665, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Friday, May 22, 1981, in the Board Room, Educational Service District 112, 1313 N.E. 134th Street, Vancouver, WA 98665.

The authority under which these rules are proposed is RCW 28A.04.120 and 28A.58.101.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to May 21, 1981, and/or orally at 9:00 a.m., Thursday, May 21, 1981, same location as shown above.

Dated: April 1, 1981
By: Wm. Ray Broadhead
Secretary

STATEMENT OF PURPOSE

Rule title: Chapter 180-44 WAC, Teachers' responsibilities.

Description of purpose: To repeal WAC 180-44-030 for consistency with RCW 28A.58.760.

Statutory authority: RCW 28A.04.120 and 28A.58.101.

Summary of rule: Repeals WAC 180-44-030 since RCW 28A.760(2)(d)[28A.58.760(2)(d)] only requires excuses in the case of minor students. Reasons supporting proposed action: The age of majority has been reduced from 21 to 18 and therefore WAC 180-44-030, which

requires parental excuses in all cases of absence, tardiness or early dismissal, is no longer applicable.

Agency personnel (name, office address, telephone) responsible for:

Drafting: Robert Patterson, Office of the Superintendent of Public Instruction, 7510 Armstrong Street S.W., Tumwater, WA 98504, Telephone: 753-2298.

Implementation: [No information supplied by agency]

Enforcement: [No information supplied by agency]

Person/organization proposing rule:

Private ___ Public ___ Governmental X

Agency comments or recommendations regarding statutory language, implementation, enforcement, fiscal matters: [No information supplied by agency]

Necessary as result of federal law ___ federal court action ___ state court action ___ (If so, attach copy of law or court decision) [No information supplied by agency]

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 180-44-030 REGULATORY PROVISIONS RELATING TO RCW 28A.04.120(6) AND 28A.58.101—EXCUSE FOR PUPIL ABSENCE REQUIRED.

WSR 81-08-050
PROPOSED RULES
STATE BOARD OF EDUCATION
[Filed April 1, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State Board of Education, intends to adopt, amend, or repeal rules concerning learning resources centers, chapter 180-46 WAC;

that such agency will at 9:00 a.m., Thursday, May 21, 1981, in the Board Room, Educational Service District 112, 1313 N.E. 134th Street, Vancouver, WA 98665, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Friday, May 22, 1981, in the Board Room, Educational Service District 112, 1313 N.E. 134th Street, Vancouver, WA 98665.

The authority under which these rules are proposed is RCW 28A.04.134.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to May 21, 1981, and/or orally at 9:00 a.m., Thursday, May 21, 1981, same location as shown above.

Dated: April 1, 1981
By: Wm. Ray Broadhead
Secretary

STATEMENT OF PURPOSE

Rule title: Chapter 180-46 WAC, Learning Resources Centers.

Description of purpose: To adopt rules and regulations establishing minimum standards for integrating school district library and media services into learning resources centers.

Statutory authority: RCW 28A.04.134.

Summary of rule: Provides standards for integrating libraries and media centers into learning resources centers and describes programs, services, materials, production opportunities, facilities, staff, provision for access and outside sources as required components of K-12 learning resources programs.

Reasons supporting proposed action: The State Board of Education authorized a review of chapter 180-46 WAC to determine modifications that should be made to clarify wording and/or what is required of districts in regard to learning resources programs. The proposed action would make such changes in existing rules as recommended by a statewide task force called for the purpose of reviewing the rule and proposing modifications.

Agency personnel (name, office address, telephone) responsible for:

Drafting: Joan A. Newman, Program Administrator for Learning Resources, Superintendent of Public Instruction, 7510 Armstrong Street S.W., Tumwater, WA 98504, Telephone: 753-6723.

Implementation: Same as above.

Enforcement: Same as above.

Person/organization proposing rule:

Private ___ Public ___ Governmental XX

Agency comments or recommendations regarding statutory language, implementation, enforcement, fiscal matters: The task force which reviewed chapter 180-46 WAC recommended the proposed changes by a vote of 10-to-1. The dissenting vote was cast in objection to only one of the entire set of proposed changes.

Necessary as result of federal law ___ federal court action ___ state court action ___ (If so, attach copy of law or court decision) [No information supplied by agency]

AMENDATORY SECTION (Amending Order 15-75, filed 12/11/75)

WAC 180-46-015 LEARNING RESOURCES. Instructional materials, the library collections and audiovisual equipment shall be integrated as learning resources which are defined as, but not limited to, those organized collections of books, filmstrips, slide sets, newspapers, educational radio programs, educational television programs, periodicals, ((magazines)) microforms, audio and video ((tapes)) formats,

records, vertical file collections, pamphlets, study prints, maps, charts, globes, overhead transparencies, dioramas, realia, models, and other materials and ((related)) equipment that provide((s)) instructional value.

AMENDATORY SECTION (Amending Order 15-75, filed 12/11/75)

WAC 180-46-030 EQUIPMENT AND MATERIALS. Each school district shall provide learning and teaching resources in each school which are adequate in quality, quantity and variety, and organized so as to enable students and professional staff to select materials necessary to achieve the district's instructional objectives.

AMENDATORY SECTION (Amending Order 15-75, filed 12/11/75)

WAC 180-46-045 STAFF. Each school district shall provide for a sufficient number of qualified ((professional)) certificated and supportive learning resources staff to meet the identified needs of students and teachers in each school.

NEW SECTION

WAC 180-46-065 PROGRAM EVALUATION. The guidelines adopted by the state board of education, which were developed by the superintendent of public instruction as required by RCW 28A.03.095, shall be made available to school districts for use in assessing their learning resources programs and school districts shall be subject to continuing evaluation for such programs pursuant to WAC 180-16-240(2)(e).

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 180-46-060 MEASUREMENT.

WSR 81-08-051

PROPOSED RULES

STATE BOARD OF EDUCATION

[Filed April 1, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State Board of Education, intends to adopt, amend, or repeal rules concerning general certification provisions, chapter 180-75 WAC;

that such agency will at 9:00 a.m., Thursday, May 21, 1981, in the Board Room, Educational Service District 112, 1313 N.E. 134th Street, Vancouver, WA 98665, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Friday, May 22, 1981, in the Board Room, Educational Service District 112, 1313 N.E. 134th Street, Vancouver, WA 98665.

The authority under which these rules are proposed is RCW 28A.70.110.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to May 21, 1981, and/or orally at 9:00 a.m., Thursday, May 21, 1981, same location as shown above.

Dated: April 1, 1981
By: Wm. Ray Broadhead
Secretary

STATEMENT OF PURPOSE

Rule title: Chapter 180-75 WAC, General Certification Provisions.

Description of purpose: To make changes essential to implementing new procedures.

Statutory authority: RCW 28A.70.110.

Summary of rule: Establishes procedures for distribution of certification fees.

Reasons supporting proposed action: Makes changes essential to implementation of new procedures, facilitates certification, responds to recommendations from professional groups and the advisory committee or from staff after consultation with representatives of affected agencies or organizations.

Agency personnel (name, office address, telephone) responsible for:

Drafting: Lillian Cady, Director, Professional Education, 7510 Armstrong Street S.W., Tumwater, WA 98504, FG-11, Tel: 206/753-1031.

Implementation: Same as above.

Enforcement: Same as above.

Person/organization proposing rule:

Private___ Private___ Governmental x

Agency comments or recommendations regarding statutory language, implementation, enforcement, fiscal matters: [No information supplied by agency]

Necessary as result of federal law___ federal court action___ state court action___ (If so, attach copy of law or court decision) [No information supplied by agency]

AMENDATORY SECTION (Amending Order 8-80, filed 6/2/80)

WAC 180-75-070 USE OF FEE FOR CERTIFICATION. (1) Certification fees will be used solely for precertification professional preparation, professional inservice training programs, teachers' institutes and/or workshops, ((and)) evaluations thereof in accordance with this chapter and special studies/projects pertinent to professional preparation state-wide.

(2) Precertification professional preparation:

(a) A subcommittee of the state professional education advisory committee as established in WAC 180-78-015 shall assist the superintendent of public instruction in administration of precertification program funds by annually establishing priorities and procedures for distribution of funds available for precertification activities. The primary utilization shall be to support collaborative efforts essential to program development, program evaluation and assessment of candidates' entry and exit competency.

(b) Funds set aside for precertification shall not supplant funds already available to any participating agency.

(c) A single educational service district shall be designated to administer the funds allocated for precertification programs. The designated educational service district shall be permitted to retain up to five percent of the precertification fees for costs related to administering these funds.

(d) Each quarter every educational service district shall forward the moneys designated for precertification programs to the educational service district designated to administer such programs.

(e) Funds shall be allocated for program activities of cooperating agencies as set forth in WAC 180-78-010(12). Allocations shall be

made to colleges or universities including a basic grant for each of the college or university's certification programs, and a supplementary allocation on a pro rata basis of numbers of persons completing certification programs in the college or university as compared with the total from all colleges and universities in the state.

(f) The college or university as defined in WAC 180-78-010(3) shall submit a proposal for use of precertification funds to the superintendent of public instruction annually. The request shall include a budget for program development and implementation for each program with which the college or university is involved leading to certificates set forth in WAC 180-75-055. In those instances when more than one college or university is involved, one institution must be designated to coordinate funding for that preparation program.

(g) The proposal shall be subject to approval by the superintendent of public instruction with recommendations from a subcommittee of the professional education advisory committee.

(h) Proposals must give evidence that agencies cooperating with colleges or universities are involved in developing the overall proposal including objectives, activities, and budgets for the separate preparation programs leading to certificates set forth in WAC 180-75-055, and that those agencies concur with the proposal.

(i) Proposals must specify objectives, activities, and evaluation procedures to be used.

(j) The educational service district designated to administer funds allocated for precertification programs shall execute a contractual agreement with the college or university for use of precertification grants. The college or university serving as fiscal agent for the grant may retain no more than five percent of the grant for indirect costs associated with administration of funds.

(k) Each college or university shall submit an annual report to the superintendent detailing the degree to which objectives are achieved and a financial report on use of grant funds during the grant period.

(3) Professional inservice training programs and teachers' institutes and/or workshops:

(a) Each educational service district, or cooperative thereof as specified in subparagraph (d) of this subsection, shall establish an inservice committee composed of an educational service district representative; at least one district superintendent; one principal; one educational staff associate; one elementary, one junior high and one senior high teacher; one representative from the elementary or secondary level of private schools within the educational service district; and one representative selected by the chief administrative officer responsible for professional education from a college/university having a state board of education approved teacher education program. Teacher representatives shall be selected by agreement among the presidents of the local education associations within the respective educational service district or cooperative thereof.

(b) The educational service district representative shall serve as chairperson of the inservice committee and provide liaison with the superintendent of public instruction and the state board of education.

(c) The inservice committee will be responsible for coordinating inservice/staff development model programs within the educational service district and shall submit to the superintendent of public instruction and the state board of education a plan for soliciting and selecting model programs which shall include procedures for conducting needs assessments, determining priorities and carrying out program evaluation.

(d) Cooperative agreements may be made among educational service districts to provide quality inservice education programs.

(e) Funds designated for inservice programs shall not supplant funds already available for such programs.

(4) Allowable expenditures. Funds may be used to support costs related to training, such as the payment of professional contractual services, per diem, travel costs, materials, printing, or released time. Nonallowable costs, except when approved in advance by the superintendent of public instruction or his or her designee, are college/university tuition and fees and the rental or purchase of facilities or equipment.

(5) Annual reporting. The superintendent of public instruction shall prepare and present to the state board of education an annual report concerning the use of certification fees for precertification and inservice activities.

WSR 81-08-052
PROPOSED RULES
STATE BOARD OF EDUCATION
 [Filed April 1, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State Board of Education, intends to adopt, amend, or repeal rules concerning Professional preparation program—Development and approval, chapter 180-78 WAC;

that such agency will at 9:00 a.m., Thursday, May 21, 1981, in the Board Room, Educational Service District 112, 1313 N.E. 134th Street, Vancouver, WA 98665, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Friday, May 22, 1981, in the Board Room, Educational Service District 112, 1313 N.E. 134th Street, Vancouver, WA 98665.

The authority under which these rules are proposed is RCW 28A.70.005 and 28A.04.120.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to May 21, 1981, and/or orally at 9:00 a.m., Thursday, May 21, 1981, same location as shown above.

Dated: April 1, 1981
 By: Wm. Ray Broadhead
 Secretary

STATEMENT OF PURPOSE

Rule title: Chapter 180-78 WAC, Professional preparation program—Development and approval.

Description of purpose: To make changes essential to implementing new procedures and to provide an appeal process.

Statutory authority: RCW 28A.70.005 and 28A.04.120.

Summary of rule: Establishes an appeal procedure, reflects changes in procedures, and sets up a process for approving courses offered by out-of-state institutions.

Reasons supporting proposed action: Makes changes essential to implementation of new procedures, facilitates certification, responds to recommendations from professional groups and the advisory committee or from staff after consultation with representatives of affected agencies or organizations.

Agency personnel (name, office address, telephone) responsible for:

Drafting: Lillian Cady, Director, Professional Education, 7510 Armstrong Street S.W., Tumwater, WA 98504, Telephone: 206/753-1031.

Implementation: Same as above.

Enforcement: Same as above.

Person/organization proposing rule:

Private ___ Private ___ Governmental X

Agency comments or recommendations regarding statutory language, implementation, enforcement, fiscal matters: [No information supplied by agency]

Necessary as result of federal law ___ federal court action ___ state court action ___ (If so, attach copy of law or court decision) [No information supplied by agency]

AMENDATORY SECTION (Amending Order 5-78, filed 5/26/78)

WAC 180-78-025 PROGRAM APPROVAL. Compliance date. All programs leading to certification offered in Washington state to prepare teachers, administrators, and school specialized personnel shall be approved under this chapter no later than ((June)) September 1, 1983.

NEW SECTION

WAC 180-78-027 APPEAL—GENERAL. Any college or university that applies for program approval, whose approval is denied, or who disagrees with the stipulations of the approval granted, may appeal such decisions to the state board of education.

The appeal procedures shall be as follows: The college or university must file a written note of appeal with the state board of education within twenty calendar days after the date on which the state board of education took formal action regarding the approval status of the college or university. The written notice must set forth the applicant's reasons for appeal.

Following timely notice of appeal, the superintendent of public instruction, acting on behalf of the state board of education, shall select a hearing examiner from those designated by the state board of education, to hear a particular appeal. Decisions in cases formally appealed by applicants pursuant to this section are to be made by the hearing examiner selected by the superintendent of public instruction, in conformance with the provisions of the code reviser's rules of procedure (chapter 1-08 WAC) and the administrative procedure act (chapter 34.04 RCW).

The appeal shall be conducted pursuant to chapter 180-08 WAC and chapter 34.04 RCW.

AMENDATORY SECTION (Amending Order 6-79, filed 5/22/79)

WAC 180-78-050 PROGRAM APPROVAL STANDARDS AND CRITERIA. (1) Cooperation.

(a) Standard: Programs of preparation are developed with the cooperation of a program unit.

(b) Criteria:

(i) Documentation provides evidence acceptable to the site visit team and the state board of education that:

(A) The chief administrative officer of each agency was contacted and appointed a representative to the program unit whose authority to act in behalf of the agency is stated in writing; or

(B) A recommendation was forwarded to the superintendent of public instruction for comment and then to the state board of education signed by the chief administrative officers of each agency requesting that an exception be made to this program approval standard; documentation sets forth the reasons for the request; and documentation verifies that the exception was granted by the state board of education.

(ii) Bylaws or operating procedures have been written, adopted and implemented.

(iii) Meetings of the program unit, its subcommittees and/or task forces are held on a regular basis and minutes of activities and actions are maintained.

(iv) A college or university coordinates cooperation, involvement, and activities among agencies in the program unit under a written procedure explaining how each agency gains input.

(v) Governing boards of agencies which participate in the program unit contribute human and material resources to the program as feasible.

(2) Program management.

(a) Standard: Responsibilities are clearly assigned to individuals, groups, and/or committees for program development, implementation, and evaluation.

(b) Criteria:

(i) The college or university shall notify the state board of education and the superintendent of public instruction of the formation of a program unit; the membership; the specialization, subject matter, and/or grade level focus of the proposed programs; and its timeline for program development.

(ii) Responsibilities are assigned for selection; advising and counseling; maintaining records regarding the student's program and progress; supervision and evaluation of candidates; and verifying that certification requirements have been met and the preparation program has been completed.

(iii) Persons who will instruct, evaluate, or supervise candidates are identified; descriptions of their roles, responsibilities, and loads are written; and their activities are consistent with the written role description.

(iv) Documentation contains a written explanation of policy-making, program development, and program management processes and responsibilities.

(v) Review of certification records verifies that the records are accurate.

(vi) The need for any new program, new program emphasis, or certificate endorsement is established and evidence of need exists including statistics relative to supply and demand; professional development needs of individuals or the education community; new curriculum or instructional directions in the common schools; and changes in enrollments and staffing ratios and patterns.

(vii) A schedule and outline have been completed relative to development and implementation of the program; decision-making points are identified; and individuals, agencies, or committees responsible for such tasks and decisions are specified.

(viii) Data are collected and available relative to the effectiveness of the management system, including identification of problem areas and procedural elements.

(ix) Responsibility for reporting program changes to the superintendent of public instruction and state board of education is assigned.

(3) Program outcomes.

(a) Standard: At a minimum the program includes academic and experience requirements set forth in chapter 180-79 WAC for the respective role(s) and specifies in writing the knowledges and skills the person will possess and demonstrate when he or she completes the program, including the state board of education minimum generic standards.

(b) Criteria:

(i) All minimum generic standards for certification established by the state board of education are addressed in learning experiences and are included among the program outcomes. A relationship exists between field and didactic learning experiences and program outcomes.

(ii) Relevant standards of the national association of state directors of teacher education and certification, the national council for accreditation of teacher education and/or standards of specialized associations and scholarly societies are referred to as guides in identifying program outcomes: PROVIDED, That the superintendent of public instruction or his or her designee shall present to the state board of education for approval any standards of specialized associations and scholarly societies which will be used to supplement the standards set forth herein for assessment of program outcomes.

(iii) Degrees of proficiency required for program outcomes are clearly differentiated between the initial and continuing certificate levels.

(iv) Faculty, students and field supervisors know the program outcomes required of candidates.

(v) Program outcomes are stated in terms which make evaluation by supervisors and instructors possible.

(vi) Knowledge and skills related to continuing education and professional development are included in program outcomes.

(vii) All courses or offerings applicable to certification delivered off-campus meet the "State Board of Education Standards for Off-Campus Courses/Offerings in Education" adopted by the state board of education.

(4) Selection and retention.

(a) Standard: Criteria and requirements to be used in selecting candidates for admission to the preparation program are explicit and practices relevant to retention of candidates are specified.

(b) Criteria:

(i) Selection criteria and the process used to screen and admit candidates are written.

(ii) Selection criteria are relevant to attainment of program outcomes.

(iii) A clearly written process exists for counseling and advising students about supply and demand; progress and retention in the program; and supervision and evaluation relative to academic, experience and generic standards.

(iv) Selection and retention procedures and criteria do not discriminate on the basis of race, ethnic group, sex, age, handicapping conditions, color or religion.

(v) Specific standards exist relative to retention in the program.

(vi) Written procedures exist for appeal of decisions within the college or university relative to admission or retention in the program.

(vii) Admission requirements to the professional preparation programs include evidence that the candidate is competent in the basic skills required for oral and written communication and computation.

(viii) The program identifies the specific requirements which shall pertain for purposes of renewal of the initial certificate.

(5) Individualization.

(a) Standard: Programs recognize individual differences in terms of learner rate and style. Alternative learning experiences appropriate to such differences are available.

(b) Criteria:

(i) Procedures for assessing individual assets and needs are clearly defined.

(ii) Opportunities for planning alternate preparation experiences are available to students.

(iii) Learning experiences are designed to provide for social-cultural-economic differences among candidates.

(iv) Appropriate individualized learning opportunities are provided to those students identified as possessing special assets and needs as determined through a variety of assessment procedures.

(v) Individual differences in learning style are recognized and as feasible alternative learning opportunities are provided.

(vi) When appropriate and feasible, learning opportunities provide for differences in learning rate by variations in training time.

(6) Field experience.

(a) Standard: Field experiences are provided as required in WAC 180-79-115, 180-79-120, and 180-79-125 and are designed to correlate with specified program outcomes.

(b) Criteria:

(i) A sequence of field experiences is offered in the preparation program including opportunities for observation, tutoring, micro-teaching and extended practicum, student teaching, and/or internship experiences in educational settings.

(ii) Appropriate clinical and laboratory experiences are available to persons being prepared in specializations requiring practice under supervision in settings in addition to educational settings.

(iii) Written agreements exist between the college or university and the field sites which specify the role of agencies and the responsibilities and contributions each will make to the field program.

(iv) Field experiences provide opportunities for candidates to observe and participate in educational settings having varied organizational structures, ethnic populations, age groups, socio-economic characteristics, and curricular and instructional programs.

(v) Field experiences are designed to address the minimum generic standards established by the state board of education and to integrate theory and practice.

(vi) Criteria for selecting sites and for selecting field personnel are specified.

(vii) Criteria and procedures to be used in assigning students to field settings are identified; provisions are made for changes in assignments in circumstances where problems exist.

(viii) The responsibilities and authority of college supervisors and field personnel are specified in writing in relation to instruction, observation, evaluation, and grading.

(ix) Written materials are provided to field personnel which make explicitly their responsibilities and the program outcomes to be experienced, demonstrated, and evaluated in the field setting.

(x) Field personnel serving as supervisors are oriented to their responsibilities, and training is provided to assist them in implementing and evaluating those elements of the program for which they share responsibility with the college or university supervisors.

(xi) College or university supervisors have scheduled contact and communication with field personnel.

(7) Supervision.

(a) Standard: Provision exists in the program for ongoing evaluation and for constructive supervision emphasizing the developmental nature of the preparation process.

(b) Criteria:

(i) A schedule exists which ensures that each candidate receives regular assessment and feedback relative to knowledge, skill, and performance.

(ii) Results of assessment and evaluation are used as a basis for developing further didactic, field, and/or clinical experiences.

(iii) Criteria exist and are used for selecting field personnel and college or university personnel who will provide supervision; criteria include knowledge, skill and experience requirements.

(iv) Orientation and training are offered for all supervisory personnel including college and university supervisors.

(v) Records of observations, evaluations, and suggested learning experiences are maintained for each student in the preparation program.

(vi) College personnel providing supervision of field experiences and instructing techniques and methods courses have had experience in an educational setting in grades K-12.

(8) Options.

(a) Standard: Program units are encouraged to employ alternative methods for developing programs and implementing professional preparation.

(b) Criteria:

(i) Documentation shall identify unique features or approaches used in implementing program principles or meeting program approval standards and provide a rationale for variation in the latter instance.

(ii) Innovative and experimental programs or program components are based on validated research and theory.

(iii) Alternative approaches are appropriate to institutional and program characteristics and program emphases and objectives.

(9) Resources.

(a) Standard: Resources are of the quantity and quality necessary for meetings of the program unit and for implementation of the program as approved by the state board of education.

(b) Criteria:

(i) Documentation shall specify activities of the program unit and the availability of resources to support those activities. Documentation shall also specify elements of the program which require resources and resources available for specific needs.

(ii) Documentation and data relevant to funding, personnel, facilities, material, and equipment are available for review.

(iii) Member agencies in the program unit have set forth in writing the real and/or in-kind resource contributions they are making to the program unit or program.

(iv) A budget document exists detailing budgetary information pertinent to the program unit and the program.

(v) Faculty members and field personnel who supervise and instruct in the program have the appropriate academic preparation and experience in the fields of study for which they are responsible and which are essential to implementation of the program.

(vi) Learning resources reflect breadth and depth in selection of journals, books, curriculum and materials and are evaluated periodically using model listings and guidelines of professional organizations.

(vii) The program administrator is allowed the necessary time as part of his or her load to fulfill program responsibilities.

(10) Research and evaluation.

(a) Standard: The preparation program is based on study and research; ongoing program evaluation; and follow-up assessment of the persons prepared.

(b) Criteria:

(i) Specific individuals are assigned responsibility for program evaluation, research, and follow-up.

(ii) A systematic procedure is established for program evaluation and for follow-up studies of graduates.

(iii) A systematic process exists for gaining from instructors, supervisors, students, and field personnel evaluative information and data about the program and its outcomes.

(iv) Placement records are maintained and annual summaries are prepared.

(v) Data are analyzed and studied for the purposes of determining program needs.

(vi) Data generated from research or follow-up studies are used in program revision and redesign.

NEW SECTION

WAC 180-78-057 APPROVAL OF COURSES APPLICABLE TO CERTIFICATION. In order for any course offered by an out-of-state college or university within the state of Washington to be applicable to Washington state certification, prior approval must be obtained by the out-of-state college or university from the state board of

education or its designee within the office of the superintendent of public instruction.

A course offered under such circumstances must comply with the following requirements to qualify for approval:

(1) Be offered by a college or university which has met the provisions of chapter 28B.05 RCW or be exempt therefrom;

(2) Be offered by a college or university which is accredited in its respective region by the regional accrediting association and accredited by the Northwest Regional Accrediting Association to offer courses or programs in Washington state;

(3) Be offered by a college or university which is approved in its respective home state for purposes of preparing personnel for certification to serve in the common schools;

(4) Meet the "State Board of Education Standards for Off-campus Offerings in Education;"

(5) File an application and provide evidence to the state board of education that the preceding requirements are met:

PROVIDED, That no college or university within the state of Washington having an approved professional education program shall be required to accept such coursework as part of a certificate program: AND PROVIDED FURTHER, That no out-of-state college or university shall offer a program of courses within Washington state for purposes of Washington state certification without meeting all program approval requirements set forth in WAC 180-78-050.

WSR 81-08-053

PROPOSED RULES

STATE BOARD OF EDUCATION

[Filed April 1, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State Board of Education, intends to adopt, amend, or repeal rules concerning Professional preparation—Certification requirements, chapter 180-79 WAC;

that such agency will at 9:00 a.m., Thursday, May 21, 1981, in the Board Room, Educational Service District 112, 1313 N.E. 134th Street, Vancouver, WA 98665, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Friday, May 22, 1981, in the Board Room, Educational Service District 112, 1313 N.E. 134th Street.

The authority under which these rules are proposed is RCW 28A.70.005.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to May 21, 1981, and/or orally at 9:00 a.m., Thursday, May 21, 1981, same location as shown above.

Dated: April 1, 1981

By: Wm. Ray Broadhead

Secretary

STATEMENT OF PURPOSE

Rule title: Chapter 180-79 WAC, Professional preparation—Certification requirements.

Description of purpose: To facilitate implementation of certification requirements and new procedures.

Statutory authority: RCW 28A.70.005.

Summary of rule: Establishes rules and amends rules to facilitate certification.

Reasons supporting proposed action: Makes changes essential to implementation of new procedures, facilitates certification, responds to recommendations from professional groups and the advisory committee or from staff after consultation with representatives of affected agencies or organizations.

Agency personnel (name, office address, telephone) responsible for:

Drafting: Lillian Cady, Director, Professional Education, 7510 Armstrong Street S.W., Tumwater, WA 98504, Telephone: 206/753-1031.

Implementation: Same as above.

Enforcement: Same as above.

Person/organization proposing rule:

Private___ Public___ Governmental X
Agency comments or recommendations regarding statutory language, implementation, enforcement, fiscal matters: [No information supplied by agency]

Necessary as result of federal law___ federal court action___ state court action___ (If so, attach copy of law or court decision) [No information supplied by agency]

AMENDATORY SECTION (Amending Order 9-80, filed 6/2/80)

WAC 180-79-065 CERTIFICATE LAPSE, RENEWAL, AND REINSTATEMENT. (1) Initial certificate.

(a) The initial certificate may be renewed once for a three-year period on application and verification that the individual is formally enrolled in a planned continuing level preparation program and has completed some coursework relevant thereto. A statement from a college or university where the applicant is officially enrolled in a continuing level program shall be filed with the superintendent of public instruction verifying his or her status: PROVIDED, That no more than ten years has elapsed since completion of an approved preparation program for initial certification.

(b) The initial certificate may be reinstated for ~~((a))~~ two three-year periods if the individual completes at least fifteen quarter hours (ten semester hours) of course work in an approved preparation program applicable to the continuing certificate: PROVIDED, That the superintendent of public instruction may, in specific instances, elect to reinstate the initial certificate for an additional three year period. ((Such preparation should be applicable to the continuing certificate.))

(2) Continuing certificate.

(a) The continuing certificate will lapse if the holder does not serve at least thirty school days in an educational setting during one of seven consecutive school years.

(b) To reinstate a lapsed continuing certificate the individual must complete fifteen quarter hours (ten semester hours) of course work in a state approved preparation program offered by a regionally accredited college or university and provide evidence of knowledge and skill in the minimum generic standards required for continuing certification: PROVIDED, That coursework taken more than three years prior to the date of application for reinstatement shall not satisfy this requirement and that no more than five quarter (three semester) hours of correspondence credit shall be acceptable toward renewal or reinstatement requirements set forth above.

(3) Recency of training and experience. If an applicant has not served in an educational setting or has not completed a preparation program within the seven-year period preceding application for a certificate or has not completed fifteen quarter (ten semester) hours of coursework applicable to his or her subject matter field, specialization, or pedagogy in an accredited four-year college or university within the ~~((three))~~ seven years immediately preceding application for a certificate, he/she will be required to complete refresher study consisting of fifteen quarter (ten semester) hours of coursework applicable to his or

her field of study ~~((or))~~, specialization, or pedagogy in order to be eligible for certification: PROVIDED, That ESA applicants may be granted experience credit for service in their specialization in other than educational settings if so determined by the superintendent of public instruction or his or her designee.

AMENDATORY SECTION (Amending Order 9-80, filed 6/2/80)

WAC 180-79-120 ACADEMIC AND EXPERIENCE REQUIREMENTS FOR CERTIFICATION—ADMINISTRATORS. Candidates for the respective administrative certificate shall complete the following requirements in addition to those set forth in WAC 180-75-085.

(1) Superintendent.

(a) Initial.

(i) The candidate shall hold a master's degree and complete at least fifteen quarter hours (ten semester hours) of graduate study beyond the master's degree in education-related course work.

(ii) The candidate shall hold or be eligible to hold a valid initial or continuing teacher or ESA certificate at the time he or she applies for the initial superintendent's certificate.

(iii) The candidate shall have served as an administrator in K-12 settings for at least three years as verified by the district(s) superintendent or designee.

(iv) The candidate shall have completed a one-year internship appropriate to the role of superintendent. The internship shall provide experience under supervision in all aspects of a district's program.

(b) Continuing.

(i) The candidate shall have completed at least thirty quarter hours (twenty semester hours) of graduate work beyond the master's degree.

(ii) The candidate shall have completed at least three years of experience as superintendent, deputy superintendent, or assistant superintendent.

(2) Principal.

(a) Initial.

(i) The candidate shall hold a valid initial or continuing teacher certificate at the time he or she applies for the initial principal's certificate.

(ii) The candidate shall have completed at least three years of certificated service in a K-12 setting, including a minimum of one year of classroom teaching experience as a certificated teacher at the level for which he or she seeks certificate endorsement: PROVIDED, That if the candidate has not served as a teacher, a waiver of this requirement may be requested as specified under WAC 180-75-015 and the candidate shall during the internship experience complete supervised experiences in the classroom at the level for which the certificate will be endorsed and shall demonstrate the minimum generic standards set forth in WAC 180-79-130 and 180-79-135 for teachers.

(iii) The candidate shall complete an internship at the grade level(s) for which the certificate will be endorsed. As a minimum the internship shall be of sufficient length and depth to provide experience under supervision in all aspects of the school program and participation in activities prior to the opening and following the closing of the regular school year.

(iv) The candidate shall have completed at least thirty quarter hours (twenty semester hours) of work applicable to a graduate degree subsequent to receipt of a baccalaureate degree in an approved program for preparation of principals.

(b) Continuing.

(i) The candidate shall hold a master's degree.

(ii) The candidate shall have completed at least three years of experience as a principal, vice principal, or assistant principal.

(3) Program administrator.

(a) Initial.

(i) The candidate shall hold a valid initial or continuing teacher or educational staff associate certificate at the time he or she applies for the program administrator's initial certificate.

(ii) The candidate shall hold a master's degree.

(iii) The candidate shall have completed at least three years of certificated service in an educational setting, grades K-12.

(iv) The candidate shall have completed an internship which provides administrative experience in an area of program speciality as well as in general program administration.

(b) Continuing.

(i) The candidate shall have completed at least fifteen quarter hours (ten semester hours) of graduate work subsequent to the master's degree relevant to educational administration or his or her subject matter field(s) or specialization(s).

(ii) The candidate shall have completed at least three years of experience as a program administrator in a district-wide assignment.

AMENDATORY SECTION (Amending Order 9-80, filed 6/2/80)

WAC 180-79-125 ACADEMIC AND EXPERIENCE REQUIREMENTS FOR CERTIFICATION—EDUCATIONAL STAFF ASSOCIATE (ESA). Candidates for ESA certification shall complete the following requirements in addition to those set forth in WAC 180-75-085: **PROVIDED**, That it shall not be necessary for any candidate who holds a master's degree to obtain a second master's degree; however, the candidate shall complete all course work and experience requirements relevant to the specialization set forth in an approved preparation program for the appropriate ESA speciality. Candidates for continuing level certification shall have completed at least three years of certificated service in an educational setting in the respective ESA role for which he or she is seeking certification.

(1) Communication disorders specialist.

(a) Initial.

(i) The candidate shall have completed all requirements for the master's degree (except special examinations, projects or thesis) with a major in speech pathology and/or audiology.

(ii) The candidate shall have completed practicum experiences in communication disorders which include observation as well as practice under supervision in K-12, clinical, and field/laboratory settings.

(b) Continuing. The candidate shall hold a master's degree with a major in speech pathology and/or audiology.

(2) Counselor.

(a) Initial.

(i) The candidate shall have completed all requirements for the master's degree (except special examinations, projects or thesis) with a major in counseling.

(ii) The candidate shall have completed a supervised practicum or internship in counseling in a K-12 school setting.

(b) Continuing. The candidate shall hold a master's degree with a major in counseling.

(3) Occupational therapist.

(a) Initial.

(i) The candidate shall have completed an approved or accredited baccalaureate degree program in occupational therapy and have status as an occupational therapist registered with the American occupational therapy association.

(ii) The candidate shall have completed ~~((field))~~ a practicum experience ((in an educational setting)) with students of ages typically served in the common schools which includes observation as well as practice under supervision in a field or clinical setting which has an educational component.

(iii) The candidate shall have successfully completed the American occupational therapy association certification examination.

(b) Continuing. The candidate shall have completed at least fifteen quarter hours (ten semester hours) of graduate work or continuing education in occupational therapy or education.

(4) Physical therapist.

(a) The candidate shall hold a baccalaureate degree in physical therapy from a college or university having an approved or accredited school of physical therapy or the candidate shall hold a baccalaureate degree and a certificate in physical therapy from an accredited school of physical therapy.

(i) The candidate shall hold a current Washington state license or a probational certificate to practice as a physical therapist.

(ii) The candidate shall have completed ~~((field))~~ a practicum experience((s in an educational setting)) with students of ages typically served in the common schools which includes observation as well as practice under supervision in a field or clinical setting which has an educational component.

(b) Continuing. The candidate shall have completed at least fifteen quarter hours (ten semester hours) of graduate work or continuing education in physical therapy or education.

(5) School psychologist.

(a) Initial.

(i) The candidate shall have completed all requirements for the master's degree (except special examinations, projects or thesis) with a major or specialization in school psychology.

(ii) The candidate shall have completed a practicum or internship under supervision in an educational setting, K-12.

(b) Continuing. The candidate shall hold a master's degree with a major or specialization in school psychology.

(6) Reading resource specialist.

(a) Initial.

(i) The candidate shall hold a valid initial or continuing level teacher's certificate at the time he or she applies for the reading resource specialist's initial certificate.

(ii) The candidate shall have completed all requirements for the master's degree (except special examinations, projects or thesis) with a major or specialization in reading.

(iii) The candidate shall have completed field experiences in an educational setting which includes observation as well as practice under supervision.

(b) Continuing. The candidate shall hold a master's degree with a major or specialization in reading.

(7) School nurse.

(a) Initial.

(i) The candidate shall hold a valid license as a registered nurse (RN) in Washington state.

(ii) The candidate shall hold a baccalaureate degree in nursing with an emphasis in school nursing or community health.

(iii) The candidate shall have completed field experiences in an educational setting, K-12, which includes observation as well as practice under supervision.

(b) Continuing. The candidate shall have completed at least forty-five quarter hours (thirty semester hours) of upper division or graduate work in education, community health, nursing or school nursing; thirty quarter hours (twenty semester hours) of which have been taken subsequent to the first year of service as a school nurse.

(8) Social worker.

(a) Initial.

(i) The candidate shall ~~((hold a master's degree in social work or shall demonstrate knowledge and skill equivalent to that required for the master's degree))~~ have completed all requirements for a master's degree in social work.

(ii) The candidate shall have completed ~~((at least one thousand two hundred hours of))~~ a field experience or practicum in an educational setting((K-12)) under the supervision of a certificated master of social work. The field experience or practicum shall be with students of ages typically served in the common schools.

(b) Continuing. The candidate shall hold a master's degree in social work or an initial level certificate as a school social worker.

AMENDATORY SECTION (Amending Order 6-78, filed 5/26/78)

WAC 180-79-150 ROLE AND MINIMUM GENERIC STANDARDS—ADMINISTRATORS—INITIAL CERTIFICATION—SUPERINTENDENTS. (1) The superintendent is responsible for administration of the school district.

(2) To qualify for initial certification the candidate must demonstrate knowledge and skill in the following areas in addition to those set forth in WAC 180-79-130(1):

(a) Organizational management and accountability. The candidate has the knowledge and skill to plan, develop, coordinate, and supervise implementation and evaluation of district-wide policies, procedures, and curricular and instructional programs and to provide leadership relative to management and accountability district-wide.

(b) Facility and resource management and acquisition. The candidate has the knowledge and skill to identify facility and resource needs of the district and to coordinate procedures essential to maintenance and acquisition of facilities and resources.

(c) Personnel management. The candidate has the knowledge and skill to establish district personnel policies and practices consistent with law and negotiated agreements in employment, assignment, supervision, evaluation, and other personnel related matters.

(d) Fiscal management. The candidate has the knowledge and skill necessary to plan, develop, and coordinate district budget preparation, district funding, and fiscal accountability.

(e) Community relations. The candidate uses staff and community resources to assess educational needs of the community, to develop district goals and objectives, to resolve school-community issues, and to implement a positive public information program.

(f) School law. The candidate knows federal, state, and local statutes, rules and regulations, policies, and court decisions which affect management and operation of the total district and its programs and has the knowledge and skill to develop policies and, as appropriate, rules and regulations for consideration and adoption by the local board of directors.

(g) Legislative process. The candidate knows how the legislative process works and has the skill to use that process.

AMENDATORY SECTION (Amending Order 7-79, filed 5/22/79)

WAC 180-79-230 LIMITED CERTIFICATES. The following certificates are issued under specific circumstances for limited periods of service as outlined:

- (1) Consultant special certificate.
- (a) The issuance of consultant special certificates is limited to:
- (i) Persons highly qualified and experienced in fields of knowledge to be taught in the common or nonpublic schools;
- (ii) Persons who qualify to instruct in the traffic safety program as paraprofessionals pursuant to WAC 392-153-020(2) and (3);
- (iii) Persons who qualify to teach specific subjects in the adult education program;
- (iv) Persons who under previous standards hold the band and orchestra certificate; and
- (v) Persons who are assigned instructional responsibility for intramural/interscholastic activities which are part of the district approved program.

(b) Such certificates are issued to individuals who are screened by the local school district or educational service district superintendents. The educational service district or local district superintendent will verify that the following criteria have been met when requesting the consultant special certificate:

- (i) No person with regular certification in the field is available as verified by the district or educational service district superintendent;
- (ii) The individual will be delegated primary responsibility for planning, conducting, and evaluating instructional activities and will not be serving in a paraprofessional role which would not require certification;
- (iii) The individual is being certificated for a limited assignment and responsibility in a specified activity/field;
- (iv) Personnel so certificated will be oriented and prepared for the specific assignment and will be apprised of any legal liability, the lines of authority, and the duration of the assignment; and
- (v) The district or educational service district superintendent will indicate the basis on which he/she has determined that the individual is competent for the assignment and will verify that general requirements for certification as set forth in WAC 180-79-105 through 180-79-110 have been met.

(c) The certificate is valid for one year and only for the activity specified. The certificate may be reissued on application and evidence that requirements continue to be met: PROVIDED, That the superintendent of public instruction may extend the validity of the certificate for more than one year but no more than four years.

(2) Substitute certificate.

(a) The substitute certificate entitles the holder to act as substitute during the absence of the regularly certificated staff member for a period not to exceed thirty consecutive school days during the school year in any one assignment. This certificate may be issued to:

(i) Elementary or secondary school teachers, educational staff associates or administrators whose state of Washington certificates have expired, or

(ii) Persons who have completed state approved preparation programs at regionally accredited colleges and universities for certificates within the past ten years, or

(iii) Any district unable to secure substitutes who meet these requirements may contact the office of the superintendent of public instruction to request a waiver of these requirements. Reasons for the request and qualifications of the proposed substitute shall be set forth in writing.

(b) The substitute certificate is valid for three years and may be reissued subsequently for three-year periods: PROVIDED, That the superintendent of public instruction may determine in emergency situations to issue the substitute certificate to persons not fully qualified under this subsection for a period not to exceed one year.

(3) Emergency certification.

(a) Emergency certification for specific positions may be issued upon the recommendation of school district and educational service district superintendents to persons who hold the appropriate degree and have substantially completed a program of preparation in accordance with Washington requirements for certification: PROVIDED, That a qualified person who holds regular certification is not available or that the position is essential and circumstances warrant consideration of issuance of an emergency certificate. The superintendent of public instruction shall determine that the issuance of such certificate is in the best interest of the state.

(b) The emergency certificate is valid for one year.

AMENDATORY SECTION (Amending Order 9-80, filed 6/2/80)

WAC 180-79-245 RECIPROCITY. Candidates for certification who hold certificates or credentials in other states or who have completed approved or accredited preparation programs in other states shall be eligible for Washington certificates as follows:

(1) Initial certificate. The initial certificate shall be issued by the superintendent of public instruction to any candidate who:

(a) Qualifies under provisions of the interstate compact or of this chapter; or

(b) Holds the appropriate degree as set forth in WAC 180-79-250; has completed a state approved preparation program at a regionally accredited college or university in the professional field for which the certificate is to be issued; and has verification by previous supervisors and instructors that he or she possesses the relevant minimum generic standards: PROVIDED, That no more than seven years has elapsed since the individual completed his or her preparation or last served in a certificated position in an educational setting.

(2) Continuing certificate. The continuing certificate shall be issued on verification from a Washington state board of education approved preparation program that the individual meets relevant academic and experience requirements and minimum generic standards set forth in this chapter or directly by the superintendent of public instruction or his or her designee (~~PROVIDED, That any out-of-state candidate who through no fault of his or her own is unable to gain admission to a state board of education approved program relevant to his or her certification during the four year period for which the initial certificate is valid, may request that the superintendent of public instruction or his or her designee issue a continuing certificate. The superintendent or his or her designee shall secure verification from an out-of-state college or university having a state approved or accredited preparation program and from supervisors that relevant academic and experience requirements and continuing level minimum generic standards set forth in this chapter have been demonstrated within the seven-year period immediately prior to application for the certificate or the applicant shall complete recency requirements set forth in WAC 180-79-065(3).~~)

(3) ~~Until such time as the state board of education approves programs of preparation consistent with chapter 180-78 WAC, out-of-state candidates may:~~

- (a) ~~Seek certification under provisions of chapter 180-79 WAC, or~~
 (b) ~~Request that the superintendent of public instruction or his or her designee secure verification of academic and experience requirements and minimum generic standards for certification in accordance with provisions of this chapter.)~~ as set forth below:

(a) Teachers.

(i) Out-of-state candidates who meet all requirements for continuing certification as set forth in WAC 180-75-080, 180-75-085, 180-79-115, and 180-79-250 and who have verification from previous supervisors or instructors that they meet the minimum generic standards set forth in WAC 180-79-130 and 180-79-135 shall be issued a continuing certificate.

(ii) Out-of-state candidates who have not completed all requirements for continuing certification as outlined in section (a)(i) above shall proceed as follows:

(A) Out-of-state candidates who elect to complete the continuing certificate out-of-state. Candidates shall be assisted by SPI and shall meet all requirements for out-of-state candidates set forth in (2)(a)(i) above.

(B) Out-of-state candidates who elect to complete the continuing certificate in Washington state.

Candidates who need fifteen quarter hours or less of coursework and/or experience to complete the requirements for continuing certification shall be assisted by SPI. SPI's recommendations shall be based on suggestions made by the district in which the candidates teach.

Candidates who need sixteen quarter hours or more of coursework to complete the requirements for continuing certification shall be informed of and referred to an in-state approved program for completion of certificate requirements.

All candidates shall provide verification from supervisors or instructors that they meet minimum generic standards for continuing certification set forth in WAC 180-79-130 and 180-79-135.

All candidates shall provide evidence that they have completed three years of service in an educational setting, at least two years of which shall be as a classroom teacher in grades K-12.

(b) Administrators.

(i) Out-of-state candidates for any administrative certificate who meet requirements for continuing certification as set forth in WAC 180-75-085 and 180-79-120 and who have verification from previous

supervisors or instructors that they meet the relevant minimum generic standards set forth in WAC 180-79-130 and 180-79-150, 180-79-155, or 180-79-160 shall be issued a continuing certificate.

(ii) Out-of-state candidates who have not completed all requirements for continuing certification as outlined in section (b)(i) above shall proceed as follows:

(A) Out-of-state candidates who elect to complete the continuing certificate out-of-state. Candidates shall be assisted by SPI and shall meet all requirements for out-of-state candidates set forth in (2)(b)(i) above.

(B) Out-of-state candidates who elect to complete the continuing certificate in Washington state.

Candidates needing fifteen quarter hours or less of coursework to fulfill certification requirements shall be assisted by SPI. SPI's recommendations shall be based on suggestions made by the district in which the administrative candidate serves.

Candidates needing more than fifteen quarter hours of coursework, or needing to meet degree requirements shall be referred to an in-state institution which has an approved program to prepare persons for the respective administrative certificate.

All candidates shall provide verification from supervisors or instructors that they meet the minimum generic standards for continuing certification set forth in WAC 180-79-130 and 180-79-150, 180-79-155, or 180-79-160.

All candidates shall provide evidence that they have completed three years of service in the respective administrative role as set forth in WAC 180-79-120.

(c) Educational staff associate. All candidates for continuing certification shall be referred to an in-state approved program for assistance and verification of minimum generic standards: PROVIDED, That any out-of-state candidate who through no fault of his or her own is unable to gain admission to or review by a state board of education approved program relevant to his or her certification within a reasonable period may request that the superintendent of public instruction or his or her designee issue a continuing certificate on verification from an out-of-state college or university having a state approved preparation and certification program in the specialization and from previous supervisors that relevant academic and experience requirements and continuing level generic standards set forth in this chapter have been demonstrated within the seven-year period immediately preceding application for the certificate in Washington state or the applicant shall complete recency requirement set forth in WAC 180-79-065(3).

WSR 81-08-054

PROPOSED RULES

DEPARTMENT OF AGRICULTURE

[Filed April 1, 1981]

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 varieties eligible for seed certification, amending WAC 16-316-790, 16-316-800 and 16-316-820;

that such agency will at 1:00 p.m., Tuesday, May 5, 1981, in the Agricultural Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Friday, May 15, 1981, in the Director's office.

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

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to May 5, 1981, and/or orally at 1:00 p.m., Tuesday, May 5, 1981, Agricultural Service Center

Conference Room, 2015 South 1st Street, Yakima, WA 98903.

Dated: April 1, 1981
By: Art G. Losey
Assistant Director

STATEMENT OF PURPOSE

For the purpose of legislative review of agency rules, the following statement is submitted:

Rules pertaining to varieties eligible for certification in Washington State (Statutory Authority: Chapter 15.49 RCW).

Amending varieties eligible for certification.

Art Losey, 406 General Administration Building, Olympia, WA 98504, 753-5062.

Max Long, 2015 South 1st Street, Yakima, WA 98903, 575-2750.

Proponents: Department of Agriculture, Seed Advisory Board.

Opponents: Unknown.

No agency comments.

AMENDATORY SECTION (Amending Order No. 1603, filed 4/30/79)

WAC 16-316-790 VARIETIES ELIGIBLE FOR SEED CERTIFICATION. (1) Following are the lists of varieties eligible and certification scheme:

- * The varieties are certified on a limited generation basis where:
Foundation seed is eligible to produce certified seed;
Certified seed is not eligible for recertification.
- ** These varieties are certified on the generation basis where:
Foundation seed is eligible to produce registered seed;
Registered seed is eligible to produce certified seed;
Certified seed is not eligible for recertification.
- *** These varieties are not certified on a generation basis:
Certified seed is eligible to produce certified seed.

((p = Proprietary
pat = Patent
pvp = Plant Variety Protected
pvpv = Plant Variety Protected plus to be sold by variety name only as a class of certified seed:))

(2) As the list of varieties is subject to change, other varieties may be eligible upon approval of the certifying agency.

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 No. 1697, filed 5/30/80)

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

- | | |
|--|---|
| Bentgrass:
(subject to poa annua quarantine) | Astoria Colonial***
Bardot Colonial*
Highland Colonial**
Seaside Creeping***
Emerald Creeping** |
| Big Bluegrass: | Sherman** |
| Canada Bluegrass:
(subject to poa annua quarantine) | Reubens**((pat)) |

Canby Bluegrass:
Kentucky Bluegrass:
(subject to poa annua
quarantine)

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

Meadow Brome:
Mountain Brome:
Smooth Brome:

Wabash*(pvp)
Regar**
Bromar**
Baylor*(p)
Blair*(p)
Manchar**
Tempo
Sac**
Saratoga*

Deertongue:
(subject to poa annua
quarantine)

Tioga*

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

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

Orchardgrass:

Hay King*(p)
Latar**
Pennlate*
Potomac*

Indian Ricegrass:
Perennial Ryegrass:

Nezpar**
Belle*(p)
Cropper*(p)
Diplomat*(pvp)
Jackpot
NK-100*(p)
Yorktown*(pvp)
Norlea*(p)

(subject to poa annua
quarantine)

Puccinellia distans:
Timothy:

Wheatgrass:

Pennfine*((pvp))
Pelo**((p))
Yorktown II*(pvp)
Manhattan*(p)
LP-20*(p)

Fults*
Champlain*
Climax*
Clair*
Mohawk**((p))
Pronto*(p)

Whitmar Beardless**
Secar Bluebunch**
Fairway Crested*
Nordan Crested**
Amur Intermediate***
Greenar
Intermediate**
Oahe Intermediate*
Tegmar Intermediate*
Siberian**
Greenleaf Pubescent*
Luna Pubescent**
Topar Pubescent**
Primar Slender**
P-27 Siberian
Sodar Streambank**
Critana Thickspike**
Alkar Tall**

Basin Wild Rye:

((Manar**))Magnar**

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

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

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

(d) Bristol Kentucky Bluegrass: Maximum of four seed crops on foundation, five seed crops on certified.

(e) Pacific Kentucky Bluegrass: Maximum of five seed crops on foundation, five seed crops on certified.

AMENDATORY SECTION (Amending Order No. 1697, filed 5/30/80)

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

A-24**((p))	Saranac*
A-59**((p))	Saranac AR*(pvp)
Agate*	Spredor 11*
Anchor*(pvp)	SX-10*(p)
Answer*(p)	SX-418*(p)
Apalachee*	Team*
Aquarius*(p)	Tempo*(p)
Apollo*(pvp)	Thor*(p)
Arc*	Titan*(p)
Arnim*(p)	Trident*(pvp)
Atlas*(pvp)	Vernal*
Atra-55*(p)	Vancor*
Baker*(pvp)	Vanguard*(pvp)
Blazer*(p)	Vista*(p)
Citation*(pvp)	Voris A77*(p)
Classic*	WL-220*(p)
Conquest*(p)	Warrior*(p)
Dawson*	Washoe*
Defender*	Weevlchek*(p)
Delta**	WL-215*(p)
Dupuits*(p)	WL-219*(p)
Epic*	WL-221*, WL-311*
G-777*(p)	((WL-307*p))
G-7730*	WL-312*, WL-313*, WL-315*,
WL-316*	
Glacier*(p)	WL-318*(p)
Gladiator*(p)	120*(p)
Honeoye*(pvp)	123*(p)

Iroquois*	130*
Ladak**	521*((p))
Ladak 65*((p))	520*((p))
Liberty**	530*((p))
Marathon*((p))	
Mesilla**	
Multileaf*	
Narragansett**	
Nomad**	
Nugget*((pvp))	
Olympic*((pvp))	
Oneida*	
Peak*((p))	
Perry*	
Phytor*((p))	
Polar II*	
Polar I*((p))	
Primal*((p))	
Prowler*, Raidor*	
Ramsey*((p))	
Ranger**	

STATEMENT OF PURPOSE

For the purpose of legislative review of agency rules, the following statement is submitted:

Rules pertaining to certification of Alfalfa Seed in Washington State (Statutory Authority: Chapter 15.49 RCW).

Amending regulation to increase alfalfa seed certification fees.

Art Losey, 406 General Administration Building, Olympia, WA 98504, 753-5062.

Max G. Long, 2015 South 1st Street, Yakima, WA 98903, 575-2750.

Proponents: Department of Agriculture, Seed Advisory Board.

Opponents: Unknown.

No agency comments.

(2) VARIETY RESTRICTIONS.

(a) Baker: The length of stand, including the year of establishment, shall not exceed the following:

(i) breeder seed, two years;

(ii) foundation seed, three years with a fourth year option dependent on breeder approval;

(iii) certified seed, six years both inside and outside the area of adaptation.

(b) Ranger: Length of stand shall not exceed six years.

(c) Trident: Maximum of two seed crops on foundation, five seed crops certified.

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 No. 1609, filed 4/30/79)

WAC 16-316-230 CERTIFICATION FEES.

(1) Seedling Applications: Due within sixty days after planting, however, may be accepted after due date at the discretion of the certifying agency.

(a) Seedling application fee:

Per variety, per grower \$10.00

(b) Late seedling penalty fee: \$10.00

This additional fee shall be charged for each seedling application received more than sixty days after planting.

(c) Seedling acreage fee: (per acre) ~~(\$1.00)~~ \$ 1.50

(Refundable if acreage is withdrawn before inspection). Required of seedling fields to be harvested for certification the year of planting. Notification of seedling field to be harvested for certification and required fees are due July 31, however, may be accepted after due date with \$10.00 late penalty fee at the discretion of the certifying agency.

(2) Renewal Applications: Due June 7, however, may be accepted after due date at the discretion of the certifying agency.

(a) Renewal application fee:

Per variety, per grower \$10.00

(b) Renewal acreage fee: (per acre) ~~(\$1.00)~~ \$ 1.50 (Refundable if acreage is withdrawn before inspection).

(c) Late renewal penalty fee: \$10.00

This additional fee shall be charged for each renewal application received after June 15.

(3) Reinspection: Other than isolation (each field) \$20.00

If a field is rejected for certification, the grower may apply for reinspection after the cause for rejection has been corrected. Only two reinspections are permitted for each field each year.

(4) Production fee includes sampling and tagging per cwt.: ~~(\$0.30)~~ \$ 0.40

The sampling and production fees are billed at completion of tests. If none of the seed is tagged, ~~((+0*))~~ \$ 0.10 of the ~~((30*))~~ \$ 0.30 cwt. production fee charged is refundable.

(5) Purity and germination test: Fees as established by the director of agriculture.

(6) Fees for retagging, or services not listed in this order shall be the most applicable fee established by the director of agriculture.

(7) Fees for reissue of tags shall be \$ 0.05 a tag with a minimum fee of \$5.00.

WSR 81-08-055
PROPOSED RULES
DEPARTMENT OF AGRICULTURE
[Filed April 1, 1981]

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 alfalfa seed certification fees, amending WAC 16-316-230;

that such agency will at 1:00 p.m., Tuesday, May 5, 1981, in the Agricultural Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Friday, May 15, 1981, in the Director's office.

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

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to May 5, 1981, and/or orally at 1:00 p.m., Tuesday, May 5, 1981, Agricultural Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903.

Dated: April 1, 1981
By: Art G. Losey
Assistant Director

WSR 81-08-056
PROPOSED RULES
DEPARTMENT OF AGRICULTURE
[Filed April 1, 1981]

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 clover seed certification fees, amending WAC 16-316-440;

that such agency will at 1:00 p.m., Tuesday, May 5, 1981, in the Agricultural Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Friday, May 15, 1981, in the Director's office.

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

Interested persons may submit data, views, or argument to this agency in writing to be received by this agency prior to May 5, 1981, and/or orally at 1:00 p.m., Tuesday, May 5, 1981, Agricultural Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903.

Dated: April 1, 1981
By: Art G. Losey
Assistant Director

STATEMENT OF PURPOSE

For the purpose of legislative review of agency rules, the following statement is submitted:

Rules pertaining to certification of clover seed in Washington State (Statutory Authority: Chapter 15.49 RCW).

Amending regulation to increase certification fees for clover.

Art Losey, 406 General Administration Building, Olympia, WA 98504, 753-5062, Max G. Long, 2015 South 1st Street, Yakima, WA 98903, 575-2750.

Proponents: Department of Agriculture, Seed Advisory Board.

Opponents: Unknown.

No agency comments.

AMENDATORY SECTION (Amending Order No. 1621, filed 4/30/79)

WAC 16-316-440 CERTIFICATION FEES.

(1) Seedling Applications: Due within sixty days after planting, however, may be accepted after due date at the discretion of the certifying agency.

(a) Seedling application fee:

Per variety, per grower \$10.00

(b) Late seedling penalty fee: \$10.00

This additional fee shall be charged for each seedling application received more than sixty days after planting.

(c) Seedling acreage fee: (per acre) (\$-1.00)

\$ 1.50

(Refundable if acreage is withdrawn before inspection). Required of seedling fields to be harvested for certification the year of planting. Notification of seedling field to be harvested for certification and required fees are due July 31, however, may be accepted after due date with \$10.00 late penalty fee at the discretion of the certifying agency.

(2) Renewal applications: Due June 15, however, may be accepted after due date at the discretion of the certifying agency.

(a) Renewal application fee:

Per variety, per grower \$10.00

(b) Renewal acreage fee: (per acre) (\$-1.00)

\$ 1.50

(Refundable if acreage is withdrawn before inspection).

(c) Late renewal penalty fee: \$10.00

This additional fee shall be charged for each renewal application received after June 15.

(3) Reinspection: Other than isolation (each field) \$20.00

If a field is rejected for certification, the grower may apply for reinspection after the cause for rejection has been corrected. Only two reinspections are permitted for each field each year.

(4) Production fee includes sampling and tagging per cwt. (\$-0.30)

\$ 0.40

The production fee is billed at completion of tests. If none of the seed is tagged, ((+0¢)) \$ 0.10 of the ((+30¢)) \$ 0.30 cwt. production fee charged is refundable.

(5) Purity and Germination test: Fees as established by the director of agriculture.

(6) Fees for retagging, or services not listed in this order shall be the most applicable fee established by the director of agriculture.

(7) Fees for reissue of tags shall be \$0.05 a tag with a minimum fee of \$5.00.

WSR 81-08-057
PROPOSED RULES
DEPARTMENT OF AGRICULTURE
[Filed April 1, 1981]

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 laboratory charges, amending WAC 16-304-050;

that such agency will at 1:00 p.m., Tuesday, May 5, 1981, in the Agricultural Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Friday, May 15, 1981, in the Director's office.

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

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to May 5, 1981, and/or orally at 1:00 p.m., Tuesday, May 5, 1981, Agricultural Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903.

Dated: April 1, 1981
By: Art G. Losey
Assistant Director

STATEMENT OF PURPOSE

For the purpose of legislative review of agency rules, the following statement is submitted:

Rules pertaining certification of seed in Washington State (Statutory Authority: Chapter 15.49 RCW).

Amending Sanitary Certificate Fee.

Art Losey, 406 General Administration Building, Olympia, WA 98504, 753-5062. Max G. Long, 2015 South 1st Street, Yakima, WA 98903, 575-2750. Proponents: Department of Agriculture, Seed Branch Advisory Board. Opponents: Unknown. No agency comments.

Conference Room, 2015 South 1st Street, Yakima, WA 98903.

Dated: April 1, 1981 By: Art G. Losey Assistant Director

STATEMENT OF PURPOSE

For the purpose of legislative review of agency rules, the following statement is submitted:

Rules pertaining to certification of seed in Washington State (Statutory Authority: Chapter 15.49 RCW).

Amending certification fees for white clover and trefoil.

Art Losey, 406 General Administration Building, Olympia, WA 98504, 753-5062.

Max G. Long, 2015 South 1st Street, Yakima, WA 98903, 575-2750.

Proponents: Washington State Department of Agriculture, Seed Branch Advisory Board.

Opponents: Unknown. No agency comments.

AMENDATORY SECTION (Amending Order No. 1688, filed May 30, 1980)

WAC 16-304-050 MISCELLANEOUS CHARGES.

- (1) Sanitary Certificate ... ((\$10.00)) \$20.00
(2) Service Sampling or similar service: The fee for each service requested shall be:
(a) Peas, beans, small grains or seeds of similar size - per cwt ... \$ 0.03
(b) For all other kinds - per cwt ... \$ 0.15
(c) Minimum charge ... \$15.00
(3) Tagging and Sealing or similar service: The fee for each service requested shall be:
(a) For all kinds of seed - per cwt ... \$ 0.15
(b) Minimum fee ... \$15.00
(4) Checkweighing, checkloading, or similar service shall be - per hour ... \$12.50
Minimum fee ... \$15.00
(5) If requested to make a special trip to provide a service, the person requesting said service may be charged at the rate of \$16.00 per hour travel time plus mileage fee set by statute plus the specific fee for said service. All standby time shall be charged at the rate of \$16.00 per man hour.
(6) Test plot examinations or consultant work in plots, fields, processing plants, etc. shall be at the rate of \$16.00 per hour plus mileage and travel time.
(7) Requests for services not listed - most appropriate fee.

WSR 81-08-058 PROPOSED RULES DEPARTMENT OF AGRICULTURE [Filed April 1, 1981]

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 white clover and trefoil certification fees, amending WAC 16-316-660;

that such agency will at 1:00 p.m., Tuesday, May 5, 1981, in the Agricultural Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Friday, May 15, 1981, in the Director's office.

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

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to May 5, 1981, and/or orally at 1:00 p.m., Tuesday, May 5, 1981, Agricultural Service Center

AMENDATORY SECTION (Amending Order No. 1602, filed 4/30/79)

WAC 16-316-660 CERTIFICATION FEES.

- (1) Seedling Applications: Due within sixty days after planting, however, may be accepted after due date at the discretion of the certifying agency.
(a) Seedling application fee:
Per variety, per grower ... \$10.00
(b) Late seedling penalty fee: ... \$10.00
This additional fee shall be charged for each seedling application received more than sixty days after planting.
(c) Seedling acreage fee: (per acre) ... ((\$ 1-00)) \$ 1.50
(Refundable if acreage is withdrawn before inspection). Required of seedling fields to be harvested for certification the year of planting. Notification of seedling field to be harvested for certification and required fees are due July 31, however, may be accepted after due date with \$10.00 late penalty fee at the discretion of the certifying agency.
(2) Renewal applications: Due June 15, however, may be accepted after due date at the discretion of the certifying agency.
(a) Renewal application fee:
Per variety, per grower ... \$10.00
(b) Renewal acreage fee: (per acre) ... ((\$ 1-00)) \$ 1.50
(Refundable if acreage is withdrawn before inspection).
(c) Late renewal penalty fee: ... \$10.00
This additional fee shall be charged for each renewal application received after June 15.
(3) Reinspection: Other than isolation (each field) ... \$20.00
If a field is rejected for certification, the grower may apply for reinspection after the cause for rejection has been corrected. Only two reinspections are permitted for each field each year.
(4) Production fee includes sampling and tagging per cwt. ((\$0.30)) \$ 0.40
((Production fee includes sampling and tagging per cwt. \$ 0.30))
The production fee is billed at completion of tests. If none of the seed is tagged, ((10¢)) \$ 0.10 of the ((30¢)) \$ 0.30 cwt. production fee charged is refundable.
(5) Purity and Germination test: ... Fees as established by the director agriculture.
(6) Fees for retagging or services not listed in this order shall be the most applicable fee established by the director of agriculture.

(7) Fees for reissue of tags shall be \$0.05 a tag with a minimum fee of \$5.00.

WSR 81-08-059
PROPOSED RULES
DEPARTMENT OF AGRICULTURE
[Filed April 1, 1981]

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 phyto-sanitary certification and fees, amending WAC 16-316-310, 16-316-315 and 16-316-326;

that such agency will at 1:00 p.m., Tuesday, May 5, 1981, in the Agricultural Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Friday, May 15, 1981, in the Director's Office.

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

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to May 5, 1981, and/or orally at 1:00 p.m., Tuesday, May 5, 1981, Agricultural Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903.

Dated: April 1, 1981
By: Art G. Losey
Assistant Director

STATEMENT OF PURPOSE

For the purpose of legislative review of agency rules, the following statement is submitted:

Rules pertaining to production, certification and distribution of seed in Washington state (Statutory Authority: Chapter 15.49 RCW). Amendments to regulations relating to fee increases and procedures for phyto-sanitary inspections and issuance of certificates.

Art Losey, 406 General Administration Building, Olympia, WA 98504, 753-5062.

Max G. Long, 2015 South 1st Street, Yakima, WA 98903, 575-2750.

Proponents: Department of Agriculture, Seed Branch Advisory Council.

Opponents: Unknown.

No agency comments.

AMENDATORY SECTION (Amending Order No. 1652, filed 8/31/79)

WAC 16-316-310 APPLICATION FOR INSPECTION AND DUE DATES. (1) The applicant must submit an application for each field stating the disease or diseases for which inspection is requested.

- (a) Due dates for applications for field inspections are as follows:
(i) Western Washington: Fall plantings (May 1) April 15
Spring plantings June 1
(ii) Eastern Washington: Fall plantings (May 1) April 15
Peas in Columbia Basin May 15
Peas East Highway 395 (Palouse) June 15

Beans July 1
All other crops June 1
(b) Applications for crops requiring a fall inspection are due 30 days prior to inspection time and not later than September 15. Applications may be accepted after September 15 at the discretion of the Seed Branch.

(2) To be eligible for pseudomonas pisi phyto-sanitary certificate for peas or other diseases based on area surveillance, the applicant must file a report listing acreage and general location (such as block and unit if possible) before May 1.

(3) Applications received after due date will be assessed a late fee - acceptance is at the discretion of the certifying agency.

(4) Each applicant shall submit applications and/or required reports stating diseases for which inspection is to be made and the number of inspections required and/or requested.

(5) Applications must be submitted to the Seed Branch, 2015 South 1st Street, Yakima, Washington 98903, before due date with required fees.

(6) Only one kind of crop is permitted on each application.

AMENDATORY SECTION (Amending Order No. 1626, filed 4/30/79)

WAC 16-316-315 FEES AND CHARGES.

(1) Fee for area and field inspection:

(a) Field Inspection (Payable with application). For each required inspection (per acre or fraction thereof) (\$ 2.00) \$ 4.00

(with minimum fee of ((\$10.00)) \$20.00 per field per inspection)

((Field inspection fee includes only one phyto-sanitary certificate per field. Additional certificates \$10.00 each.)) An additional charge of ((\$5.00)) \$ 0.50 per acre shall be charged for each disease requested in excess of two.

(b) Area Inspection (per 100 lbs) \$ 0.05
Billed at time certificate is issued with a minimum of ((\$10.00)) \$20.00 and a maximum of ((\$100.00)) \$150.00 per certificate.

(2) Late Application Penalty Fee \$10.00
This additional fee shall be charged for each application received after due date

(3) Sampling fee when sampling is required:

(a) Beans, peas, lentils, cereal grains (per 100 lbs) ((\$ 0.03)) \$ 0.05

(b) Other crops (per 100 lbs) \$ 0.15

(4) ((Serology)) Serology test: Fee to be established by the State of Idaho.

An official 5 pound sample is required from each 10,000 pounds or portion thereof. Officially drawn samples will be submitted to: State Plant Pathologist, Idaho Department of Agriculture, P.O. Box 410, Twin Falls, Idaho 83301.

(5) Fees for services not listed in this order shall be set on the basis of the actual cost to the department of agriculture or the most appropriate fee established will be used.

((Nursery grow-out plots, etc. Per hour \$12.50
Applicant will also be billed mileage fee as set by statute, plus \$8.25 per hour travel time when additional travel is required. Attempts will be made to combine work assignments keeping additional travel to a minimum.))

((7)) (6) Laboratory analysis of plant material: An additional fee of ((\$10.00)) \$18.00 per field shall be charged when necessary to examine material in the laboratory to verify disease.

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

Reviser's Note: 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 No. 1626, filed 4/30/79)

WAC 16-316-326 PHYTO-SANITARY CERTIFICATE FOR PEAS. (1) Specific diseases of peas for which phyto-sanitary certificate will be issued:

- (a) *Pseudomonas pisi* (Sackett)
- (b) Pea Seed-borne Mosaic Virus - based on two field inspections.
- (2) Pea seed to be eligible for a phyto-sanitary certificate stating freedom from *Pseudomonas pisi* (Sackett):

(a) Based on area inspection must be free of the disease in question as determined by area inspection of at least ((+10%)) ten percent of the acreage. ((and not less than 200 acres in each specified inspection area:)) The department of agriculture will also conduct a survey of county extension agents, extension pathologists, and plant pathologists at experiment stations and Washington State University. Each company desiring his production eligible must make inspections of the fields throughout the growing season. If symptoms of said disease are found, it must be reported to the Seed Branch, Department of Agriculture, 2015 South 1st Street, Yakima, Washington 98903, immediately. At the end of the growing season, and not later than September 1, each applicant must file a report with the Seed Branch, Department of Agriculture, based on company pathologist inspections and what other information he may have if the disease in question was or was not observed.

(b) Based on field inspection must be free of said disease as determined by one field inspection made during growing stage most optimum for detecting of said disease.

(3) Pea seed to be eligible for certificate stating freedom from Pea Seed-borne Mosaic Virus must be free of said disease as determined by one inspection at 2 to 4 weeks after seedling emergence,

((+*)) It is recommended that breeding nurseries, isolation nurseries, and/or small seed-increase plots be entered for inspection.

((b) Phyto-sanitary certificates for carryover seed lots may be obtained by planting a representative one pound sample in isolated grow-out plots. Certificate issued will indicate the basis is on grow-out test:))

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 81-08-060
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Filed April 1, 1981]

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.

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

David A. Hogan, Director
 Client and Community Relations Division
 Department of Social and Health Services
 Mailstop OB-44 D
 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 April 29, 1981. The meeting site is in a location which is barrier free;

that such agency will at 10:00 a.m., Wednesday, May 13, 1981, in the Auditorium, 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, May 27, 1981, in William B. Pope's office, 4th Floor, Office Building #2, 12th and Franklin, Olympia, Washington.

The authority under which these rules are proposed is RCW 34.04.020.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to May 13, 1981, and/or orally at 10:00 a.m., Wednesday, May 13, 1981, Auditorium, Office Building #2, 12th and Franklin, Olympia, Washington.

Dated: April 1, 1981

By: David A. Hogan
 Director, Client and

Community Relations Division

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Amend chapter 388-08 WAC.

Purpose of the rule or rule change is to improve administration of the fair hearing process.

Statutory authority: RCW 34.04.020.

Summary of the rule or rule change: (1) Powers and duties of hearing examiners are defined. (2) A system of precedential decisions is created.

Person or persons responsible for the drafting, implementation and enforcement of the rule:

Name of initiator: David Henry

Title: Chief

Office: Office of Hearings

Mailstop: OB-43

Phone: 3-3898

These rules are not necessary as a result of federal laws, federal court decisions or state court decisions.

NEW SECTION

WAC 388-08-00401 **AUTHORITY TO ADJUDICATE.** In accordance with chapter 43.20A RCW, the following delegations of authority to adjudicate contested cases as defined in RCW 34.04.010(3) are hereby made to all duly appointed and qualified hearings examiners, which includes supervisors and review examiners, within the office of hearings.

(1) Unless otherwise provided by administrative regulation or statute, hearings examiners shall have the following powers and duties:

(a) To conduct all contested case hearings arising within the department of social and health services.

(b) In all cases in which the office of hearings has sixty days or less from the date of receipt of the request for hearing to issue a final administrative decision, hearings examiners are authorized to prepare a proposed administrative decision or order which shall be submitted to the hearings authority for review and issuance of a final administrative decision or order.

(c) In all cases in which the office of hearings has more than sixty days from the date of receipt of the request for hearing to issue a final administrative decision or order, hearings examiners are authorized to prepare and issue an initial administrative decision or order.

(d) In addition to the powers set forth in subdivisions (1) (a), (b), and (c) of this section, hearings examiners designated as review examiners are authorized to act as the hearing authority to review proposed and initial administrative decisions and orders as appropriate, and to issue final administrative decisions and orders on behalf of the secretary or department.

(2) The hearings examiner shall, in adjudicating contested cases, apply as first source of law governing the issues of the hearing rules of the department as adopted in the Washington Administrative Code and any precedential decision(s) applicable to said rules.

(3) If there is no department rule(s) or precedential decision(s) which fully governs the issue(s) raised, hearings examiners shall resolve the issue(s) raised on the basis of the best legal authority and reasoning available, including that found in the state and federal constitutions, Washington statutes and regulations, federal statutes and regulations, and state and federal appellate court decisions. The hearings examiner shall not have the power to declare invalid any section of the Washington Administrative Code. If the validity of any section of the Washington Administrative Code is raised as an issue at any hearing, the hearings examiner may permit arguments to be made on the record concerning that issue for subsequent review purposes.

(4) A list of all duly appointed and qualified hearings examiners shall be maintained in the office of hearings, post office box 2465, mail stop OB-43, Olympia, Washington 98504, and be made available for public inspection and copying.

(5) The chief, office of hearings, and such subordinate personnel he/she may appoint shall adopt operational and procedural instructions as they feel necessary to ensure the most efficient and effective operation of the office consistent with the due process rights of parties in contested case hearings.

NEW SECTION

WAC 388-08-416 SELECTED FINAL DECISIONS AS PRECEDENT. (1) In order to promote consistency of final decisions on like issues of fact and law, the office of hearings shall identify certain final decisions or portions thereof which may be relied upon, used, or cited as precedents during the hearing and review processes. In determining which decisions will be so identified, the office of hearings shall give preference to:

(a) Decisions which usefully illustrate proper application of general legal principles or procedures that have been adequately developed through administrative and/or judicial review;

(b) Decisions which clarify the meaning of undefined or inadequately defined regulatory terms or phrases;

(c) Decisions which provide particularly well-supported conclusions on legal issues which have been raised in many cases with conflicting results;

(d) Decisions which reflect significant departure from prior hearings practice;

(e) Decisions in which an existing precedential decision or any portion thereof is distinguished, modified, or overruled;

(f) Decisions resulting from hearings in which both parties were adequately represented and the issues were fully briefed.

(2) Final decisions, or portions thereof which meet one or more of the criteria in WAC 388-08-416(1)(a), (b), (c), (d), (e), or (f) shall be selected by majority vote of the chief review examiner and at least two other review examiners as may from time to time be selected for such purpose by the chief, office of hearings. The chief review examiner shall make available said decisions so selected to interested or affected parties for the purpose of soliciting comment on the appropriateness of assigning said decisions with precedential value.

(3) Interested or affected parties shall have thirty days from the date of mailing to provide the chief review examiner with comments on the appropriateness of assigning said decisions with precedential value.

(4) The chief review examiner and the selected review examiners shall fully consider all such comments prior to final designation of said decisions as precedential.

(5) Precedential decisions shall be indexed. Said decisions and index thereof shall be available to the public in the office of hearings, post office box 2465, Olympia, Washington 98504, and distributed to interested parties, including, but not limited to, individuals and groups frequently representing appellants and the department in hearings.

(6) Nothing in this section limits the secretary's authority to adopt rules pursuant to the administrative procedure act, specifically including rules which modify or overrule a holding in a precedential decision.

(7) Precedential decisions as described in this section shall be used only by the staff of the office of hearings during the hearings process, and shall not be used by other employees of the department as a substitute for manual provisions or numbered policy memoranda.

WSR 81-08-061
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 1630—Filed April 1, 1981]

I, David A. Hogan, Director, Client and Community Relations Division of the Department of Social and Health Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to refugee assistance, amending WAC 388-55-010.

This action is taken pursuant to Notice No. WSR 81-05-009 filed with the code reviser on February 9, 1981. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the secretary of Department of Social and Health Services as authorized in RCW 43.20A.550.

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

APPROVED AND ADOPTED April 1, 1981.

By David A. Hogan
Director, Client and
Community Relations Division

Chapter 388-55 WAC
((ASIAN)) REFUGEE ASSISTANCE

AMENDATORY SECTION (Amending Order 1367, filed 1/17/79, effective 3/1/79)

WAC 388-55-010 ((INDOCHINESE)) REFUGEE ASSISTANCE. (1) Assistance shall be granted to ~~((Vietnamese, Cambodian and Laotian))~~ refugees within the provisions of Public Law ~~((95-145))~~ 96-212, the ~~((Indochinese))~~ Refugee Assistance Program.

(2) For the purpose of the refugee assistance program a refugee is defined as a ~~((Cambodian, Vietnamese or Laotian national))~~ person who has fled from and cannot return to his country due to persecution or fear of persecution because of race, religion, or political opinion. Under this definition, the following individuals shall be eligible to apply for assistance and/or services under the refugee assistance program:

(a) A person from Cambodia, Laos, or Vietnam who is receiving Indochinese Refugee Assistance because he/she was:

~~((a) An individual))~~ (i) A person who has parole status as indicated by an INS (Immigration and Naturalization Service) Form I-94.

~~((b) An individual))~~ (ii) A person who has voluntary departure status as indicated by Form I-94.

~~((c) An individual))~~ (iii) A person who has conditional entry status as indicated by Form I-94.

~~((d) An individual))~~ (iv) A person who was admitted to the United States with permanent resident status on or after April 8, 1975 (the date on which the president designated Vietnamese and Cambodians to be refugees

under the Migration and Refugee Assistance Act), as indicated by Form I-151 or I-551.

~~((c) An individual))~~ (v) A person who has permanent resident status as a result of adjustment of status under P.L. 95-145 as indicated by Form I-151 or I-551.

(b) A person from Cuba who is receiving assistance or services under Cuban Phase Down Program, who entered the United States on or after October 1, 1978. Such persons must have:

(i) A registration card issued by the United States Cuban Refugee Center in Miami on or after October 1, 1978, and

(ii) INS documentation sufficient to establish that the person entered the United States on or after October 1, 1978, or verification with the United States Cuban Refugee Center of the refugee's date of entry.

(c) A person from Cambodia, Laos, or Vietnam who has parole status.

(i) Such persons must have a Form I-94 indicating that the person has been paroled under Section 212(d)(5) of the Immigration and Nationality Act (INA).

(ii) If the Form I-94 was issued on or after June 1, 1980, it must clearly indicate that the person has been paroled as a refugee or asylee.

(d) A person from Cuba who has been paroled as a refugee or asylee and who entered the United States on or after October 1, 1978.

(i) Such persons must have a Form I-94 indicating that the person has been paroled under Section 212(d)(5) of the INA.

(ii) If the Form I-94 was issued on or after April 21, 1980, it must clearly indicate that the person has been paroled as a refugee or asylee.

(e) An individual from any country other than Cambodia, Laos, Vietnam, or Cuba who has parole status as a refugee or asylee as evidenced by a Form I-94 indicating that the person has been paroled under Section 212(d)(5) of the INA as a refugee or asylee.

(f) An individual admitted from any country as a conditional entrant under Section 203(a)(7) of the INA. This must be indicated on the Form I-94.

(g) An individual from any country admitted as a refugee under Section 207 of the INA. This must be indicated on their Form I-94.

(h) An individual from any country who has been granted asylum under Section 208 of the INA. This must be indicated on their Form I-94.

(i) A person from any country who previously held one of the statuses identified above whose status has been changed to that of permanent resident alien.

(3) ((Indochinese)) Refugee assistance cases eligible for the AFDC and/or Medicaid programs shall be transferred to such programs retroactively effective as of October 1, 1977, or as of such date as the case qualified for refugee assistance, whichever is later.

(a) Refugees must meet AFDC or Medicaid eligibility criteria to be transferred.

(b) A refugee cash assistance case being transferred to AFDC shall be regarded as a recipient rather than a new applicant so that income shall be disregarded accordingly.

(4) Applications from refugees not currently receiving refugee cash and or medical assistance shall be determined for AFDC or Medicaid eligibility before determining eligibility for the refugee assistance program.

(a) If the applicant is determined not eligible for AFDC, eligibility shall then be determined under the refugee assistance program.

(b) If the applicant is determined not eligible for Medicaid, eligibility shall then be determined under the refugee assistance program.

(5) Requirements of categorical relatedness of federal assistance programs are waived for refugees under the refugee assistance program.

(6) Refugees terminated from the AFDC program because of refusal to comply with requirements, shall not be eligible for ((HRAP)) refugee assistance.

(7) Assistance to all types of refugee cases, regardless of family composition, shall be provided at the AFDC monthly payment standards; income and resources will be treated according to AFDC standards. No resources which are not available, including property remaining in Vietnam, Laos or Cambodia, shall be considered in determining eligibility for financial assistance.

(8) The refugee family unit which includes United States citizen children, by virtue of their being born in this country, shall be treated as a single assistance unit under the refugee assistance program.

(9) (a) All applicants for and recipients of a financial grant under the refugee assistance program and each member of the family group of which they are a part are required to register for employment with the state employment service unless the individual is:

(i) An individual who is under sixteen, or who is under age twenty-one and is attending school or training full time, or who is age twenty-one or over and is attending school or training as approved by the department;

(ii) A person who is ill, incapacitated, or over sixty-five;

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

(iv) A mother or other caretaker of a child under the age of six who is caring for the child;

(v) A mother or other caretaker of a child, when the nonexempt father or other nonexempt adult relative in the home is registered and has not refused to accept employment without good cause.

(b) The nonexempt refugee applicant or recipient must accept employment when available as specified in WAC ((388-57-025(4))) 388-57-025(3) through (7).

(c) Inability to communicate in English does not justify exemption from registration or acceptance of employment.

(10) Refusal of an employable adult refugee to register with the employment service without good cause shall result in the following actions. In addition, refusal to accept, continue or participate in a training or employment opportunity or referral, from any source, which is determined appropriate for that refugee by the CSO shall also result in the following actions:

(a) The ~~((ESSO))~~ CSO will provide counseling within seven days of ~~((recipients))~~ the individual's refusal to participate. This counseling is intended to provide the refugee with an understanding of the implications of his refusal to accept employment or training, and to encourage the refugee's acceptance of such opportunity. Only one such counseling session is required but additional counseling may be provided at the discretion of the ~~((ESSO))~~ CSO.

(b) An employable adult refugee applicant who refuses a work or training opportunity or referral without good cause, as stated above within thirty days prior to application shall be ineligible for refugee assistance for thirty days from the date of the refusal. The dependent family of such an ineligible applicant may apply for and receive assistance if otherwise eligible.

(c) If the employable refugee recipient continues to refuse an offer of employment or training, assistance will be terminated thirty days after the date of his original refusal. The refugee shall be given at least ten days written notice of the termination of assistance and the reason therefore. This sanction shall be applied in the following manner:

(i) If the assistance unit includes other individuals, then the grant shall be reduced by the amount included on behalf of that refugee. If the employable refugee is a caretaker relative, assistance in the form of protective or vendor payments will be provided to the remaining members of the assistance unit.

(ii) If such individual is the only individual in the assistance unit, the grant shall be terminated.

(iii) The recipient's voluntary agency (VOLAG) shall be notified if either action (i) or (ii) takes place, provided that the provisions for safeguarding information in chapter 388-48 WAC are met.

(iv) A decision by the refugee to accept employment or training, made at any time within the thirty-day period after the date of the original refusal, shall result in the continuation of assistance without interruption if the refugee continues to meet the eligibility requirements for continued assistance.

(v) An employable refugee shall be ineligible for a period of thirty days after the termination of assistance because of refusal to accept or continue employment or training.

(11) An employable adult refugee shall be exempt from the work registration requirements in subsections (9) and (10) of this section for a period of sixty days after the person's date of entry into the United States.

(12) A refugee of any age who is otherwise eligible shall not be denied cash assistance while enrolled and participating in a training program which is part of an employability plan approved by the ESSO, that is, training intended to have a definite short-term (less than one year) employment objective.

~~((12))~~ (13)(a) Adult refugee recipients shall be eligible for earned income exemptions as specified in WAC 388-28-570, regardless of assistance unit composition.

(b) The income of a refugee dependent child shall be treated as specified in WAC 388-28-535.

~~((13))~~ (14) All refugee recipients who are sixty-five years of age or older, or who are blind or disabled will

be referred immediately to the social security administration for SSI benefits. The SSI applicant will be included in the assistance grant at the AFDC standard until payments are received.

~~((14))~~ (15)(a) The refugee recipient receiving a continuing assistance grant is eligible for medical assistance as specified in WAC 388-82-010(1).

(b) Eligibility for medical care for the nonrecipient refugee shall be determined as specified in chapter 388-83 WAC. Eligibility is based on medical and financial need only; requirements of categorical relatedness are waived. ~~((Subdivision (1)(a))~~ Subsection (13)(a) of this section is applicable in determining the amount of participation in medical costs for refugee recipients.

(c) The refugee recipient who becomes ineligible because of increased income from employment shall remain eligible for medical assistance for four calendar months beginning with the month of ineligibility provided that:

(i) In the case of a single individual assistance unit:

(A) The individual received assistance in at least three of the six months immediately preceding the month of ineligibility; and

(B) He/she continues to be employed.

(ii) In the case of a multiple individual assistance unit:

(A) The family received assistance in at least three of the six months immediately preceding the month of ineligibility; and

(B) A member of the family continues to be employed.

(d) Medical need shall not be an eligibility factor.

~~((15))~~ (16) Refugee recipients shall have their continuing eligibility for financial and medical assistance redetermined at least once in every ~~((three))~~ six months of continuous receipt of assistance.

(17) The rules in subsections (1) through (16) of this section shall be effective February 1, 1981.

(18) Effective April 1, 1981, persons who meet the above criteria shall be eligible for refugee assistance only during the thirty-six month period beginning in the first month that the individual entered the United States.

WSR 81-08-062

EMERGENCY RULES

DEPARTMENT OF AGRICULTURE

[Order 1727—Filed April 1, 1981]

I, M. Keith Ellis, director of the Washington State Department of Agriculture, do promulgate and adopt at Olympia, Washington, the annexed rules relating to phyto-sanitary certification and fees, amending WAC 16-316-315.

I, M. Keith Ellis, 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 department costs have

increased to such an extent that we are not able to fully complete phyto-sanitary inspections requested as required under the Seed Act without raising the fees for such inspections. Emergency regulations are necessary to implement this increase for the current season which begins in April. This fee increase has been agreed to by the Washington State Seed Advisory Board.

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

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

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

APPROVED AND ADOPTED April 1, 1981.

By M. Keith Ellis
Director

AMENDATORY SECTION (Amending order No. 1626, filed 4/30/79)

WAC 16-316-315 FEE AND CHARGES.

(1) Fee for area and field inspection:

(a) **Field Inspection (Payable with application).** For each required inspection (per acre or fraction thereof) ~~(\$ 2.00)~~ **\$ 4.00**
(with minimum fee of ~~(\$10.00)~~ **\$20.00** per field per inspection)

~~("Field inspection fee" includes only one phyto-sanitary certificate per field. Additional certificates \$10.00 each.)~~ An additional charge of ~~(\$0.50)~~ **\$ 0.50** per acre shall be charged for each disease requested in excess of two.

(b) **Area Inspection (per 100 lbs)** **\$ 0.05**
Billed at time certificate is issued with a minimum of ~~(\$10.00)~~ **\$20.00** and a maximum of ~~(\$100.00)~~ **\$150.00** per certificate.

(2) Late Application Penalty Fee **\$10.00**

This additional fee shall be charged for each application received after due date.

(3) Sampling fee when sampling is required:

(a) **Beans, peas, lentils, cereal grains**
(per 100 lbs) ~~(\$ 0.03)~~ **\$ 0.05**

(b) **Other crops (per 100 lbs)** **\$ 0.15**

(4) ~~((Serology))~~ **Serology test:**
Fee to be established by the state of Idaho.

An official 5 pound sample is required from each 10,000 pounds or portion thereof. Officially drawn samples will be submitted to: State Plant Pathologist, Idaho Department of Agriculture, P.O. Box 410, Twin Falls, Idaho 83301.

(5) Fees for services not listed in this order shall be set on the basis of the actual cost to the

department of agriculture or the most appropriate fee established will be used.

~~(((6) Nursery grow-out plots, etc. Per hour .. \$12.50 Applicant will also be billed mileage fee as set by statute, plus \$8.25 per hour travel time when additional travel is required. Attempts will be made to combine work assignments keeping additional travel to a minimum.))~~

~~(((7)))~~ **(6) Laboratory analysis of plant material:** An additional fee of ~~(\$10.00)~~ **\$18.00** per field shall be charged when necessary to examine material in the laboratory to verify disease.

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 81-08-063
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
[Filed April 1, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Labor and Industries, intends to adopt, amend, or repeal rules concerning self-insurers' shares of state fund deficits.

This is a change in the date of adoption for WAC 296-15-044, previously filed with the Code Reviser's Office on October 1, 1980 under Notice No. WSR 80-14-080. Notice No. WSR 80-14-080 also proposed changes to chapter 296-17 WAC, and those changes to chapter 296-17 WAC have been adopted November 13, 1980 by Administrative Order number 80-23. The Department of Labor and Industries is postponing adoption of WAC 296-15-044 until May 1, 1981 to gather additional information and consider testimony concerning this proposed rule;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Friday, May 1, 1981, in the Director's office, General Administration Building, Olympia, Washington.

The authority under which these rules are proposed is RCW 51.04.020(1) and 51.14.020(4).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to May 1, 1981.

This notice is connected to and continues the matter noticed in Notice Nos. WSR 80-14-080, 80-17-017 and 80-18-031 filed with the code reviser's office on 10/1/80, 11/13/80 and 12/1/80.

Dated: April 1, 1981
By: Sam Kinville
Director

WSR 81-08-064
PROPOSED RULES
DEPARTMENT OF GAME
(Game Commission)
 [Filed April 1, 1981]

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 adopting and repealing various sections in chapter 232-12 WAC:

New	WAC 232-28-204	1981 Hunting seasons and game bag limits.
New	WAC 232-28-304	1981 Game management units and area legal descriptions.
New	WAC 232-21-101	Gold and fish, to establish standards for issuance of HPA's for mineral prospecting.
Rep	WAC 232-28-203	1980 Hunting seasons and game bag limits.
Rep	WAC 232-28-303	1980 Game management units and area legal descriptions.
Rep	WAC 232-21-100	Gold prospecting.
New	WAC 232-28-803	1981 Mountain goat, sheep and moose hunting seasons.
Rep	WAC 232-28-802	1980 Mountain goat, sheep and moose hunting seasons;

that such agency will at 2:00 p.m., Sunday, May 17, 1981, in the Red Lion Motor Inn, East 190 at Sullivan Road, Spokane, Washington. Also: 9:00 a.m., Monday, May 18, in the Red Lion Motor Inn, East 190 at Sullivan Road, Spokane, Washington and 9:00 a.m., Tuesday, May 19, in the Red Lion Motor Inn, East 190 at Sullivan Road, Spokane, Washington, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 2:00 p.m., Sunday, May 17, 1981, in the Red Lion Motor Inn, East 190 at Sullivan Road, Spokane, Washington. Also: 9:00 a.m., Monday, May 18, in the Red Lion Motor Inn, East 190 at Sullivan Road, Spokane, Washington and 9:00 a.m., Tuesday, May 19, in the Red Lion Motor Inn, East 190 at Sullivan Road, Spokane, Washington.

The authority under which these rules are proposed is RCW 77.12.040 and 75.20.100.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to May 17, 1981, and/or orally at 2:00 p.m., Sunday, May 17, 1981, Red Lion Motor Inn, East 190 at Sullivan Road, Spokane, Washington. Also: 9:00 a.m., Monday, May 18, in the Red Lion Motor Inn, East 190 at Sullivan Road, Spokane, Washington and 9:00 a.m., Tuesday, May 19, in the Red Lion Motor Inn, East 190 at Sullivan Road, Spokane, Washington.

This notice is connected to and continues the matter noticed in Notice No. WSR 81-05-031 filed with the code reviser's office on February 18, 1981.

Dated: April 1, 1981

By: Wallace F. Kramer
 Wildlife Enforcement Chief

STATEMENT FOR LEGISLATIVE REVIEW
Part I

Statutory Authority: RCW 77.12.040.

Summary: Title 77 RCW, was recodified by the 1980 legislature and becomes effective July 1, 1981.

Reasons In Support Of Rule: The following WAC sections were developed to conform to Title 77 RCW, recodified by the 1980 legislature, effective July 1, 1981.

1a. Title: New section WAC 232-12-014 Wildlife Classified as Endangered Species.

2a. Reasons In Support Of Rule: Lists only indigenous wildlife in Washington.

1b. Title: New section WAC 232-12-021 Import and Retention of Wildlife.

2b. Reasons In Support Of Rule: Does away with three-day reporting requirement and import permits.

1c. Title: New section WAC 232-12-041 Permit for Holding Field Trials.

2c. Reasons In Support Of Rule: Requires a permit for all field trials held on department lands.

1d. Title: New section WAC 232-12-054 Bow and Arrow Requirements.

2d. Reasons In Support Of Rule: Makes it unlawful to shoot at wildlife along, across or from public roadway.

1e. Title: New section WAC 232-12-057 Hunting With Aid of Aircraft, Boats or Other Vehicles.

2e. Reasons In Support Of Rule: Makes is unlawful to hunt big game on the same day a person was airborne except regular scheduled airlines.

1f. Title: New section WAC 232-12-064 Holding Wildlife in Captivity.

2f. Reasons In Support Of Rule: Would include all wild animals instead of just game animals.

1g. Title: New section WAC 232-12-071 Buying or Selling Game Unlawful.

2g. Reasons In Support Of Rule: Would prohibit the buying or selling of game animal, game bird, and game fish parts except by license or permit.

1h. Title: New section WAC 232-12-131 Permits for Special Hunting Seasons.

2h. Reasons In Support Of Rule: Would make it unlawful to apply for special permits during waiting period.

1i. Title: New section WAC 232-12-181 Livestock Grazing on Department of Game Lands.

2i. Reasons In Support Of Rule: No change in intent, but most provisions of the lease agreement will be on the permit or agreement.

1j. Title: New section WAC 232-12-184 Aircraft-Authorized Use on Department Lands.

2j. Reasons In Support Of Rule: Would prohibit all aircraft landings on Department lands except by permit or an emergency.

1k. Title: New section WAC 232-12-187 Access Areas - Other Department Lands—Wildlife Agent to Control Traffic Thereon.

2k. Reasons In Support Of Rule: Prohibits commercial activities on Department lands without a permit.

1l. Title: New section WAC 232-12-227 Hunter Education Training Program Requirements.

2l. Reasons In Support Of Rule: Changes course length from six hours to eight hours.

1m. New section WAC 232-12-251 Removal of Minerals, Wood and Artifacts from Department Lands.

2m. Reasons In Support Of Rule: Prohibits the removal of any materials from department lands without a permit.

1n. Title: New section WAC 232-12-267 Field Identification of Wildlife.

2n. Reasons In Support Of Rule: Prescribes specific criteria for field identification of certain game species.

1o. Title: New section WAC 232-12-277 Taxidermy and Furdealing Records.

2o. Reasons In Support Of Rule: Requires furdealers to document fur transactions.

1p. Title: New section WAC 232-12-284 Bighorn Sheep—Branding Requirements.

2p. Reasons In Support Of Rule: Requires the department to brand all bighorn sheep taken.

1q. Title: New section WAC 232-12-287 Possession of Dead Wildlife.

2q. Reasons In Support Of Rule: Makes it unlawful to pick up dead wildlife found.

1r. Title: New section WAC 232-12-291 Hunting Before and After Hours.

2r. Reasons In Support Of Rule: Prohibits hunting wildlife after legal established hunting times.

STATEMENT FOR LEGISLATIVE REVIEW Part II

1a. Title: Repealing WAC 232-21-100 Gold Prospecting; deletes rules and regulations regarding standards for issuance of HPA's for mineral prospecting.

Statutory Authority: RCW 75.20.100.

2a. Summary: WAC 232-21-101 Gold And Fish is proposed for adoption which will classify Washington streams as to type of activity allowed, timing and size of equipment; exempts certain activities from formal HPA process; establishes provisions to protect fish resources.

Reasons In Support Of Rule: Upon adoption of WAC 232-21-101, rules and regulations of WAC 232-21-100 will be outdated and invalid, making deletion of this WAC necessary.

1b. Title: New section WAC 232-21-101 Gold And Fish; purpose is to establish standards for issuance of HPA's for mineral prospecting.

Statutory Authority: RCW 75.20.100.

2b. Summary: Classifies Washington streams as to type of activity allowed, timing and size of equipment. Exempts certain activities from formal HPA process; establishes provisions to protect fish resources.

Reasons In Support Of Rule: 1. Speed up permitting process 2. Give public idea of what will be allowed where so they can better plan their activities.

3b. Agency Personnel Responsible For:

Drafting: Jerry Smith, Chris Drivdahl, All District Fish Biologists, Washington Department of Game, 600 N. Capitol Way, Olympia, WA 98504, Telephone: 206-753-3318.

Implementation: Chris Drivdahl, Habitat Management Division, Washington Department of Game, 600 N. Capitol Way, Olympia, WA 98504, Telephone: 206-753-3318.

Enforcement: Wallace F. Kramer, Chief, Wildlife Enforcement Division, Washington Department of Game, 600 N. Capitol Way, Olympia, WA 98504, Telephone: 206-753-5740.

4. Person Or Organization Proposing Rule: Washington Department of Game, 600 N. Capitol Way, Olympia, WA 98504 and Washington Department of Fisheries, 115 General Administration Building, Olympia, WA 98504.

5. Agency Comments Or Recommendations: [No information supplied by agency.]

6. This Rule Is Required By State Court Action. Attach A Copy Of Law Or Court Decision: In *State v. Crown Zellerbach*, 92 Wn.2d 894 (1979), the state supreme court considered the Hydraulic Code and issued a warning to Fisheries and Game on the adoption of implementing regulations: "We therefore suggest that the departments take steps to promulgate rules and regulations regarding requirements and conditions which may be imposed as terms of a hydraulic permit."

STATEMENT FOR LEGISLATIVE REVIEW Part III

1a. Title: New section WAC 232-28-204 1981 Hunting Seasons And Game Bag Limits; purpose is to establish 1981 hunting seasons and regulations (deer, elk, grouse, early

partridge, falconry, bear, cougar, bobcat, raccoon, and rabbit).

Statutory Authority: RCW 77.12.040.

2a. Summary: Seasons and bag limits will be established in manner outlined in the attached 1980 pamphlet. Dates, hunting hours, either-sex permit numbers will change dependent upon calendar and regional recommendations. Game management requires flexibility in establishing season limits in time and amount to properly manage the wildlife resource.

Reasons In Support Of Rule: Necessary to establish rules and regulations for the 1981 hunting seasons and game bag limits.

1b. Title: New section WAC 232-28-304 1981 Game Management Units And Area Legal Descriptions; purpose is to establish unit and area descriptions supplementing the 1981 Hunting Seasons and Game Bag Limits pamphlet.

Statutory Authority: RCW 77.12.040.

2b. Summary: Includes exact physical boundaries for all of the Game Management Units shown on the map of the Hunting Season Pamphlet. Also included are descriptions of deer, elk, bow and muzzle loader areas referred to in the pamphlet but not shown on the map.

Reasons In Support Of Rule: Necessary as a reference describing legal descriptions and exact physical boundaries for all of the Game Management Units.

1c. Title: New section WAC 232-28-803 1981 Mountain Goat, Sheep and Moose Hunting Seasons.

Statutory Authority: RCW 77.12.040.

2c. Summary: Seasons and bag limits will be established in manner outlined in the attached 1980 pamphlet. Dates, permit numbers will change dependent upon calendar and regional recommendations. Game management requires flexibility in establishing season limits in time and amount to properly manage the wildlife resource.

Reasons In Support Of Rule: Necessary to establish rules and regulations for the 1981 mountain goat, sheep and moose hunting seasons.

1d. Title: Repealing WAC 232-28-203 1980 Hunting Seasons and Game Bag Limits, WAC 232-28-303 1980 Game Management Units and Area Legal Descriptions, and WAC 232-28-802 1980 Mountain Goat, Sheep and Moose Hunting Seasons.

Statutory Authority: RCW 77.12.040.

2d. Summary: All rules and regulations of the above 1980 seasons will no longer be necessary upon adoption of the 1981 season rules and regulations.

Reasons In Support Of Rule: [No information supplied by agency.]

3. Agency Personnel Responsible For Part III:

Drafting: L. D. Parsons, Big Game Program Mgr., Wildlife Mgmt. Division, Washington Department of Game, 600 N. Capitol Way, Olympia, WA 98504, Telephone: 206-753-2871.

Implementation: Richard Poelker, Chief, Wildlife Mgmt. Division, Washington Department of Game, 600 N. Capitol Way, Olympia, WA 98504, Telephone: 206-753-2921.

Enforcement: Wallace F. Kramer, Chief, Wildlife Enforcement Division, Washington Department of Game, 600 N. Capitol Way, Olympia, WA 98504, Telephone: 206-753-5740.

4. Person Or Organization Proposing Rule: Washington Department of Game, 600 N. Capitol Way, Olympia, WA 98504.

Chapter 232-12 WAC
PERMANENT REGULATIONS

WAC	
232-12-001	Definition of terms.
232-12-004	Classification of wild birds.
232-12-007	Classification of wild animals.
232-12-011	Wildlife classified as protected wildlife.
232-12-014	Wildlife classified as endangered species.
232-12-017	Deleterious exotic wildlife.
232-12-019	Classification of game fish.
232-12-021	Import and retention of wildlife.
232-12-024	Tagging requirements for bobcat, Canada lynx, and river otter.
232-12-027	Game farm license provisions.
232-12-031	Game farm invoice requirements.
232-12-034	Acquisition of wildlife by game farmer.
232-12-037	Shooting preserves—Licensing—Permits—Operations.
232-12-041	Permit for holding field trials.
232-12-044	Use of game for training dogs or for field trials—Tagging requirements.
232-12-047	Unlawful firearms for hunting.
232-12-051	Muzzle-loading rifles.
232-12-054	Bow and arrow requirements.
232-12-057	Hunting with aid of aircraft, boats or other vehicles.
232-12-061	Tagging requirements.
232-12-064	Holding wildlife in captivity.
232-12-067	Fur-bearing animals may be sold.
232-12-071	Buying or selling of game unlawful.
232-12-074	Retention of game.
232-12-077	Wildlife taken by another.
232-12-081	Checking stations—Inspection of game and licenses.
232-12-084	Director empowered to alter seasons.
232-12-087	Requirements to possess Indian caught anadromous game fish or roe.
232-12-091	Commercial buying and processing of anadromous game fish or roe.
232-12-094	Records for purchase and receipt of anadromous game fish and roe.
232-12-097	Transportation of anadromous game fish and roe.
232-12-101	Falconry and captive propagation of raptors permitted.
232-12-104	Falconry definitions.
232-12-107	Falconry permits required.
232-12-111	Limitation on possession of raptors.
232-12-114	Permit required for capture, importation, exportation, and transfer of raptors.
232-12-117	Marking and identification of raptors required.
232-12-121	Falconry reports required.
232-12-124	Methods of capture and prohibitions in taking raptors.

- 232-12-127 Revocation, modifications or suspension of falconry permits.
Permits for special hunting seasons.
232-12-131 Report required of licensed trappers.
232-12-134 Unlawful to use game species for trapping.
232-12-141 Wild animal trapping.
232-12-144 Possession of live fish for bait while fishing.
232-12-147 Maximum number of fishing lines and hooks—
Snagging and gaffing fish unlawful.
Fly fishing rules.
232-12-151 Juvenile fishing waters.
232-12-154 Steelhead fishing permit—Punch card.
232-12-161 Fishing guide reports.
232-12-164 Fishing near dams, hatcheries—Diversions unlawful.
232-12-167 Hunting and fishing contest rules.
232-12-174 Domestic animals on department lands.
232-12-177 Vehicles using department lands.
232-12-181 Livestock grazing on Department of Game lands.
232-12-184 Aircraft—Authorized use on department lands.
232-12-187 Access areas—Other department lands—Wildlife agent to control traffic thereon.
232-12-191 Three convictions forfeits privileges.
232-12-194 Procedure—Petitions for reissuance of hunting license—Time period for petition—Juvenile applicants.
232-12-197 Procedures to review administrative license decisions.
232-12-207 Petitions—Consideration by commission.
232-12-221 Petitions—Form—Scheduling—Ruling.
232-12-224 Possession of wildlife off an Indian reservation—Legally possessed on reservation.
232-12-227 Hunter Education Training Program requirements.
232-12-241 Requirements of license dealers.
232-12-244 Hunting restrictions.
232-12-247 Transmission lines—Unlawful hunting.
232-12-251 Removal of minerals from department lands—Restrictions—Personal use permit.
232-12-254 Discharge of litter on department lands—Unlawful.
232-12-257 Control of unattended decoys.
232-12-261 Live decoys unlawful.
232-12-264 Baiting of game birds—Unlawful.
232-12-267 Field identification of wildlife.
232-12-271 Conditions for issuance of permits for aquatic plants or releasing of wildlife.
232-12-274 Conditions for issuance of permits for scientific collection, research or display.
232-12-277 Taxidermy and furdealing records.
232-12-281 Copying.
232-12-284 Bighorn sheep—Branding requirements.
232-12-287 Possession of dead wildlife.
232-12-291 Hunting before or after hours.
232-12-294 Definitions—Hydraulic project permits.

NEW SECTION

WAC 232-12-001 DEFINITION OF TERMS. Definitions used in rules of the commission are defined in RCW 77.08.010. In addition, unless the context clearly requires otherwise:

(1) Snagging, gaffing, or spearing means: An effort to impale game fish in a part of its body other than its mouth by use of hooks or other devices.

(2) A valid tag or permit means: A tag or permit that was issued to the bearer for the current season by the commission and is required to hunt, fish or possess wildlife and has not been altered except as provided by rule of the commission.

(3) Hook means: One single, double, or treble hook.

(4) Barbless hook means: A single, pointed hook from which all barbs have been filed off, pinched down, removed or deleted when manufactured.

(5) Falconry means: Possession, control, or use of a raptor for the purpose of hunting and free flight training.

(6) Hunting or fishing contests mean: Hunting for wild animals or wild birds or fishing for game fish under a competitive arrangement that offers a prize. The assignment of an ornamental or symbolic award shall not be considered a prize.

(7) Anadromous game fish means:

(a) Steelhead, *Salmo gairdnerii*

(b) Searun cutthroat, *Salmo clarkii*

(c) Searun Dolly Varden, *Salvelinus malma*

NEW SECTION

WAC 232-12-004 CLASSIFICATION OF WILD BIRDS. (1) Game birds include the family Anatidae or waterfowl commonly known as geese, brant, swan, surface-feeding ducks, diving ducks and mergansers; the Rallidae commonly known as rails, gallinules and coots; Common, Wilson's or jacksnipe; the Columbidae commonly known as doves and pigeons. Wild turkeys of the species *Meleagris gallopavo*; white-tailed ptarmigan; sage grouse (sage hen), sharp-tailed grouse, blue grouse, spruce grouse, Franklin grouse and, ruffed grouse, of the family Tetraonidae; ring-necked, Chinese, Mongolian, Mutant and all other pheasant of the genus *Phasianus*; and Reeves pheasant of the species *Syrnaticus reevesi*; gray or Hungarian partridge; chukar partridge, and all other partridges of the genus *Alectoris*; Chilean tinamou of the genus *Nothoprocta*; bobwhite quail and all other quail of the genus *Colinus*; California quail and all other quail of the genus *Lophortyx*; mountain quail and all other quail of the genus *Oreortyx*; scaled quail and other quail of the genus *Callipepla*.

(2) Predatory birds include magpie, crow, English sparrow and starling.

(3) All other wild birds are protected wildlife. (RCW 77.12.020)

NEW SECTION

WAC 232-12-007 CLASSIFICATION OF WILD ANIMALS. Certain wild animals are classified as:

(1) Game animals include deer of the genus *Odocoileus*, commonly known as whitetail, blacktail, and mule deer; elk, *Cervus elaphus* including Roosevelt and Rocky Mountain races; moose, *Alces alces*; antelope, *Antilocapra americana*; mountain sheep, *Ovis canadensis*; mountain goat, *Oreamnos americanus*; black bear, *Ursus americanus*; cougar, *Felis concolor*; bobcat, *Lynx rufus*; raccoon, *Procyon lotor*; cottontail rabbit, *Sylvilagus floridanus*, *nuttallii* and *audubonii*; snowshoe hare, *Lepus americanus*; black-tailed jackrabbit, *Lepus californicus*; white-tailed jackrabbit, *Lepus townsendii*; bullfrog, *Rana catesbeiana*; beaver, *Castor canadensis*, muskrat, *Ondatra zibethica*; mink, *Mustela vison*; otter (river), *Lutra canadensis*; marten, *Martes americana*; Canada lynx, *Lynx canadensis*; badger, *Taxidea taxus*; weasel, *Mustela erminea* and *frenata*; and fox, *Vulpes fulva*.

(2) Furbearing animals include beaver, *Castor canadensis*; muskrat, *Ondatra zibethica*; mink, *Mustela vison*; otter (river), *Lutra canadensis*; marten, *Martes americana*; Canada lynx, *Lynx canadensis*; bobcat, *Lynx rufus*; badger, *Taxidea taxus*; raccoon, *Procyon lotor*; weasel, *Mustela erminea* and *frenata*; and fox, *Vulpes fulva*.

NEW SECTION

WAC 232-12-011 WILDLIFE CLASSIFIED AS PROTECTED WILDLIFE. Protected wildlife includes all wild birds not classified as game birds or predatory birds and grizzly bear, *Ursus arctos*; caribou, *Rangifer tarandus*; sea otter, *Enhydra lutris*; fur seal, *Callorhinus ursinus*; fisher, *Martes pennanti*; wolverine, *Gulo luscus*; gray squirrel, *Sciurus griseus* and *carolinensis*; Douglas squirrel, *Tamiasciurus douglasii*; red squirrel, *Tamiasciurus hudsonicus*; flying squirrel, *Glaucomys sabrinus*; golden-mantled ground squirrel, *Callospermophilus saturatus*; chipmunks, *Eutamias*, all species found wild in Washington; cony or pika, *Ochotona princeps*; hoary marmot, *Marmota caligata* and *olympus*; pigmy rabbit, *Sylvilagus idahoensis*; fox squirrel, *Sciurus niger*; all wild turtles not otherwise classed as endangered species; mammals of the order Cetacea including whales, porpoises and mammals of the suborder Pinnipedia not otherwise designated as endangered species. This section shall not apply to hair seals and sea lions which are threatening to damage or are damaging commercial fishing gear being utilized in a lawful manner or when said mammals are damaging or threatening to damage commercial fish being lawfully taken with commercial gear.

NEW SECTION

WAC 232-12-014 WILDLIFE CLASSIFIED AS ENDANGERED SPECIES. Endangered species include: Columbian white-tailed deer, *Odocoileus virginianus leucurus*; Blue whale, *Balaenoptera musculus*; Bowhead whale, *Balaena mysticetus*; Finback whale, *Balaenoptera physalus*; Gray whale, *Eschrichtius gibbosus*; Humpback whale, *Megaptera novaeangliae*; Right whale, *Balaena glacialis*; Sei whale, *Balaenoptera borealis*; Sperm whale, *Physeter catodon*; Wolf, *Canis lupus*; American peregrine falcon, *Falco peregrinus anatum*;

Arctic peregrine falcon, *Falco peregrinus tundrius*; Aleutian Canada goose, *Branta canadensis leucopareia*; Brown pelican, *Pelecanus occidentalis*; Green sea turtle, *Chelonia mydas*; Leatherback sea turtle, *Dermochelys coriacea*; Olive (Pacific) Ridley sea turtle, *Lepidochelys olivacea*.

NEW SECTION

WAC 232-12-017 DELETERIOUS EXOTIC WILDLIFE. Deleterious exotic wildlife includes:

- (1) Walking Catfish, *Clarias batrachus*
- (2) Mongoose, all forms of the genus *Herpestes*
- (3) Grass carp, *Ctenopharyngodon idella*
- (4) African clawed frog, *Xenopus laevis*

It is unlawful to import or possess live specimens of deleterious exotic wildlife.

NEW SECTION

WAC 232-12-019 CLASSIFICATION OF GAME FISH. As provided in RCW 77.12.020 and in addition to those species identified in RCW 77.08.020 the following species of the class Osteichthyes are classified as game fish:

Scientific Name	Common Name
<i>Esox lucius</i>	Northern Pike

NEW SECTION

WAC 232-12-021 IMPORT AND RETENTION OF WILDLIFE. It is unlawful to import, possess, or transfer in the state of Washington wild animals, wild birds or game fish killed in another state or country without having proof of legal acquisition, which must remain with the wildlife during the period of retention.

NEW SECTION

WAC 232-12-024 TAGGING REQUIREMENTS FOR BOBCAT, CANADA LYNX, AND RIVER OTTER. It is unlawful to offer for shipment or export from the state of Washington, bobcat, Canada lynx or river otter pelts or parts thereof taken in Washington unless they have a department identification tag attached to them.

Bobcat, Canada lynx or river otter taken outside Washington and imported into the state, must be identified by a tag from the state or country of origin and accompanied by an invoice or declaration specifying the number of pelts in the shipment.

NEW SECTION

WAC 232-12-027 GAME FARM LICENSE PROVISIONS. It is unlawful to operate a game farm except under the following provisions:

(1) Game farms licensed prior to July 1, 1981, may continue to possess, propagate, sell and transfer wildlife they lawfully possess on July 1, 1981, by virtue of their license or permit issued by the director. Such transfers are restricted to licensed game farms authorized to possess said wildlife.

(2) Game farms licensed after July 1, 1981, may purchase, possess, propagate, sell or transfer the following wildlife:

(a) Game animals - bullfrog, *Rana catesbiana*

(b) Fur-bearing animals - muskrat, *Ondatra zibethica* and beaver, *Castor canadensis*

(c) Game birds - Pheasant, of the genus *Phasianus* and *Syrnaticus reevesi*; wild turkeys of the species *Meleagris gallopavo*; Hungarian and chukar partridge, of the genus *Perdix*; quail, of the genus *Lophortyx*, *Colinus*, and *Oreortyx*; and waterfowl of the family Anatidae

(d) Game fish - trout and Atlantic salmon

(3) Application for a game farm license shall be made on a form provided by the department.

(4) The director may issue a license, if after investigation, the applicant meets the requirements of subsection (1) or (2) above and complies with the following criteria:

(a) The applicant is the owner or tenant of or has a possessory interest in the lands, waters, and riparian rights shown in the application.

(b) The rearing and holding facilities are adequate and structurally sound to prevent the ingress and egress of wildlife.

(c) Operating conditions are clean and humane.

(d) No hazards to state wildlife exist from the operation.

(e) The license covers only the immediate premises and areas described on the application where game birds, game fish, or game animals will be held.

(f) Such other restrictions as the director may require.

(5) Holders of a game farm license must make quarterly reports on the first day of January, April, July and October to the director on forms to be furnished by the director.

NEW SECTION

WAC 232-12-031 GAME FARM INVOICE REQUIREMENTS. It is unlawful for a licensed game farm to transfer wildlife unless the wildlife is accompanied by an invoice which must include the name and address of the game farm, date of transfer, number and species transferred, location where wildlife will be kept, and the name and address of transferee. The invoice is the transferee's permit to hold such game in captivity and must be retained during the time such wildlife is in his possession. Game farms must retain a copy of all invoices on the licensed premise for a period of two years from date of transaction and must send a copy of the invoice to the department with the game farm's quarterly report.

NEW SECTION

WAC 232-12-034 ACQUISITION OF WILDLIFE BY GAME FARMER. A game farm may acquire wildlife only from a licensed game farm within the state or from a lawful source located outside the state.

NEW SECTION

WAC 232-12-037 SHOOTING PRESERVES—LICENSING—PERMITS—OPERATIONS. A game farm licensed under the provisions of chapter 77.12 RCW may function as a private shooting preserve and dispose of game birds produced or acquired by releasing them on the designated preserve for hunting. The permittee must abide by the following rules:

(1) Each person desiring to operate a private shooting preserve must make application to the director on forms supplied by the department.

(2) The director shall investigate the property described in the application and determine the number of wild game birds produced annually on the proposed shooting preserve area.

(3) Private shooting preserves must contain a minimum of one hundred acres to a maximum of one thousand acres in a contiguous block. The land must be owned or leased by the applicant for a minimum of five years, and cannot contain lakes or ponds in excess of two acres of surface water or be within one-half mile of bodies of water in excess of two acres.

(4) Shooting preserves may not be located on land having a projected fall population of wild upland game birds in excess of 20 birds per one hundred acres.

(5) Shooting preserves may not be located within one mile of a public hunting area owned or controlled by the department, except lands controlled by year-to-year agreement.

(6) The boundary of shooting preserves must be posted by the permittee with signs approved by the director in such manner as he may direct.

(7) The permittee shall release not less than one game bird per acre, annually.

(8) Game birds taken from a private shooting preserve must be tagged and accompanied by an invoice showing the permittee's name, address, date of sale, number and species sold and the name and address of the hunter. Said invoice shall be retained by the hunter during the time such species are in his possession. Tags to be used as identification will be furnished at cost by the department.

(9) During September or October each year, the permittee must deliver to the department the number of live game birds determined under subsection (2) or pay the department the fair market value for the specified number of game birds twelve weeks of age. Game birds delivered to the department must be sixteen weeks of age, fully feathered and in sound and healthy condition as determined by the department.

(10) The permittee shall first be given a reasonable time, not to exceed ninety days, to dispose of his stock of game birds.

NEW SECTION

WAC 232-12-041 PERMIT FOR HOLDING FIELD TRIALS.

(1) Except as authorized by permit issued by the director it is unlawful to hold field trials for hunting dogs during the months of April, May,

June, and July. Field trials on department lands or those involving use of live birds may not be held without a permit.

(2) Applications for a field trial permit must be filed with the director at least thirty days before the proposed date for holding such trials. The application shall state the time and place the field trials will be held, the names of sponsors and persons who will conduct the trials, and such other information as the director may require.

NEW SECTION

WAC 232-12-044 USE OF GAME FOR TRAINING DOGS OR FOR FIELD TRIALS—TAGGING REQUIREMENTS. It is unlawful to possess game birds legally acquired from a game farmer which are to be used for the purpose of training dogs or competitive field trials unless those birds have attached to them a band provided by the director.

(1) Game birds to be used for training or field trials must be banded before being transported to such trials or training areas. Bands must remain on the bird or animal so tagged during use and transportation.

(2) The director shall furnish, upon request to a dog trainer or person conducting a field trial, bands to be used for identification. Such band shall be furnished at cost by the department.

(3) It is unlawful to possess game animals for the purpose of training dogs or use in competitive field trials unless those animals are accompanied by a permit from the director.

NEW SECTION

WAC 232-12-047 UNLAWFUL FIREARMS FOR HUNTING. (1) It is unlawful to hunt any big game with:

- (a) A fully automatic firearm.
- (b) A pistol or revolver.
- (c) A rifle with a bore diameter less than .240 of an inch (6mm) and a barrel length less than 18 inches.
- (d) A cartridge with a bullet weighing less than 85 grains, or that develops less than 900 foot pounds of energy at 100 yds.
- (e) A rifle cartridge containing a bullet other than a mushrooming or expanding type designed for big game hunting.
- (f) A shotgun, provided that a 20 gauge, or larger shotgun, using shells loaded with slugs or buckshot size #1 or larger, may be used to hunt deer and bear.

(g) A muzzle-loader that does not meet the definition as provided in WAC 232-12-051.

(2) It is unlawful to hunt game birds with a shotgun capable of holding more than three shells.

(3) It is unlawful to hunt game birds or game animals, except bullfrogs, in a manner other than with a firearm, a bow and arrow, or by falconry.

(4) It is unlawful to hunt game animals or game birds with a shotgun larger than 10 gauge.

(5) It is unlawful to hunt game birds with a rifle or pistol, with the exception of blue grouse, spruce grouse and ruffed grouse.

(6) It is unlawful to hunt wildlife with a crossbow.

NEW SECTION

WAC 232-12-051 MUZZLE-LOADING RIFLES. (1) It is unlawful to carry or possess any firearm during special primitive muzzle-loading seasons which does not meet the following definition of muzzle-loader: Muzzle-loader means a single or double barrel wheel lock, matchlock, flintlock or percussion rifle with exposed ignition in which the black powder and ball or bullet must be loaded from the muzzle. If the rifle has a removable breech plug, such removal must require the use of tools. Minimum barrel length is 20 inches and minimum caliber is 40, such measurement to be taken from land to land in the barrel. Ignition is to be wheel lock, matchlock, flintlock, or percussion using original style percussion caps that fit on the nipple and are exposed to the elements. Sights must be metal. Telescopic sights or sights containing glass are prohibited.

(2) This section shall not apply to the carrying of a muzzle-loading pistol.

(3) This section shall not apply to persons lawfully hunting game birds with a shotgun.

(4) Only one barrel of a double barrel muzzle-loader may be loaded at one time while hunting in a special primitive muzzle-loading season.

NEW SECTION

WAC 232-12-054 BOW AND ARROW REQUIREMENTS.

(1) It is unlawful for any person to hunt big game animals with a bow that possesses less than 40 pounds of pull measured at twenty-eight inches or less draw length.

(2) It is unlawful to hunt big game animals with any arrows other than those having sharp broadhead blade or blades at least seven-eighths inches wide. The broadhead must be unbarbed and completely closed at the back end of the blade or blades by a smooth, unbroken surface starting at maximum blade width forming a smooth line toward the feather end of the shaft and such line shall not angle toward the point.

(3) It is unlawful for any person to carry or have in his possession any firearm while in the field archery hunting, during the bow and arrow season specified for that area.

(4) It is unlawful to shoot at wildlife with an arrow from a vehicle or from, across or along a public roadway.

(5) It is unlawful to use any device secured to or supported by the bow for the purpose of maintaining the bow at a firing position.

NEW SECTION

WAC 232-12-057 HUNTING WITH AID OF AIRCRAFT, BOATS OR OTHER VEHICLES. (1) It is unlawful to use aircraft to spot, locate or report the location of wildlife for the purpose of hunting; except as authorized by a permit issued by the director.

(2) It is unlawful to hunt wildlife from a vehicle, aircraft, except as authorized by a permit issued by the director, or from a boat propelled by motor unless the motor of such boat has been completely shut off and its progress has ceased.

(3) It is unlawful to hunt big game on the day one was airborne in an aircraft, except on a regularly scheduled commercial airline flight.

NEW SECTION

WAC 232-12-061 TAGGING REQUIREMENTS. It is unlawful for a person who kills a deer, elk, mountain goat, mountain sheep, turkey or bear to not immediately cut out and completely remove from their tag the designated notches corresponding to the day and month of the kill for that species. A person who kills such animal or bird, shall immediately attach their notched tag to the carcass of such animal or bird. That tag must remain attached to the carcass while it is being transported and must remain with the wildlife during the period of retention.

NEW SECTION

WAC 232-12-064 HOLDING WILDLIFE IN CAPTIVITY. It is unlawful to take from the wild, hold in captivity, or possess wild animals, game birds, or game fish unless such capture, holding or possession is authorized by a license or permit issued by the director or the commission.

NEW SECTION

WAC 232-12-067 FUR-BEARING ANIMALS MAY BE SOLD. Fur-bearing animals lawfully taken under authority of a state trapper's license may be sold to a licensed fur dealer.

NEW SECTION

WAC 232-12-071 BUYING OR SELLING OF GAME UNLAWFUL. It is unlawful to buy, sell or trade game animals, game birds or game fish except as provided in WAC 232-12-027, 232-12-067 and 232-12-087 or as specifically authorized by written permit issued by the director. Nonedible parts of game animals, game birds and game fish lawfully acquired may be retained for personal use or manufactured into articles or trophies for personal retention.

NEW SECTION

WAC 232-12-074 RETENTION OF GAME. Game animals and game birds lawfully acquired within the state of Washington may be retained until the subsequent 1st day of August.

It is unlawful for a person who retains possession, or transfers the edible parts of game animals or game birds after the 1st day of August, to not notify the department in writing of the quantity, species and location of such wildlife.

NEW SECTION

WAC 232-12-077 WILDLIFE TAKEN BY ANOTHER. It is unlawful to possess wildlife taken during the open season by another unless it is accompanied by a statement which shows the name, address, hunting, fishing or other license or permit number and signature of the taker, the date, county and game management unit where taken.

NEW SECTION

WAC 232-12-081 CHECKING STATIONS—INSPECTION OF GAME AND LICENSES. (1) The department is authorized to establish checking stations, for the purpose of inspecting hunting and fishing licenses and wildlife.

(2) Every person, upon the request of a wildlife agent, shall produce for inspection, wildlife and required hunting or fishing licenses, tags and permits in their possession. It is unlawful to fail to stop at a department checking station while it is in operation.

NEW SECTION

WAC 232-12-084 DIRECTOR EMPOWERED TO ALTER SEASONS. In accordance with the provisions of RCW 77.04.020 and 77.12.150, the authority of the commission is delegated to the director during the period from November 1 to March 31 of each year to close or shorten seasons for game fish. After a season has been closed or shortened, the director may reopen it, and establish daily, weekly, or season bag limits for that season.

NEW SECTION

WAC 232-12-087 REQUIREMENTS TO POSSESS INDIAN CAUGHT ANADROMOUS GAME FISH OR ROE. It is unlawful for a person other than a treaty Indian to buy, sell or possess anadromous game fish lawfully taken by a treaty Indian unless said fish are accompanied by a written statement showing taker's name, address, tribal affiliation and treaty fish identification card number, number of fish, date and location where taken. Provisions of this regulation shall not apply to anadromous game fish purchased from a department licensed fish buyer.

NEW SECTION

WAC 232-12-091 COMMERCIAL BUYING AND PROCESSING OF ANADROMOUS GAME FISH OR ROE. (1) It is unlawful to buy, sell or possess with intent to sell anadromous game fish or roe, without having in possession a valid Department Fish Buyer's Permit and comply with the following provisions:

(a) A Department Fish Buyer's Permit is valid for a year (May 1 to April 30).

(b) Fish buyer's permits must be obtained by applying to the Department of Game, 600 North Capitol Way, Olympia, Washington 98504.

(c) The fish buyer's permit, or a copy, must be in possession of a person buying anadromous game fish or roe.

(d) Fish buyer's permits are not transferable.

(e) Fish buyer's permits authorize a person to buy only anadromous game fish or roe taken by treaty Indians possessing valid federal or tribal fishing identification cards during lawful open seasons.

(2) It is unlawful for a person possessing or buying anadromous game fish or roe from a treaty Indian to not comply with the following:

(a) Fill out a Department Steelhead Receiving Ticket including name of seller, tribal affiliation, treaty fishing identification card number, numbers of fish or skeins of roe, marine area or river where caught, and signature of the person directly receiving the fish.

(b) Transmit the fish tickets daily to the department.

(c) Retain a copy of the Steelhead Receiving Ticket with the anadromous game fish or roe as long as the fish are in possession.

(3) Transactions involving the possession or sale of treaty caught anadromous game fish between two or more licensed buyers, the recipients of said fish must possess a copy of the original fish receiving ticket and sales invoice.

(4) This section does not apply to a person who buys lawfully caught treaty Indian anadromous game fish for personal consumption.

NEW SECTION

WAC 232-12-094 RECORDS FOR PURCHASE AND RECEIPT OF ANADROMOUS GAME FISH AND ROE. (1) Department fish buyer permittees must keep a record of the number of anadromous game fish and skeins of roe received or purchased.

(2) A record of all sales of anadromous game fish and roe must be maintained by licensed fish buyers for three years and are subject to inspection by a wildlife agent. Records of sales must include:

(a) Name and address of the purchaser or consignee.

(b) Number and pounds of each sale.

(c) Date of delivery.

NEW SECTION

WAC 232-12-097 TRANSPORTATION OF ANADROMOUS GAME FISH AND ROE. (1) It is unlawful to ship or transport game fish and roe by a private or common carrier unless accompanied by an invoice which includes:

(a) The name and address of the consignor and consignee.

(b) Pounds and number of anadromous game fish and skeins of roe in the shipment.

(c) The date of shipment.

(2) Containers of anadromous game fish and roe transported must be clearly and conspicuously marked indicating the contents. A copy of the invoice shall be forwarded by the carrier to the Department of Game, 600 North Capitol Way, Olympia, Washington 98504, within seven days of said shipment.

NEW SECTION

WAC 232-12-101 FALCONRY AND CAPTIVE PROPAGATION OF RAPTORS PERMITTED. The director, or his authorized representative, may issue permits for the taking and possession of any raptor for the purpose of falconry, and for the possession of any raptor for the purpose of captive live propagation, and for the possession, transfer, use and disposition of adult birds and progeny thereof, except for those species restricted by the state or that appear on the federal endangered species list. However, any endangered raptor held legally before December 28, 1973, may be retained for falconry use under these regulations. Such permits will be restricted to residents of the state of Washington.

NEW SECTION

WAC 232-12-104 FALCONRY DEFINITIONS. (1) "Raptor" means a live migratory bird of the family Accipitridae, other than the bald eagle (*Haliaeetus leucocephalus*), or the family Falconidae, or the great horned owl (*Bubo virginianus*), of the family Strigidae whether indigenous to the United States or foreign.

(a) "Eyas" means any raptor originally taken from the nest or fledgling raptor taken before the juvenile flight feathers have become hard panned (fully grown).

(b) "Passage hawk" means any raptor originally taken after the juvenile flight feathers have become hard panned and before attaining adult plumage.

(c) "Haggard" means any raptor originally taken after attaining adult plumage.

(d) "Captive-bred raptor" means any progeny of a mating of raptors in captivity.

(2) "Take" means to trap or capture or attempt to trap or capture a raptor from the wild for the purpose of falconry.

(3) "Falconry" means the possession and use of raptors for the purpose of hunting or free flight training.

(4) "Falconry facilities" means the areas, mews, buildings, structures or enclosures or portions thereof designed for the purpose of providing shelter or housing for raptors held for the purpose of falconry, including all furnishings thereof.

(5) "Falconry equipment" means the perches, swivels, jesses, leaches, lures, traps, snares, nets, harnessed bait bird or other implement utilized in trapping, transporting, keeping, training or flying raptors for the purpose of falconry.

NEW SECTION

WAC 232-12-107 FALCONRY PERMITS REQUIRED. (1) It is unlawful for any person to possess any raptor for the purpose of falconry or to engage in the practice of falconry without first obtaining and having upon his person a valid "Falconry Permit."

(2) The director, or his authorized representative, may issue three classes of falconry permits as follows:

(a) "Novice Falconry Permit" may be issued to qualified applicants who show to the satisfaction of the director, or his authorized representative, by written application on forms provided that the applicant:

(i) Is at least fourteen years of age,

(ii) is sponsored by a holder of a "General, or Master, Falconry Permit," who shall sign said application,

(iii) has an adequate knowledge of the care of raptors, of the practice of falconry, and the Washington State Game Code and regulations pertaining to falconry, and

(iv) will provide adequate falconry facilities and equipment feed, care and management.

(b) "General Falconry Permit" may be issued to qualified applicants who show to the satisfaction of the director, or his authorized representative, by written application on forms provided that the applicant:

(i) Is at least eighteen years of age,

(ii) has had at least two years of falconry experience under a valid "Novice Falconry Permit" or its equivalent, and is sponsored by two holders of a general or master category, who shall sign said application,

(iii) has a working knowledge and practical expertise in the care of raptors, of the practice of falconry and of the Washington State Game Code and regulations pertaining to falconry, and

(iv) will provide adequate falconry facilities and equipment, feed, care and management.

(c) "Master Falconry Permits" may be issued to qualified applicants who show to the satisfaction of the director, or his authorized representative, provided that the applicant

(i) has had at least five years experience as a general falconer, or its equivalent, and

(ii) had a working knowledge and practical expertise in the care of raptors, of the practice of falconry, and of the Washington State Game Code and regulations pertaining to falconry, and

(iii) passes a review board of not over four members made up of persons appointed by the director or his authorized representative, and

(iv) will provide adequate falconry facilities and equipment, food, care and management.

(3) The director, or his authorized representative, may require any applicant or any person holding a valid falconry permit to satisfactorily complete written or oral examinations upon initial application. Said examinations shall be passed with a score of at least 80 percent.

(4) Facilities and equipment. The director or his authorized representative shall inspect and certify the applicant's raptor housing facilities and falconry equipment as meeting the following standards before any permit is issued.

(a) Facilities. The primary consideration for raptor housing facilities whether indoors (mews) or outdoors (weathering area) is protection from the environment, predators, or undue disturbance. The applicant shall have the following facilities, except that depending upon climatic conditions, the issuing authority may require only one of the facilities described below.

(i) Indoor facilities (mews) shall be large enough to allow easy access for caring for the raptors housed in the facility. If more than one incompatible raptor is to be kept in the mews, the raptors shall be tethered or separated by partitions and the area for each bird shall be large enough to allow the bird to fully extend its wings. There shall be at least one window, protected on the inside by vertical bars, spaced narrower than the width of bird's body, and a secure door that can be easily closed. The floor of the mews shall permit easy cleaning and shall be well drained. Adequate perches shall be provided.

(ii) Unsupervised outdoor facilities (weathering area) should be fenced or covered to protect the birds from disturbance and attack by predators. The enclosed area shall be large enough to insure that birds cannot strike the fence when flying from the perch. Adequate perches shall be provided.

(b) Equipment. The following items shall be in the possession of the applicant before he can obtain a permit or license.

(i) Jesses - at least one pair of Alymeri jesses or similar type constructed of pliable, high-quality leather or suitable synthetic material to be used when any raptor is flown free. (Traditional one-piece jesses may be used on raptors when not being flown.);

(ii) Leashes and swivels - at least one flexible, weather-resistant leash and one strong swivel of acceptable falconry design;

(iii) Bath container - at least one suitable container, two to six inches deep and wider than the length of the raptor, for drinking and

bathing for each raptor;

(iv) Outdoor perches - at least one weathering area perch of acceptable design shall be provided for each raptor; and

(v) Weighing device - a reliable scale or balance suitable for weighing the raptor(s) held and graduated to increments of not more than one-half ounce (15 grams) shall be provided.

(c) Maintenance. All facilities and equipment shall be kept at or above the preceding standards at all times.

(d) Temporary holding facilities. A raptor may be transported or held by the permittee in temporary facilities which shall be provided with an adequate perch and protected from extreme temperatures and excessive disturbances for a period not to exceed thirty days.

(5) The director, or his authorized representative, may periodically inspect the falconry facilities and equipment and raptors of any applicant or holder of a falconry permit at reasonable times.

NEW SECTION

WAC 232-12-111 LIMITATION ON POSSESSION OF RAP-TORS. (1) No holder of a "Novice Falconry Permit" shall have in his possession or under his control more than one raptor and such raptor shall be limited to the American Kestrel (*Falco sparverius*) or Red-tailed Hawk (*Buteo jamaicensis*) and may not obtain more than one raptor for replacement in any twelve-month period.

(2) No holder of a "General Falconry Permit" shall have in his possession or under his control for falconry purposes more than two raptors. A general permittee may not obtain more than one raptor for replacement in any twelve-month period.

A general permittee may not take, transport, or possess any species listed as threatened or endangered. Except, that any endangered raptor legally held prior to December 28, 1973, may be transported or possessed.

(3) No holder of a "Master Falconry Permit" shall have in his possession or under his control for falconry purposes more than three raptors, and may not obtain more than one raptor for replacement during any twelve-month period.

A master permittee may not take, transport, or possess any species listed as endangered. Except, that any endangered raptor legally held prior to December 28, 1973, may be transported or possessed.

(4) It shall be unlawful for any holder of a falconry permit to have in his possession or under his control, or to capture or attempt to capture, any species of raptor specifically prohibited by the director, or his authorized representative, on the holder's "Falconry Permit" or his "Raptor Capture Permit".

(5) Bald eagles, vultures, osprey and all owls, except the great-horned owl, may not be possessed for falconry or propagation purposes.

NEW SECTION

WAC 232-12-114 PERMIT REQUIRED FOR CAPTURE, IMPORTATION, EXPORTATION, AND TRANSFER OF RAP-TORS. (1) It is unlawful for any person to trap, net or otherwise attempt to capture any raptor without first having in his possession and upon his person a valid "Raptor Capture Permit."

(2) The director, or his authorized representative, may issue "Raptor Capture Permits" to holders of valid falconry permits and may endorse upon the face of each "Raptor Capture Permit" any limitation thereon, including any prohibited species of raptor. Novice permittees may not take an eyas from the nest, general and master falconers will be allowed to take one eyas each year.

(3) It is unlawful for any person to import into the state of Washington any raptor for falconry purposes without first obtaining a "Raptor Importation Permit."

(4) The director, or his authorized representative, may issue "Raptor Importation or Exportation Permits" for the transfer of raptors into and out of the state of Washington upon such terms and conditions as may be designated thereon.

(5) It is unlawful to transfer ownership or possession of any raptor without first notifying the Department of Game and registering the proposed transfer with said department on appropriate forms to be provided; except a permittee may give temporary care of any raptor to another permittee holding a general or masters permit for a period not to exceed thirty days without prior notification or registration provided written authorization from the registered owner accompany the bird, and a copy thereof be submitted to the Department of Game within three days of said transfer.

NEW SECTION

WAC 232-12-117 MARKING AND IDENTIFICATION OF RAPTORS REQUIRED. (1) It is unlawful for any person to have in his possession or under his control any raptor that does not bear an identifying band provided by the United States Fish and Wildlife Service and distributed by the Department of Game: PROVIDED, That captive bred raptors whose hatching was reported to the Department of Game within seven days of hatching may be possessed without such identifying band until the thirty-fifth day after hatching: AND PROVIDED FURTHER, That raptors held in compliance with subsection (2) of this section may be possessed without such identifying band for up to fifteen days after taking.

(2) It is unlawful to take any raptor without first having in his possession a capture permit and temporary holding permit. Any permittee, after capturing or acquiring a raptor, shall immediately fill out and remove the appropriate notches of the "Raptor Capture Permit." Said permit will be returned to the Department of Game office within five days of capture or acquisition.

(3) It is unlawful to remove or replace a raptor band without permission and/or supervision of the director, or his authorized representative.

(4) It is unlawful to possess a raptor band in an altered condition.

NEW SECTION

WAC 232-12-121 FALCONRY REPORTS REQUIRED. (1) Any person holding a "Falconry Permit" shall be required to submit an annual report on forms supplied, disclosing such information as the director, or his authorized representative, may deem valuable and necessary to the proper management of raptors and the regulation of falconry. Such reports will be submitted by July 31 of each year.

(2) Any person shall report to the director, or his authorized representative, the loss, death, or release of any raptor possessed by him within forty-eight hours of such loss, death or release. The carcass of any dead bird shall be returned to the nearest Department of Game office, unless authorized to be retained by the department or the United States Fish and Wildlife Service.

(3) Any person who captures a raptor shall report such capture to the director, or his authorized representative, within forty-eight hours of the time of capture.

NEW SECTION

WAC 232-12-124 METHODS OF CAPTURE AND PROHIBITIONS IN TAKING RAPTORS. (1) It is unlawful for a person to remove more than one immature or fledgling raptor from any nest or to trap any haggard at any time of the year.

(2) It is unlawful to remove any immature or fledgling raptor from any nest unless one or more live immature or fledgling raptors remain in the nest after such removal.

(3) It is unlawful for a person to remove any egg from the nest of any wild raptor or to possess such egg or part thereof, unless specifically authorized by the director, or his authorized representative.

(4) It is unlawful to have or use any trap, snare, net, harnessed bait bird or other implement that is employed in an attempt to capture any raptor without said equipment being plainly marked with the name and address of the user.

(5) It is unlawful for any person to leave unattended any trap, snare, harnessed bait bird, or other implement that is set for the purpose of capturing any raptor, except for the Swedish goshawk-type trap.

(6) It is unlawful to take any raptors from the wild, except during January 1-15 every day; on weekends and holidays (May 31 and July 4) from May 15 to July 31; and every day from August 15 to December 31.

(7) It is unlawful to retrap a marked raptor, which has been reported as lost, unless prior permission has been authorized by the director, or his authorized representative. Such permission may be granted to the permittee who lost the bird only. Any other bird incidentally trapped in the recapture attempt shall be immediately released.

(8) Feathers that are molted from birds held in captivity or that die, may be retained and exchanged by permittees only for imping purposes.

NEW SECTION

WAC 232-12-127 REVOCATION, MODIFICATIONS OR SUSPENSION OF FALCONRY PERMITS. (1) Any permit issued hereunder may be revoked, modified or suspended for cause as follows:

(a) The director, or his authorized representative, shall revoke the permit and shall not reissue or reinstate any permit issued hereunder to any person for three years following the third conviction or forfeiture for violation of any provision of the Game Code of the State of Washington, Title 77 RCW, or of this chapter occurring within three years.

(b) The director, or his authorized representative, may revoke, modify or suspend any permit issued hereunder for a period not to exceed one year for cause as follows:

(i) For first or second conviction or forfeiture for violation of any provision of the Game Code of the State of Washington, Title 77 RCW, or of this chapter through the use of raptors or arising from falconry activities;

(ii) for failure to complete reexamination as may be required by this chapter;

(iii) for failure to timely submit reports required by this chapter;

(iv) for failure to provide adequate falconry facilities and equipment;

(v) for failure to provide adequate care, feed and maintenance for any raptor in the possession of the person against whom the proceeding is commenced or for inhumane treatment of any such raptors.

(2) Any proceeding to revoke, suspend or modify and permit issued hereunder, any proceeding challenging the denial of a permit authorized hereunder, shall be a "contested hearing" under chapter 34.04 RCW and all proceedings shall be conducted in compliance with that chapter.

NEW SECTION

WAC 232-12-131 PERMITS FOR SPECIAL HUNTING SEASONS. (1) Holders of valid hunting licenses may apply for permits for special hunting seasons as prescribed by the commission.

(2) It is unlawful for a person receiving an elk or goat permit to apply for the next two years. A person applying for an elk or goat permit during that period will be disqualified for an additional two years, in addition to any other penalty provided by law.

(3) It is unlawful for a person receiving a mountain sheep (bighorn sheep) permit to apply for the next five years. A person applying for a special mountain sheep (bighorn sheep) hunting permit within a period of five years after having been drawn for such a permit shall be disqualified for an additional two years in addition to any other penalty provided by law.

NEW SECTION

WAC 232-12-134 REPORT REQUIRED OF LICENSED TRAPPERS. It is unlawful for a licensed trapper not to report to the director, on a form supplied by the department, the number and species of animals taken within thirty days after the close of each trapping season.

NEW SECTION

WAC 232-12-137 UNLAWFUL TO USE GAME SPECIES FOR TRAPPING. It is unlawful to use game birds, game fish or game animals, except for the carcasses of furbearing animals, for bait in trapping.

NEW SECTION

WAC 232-12-141 WILD ANIMAL TRAPPING. It is unlawful to trap for wild animals:

(1) With a steel trap having a jaw spread exceeding seven and one-half inches, except that an instant kill trap having a jaw spread exceeding seven and one-half inches is lawful when set beneath the water surface.

(2) With a No. 3 size or larger steel trap if it does not have spacing of at least three-sixteenth of one inch when the trap is sprung and when the set is not capable of drowning the trapped animal.

(3) Unless traps or devices are checked and animals removed within seventy-two hours.

NEW SECTION

WAC 232-12-144 POSSESSION OF LIVE FISH FOR BAIT WHILE FISHING. It is unlawful to use or possess live fish for bait while fishing for game fish.

NEW SECTION

WAC 232-12-147 MAXIMUM NUMBER OF FISHING LINES AND HOOKS—SNAGGING AND GAFFING FISH UNLAWFUL. It is unlawful to: (1) Fish for game fish or attempt to take game fish in a manner other than with one line which must be under the immediate control of the angler; (2) fish for game fish with a line having attached to it more than 2 baits or lures; (3) snag or attempt to snag game fish.

A gaff or landing net may be used to land game fish lawfully hooked.

Fresh water ling may be taken during the open season set for that species by use of set lines and multiple hooks as prescribed in current season's regulations. Set lines must have securely affixed a metal tag legibly stating the fisherman's name and address.

NEW SECTION

WAC 232-12-151 FLY FISHING RULES. It is unlawful to fish for game fish:

(1) In waters restricted to fly fishing only, by use of a fixed spool reel, monofilament line or a metal, plastic, or wooden lure, a plug, spinner, tackle or if a weight is attached to the line or leader. Sinking fly lines or fly lines with lead or metal cores are lawful. Monofilament line may be used as a back-up line if it is attached to not less than twenty-five feet of conventional fly line.

(2) In those waters restricted to fly fishing only, legal angling tackle is limited to dry flies, wet flies, bucktail flies, nymphs and streamers.

NEW SECTION

WAC 232-12-154 JUVENILE FISHING WATERS. It is unlawful for a person over fourteen years of age to fish in waters designated for juvenile fishing only.

NEW SECTION

WAC 232-12-157 STEELHEAD FISHING PERMIT—PUNCH CARD. (1) It is unlawful for a person, except a treaty Indian possessing a valid federal or treaty fishing identification card, to fish for steelhead trout without having in their immediate possession a valid steelhead fishing permit.

(2) Upon taking a steelhead trout over twenty inches in length, the holder of a steelhead fishing permit must immediately remove from the card one punch and enter on the corresponding space the date of the catch and the name of the water in which the fish was caught, except in waters designated as "Selective Fishery", by the department, it is not necessary to remove a punch from the steelhead punch card, if the fish is released.

(3) Every person possessing a steelhead fishing permit must, by June 1, following the period for which it was issued, return that permit to an authorized license dealer or the department.

NEW SECTION

WAC 232-12-161 FISHING GUIDE REPORTS. It is unlawful for a licensed fishing guide to fail to report to the department by the 10th day of each month the numbers of steelhead fishermen guided the previous month, the rivers fished, the date and number of steelhead caught. Reports must be submitted regardless of whether or not guiding was conducted. Such report form shall be supplied by the department and signed by the guide.

NEW SECTION

WAC 232-12-164 FISHING NEAR DAMS, HATCHERIES—DIVERSIONS UNLAWFUL. Except as provided in current season game fish regulations, it is unlawful to fish within four hundred feet downstream from man-made dams, fish ladders or other obstructions, or in waters used by the department for rearing or holding fish. It is unlawful to fish in an irrigation canal or ditch, when the area is posted as closed waters.

NEW SECTION

WAC 232-12-167 HUNTING AND FISHING CONTEST RULES. A person wishing to conduct a hunting or fishing contest must file an application for a contest permit with the director thirty days prior to the start of the contest.

It is unlawful to:

(1) Charge a fee for entrance to a hunting or fishing contest or request a donation to promote such a contest for a commercial purpose.

(2) Offer or accept prizes or trophies, as a result of a hunting or fishing contest, which have a total market value of more than four hundred dollars.

NEW SECTION

WAC 232-12-174 DOMESTIC ANIMALS ON DEPARTMENT LANDS. It is unlawful to allow domesticated animals to be unattended on, or to permit livestock to graze upon land under the control of the department without a written permit from the director.

NEW SECTION

WAC 232-12-177 VEHICLES USING DEPARTMENT LANDS. It is unlawful to operate a motor driven vehicle on lands owned, controlled or managed by the department except on such land or roads as may be authorized by the director or his authorized agent.

NEW SECTION

WAC 232-12-181 LIVESTOCK GRAZING ON DEPARTMENT OF GAME LANDS. It is unlawful to graze livestock on lands owned, or managed, by the department under lease or agreement, without obtaining a grazing land use license or agreement from the department. The department shall use the following procedures in administering the grazing program:

(1) General criterion for all grazing licenses or agreements:

(a) A grazing land use license or agreement must be approved by the Washington State Game Commission.

(b) A grazing land use license or agreement proposal shall be thoroughly evaluated and demonstrate that the grazing will benefit wildlife on the grazing unit or be neutral in its impact on the resource while providing advantages to the public for hunting and fishing.

(2) Types of licenses or agreements:

(a) The Department of Game is authorized to negotiate, subject to approval of the commission, grazing land use license with individuals or groups of cattlemen organized into associations.

(b) The Department of Game may enter into agreement for exchange of land use, allowing limited livestock grazing without charges on Department of Game lands, with owners of land surrounding Department of Game land or adjacent thereto, subject to approval of the commission.

(c) With commission approval, the Department of Game may advertise and sell the license at public auction to the highest bidder. Bidding will be on the basis and in the form of cash bonus bids to acquire the grazing rights provided in the new license. The cash bonus bid is paid only once at the time of the sale. Thereafter, the successful bidder must pay annual grazing charges as billed each year during the term of the land use license. The department is authorized to reject any and all cash bonus bids if it is determined to be in the best interest of the department.

(d) Renewals of existing but expiring licenses or agreements will be evaluated by the department and a recommendation made to the commission for approval or disapproval following receipt of notice from a licensee or holder of an agreement that he desires to renew the license or agreement.

(e) Preference right of renewal: Preference right of renewal is the right of the holder of a license, containing the provision, when said license is about to expire, to match a cash bonus bid made by a second party to acquire the license. By matching the bid, he retains the license subject to renewal approval of the Game Commission. Preference right of renewal may be granted at the discretion of the Game Commission.

(f) In the event another party, or parties, desires to acquire a license about to expire which contains a preference right of renewal, such person or persons must submit a cash bonus bid at least thirty days before the license expires. The current licensee is then notified of the bid, or the highest of several bids, and he is given the opportunity to match the bid. If he does match, he retains the license subject to approval of the renewal by the commission. If he does not match the bid, the commission may authorize grant of the land use license to the party marking the bid against the current licensee if there is only one party bidding, or the commission may authorize a sale at public auction if more than one party has made a bid.

(3) General license or agreement terms

(a) Terms of approved land use licenses or agreements, or renewals thereof, shall not exceed five years.

(b) For the purposes of computing grazing charges and for clarification of procedures, the following definitions shall apply:

(i) Animal unit (AU)

Horse	= 2 AU
Mature cow or steer	= 1 AU
Cow with calf	= 1 AU
Bull	= 1 AU
Animal between age six months and one year	= 0.6

NOTE: An animal between age six months and one year, when entering the range for a given grazing season, will be charged at the rate of 0.6 AU for that entire period, regardless of the animal's age when it leaves the range. When that animal enters the range the next year, it is charged at the rate of one AU. Any animal one year old or older when entering the range is charged at the rate of one AU.

(ii) Animal unit month (AUM): One animal unit (AU), as defined above, grazing on the land for a period of thirty days or one calendar month.

(c) Annual grazing charges shall be computed on an animal unit month (AUM) basis. The AUM fee for grazing less accessible higher elevation ranges may be the same as charged by the Department of Natural Resources for grazing on its permit ranges. This AUM fee will fluctuate from year to year, as it is calculated by formula using the average sale prices of cattle during the previous year. The charges for grazing more accessible lower elevation pastures, generally in agricultural areas (e.g., Columbia Basin Irrigation Project), may be calculated by using DNR permit range AUM fee as a base and adding twenty-five percent of the base fee.

(d) Grazing licensees will be billed annually for grazing charges and taxes thereon, if any, at the conclusion of the authorized annual grazing period. Licensees shall make payment within thirty days following receipt of statement for grazing charges and leasehold excise tax or other taxes, if any.

(e) The cost of labor performed by licensees on approved improvement projects may be credited toward grazing fees. Projects which may be approved for credit include: Range reseeding, fence construction, water developments and other range improvement projects that have been inspected and found completed to required specifications.

(f) A penalty charge of \$1.00 per head per day may be charged for excess or trespass grazing. Excess grazing is grazing over the allotted number of AUMs or grazing contrary to a grazing plan such as using wrong pasture or not grazing within prescribed period.

(g) Each land use license or agreement will contain terms and conditions peculiar to the licensee and the area of land use. However, any license or agreement shall contain the following mandatory conditions:

(i) A full grazing plan shall be attached as an exhibit to any land use license or agreement. The grazing plan may contain provision for use of different pastures, limitation of the number of animal units per pasture, deferred grazing use of pastures, rotation grazing use of pastures or other management practices.

(ii) The department reserves the right to alter and change the provisions of any grazing use plan to include reduction in acres of pasture available and in number of animal units authorized when the state determines that such changes are required to benefit fish or wildlife management, public hunting or fishing, or other recreational uses.

(iii) Unless waived because of peculiar circumstances, all licensees or holders of agreements shall be required to report at the end of each thirty days, or calendar month, to the department the number of animal units grazed under the license or agreement and expected use for the next thirty days. The report need not be submitted for those thirty-day periods or calendar months cattle are not grazed on the area. At the discretion of the department, the licensee or holder of an agreement may be required to round up all cattle for a count, not to exceed two counts per grazing season.

(iv) The licensee or holder of an agreement shall be required to maintain all fences, both interior grazing unit division fences and perimeter fences to protect adjacent lands.

(v) All lands covered by any license or agreement shall at all times be open to the public for lawful hunting and fishing.

(vi) The licensee or holder of an agreement, must agree to release, indemnify, and hold harmless the department, its officers, agents, and employees of any liability to persons or property, including, but not limited to livestock, by whomsoever made and of any nature whatsoever, arising out of or in any manner connected with the exercise of the privileges granted in the license or agreement or caused by or connect-

ed with the use by the public of the lands described in a license or agreement for recreational purposes.

(h) All applications for assignment of a grazing license from the seller to a buyer of a base ranch will be evaluated by the department and submitted with a recommendation to the commission.

(i) Any grazing license or agreement shall be forfeited if the terms and conditions are not met.

(j) The licensee or holder of an agreement shall not transfer the rights (whole or in part) contained in the license or agreement to another individual, association or corporation without first obtaining approval from the Game Commission.

(k) The licensee or holder of an agreement shall not permit livestock owned by another person to graze upon the Department of Game lands under said license without approval of the commission.

NEW SECTION

WAC 232-12-184 AIRCRAFT—AUTHORIZED USE ON DEPARTMENT LANDS. Except as authorized by the director or the director of the Department of Natural Resources, it is unlawful to land aircraft on lands owned, leased or controlled by the department, except in the case of a bona fide emergency.

NEW SECTION

WAC 232-12-187 ACCESS AREAS—OTHER DEPARTMENT LANDS—WILDLIFE AGENT TO CONTROL TRAFFIC THEREON. It is unlawful to use department owned or controlled lands in a manner or for a purpose contrary to signs or notices posted on those lands or to refuse or neglect to obey directions regarding use of such property by a wildlife agent. It is unlawful to use department owned or controlled land for a commercial purpose without a permit issued by the director or his designee.

NEW SECTION

WAC 232-12-191 THREE CONVICTIONS FORFEITS PRIVILEGES. A person who has been convicted of three violations of the Game Code of the State of Washington or rules of the commission within a ten year period, shall not be issued another license, permit, tag, stamp or punch card for any activity described in chapter 77.32 RCW until those privileges are restored by the commission.

NEW SECTION

WAC 232-12-194 PROCEDURE—PETITIONS FOR REISSUANCE OF HUNTING LICENSE—TIME PERIOD FOR PETITION—JUVENILE APPLICANTS. (1) A petition for reissuance of a license revoked under the terms of RCW 77.21.020 or 77.21.030 generally will not be considered by the commission until passage of at least one year from the date the license privilege was revoked.

(2) An applicant for reissuance of a license who is under the age of eighteen years shall be accompanied by a parent, family member over the age of eighteen years, or legal guardian in any appearance before the commission for purposes of requesting reissuance of a hunting license.

(3) Reissuance hearings for a person under the age of fourteen years shall be conducted by the commission in executive session.

(4) Upon motion of an applicant or a commission member, reissuance hearing for persons over the age of fourteen years may be conducted by the commission in executive session.

(5) Applications for reissuance of a license shall be made in writing and filed with the director. The application shall state the relief sought and grounds therefor. As soon as practicable, the director shall note the application for hearing at a regularly scheduled meeting of the commission, and give reasonable notice to the applicant by mail of the date, time and place of hearing.

NEW SECTION

WAC 232-12-197 PROCEDURES TO REVIEW ADMINISTRATIVE LICENSE DECISIONS. The following procedure applies to all administrative decisions of the department which suspend, revoke, cancel, condition, refuse to issue or renew, or otherwise which adversely affect any license, permit, or administrative approval issued by the department. However, the procedures here do not apply to petitions for reissuance of hunting licenses revoked pursuant to RCW 77.21.020 or 77.21.030. Suspensions of licenses by the director pursuant to RCW 77.21.020 and 77.21.030 are covered by subsection (7) of this

section.

(1) Any license, permit of administrative approval issued by the department may be suspended, revoked, cancelled, conditioned, or its issuance or reissuance denied, for cause. Cause is a general term, necessarily discretionary. The following typically may result in adverse administrative action: Failure to submit full, complete, or timely information required by law; failure to submit a timely or complete application for license renewal; violation of the terms or conditions of a license or permit; violations of game laws or rules or regulations or violation of a particularly crucial or important requirement of law; failure to qualify under the requirements for issuance of a license or permit; failure to give evidence of a continued ability to comply with license terms and conditions or agency rules and regulations; violations of RCW 77.21.020 and 77.21.030.

(2) Any person who, upon proper application, is denied a requested license or permit, refused reissuance of a requested license or permit or contests a condition placed in a granted license, permit or administrative approval, or who has a license, permit or administrative approval suspended, revoked, or cancelled is entitled to an opportunity for a hearing contesting the administrative action, pursuant to the Administrative Procedure Act, chapter 34.04 RCW. No administrative action towards an existing or continuing license shall be final without first affording at least twenty days notice of the agency's action and affording an opportunity for a hearing prior to the effective date of the action. To obtain a hearing, a written request must be filed with the director within ten days of receipt of the contested administrative decision. The request for hearing shall clearly state the relief sought and the grounds therefor.

(3) Upon receipt of the written request for administrative hearing, the director may appoint a hearing examiner to conduct further proceedings, including setting a time and place for hearing. Generally, the provisions of the uniform procedures rules, chapter 1-08 WAC, will apply to the hearing, unless here modified or modified by agreement of the parties.

(4) A hearing examiner will take evidence and otherwise conduct a hearing. Upon receipt of all proof and argument, written findings of fact, conclusions of law and proposed order will be issued by the examiner, with copies mailed to each party and attorney of record, if any.

(5) Within ten days of receipt of findings of fact, conclusions of law and the examiner's proposed order, an aggrieved party may file with the director exceptions to the order and written argument in support of the exceptions. Replies to the exceptions, if any, shall be filed within ten days of receipt of the exceptions. The director will personally consider the record submitted and issue a final decision in writing, which shall be served by mail on all parties and attorneys of record, if any. The director's decision is a final decision for purposes of appeal to the superior court pursuant to RCW 34.04.130.

(6) There are no special rules of appearance before the department, except those specified in the Executive Conflict of Interest Act, chapter 42.18 RCW, and chapter 1-08 WAC.

(7) The department may take immediate administrative action, without affording an opportunity to prior hearing, in those instances constituting an emergency as further described in RCW 34.04.170(2). Additionally, pursuant to RCW 77.21.020 and 77.21.030, the director will immediately suspend hunting privileges upon receipt of information showing a hunting violation or accident. The occurrence of a violation or accident may be contested by the license holder. If uncontested, the director's suspension will result in revocation of the license, subject to the right to request reissuance, as specified in WAC 232-12-194.

NEW SECTION

WAC 232-12-207 **PETITIONS—CONSIDERATION BY COMMISSION.** A petition requesting the promulgation, amendment or repeal of any rule, regulation or order of the commission may be made in writing to the director and shall state that the same is made pursuant to this regulation. Such petition shall set forth the proposed rule in full or the existing rule with amendment, as the case may be, and shall include a statement of all reasons why said rule should be adopted, amended or repealed.

All petitions shall be considered by the director who may in his discretion note the petition for consideration at a regular meeting of the commission. The director shall notify the petitioning party of the disposition of the petition within a reasonable time.

NEW SECTION

WAC 232-12-221 **PETITIONS—FORM—SCHEDULING—RULING.** Petitioners for declaratory rulings by the commission shall set forth the rule or statute brought into issue by the petition, the facts relied upon by the applicant, the prayer of the petitioner and shall generally conform to the form of complaints at law.

The petition shall be submitted to the director who may in his discretion place the petition on the agenda of the commission at one of its regular meetings and shall give reasonable notice to the petitioner of the time and place for hearing by the commission. Petitioner may appear and present argument to the commission at any such hearing.

The commission after hearing, shall issue a binding declaratory rule, a nonbinding declaratory rule or notify the petitioner that no declaratory rule is to be issued.

The director shall notify the petitioner of action taken with reference to the petition.

NEW SECTION

WAC 232-12-224 **POSSESSION OF WILDLIFE OFF AN INDIAN RESERVATION—LEGALLY POSSESSED ON RESERVATION.** It is unlawful for an enrolled tribal member who has lawfully acquired possession of wildlife with the exception of game fish, from an Indian reservation, to possess that wildlife off that reservation if such wildlife is not accompanied by a permit issued by the department or appropriate tribal authority prior to being transported from the Indian reservation.

NEW SECTION

WAC 232-12-227 **HUNTER EDUCATION TRAINING PROGRAM REQUIREMENTS.** (1) The director may designate a state coordinator for the purpose of administering the Hunter Education Program. The state coordinator shall be responsible for the certification of volunteer instructors and the development of instructional materials, training aids, operating policies and procedures necessary to comply with the provisions of this section and RCW 77.32.155.

(2) It is unlawful for any person under the age of eighteen to purchase a hunting license in the state of Washington without having completed a course involving at least eight hours of instruction in conservation, safety and sportsmanship.

(3) Upon satisfactory completion of these requirements, each student shall be issued a certificate of accreditation signed by an authorized instructor or the designated state coordinator.

(4) It is unlawful for a license dealer to sell a hunting license to a person under eighteen years of age unless a Hunter Education Certificate issued to said person is presented at the time of purchase.

NEW SECTION

WAC 232-12-241 **REQUIREMENTS OF LICENSE DEALERS.** (1) The director may deputize persons, firms or corporations as license dealers in such numbers as deemed necessary, for the purpose of issuing licenses, tags and permits.

(2) All persons, firms or corporations so deputized shall provide the director with a good and sufficient bond in such amount as the director shall determine, such bond to guarantee full and complete payment for all licenses, tags or permits sold or not remitted by the dealer.

(3) License dealers shall remit all moneys collected from the sale of completely sold books of licenses, tags and permits by the 10th day of the following month in which the licenses are sold. At the end of each license year, license dealers shall remit for all remaining sold licenses by the final date specified by the director.

(4) License dealers must issue licenses, permits and tags in accordance with instructions provided by the department in the license dealer's manual.

(5) All records held pursuant to the statutes and regulations dealing with license dealers must be open to inspection by a wildlife agent or department designee at reasonable times.

NEW SECTION

WAC 232-12-244 **HUNTING RESTRICTIONS.** It is unlawful to hunt wild animals or wild birds with a rifle, bow and arrow, muzzle-loader, or a shotgun containing slugs or buckshot during open seasons for elk in areas where elk may reasonably be expected. This rule does not apply to persons who have the proper licenses, permits, and firearms required to hunt for elk, or for deer and elk if seasons are open

concurrently.

NEW SECTION

WAC 232-12-247 TRANSMISSION LINES—UNLAWFUL HUNTING. It is unlawful to hunt wild animals or wild birds while they are on a telephone or electrical transmission line, or the pole, crossarm or insulator thereof.

NEW SECTION

WAC 232-12-251 REMOVAL OF MINERALS FROM DEPARTMENT LANDS—RESTRICTIONS—PERSONAL USE PERMIT. (1) It is unlawful to dig, excavate or remove petrified wood, other minerals and artifacts in the following described land in Kittitas County: Sections 1, 11, 14 and 15 and that part of Section 22 lying north of the Vantage-Ellensburg Highway in Township 17 North, Range 22 E.W.M.

(2) The director is authorized to close additional areas for the preservation of scientific and historic values.

(3) It is unlawful to remove petrified wood, other minerals including dirt or rock material and timber or wood products from department lands without a permit issued by the department. Collection and removal of these materials is subject to the following provisions:

(a) Only hand tools may be used for excavation. Use of explosives and power equipment is prohibited unless specifically provided for in the permit.

(b) Live trees may not be cut or removed without specific permission from the director or his designee.

(c) Material removed from department land under authority of a permit must be for personal-noncommercial use.

(4) Removal of artifacts found exposed on the surface of the ground only, without hand tools or other mechanical means, is permissible, subject to the restrictions found in RCW 27.53.060, as amended by section 2, chapter 82, Laws of 1975-'76 2nd ex. sess.

NEW SECTION

WAC 232-12-254 DISCHARGE OF LITTER ON DEPARTMENT LANDS—UNLAWFUL. It is unlawful for any person to throw, to drop, or to leave any discarded object, garbage, debris, or waste upon any of the properties owned, leased or controlled by the department except into a litter or garbage receptacle or container installed for that purpose on such property.

NEW SECTION

WAC 232-12-257 CONTROL OF UNATTENDED DECOYS. It is unlawful to leave duck or goose decoys unattended on lands or water owned, leased or controlled by the department. Duck or goose decoys left unattended in excess of one hour may be removed by a wildlife agent.

NEW SECTION

WAC 232-12-261 LIVE DECOYS UNLAWFUL. It is unlawful to hunt waterfowl with the use or aid of live birds as decoys.

NEW SECTION

WAC 232-12-264 BAITING OF GAME BIRDS—UNLAWFUL. It is unlawful to hunt game birds by the aid of baiting, or in a baited area. As used in this section "baiting" or "baited area" means the placing, exposing, depositing, distributing or scattering of corn, wheat or other grain, or feed so as to constitute for such birds a lure or attraction to, on or over areas where hunters are attempting to take them. This shall not prohibit hunting of game birds, on or over standing crops, flooded crop lands, grain crops properly harvested on the field where grown or grains found scattered as the result of normal agricultural planting or harvesting.

NEW SECTION

WAC 232-12-267 FIELD IDENTIFICATION OF WILDLIFE. It is unlawful to possess wildlife in the field or to transport wildlife unless:

- (1) Feathered heads are left attached to all game birds,
- (2) Heads of big game animals accompany the carcass.

NEW SECTION

WAC 232-12-271 CONDITIONS FOR ISSUANCE OF PERMITS FOR AQUATIC PLANTS OR RELEASING OF WILDLIFE. It is unlawful to plant or release wildlife or aquatic plants in the state without a permit from the department.

(1) Application for a permit must be made on a form provided by the department. It must be submitted thirty days prior to acquisition of the wildlife or aquatic plants intended for release or planting, and must provide all information indicated.

(2) Permits will only be issued if the department determines there will be no adverse impact on the wildlife or wildlife habitat of the state.

(3) Thirty days prior to planting or release of wildlife or aquatic plants they must be made available for department inspection. If the department is not satisfied, the wildlife or aquatic plants are disease free, they shall not be released or planted in the state. Department approval for release or planting may be withdrawn for cause.

(4) A person intending to release wildlife in the state shall report immediately to the department the outbreak of any disease among the wildlife intended to be released. If such outbreak presents a threat to the wildlife of the state, the department may immediately order such action as necessary including quarantine or destruction of stock, sterilization of enclosures and facilities, cessation of activities, and disposal of wildlife in a manner satisfactory to the department.

(5) Wildlife covered by a permit issued under this regulation shall not be branded, tattooed, tagged, fin clipped or otherwise marked for identification without approval of the department.

NEW SECTION

WAC 232-12-274 CONDITIONS FOR ISSUANCE OF PERMITS FOR SCIENTIFIC COLLECTION, RESEARCH OR DISPLAY. (1) Application for permits for scientific collection, research or display purposes must be submitted to the department thirty days prior to the date such collection or display commenced.

(2) Each request must provide the following information:

(a) Qualifications of the person requesting the permit;

(b) An objective(s) for the proposed project including definition or conclusion toward which efforts are to be directed;

(c) Identification of the user(s) of the information and how the findings will be implemented;

(d) A plan of action, the organizational framework and logical sequence of events that will lead to attainment of the study objective; and

(e) A location of the study area.

(3) A final report must be submitted to the department upon completion of the research, collection or display. Interim reports may be required.

(4) Permits will not be granted for request which do not in the opinion of the department beneficially increase the data base, avoid unnecessary duplication or conflicts with existing scientific information or address goals which will maximize the resource or avoid damage to the resource.

(5) Continuing research or other scientific projects may be extended annually by concurrence of the director.

(6) It is unlawful to fail to comply with any of the conditions for issuance of permits for scientific collections, research or display.

NEW SECTION

WAC 232-12-277 TAXIDERMY AND FURDEALING RECORDS. (1) It is unlawful for a licensed taxidermist or furdealer upon receiving wildlife for mounting, tanning, storage or processing to fail to immediately record the owner's name and address, date received, location where taken and such other information as required by the department, in a ledger supplied by the department. Such record must be maintained for a period of two years or more.

(2) All records and wildlife held pursuant to the statutes or regulations dealing with taxidermy or furdealing must be open to inspection by a wildlife agent at reasonable times.

NEW SECTION

WAC 232-12-281 COPYING. No fee shall be charged for the inspection of public records. The department shall charge a fee of 25¢ per page for providing copies of public records, and \$2.00 for certification if requested.

NEW SECTION

WAC 232-12-284 BIGHORN SHEEP—BRANDING REQUIREMENTS. (1) For the purpose of this regulation, horns shall be defined as the permanent, paired, hollow sheath of bighorn sheep attached to the bony core and skull.

(2) It is unlawful for a person who kills or possesses a bighorn sheep to fail, within ten days after acquisition, to present the horns for inspection and branding at a Game Department Regional Office. A department employee shall permanently brand an identification number on one of the horns.

(3) It is unlawful for any person to possess the horns of a bighorn sheep without a number so branded.

(4) It is unlawful for any person who transfers ownership or possession of the horns of a bighorn sheep to which an identification number has been branded to fail to give written notice of the transfer to the department within ten days after the transfer.

NEW SECTION

WAC 232-12-287 POSSESSION OF DEAD WILDLIFE. It is unlawful for a person to possess, without a permit issued by the director, wildlife found dead. Nothing in this regulation will prohibit the possession of naturally shed antlers of deer and elk.

NEW SECTION

WAC 232-12-291 HUNTING BEFORE OR AFTER HOURS. It is unlawful to hunt wild animals or wild birds contrary to posted or official daily hunting hours in current season regulations.

NEW SECTION

WAC 232-12-294 DEFINITIONS—HYDRAULIC PROJECT PERMITS. For the purposes of RCW 75.20.100, a "river or stream" shall include waters located in a natural or man-made watercourse, including but not limited to all watercourses in which fish may spawn, reside, or through which they may pass, and those which will affect watercourses in which fish may spawn, reside or through which they may pass. This shall also include watercourses which exist on an intermittent basis or which fluctuate in level during the year and shall apply to the entire bed of such watercourse whether or not the water is at peak level.

For the purposes of RCW 75.20.100, the "natural flow or bed" of any such watercourse shall include any segment which has been altered by man. This definition is not meant to include irrigation ditches or canals or other entirely artificial watercourses constructed for specific purposes not related to containing or directing the flow of water from a watershed or from another body of water.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- (1) WAC 232-12-010 DEFINITION OF TERMS.
- (2) WAC 232-12-015 CLASSIFICATION OF GAME FISH.
- (3) WAC 232-12-020 DEFINITION OF EASTERN AND WESTERN WASHINGTON COUNTIES.
- (4) WAC 232-12-030 CLASSIFICATION OF WILD BIRDS.
- (5) WAC 232-12-040 CLASSIFICATION OF WILD ANIMALS.
- (6) WAC 232-12-060 REPORT AND PERMIT REQUIRED TO IMPORT AND RETAIN GAME CARCASSES.
- (7) WAC 232-12-065 BOBCAT, CANADA LYNX AND RIVER OTTER PELT TAGGING REQUIREMENTS.
- (8) WAC 232-12-070 GAME FARMER LICENSE PROVISIONS.
- (9) WAC 232-12-080 GAME FARMER INVOICE REQUIREMENTS.
- (10) WAC 232-12-090 ACQUISITION OF GAME BY GAME FARMER.
- (11) WAC 232-12-100 SHOOTING PRESERVES—LICENSING—PERMITS—OPERATION[S].
- (12) WAC 232-12-105 SHOOTING PRESERVE FOR WILD ANIMALS.
- (13) WAC 232-12-110 PERMIT FOR HOLDING FIELD TRIALS.
- (14) WAC 232-12-120 USE OF GAME FOR TRAINING DOGS OR FOR FIELD TRIALS—TAGGING REQUIREMENTS.

- (15) WAC 232-12-130 UNLAWFUL FIREARMS FOR HUNTING.
- (16) WAC 232-12-135 MUZZLE-LOADING RIFLES.
- (17) WAC 232-12-140 BOW AND ARROW REQUIREMENTS.
- (18) WAC 232-12-150 HUNTING FROM AIRCRAFT, BOATS, AUTOMOBILES, ETC.—UNLAWFUL.
- (19) WAC 232-12-160 BIG GAME SUPPLEMENTAL TAG—TAGGING REQUIREMENTS.
- (20) WAC 232-12-170 HOLDING GAME ANIMALS, FUR-BEARING ANIMALS OR GAME BIRDS IN CAPTIVITY, UNLAWFUL.
- (21) WAC 232-12-171 COMMERCIAL USE OF WILDLIFE PROHIBITED.
- (22) WAC 232-12-173 CATCHING, KILLING, TAKING, OR HOLDING PROTECTED WILDLIFE IN CAPTIVITY, UNLAWFUL.
- (23) WAC 232-12-180 TIME LIMIT FOR POSSESSION OF GAME—EXTENSIONS.
- (24) WAC 232-12-190 TAG REQUIRED FOR STORING OR PROCESSING GAME.
- (25) WAC 232-12-200 TRANSPORTATION OF GAME TAKEN BY ANOTHER.
- (26) WAC 232-12-201 CHECKING STATIONS—INSPECTION OF GAME AND LICENSES.
- (27) WAC 232-12-205 DIRECTOR EMPOWERED TO ALTER SEASONS.
- (28) WAC 232-12-210 TAGGING REQUIREMENTS OF GAME TAKEN BY ANOTHER—OWNERSHIP.
- (29) WAC 232-12-211 REQUIREMENTS TO POSSESS INDIAN CAUGHT STEELHEAD.
- (30) WAC 232-12-212 COMMERCIAL BUYING AND PROCESSING OF STEELHEAD TROUT.
- (31) WAC 232-12-213 RECORDS FOR PURCHASE AND RECEIPT OF STEELHEAD TROUT.
- (32) WAC 232-12-214 TRANSPORTATION OF STEELHEAD TROUT.
- (33) WAC 232-12-215 PROPER MARKING ON PACKAGES AND CONTAINERS OF STEELHEAD TROUT.
- (34) WAC 232-12-220 POSSESSION OF GAME UNLAWFUL.
- (35) WAC 232-12-230 FALCONRY AND CAPTIVE PROPAGATION OF RAPTORS PERMITTED.
- (36) WAC 232-12-231 FALCONRY DEFINITIONS.
- (37) WAC 232-12-232 FALCONRY PERMITS REQUIRED.
- (38) WAC 232-12-233 LIMITATION ON POSSESSION OF RAPTORS.
- (39) WAC 232-12-234 PERMIT REQUIRED FOR CAPTURE, IMPORTATION, EXPORTATION, AND TRANSFER OF RAPTORS.
- (40) WAC 232-12-235 MARKING AND IDENTIFICATION OF RAPTORS REQUIRED.
- (41) WAC 232-12-236 FALCONRY REPORTS REQUIRED.
- (42) WAC 232-12-237 METHODS OF CAPTURE AND PROHIBITIONS IN TAKING RAPTORS.
- (43) WAC 232-12-238 REVOCATION, MODIFICATIONS OR SUSPENSION OF FALCONRY PERMITS.
- (44) WAC 232-12-240 PERMIT TO KILL GAME—GAME DAMAGE.
- (45) WAC 232-12-255 PERMITS FOR CONTROLLED HUNTS.
- (46) WAC 232-12-280 REPORT REQUIRED OF LICENSED TRAPPERS.
- (47) WAC 232-12-300 EDIBLE FLESH OF GAME SPECIES UNLAWFUL FOR TRAP BAIT.
- (48) WAC 232-12-310 WILD ANIMAL TRAPPING.
- (49) WAC 232-12-320 USE OF LIVE FISH FOR BAIT UNLAWFUL.
- (50) WAC 232-12-340 MAXIMUM NUMBER OF FISHING LINES AND HOOKS—SNAGGING AND GAFFING FISH UNLAWFUL.
- (51) WAC 232-12-350 DEFINITION OF FLY FISHING.
- (52) WAC 232-12-355 JUVENILE FISHING AND CATCH LIMITS.
- (53) WAC 232-12-360 STEELHEAD FISHING PERMIT PUNCH CARD REQUIREMENTS.
- (54) WAC 232-12-365 FISHING GUIDE REPORTS.

- (55) WAC 232-12-370 FISHING NEAR DAMS, FISH TRAPS AND HATCHERIES UNLAWFUL.
- (56) WAC 232-12-373 UNLAWFUL TO FISH IN IRRIGATION DITCHES OR CANALS WHEN CLOSURE NOTICE POSTED.
- (57) WAC 232-12-380 HUNTING AND FISHING CONTESTS.
- (58) WAC 232-12-390 DOMESTIC ANIMALS UNATTENDED ON DEPARTMENT LANDS.
- (59) WAC 232-12-400 VEHICLES—USAGE OF WELL DEFINED ROADS ON DEPARTMENT OF GAME LANDS.
- (60) WAC 232-12-405 LIVESTOCK GRAZING ON DEPARTMENT OF GAME LANDS.
- (61) WAC 232-12-410 COLOCKUM AIRSTRIP—AUTHORIZED USE ONLY.
- (62) WAC 232-12-420 ACCESS AREAS—OTHER DEPARTMENT LANDS—WILDLIFE AGENT TO CONTROL TRAFFIC THEREON.
- (63) WAC 232-12-430 THREE CONVICTIONS FORFEITS PRIVILEGES.
- (64) WAC 232-12-435 PROCEDURE—PETITIONS FOR REISSUANCE OF HUNTING LICENSE—TIME PERIOD FOR PETITION—JUVENILE APPLICANTS.
- (65) WAC 232-12-440 FORFEITURE OF PRIVILEGES—SUBSEQUENT CONVICTIONS.
- (66) WAC 232-12-450 APPLICATION FOR HEARING.
- (67) WAC 232-12-460 NOTIFICATION OF DECISION.
- (68) WAC 232-12-470 PETITIONS—CONSIDERATION BY COMMISSION.
- (69) WAC 232-12-480 PETITIONS—FORM—SCHEDULING—RULING.
- (70) WAC 232-12-490 POSSESSION OF GAME OFF AN INDIAN RESERVATION LEGALLY POSSESSED ON RESERVATION.
- (71) WAC 232-12-500 FIREARM SAFETY LICENSE REQUIREMENT FOR JUVENILES.
- (72) WAC 232-12-510 REQUIREMENTS OF LICENSE DEALERS.
- (73) WAC 232-12-520 HUNTING RESTRICTIONS.
- (74) WAC 232-12-530 TRANSMISSION LINES—UNLAWFUL HUNTING.
- (75) WAC 232-12-550 COLLECTION OF ROCK HOUND MATERIALS FROM DEPARTMENT LANDS—RESTRICTIONS.
- (76) WAC 232-12-570 DISCHARGE OF LITTER ON DEPARTMENT LANDS—UNLAWFUL.
- (77) WAC 232-12-630 CONTROL OF UNATTENDED DECOYS.
- (78) WAC 232-12-640 LIVE DECOYS UNLAWFUL.
- (79) WAC 232-12-650 BAITING OF MIGRATORY GAME BIRDS UNLAWFUL.
- (80) WAC 232-12-655 DEFINITIONS—HYDRAULIC PROJECT PERMITS.
- (81) WAC 232-12-660 MANAGED MARINE MAMMALS PROTECTED.
- (82) WAC 232-12-670 DELETERIOUS SPECIES DESIGNATED.
- (83) WAC 232-12-675 CONDITIONS FOR ISSUANCE OF PERMITS FOR PLANTING OF GAME FISH, AQUATIC PLANTS, RELEASE OF WILD ANIMALS OR WILD BIRDS, AND CONSTRUCTION OF ENHANCEMENT FACILITIES.
- (84) WAC 232-12-676 CONDITIONS FOR ISSUANCE OF PERMITS FOR SCIENTIFIC STUDY, COLLECTION, RELEASE AND RESEARCH.
- (85) WAC 232-12-680 RARE AND ENDANGERED SPECIES DESIGNATED.
- (86) WAC 232-12-690 TAXIDERMY RECORDS.
- (87) WAC 232-12-700 TAXIDERMY TAGGING.
- (88) WAC 232-12-710 TAXIDERMY PURCHASING AND SELLING.
- (89) WAC 232-12-816 COPYING.
- (90) WAC 232-28-203 1980 HUNTING SEASONS AND GAME BAG LIMITS.
- (91) WAC 232-28-303 1980 GAME MANAGEMENT UNITS AND AREA LEGAL DESCRIPTIONS.
- (92) WAC 232-21-100 GOLD PROSPECTING.
- (93) WAC 232-28-802 1980 MOUNTAIN GOAT, SHEEP

AND MOOSE HUNTING SEASONS.

NEW SECTIONS

- WAC 232-21-101 Gold and Fish.
- WAC 232-28-204 1981 Hunting Seasons and Game Bag Limits.
- WAC 232-28-304 1981 Game Management Units and Area Legal Descriptions.
- WAC 232-28-803 1981 Mountain Goat, Sheep and Moose Hunting Seasons.

Reviser's Note: The text and accompanying maps comprising the Gold and Fish, 1981 Hunting Seasons and Game Bag Limits, 1981 Game Management Units and Area Legal Descriptions and the 1981 Mountain Goat, Sheep and Moose Hunting Seasons rules 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 proposed rules may be obtained from the main office of the Department of Game, 600 North Capitol Way, Olympia, Washington, 98504, and upon final adoption are available in pamphlet form from the Department, its six regional offices, and at numerous drug and sporting goods stores throughout the state.

WSR 81-08-065**PROPOSED RULES****BELLEVUE COMMUNITY COLLEGE**

[Filed April 1, 1981]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that the Bellevue Community College, Community College District VIII, intends to adopt, amend, or repeal rules concerning student grievance appeal procedures, amending WAC 132H-120-060;

that such institution will at 1:30 p.m., Tuesday, May 5, 1981, in the Board Room, Bellevue Campus, Bellevue Community College, 3000 Landerholm Circle S.E., Bellevue, WA 98007, conduct a hearing relative thereto; and that the adoption, amendment, or repeal of such rules will take place at 1:30 p.m., Tuesday, May 5, 1981, in the Board Room, Bellevue Campus, Bellevue Community College, 3000 Landerholm Circle S.E., Bellevue, WA 98007.

The authority under which these rules are proposed is RCW 28B.50.140.

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution prior to May 5, 1981, and/or orally at 1:30 p.m., Tuesday, May 5, 1981, Board Room, Bellevue Campus, Bellevue Community College, 3000 Landerholm Circle S.E., Bellevue, WA 98007.

Dated: March 27, 1981
By: Thomas E. O'Connell
Secretary

STATEMENT OF PURPOSE

Description of Purpose: Amendment to Student Code, WAC 132H-120-060 The Student Grievance Appeal Procedures.

Statutory Authority: RCW 28B.50.140.

Summary of Rule: This amendment has broadened the scope of student grievance consideration to include capricious, arbitrary, prejudicial, discriminatory and unprofessional actions on the part of faculty, classified staff and administration. A sincere

effort has been made to establish procedures which might resolve potential grievances on an informal basis prior to the more formal written request for a hearing before the Student Grievance Committee.

Reasons Supporting Proposed Action: The amendment is a comprehensive statement which amends current WAC 132H-120-060 Student Grievance Appeal Procedures in the Student Code. This includes: Protection Against Improper Instruction and/or Academic Evaluation; and Protection Against Improper Dismissal.

Agency personnel responsible for:

Drafting: Thomas E. O'Connell, President, Bellevue Community College, 3000 Landerholm Circle S.E., Bellevue, WA 98007, 641-2301 (Scan 334-2301).

Implementation: Same.

Enforcement: Same.

Person or organization proposing rule, and whether public, private or governmental: Board of Trustees, Bellevue Community College, Public.

Institution comments or recommendations, if any: None.

Rule necessary as result of federal law or federal or state court action: No.

AMENDATORY SECTION (Amending Order 71, filed 10/6/80)

WAC 132H-120-060 ((STUDENT GRIEVANCE APPEAL PROCEDURES. (A) Protection Against Improper Instruction And/Or Academic Evaluation. It is recognized that students are responsible for maintaining standards of academic performance established and made known by their instructors, but that they should have protection, through orderly procedures, against prejudicial or capricious instruction and/or evaluation. If a student alleges prejudicial or capricious instruction and/or evaluation, he shall have 1 quarter in which to initiate an appeal to the Instructional Appeals Committee.

The procedures shall be as follows: (1) The student shall first consult with the instructor in an attempt to resolve the situation:

(2) If the situation remains unresolved, the student and/or the instructor shall apply by written request, for a meeting with the appropriate division chairman in an attempt to resolve the situation:

(3) In the event that the problem remains unresolved, the student and/or the instructor shall appeal for a hearing before the Instructional Appeals Committee. Such appeals shall be made in writing to the office of the Dean of Instruction. All hearings shall be closed meetings of the committee, the instructor, and the student and shall be held within 20 days of the written appeal. The committee shall, at the request of the instructor or the student call in all requested witnesses:

(4) Based on the hearing(s), the Instructional Appeals Committee shall make a written recommendation to the instructor involved. Copies of the recommendation shall be furnished to: a) the instructor; b) the student; c) the appropriate division chairman; and d) the Dean of Instruction:

(5) In the event that the instructor is not available to receive the recommendation of the committee, the recommendation shall be turned over to the Dean of Instruction for action:

(6) If the instructor fails to comply with the recommendation of the committee within 20 days, a complete report of the action shall be sent by the chairperson of the Instructional Appeals Committee to the Dean of Instruction for review. Further action shall rest with the Dean of Instruction:

(7) Should either the instructor or the student wish to appeal the actions taken by the Dean of Instruction, such appeal shall be made to the President of the college. A complete report of all recommendations and actions shall be forwarded to the President by the Dean of Instruction:

(8) An appeal to the Instructional Appeals Committee and to the

President shall be considered an informal proceeding under the Higher Education Administrative Procedure Act and shall not be considered a contested case:

(B) ~~Protection Against Improper Dismissal. It is recognized that students are responsible for maintaining standards of performance established and made known by their duly appointed college instructor, publisher, coach or advisor in any college recognized student program or activity. Students shall have protection, through orderly procedures, against prejudicial or capricious dismissal from such recognized college student programs or activities.~~

If a student alleges prejudicial or capricious dismissal, he/she shall have the right to appeal such action by following these procedures for redress of such grievance: (1) The student shall first consult with the instructor, publisher, coach or advisor in an attempt to resolve the situation:

(2) If the situation remains unresolved, the student and/or the instructor, publisher, coach or advisor shall apply by written request for a meeting with the Dean for Student Services and Development in an attempt to resolve the situation:

(3) If the problem remains unresolved, the student and/or the instructor, publisher, coach or advisor shall appeal for a hearing before the Student Appeals Committee. Such appeals shall be made in writing to the office of the Dean for Student Services and Development. All hearings shall be closed meetings of the committee, the instructor, publisher, coach or advisor and the student. The committee shall at the request of either party in the alleged action, call in all requested witnesses:

(4) Based on the hearing(s), the Student Appeals Committee shall make a recommendation to the instructor, publisher, coach or advisor, regarding disposition of the alleged grievance. Copies of the recommendation shall be furnished to: a) the instructor, publisher, coach or advisor; b) the student; c) the appropriate administrative person in the area of student programs or activities; d) the Director of Student Programs and Activities; and 3) the Dean for Student Services and Development:

(5) If the instructor, publisher, coach or advisor fails to comply with a corrective recommendation of the committee, the recommendation shall be turned over to the Dean for Student Services and Development for action:

(6) Should either the instructor, publisher, coach or advisor or the student wish to appeal the actions taken by the Dean for Student Services and Development, such appeal shall be made to the President of the college. A complete report of all recommendations and actions shall be forwarded to the President by the Dean for Student Services and Development:

(7) An appeal to the Student Appeals Committee and the President shall be considered an informal proceeding under the Higher Education Administrative Procedure Act and shall not be considered a contested case:)) STUDENT GRIEVANCE PROCEDURES. (A) PURPOSE AND SCOPE. The purpose of these procedures is to enable a student to express and resolve misunderstandings, complaints, or grievances with faculty and college personnel with due process guaranteed for all parties within a specified time frame. Students have a responsibility to maintain acceptable standards of behavior in their relationship with faculty and college personnel in the performance of their duties. It is also recognized that students shall have protection through orderly procedures against arbitrary, prejudicial, capricious, discriminatory or unprofessional actions in: (1) Class instruction;

(2) Grading practices;

(3) Advising;

(4) Counseling;

(5) Dismissal from courses, academic programs or extracurricular activities; and

(6) Other actions by faculty or college personnel in the performance of their duties.

(B) PROCEDURES. Step 1. One to One. The student shall first attempt to resolve the issue on a one-to-one basis with the party involved in the complaint no later than twenty (20) instructional days from the alleged complaint with the exclusion of summer quarter in which case the student shall have twenty (20) instructional days from the beginning of fall quarter to attempt to resolve the matter. In the event that a faculty member or other college personnel involved in the complaint is absent from the institution during the above time frame for any authorized leave, the appropriate Dean shall notify that person or persons of the complaint and make a reasonable effort to have such person or persons available to resolve the issue. If this action creates an extreme hardship on the person or persons, they may submit in writing

a designated proxy to act in their behalf. If still unresolved, the student shall choose to go to Step 2 or Step 3. If no proxy is appointed, the appropriate Dean shall notify both parties that the grievance procedure is moving to Step 3.

Step 2. Third Party Facilitator or Mediator. If the issue remains unresolved, the student shall seek assistance through the ASBCC Vice President of Student Affairs or the complainee's immediate administrator or supervisor to establish a mediation process. (For instructors this shall be the Division Chair in consultation with the Program Chair.) If agreeable to both parties in the complaint, a mediation process may be established that will include a facilitator agreeable to both. The period for Step 2 shall be no longer than ten (10) instructional days following completion of Step 1.

Step 3. Written Request for Hearing. If the issue remains unresolved, the student shall submit a written request for a hearing from the Student Grievance Committee within ten (10) instructional days following completion of Step 2. The ASBCC Vice President for Student Affairs is available for consultation with the student in further matters regarding the grievance.

Step 4. (1) Student Grievance Committee Procedures. (a) The Chair of the Student Grievance Committee may notify the appropriate employee's association president at the time of receipt of the written grievance.

(b) The Student Grievance Committee shall consider each case separately. The committee may choose by majority vote of the constituted committee not to hear an alleged grievance if it is not a valid complaint. In this instance, the grievance is terminated.

Timelines are essential for orderly procedures. If timelines are not properly met by the student, the grievance shall be considered dropped.

If the committee does not hear the grievance for any other reason, the student may proceed to Step 5. The decision by the committee as to whether or not to conduct a hearing shall be made within ten (10) instructional days from receipt of the written grievance by the chair. If the decision is to conduct a hearing, parties to the grievance must be informed within five (5) instructional days as to the date and time of the hearing, and a list of names specifying committee membership. Either party to the grievance has the option to remove one member from the committee on prejudicial or conflict of interest grounds by written notification to the chair at least two (2) days prior to the hearing. A removed member will be replaced by the alternate member of that constituency.

(c) If the committee decides to hear the alleged grievance, the Chair of the Student Grievance Committee shall notify the president of the appropriate employee's association or group that a hearing will take place concerning the specified person. Lack of fulfillment of Step 4(1)(c) shall not constitute a basis for appeal.

(d) The Chair of the Student Grievance Committee shall consult with both parties prior to scheduling a meeting time. If the Chair is unable to contact the complainee after reasonable effort, the Chair shall notify the appropriate Dean. The Dean shall make reasonable effort to contact both parties involved in the grievance and schedule a meeting of the Student Grievance Committee. If the Dean is unsuccessful in this attempt, the student shall proceed to Step 5.

(e) All hearings shall be closed meetings of the Student Grievance Committee to include the student and the complainee, except that any party to the complaint may have one representative or advisor in attendance. In exceptional circumstances, the student may submit a written request to designate a proxy to the Chair of the Student Grievance Committee. The committee shall determine whether or not to grant the request and proceed with the hearing. All contents of the hearing shall be considered confidential.

(f) If the student or approved proxy fails to appear for the hearing, the grievance shall be considered terminated.

(g) If the complainee or proxy fails to appear for the hearing, the grievance proceeds to Step 5.

(h) The Student Grievance Committee shall, at the request of either or both parties to the alleged grievance, request the presence of witnesses for testimony. Either party may submit written statements of evidence regarding their position.

(i) The Student Grievance Committee shall: (i) hear opening statements from both parties (or proxy) to the grievance;

(ii) Hear testimony from witnesses;

(iii) Ask questions of either party and/or witnesses to clarify positions; and

(iv) Hear summary statements from both parties to the grievance. There shall be no cross-examination by the parties and/or witnesses in these proceedings.

(j) Based upon the evidence and proceedings, the Student Grievance Committee shall find findings of fact and make a written recommendation of action to resolve the grievance within thirty (30) days of receipt of the written request for hearing to: 1) the faculty member or college personnel; 2) the student; and 3) the appropriate Dean.

(k) Within five (5) instructional days after notice of the Student Grievance Committee recommendation, each party to the grievance shall send a written response with actions taken to the Chair of the Student Grievance Committee, to the other party involved, and to the appropriate Dean. If parties do not agree to fulfill the recommendations of the Student Grievance Committee, or if they do not respond, or if the committee recommends the appropriate Dean take action, the Chair of the Student Grievance Committee shall forward to the appropriate Dean the entire record of the hearing deliberations.

(2) Student Grievance Committee Composition and Guidelines. (a) Guidelines for committee operations shall be developed which are consistent with Student Grievance Procedures. Student Grievance Committee membership is to be determined by May 15 of each academic year to serve for the ensuing academic year.

(b) The Chair of the Student Grievance Committee shall be the permanent administrator, unless removed by challenge, in which case the chair shall be selected by the permanent and regular members of the committee at the outset of the first meeting on the matter. In this instance, the permanent chair shall call and chair the meeting until replaced by a temporary chair.

(c) The Chair of the Student Grievance Committee shall convene the full Student Grievance Committee, including alternates, by October 15 of each academic year for an orientation session and review of the operating policy and procedures.

(d) The Student Grievance Committee shall consist of five (5) permanent members and three (3) regular members as follows: (i) Two (2) permanent student members and one (1) alternate member;

(ii) One (1) permanent member from each constituent group (classified, faculty and administration) to be selected by the four members from each constituent group. Each constituent group has one (1) permanent member and three (3) regular members who shall be seated on the committee when a grievance is being deliberated against a member of their constituency group; and

(iii) Each constituency group shall have one (1) alternate. If either party to a grievance exercises their right to remove one person from the committee proceedings, the Chair of the Student Grievance Committee shall select an alternate from that constituency. If additional alternates are needed, they shall be appointed by the president of the appropriate association or group. Committee members shall remove themselves if, in their judgment, they are biased, prejudiced or personally involved in the complaint to be heard.

(e) Each constituency association or group shall select four (4) members and (1) alternate to serve two years, staggered terms, with the exception of students as noted in (2)(d)(i). The regular members shall select the permanent member for each ensuing year.

Step 5. Possible Administrative Actions. (1) Without Student Grievance Committee Recommendation. The appropriate Dean shall consider student grievances without prior Student Grievance Committee deliberations in the following instances: (a) Committee decided not to hear the case for the reasons other than being an invalid grievance;

(b) The complainee refused to respond to prior steps; and

(c) The complainee was unreachable.

Within five (5) instructional days the appropriate Dean shall make reasonable effort to consult parties to the grievance and in consultation with person or persons in the involved program or designated areas, take appropriate action to resolve the grievance and inform the parties involved, including the Committee Chair, of the intended action in writing.

(2) With Student Grievance Committee Recommendation. Within five (5) instructional days of receipt of the entire record of committee deliberations for any of the reasons in Step 4(1)(k), the appropriate Dean shall decide upon action steps to resolve the grievance and inform the parties involved, including the Committee Chair, of the intended action in writing.

(3) Implementation of Action. Professional and academic standards shall govern administrative action. The appropriate Dean shall implement his/her decision after five (5) instructional days unless either party to the grievance files a written appeal to the President of the College with notification to the Dean. Such appeal shall be based solely on procedural or prejudicial grounds.

(4) Administrative Change of Grade. It is standard practice that the institution shall formally record grades as assigned by the instructor of

record. In the unusual event of administrative change of a grade different from that recommended or agreed to by the instructor of record, the transcript shall show a code by that grade. The code shall be translated on the left margin of the transcript "By Administrative Action." If a grade is changed by administrative action, the appropriate Dean shall direct the Registrar in writing to make such a change. The Dean shall include a brief summary position of the instructor's, the committee's, and his/her rationale for the change.

Step 6. Student Grievance Appeal Process. A complete report of all recommendations and actions shall be forwarded to the President of the College by the appropriate Dean.

An appeal to the President shall be based solely upon procedural or prejudicial grounds and deliberations therein are based solely upon the written record. The President shall have ten (10) instructional days upon which to render a final decision. The President shall inform the parties to the grievance, the appropriate Dean and the Chair of the Student Grievance Committee in writing of his/her final decision.

The appeal to the President shall be considered an informal hearing. Records of all hearings are subject to the Washington Administrative Code (WAC 132H-120-060) until superseded and shall be retained for a period of three (3) years.

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 81-08-066
PROPOSED RULES
BELLEVUE COMMUNITY COLLEGE
[Filed April 1, 1981]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that the Bellevue Community College, Community College District VIII, intends to adopt, amend, or repeal rules concerning admissions, residency classification and registration regulations schedule of fees and financial aid for Community College District VIII, amending WAC 132H-160-010;

that such institution will at 1:30 p.m., Tuesday, May 5, 1981, in the Board Room, Bellevue Campus, Bellevue Community College, 3000 Landerholm Circle S.E., Bellevue, WA 98007, conduct a hearing relative thereto; and that the adoption, amendment, or repeal of such rules will take place at 1:30 p.m., Tuesday, May 5, 1981, in the Board Room, Bellevue Campus, Bellevue Community College, 3000 Landerholm Circle S.E., Bellevue, WA 98007.

The authority under which these rules are proposed is RCW 28B.50.140.

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution prior to May 5, 1981, and/or orally at 1:30 p.m., Tuesday, May 5, 1981, Board Room, Bellevue Campus, Bellevue Community College, 3000 Landerholm Circle S.E., Bellevue, WA 98007.

Dated: March 27, 1981

By: Thomas E. O'Connell
Secretary, Board of Trustees

STATEMENT OF PURPOSE

Description of Purpose: Amend and repeal sections of admissions, residency classification and registration regulations, schedule of fees and financial aid for Community College District VIII, chapter 132H-160 WAC. Statutory Authority: RCW 28B.50.140.

Summary of Rule: Admissions, residency classification and registration regulations, schedule of fees and financial aid for Community College District VIII speaks to rules and regulations for resident and non-resident students enrolling in Community College District VIII; fees charged resident and non-resident students; financial aid available; other rules and regulations which apply to resident and non-resident students while a student.

Reasons Supporting Proposed Action: The reason for amending and repealing sections of admission, residency classification and registration regulations, schedule of fees and financial aid for Community College District VIII is for the purpose of complying with the Washington Association of Community College's (WACC) approval with concurrence of the State Board of Community College Education to begin with the 1979-81 biennium to use local monies to offset state allocations of revenue.

Agency Personnel Responsible for:

Drafting: Thomas E. O'Connell, President, Bellevue Community College, 3000 Landerholm Circle S.E., Bellevue, WA 98007, 641-2301 (SCAN 334-2301).

Implementation: Same.

Enforcement: Same.

Person or organization proposing rule, and whether public, private or governmental: Board of Trustees, Bellevue Community College, Public.

Institution comments or recommendations, if any: None.

Rule necessary as result of federal law or federal or state court action: No.

REPEALER

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

- | | |
|----------------------|---|
| (1) WAC 132H-160-020 | APPLICATION RECORDS FEE |
| (2) WAC 132H-160-030 | REGISTRATION FEE |
| (3) WAC 132H-160-110 | REMOVAL OF INCOMPLETE GRADE |
| (4) WAC 132H-160-130 | TRANSCRIPT |
| (5) WAC 132H-160-160 | GRADUATION FEE |
| (6) WAC 132H-160-480 | CHANGE OF REGISTRATION SCHEDULE SERVICE FEE |

AMENDATORY SECTION (Amending Order 58, filed 6/20/78)

WAC 132H-160-040 QUARTERLY REGISTRATION FEES: RESIDENT STUDENTS. Full-time resident students of Community College District VIII will be charged (~~(\$101.00)~~) \$102.00 for tuition and fees. Part-time resident students will be charged (~~(\$10.10)~~) \$10.20 per credit hour.

Reviser's Note: RCW 28B.19.077 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 58, filed 6/20/78)

WAC 132H-160-050 QUARTERLY REGISTRATION FEES: NONRESIDENT STUDENTS. Full-time nonresident students of

Community College District VIII will be charged (~~(\$395.00)~~) \$396.00 for tuition and fees. Part-time nonresident students will be charged (~~(\$39.50)~~) \$39.60 per credit hour.

Reviser's Note: RCW 28B.19.077 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 49, filed 4/8/77)

WAC 132H-160-250 APPLICATION PROCEDURE - COLLEGE CREDIT. To be considered for admission as a matriculated freshman or transfer student to Community College District VIII, a student must have on file in the College Admissions Office (1) A completed "State of Washington Uniform Community College Application Form"

~~((2))~~ Application Records Fee. This \$10.00 nonrefundable fee is paid only once by each entering student and should accompany the application for admission. It must be paid before the application can be processed.)

~~((3))~~ (2) Transcripts of High School or Other College Work. An official eight-semester high school transcript is required of all matriculated students. Currently enrolled high school seniors may submit a copy of their Washington Pre-College test or seventh-semester transcript for admission purposes. Eighth-semester transcripts should be filed upon graduation from high school. It is the student's responsibility to request that a transcript(2) be forwarded to the college Office of Admissions.

Applications are accepted beginning December 1 for fall quarter, October 1 for winter quarter, January 2 for spring quarter and no application is required for summer quarter.

Reviser's Note: RCW 28B.19.077 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

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

AMENDATORY SECTION (Amending Order 15, filed 4/18/73)

WAC 132H-160-260 ADMISSION OF FOREIGN STUDENTS. Foreign students are admitted to Community College District VIII only under matriculated student status. In order to qualify for matriculated student status foreign students must adhere to the following conditions: ~~((1))~~ Applicants are to have on file an Application for Admission and the \$5.00 application records fee.)

~~((2))~~ (1) Applicants must also have on file translated copies of all secondary school scholastic records.

~~((3))~~ (2) Community College District VIII is not prepared to teach English to non-English speaking students. Therefore, it is required that all foreign students take the TOEFL (Test of English as a Foreign Language) examination and achieve the institutional acceptable score. More information about TOEFL may be obtained by corresponding with the Educational Testing Service, Princeton, New Jersey 08640. E.T.S. will forward the test results to the college.

~~((4))~~ (3) Foreign students must also provide the college with a Declaration and Certification of Finances or a notarized Affidavit of Support. Estimated expenses for a school year at Community College District VIII are \$2,000. Students unable to provide proof of financial responsibility will not be accepted. The college currently does not have funds available to provide financial assistance to foreign students.

~~((5))~~ (4) Students are also required to provide the college with the name of a local United States citizen who is their sponsor while in the United States.

Presently, Community College District VIII is not able to admit all students applying for admission. It is suggested that fall quarter is the most opportune time for gaining acceptance, and students should therefore file an application accordingly. Fall quarter applications are accepted on December first of each calendar year.

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 15, filed 4/18/73)

WAC 132H-160-310 DEFINITION OF NONMATRICULATED STUDENT. Community College District VIII nonmatriculated students are allowed to enroll in classes for credit on a "space available" basis and are not committed to an educational objective leading to an Associate of Arts degree or Certificate of Achievement. Non-matriculated students are accepted for enrollment fall, winter and spring quarters after the completion of matriculated admissions. During summer quarter all students are classified as nonmatriculated and are admitted on a "first come, first served" basis. ~~((Nonmatriculated students are not required to complete formal application or pay the \$5.00 application records fee.))~~

AMENDATORY SECTION (Amending Order 14, filed 4/18/73)

WAC 132H-160-430 ADVANCED REGISTRATION FEE REQUIREMENT FOR FALL, WINTER AND SPRING QUARTERS. Matriculated students are required to make a \$20.00 advanced registration fee payment fall quarter. ~~((Winter and spring quarters, new matriculated students only are required to pay the \$20.00 advanced registration fee. The advanced registration fee payment is not required to enroll for summer quarter.))~~

Reviser's Note: RCW 28B.19.077 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 81-08-067
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 1632—Filed April 1, 1981]

I, Robert Lolcama, Acting Asst. Secretary, Community Services of the Department of Social and Health Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to chore services, amending WAC 388-15-208 and 388-15-212.

I, Robert Lolcama, 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 chapter 8, Laws of 1981, gave the department the authority to define the allowable chore services tasks. In eliminating and reducing certain services the department is concentrating on providing services that are the most critically needed to keep a client in his/her own home. Without these eliminations and reductions at this time, the department will overspend the chore services allocation for this biennium.

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 April 1, 1981.

By Robert Lolcama
Acting Assistant Secretary
Community Services Division

AMENDATORY SECTION (Amending Order 1618, filed 3/4/81)

WAC 388-15-208 DEFINITIONS. (1) "Chore services" consist of light household tasks and/or personal care, as defined by the department, which eligible persons are unable to do for themselves.

(2) "Protective supervision" is a service provided through the chore program when it is dangerous for a client to be left alone. Protective supervision does not include responsibilities that a legal guardian should assume.

(3) "Contracted program" denotes that method of chore service delivery where the contractor is responsible for recruiting, supervising, training, and paying the chore provider.

(4) "Individual-provider-program" denotes that method of chore service delivery where the client employs and supervises the chore provider. Payment is made to the client, who in turn pays the provider.

(5) "Own home" shall mean the individual's present or intended place of residence whether that is in a building rented or owned by the client or in the home of another person. Chore services are provided within the confines of the home property except for essential shopping and errands and transportation necessary for the completion of authorized tasks. An adult family home or children's foster home is not considered own home for purposes of the chore program, except as provided in WAC 388-15-215(2).

(6) The "Client Review Questionnaire" is an adult assessment form which determines the amount and type of chore services to be provided. The form is used by department staff to identify, document and score the allowable chore service needs of all eligible persons.

(7) The "CRQ Authorization Ceiling Chart" indicates the maximum number of hours that can be authorized for a client's score.

(8) "Personal care" shall mean such tasks as dressing/undressing, care of appearance, body care, bed transfer, ambulation, wheelchair transfer, bathing, toileting, and reminding to take medicines which a person would normally provide for himself/herself and are necessary to maintain a person in his/her own home. Sterile procedures and administering medications by injection are not authorized personal care tasks, unless the individual provider program worker is a licensed health practitioner or a member of the client's immediate family.

(9) "Attendant care" is the service provided to a client who requires assistance with unscheduled tasks, i.e., toileting, ambulation, and wheelchair transfer, and is authorized a monthly rate payment in the individual-provider-program.

(10) "Shared living arrangement" occurs when two or more adults share expenses and live together in their own home with common facilities, such as living, cooking and eating areas.

AMENDATORY SECTION (Amending Order 1618, filed 3/4/81)

WAC 388-15-212 SERVICE DETERMINATIONS. (1) Chore services need and amount determination for all applicants and recipients of chore services will be made by using the Client Review Questionnaire on each adult.

(2) Department staff will administer the Client Review Questionnaire.

(3) When administering the Client Review Questionnaire, department staff will take into account the client's ability to perform activities of daily living, living conditions and arrangements, and the availability and use of alternative resources, including immediate family, other relatives, neighbors, friends and community programs.

(4)(a) The Client Review Questionnaire is a series of questions designed to determine the client's need for the tasks which are available from the chore program. In answering each question, either "N", "M", "S", or "T" is circled to indicate the extent of assistance the client needs from the chore program for each task. "N", "M", "S", or "T" are defined as:

(i) N = Needs No Assistance: The client is either able to perform this task without help or is already receiving all the help needed from other sources.

(ii) M = Needs Minimal Assistance: The client cannot perform this task without help and needs a minimal amount of assistance from the chore program in addition to whatever help may or may not be received from other sources.

(iii) S = Needs Substantial Assistance: The client cannot perform this task without help and needs a substantial amount of assistance from the chore program in addition to whatever help may or may not be received from other sources.

(iv) T = Needs Total Assistance: Client is completely unable to perform this task and is not now receiving any help and needs total assistance from the chore program.

(b) Points are awarded for each task based on the degree of assistance needed from the chore services program. The number of points available for each task is set forth in subsection (5) of this section. The point total is converted into maximum allowable hours using the table set forth in subsection (6) of this section. For clients needing protective supervision or attendant care, as defined in subsection (5) of this section, the amount of services authorized is based on the total number of hours per month the chore provider must be with the client.

(5) The allowable chore services program tasks, as defined by the department, are scored as follows:

(a) Escort/Transport to Medical Services. The scoring is as follows, based on the need and frequency of service: N = 0, M = 1, S = 2, T = 3.

(b) Essential Shopping and Errands. The scoring is based on need and frequency of service: N = 0, M = 5, S = 10, T = 15. When the chore provider must perform these tasks for the client because the client is unable to go along, the scoring is N = 0, M = 1, S = 3, and T = 5.

~~((c) Essential Telephoning. The scoring is N = 0, M = 1, S = 2, T = 3. When there is no telephone in the~~

~~home where the client lives, additional points are allowed so that the chore provider or client may use a telephone elsewhere. The additional scoring is N = 0, M = 1, S = 2, and T = 3.~~

~~(d) Essential Writing. The scoring is N = 0, M = 1, S = 2, and T = 3.~~

~~(e) Noncosmetic Yard Care. The scoring is N = 0, M = 1, S = 2, and T = 3.~~

~~(f)) (c) Splitting/Stacking/Carrying Wood. The scoring is N = 0, M = 3, S = 5, and T = 7. This task is available only to persons who use wood as their sole source of fuel for heat and/or cooking.~~

~~((g) Simple Household Maintenance. The scoring is N = 0, M = 1, S = 2, and T = 3.~~

~~(h)) (d) Laundry. The scoring is N = 0, M = 1, S = 2, and T = 3. If there are no laundry facilities in the client's own home, additional points are awarded. The scoring for the additional points is N = 0, M = 3, S = 5, and T = 7.~~

~~((i)) (e) Housework. Housework is limited to tasks necessary to protect the client's health and safety and to those areas of the home actually used by the client, i.e., kitchen, bathroom, bedroom, living room, and dining room. The scoring is N = 0, M = ((3)) 1, S = ((5)) 2, and T = ((7)) 3. ((An additional three points is awarded if the client lives in a house which is unusually difficult to maintain and/or lacks housecleaning equipment necessary to keep the home clean.~~

~~(j)) (f) Cooking. The scoring is based on the preparation of three meals, as follows:~~

~~(i) Breakfast N = 0, M = 4, S = 7, T = 10.~~

~~(ii) Light Meal N = 0, M = 4, S = 7, T = 10.~~

~~(iii) Main Meal N = 0, M = 5, S = 10, T = 15.~~

~~((k)) (g) Feeding. The scoring is based on feeding three meals, as follows:~~

~~(i) Breakfast N = 0, M = 4, S = 7, T = 10.~~

~~(ii) Light Meal N = 0, M = 4, S = 7, T = 10.~~

~~(iii) Main Meal N = 0, M = 5, S = 10, T = 15.~~

~~((l)) (h) Dressing/Undressing. The scoring is N = 0, M = 4, S = 7, and T = 10.~~

~~((m)) (i) Care of Appearance. The scoring is N = 0, M = 1, S = 3, and T = 5.~~

~~((n)) (j) Body Care. The scoring is N = 0, M = 5, S = 10, and T = 15.~~

~~((o)) (k) Bed Transfer. The scoring is N = 0, M = 1, S = 3, and T = 5.~~

~~((p)) (l) Ambulation. The scoring is N = 0, M = 4, S = 7, and T = 10.~~

~~((q)) (m) Wheelchair Transfer. The scoring is N = 0, M = 1, S = 3, and T = 5.~~

~~((r)) (n) Bathing. The scoring is N = 0, M = 4, S = 7, and T = 10.~~

~~((s)) (o) Toileting. The scoring is N = 0, M = 5, S = 10, and T = 15.~~

~~((t)) (p) Remind to Take Medicines. The scoring for reminding to take medication is N = 0, M = 1, S = 2, and T = 3.~~

~~((u)) (q) Family Care. The family care question has four parts. Each part considers the ages, number, and level of responsibility of the children and the presence of~~

a spouse when determining the need for chore services.

(i) Part one determines the need for additional help cleaning the household because of the presence of children. The scoring is N = 0, M = 4, S = 7, and T = 10.

(ii) Part two determines the need for escort and transportation, laundry services, meal preparation and shopping, and bathing and dressing for the client's children. The scoring is N = 0, M = 5, S = 10, and T = 15

(iii) Part three determines the need for physical supervision of the children. When the client is in the home, but unable to supervise, the scoring is N = 0, M = 5, S = 10, and T = 15.

(iv) Part four determines the need for supervision of children when the client is temporarily absent from the home because of hospitalization. This question is not scored. The number of days and the number of hours per day that the children need supervision is recorded. The monthly authorization is the total number of hours required for supervision. The chore provider performs household and personal care tasks for the children during the hours of supervision. Supervision of children when the client is absent from the home must not exceed two weeks.

((v)) (r) Protective Supervision/Attendant Care. The chore provider supervises or watches the client when he/she cannot safely be left alone. Protective supervision may be necessary when a person:

(i) May hurt himself/herself, others, or damage property if left alone, or

(ii) Is confused and may wander away, turns on a stove and forgets to turn it off, becomes easily disoriented, or forgets to take necessary medication.

The chore provider performs any household or personal care tasks or gives assistance with activities of daily living during the hours of supervision. The scoring is based on the number of days per month and hours per day during which the chore provider must be with a client in need of protective supervision. The authorization is the total number of protective supervision hours required by the client each month. In attendant care, the chore provider is available to help a client who requires assistance with such unscheduled tasks as toileting, ambulation, and wheelchair transfer. The chore provider performs any household or personal care tasks or gives assistance with activities of daily living during the hours of attendance to the client. The scoring is based on the number of days per month and hours per day during which the chore provider must be with a client in need of attendant care. The authorization is the total number of attendant care hours required by the client each month.

(6) Except for cases where protective supervision, attendant care, or supervision of children when the client is temporarily absent are required, as defined in subsection (5)((v)) (r) of this section, the amount of hours of chore services authorized per month shall be determined by translating the total number of points awarded on the Client Review Questionnaire into a monthly authorization, utilizing the following CRQ Authorization Ceiling Chart:

CRQ SCORE	CEILINGS HOURS PER MONTH
1-4	5
5-9	8
10-14	11
15-19	14
20-24	18
25-29	21
30-34	24
35-39	28
40-44	31
45-49	34
50-54	37
55-59	41
60-64	44
65-69	47
70-74	51
75-79	54
80-84	57
85-89	60
90-94	64
95-99	67
100-104	70
105-109	74
110-114	77
115-119	80
120-124	83
125-129	87
130-134	90
135-139	93
140-144	97
145-149	100
150-154	103
155-159	106
160-164	110
165-169	113
170-174	116
175-179	120
180-184	123
185-189	126
190-194	129
195-199	132
200-205	135
206-209	138
210-214	142
215-219	145
220-224	148
225-229	151
230-234	155
235-239	158
240-244	161
245-249	165
250-254	168
255-259	171
260-264	174

The ~~((service worker))~~ department may authorize fewer hours according to the client's individual circumstances. Only four hours of housework per month per household is allowed. Protective supervision, attendant care, and supervision of children when the client is temporarily absent are authorized for the number of days per month and hours per day the services are required.

(7) The client/applicant may request approval from the department to exceed the ceiling hours authorized per month, as determined in subsection (6) of this section. The department shall authorize the number of additional hours necessary to maintain the client/applicant in his/her own home when:

(a) There are circumstances of a demonstrated duration, frequency, or severity which require additional hours of allowable chore services to avoid adverse effects to his/her health or safety; and,

(b) The need for additional hours is specific and

clearly measurable.

(8) All clients/applicants shall be informed in writing of the process as defined in subsection (7) of this section and shall have the right to request from the department approval to exceed the authorized hours as set forth in subsection (6) of this section.

(9) When the department denies a request for additional hours or makes approval for fewer additional hours than requested, the client/applicant shall receive notice of his/her right to contest the decision pursuant to chapter 388-08 WAC. The department shall approve or deny requests within thirty days.

(10) Chore services may be provided either through the individual-provider-program or through the contracted program, as deemed most appropriate by department policy established by the state office.

WSR 81-08-068
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Filed April 1, 1981]

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 chore services, amending WAC 388-15-208 and 388-15-212.

It is the intention of the secretary to adopt these rules on an emergency basis effective April 1, 1981.

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

David A. Hogan, Director
 Client and Community Relations Division
 Department of Social and Health Services
 Mailstop OB-44 D
 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 April 21, 1981.

The meeting site is in a location which is barrier free; that such agency will at 2:00 p.m., Tuesday, May 5, 1981, in the Auditorium, General Administration Building, Olympia, Washington, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, May 20, 1981, in William B. Pope's office, 4th floor, 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 May 5, 1981, and/or orally at 2:00 p.m., Tuesday, May 5, 1981, Auditorium, General Adminis-

tration Building, Olympia, Washington.

Dated: April 1, 1981

By: Robert Lolcama

Acting Assistant Secretary
Community Services Division

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Amend WAC 388-15-208 and 388-15-212. Purpose of the rule change is to eliminate or reduce some chore services tasks.

In the Department of Social and Health Services Supplemental Legislation, ESHB 245, the legislature gave the Department of Social and Health Services the authority to define the tasks that were provided in the chore services program.

Statutory authority: RCW 74.08.090.

Summary of the rule change: Eliminate yard care, telephoning, writing and simple household maintenance as chore services tasks, allow only 4 hours of housework per month per household, limit splitting/stacking/carrying wood to clients who use wood as their sole source of fuel for heating or cooking.

Name of initiator: Kathy Leitch, Phil Wozniak.

Title: Community Services Program Managers II.

Office: Bureau of Aging.

Phone: 753-2502.

Mailstop: OB 43G.

These rules are not necessary as a result of federal laws, federal court decisions or state court decisions.

AMENDATORY SECTION (Amending Order 1618, filed 3/4/81)

WAC 388-15-208 DEFINITIONS. (1) "Chore services" consist of light household tasks and/or personal care, as defined by the department, which eligible persons are unable to do for themselves.

(2) "Protective supervision" is a service provided through the chore program when it is dangerous for a client to be left alone. Protective supervision does not include responsibilities that a legal guardian should assume.

(3) "Contracted program" denotes that method of chore service delivery where the contractor is responsible for recruiting, supervising, training, and paying the chore provider.

(4) "Individual-provider-program" denotes that method of chore service delivery where the client employs and supervises the chore provider. Payment is made to the client, who in turn pays the provider.

(5) "Own home" shall mean the individual's present or intended place of residence whether that is in a building rented or owned by the client or in the home of another person. Chore services are provided within the confines of the home property except for essential shopping and errands and transportation necessary for the completion of authorized tasks. An adult family home or children's foster home is not considered own home for purposes of the chore program, except as provided in WAC 388-15-215(2).

(6) The "Client Review Questionnaire" is an adult assessment form which determines the amount and type of chore services to be provided. The form is used by department staff to identify, document and score the allowable chore service needs of all eligible persons.

(7) The "CRQ Authorization Ceiling Chart" indicates the maximum number of hours that can be authorized for a client's score.

(8) "Personal care" shall mean such tasks as dressing/undressing, care of appearance, body care, bed transfer, ambulation, wheelchair

transfer, bathing, toileting, and reminding to take medicines which a person would normally provide for himself/herself and are necessary to maintain a person in his/her own home. Sterile procedures and administering medications by injection are not authorized personal care tasks, unless the individual provider program worker is a licensed health practitioner or a member of the client's immediate family.

(9) "Attendant care" is the service provided to a client who requires assistance with unscheduled tasks, i.e., toileting, ambulation, and wheelchair transfer, and is authorized a monthly rate payment in the individual-provider-program.

(10) "Shared living arrangement" occurs when two or more adults share expenses and live together in their own home with common facilities, such as living, cooking and eating areas.

AMENDATORY SECTION (Amending Order 1618, filed 3/4/81)

WAC 388-15-212 SERVICE DETERMINATIONS. (1) Chore services need and amount determination for all applicants and recipients of chore services will be made by using the Client Review Questionnaire on each adult.

(2) Department staff will administer the Client Review Questionnaire.

(3) When administering the Client Review Questionnaire, department staff will take into account the client's ability to perform activities of daily living, living conditions and arrangements, and the availability and use of alternative resources, including immediate family, other relatives, neighbors, friends and community programs.

(4)(a) The Client Review Questionnaire is a series of questions designed to determine the client's need for the tasks which are available from the chore program. In answering each question, either "N", "M", "S", or "T" is circled to indicate the extent of assistance the client needs from the chore program for each task. "N", "M", "S", or "T" are defined as:

(i) N = Needs No Assistance: The client is either able to perform this task without help or is already receiving all the help needed from other sources.

(ii) M = Needs Minimal Assistance: The client cannot perform this task without help and needs a minimal amount of assistance from the chore program in addition to whatever help may or may not be received from other sources.

(iii) S = Needs Substantial Assistance: The client cannot perform this task without help and needs a substantial amount of assistance from the chore program in addition to whatever help may or may not be received from other sources.

(iv) T = Needs Total Assistance: Client is completely unable to perform this task and is not now receiving any help and needs total assistance from the chore program.

(b) Points are awarded for each task based on the degree of assistance needed from the chore services program. The number of points available for each task is set forth in subsection (5) of this section. The point total is converted into maximum allowable hours using the table set forth in subsection (6) of this section. For clients needing protective supervision or attendant care, as defined in subsection (5) of this section, the amount of services authorized is based on the total number of hours per month the chore provider must be with the client.

(5) The allowable chore services program tasks, as defined by the department, are scored as follows:

(a) Escort/Transport to Medical Services. The scoring is as follows, based on the need and frequency of service: N = 0, M = 1, S = 2, T = 3.

(b) Essential Shopping and Errands. The scoring is based on need and frequency of service: N = 0, M = 5, S = 10, T = 15. When the chore provider must perform these tasks for the client because the client is unable to go along, the scoring is N = 0, M = 1, S = 3, and T = 5.

~~((c) Essential Telephoning. The scoring is N = 0, M = 1, S = 2, T = 3. When there is no telephone in the home where the client lives, additional points are allowed so that the chore provider or client may use a telephone elsewhere. The additional scoring is N = 0, M = 1, S = 2, and T = 3.~~

~~(d) Essential Writing. The scoring is N = 0, M = 1, S = 2, and T = 3.~~

~~(e) Noncosmetic Yard Care. The scoring is N = 0, M = 1, S = 2, and T = 3.~~

~~(f)) (c) Splitting/Stacking/Carrying Wood. The scoring is N = 0, M = 3, S = 5, and T = 7. This task is available only to persons who use wood as their sole source of fuel for heat and/or cooking.~~

~~((g) Simple Household Maintenance. The scoring is N = 0, M = 1,~~

S = 2, and T = 3.

((h)) (d) Laundry. The scoring is N = 0, M = 1, S = 2, and T = 3. If there are no laundry facilities in the client's own home, additional points are awarded. The scoring for the additional points is N = 0, M = 3, S = 5, and T = 7.

((h)) (e) Housework. Housework is limited to tasks necessary to protect the client's health and safety and to those areas of the home actually used by the client, i.e., kitchen, bathroom, bedroom, living room, and dining room. The scoring is N = 0, M = ((3)) 1, S = ((5)) 2, and T = ((7)) 3. ~~((An additional three points is awarded if the client lives in a house which is unusually difficult to maintain and/or lacks housecleaning equipment necessary to keep the home clean.~~

((h)) (f) Cooking. The scoring is based on the preparation of three meals, as follows:

(i) Breakfast N = 0, M = 4, S = 7, T = 10.

(ii) Light Meal N = 0, M = 4, S = 7, T = 10.

(iii) Main Meal N = 0, M = 5, S = 10, T = 15.

((h)) (g) Feeding. The scoring is based on feeding three meals, as follows:

(i) Breakfast N = 0, M = 4, S = 7, T = 10.

(ii) Light Meal N = 0, M = 4, S = 7, T = 10.

(iii) Main Meal N = 0, M = 5, S = 10, T = 15.

((h)) (h) Dressing/Undressing. The scoring is N = 0, M = 4, S = 7, and T = 10.

((h)) (i) Care of Appearance. The scoring is N = 0, M = 1, S = 3, and T = 5.

((h)) (j) Body Care. The scoring is N = 0, M = 5, S = 10, and T = 15.

((h)) (k) Bed Transfer. The scoring is N = 0, M = 1, S = 3, and T = 5.

((h)) (l) Ambulation. The scoring is N = 0, M = 4, S = 7, and T = 10.

((h)) (m) Wheelchair Transfer. The scoring is N = 0, M = 1, S = 3, and T = 5.

((h)) (n) Bathing. The scoring is N = 0, M = 4, S = 7, and T = 10.

((h)) (o) Toileting. The scoring is N = 0, M = 5, S = 10, and T = 15.

((h)) (p) Remind to Take Medicines. The scoring for reminding to take medication is N = 0, M = 1, S = 2, and T = 3.

((h)) (q) Family Care. The family care question has four parts. Each part considers the ages, number, and level of responsibility of the children and the presence of a spouse when determining the need for chore services.

(i) Part one determines the need for additional help cleaning the household because of the presence of children. The scoring is N = 0, M = 4, S = 7, and T = 10.

(ii) Part two determines the need for escort and transportation, laundry services, meal preparation and shopping, and bathing and dressing for the client's children. The scoring is N = 0, M = 5, S = 10, and T = 15.

(iii) Part three determines the need for physical supervision of the children. When the client is in the home, but unable to supervise, the scoring is N = 0, M = 5, S = 10, and T = 15.

(iv) Part four determines the need for supervision of children when the client is temporarily absent from the home because of hospitalization. This question is not scored. The number of days and the number of hours per day that the children need supervision is recorded. The monthly authorization is the total number of hours required for supervision. The chore provider performs household and personal care tasks for the children during the hours of supervision. Supervision of children when the client is absent from the home must not exceed two weeks.

((h)) (r) Protective Supervision/Attendant Care. The chore provider supervises or watches the client when he/she cannot safely be left alone. Protective supervision may be necessary when a person:

(i) May hurt himself/herself, others, or damage property if left alone, or

(ii) Is confused and may wander away, turns on a stove and forgets to turn it off, becomes easily disoriented, or forgets to take necessary medication.

The chore provider performs any household or personal care tasks or gives assistance with activities of daily living during the hours of supervision. The scoring is based on the number of days per month and hours per day during which the chore provider must be with a client in need of protective supervision. The authorization is the total number of protective supervision hours required by the client each month. In at-

tendant care, the chore provider is available to help a client who requires assistance with such unscheduled tasks as toileting, ambulation, and wheelchair transfer. The chore provider performs any household or personal care tasks or gives assistance with activities of daily living during the hours of attendance to the client. The scoring is based on the number of days per month and hours per day during which the chore provider must be with a client in need of attendant care. The authorization is the total number of attendant care hours required by the client each month.

(6) Except for cases where protective supervision, attendant care, or supervision of children when the client is temporarily absent are required, as defined in subsection (5)((h)) (r) of this section, the amount of hours of chore services authorized per month shall be determined by translating the total number of points awarded on the Client Review Questionnaire into a monthly authorization, utilizing the following CRQ Authorization Ceiling Chart:

CRQ SCORE	Ceilings Hours Per Month
1-4	5
5-9	8
10-14	11
15-19	14
20-24	18
25-29	21
30-34	24
35-39	28
40-44	31
45-49	34
50-54	37
55-59	41
60-64	44
65-69	47
70-74	51
75-79	54
80-84	57
85-89	60
90-94	64
95-99	67
100-104	70
105-109	74
110-114	77
115-119	80
120-124	83
125-129	87
130-134	90
135-139	93
140-144	97
145-149	100
150-154	103
155-159	106
160-164	110
165-169	113
170-174	116
175-179	120
180-184	123
185-189	126
190-194	129
195-199	132
200-205	135
206-209	138
210-214	142
215-219	145
220-224	148
225-229	151
230-234	155
235-239	158
240-244	161
245-249	165
250-254	168
255-259	171
260-264	174

The ((service worker)) department may authorize fewer hours according to the client's individual circumstances. Only four hours of housework per month per household is allowed. Protective supervision, attendant care, and supervision of children when the client is temporarily absent are authorized for the number of days per month and hours per day the services are required.

(7) The client/applicant may request approval from the department to exceed the ceiling hours authorized per month, as determined in subsection (6) of this section. The department shall authorize the number of additional hours necessary to maintain the client/applicant in his/her own home when:

(a) There are circumstances of a demonstrated duration, frequency, or severity which require additional hours of allowable chore services to avoid adverse effects to his/her health or safety; and,

(b) The need for additional hours is specific and clearly measurable.

(8) All clients/applicants shall be informed in writing of the process as defined in subsection (7) of this section and shall have the right to request from the department approval to exceed the authorized hours as set forth in subsection (6) of this section.

(9) When the department denies a request for additional hours or makes approval for fewer additional hours than requested, the client/applicant shall receive notice of his/her right to contest the decision pursuant to chapter 388-08 WAC. The department shall approve or deny requests within thirty days.

(10) Chore services may be provided either through the individual-provider-program or through the contracted program, as deemed most appropriate by department policy established by the state office.

WSR 81-08-069

PROPOSED RULES

GAMBLING COMMISSION

[Filed April 1, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Gambling Commission, intends to adopt, amend, or repeal rules concerning the licensing and regulation of gambling activities (copies of rules are shown below; however, changes may be made at the public hearing);

that such agency will at 10 a.m., Thursday, May 14, 1981, in the Spokane Riverpark Convention Center, West 334 Spokane Falls Boulevard, Spokane, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10 a.m., Thursday, May 14, 1981, in the Spokane Riverpark Convention Center, West 334 Spokane Falls Boulevard, Spokane, WA.

The authority under which these rules are proposed is WAC 230-30-200 is promulgated pursuant to RCW 9.46.070(13) which directs that the Washington State Gambling Commission has authority to implement the provisions of chapter 9.46 RCW. WAC 230-60-015 and 230-60-070 are promulgated pursuant to RCW 42.17-.250 and are intended to administratively implement that statute.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to May 14, 1981, and/or orally at 10 a.m., Thursday, May 14, 1981, Spokane Riverpark Convention Center, West 334 Spokane Falls Boulevard, Spokane, WA.

Dated: April 1, 1981

By: Keith Kisor
Director

STATEMENT OF PURPOSE

Title: Amendment to WAC 230-30-200
Punchboard and pull tab business restrictions. Amendment to WAC 230-60-015
Description of central and field organization of the gambling commission. Amendment to

WAC 230-60-070 Communications with commission.

Description of Purpose: Amendment to WAC 230-30-200. This amendment extends the period of time for deposit of a check for payment for a punchboard, pull tab or pull tab dispensing device in order to be considered by the commission to be a cash payment from two days to ten days following the day the check is written. Amendment to WAC 230-60-015. This amendment updates the listing of the commission's offices to include its offices in Vancouver and Moses Lake, Washington. Amendment to WAC 230-60-070. This amendment deletes from the commission's address a post office box which is no longer in use.

Statutory Authority: The statutory authority for the amendment to WAC 230-30-200 is RCW 9.46.070(13). The statutory authority for the amendment to WAC 230-60-015 is RCW 42.17.250. The statutory authority for the amendment to WAC 230-60-070 is RCW 42.17.250.

Summary of Rules: Amendment to WAC 230-30-200. Currently, the commission requires under this rule that payments for punchboards, pull tabs and pull tab dispensing devices be made in cash but considers a check which is deposited by the end of the second business day following the day it is written to be the equivalent of cash. The proposed amendment would extend this two day period to ten days. Amendment to WAC 230-60-015. This amendment adds the Vancouver and Moses Lake offices of the commission to the listing of the commission's offices required by RCW 42.17.250. Amendment to WAC 230-60-070. This amendment simply deletes reference to a post office box in the commission's address which box is no longer used.

Reasons Supporting Action: Amendment to WAC 230-30-200. The commission's experience has been that occasionally the two day limit cannot be met on individual transactions and has determined that the regulation will remain effective with the somewhat longer ten day period. Amendments to WAC 230-60-015 and 230-60-070. These amendments are necessary to bring up to date the commission's rules notifying the public of its field organization and current address.

Agency Personnel Responsible for Drafting, Implementing and Enforcing the Rules: In addition to the Gambling Commissioners themselves, the following agency personnel have responsibility for drafting, implementing and enforcing these rules:
Keith Kisor, Director, Capital Plaza Build-

ing, 1025 East Union, Olympia, WA, 234-0865 Scan, 753-0865 Commercial.

Elwin Hart, Deputy Director, Capital Plaza Building, 1025 East Union, Olympia, WA, 234-0865 Scan, 753-0865 Commercial.

Proponents and Opponents: These rules are proposed by the staff of the Washington State Gambling Commission.

Agency Comments: The agency believes the proposed rules are self-explanatory and need no further comment.

These rules were not made necessary as a result of federal law or federal or state court action.

Vancouver 98663
Suite 5, Angelo Plaza
1801 D Street

- (a) Gambling commission audit and accounting
(b) Gambling commission law enforcement

All records of the commission are maintained in the administrative office in Olympia.

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.

AMENDATORY SECTION (Amending Order No. 18, filed 5/21/74)

WAC 230-30-200 PUNCHBOARD AND PULL TAB BUSINESS RESTRICTIONS. (1) No operator shall buy, receive or otherwise obtain, nor shall any manufacturer or distributor, or anyone connected therewith, sell or deliver any punchboard, pull tab, pull tab dispensing device or related equipment, or merchandise for prizes to be awarded in connection with such activities, to any operator, except ((upon)) a cash basis ((of a cash transaction;)) nor shall any operator permit any manufacturer or distributor or anyone connected therewith, to acquire any interest, including a security interest, in any such equipment or merchandise. ((A cash transaction shall include payment or payments by check. PROVIDED, That each check is presented for payment into the banking system by the end of the second business day following the day the check is written.)) A cash basis shall consist of payment or payments either by cash or by check with payment made to the seller by the operator upon, or prior to, actual physical delivery of the merchandise to the operator: PROVIDED, That when a check is used for payment, it shall be presented for payment into the banking system by the end of the tenth calendar day following the day the check is written.

(2) No operator shall accept a loan of money or any thing of value from any manufacturer or distributor, or from anyone connected therewith.

AMENDATORY SECTION (Amending Order #90, filed 6/14/79)

WAC 230-60-015 DESCRIPTION OF CENTRAL AND FIELD ORGANIZATION OF THE GAMBLING COMMISSION. The administrative office of the commission and its staff is located in the capital plaza building, Olympia 98504. Commission offices located in other cities are as follows:

Table with 2 columns: CITY and SERVICES. Lists offices in Moses Lake, Spokane, Yakima, Seattle, and Tacoma with their respective services: (a) Gambling commission audit and accounting, (b) Gambling commission law enforcement.

WSR 81-08-070
PROPOSED RULES
DEPARTMENT OF ECOLOGY
[Filed April 1, 1981]

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 Wahkaikum County, amending WAC 173-19-430;

that such agency will at 2:00 p.m., Tuesday, May 12, 1981, in the Hearings Room, Department of Ecology, Air and Land Offices, Rowsix, 4224 Sixth Avenue S.E., Lacey, 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, May 20, 1981, in Room 273, Department of Ecology, Headquarters Offices, St. Martin's College Campus, Lacey, Washington.

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

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to May 15, 1981, and/or orally at the hearing as shown above.

Dated: April 1, 1981
By: Donald W. Moos
Director

STATEMENT OF PURPOSE

Title: Amending WAC 173-19-430 Wahkaikum County.

Description of purpose: Adoption of revised shoreline master program into the state master program, chapter 173-19 WAC.

Statutory authority: RCW 90.58.120 and 90.58.200.

Summary of rule: The amendment adopts revisions to the shoreline master program for Wahkiakum County.

Reasons supporting 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 in accordance with the Administrative Proce-

procedure Act.

Agency personnel responsible for drafting, implementation and enforcement: Susan Wenke, Department of Ecology, Mailstop PV-11, Olympia, Washington 98504, 753-4388.

Person or organization proposing rule, and whether public, private, or governmental: Department of Ecology - state government. Agency comments or recommendations regarding statutory language, implementation, enforcement, fiscal matters: None.

Whether rule is necessary as a result of federal law or federal or state court action: (If so, attach copy of law or court decision.) No.

AMENDATORY SECTION (Amending Order DE 80-10)

WAC 173-19-430 WAHKIAKUM COUNTY. Wahkiakum County master program approved June 17, 1975. Revision approved January 2, 1980. Revision approved May 20, 1981.

WSR 81-08-071
PROPOSED RULES
DEPARTMENT OF ECOLOGY
 [Filed April 1, 1981]

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 173-19-2503 Bellevue, City of; WAC 173-19-2515 Mercer Island, City of and WAC 173-19-2521 Seattle, City of;

that such agency will at 2:00 p.m., Tuesday, May 5, 1981, in the Hearings Room, Department of Ecology, Air and Land Offices, Rowsix, 4224 Sixth Avenue S.E., Lacey, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 2:00 p.m., Thursday, May 14, 1981, in Room 273, Department of Ecology, Headquarters Offices, St. Martin's College Campus, Lacey, Washington.

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

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to May 12, 1981, and/or orally at the hearing as shown above.

Dated: April 1, 1981
 By: Donald W. Moos
 Director

STATEMENT OF PURPOSE

Title: Amending WAC 173-19-2503 Bellevue, City of; WAC 173-19-2515 Mercer Island, City of and WAC 173-19-2521 Seattle, City of.

Description of purpose: Adoption of revised shoreline master programs into the state master program, chapter 173-19 WAC.

Statutory authority: RCW 90.58.120 and

90.58.200.

Summary of rule: The amendments adopt revisions to shoreline master programs for the City of Bellevue, the City of Mercer Island, and the City of Seattle.

Reasons supporting 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 in accordance with the Administrative Procedure Act.

Agency personnel responsible for drafting, implementation and enforcement: Susan Wenke and Michael Rundlett, Department of Ecology, Mailstop PV-11, Olympia, WA 98504, 753-4388.

Person or organization proposing rule, and whether public, private, or governmental: Department of Ecology - state government. Agency comments or recommendations regarding statutory language, implementation, enforcement, fiscal matters: None.

Whether rule is necessary as a result of federal law or federal or state court action: (If so, attach copy of law or court decision.) No.

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

WAC 173-19-2503 BELLEVUE, CITY OF. City of Bellevue master program approved February 26, 1975. Revision approved January 8, 1979. Revision approved April 30, 1981.

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

WAC 173-19-2515 MERCER ISLAND, CITY OF. City of Mercer Island master program approved September 24, 1974. Revision approved April 30, 1981.

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 September 10, 1980. Revision approved February 24, 1981. Revision approved April 30, 1981.

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 81-08-072
PROPOSED RULES
JAIL COMMISSION
 [Filed April 1, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Jail Commission, intends to adopt, amend, or repeal rules concerning amendments to funding rules, amending WAC 289-13-110 and 289-13-190;

that such agency will at 11:00 a.m., Thursday, May 7,

1981, in the location to be determined. Please contact State Jail Commission, 110 East 5th, Room 223, Olympia, WA 98504, 206-753-5790 for information, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 11:00 a.m., Thursday, May 7, 1981, in the location to be determined as shown above.

The authority under which these rules are proposed is chapter 70.48 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to May 1, 1981.

Dated: April 1, 1981

By: George Edensword-Breck
Director

STATEMENT OF PURPOSE

Title: Amendments to funding rules, WAC 289-13-110 and 289-13-190.

Purpose: To revise the administrative authority of the director with regard to contingency allowance adjustments.

The amendments to WAC 289-13-110 grant the director power to grant a cumulative adjustment in the contingency allowance up to six percent at completion of schematic design and, at completion of construction drawings, of up to twelve percent and are intended to prevent delay in project timetables due to full commission consideration. The amendment to WAC 289-13-190 is intended to make this section related to final allotments consistent with the revisions to WAC 289-13-110 with regard to cumulative adjustments.

Under the supervision of the State Jail Commission, its director, George Edensword-Breck, is responsible for the drafting, implementation, and enforcement of chapter 289-13 WAC; his office and telephone number are given above.

Chapter 289-13 WAC revisions were proposed to the State Jail Commission by its director in order to clarify implementation of statutory requirements.

At this time, the commission has no comment or recommendations regarding chapter 289-13 WAC.

These revisions have no federal law or court action requirements.

AMENDATORY SECTION (Amending Order 9, filed 1/12/81)

WAC 289-13-110 AUTHORIZATION TO PROCEED—TIME LIMITS. (1) Schematic drawings. Issuance of the commission's decision to encumber funds for specific projects under WAC 289-13-100 shall constitute formal authorization to the specified governing units to proceed to prepare schematic drawings and adjusted cost estimates based thereon which shall be submitted to the director for approval within four months or such longer period as shall be designated in the authorization, for good cause shown. At the time schematic drawings are submitted, the director shall be authorized to adjust the prior funding decisions by no greater than three percent. Requests for greater adjustments and requests for increases which are denied by the director shall be submitted to the commission for review.

(2) Final plans and specifications. Following approval of schematic drawings and adjusted cost estimates as provided in subsection (1) of this section, the director shall issue authorization to governing units for which funds have been encumbered to proceed to prepare final plans and specifications, and each such governing unit shall submit final plans for review and approval by the director within six months of such authorization or such longer period as may be set at the time the project budget was established and authorization to proceed given by the director. Failure to meet such schedule shall result in removal of the project from those for which existing funding is encumbered: PROVIDED, That upon showing of good cause, the director may extend such deadline by no longer than six months: PROVIDED FURTHER, That the director may adjust the last previously authorized level of funding at this stage (~~only within the three percent design contingency allowance~~) by an amount which shall not cause the total contingency adjustment to date to exceed six percent, and any larger requests or any requests for increases which are denied by the director will be submitted to the commission for review: PROVIDED FURTHER, That the director may authorize a project to proceed to bid notwithstanding submission of a dispute with regard to contingency adjustment to the commission for determination.

(3) Bidding. Any governing unit for which funds have been encumbered hereunder shall advertise for bids for construction of the project within two months of the issuance date of the document approving its final plans and authorizing it to proceed. In the event of failure by a governing unit to advertise for bids within the time limit herein specified, the authorization herein described shall be declared null and void and the funds reserved thereunder shall revert to the state fund from which the reservation was made and become available for reservation or allotment toward the financing of such other jail project or projects as the commission shall determine: PROVIDED, That an extension of time may be granted by the director when failure to act within the specified time is due to conditions judged by him to be beyond the control of the governing unit: PROVIDED FURTHER, That in the event final plans and specifications for the project have been completed and advancement of the project is precluded by conditions beyond the control of the governing unit, it nonetheless may request consideration of state assistance in costs of architectural and engineering services incurred through preparation of final plans and specifications, pending the availability of additional state jail bond moneys: PROVIDED, That such reimbursement shall be subject to the provisions of WAC 289-13-070(2)(a).

(4) Further adjustments to budget or timetable. Following receipt, review, and acceptance of a bid for jail construction work in accordance with state law and local ordinances, the governing unit shall submit such bid to the director for authorization to proceed to construction should such bid require any adjustment of the project timetable or budget. At this time the director is authorized to grant extensions or modifications of the project timetable and to adjust the project budget up to (~~three percent from~~) the full amount of the project contingency allowance established at the time of the original funding notice. Any dispute with regard to the director's determination of allowable contingency adjustment (~~or any request for more than a three percent adjustment in the project budget~~) shall be submitted to the commission for determination. When the bid does require any such adjustment, the governing unit shall provide a copy of the accepted bid and proceed to construction of the project without further review by the director. Any request for timetable adjustment which would extend commencement of construction of a project beyond eighteen months will be referred to the commission for approval.

(5) Construction review. During the course of construction, any substantial change from the construction drawings shall be submitted to the director for review and approval whenever compliance with state physical plant standards is affected or any further adjustment in the previously approved budget may be sought as a result of such change. The director is authorized to approve adjustments in the project budget during the course of construction based upon appropriate documentation of the necessity therefor not to exceed the remaining balance within the twelve percent contingency allowance established at the time of the notice of funding: PROVIDED, That submission of change orders which do not substantially alter the project as approved and which do not require adjustment of the approved project budget will be submitted to the director but will not require specific approval: PROVIDED FURTHER, That the failure to submit a change order for approval prior to completion of the work in question shall not preclude later approval and, when appropriate, adjustment of the project budget.

AMENDATORY SECTION (Amending Order 6, 4/2/80)

WAC 289-13-190 FINAL ALLOTMENT OF STATE FUNDS.
Upon analysis of bids received, determination of the amount of state funds allowable under statutory provisions and commission rules and determination that funds are available for state funding of all or part of the proposed project, the director will make a final allotment of state funds for specified costs of construction and architectural and engineering services and authorize the governing unit to award contracts. Such allotment may include all or part of the designated contingency allowance: PROVIDED, That such allotment and authorization shall be subject to the conditions and regulations herein in subsections (1), (2) and (3) set forth:

(1) Negotiation of jail building contracts. The director shall approve for financing only those contracts where the original contract price for the construction has been established by competitive bids and where the contract contains an acceptable affirmative action plan as required by WAC 289-13-170.

(2) Any part of a final allotment of state funds not required for completion of a jail building project in accordance with the financial program as set forth in the authorization document shall revert to the state fund from which the allotment was made and used for other approved projects.

(3) Award of contract or contracts.

(a) Upon receipt of authorization by the director, the governing unit may proceed with award of contract or contracts for construction of the designated project, which contract or contracts shall be in conformity with the analysis of bids as set forth in the authorization document and in accordance with the bids received on approved plan and specification for the project.

(b) Once such authorization has been given, the governing unit shall have forty-five days within which to enter into said contract in order to retain its allotment status.

(c) Immediately following the awarding of contract or contracts, governing unit shall forward one signed or certified copy of each such construction contract to the commission.

Table of WAC Sections Affected

Key to Table

Symbols:

AMD = Amendment of existing section
 NEW = New section not previously codified
 REP = Repeal of existing section
 AM/DE = Amendment and Decodification of existing section
 RECOD = Recodification of previously codified section
 REVIEW = Review of previously adopted rule

Suffixes:

-P = Proposed action
 -E = Emergency action
 -W = Withdrawal of proposed action
 No suffix means permanent action

This table covers the current calendar year through this issue of the Register and should be used to locate rules amended, adopted, or repealed subsequent to the publication date of the latest WAC or Supplement.

WAC # shows the section number under which an agency rule is or will be codified in the Washington Administrative Code.

WSR # shows the issue of the Washington State Register where the document may be found; the last three digits show the sequence of the document within the issue.

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
16-54-001	REP-P	81-07-055	16-608-001	NEW	81-05-010	106-116-201	AMD	81-08-010
16-54-004	REP-P	81-07-055	16-608-010	NEW	81-05-010	106-116-204	AMD-P	81-04-050
16-54-071	AMD-P	81-07-055	16-608-020	NEW	81-05-010	106-116-204	AMD	81-08-010
16-54-082	AMD-P	81-07-055	16-750-010	AMD-P	81-02-041	106-116-205	AMD-P	81-04-050
16-86-015	AMD-P	81-07-054	16-750-010	AMD	81-07-039	106-116-205	AMD	81-08-010
16-86-095	REP-E	81-04-025	34-02-010	NEW-P	81-04-068	106-116-304	AMD-P	81-04-050
16-86-095	AMD-P	81-07-054	34-02-020	NEW-P	81-04-068	106-116-304	AMD	81-08-010
16-230-660	AMD-E	81-08-036	34-02-030	NEW-P	81-04-068	106-116-305	AMD-P	81-04-050
16-230-670	AMD-E	81-08-036	34-04-010	NEW-P	81-04-068	106-116-305	AMD	81-08-010
16-230-675	AMD-E	81-08-036	34-04-020	NEW-P	81-04-068	106-116-306	AMD-P	81-04-050
16-231-020	AMD-P	81-02-047	34-04-030	NEW-P	81-04-068	106-116-306	AMD	81-08-010
16-231-020	AMD-W	81-03-067	34-04-040	NEW-P	81-04-068	106-116-403	AMD-P	81-04-050
16-231-020	AMD-P	81-03-070	34-04-050	NEW-P	81-04-068	106-116-403	AMD	81-08-010
16-231-025	AMD-P	81-02-047	34-04-060	NEW-P	81-04-068	106-116-513	AMD-P	81-04-050
16-231-025	AMD-W	81-03-067	34-04-070	NEW-P	81-04-068	106-116-513	AMD	81-08-010
16-231-025	AMD-P	81-03-070	34-04-080	NEW-P	81-04-068	106-116-514	AMD-P	81-04-050
16-231-040	NEW-E	81-07-043	34-04-090	NEW-P	81-04-068	106-116-514	AMD	81-08-010
16-231-115	AMD-P	81-02-045	34-04-100	NEW-P	81-04-068	106-116-515	AMD-P	81-04-050
16-231-115	AMD-W	81-03-065	34-04-110	NEW-P	81-04-068	106-116-515	AMD	81-08-010
16-231-115	AMD-P	81-03-068	34-04-120	NEW-P	81-04-068	106-116-521	AMD-P	81-04-050
16-231-115	AMD-E	81-07-042	34-06-010	NEW-P	81-04-068	106-116-521	AMD	81-08-010
16-231-115	AMD	81-07-044	36-12-110	AMD	81-05-005	106-116-603	AMD-P	81-04-050
16-231-120	AMD-P	81-02-045	36-12-190	AMD	81-05-005	106-116-603	AMD	81-08-010
16-231-120	AMD-W	81-03-065	36-12-200	AMD	81-05-005	106-116-901	AMD-P	81-04-050
16-231-120	AMD-P	81-03-068	36-12-250	AMD	81-05-005	106-116-901	AMD	81-08-010
16-231-120	AMD-E	81-07-042	36-12-260	AMD	81-05-005	113-12-200	NEW-P	81-04-020
16-231-120	AMD	81-07-044	36-12-270	AMD	81-05-005	113-12-200	NEW-P	81-06-045
16-231-125	AMD-P	81-02-045	36-12-480	AMD	81-05-005	114-12-010	REP	81-05-004
16-231-125	AMD-W	81-03-065	67-32-150	AMD-P	81-03-049	114-12-011	NEW	81-05-004
16-231-125	AMD-P	81-03-068	67-32-150	AMD	81-07-001	114-12-020	REP	81-05-004
16-231-125	AMD-E	81-07-042	67-32-180	AMD	81-03-048	114-12-021	NEW	81-05-004
16-231-125	AMD	81-07-044	67-32-310	AMD-P	81-03-049	114-12-030	REP	81-05-004
16-231-130	AMD-P	81-02-045	67-32-310	AMD	81-07-001	114-12-031	NEW	81-05-004
16-231-130	AMD-W	81-03-065	67-32-910	AMD-P	81-03-049	114-12-040	REP	81-05-004
16-231-130	AMD-P	81-03-068	67-32-910	AMD	81-07-001	114-12-041	NEW	81-05-004
16-231-140	AMD-E	81-07-042	82-24-130	AMD-P	81-07-056	132A-104-005	REP-P	81-06-031
16-232-010	AMD-P	81-02-046	82-28-050	AMD-P	81-06-073	132B-12-003	REP-P	81-04-005
16-232-010	AMD-W	81-03-066	82-28-06001	AMD-P	81-06-073	132B-12-006	REP-P	81-04-005
16-232-010	AMD-P	81-03-069	82-28-080	AMD-P	81-06-073	132B-12-009	REP-P	81-04-005
16-232-010	AMD-E	81-07-040	98-12-020	NEW-P	81-02-055	132B-12-012	REP-P	81-04-005
16-232-010	AMD	81-07-041	98-12-020	NEW	81-07-013	132B-12-015	REP-P	81-04-005
16-232-025	AMD-P	81-02-046	98-16-010	NEW-P	81-02-055	132B-12-018	REP-P	81-04-005
16-232-025	AMD-W	81-03-066	98-16-010	NEW	81-07-013	132B-12-021	REP-P	81-04-005
16-232-025	AMD-P	81-03-069	98-16-020	NEW-P	81-02-055	132B-12-024	REP-P	81-04-005
16-232-045	NEW-E	81-07-040	98-16-020	NEW	81-07-013	132B-12-027	REP-P	81-04-005
16-304-050	AMD-P	81-08-057	98-16-030	NEW-P	81-02-055	132B-12-030	REP-P	81-04-005
16-316-230	AMD-P	81-08-055	98-16-030	NEW	81-07-013	132B-12-033	REP-P	81-04-005
16-316-310	AMD-P	81-08-059	98-20-010	NEW-P	81-02-055	132B-12-036	REP-P	81-04-005
16-316-315	AMD-P	81-08-059	98-20-010	NEW	81-07-013	132B-12-039	REP-P	81-04-005
16-316-315	AMD-E	81-08-062	106-116-042	AMD-P	81-04-050	132B-12-042	REP-P	81-04-005
16-316-326	AMD-P	81-08-059	106-116-042	AMD	81-08-010	132B-12-045	REP-P	81-04-005
16-316-440	AMD-P	81-08-056	106-116-050	AMD-P	81-04-050	132B-12-048	REP-P	81-04-005
16-316-660	AMD-P	81-08-058	106-116-050	AMD	81-08-010	132B-12-051	REP-P	81-04-005
16-316-790	AMD-P	81-08-054	106-116-102	AMD-P	81-04-050	132B-12-054	REP-P	81-04-005
16-316-800	AMD-P	81-08-054	106-116-102	AMD	81-08-010	132B-12-057	REP-P	81-04-005
16-316-820	AMD-P	81-08-054	106-116-201	AMD-P	81-04-050	132B-12-060	REP-P	81-04-005

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
132B-12-063	REP-P	81-04-005	132B-12-285	REP-P	81-04-005	132L-112-280	AMD	81-03-037
132B-12-066	REP-P	81-04-005	132B-12-288	REP-P	81-04-005	132M-104-010	AMD-W	81-04-026
132B-12-069	REP-P	81-04-005	132B-12-291	REP-P	81-04-005	132M-112-010	NEW-W	81-04-026
132B-12-072	REP-P	81-04-005	132B-12-294	REP-P	81-04-005	132M-112-011	NEW-W	81-04-026
132B-12-075	REP-P	81-04-005	132B-12-297	REP-P	81-04-005	132M-113-010	NEW-W	81-04-026
132B-12-078	REP-P	81-04-005	132B-12-300	REP-P	81-04-005	132M-113-015	NEW-W	81-04-026
132B-12-081	REP-P	81-04-005	132B-12-303	REP-P	81-04-005	132M-113-020	NEW-W	81-04-026
132B-12-084	REP-P	81-04-005	132B-12-306	REP-P	81-04-005	132M-113-025	NEW-W	81-04-026
132B-12-087	REP-P	81-04-005	132B-12-309	REP-P	81-04-005	132M-113-030	NEW-W	81-04-026
132B-12-090	REP-P	81-04-005	132B-12-312	REP-P	81-04-005	132M-113-035	NEW-W	81-04-026
132B-12-093	REP-P	81-04-005	132B-12-315	REP-P	81-04-005	132M-113-040	NEW-W	81-04-026
132B-12-096	REP-P	81-04-005	132B-12-318	REP-P	81-04-005	132M-113-045	NEW-W	81-04-026
132B-12-099	REP-P	81-04-005	132B-12-321	REP-P	81-04-005	132M-113-050	NEW-W	81-04-026
132B-12-102	REP-P	81-04-005	132B-12-324	REP-P	81-04-005	132M-115-010	NEW-W	81-04-026
132B-12-105	REP-P	81-04-005	132B-12-327	REP-P	81-04-005	132M-115-020	NEW-W	81-04-026
132B-12-108	REP-P	81-04-005	132B-12-330	REP-P	81-04-005	132M-115-030	NEW-W	81-04-026
132B-12-111	REP-P	81-04-005	132B-12-333	REP-P	81-04-005	132M-115-040	NEW-W	81-04-026
132B-12-114	REP-P	81-04-005	132B-12-336	REP-P	81-04-005	132M-116-010	AMD-W	81-04-026
132B-12-117	REP-P	81-04-005	132B-12-339	REP-P	81-04-005	132M-120-060	AMD-W	81-04-026
132B-12-120	REP-P	81-04-005	132B-12-342	REP-P	81-04-005	132M-120-070	AMD-W	81-04-026
132B-12-123	REP-P	81-04-005	132B-12-345	REP-P	81-04-005	132M-120-075	NEW-W	81-04-026
132B-12-126	REP-P	81-04-005	132B-12-348	REP-P	81-04-005	132M-120-090	AMD-W	81-04-026
132B-12-129	REP-P	81-04-005	132B-12-351	REP-P	81-04-005	132M-136-010	REP-W	81-04-026
132B-12-132	REP-P	81-04-005	132B-12-354	REP-P	81-04-005	132M-136-020	AMD-W	81-04-026
132B-12-135	REP-P	81-04-005	132B-12-357	REP-P	81-04-005	132M-136-030	AMD-W	81-04-026
132B-12-138	REP-P	81-04-005	132B-12-360	REP-P	81-04-005	132M-136-040	REP-W	81-04-026
132B-12-141	REP-P	81-04-005	132B-12-363	REP-P	81-04-005	132M-136-050	AMD-W	81-04-026
132B-12-144	REP-P	81-04-005	132B-128-020	AMD-P	81-04-005	132M-136-060	AMD-W	81-04-026
132B-12-147	REP-P	81-04-005	132B-276-040	AMD-P	81-04-005	132M-136-070	AMD-W	81-04-026
132B-12-150	REP-P	81-04-005	132F-08-001	AMD-P	81-07-007	132M-136-075	NEW-W	81-04-026
132B-12-153	REP-P	81-04-005	132F-08-080	AMD-P	81-07-007	132M-136-090	AMD-W	81-04-026
132B-12-156	REP-P	81-04-005	132F-08-120	AMD-P	81-07-007	132M-140-020	REP-W	81-04-026
132B-12-159	REP-P	81-04-005	132F-08-140	AMD-P	81-07-007	132M-150-003	REP-W	81-04-026
132B-12-162	REP-P	81-04-005	132F-104-030	AMD-P	81-07-008	132M-150-006	REP-W	81-04-026
132B-12-165	REP-P	81-04-005	132F-104-810	AMD-P	81-07-008	132M-150-009	REP-W	81-04-026
132B-12-168	REP-P	81-04-005	132F-104-811	AMD-P	81-07-008	132M-150-012	REP-W	81-04-026
132B-12-171	REP-P	81-04-005	132F-104-812	AMD-P	81-07-008	132M-150-015	REP-W	81-04-026
132B-12-174	REP-P	81-04-005	132F-104-813	AMD-P	81-07-008	132M-150-018	REP-W	81-04-026
132B-12-177	REP-P	81-04-005	132F-104-814	AMD-P	81-07-008	132M-150-021	REP-W	81-04-026
132B-12-180	REP-P	81-04-005	132F-104-815	AMD-P	81-07-008	132M-150-024	REP-W	81-04-026
132B-12-183	REP-P	81-04-005	132F-104-818	AMD-P	81-07-008	132M-150-027	REP-W	81-04-026
132B-12-186	REP-P	81-04-005	132F-104-819	AMD-P	81-07-008	132M-150-030	REP-W	81-04-026
132B-12-189	REP-P	81-04-005	132F-136-020	AMD-P	81-07-023	132M-150-033	REP-W	81-04-026
132B-12-192	REP-P	81-04-005	132F-136-040	AMD-P	81-07-023	132M-150-036	REP-W	81-04-026
132B-12-195	REP-P	81-04-005	132F-136-050	AMD-P	81-07-023	132M-150-039	REP-W	81-04-026
132B-12-198	REP-P	81-04-005	132H-120-060	AMD-P	81-08-065	132M-150-042	REP-W	81-04-026
132B-12-201	REP-P	81-04-005	132H-120-200	AMD-P	81-03-077	132M-150-045	REP-W	81-04-026
132B-12-204	REP-P	81-04-005	132H-120-200	AMD	81-07-034	132M-150-048	REP-W	81-04-026
132B-12-207	REP-P	81-04-005	132H-160-020	REP-P	81-08-066	132M-150-051	REP-W	81-04-026
132B-12-210	REP-P	81-04-005	132H-160-030	REP-P	81-08-066	132M-150-054	REP-W	81-04-026
132B-12-213	REP-P	81-04-005	132H-160-040	AMD-P	81-08-066	132M-150-057	REP-W	81-04-026
132B-12-216	REP-P	81-04-005	132H-160-050	AMD-P	81-08-066	132M-150-060	REP-W	81-04-026
132B-12-219	REP-P	81-04-005	132H-160-110	REP-P	81-08-066	132M-150-063	REP-W	81-04-026
132B-12-222	REP-P	81-04-005	132H-160-130	REP-P	81-08-066	132M-160-015	NEW-W	81-04-026
132B-12-225	REP-P	81-04-005	132H-160-160	REP-P	81-08-066	132M-160-020	REP-W	81-04-026
132B-12-228	REP-P	81-04-005	132H-160-250	AMD-P	81-08-066	132M-160-030	REP-W	81-04-026
132B-12-231	REP-P	81-04-005	132H-160-260	AMD-P	81-08-066	132M-160-040	NEW-W	81-04-026
132B-12-234	REP-P	81-04-005	132H-160-310	AMD-P	81-08-066	132M-168-010	REP-W	81-04-026
132B-12-237	REP-P	81-04-005	132H-160-430	AMD-P	81-08-066	132M-168-020	REP-W	81-04-026
132B-12-240	REP-P	81-04-005	132H-160-480	REP-P	81-08-066	132M-168-030	REP-W	81-04-026
132B-12-243	REP-P	81-04-005	132K-20-070	AMD-P	81-03-023	132M-168-040	REP-W	81-04-026
132B-12-246	REP-P	81-04-005	132K-20-070	AMD	81-07-025	132M-168-050	REP-W	81-04-026
132B-12-249	REP-P	81-04-005	132K-28-010	REP-P	81-06-029	132V-22-010	AMD-E	81-03-047
132B-12-252	REP-P	81-04-005	132K-112-200	REP-P	81-03-022	132V-22-010	AMD-P	81-03-061
132B-12-255	REP-P	81-04-005	132K-112-200	REP-P	81-07-024	132V-22-010	AMD	81-08-002
132B-12-258	REP-P	81-04-005	132L-26-010	AMD-P	81-08-041	132V-22-020	AMD-E	81-03-047
132B-12-261	REP-P	81-04-005	132L-26-030	AMD	81-03-036	132V-22-020	AMD-P	81-03-061
132B-12-264	REP-P	81-04-005	132L-26-035	AMD	81-03-036	132V-22-020	AMD	81-08-002
132B-12-267	REP-P	81-04-005	132L-26-040	AMD-P	81-08-041	132V-22-030	AMD-E	81-03-047
132B-12-270	REP-P	81-04-005	132L-26-050	AMD	81-03-036	132V-22-030	AMD-P	81-03-061
132B-12-273	REP-P	81-04-005	132L-26-060	AMD-P	81-08-041	132V-22-030	AMD	81-08-002
132B-12-276	REP-P	81-04-005	132L-26-075	AMD-P	81-08-041	132V-22-040	AMD-E	81-03-047
132B-12-279	REP-P	81-04-005	132L-112-200	AMD	81-03-037	132V-22-040	AMD-P	81-03-061
132B-12-282	REP-P	81-04-005	132L-112-210	AMD	81-03-037	132V-22-040	AMD	81-08-002

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
132V-22-050	AMD-E 81-03-047	173-14-180	AMD 81-04-027	180-55-075	NEW-P 81-04-044
132V-22-050	AMD-P 81-03-061	173-14-190	REP 81-04-027	180-55-075	NEW 81-08-027
132V-22-050	AMD 81-08-002	173-19-210	AMD-W 81-04-065	180-55-080	NEW-P 81-04-044
132V-22-060	AMD-E 81-03-047	173-19-2503	AMD-P 81-08-071	180-55-080	NEW 81-08-027
132V-22-060	AMD-P 81-03-061	173-19-2511	AMD-W 81-08-004	180-55-085	NEW-P 81-04-044
132V-22-060	AMD 81-08-002	173-19-2515	AMD-W 81-08-004	180-55-085	NEW 81-08-027
132V-22-100	AMD-E 81-03-047	173-19-2515	AMD-P 81-08-071	180-55-090	NEW-P 81-04-044
132V-22-100	AMD-P 81-03-061	173-19-2521	AMD-P 81-02-050	180-55-090	NEW 81-08-027
132V-22-100	AMD 81-08-002	173-19-2521	AMD 81-06-051	180-55-095	NEW-P 81-04-044
132V-22-200	AMD-E 81-03-047	173-19-2521	AMD-P 81-08-071	180-55-095	NEW 81-08-027
132V-22-200	AMD-P 81-03-061	173-19-3506	AMD-W 81-08-004	180-55-100	NEW-P 81-04-044
132V-22-200	AMD 81-08-002	173-19-3514	AMD-P 81-03-080	180-55-100	NEW 81-08-027
139-24-010	REP 81-04-014	173-19-3514	AMD 81-08-005	180-55-105	NEW-P 81-04-044
143-06-010	AMD-P 81-03-034	173-19-360	AMD-P 81-05-034	180-55-105	NEW 81-08-027
143-06-010	AMD 81-07-004	173-19-370	AMD-W 81-08-004	180-55-110	NEW-P 81-04-044
143-06-020	AMD-P 81-03-034	173-19-400	AMD-P 81-02-050	180-55-110	NEW 81-08-027
143-06-020	AMD 81-07-004	173-19-400	AMD 81-06-052	180-55-115	NEW-P 81-04-044
143-06-030	AMD-P 81-03-034	173-19-430	AMD-P 81-08-070	180-55-115	NEW 81-08-027
143-06-030	AMD 81-07-004	173-19-470	AMD-P 81-02-051	180-55-120	NEW-P 81-04-044
143-06-040	AMD-P 81-03-034	173-19-470	AMD 81-06-050	180-55-120	NEW 81-08-027
143-06-040	AMD 81-07-004	173-164-050	AMD-P 81-04-067	180-55-125	NEW-P 81-04-044
143-06-050	AMD-P 81-03-034	173-164-050	AMD 81-07-037	180-55-125	NEW 81-08-027
143-06-050	AMD 81-07-004	173-400-110	AMD 81-03-002	180-55-130	NEW-P 81-04-044
143-06-060	AMD-P 81-03-034	173-490-020	AMD 81-03-003	180-55-130	NEW 81-08-027
143-06-060	AMD 81-07-004	173-490-040	AMD 81-03-003	180-55-135	NEW-P 81-04-044
143-06-070	AMD-P 81-03-034	173-490-203	AMD 81-03-003	180-55-135	NEW 81-08-027
143-06-070	AMD 81-07-004	173-511-010	NEW 81-04-028	180-56-305	REP-P 81-04-045
143-06-080	AMD-P 81-03-034	173-511-020	NEW 81-04-028	180-56-305	REP 81-08-028
143-06-080	AMD 81-07-004	173-511-030	NEW 81-04-028	180-56-306	REP-P 81-04-045
143-06-090	AMD-P 81-03-034	173-511-040	NEW 81-04-028	180-56-306	REP 81-08-028
143-06-090	AMD 81-07-004	173-511-050	NEW 81-04-028	180-56-307	REP-P 81-04-045
143-06-100	AMD-P 81-03-034	173-511-060	NEW 81-04-028	180-56-307	REP 81-08-028
143-06-100	AMD 81-07-004	173-511-070	NEW 81-04-028	180-56-310	REP-P 81-04-045
143-06-110	AMD-P 81-03-034	173-511-080	NEW 81-04-028	180-56-310	REP 81-08-028
143-06-110	AMD 81-07-004	173-511-090	NEW 81-04-028	180-56-315	REP-P 81-04-045
143-06-120	AMD-P 81-03-034	173-511-100	NEW 81-04-028	180-56-315	REP 81-08-028
143-06-120	AMD 81-07-004	174-136-130	NEW-P 81-08-032	180-56-320	REP-P 81-04-045
143-06-130	AMD-P 81-03-034	174-136-140	NEW-P 81-08-032	180-56-320	REP 81-08-028
143-06-130	AMD 81-07-004	180-16-220	AMD-P 81-04-046	180-56-325	REP-P 81-04-045
143-06-140	AMD-P 81-03-034	180-16-220	AMD 81-08-026	180-56-325	REP 81-08-028
143-06-140	AMD 81-07-004	180-44-030	REP-P 81-08-049	180-56-330	REP-P 81-04-045
143-06-150	AMD-P 81-03-034	180-46-015	AMD-P 81-08-050	180-56-330	REP 81-08-028
143-06-150	AMD 81-07-004	180-46-030	AMD-P 81-08-050	180-56-335	REP-P 81-04-045
143-06-990	AMD-P 81-03-034	180-46-045	AMD-P 81-08-050	180-56-335	REP 81-08-028
143-06-990	AMD 81-07-004	180-46-060	REP-P 81-08-050	180-56-340	REP-P 81-04-045
172-114-010	AMD 81-03-012	180-46-065	NEW-P 81-08-050	180-56-340	REP 81-08-028
172-114-020	AMD 81-03-012	180-55-005	NEW-P 81-04-044	180-56-345	REP-P 81-04-045
172-114-030	AMD 81-03-012	180-55-005	NEW 81-08-027	180-56-345	REP 81-08-028
172-114-040	AMD 81-03-012	180-55-010	NEW-P 81-04-044	180-56-350	REP-P 81-04-045
172-114-050	AMD 81-03-012	180-55-010	NEW 81-08-027	180-56-350	REP 81-08-028
172-114-060	AMD 81-03-012	180-55-015	NEW-P 81-04-044	180-56-355	REP-P 81-04-045
172-114-070	AMD 81-03-012	180-55-015	NEW 81-08-027	180-56-355	REP 81-08-028
172-114-080	AMD 81-03-012	180-55-020	NEW-P 81-04-044	180-56-360	REP-P 81-04-045
172-114-090	AMD 81-03-012	180-55-020	NEW 81-08-027	180-56-360	REP 81-08-028
172-114-100	REP 81-03-012	180-55-025	NEW-P 81-04-044	180-56-365	REP-P 81-04-045
172-114-110	REP 81-03-012	180-55-025	NEW 81-08-027	180-56-365	REP 81-08-028
172-120-010	AMD 81-06-023	180-55-030	NEW-P 81-04-044	180-56-370	REP-P 81-04-045
172-120-020	AMD 81-06-023	180-55-030	NEW 81-08-027	180-56-370	REP 81-08-028
172-120-040	AMD 81-06-023	180-55-035	NEW-P 81-04-044	180-56-375	REP-P 81-04-045
172-120-050	AMD 81-06-023	180-55-035	NEW 81-08-027	180-56-375	REP 81-08-028
172-120-060	AMD 81-06-023	180-55-040	NEW-P 81-04-044	180-56-380	REP-P 81-04-045
172-120-070	AMD 81-06-023	180-55-040	NEW 81-08-027	180-56-380	REP 81-08-028
172-120-080	AMD 81-06-023	180-55-045	NEW-P 81-04-044	180-75-070	AMD-P 81-08-051
172-120-090	AMD 81-06-023	180-55-045	NEW 81-08-027	180-78-025	AMD-P 81-08-052
172-120-100	AMD 81-06-023	180-55-050	NEW-P 81-04-044	180-78-027	NEW-P 81-08-052
172-120-110	AMD 81-06-023	180-55-050	NEW 81-08-027	180-78-050	AMD-P 81-08-052
172-120-120	AMD 81-06-023	180-55-055	NEW-P 81-04-044	180-78-057	NEW-P 81-08-052
172-120-130	AMD 81-06-023	180-55-055	NEW 81-08-027	180-79-065	AMD-P 81-08-053
172-120-140	AMD 81-06-023	180-55-060	NEW-P 81-04-044	180-79-120	AMD-P 81-08-053
173-06-065	NEW-P 81-06-048	180-55-060	NEW 81-08-027	180-79-125	AMD-P 81-08-053
173-06-065	NEW-E 81-06-049	180-55-065	NEW-P 81-04-044	180-79-150	AMD-P 81-08-053
173-14-140	AMD 81-04-027	180-55-065	NEW 81-08-027	180-79-230	AMD-P 81-08-053
173-14-150	AMD 81-04-027	180-55-070	NEW-P 81-04-044	180-79-245	AMD-P 81-08-053
173-14-155	NEW 81-04-027	180-55-070	NEW 81-08-027	182-08-111	AMD 81-03-014

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
182-08-300	NEW	81-03-014	212-55-005	NEW-P	81-03-051	212-59-015	REP-P	81-03-051
204-24-050	AMD-E	81-06-036	212-55-010	NEW-P	81-03-051	212-59-020	REP-P	81-03-051
204-36-060	AMD	81-04-043	212-55-015	NEW-P	81-03-051	212-59-025	REP-P	81-03-051
204-38-030	AMD-E	81-04-039	212-55-020	NEW-P	81-03-051	212-59-030	REP-P	81-03-051
204-38-040	AMD-E	81-04-039	212-55-025	NEW-P	81-03-051	212-59-035	REP-P	81-03-051
204-38-050	AMD-E	81-04-039	212-55-030	NEW-P	81-03-051	212-59-040	REP-P	81-03-051
204-38-030	AMD-P	81-04-041	212-55-035	NEW-P	81-03-051	212-59-045	REP-P	81-03-051
204-38-040	AMD-P	81-04-041	212-55-040	NEW-P	81-03-051	212-59-050	REP-P	81-03-051
204-38-050	AMD-P	81-04-041	212-55-045	NEW-P	81-03-051	212-59-055	REP-P	81-03-051
204-66-180	AMD-P	81-04-040	212-55-050	NEW-P	81-03-051	212-59-060	REP-P	81-03-051
212-10-010	NEW	81-04-058	212-55-055	NEW-P	81-03-051	212-59-065	REP-P	81-03-051
212-10-015	NEW	81-04-058	212-55-060	NEW-P	81-03-051	212-60	REP-P	81-06-022
212-10-020	NEW	81-04-058	212-55-065	NEW-P	81-03-051	212-60	REP-P	81-08-017
212-10-025	NEW	81-04-058	212-55-070	NEW-P	81-03-051	212-60-001	REP-P	81-03-051
212-10-030	NEW	81-04-058	212-55-075	NEW-P	81-03-051	212-60-005	REP-P	81-03-051
212-10-035	NEW	81-04-058	212-55-080	NEW-P	81-03-051	212-60-010	REP-P	81-03-051
212-10-040	NEW	81-04-058	212-55-085	NEW-P	81-03-051	212-60-015	REP-P	81-03-051
212-10-045	NEW	81-04-058	212-55-090	NEW-P	81-03-051	212-60-020	REP-P	81-03-051
212-10-050	NEW	81-04-058	212-55-095	NEW-P	81-03-051	212-60-025	REP-P	81-03-051
212-10-055	NEW	81-04-058	212-56	REP-P	81-06-022	212-60-030	REP-P	81-03-051
212-10-060	NEW	81-04-058	212-56	REP-P	81-08-017	212-60-035	REP-P	81-03-051
212-52-001	AMD	81-03-081	212-56-001	REP-P	81-03-051	212-60-040	REP-P	81-03-051
212-52-005	AMD	81-03-081	212-56-005	REP-P	81-03-051	212-60-045	REP-P	81-03-051
212-52-010	REP	81-03-081	212-56-010	REP-P	81-03-051	212-60-050	REP-P	81-03-051
212-52-012	NEW	81-03-081	212-56-015	REP-P	81-03-051	212-60-055	REP-P	81-03-051
212-52-015	REP	81-03-081	212-56-020	REP-P	81-03-051	212-60-060	REP-P	81-03-051
212-52-020	AMD	81-03-081	212-56-025	REP-P	81-03-051	212-60-065	REP-P	81-03-051
212-52-025	AMD	81-03-081	212-56-030	REP-P	81-03-051	212-60-070	REP-P	81-03-051
212-52-027	NEW	81-03-081	212-56-035	REP-P	81-03-051	212-61	REP-P	81-06-022
212-52-035	REP	81-03-081	212-56-040	REP-P	81-03-051	212-61	REP-P	81-08-017
212-52-037	NEW	81-03-081	212-56-045	REP-P	81-03-051	212-61-001	REP-P	81-03-051
212-52-040	AMD	81-03-081	212-56-050	REP-P	81-03-051	212-61-005	REP-P	81-03-051
212-52-045	AMD	81-03-081	212-56-055	REP-P	81-03-051	212-61-010	REP-P	81-03-051
212-52-050	AMD	81-03-081	212-56-060	REP-P	81-03-051	212-61-015	REP-P	81-03-051
212-52-055	AMD	81-03-081	212-56-065	REP-P	81-03-051	212-61-020	REP-P	81-03-051
212-52-060	AMD	81-03-081	212-57	REP-P	81-06-022	212-61-025	REP-P	81-03-051
212-52-065	AMD	81-03-081	212-57	REP-P	81-08-017	212-61-030	REP-P	81-03-051
212-52-070	AMD	81-03-081	212-57-001	REP-P	81-03-051	212-61-035	REP-P	81-03-051
212-52-075	AMD	81-03-081	212-57-005	REP-P	81-03-051	212-61-040	REP-P	81-03-051
212-52-080	AMD	81-03-081	212-57-010	REP-P	81-03-051	212-61-045	REP-P	81-03-051
212-52-090	AMD	81-03-081	212-57-015	REP-P	81-03-051	212-61-050	REP-P	81-03-051
212-52-095	AMD	81-03-081	212-57-020	REP-P	81-03-051	212-61-055	REP-P	81-03-051
212-52-100	AMD	81-03-081	212-57-025	REP-P	81-03-051	212-61-060	REP-P	81-03-051
212-52-105	AMD	81-03-081	212-57-030	REP-P	81-03-051	212-61-065	REP-P	81-03-051
212-52-110	AMD	81-03-081	212-57-035	REP-P	81-03-051	212-62	REP-P	81-06-022
212-52-115	AMD	81-03-081	212-57-040	REP-P	81-03-051	212-62	REP-P	81-08-017
212-52-120	AMD	81-03-081	212-57-045	REP-P	81-03-051	212-62-001	REP-P	81-03-051
212-52-125	AMD	81-03-081	212-57-050	REP-P	81-03-051	212-62-005	REP-P	81-03-051
212-54	NEW-P	81-06-022	212-57-055	REP-P	81-03-051	212-62-010	REP-P	81-03-051
212-54	NEW-P	81-08-017	212-57-060	REP-P	81-03-051	212-62-015	REP-P	81-03-051
212-54-001	NEW-P	81-03-051	212-57-065	REP-P	81-03-051	212-62-020	REP-P	81-03-051
212-54-005	NEW-P	81-03-051	212-57-070	REP-P	81-03-051	212-62-025	REP-P	81-03-051
212-54-010	NEW-P	81-03-051	212-58	REP-P	81-06-022	212-62-030	REP-P	81-03-051
212-54-015	NEW-P	81-03-051	212-58	REP-P	81-08-017	212-62-035	REP-P	81-03-051
212-54-020	NEW-P	81-03-051	212-58-001	REP-P	81-03-051	212-62-040	REP-P	81-03-051
212-54-025	NEW-P	81-03-051	212-58-005	REP-P	81-03-051	212-62-045	REP-P	81-03-051
212-54-030	NEW-P	81-03-051	212-58-010	REP-P	81-03-051	212-62-050	REP-P	81-03-051
212-54-035	NEW-P	81-03-051	212-58-015	REP-P	81-03-051	212-62-055	REP-P	81-03-051
212-54-040	NEW-P	81-03-051	212-58-020	REP-P	81-03-051	212-62-060	REP-P	81-03-051
212-54-045	NEW-P	81-03-051	212-58-025	REP-P	81-03-051	212-62-065	REP-P	81-03-051
212-54-050	NEW-P	81-03-051	212-58-030	REP-P	81-03-051	212-62-070	REP-P	81-03-051
212-54-055	NEW-P	81-03-051	212-58-035	REP-P	81-03-051	212-63	REP-P	81-06-022
212-54-060	NEW-P	81-03-051	212-58-040	REP-P	81-03-051	212-63	REP-P	81-08-017
212-54-065	NEW-P	81-03-051	212-58-045	REP-P	81-03-051	212-63-001	REP-P	81-03-051
212-54-070	NEW-P	81-03-051	212-58-050	REP-P	81-03-051	212-63-005	REP-P	81-03-051
212-54-075	NEW-P	81-03-051	212-58-055	REP-P	81-03-051	212-63-010	REP-P	81-03-051
212-54-080	NEW-P	81-03-051	212-58-060	REP-P	81-03-051	212-63-015	REP-P	81-03-051
212-54-085	NEW-P	81-03-051	212-58-065	REP-P	81-03-051	212-63-020	REP-P	81-03-051
212-54-090	NEW-P	81-03-051	212-58-070	REP-P	81-03-051	212-63-025	REP-P	81-03-051
212-54-095	NEW-P	81-03-051	212-59	REP-P	81-06-022	212-63-030	REP-P	81-03-051
212-54-100	NEW-P	81-03-051	212-59	REP-P	81-08-017	212-63-035	REP-P	81-03-051
212-55	NEW-P	81-06-022	212-59-001	REP-P	81-03-051	212-63-040	REP-P	81-03-051
212-55	NEW-P	81-08-017	212-59-005	REP-P	81-03-051	212-63-045	REP-P	81-03-051
212-55-001	NEW-P	81-03-051	212-59-010	REP-P	81-03-051	212-63-050	REP-P	81-03-051

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
212-63-055	REP-P	81-03-051	220-48-098	AMD	81-02-053	220-57A-120	AMD	81-05-027
212-63-060	REP-P	81-03-051	220-48-100	AMD	81-02-053	220-57A-135	AMD	81-05-027
212-63-065	REP-P	81-03-051	220-49-02000B	REP-E	81-03-030	220-57A-145	AMD	81-05-027
212-63-070	REP-P	81-03-051	220-49-02000C	NEW-E	81-03-030	220-57A-152	AMD	81-05-027
212-64	AMD-P	81-06-022	220-49-02000D	NEW-E	81-05-023	220-57A-155	AMD	81-05-027
212-64	AMD-P	81-08-017	220-49-022	AMD	81-02-053	220-57A-160	AMD	81-05-027
212-64-001	AMD-P	81-03-051	220-49-023	AMD	81-02-053	220-57A-175	AMD	81-05-027
212-64-005	AMD-P	81-03-051	220-52-019	AMD-P	81-07-016	220-57A-180	AMD	81-05-027
212-64-010	REP-P	81-03-051	220-52-01900F	NEW-E	81-08-006	220-57A-185	AMD	81-05-027
212-64-015	AMD-P	81-03-051	220-52-05300H	NEW-E	81-04-060	220-57A-190	AMD	81-05-027
212-64-020	AMD-P	81-03-051	220-52-05300H	REP-E	81-08-031	220-69-23501	NEW	81-03-032
212-64-025	AMD-P	81-03-051	220-52-071	AMD-P	81-07-016	220-69-240	AMD-P	81-07-016
212-64-030	AMD-P	81-03-051	220-52-07100A	NEW-E	81-08-006	220-69-24000C	NEW-E	81-05-006
212-64-033	NEW-P	81-03-051	220-52-075	AMD-P	81-07-016	220-69-241	AMD	81-03-032
212-64-035	AMD-P	81-03-051	220-52-07500C	NEW-E	81-05-006	220-69-241	AMD-P	81-07-016
212-64-037	NEW-P	81-03-051	220-56-105	AMD	81-05-027	220-69-25401	AMD-P	81-07-016
212-64-039	NEW-P	81-03-051	220-56-131	NEW	81-05-027	220-69-25401C	NEW-E	81-05-006
212-64-040	AMD-P	81-03-051	220-56-135	AMD	81-05-027	220-69-25402	NEW	81-03-032
212-64-043	NEW-P	81-03-051	220-56-160001	NEW-E	81-06-027	220-69-25501	NEW	81-03-032
212-64-045	AMD-P	81-03-051	220-56-205	AMD	81-05-027	220-69-26402	NEW	81-03-032
212-64-050	AMD-P	81-03-051	220-56-225	AMD	81-05-027	220-69-265	AMD	81-03-032
212-64-055	AMD-P	81-03-051	220-56-285	AMD	81-05-027	220-69-26501	NEW	81-03-032
212-64-060	AMD-P	81-03-051	220-56-295	AMD	81-05-027	220-69-280	AMD-P	81-07-016
212-64-065	AMD-P	81-03-051	220-56-315	AMD	81-05-027	220-95-010	AMD-P	81-05-036
212-64-067	NEW-P	81-03-051	220-56-320	AMD	81-05-027	220-95-012	NEW-P	81-05-036
212-64-068	NEW-P	81-03-051	220-56-340	AMD	81-05-027	220-95-017	NEW-P	81-05-036
212-64-069	NEW-P	81-03-051	220-56-350	AMD	81-05-027	230-02-210	AMD-P	81-06-074
212-64-070	AMD-P	81-03-051	220-56-365	AMD	81-05-027	230-02-405	AMD-P	81-06-074
212-65	NEW-P	81-06-022	220-56-380	AMD	81-05-027	230-02-418	NEW-P	81-04-072
212-65	NEW-P	81-08-017	220-57-137	AMD	81-05-027	230-04-135	NEW-P	81-06-074
212-65-001	NEW-P	81-03-051	220-57-138	NEW	81-05-027	230-04-145	NEW-P	81-04-072
212-65-005	NEW-P	81-03-051	220-57-140	AMD	81-05-027	230-04-147	NEW-P	81-04-072
212-65-010	NEW-P	81-03-051	220-57-150	AMD	81-05-027	230-04-190	AMD	81-03-045
212-65-015	NEW-P	81-03-051	220-57-155	AMD	81-05-027	230-04-200	AMD	81-03-045
212-65-020	NEW-P	81-03-051	220-57-160	AMD	81-05-027	230-04-200	AMD-P	81-04-072
212-65-025	NEW-P	81-03-051	220-57-185	AMD	81-05-027	230-04-200	AMD-P	81-06-074
212-65-030	NEW-P	81-03-051	220-57-205	AMD	81-05-027	230-04-203	NEW-P	81-06-074
212-65-035	NEW-P	81-03-051	220-57-210	AMD	81-05-027	230-04-204	NEW-P	81-06-074
212-65-040	NEW-P	81-03-051	220-57-215	AMD	81-05-027	230-04-206	NEW-P	81-06-074
212-65-045	NEW-P	81-03-051	220-57-220	AMD	81-05-027	230-30-015	AMD-P	81-04-072
212-65-050	NEW-P	81-03-051	220-57-225	AMD	81-05-027	230-30-200	AMD-P	81-08-069
212-65-055	NEW-P	81-03-051	220-57-230	AMD	81-05-027	230-60-015	AMD-P	81-08-069
212-65-060	NEW-P	81-03-051	220-57-235	AMD	81-05-027	230-60-070	AMD-P	81-08-069
212-65-065	NEW-P	81-03-051	220-57-240	AMD	81-05-027	232-12-001	NEW-P	81-08-064
212-65-070	NEW-P	81-03-051	220-57-255	AMD	81-05-027	232-12-004	NEW-P	81-08-064
212-65-075	NEW-P	81-03-051	220-57-260	AMD	81-05-027	232-12-007	NEW-P	81-08-064
212-65-080	NEW-P	81-03-051	220-57-265	AMD	81-05-027	232-12-010	REP-P	81-08-064
212-65-085	NEW-P	81-03-051	220-57-270	AMD	81-05-027	232-12-011	NEW-P	81-08-064
212-65-090	NEW-P	81-03-051	220-57-275	AMD	81-05-027	232-12-014	NEW-P	81-08-064
212-65-095	NEW-P	81-03-051	220-57-300	AMD	81-05-027	232-12-015	REP-P	81-08-064
212-65-100	NEW-P	81-03-051	220-57-310	AMD	81-05-027	232-12-017	NEW-P	81-08-064
220-20-010	AMD	81-02-053	220-57-315	AMD	81-05-027	232-12-019	NEW-P	81-08-064
220-20-012	AMD	81-02-053	220-57-319	AMD	81-05-027	232-12-020	REP-P	81-08-064
220-28-002F0A	NEW-E	81-06-028	220-57-325	AMD	81-05-027	232-12-021	NEW-P	81-08-064
220-28-00400L	NEW-E	81-02-052	220-57-345	AMD	81-05-027	232-12-024	NEW-P	81-08-064
220-28-008F0M	REP-E	81-02-037	220-57-350	AMD	81-05-027	232-12-027	NEW-P	81-08-064
220-28-012F0G	NEW-E	81-02-052	220-57-370	AMD	81-05-027	232-12-030	REP-P	81-08-064
220-28-01300U	NEW-E	81-03-035	220-57-375	AMD	81-05-027	232-12-031	NEW-P	81-08-064
220-28-013G0H	NEW-E	81-03-035	220-57-385	AMD	81-05-027	232-12-034	NEW-P	81-08-064
220-32-02200E	NEW-E	81-03-044	220-57-405	AMD	81-05-027	232-12-037	NEW-P	81-08-064
220-32-03000B	NEW-E	81-04-003	220-57-420	AMD	81-05-027	232-12-040	REP-P	81-08-064
220-32-03600H	NEW-E	81-06-019	220-57-425	AMD	81-05-027	232-12-041	NEW-P	81-08-064
220-32-04000J	NEW-E	81-03-044	220-57-435	AMD	81-05-027	232-12-044	NEW-P	81-08-064
220-32-04200D	NEW-E	81-03-043	220-57-505	AMD	81-05-027	232-12-047	NEW-P	81-08-064
220-32-05100Q	NEW-E	81-04-003	220-57-50500D	NEW-E	81-06-027	232-12-051	NEW-P	81-08-064
220-32-05700H	NEW-E	81-03-044	220-57A-005	AMD	81-05-027	232-12-054	NEW-P	81-08-064
220-44-030	AMD	81-02-053	220-57A-010	AMD	81-05-027	232-12-057	NEW-P	81-08-064
220-44-040	AMD	81-02-053	220-57A-012	AMD	81-05-027	232-12-060	REP-P	81-08-064
220-48-080	AMD	81-02-053	220-57A-040	AMD	81-05-027	232-12-061	NEW-P	81-08-064
220-48-09001	NEW	81-02-053	220-57A-065	AMD	81-05-027	232-12-064	NEW-P	81-08-064
220-48-091	AMD	81-02-053	220-57A-080	AMD	81-05-027	232-12-065	REP-P	81-08-064
220-48-09100C	NEW-E	81-03-031	220-57A-090	AMD	81-05-027	232-12-067	NEW-P	81-08-064
220-48-092	AMD	81-02-053	220-57A-095	AMD	81-05-027	232-12-070	REP-P	81-08-064
220-48-096	AMD	81-02-053	220-57A-115	AMD	81-05-027	232-12-071	NEW-P	81-08-064

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
232-12-074	NEW-P	81-08-064	232-12-237	REP-P	81-08-064	232-28-204	NEW-P	81-08-064
232-12-077	NEW-P	81-08-064	232-12-238	REP-P	81-08-064	232-28-300	REP-P	81-05-031
232-12-080	REP-P	81-08-064	232-12-240	REP-P	81-08-064	232-28-303	REP-P	81-08-064
232-12-081	NEW-P	81-08-064	232-12-241	NEW-P	81-08-064	232-28-304	NEW-P	81-08-064
232-12-084	NEW-P	81-08-064	232-12-244	NEW-P	81-08-064	232-28-400	REP-P	81-05-031
232-12-087	NEW-P	81-08-064	232-12-247	NEW-P	81-08-064	232-28-500	REP-P	81-05-031
232-12-090	REP-P	81-08-064	232-12-251	NEW-P	81-08-064	232-28-600	REP-P	81-05-031
232-12-091	NEW-P	81-08-064	232-12-254	NEW-P	81-08-064	232-28-60301	NEW-E	81-08-011
232-12-094	NEW-P	81-08-064	232-12-255	REP-P	81-08-064	232-28-702	REP	81-04-018
232-12-097	NEW-P	81-08-064	232-12-257	NEW-P	81-08-064	232-28-703	NEW	81-04-018
232-12-100	REP-P	81-08-064	232-12-261	NEW-P	81-08-064	232-28-802	REP-P	81-05-031
232-12-101	NEW-P	81-08-064	232-12-264	NEW-P	81-08-064	232-28-802	REP-P	81-08-064
232-12-104	NEW-P	81-08-064	232-12-267	NEW-P	81-08-064	232-28-803	NEW-P	81-05-031
232-12-105	REP-P	81-08-064	232-12-271	NEW-P	81-08-064	232-28-803	NEW-P	81-08-064
232-12-107	NEW-P	81-08-064	232-12-274	NEW-P	81-08-064	232-32-126	REP-E	81-02-021
232-12-110	REP-P	81-08-064	232-12-277	NEW-P	81-08-064	232-32-127	NEW-E	81-02-021
232-12-111	NEW-P	81-08-064	232-12-280	REP-P	81-08-064	232-32-128	NEW-E	81-03-009
232-12-114	NEW-P	81-08-064	232-12-281	NEW-P	81-08-064	232-32-129	NEW-E	81-03-010
232-12-117	NEW-P	81-08-064	232-12-284	NEW-P	81-08-064	232-32-130	NEW-E	81-03-033
232-12-120	REP-P	81-08-064	232-12-287	NEW-P	81-08-064	232-32-131	NEW-E	81-04-017
232-12-121	NEW-P	81-08-064	232-12-291	NEW-P	81-08-064	232-32-132	NEW-E	81-04-057
232-12-124	NEW-P	81-08-064	232-12-294	NEW-P	81-08-064	232-32-133	NEW-E	81-05-011
232-12-127	NEW-P	81-08-064	232-12-300	REP-P	81-08-064	236-12-430	AMD-P	81-08-015
232-12-130	REP-P	81-08-064	232-12-310	REP-P	81-08-064	236-12-430	AMD-E	81-08-016
232-12-131	NEW-P	81-08-064	232-12-320	REP-P	81-08-064	236-12-470	AMD-P	81-08-015
232-12-134	NEW-P	81-08-064	232-12-340	REP-P	81-08-064	236-12-470	AMD-E	81-08-016
232-12-135	REP-P	81-08-064	232-12-350	REP-P	81-08-064	248-14	AMD-P	81-03-004
232-12-137	NEW-P	81-08-064	232-12-355	REP-P	81-08-064	248-14-001	AMD-P	81-08-047
232-12-140	REP-P	81-08-064	232-12-360	AMD-P	81-05-031	248-14-100	AMD-P	81-08-047
232-12-141	NEW-P	81-08-064	232-12-360	REP-P	81-08-064	248-14-110	AMD-P	81-08-047
232-12-144	NEW-P	81-08-064	232-12-365	REP-P	81-08-064	248-14-114	NEW-P	81-08-047
232-12-147	NEW-P	81-08-064	232-12-370	REP-P	81-08-064	248-14-120	AMD-P	81-08-047
232-12-150	REP-P	81-08-064	232-12-373	REP-P	81-08-064	248-14-125	NEW-P	81-08-047
232-12-151	NEW-P	81-08-064	232-12-380	REP-P	81-08-064	248-14-128	NEW-P	81-08-047
232-12-154	NEW-P	81-08-064	232-12-390	REP-P	81-08-064	248-14-130	AMD-P	81-08-047
232-12-157	NEW-P	81-08-064	232-12-400	REP-P	81-08-064	248-14-140	AMD-P	81-08-047
232-12-160	REP-P	81-08-064	232-12-405	REP-P	81-08-064	248-14-150	AMD-P	81-08-047
232-12-161	NEW-P	81-08-064	232-12-410	REP-P	81-08-064	248-14-152	NEW-P	81-08-047
232-12-164	NEW-P	81-08-064	232-12-420	REP-P	81-08-064	248-14-155	NEW-P	81-08-047
232-12-167	NEW-P	81-08-064	232-12-430	REP-P	81-08-064	248-14-160	AMD-P	81-08-047
232-12-170	REP-P	81-08-064	232-12-435	REP-P	81-08-064	248-14-170	AMD-P	81-08-047
232-12-171	REP-P	81-08-064	232-12-440	REP-P	81-08-064	248-14-180	AMD-P	81-08-047
232-12-173	REP-P	81-08-064	232-12-450	REP-P	81-08-064	248-14-200	AMD-P	81-08-047
232-12-174	NEW-P	81-08-064	232-12-460	REP-P	81-08-064	248-14-285	AMD	81-03-005
232-12-177	NEW-P	81-08-064	232-12-470	REP-P	81-08-064	248-18	AMD-P	81-03-038
232-12-180	REP-P	81-08-064	232-12-480	REP-P	81-08-064	248-18-001	AMD	81-05-029
232-12-181	NEW-P	81-08-064	232-12-490	REP-P	81-08-064	248-18-010	AMD	81-05-029
232-12-184	NEW-P	81-08-064	232-12-500	REP-P	81-08-064	248-18-500	AMD	81-05-029
232-12-187	NEW-P	81-08-064	232-12-510	REP-P	81-08-064	248-18-505	AMD	81-05-029
232-12-190	REP-P	81-08-064	232-12-520	REP-P	81-08-064	248-18-510	AMD	81-05-029
232-12-191	NEW-P	81-08-064	232-12-530	REP-P	81-08-064	248-18-515	AMD	81-05-029
232-12-194	NEW-P	81-08-064	232-12-550	REP-P	81-08-064	248-19	AMD-P	81-03-039
232-12-197	NEW-P	81-08-064	232-12-570	REP-P	81-08-064	248-19	AMD-P	81-04-013
232-12-200	REP-P	81-08-064	232-12-630	REP-P	81-08-064	248-19-200	AMD-E	81-05-030
232-12-201	REP-P	81-08-064	232-12-640	REP-P	81-08-064	248-19-210	AMD-E	81-05-030
232-12-205	REP-P	81-08-064	232-12-650	REP-P	81-08-064	248-19-220	AMD-E	81-05-030
232-12-207	NEW-P	81-08-064	232-12-655	REP-P	81-08-064	248-19-230	AMD-E	81-05-030
232-12-210	REP-P	81-08-064	232-12-660	REP-P	81-08-064	248-19-240	AMD-E	81-05-030
232-12-211	REP-P	81-08-064	232-12-670	REP-P	81-08-064	248-19-250	AMD-E	81-05-030
232-12-212	REP-P	81-08-064	232-12-675	REP-P	81-08-064	248-19-260	AMD-E	81-05-030
232-12-213	REP-P	81-08-064	232-12-676	REP-P	81-08-064	248-19-270	AMD-E	81-05-030
232-12-214	REP-P	81-08-064	232-12-680	REP-P	81-08-064	248-19-280	AMD-E	81-05-030
232-12-215	REP-P	81-08-064	232-12-690	REP-P	81-08-064	248-19-300	AMD-E	81-05-030
232-12-220	REP-P	81-08-064	232-12-700	REP-P	81-08-064	248-19-310	AMD-E	81-05-030
232-12-221	NEW-P	81-08-064	232-12-710	REP-P	81-08-064	248-19-320	AMD-E	81-05-030
232-12-224	NEW-P	81-08-064	232-12-816	REP-P	81-08-064	248-19-325	NEW-E	81-05-030
232-12-227	NEW-P	81-08-064	232-21-100	REP-P	81-05-031	248-19-330	AMD-E	81-05-030
232-12-230	REP-P	81-08-064	232-21-100	REP-P	81-08-064	248-19-340	AMD-E	81-05-030
232-12-231	REP-P	81-08-064	232-21-101	NEW-P	81-05-031	248-19-350	AMD-E	81-05-030
232-12-232	REP-P	81-08-064	232-21-101	NEW-P	81-08-064	248-19-360	AMD-E	81-05-030
232-12-233	REP-P	81-08-064	232-28-001	REP-P	81-05-031	248-19-370	AMD-E	81-05-030
232-12-234	REP-P	81-08-064	232-28-100	REP-P	81-05-031	248-19-390	AMD-E	81-05-030
232-12-235	REP-P	81-08-064	232-28-200	REP-P	81-05-031	248-19-400	AMD-E	81-05-030
232-12-236	REP-P	81-08-064	232-28-203	REP-P	81-08-064	248-19-403	NEW-E	81-05-030

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
248-19-405	NEW-E 81-05-030	261-20-030	NEW 81-06-016	289-15-100	NEW 81-08-014
248-19-410	AMD-E 81-05-030	261-20-030	AMD 81-06-017	289-15-110	NEW 81-08-014
248-19-415	NEW-E 81-05-030	261-20-040	NEW-P 81-02-035	289-15-120	NEW 81-08-014
248-19-420	AMD-E 81-05-030	261-20-040	NEW 81-06-016	289-15-130	NEW 81-08-014
248-19-430	AMD-E 81-05-030	261-20-050	NEW-P 81-02-035	289-15-200	NEW 81-07-057
248-19-440	AMD-E 81-05-030	261-20-050	NEW 81-06-016	289-15-210	NEW 81-07-057
248-19-450	AMD-E 81-05-030	261-20-060	NEW-P 81-02-035	289-15-220	NEW-P 81-04-063
248-19-475	NEW-E 81-05-030	261-20-060	NEW 81-06-016	289-15-220	NEW 81-08-001
248-19-480	AMD-E 81-05-030	261-20-065	NEW-P 81-02-035	289-15-230	NEW 81-07-057
248-19-490	AMD-E 81-05-030	261-20-065	NEW 81-06-016	289-16	NEW-P 81-04-062
248-19-500	AMD-E 81-05-030	261-20-070	NEW-P 81-02-035	289-16-010	REP 81-07-057
248-22-060	REP-P 81-04-012	261-20-070	NEW 81-06-016	289-16-020	REP 81-07-057
248-22-060	REP 81-07-035	261-20-080	NEW-P 81-02-035	289-16-030	REP 81-07-057
248-22-070	REP-P 81-04-012	261-20-080	NEW 81-06-016	289-16-040	REP 81-07-057
248-22-070	REP 81-07-035	275-16-010	AMD-E 81-04-032	289-16-100	NEW 81-08-014
248-22-080	REP-P 81-04-012	275-16-010	AMD-P 81-04-038	289-16-110	NEW 81-08-014
248-22-080	REP 81-07-035	275-16-010	AMD 81-08-020	289-16-120	NEW 81-08-014
248-22-090	REP-P 81-04-012	275-16-015	NEW-E 81-04-032	289-16-130	NEW 81-08-014
248-22-090	REP 81-07-035	275-16-015	NEW-P 81-04-038	289-16-140	NEW 81-08-014
248-96-020	AMD-P 81-02-042	275-16-015	NEW 81-08-020	289-16-150	NEW 81-08-014
248-96-020	AMD 81-05-028	275-16-035	NEW-E 81-04-032	289-16-160	NEW 81-08-014
248-100-295	AMD-P 81-08-003	275-16-035	NEW-P 81-04-038	289-16-200	NEW 81-07-057
248-156-010	NEW-P 81-06-007	275-16-035	NEW 81-08-020	289-16-210	NEW 81-07-057
248-156-020	NEW-P 81-06-007	275-16-040	REP-E 81-04-032	289-16-220	NEW 81-07-057
248-156-030	NEW-P 81-06-007	275-16-040	REP-P 81-04-038	289-16-230	NEW-P 81-04-063
251-04-020	AMD-P 81-04-051	275-16-040	REP 81-08-020	289-16-230	NEW 81-07-057
251-10-055	AMD-P 81-04-051	275-16-055	NEW-E 81-04-032	289-16-230	AMD 81-08-001
251-10-110	AMD-P 81-04-051	275-16-055	NEW-P 81-04-038	289-16-240	NEW 81-07-057
251-10-112	NEW-P 81-04-051	275-16-055	NEW 81-08-020	289-16-250	NEW 81-07-057
251-10-113	NEW-P 81-04-051	275-16-065	NEW-E 81-04-032	289-16-260	NEW 81-07-057
251-12-240	AMD-P 81-04-051	275-16-065	NEW-P 81-04-038	289-18	NEW-P 81-04-062
251-18-330	AMD-P 81-04-051	275-16-065	NEW 81-08-020	289-18-010	REP 81-07-057
251-22-240	AMD-P 81-04-023	275-16-075	NEW-E 81-04-032	289-18-020	REP 81-07-057
251-22-240	AMD 81-07-002	275-16-075	NEW-P 81-04-038	289-18-030	REP 81-07-057
260-12-010	AMD-P 81-07-020	275-16-075	NEW 81-08-020	289-18-040	REP 81-07-057
260-12-010	AMD 81-08-013	275-16-085	NEW-E 81-04-032	289-18-050	REP 81-07-057
260-12-140	AMD-P 81-07-020	275-16-085	NEW-P 81-04-038	289-18-100	NEW 81-08-014
260-12-140	AMD 81-08-013	275-16-085	NEW 81-08-020	289-18-110	NEW 81-08-014
260-20-075	NEW-P 81-07-020	275-16-095	NEW-E 81-04-032	289-18-120	NEW 81-08-014
260-20-075	NEW 81-08-013	275-16-095	NEW-P 81-04-038	289-18-200	NEW 81-07-057
260-20-170	AMD-E 81-08-030	275-16-095	NEW 81-08-020	289-18-210	NEW 81-07-057
260-24-280	AMD-P 81-07-020	275-16-105	NEW-E 81-04-032	289-18-220	NEW 81-07-057
260-24-280	AMD 81-08-013	275-16-105	NEW-P 81-04-038	289-19	NEW-P 81-04-062
260-32-040	AMD-P 81-07-021	275-16-105	NEW 81-08-020	289-19-010	NEW 81-08-014
260-32-040	AMD-W 81-08-024	275-20-030	AMD-P 81-02-023	289-19-100	NEW 81-08-014
260-36-040	AMD-P 81-07-020	275-20-030	AMD 81-06-004	289-19-110	NEW 81-08-014
260-36-040	AMD-W 81-08-024	275-92-407	NEW 81-05-001	289-19-120	NEW 81-08-014
260-36-180	NEW-P 81-07-020	275-93-040	AMD 81-03-076	289-19-130	NEW 81-08-014
260-36-180	NEW-P 81-08-012	284-15-010	NEW 81-03-082	289-19-200	NEW 81-07-057
260-40-120	AMD-P 81-07-020	284-15-020	NEW 81-03-082	289-19-210	NEW 81-07-057
260-40-120	AMD-P 81-08-012	284-15-030	NEW 81-03-082	289-19-220	NEW 81-07-057
260-48-110	AMD-P 81-07-020	284-15-040	NEW 81-03-082	289-19-230	NEW 81-07-057
260-48-110	AMD-E 81-08-030	284-15-050	NEW 81-03-082	289-20	NEW-P 81-04-062
260-48-326	NEW-E 81-08-030	284-25	AMD-P 81-06-011	289-20-010	REP 81-07-057
260-52-010	AMD-P 81-07-020	289-13-070	AMD 81-03-029	289-20-020	REP 81-07-057
260-52-010	AMD 81-08-013	289-13-075	NEW 81-03-029	289-20-030	REP 81-07-057
260-52-040	AMD-P 81-07-020	289-13-110	AMD 81-03-029	289-20-040	REP 81-07-057
260-52-040	AMD 81-08-013	289-13-110	AMD-P 81-08-072	289-20-050	REP 81-07-057
260-60-050	AMD-P 81-07-020	289-13-170	AMD 81-03-029	289-20-100	NEW 81-08-014
260-60-050	AMD-P 81-08-012	289-13-190	AMD-P 81-08-072	289-20-105	NEW 81-08-014
260-60-115	NEW-P 81-07-020	289-14	AMD-P 81-04-062	289-20-110	NEW 81-08-014
260-60-115	NEW-P 81-08-012	289-14-005	AMD 81-07-057	289-20-120	NEW 81-08-014
260-60-120	AMD-P 81-07-020	289-14-005	AMD 81-08-014	289-20-130	NEW 81-08-014
260-60-120	AMD 81-08-013	289-14-010	AMD 81-07-057	289-20-140	NEW 81-08-014
260-60-210	AMD-P 81-07-020	289-14-020	REP 81-07-057	289-20-150	NEW 81-08-014
260-60-210	AMD-P 81-08-012	289-14-030	REP 81-07-057	289-20-160	NEW 81-08-014
260-70-140	AMD-P 81-07-020	289-14-100	NEW 81-08-014	289-20-165	NEW 81-08-014
260-70-140	AMD-P 81-08-012	289-14-120	NEW 81-08-014	289-20-170	NEW 81-08-014
261-20	AMD-P 81-02-036	289-14-130	NEW 81-08-014	289-20-180	NEW 81-08-014
261-20-010	NEW-P 81-02-035	289-14-200	NEW 81-07-057	289-20-190	NEW 81-08-014
261-20-010	NEW 81-06-016	289-14-210	NEW 81-07-057	289-20-200	NEW 81-07-057
261-20-020	NEW-P 81-02-035	289-14-220	NEW 81-07-057	289-20-205	NEW 81-07-057
261-20-020	NEW 81-06-016	289-14-230	NEW 81-07-057	289-20-210	NEW 81-07-057
261-20-030	NEW-P 81-02-035	289-15	NEW-P 81-04-062	289-20-220	NEW 81-07-057

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
289-20-230	NEW	81-07-057	296-27-16013	NEW-E	81-08-035	296-62-07310	AMD	81-07-048
289-20-240	NEW	81-07-057	296-27-16015	NEW-P	81-03-071	296-62-07312	AMD	81-07-048
289-20-250	NEW	81-07-057	296-27-16015	NEW-E	81-08-035	296-62-07329	AMD-P	81-07-051
289-20-260	NEW	81-07-057	296-27-16017	NEW-P	81-03-071	296-62-07341	AMD-P	81-07-051
289-20-265	NEW	81-07-057	296-27-16017	NEW-E	81-08-035	296-62-07345	AMD-P	81-07-051
289-20-270	NEW	81-07-057	296-27-16021	NEW-P	81-03-071	296-62-07347	AMD-P	81-07-051
289-20-280	NEW	81-07-057	296-27-16021	NEW-E	81-08-035	296-62-07349	AMD-P	81-07-051
289-20-290	NEW	81-07-057	296-27-16023	NEW-P	81-03-071	296-62-07501	AMD-P	81-07-051
289-22	NEW-P	81-04-062	296-27-16023	NEW-E	81-08-035	296-62-07515	AMD-P	81-07-051
289-22-010	REP	81-07-057	296-27-16025	NEW-P	81-03-071	296-62-07517	AMD-P	81-07-051
289-22-020	REP	81-07-057	296-27-16025	NEW-E	81-08-035	296-62-07519	NEW-P	81-07-051
289-22-100	NEW	81-08-014	296-37-510	AMD-E	81-02-029	296-62-09011	AMD-P	81-07-027
289-22-110	NEW	81-08-014	296-37-510	AMD	81-07-048	296-62-09015	NEW-P	81-07-027
289-22-200	NEW	81-07-057	296-37-550	AMD-E	81-02-029	296-62-09017	NEW-P	81-07-027
289-22-210	NEW	81-07-057	296-37-550	AMD	81-07-048	296-62-09019	NEW-P	81-07-027
289-24	NEW-P	81-04-062	296-45-660	NEW-E	81-07-049	296-62-09021	NEW-P	81-07-027
289-24-010	REP	81-07-057	296-45-660	NEW-P	81-07-051	296-62-09023	NEW-P	81-07-027
289-24-010	AMD	81-08-014	296-45-66001	NEW-E	81-07-049	296-62-09025	NEW-P	81-07-027
289-24-020	REP	81-07-057	296-45-66001	NEW-P	81-07-051	296-62-09027	NEW-P	81-07-027
289-24-030	REP	81-07-057	296-45-66003	NEW-E	81-07-049	296-62-09029	NEW-P	81-07-027
289-24-040	REP	81-07-057	296-45-66003	NEW-P	81-07-051	296-62-09031	NEW-P	81-07-027
289-24-050	REP	81-07-057	296-45-66005	NEW-E	81-07-049	296-62-09033	NEW-P	81-07-027
289-24-100	NEW	81-08-014	296-45-66005	NEW-P	81-07-051	296-62-09035	NEW-P	81-07-027
289-24-110	NEW	81-08-014	296-45-66007	NEW-E	81-07-049	296-62-09037	NEW-P	81-07-027
289-24-120	NEW	81-08-014	296-45-66007	NEW-P	81-07-051	296-62-09039	NEW-P	81-07-027
289-24-200	NEW	81-07-057	296-45-66009	NEW-E	81-07-049	296-62-09041	NEW-P	81-07-027
289-24-210	NEW	81-07-057	296-45-66009	NEW-P	81-07-051	296-62-09043	NEW-P	81-07-027
289-24-220	NEW	81-07-057	296-45-66011	NEW-E	81-07-049	296-62-09045	NEW-P	81-07-027
289-30-060	NEW-P	81-04-064	296-45-66011	NEW-P	81-07-051	296-62-09047	NEW-P	81-07-027
289-30-060	NEW	81-07-058	296-46	AMD-P	81-05-019	296-62-09049	NEW-P	81-07-027
296-15-044	AMD-P	81-08-063	296-46	AMD-P	81-05-025	296-62-09051	NEW-P	81-07-027
296-17-895	AMD	81-04-024	296-46-110	AMD	81-06-037	296-62-09053	NEW-P	81-07-027
296-17-904	NEW	81-04-024	296-46-115	NEW	81-06-037	296-62-09055	NEW-P	81-07-027
296-17-905	AMD	81-04-024	296-46-130	AMD	81-06-037	296-62-09057	NEW-P	81-07-027
296-17-907	NEW	81-04-024	296-46-140	AMD	81-06-037	296-62-09059	NEW-P	81-07-027
296-17-910	AMD	81-04-024	296-46-150	AMD	81-06-037	296-62-09061	NEW-P	81-07-027
296-17-911	NEW	81-04-024	296-46-335	AMD	81-06-037	296-62-09063	NEW-P	81-07-027
296-17-912	NEW	81-04-024	296-46-350	AMD	81-06-037	296-62-100	AMD-P	81-07-051
296-17-913	NEW	81-04-024	296-46-355	NEW	81-06-037	296-62-11015	AMD-P	81-07-051
296-17-914	NEW	81-04-024	296-46-40101	REP	81-06-037	296-62-11019	AMD-P	81-07-051
296-17-915	NEW	81-04-024	296-46-424	AMD	81-06-037	296-62-11021	AMD-P	81-07-051
296-17-916	NEW	81-04-024	296-46-500	AMD	81-06-037	296-62-14507	AMD-P	81-07-051
296-17-917	NEW	81-04-024	296-46-501	NEW	81-06-037	296-62-14531	AMD-P	81-07-051
296-17-919	NEW	81-04-024	296-46-506	NEW	81-06-037	296-62-14533	AMD-P	81-07-051
296-17-91901	NEW	81-04-024	296-46-510	REP	81-06-037	296-62-20011	AMD-P	81-07-051
296-17-91902	NEW	81-04-024	296-46-515	REP	81-06-037	296-79	AMD-P	81-03-006
296-24-060	AMD-P	81-07-051	296-46-520	REP	81-06-037	296-79-140	AMD	81-03-007
296-24-070	AMD-P	81-07-051	296-46-525	REP	81-06-037	296-79-140	AMD-P	81-07-051
296-24-67515	AMD-P	81-07-051	296-46-910	AMD	81-06-037	296-79-170	AMD	81-03-007
296-24-081	REP-P	81-07-051	296-52-030	AMD	81-07-048	296-79-170	AMD-P	81-07-051
296-24-08101	REP-P	81-07-051	296-52-043	AMD	81-07-048	296-79-180	AMD	81-03-007
296-24-08103	REP-P	81-07-051	296-52-050	AMD	81-07-048	296-79-220	AMD	81-03-007
296-24-08105	REP-P	81-07-051	296-52-090	AMD	81-07-048	296-79-220	AMD-P	81-07-051
296-24-08107	REP-P	81-07-051	296-52-095	AMD	81-07-048	296-79-29029	AMD	81-03-007
296-24-08109	REP-P	81-07-051	296-54-559	AMD	81-05-013	296-79-300	AMD	81-03-007
296-24-08111	REP-P	81-07-051	296-54-565		81-05-013	296-104-200	AMD-P	81-08-022
296-24-08113	REP-P	81-07-051	296-54-567	AMD	81-05-013	296-116-185	AMD-P	81-03-072
296-24-960	NEW-P	81-07-027	296-62-071	NEW-P	81-07-027	296-116-185	AMD	81-07-009
296-24-964	NEW-P	81-07-027	296-62-07101	NEW-P	81-07-027	296-116-300	AMD-P	81-03-072
296-27	AMD-P	81-06-026	296-62-07103	NEW-P	81-07-027	296-116-300	AMD-P	81-06-054
296-27-160	NEW-P	81-03-071	296-62-07105	NEW-P	81-07-027	296-155-500	AMD-P	81-07-051
296-27-160	NEW-E	81-08-035	296-62-07107	NEW-P	81-07-027	296-155-505	AMD-P	81-07-051
296-27-16001	NEW-P	81-03-071	296-62-07109	NEW-P	81-07-027	296-155-50501	NEW-P	81-07-051
296-27-16003	NEW-P	81-03-071	296-62-07111	NEW-P	81-07-027	296-155-650	AMD-P	81-07-051
296-27-16003	NEW-E	81-08-035	296-62-07113	NEW-P	81-07-027	296-155-655	AMD-P	81-07-051
296-27-16005	NEW-P	81-03-071	296-62-07115	NEW-P	81-07-027	296-155-660	AMD-P	81-07-051
296-27-16005	NEW-E	81-08-035	296-62-07117	NEW-P	81-07-027	296-155-665	AMD-P	81-07-051
296-27-16007	NEW-P	81-03-071	296-62-07119	NEW-P	81-07-027	296-155-66505	AMD-P	81-07-051
296-27-16007	NEW-E	81-08-035	296-62-07121	NEW-P	81-07-027	296-401	AMD-P	81-05-019
296-27-16009	NEW-P	81-03-071	296-62-07123	NEW-P	81-07-027	296-401	AMD-P	81-05-025
296-27-16009	NEW-E	81-08-035	296-62-07125	NEW-P	81-07-027	296-401-020	AMD	81-06-037
296-27-16011	NEW-P	81-03-071	296-62-07302	AMD	81-07-048	296-401-050	REP	81-06-037
296-27-16011	NEW-E	81-08-035	296-62-07304	AMD	81-07-048	296-401-080	AMD	81-06-037
296-27-16013	NEW-P	81-03-071	296-62-07306	AMD-P	81-07-051	296-401-100	AMD	81-06-037

16001
NEW-E
81-08-035

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
296-401-140	AMD	81-06-037	308-53-130	AMD	81-06-012	308-300-100	AMD-W	81-03-027
296-401-150	AMD	81-06-037	308-53-215	NEW	81-06-012	308-300-110	AMD-W	81-03-027
296-401-160	AMD	81-06-037	308-53-230	AMD	81-06-012	308-300-120	AMD-W	81-03-027
296-401-180	AMD	81-06-037	308-92-010	REP	81-02-030	308-300-130	AMD-W	81-03-027
308-04-001	NEW-E	81-03-046	308-92-020	REP	81-02-030	308-300-150	AMD-W	81-03-027
308-04-001	NEW-P	81-04-071	308-92-030	REP	81-02-030	308-300-160	AMD-W	81-03-027
308-04-001	NEW	81-07-045	308-92-040	REP	81-02-030	308-300-220	AMD	81-02-038
308-16-211	AMD	81-03-015	308-92-050	REP	81-02-030	314-52-080	AMD	81-04-011
308-16-212	AMD	81-03-015	308-92-060	REP	81-02-030	322-02-010	NEW-P	81-03-084
308-16-215	AMD	81-03-015	308-92-070	REP	81-02-030	322-02-020	NEW-P	81-03-084
308-16-216	AMD	81-03-015	308-92-080	REP	81-02-030	322-02-030	NEW-P	81-03-084
308-16-217	AMD	81-03-015	308-92-100	REP	81-02-030	322-10-010	NEW-P	81-03-084
308-16-218	NEW	81-03-015	308-92-110	REP	81-02-030	322-10-020	NEW-P	81-03-084
308-24-305	AMD	81-03-016	308-92-120	REP	81-02-030	322-10-030	NEW-P	81-03-084
308-24-320	AMD	81-03-016	308-92-130	REP	81-02-030	322-10-040	NEW-P	81-03-084
308-24-380	REP-P	81-05-035	308-92-140	REP	81-02-030	322-10-050	NEW-P	81-03-084
308-24-382	NEW-P	81-05-035	308-92-150	REP	81-02-030	322-10-060	NEW-P	81-03-084
308-24-384	NEW-P	81-05-035	308-92-160	REP	81-02-030	322-10-070	NEW-P	81-03-084
308-24-403	AMD	81-03-016	308-92-170	REP	81-02-030	322-10-080	NEW-P	81-03-084
308-24-404	AMD	81-03-016	308-92-180	REP	81-02-030	322-10-090	NEW-P	81-03-084
308-24-430	AMD	81-03-016	308-92-190	REP	81-02-030	322-10-100	NEW-P	81-03-084
308-33-011	AMD	81-02-031	308-92-200	REP	81-02-030	322-10-110	NEW-P	81-03-084
308-33-015	REP	81-02-031	308-120-100	AMD	81-04-007	322-12-010	REP-P	81-03-084
308-33-020	AMD	81-02-031	308-120-160	REP	81-04-007	322-12-020	REP-P	81-03-084
308-33-030	AMD	81-02-031	308-120-161	NEW	81-04-007	322-12-030	REP-P	81-03-084
308-36-020	AMD-P	81-04-047	308-120-162	NEW	81-04-007	322-12-040	REP-P	81-03-084
308-36-020	AMD	81-08-043	308-120-163	NEW	81-04-007	322-12-060	REP-P	81-03-084
308-37-100	NEW-P	81-02-032	308-120-164	NEW	81-04-007	322-12-070	REP-P	81-03-084
308-37-100	NEW	81-06-013	308-120-165	NEW	81-04-007	322-12-080	REP-P	81-03-084
308-37-110	NEW-P	81-02-032	308-120-166	NEW	81-04-007	322-12-090	REP-P	81-03-084
308-37-110	NEW	81-06-013	308-120-168	NEW	81-04-007	322-12-100	REP-P	81-03-084
308-37-120	NEW-P	81-02-032	308-120-170	AMD-P	81-07-011	322-12-110	REP-P	81-03-084
308-37-120	NEW	81-06-013	308-120-185	AMD	81-04-007	322-12-120	REP-P	81-03-084
308-37-130	NEW-P	81-02-032	308-120-410	AMD	81-04-007	322-12-140	REP-P	81-03-084
308-37-130	NEW	81-06-013	308-120-420	AMD	81-04-007	322-12-150	REP-P	81-03-084
308-37-140	NEW-P	81-02-032	308-120-509	AMD	81-04-007	322-12-160	REP-P	81-03-084
308-37-140	NEW	81-06-013	308-120-510	AMD-P	81-07-011	322-22-010	NEW-P	81-03-084
308-38	NEW-P	81-06-015	308-120-511	AMD-P	81-07-011	322-22-020	NEW-P	81-03-084
308-38-100	NEW-P	81-02-032	308-124-005	AMD	81-05-016	332-22-010	NEW	81-03-059
308-38-110	NEW-P	81-02-032	308-124-021	AMD	81-05-016	332-22-020	NEW	81-03-059
308-38-120	NEW-P	81-02-032	308-124A-020	AMD	81-05-016	332-22-030	NEW	81-03-059
308-38-130	NEW-P	81-02-032	308-124A-025	AMD	81-05-016	332-22-040	NEW	81-03-059
308-38-140	NEW-P	81-02-032	308-124A-030	AMD	81-05-016	332-22-050	NEW	81-03-059
308-38-150	NEW-P	81-02-032	308-124A-100	AMD	81-05-016	332-22-060	NEW	81-03-059
308-38-160	NEW-P	81-02-032	308-124A-110	NEW	81-05-016	332-22-070	NEW	81-03-059
308-39-100	NEW-P	81-02-032	308-124A-120	NEW	81-05-016	332-22-080	NEW	81-03-059
308-39-100	NEW	81-06-013	308-124A-130	NEW	81-05-016	332-22-090	NEW	81-03-059
308-39-110	NEW-P	81-02-032	308-124A-200	AMD	81-05-016	332-22-100	NEW	81-03-059
308-39-110	NEW	81-06-013	308-124A-310	REP	81-05-016	332-22-110	NEW	81-03-059
308-39-120	NEW-P	81-02-032	308-124A-410	NEW	81-05-016	332-22-120	NEW	81-03-059
308-39-120	NEW	81-06-013	308-124A-420	NEW	81-05-016	332-22-130	NEW	81-03-059
308-40-101	AMD-P	81-04-047	308-124B-040	AMD	81-05-016	332-22-140	NEW	81-03-059
308-40-101	AMD	81-08-043	308-124B-110	AMD	81-05-016	332-22-150	NEW	81-03-059
308-50-055	REP-P	81-05-026	308-124B-120	AMD	81-05-016	332-24-090	AMD-E	81-07-038
308-50-080	AMD-P	81-05-026	308-124C-010	AMD	81-05-016	332-30-164	NEW-P	81-04-069
308-51-010	AMD-P	81-08-042	308-124D-015	NEW-P	81-02-054	332-100-050	AMD-E	81-06-057
308-52-020	REP	81-03-079	308-124D-015	NEW-P	81-06-014	352-32-010	AMD-P	81-04-049
308-52-040	AMD	81-03-079	308-124E-010	AMD	81-05-015	352-32-030	AMD-P	81-04-049
308-52-110	REP	81-03-079	308-124F-010	AMD	81-05-015	352-32-035	AMD-P	81-06-055
308-52-120	AMD	81-03-079	308-124F-050	REP	81-05-015	352-32-250	AMD-P	81-04-049
308-52-132	NEW	81-03-078	308-124F-200	REP	81-05-015	356-14-085	AMD-P	81-06-053
308-52-137	REP	81-03-078	308-124G-010	REP	81-05-015	356-18-050	AMD	81-03-017
308-52-138	AMD	81-03-078	308-124H-020	AMD	81-05-015	356-18-110	AMD-P	81-03-019
308-52-139	AMD	81-03-078	308-124H-030	AMD	81-05-015	356-18-110	AMD	81-07-030
308-52-140	AMD	81-03-078	308-124H-040	AMD	81-05-015	356-18-150	AMD-P	81-03-019
308-52-141	AMD	81-03-078	308-124H-045	AMD	81-05-015	356-18-150	AMD-P	81-07-032
308-52-144	REP	81-03-078	308-124H-050	AMD	81-05-015	356-26-060	AMD	81-03-017
308-52-201	NEW	81-03-078	308-124H-060	AMD	81-05-015	356-30-080	AMD	81-03-064
308-52-205	NEW	81-03-078	308-300-020	AMD-W	81-03-027	356-34	AMD-P	81-03-018
308-52-211	NEW	81-03-078	308-300-030	AMD-W	81-03-027	356-34	AMD-P	81-07-031
308-52-215	NEW	81-03-078	308-300-040	AMD-W	81-03-027	356-34-180	AMD-P	81-03-019
308-52-221	NEW	81-03-078	308-300-050	AMD-W	81-03-027	356-34-180	AMD-P	81-07-032
308-52-250	REP	81-03-079	308-300-070	AMD-W	81-03-027	356-34-220	AMD-P	81-03-019
308-52-255	NEW	81-03-079	308-300-080	AMD-W	81-03-027	356-34-220	AMD-P	81-07-032

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
360-13-010	AMD-P	81-06-076	388-15-170	AMD-E	81-07-010
360-13-020	AMD-P	81-02-033	388-15-207	NEW	81-06-063
360-13-020	AMD	81-06-077	388-15-208	NEW	81-06-063
360-13-030	AMD-P	81-02-033	388-15-208	AMD-E	81-08-067
360-13-030	AMD	81-06-077	388-15-208	AMD-P	81-08-068
360-13-045	AMD-P	81-02-033	388-15-209	NEW	81-06-063
360-13-045	AMD	81-06-077	388-15-210	REP	81-06-063
360-13-055	AMD-P	81-02-033	388-15-211	REP	81-06-063
360-13-055	AMD	81-06-077	388-15-212	AMD	81-06-063
360-13-065	REP-P	81-02-033	388-15-212	AMD-E	81-08-067
360-13-066	NEW-P	81-02-033	388-15-212	AMD-P	81-08-068
360-13-066	NEW-P	81-06-076	388-15-213	AMD	81-06-063
360-17-010	NEW-P	81-06-075	388-15-215	AMD	81-06-063
360-17-020	NEW-P	81-06-075	388-15-217	NEW	81-03-075
360-17-030	NEW-P	81-06-075	388-24-040	AMD-E	81-06-046
360-17-040	NEW-P	81-06-075	388-24-040	AMD-P	81-06-066
360-17-050	NEW-P	81-06-075	388-24-050	AMD-E	81-06-046
360-17-060	NEW-P	81-06-075	388-24-050	AMD-P	81-06-066
360-17-070	NEW-P	81-06-075	388-24-065	AMD-E	81-06-046
360-17-080	NEW-P	81-06-075	388-24-065	AMD-P	81-06-066
360-17-090	NEW-P	81-06-075	388-24-070	AMD-P	81-03-011
360-17-100	NEW-P	81-06-075	388-24-070	AMD	81-06-058
360-32-050	AMD-P	81-07-012	388-24-075	REP-E	81-06-046
360-32-055	AMD-P	81-07-012	388-24-075	REP-P	81-06-066
365-42	REP-P	81-07-046	388-24-090	AMD-E	81-06-046
365-42-010	REP-P	81-03-050	388-24-090	AMD-P	81-06-066
365-42-020	REP-P	81-03-050	388-24-107	AMD-E	81-06-046
365-42-030	REP-P	81-03-050	388-24-107	AMD-P	81-06-066
365-42-100	REP-P	81-03-050	388-24-108	AMD-E	81-06-046
365-42-110	REP-P	81-03-050	388-24-108	AMD-P	81-06-066
365-42-200	REP-P	81-03-050	388-24-109	AMD-E	81-06-046
365-42-210	REP-P	81-03-050	388-24-109	AMD-P	81-06-066
365-42-220	REP-P	81-03-050	388-24-125	AMD-E	81-06-046
365-42-230	REP-P	81-03-050	388-24-125	AMD-P	81-06-066
365-42-240	REP-P	81-03-050	388-24-135	REP-E	81-06-046
365-42-300	REP-P	81-03-050	388-24-135	REP-P	81-06-066
365-42-310	REP-P	81-03-050	388-24-137	AMD-E	81-06-046
365-42-320	REP-P	81-03-050	388-24-137	AMD-P	81-06-066
365-42-330	REP-P	81-03-050	388-24-250	AMD-E	81-06-046
365-42-340	REP-P	81-03-050	388-24-250	AMD-P	81-06-065
365-42-350	REP-P	81-03-050	388-24-255	AMD-E	81-06-046
365-42-360	REP-P	81-03-050	388-24-255	AMD-P	81-06-065
365-42-370	REP-P	81-03-050	388-24-260	AMD-E	81-06-046
365-42-380	REP-P	81-03-050	388-24-260	AMD-P	81-06-065
365-42-390	REP-P	81-03-050	388-24-270	AMD-E	81-06-046
365-42-410	REP-P	81-03-050	388-24-270	AMD-P	81-06-065
365-42-420	REP-P	81-03-050	388-26-055	AMD-P	81-06-033
365-42-430	REP-P	81-03-050	388-28-480	AMD-E	81-04-033
365-42-440	REP-P	81-03-050	388-28-480	AMD-P	81-04-036
365-42-510	REP-P	81-03-050	388-28-480	AMD	81-08-021
365-42-610	REP-P	81-03-050	388-28-575	AMD-P	81-07-014
365-42-710	REP-P	81-03-050	388-29-010	AMD-E	81-06-046
388-08-00401	NEW-P	81-08-060	388-29-010	AMD-P	81-06-065
388-08-007	REP-P	81-02-022	388-29-080	AMD-E	81-06-046
388-08-007	REP-P	81-03-026	388-29-080	AMD-P	81-06-065
388-08-007	REP-P	81-04-004	388-29-100	AMD-E	81-06-046
388-08-007	REP	81-06-001	388-29-100	AMD-P	81-06-065
388-08-416	NEW-P	81-08-060	388-29-100	AMD-E	81-06-046
388-11-011	AMD	81-05-021	388-29-110	AMD-P	81-06-065
388-11-105	AMD	81-05-021	388-29-112	NEW-E	81-06-046
388-11-115	AMD	81-05-021	388-29-112	NEW-P	81-06-065
388-11-135	AMD	81-05-021	388-29-115	AMD-E	81-06-002
388-11-140	AMD	81-05-021	388-29-115	AMD-P	81-06-005
388-11-150	AMD	81-05-021	388-29-158	REP-P	81-07-018
388-14-220	AMD	81-05-021	388-29-158	REP-E	81-07-028
388-14-302	AMD	81-05-021	388-29-170	REP-P	81-04-037
388-14-385	AMD	81-05-021	388-29-170	REP	81-08-018
388-15	AMD-P	81-06-006	388-29-190	REP-E	81-06-046
388-15-020	AMD-E	81-06-056	388-29-190	REP-P	81-06-064
388-15-020	AMD-P	81-06-067	388-29-290	AMD-E	81-04-034
388-15-020	AMD-E	81-07-036	388-29-290	AMD-P	81-04-035
388-15-030	AMD-P	81-06-009	388-29-290	AMD	81-08-045
388-15-030	AMD-E	81-06-010	388-33-020	AMD-E	81-06-047
388-15-170	AMD-P	81-07-003	388-33-020	AMD-P	81-06-071
388-33-080	AMD-E	81-06-047	388-33-080	AMD-P	81-06-071
388-33-080	AMD-P	81-06-071	388-33-085	AMD-E	81-06-047
388-33-085	AMD-E	81-06-047	388-33-085	AMD-P	81-06-071
388-33-090	AMD-E	81-06-047	388-33-090	AMD-E	81-06-047
388-33-090	AMD-P	81-06-071	388-33-090	AMD-P	81-06-071
388-33-125	AMD-E	81-06-047	388-33-125	AMD-E	81-06-047
388-33-125	AMD-P	81-06-071	388-33-125	AMD-P	81-06-071
388-33-190	AMD-E	81-06-047	388-33-190	AMD-E	81-06-047
388-33-190	AMD-P	81-06-071	388-33-190	AMD-P	81-06-071
388-33-370	AMD-E	81-06-047	388-33-370	AMD-E	81-06-047
388-33-370	AMD-P	81-06-071	388-33-370	AMD-P	81-06-071
388-33-377	AMD-P	81-06-009	388-33-377	AMD-P	81-06-009
388-33-377	AMD-E	81-06-010	388-33-377	AMD-E	81-06-010
388-33-448	AMD-E	81-06-047	388-33-448	AMD-E	81-06-047
388-33-448	AMD-P	81-06-071	388-33-448	AMD-P	81-06-071
388-33-460	AMD-E	81-06-047	388-33-460	AMD-E	81-06-047
388-33-460	AMD-P	81-06-071	388-33-460	AMD-P	81-06-071
388-33-576	AMD-E	81-06-047	388-33-576	AMD-E	81-06-047
388-33-576	AMD-P	81-06-071	388-33-576	AMD-P	81-06-071
388-33-595	AMD-E	81-06-047	388-33-595	AMD-E	81-06-047
388-33-595	AMD-P	81-06-071	388-33-595	AMD-P	81-06-071
388-33-630	REP-E	81-06-047	388-33-630	REP-E	81-06-047
388-33-630	REP-P	81-06-071	388-33-630	REP-P	81-06-071
388-35-010	REP-E	81-06-046	388-35-010	REP-E	81-06-046
388-35-010	REP-P	81-06-064	388-35-010	REP-P	81-06-064
388-35-020	REP-E	81-06-046	388-35-020	REP-E	81-06-046
388-35-020	REP-P	81-06-064	388-35-020	REP-P	81-06-064
388-35-030	REP-E	81-06-046	388-35-030	REP-E	81-06-046
388-35-030	REP-P	81-06-064	388-35-030	REP-P	81-06-064
388-35-050	REP-E	81-06-046	388-35-050	REP-E	81-06-046
388-35-050	REP-P	81-06-064	388-35-050	REP-P	81-06-064
388-35-060	REP-E	81-06-046	388-35-060	REP-E	81-06-046
388-35-060	REP-P	81-06-064	388-35-060	REP-P	81-06-064
388-35-070	REP-E	81-06-046	388-35-070	REP-E	81-06-046
388-35-070	REP-P	81-06-064	388-35-070	REP-P	81-06-064
388-35-190	REP-E	81-06-046	388-35-190	REP-E	81-06-046
388-37-010	AMD-E	81-06-046	388-37-010	AMD-E	81-06-046
388-37-010	AMD-P	81-06-064	388-37-010	AMD-P	81-06-064
388-37-030	AMD-E	81-06-046	388-37-030	AMD-E	81-06-046
388-37-030	AMD-P	81-06-064	388-37-030	AMD-P	81-06-064
388-37-035	AMD-E	81-06-046	388-37-035	AMD-E	81-06-046
388-37-035	AMD-P	81-06-064	388-37-035	AMD-P	81-06-064
388-40-010	NEW-E	81-06-046	388-40-010	NEW-E	81-06-046
388-40-010	NEW-P	81-06-065	388-40-010	NEW-P	81-06-065
388-42-020	AMD-E	81-06-046	388-42-020	AMD-E	81-06-046
388-42-020	AMD-P	81-06-065	388-42-020	AMD-P	81-06-065
388-42-050	AMD-E	81-06-046	388-42-050	AMD-E	81-06-046
388-42-050	AMD-P	81-06-065	388-42-050	AMD-P	81-06-065
388-44-010	AMD-E	81-06-034	388-44-010	AMD-E	81-06-034
388-44-010	AMD-P	81-06-035	388-44-010	AMD-P	81-06-035
388-44-020	AMD-E	81-06-034	388-44-020	AMD-E	81-06-034
388-44-020	AMD-P	81-06-035	388-44-020	AMD-P	81-06-035
388-44-035	AMD-E	81-06-034	388-44-035	AMD-E	81-06-034
388-44-035	AMD-P	81-06-035	388-44-035	AMD-P	81-06-035
388-44-040	REP-E	81-06-034	388-44-040	REP-E	81-06-034
388-44-040	REP-P	81-06-035	388-44-040	REP-P	81-06-035
388-44-127	AMD	81-05-002	388-44-127	AMD	81-05-002
388-44-145	AMD-E	81-06-034	388-44-145	AMD-E	81-06-034
388-44-145	AMD-P	81-06-035	388-44-145	AMD-P	81-06-035
388-48	REP-P	81-02-022	388-48	REP-P	81-02-022
388-48	REP-P	81-03-026	388-48	REP-P	81-03-026
388-48	REP-P	81-04-004	388-48	REP-P	81-04-004
388-48-010	REP	81-06-001	388-48-010	REP	81-06-001
388-48-020	REP	81-06-001	388-48-020	REP	81-06-001
388-48-030	REP	81-06-001	388-48-030	REP	81-06-001
388-48-033	REP	81-06-001	388-48-033	REP	81-06-001
388-48-037	REP	81-06-001	388-48-037	REP	81-06-001
388-48-040	REP	81-06-001	388-48-040	REP	81-06-001
388-48-050	REP	81-06-001	388-48-050	REP	81-06-001
388-48-070	REP	81-06-001	388-48-070	REP	81-06-001
388-48-080	REP	81-06-001	388-48-080	REP	81-06-001
388-48-100	REP	81-06-001	388-48-100	REP	81-06-001
388-48-110	REP	81-06-001	388-48-110	REP	81-06-001

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
388-48-120	REP	81-06-001	388-82-020	REP-E	81-06-042	388-84-115	NEW-P	81-06-068
388-48-130	REP	81-06-001	388-82-020	REP-P	81-06-068	388-84-120	NEW-E	81-06-042
388-52-166	AMD-E	81-06-046	388-82-025	REP-E	81-06-042	388-84-120	NEW-P	81-06-068
388-52-166	AMD-P	81-06-065	388-82-025	REP-P	81-06-068	388-85	AMD-E	81-06-042
388-54-630	AMD-P	81-08-046	388-82-030	REP-E	81-06-042	388-85	AMD-P	81-06-068
388-54-645	AMD-P	81-08-046	388-82-030	REP-P	81-06-068	388-85-005	REP-E	81-06-042
388-54-675	AMD-P	81-08-046	388-82-035	REP-E	81-06-042	388-85-005	REP-P	81-06-068
388-54-678	NEW-P	81-08-046	388-82-035	REP-P	81-06-068	388-85-010	REP-E	81-06-042
388-54-725	AMD-E	81-04-033	388-82-045	REP-E	81-06-042	388-85-010	REP-P	81-06-068
388-54-725	AMD-P	81-04-036	388-82-045	REP-P	81-06-068	388-85-015	AMD-P	81-03-057
388-54-725	AMD	81-08-021	388-82-115	NEW-E	81-06-042	388-85-015	AMD-E	81-03-058
388-54-735	AMD-E	81-04-033	388-82-115	NEW-P	81-06-068	388-85-015	REP-E	81-06-042
388-54-735	AMD-P	81-04-036	388-82-125	NEW-E	81-06-042	388-85-015	REP-P	81-06-068
388-54-735	AMD	81-08-021	388-82-125	NEW-P	81-06-068	388-85-020	REP-E	81-06-042
388-54-740	AMD-P	81-04-001	388-82-126	NEW-E	81-06-042	388-85-020	REP-P	81-06-068
388-54-740	AMD-E	81-04-002	388-82-126	NEW-P	81-06-068	388-85-025	REP-E	81-06-042
388-54-740	AMD	81-08-019	388-82-130	NEW-E	81-06-042	388-85-025	REP-P	81-06-068
388-54-770	AMD-P	81-08-046	388-82-130	NEW-P	81-06-068	388-85-027	REP-E	81-06-042
388-54-775	AMD-P	81-08-046	388-82-135	NEW-E	81-06-042	388-85-027	REP-P	81-06-068
388-54-785	AMD-E	81-03-024	388-82-135	NEW-P	81-06-068	388-85-105	NEW-E	81-06-042
388-54-785	AMD-P	81-03-025	388-83-005	AMD-E	81-06-042	388-85-105	NEW-P	81-06-068
388-54-785	AMD	81-06-059	388-83-005	AMD-P	81-06-068	388-85-110	NEW-E	81-06-042
388-55-010	AMD-E	81-05-008	388-83-006	NEW-E	81-06-042	388-85-110	NEW-P	81-06-068
388-55-010	AMD-P	81-05-009	388-83-006	NEW-P	81-06-068	388-86-005	AMD-E	81-06-043
388-55-010	AMD	81-08-061	388-83-010	AMD-E	81-06-042	388-86-005	AMD-P	81-06-069
388-57-015	AMD-E	81-06-046	388-83-010	AMD-P	81-06-068	388-86-012	AMD	81-06-003
388-57-015	AMD-P	81-06-064	388-83-015	AMD-E	81-06-042	388-86-020	AMD-E	81-06-040
388-57-020	AMD-E	81-06-046	388-83-015	AMD-P	81-06-068	388-86-020	AMD-P	81-06-069
388-57-020	AMD-P	81-06-064	388-83-017	AMD-E	81-06-042	388-86-023	REP-E	81-06-038
388-57-025	REP-E	81-06-046	388-83-017	AMD-P	81-06-068	388-86-023	REP-P	81-06-069
388-57-025	REP-P	81-06-064	388-83-020	AMD-E	81-06-042	388-86-027	AMD-E	81-06-043
388-57-032	AMD-E	81-06-046	388-83-020	AMD-P	81-06-068	388-86-027	AMD-P	81-06-069
388-57-032	AMD-P	81-06-064	388-83-025	AMD-E	81-06-042	388-86-035	AMD-E	81-06-043
388-57-036	AMD-E	81-06-046	388-83-025	AMD-P	81-06-068	388-86-035	AMD-P	81-06-069
388-57-036	AMD-P	81-06-064	388-83-028	AMD-E	81-06-042	388-86-040	AMD-E	81-06-043
388-57-056	AMD-E	81-06-046	388-83-028	AMD-P	81-06-068	388-86-040	AMD-P	81-06-069
388-57-056	AMD-P	81-06-064	388-83-030	REP-E	81-06-042	388-86-050	AMD-E	81-06-043
388-57-057	AMD-E	81-06-046	388-83-030	REP-P	81-06-068	388-86-050	AMD-P	81-06-069
388-57-057	AMD-P	81-06-064	388-83-035	REP-E	81-06-042	388-86-067	AMD-E	81-06-043
388-57-061	AMD-E	81-06-046	388-83-035	REP-P	81-06-068	388-86-067	AMD-P	81-06-069
388-57-061	AMD-P	81-06-064	388-83-045	AMD-P	81-03-057	388-86-075	AMD-E	81-06-043
388-57-090	AMD-E	81-06-046	388-83-045	AMD-E	81-03-058	388-86-075	AMD-P	81-06-069
388-57-090	AMD-P	81-06-064	388-83-045	REP-E	81-06-042	388-86-080	AMD	81-06-003
388-70-042	AMD-P	81-06-008	388-83-045	REP-P	81-06-068	388-86-085	AMD-E	81-06-043
388-70-044	AMD-P	81-06-008	388-83-050	REP-E	81-06-042	388-86-085	AMD-P	81-06-069
388-70-048	AMD-P	81-06-008	388-83-050	REP-P	81-06-068	388-86-095	AMD	81-06-003
388-80-005	AMD-E	81-06-042	388-83-055	REP-E	81-06-042	388-86-096	REP-E	81-06-039
388-80-005	AMD-P	81-06-068	388-83-055	REP-P	81-06-068	388-86-096	REP-P	81-06-070
388-80-005	AMD-E	81-08-034	388-83-060	REP-E	81-06-042	388-86-100	AMD	81-06-003
388-80-005	AMD-P	81-08-039	388-83-060	REP-P	81-06-068	388-86-105	AMD	81-06-003
388-81-005	AMD-E	81-06-042	388-83-065	REP-E	81-06-042	388-86-115	AMD-E	81-06-043
388-81-005	AMD-P	81-06-068	388-83-065	REP-P	81-06-068	388-86-115	AMD-P	81-06-069
388-81-025	AMD-E	81-06-042	388-83-130	NEW-E	81-06-042	388-86-120	AMD-P	81-03-057
388-81-025	AMD-P	81-06-068	388-83-130	NEW-P	81-06-068	388-86-120	AMD-E	81-03-058
388-81-040	AMD-E	81-06-042	388-83-135	NEW-E	81-06-042	388-86-120	AMD-P	81-06-069
388-81-040	AMD-P	81-06-068	388-83-135	NEW-P	81-06-068	388-86-120	AMD-P	81-06-069
388-81-050	AMD-E	81-06-042	388-83-140	NEW-E	81-06-042	388-87-005	AMD-E	81-06-043
388-81-050	AMD-P	81-06-068	388-83-140	NEW-P	81-06-068	388-87-005	AMD-P	81-06-070
388-81-055	AMD-E	81-06-042	388-84-005	REP-E	81-06-042	388-87-010	AMD-E	81-06-043
388-81-055	AMD-P	81-06-068	388-84-005	REP-P	81-06-068	388-87-010	AMD-P	81-06-070
388-81-060	AMD-E	81-06-042	388-84-010	REP-E	81-06-042	388-87-011	AMD-E	81-06-043
388-81-060	AMD-P	81-06-068	388-84-010	REP-P	81-06-068	388-87-011	AMD-P	81-06-070
388-82-005	REP-E	81-06-042	388-84-015	AMD	81-06-003	388-87-012	AMD-E	81-06-043
388-82-005	REP-P	81-06-068	388-84-015	REP-E	81-06-042	388-87-012	AMD-P	81-06-070
388-82-006	NEW-E	81-06-042	388-84-015	REP-P	81-06-068	388-87-013	AMD-E	81-06-043
388-82-006	NEW-P	81-06-068	388-84-020	REP-E	81-06-042	388-87-013	AMD-P	81-06-070
388-82-010	AMD-E	81-06-042	388-84-020	REP-P	81-06-068	388-87-025	AMD-E	81-06-043
388-82-010	AMD-P	81-06-068	388-84-025	REP-E	81-06-042	388-87-025	AMD-P	81-06-070
388-82-010	AMD-E	81-08-034	388-84-025	REP-P	81-06-068	388-87-027	AMD-E	81-06-043
388-82-010	AMD-P	81-08-039	388-84-105	NEW-E	81-06-042	388-87-027	AMD-P	81-06-070
388-82-015	REP-E	81-06-042	388-84-105	NEW-P	81-06-068	388-87-030	AMD-E	81-06-043
388-82-015	REP-P	81-06-068	388-84-110	NEW-E	81-06-042	388-87-030	AMD-P	81-06-070
388-82-020	AMD-P	81-03-057	388-84-110	NEW-P	81-06-068	388-87-047	REP-E	81-06-038
388-82-020	AMD-E	81-03-058	388-84-115	NEW-E	81-06-042	388-87-047	REP-P	81-06-070

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
388-87-070	AMD-E	81-06-043	388-96-585	AMD	81-06-024	458-12-401	REP	81-04-054
388-87-070	AMD-P	81-06-070	388-96-587	NEW	81-06-024	458-12-402	REP	81-04-054
388-87-077	AMD-E	81-06-043	388-96-722	AMD	81-06-024	458-12-403	REP	81-04-054
388-87-077	AMD-P	81-06-070	388-320	AMD-P	81-02-022	458-12-404	REP	81-04-054
388-87-080	AMD	81-06-003	388-320	AMD-P	81-03-026	458-12-405	REP	81-04-054
388-87-105	AMD-E	81-06-043	388-320	AMD-P	81-04-004	458-12-406	REP	81-04-054
388-87-105	AMD-P	81-06-070	388-320-010	AMD	81-06-001	458-12-408	REP	81-04-054
388-91-010	AMD-E	81-06-043	388-320-020	AMD	81-06-001	458-12-410	REP	81-04-054
388-91-010	AMD-P	81-06-070	388-320-055	REP	81-06-001	458-12-412	REP	81-04-054
388-91-016	AMD-E	81-06-043	388-320-060	REP	81-06-001	458-12-414	REP	81-04-054
388-91-016	AMD-P	81-06-070	388-320-070	REP	81-06-001	458-12-416	REP	81-04-054
388-91-035	AMD-E	81-06-043	388-320-090	AMD	81-06-001	458-12-418	REP	81-04-054
388-91-035	AMD-P	81-06-070	388-320-092	AMD	81-06-001	458-12-420	REP	81-04-054
388-92	AMD-E	81-06-042	388-320-093	REP	81-06-001	458-12-422	REP	81-04-054
388-92	AMD-P	81-06-068	388-320-094	REP	81-06-001	458-14-126	NEW	81-04-053
388-92-005	AMD-E	81-06-042	388-320-095	REP	81-06-001	458-16-010	AMD	81-05-018
388-92-005	AMD-P	81-06-068	388-320-100	AMD	81-06-001	458-16-011	NEW	81-05-018
388-92-010	REP-E	81-06-042	388-320-110	AMD	81-06-001	458-16-012	NEW	81-05-018
388-92-010	REP-P	81-06-068	388-320-115	AMD	81-06-001	458-16-013	NEW	81-05-018
388-92-015	AMD-E	81-06-042	388-320-120	REP	81-06-001	458-16-020	AMD	81-05-018
388-92-015	AMD-P	81-06-068	388-320-130	AMD	81-06-001	458-16-050	AMD	81-05-018
388-92-020	REP-E	81-06-042	388-320-135	NEW	81-06-001	458-16-060	AMD	81-05-018
388-92-020	REP-P	81-06-068	388-320-140	AMD	81-06-001	458-16-070	AMD	81-05-018
388-92-025	AMD-E	81-06-042	388-320-150	REP	81-06-001	458-16-079	NEW	81-05-018
388-92-025	AMD-P	81-06-068	388-320-155	REP	81-06-001	458-16-081	AMD	81-04-052
388-92-030	AMD-E	81-06-042	388-320-160	REP	81-06-001	458-16-110	AMD	81-05-017
388-92-030	AMD-P	81-06-068	388-320-170	AMD	81-06-001	458-16-111	AMD	81-05-017
388-92-035	REP-E	81-06-042	388-320-180	AMD	81-06-001	458-16-120	AMD	81-05-017
388-92-035	REP-P	81-06-068	388-320-190	REP	81-06-001	458-16-130	AMD	81-05-017
388-92-040	AMD-E	81-06-042	388-320-200	REP	81-06-001	458-16-150	AMD	81-05-017
388-92-040	AMD-P	81-06-068	388-320-205	NEW	81-06-001	458-16-210	AMD	81-05-017
388-92-045	AMD-E	81-06-042	388-320-210	NEW	81-06-001	458-16-260	AMD	81-05-017
388-92-045	AMD-P	81-06-068	388-320-220	NEW	81-06-001	458-16-270	AMD	81-05-017
388-92-050	AMD-E	81-06-042	388-320-225	NEW	81-06-001	458-18-010	AMD	81-05-020
388-92-050	AMD-P	81-06-068	388-320-230	NEW	81-06-001	458-18-020	AMD	81-05-020
388-92-055	REP-E	81-06-042	388-320-235	NEW	81-06-001	458-18-030	AMD	81-05-020
388-92-055	REP-P	81-06-068	388-320-240	NEW	81-06-001	458-18-050	AMD	81-05-020
388-92-060	REP-E	81-06-042	390-20-054	NEW-E	81-04-021	458-18-080	AMD	81-05-020
388-92-060	REP-P	81-06-068	390-20-054	NEW-P	81-05-007	458-18-100	AMD	81-05-020
388-92-065	REP-E	81-06-042	390-20-054	NEW	81-08-025	458-19-550	NEW	81-04-055
388-92-065	REP-P	81-06-068	390-20-144	NEW	81-03-001	458-53-150	AMD	81-04-056
388-92-070	REP-E	81-06-042	391-08-230	NEW	81-02-034	460-42A-020	NEW	81-04-048
388-92-070	REP-P	81-06-068	391-25-110	NEW	81-02-034	463-30-080	AMD-P	81-03-055
388-96-010	AMD	81-06-024	391-25-190	NEW	81-02-034	463-30-080	AMD	81-07-019
388-96-015	NEW	81-06-024	391-45-552	NEW	81-02-034	463-46-055	AMD-P	81-03-055
388-96-222	AMD	81-06-024	391-55-335	NEW	81-02-034	463-46-055	AMD	81-07-019
388-96-225	AMD	81-06-024	391-55-345	NEW	81-02-034	463-54-070	AMD-E	81-08-023
388-96-501	AMD	81-06-024	391-95-130	NEW	81-02-034	463-54-070	AMD-P	81-08-037
388-96-503	AMD	81-06-024	391-95-310	NEW	81-02-034	468-06	REVIEW	81-07-015
388-96-505	AMD	81-06-024	410-20-010	NEW	81-02-030	468-06-030	AMD-P	81-08-008
388-96-507	AMD	81-06-024	410-20-020	NEW	81-02-030	468-06-050	AMD-P	81-08-008
388-96-513	AMD	81-06-024	410-20-030	NEW	81-02-030	468-06-070	AMD-P	81-08-008
388-96-523	AMD	81-06-024	410-20-040	NEW	81-02-030	468-06-130	AMD-P	81-08-008
388-96-525	AMD	81-06-024	410-20-050	NEW	81-02-030	468-10	REVIEW	81-07-015
388-96-529	AMD	81-06-024	410-20-060	NEW	81-02-030	468-12	REVIEW	81-07-015
388-96-531	AMD	81-06-024	410-20-070	NEW	81-02-030	468-18	REVIEW	81-07-015
388-96-533	AMD	81-06-024	415-104-800	NEW-E	81-03-028	468-87	NEW-P	81-07-046
388-96-535	AMD	81-06-024	415-104-800	NEW-P	81-04-022	468-87-010	NEW-P	81-03-050
388-96-537	NEW	81-06-024	415-104-800	NEW	81-07-017	468-87-020	NEW-P	81-03-050
388-96-539	AMD	81-06-024	415-104-810	NEW-E	81-03-028	468-87-030	NEW-P	81-03-050
388-96-541	AMD	81-06-024	415-104-810	NEW-P	81-04-022	468-87-100	NEW-P	81-03-050
388-96-543	AMD	81-06-024	415-104-810	NEW	81-07-017	468-87-110	NEW-P	81-03-050
388-96-545	NEW	81-06-024	415-104-820	NEW-E	81-03-028	468-87-200	NEW-P	81-03-050
388-96-547	AMD	81-06-024	415-104-820	NEW-P	81-04-022	468-87-210	NEW-P	81-03-050
388-96-553	AMD	81-06-024	415-104-820	NEW	81-07-017	468-87-220	NEW-P	81-03-050
388-96-557	AMD	81-06-024	415-104-830	NEW	81-07-017	468-87-230	NEW-P	81-03-050
388-96-559	AMD	81-06-024	446-40-070	AMD	81-04-042	468-87-240	NEW-P	81-03-050
388-96-561	AMD	81-06-024	446-50-010	AMD	81-03-008	468-87-300	NEW-P	81-03-050
388-96-563	NEW	81-06-024	446-50-020	AMD	81-03-008	468-87-310	NEW-P	81-03-050
388-96-565	AMD	81-06-024	446-50-080	AMD	81-03-008	468-87-320	NEW-P	81-03-050
388-96-567	AMD	81-06-024	458-12-285	REP	81-04-054	468-87-330	NEW-P	81-03-050
388-96-569	AMD	81-06-024	458-12-290	REP	81-04-054	468-87-340	NEW-P	81-03-050
388-96-571	AMD	81-06-024	458-12-380	REP	81-04-054	468-87-350	NEW-P	81-03-050
388-96-572	NEW	81-06-024	458-12-400	REP	81-04-054	468-87-360	NEW-P	81-03-050

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #		
468-87-370	NEW-P	81-03-050	490-36A-030	AMD-P	81-05-033
468-87-380	NEW-P	81-03-050	490-600-030	AMD-P	81-05-032
468-87-390	NEW-P	81-03-050	490-600-071	AMD-P	81-05-032
468-87-410	NEW-P	81-03-050	504-40	AMD-P	81-08-038
468-87-420	NEW-P	81-03-050	504-40-010	AMD-P	81-08-038
468-87-430	NEW-P	81-03-050	504-40-020	AMD-P	81-08-038
468-87-440	NEW-P	81-03-050	504-40-030	AMD-P	81-08-038
468-87-510	NEW-P	81-03-050	504-40-040	AMD-P	81-08-038
468-87-610	NEW-P	81-03-050	504-40-050	AMD-P	81-08-038
468-87-710	NEW-P	81-03-050	504-40-060	AMD-P	81-08-038
468-95	AMD-P	81-04-029	504-40-070	REP	81-07-006
468-95	AMD	81-07-047	504-40-900	NEW-P	81-08-038
468-300	REVIEW	81-07-015			
468-300-010	AMD-P	81-04-031			
468-300-010	AMD	81-08-044			
468-300-020	AMD-P	81-04-031			
468-300-020	AMD	81-08-044			
468-300-030	AMD-P	81-04-031			
468-300-030	AMD	81-08-044			
468-300-040	AMD-P	81-04-031			
468-300-040	AMD	81-08-044			
468-300-050	AMD-P	81-04-031			
468-300-050	AMD	81-08-044			
468-300-800	NEW-P	81-04-030			
468-300-800	NEW-P	81-07-052			
478-116-240	AMD-P	81-08-033			
478-138-050	AMD-P	81-08-033			
478-276-010	AMD-P	81-07-026			
478-276-040	AMD-P	81-07-026			
478-276-060	AMD-P	81-07-026			
478-276-080	AMD-P	81-07-026			
478-276-090	AMD-P	81-07-026			
478-276-100	AMD-P	81-07-026			
478-276-120	AMD-P	81-07-026			
478-276-130	AMD-P	81-07-026			
478-276-140	AMD-P	81-07-026			
479-16-070	AMD	81-04-015			
479-16-072	NEW	81-04-016			
479-16-080	AMD	81-04-015			
479-20-033	AMD	81-04-015			
480-04-030	AMD-P	81-03-073			
480-04-030	AMD	81-06-061			
480-04-100	AMD-P	81-03-073			
480-04-100	AMD	81-06-061			
480-12-180	AMD	81-02-044			
480-12-190	AMD	81-02-044			
480-12-250	AMD-P	81-03-074			
480-12-250	AMD	81-06-060			
480-30-120	AMD	81-04-008			
480-62-080	AMD-P	81-07-060			
480-62-090	NEW-P	81-07-059			
480-62-100	NEW-P	81-07-061			
480-90-231	AMD-P	81-06-062			
480-90-241	AMD-P	81-06-062			
480-90-246	AMD-P	81-06-062			
480-100-041	AMD-P	81-02-043			
480-100-041	AMD	81-03-060			
480-100-043	NEW-P	81-02-043			
480-100-043	NEW	81-03-060			
480-100-056	AMD-P	81-02-043			
480-100-056	AMD	81-03-060			
480-100-071	AMD-P	81-02-043			
480-100-071	AMD	81-03-060			
480-105-001	NEW	81-04-009			
480-105-005	NEW	81-04-009			
480-105-010	NEW	81-04-009			
480-105-020	NEW	81-04-009			
480-105-030	NEW	81-04-009			
480-105-040	NEW	81-04-009			
480-105-050	NEW	81-04-009			
480-105-060	NEW	81-04-009			
480-105-070	NEW	81-04-009			
480-105-080	NEW	81-04-009			
490-28A-013	AMD-P	81-03-052			

Subject/Agency Index

ADULT CORRECTIONS		ATHLETIC COMMISSION	
Departmental organization	81-03-041	Boxing and wrestling	
Furloughs, residents	81-03-076	license fees	81-01-116
Work release, home placement, supervision	81-01-076		81-05-005
	81-01-088		
	81-05-001		
ADVERTISING		ATTORNEY GENERAL'S OPINIONS	
Liquor licensees		Blood test, implied consent,	
novelty items	81-01-035	liability, hospital, arresting agency	81-04-019
	81-04-011	Bond, interest earned, use of	81-05-022
Optometrists	81-01-108	County tax refund levy,	
		106% limitation, application	81-08-029
AGENCIES		Firemen's pension fund, surplus moneys, use of	81-08-007
Lobbying		Industrial insurance appeals, board of,	
independent contractors	81-05-007	executive conflict of interest law,	
	81-08-025	applicability of	81-02-026
Rules		Law enforcement officers'	
oversight of	81-01-084	and fire fighters' retirement	
AGRICULTURE, DEPARTMENT OF		amendments, proposed, constitutionality	81-03-013
Brucellosis		probationary employees, eligibility	81-02-027
official calfhood vaccination		Legislature, redistricting, commission	81-06-032
payment to veterinarian, authorization	81-01-041	Municipal or police courts,	
	81-04-025	traffic infractions, jurisdiction	81-08-040
	81-07-054	Pension, retirement increases,	
reactors, sale of	81-01-071	Initiative No. 62 impact,	
Cattle sale requirements	81-07-054	state reimbursement responsibility	81-01-121
Calves, health certificates, vaccinations	81-07-055	Public transportation	
Herbicides		county systems	
aerial application equipment	81-08-036	rate reductions, senior citizens,	
Benton county	81-02-047	students	81-02-024
	81-03-067	Snowmobiles, road operation, local regulation	81-06-030
	81-03-070	Taverns	
	81-07-043	underage wife of owner,	
Franklin county	81-02-045	right to enter in course of employment	81-04-010
	81-03-065		
	81-03-068	AUTO TRANSPORTATION COMPANIES	
	81-07-042	Classification for accounting	
	81-07-044	and reporting purposes	81-01-032
Walla Walla county	81-02-046		81-01-074
	81-03-066		81-03-074
	81-03-069		81-04-008
	81-07-040		81-06-060
	81-07-041	BARBERS	
Horses, Oregon imports	81-07-055	Licensing	
Livestock, special sales permits	81-01-113	examinations	81-03-015
	81-05-010	BELLEVUE COMMUNITY COLLEGE	
Phyto-sanitary certification and fees	81-08-059	Admissions	81-08-066
	81-08-062	Public meeting notice	81-02-001
		Registration fees	81-07-033
			81-08-066
Seed certification		Student code	
fees		drug use	81-03-077
alfalfa	81-08-055		81-07-034
clover	81-08-056	Student grievance appeal procedures	81-08-065
sanitary certificate	81-08-057		
white clover and trefoil	81-08-058	BLIND, COMMISSION FOR THE	
varieties eligible	81-08-054	Vending facility program	
AIR		agreement, form	81-03-049
Volatile organic compound emission sources,			81-07-001
standards, controls	81-03-003	information, access	81-03-048
ALCOHOLISM		set aside funds	81-03-049
Detoxification program	81-06-046	vendor responsibility	81-03-049
	81-06-065		81-07-001
Hospitals		BOARDING HOMES	
housing requirements	81-04-012	Congregate care program	81-01-077
	81-07-035		
licensing standards	81-02-004	BOATS	
records	81-04-012	Gear reduction program, fishing	
	81-07-035	ownership date, production, bonus payment	81-05-036
Treatment facilities	81-02-004	Pilotage	
ASIAN-AMERICAN AFFAIRS COMMISSION		rates	
Communications with the commission	81-04-068	Grays Harbor	81-03-072
Meetings	81-04-068		81-07-009
Organization and operation	81-04-068	Puget Sound	81-03-072
Public meeting notice	81-01-122		81-06-054
		BOILER RULES, BOARD OF	
		1980 code adoption	81-01-114
		1980 winter addenda	81-08-022

Subject/Agency Index

BONDS			
Health care facilities authority, registration exemption	81-04-048		
Interest earned, use of	81-05-022		
BRIDGES			
Railroads	81-07-061		
BUILDING CODE ADVISORY BOARD			
Public meeting notice	81-02-048		
BUSINESS AND PROFESSIONS			
Trade name registration	81-02-038		
BUSINESS LICENSE CENTER			
Master license system	81-03-027		
CAPITOL GROUNDS			
Demonstrators, restrictions	81-08-015		
	81-08-016		
CEMETERY BOARD			
Dedication, removal of	81-02-055		
	81-07-013		
Endowment care funds			
real estate income depreciation	81-02-055		
	81-07-013		
Hybrid units	81-02-055		
	81-07-013		
CENTRAL WASHINGTON UNIVERSITY			
Parking, traffic	81-04-050		
	81-08-010		
CENTRALIA COLLEGE			
Emergency shutdown, employees, notice, responsibility	81-03-036		
	81-08-041		
Public meeting notice	81-01-083		
	81-07-050		
Unused sick leave, compensation	81-03-037		
CHILDREN			
Child care expenses	81-07-018		
Day care services	81-07-003		
	81-07-010		
Foster care			
vendor rate increases	81-06-008		
Ophthalmia neonatorum (Infectious conjunctivitis of the newborn)	81-08-003		
Support enforcement	81-01-112		
	81-05-021		
CHIROPRACTORS			
College approval	81-01-106		
	81-05-004		
Public assistance services	81-06-038		
	81-06-070		
Scope of practice	81-01-066		
	81-04-020		
	81-06-045		
CITIES AND TOWNS			
Bonds			
interest, use of	81-05-022		
Jails			
custodial care standards	81-01-118		
	81-04-062		
	81-04-063		
	81-04-064		
	81-07-057		
	81-07-058		
	81-08-001		
	81-08-014		
state funding			
reimbursement standards	81-03-029		
Municipal or police courts, traffic infractions, jurisdiction	81-08-040		
Pension, retirement benefit increases, initiative no. 62 impact, state reimbursement responsibility	81-01-121		
Urban arterial projects			
CITIES AND TOWNS—cont.			
arterials, functional classification	81-04-015		
fund allocations	81-04-015		
fund increases, requests for rural incorporated areas	81-04-015		
arterials, standards	81-04-016		
CIVIL SERVICE			
Colleges and universities			
demotion, suspension, reduction, dismissal	81-04-052		
suspended operations	81-01-105		
State			
public employment relations commission practice and procedure	81-02-034		
Temporary employment, exempt service	81-03-064		
CLARK COLLEGE			
Public meeting notice	81-02-028		
	81-07-005		
COLLEGES AND UNIVERSITIES			
Civil service			
suspended operation	81-01-105		
	81-04-023		
	81-07-002		
	81-04-051		
Demotion, suspension, reduction, dismissal			
Education services registration exemptions	81-01-086		
sectarian religious ownership, exemption	81-01-086		
COMMUNITY COLLEGES			
Board			
organization and operations	81-01-079		
public meeting notice	81-01-078		
CONSERVATION COMMISSION			
Public meeting notice	81-01-103		
CONTINUING EDUCATION			
Optometrists	81-01-107		
Physician assistant	81-03-078		
CORPORATIONS			
Trade name registration	81-02-038		
COSMETOLOGISTS			
Demonstrations, student hours, out of state applicants, water supply	81-03-016		
Examinations	81-05-035		
COUNTIES			
Board of equalization			
hearings examiners	81-01-020		
	81-04-053		
Jails			
custodial care standards	81-01-118		
	81-04-062		
	81-04-063		
	81-04-064		
	81-07-057		
	81-07-058		
	81-08-001		
	81-08-014		
state funding			
reimbursement standards	81-03-029		
Pension, retirement benefit increases, initiative no. 62 impact, state reimbursement responsibility	81-01-121		
Public transportation authorities			
rate reductions, senior citizens, students	81-02-024		
Roads			
arterials, functional classification	81-04-015		
fund allocations	81-04-015		
increases in requested funds	81-04-015		
rural incorporated areas			
arterials, standards for	81-04-016		
Snowmobiles, road operation	81-06-030		
State levy, apportionment to	81-01-026		
	81-04-055		
Tax refund levy, 106% limitation, application	81-08-029		

Subject/Agency Index

CRIMINAL JUSTICE TRAINING COMMISSION

Instructors, certification of 81-04-014
Public meeting notice 81-04-059

DATA PROCESSING AUTHORITY

Operations and methods description 81-03-034
Public disclosure act compliance 81-03-034
81-07-004

DAY CARE CENTERS

Fire protection 81-06-022
81-08-017
Public assistance services 81-07-003
81-07-010

DENTAL DISCIPLINARY BOARD

Anesthetic administration, guidelines 81-02-032
81-06-013
81-06-015
Delegation of duties 81-02-032
81-06-013
81-06-015
81-06-015
Drug records 81-02-032
81-06-013
81-06-015
Injury reports 81-02-032
81-06-013
81-06-015
License display 81-02-032
81-06-013
81-06-015
Patient records 81-02-032
81-06-013
81-06-015

DENTAL EXAMINERS, BOARD OF

Dental hygienists examinations 81-04-047
81-08-043

DENTISTS

Public assistance services 81-06-040

DISCLOSURE

Data processing authority 81-03-034
81-07-004
Evergreen State College, The circulation records 81-08-032
Lobbyists expenditures monthly report registration 81-03-001
81-03-001
Snohomish county community colleges student records, disclosure 81-01-104
Social and health services, department of, records 81-02-022
81-03-026
81-04-004
81-06-001
Transportation, department of records 81-08-008
University of Washington public records, access 81-07-026

DISCRIMINATION

Affirmative action, state government 81-03-042

DISTRICT COURTS

Appeals from 81-01-046

DIVING

Safety standards 81-02-029
81-07-048

DRUGS

Ephedrine prescription restrictions 81-07-012
Legend drugs, identification 81-07-012

EASTERN WASHINGTON UNIVERSITY

Student association, constitution 81-03-012
Student conduct code 81-06-023

ECOLOGICAL COMMISSION

Public meeting notice 81-02-049
81-04-066

ECOLOGY, DEPARTMENT OF

Air pollution 81-03-002
new sources review
volatile organic compound sources, emission standards, controls 81-03-003
Instream resources protection program 81-04-028
Nisqually river basin
National pollutant discharge elimination system delegation of authority 81-06-048
81-06-049
Prosser research and extension center, irrigation well, rate of charges 81-04-067
81-07-037
Shoreline management 81-08-071
Bellevue 81-01-038
Gig Harbor 81-04-065
Grant county 81-01-039
Kent 81-01-037
Mercer Island 81-08-004
81-08-071
permit 81-04-027
conditional use, variance 81-05-034
San Juan county 81-02-050
Seattle 81-06-051
81-08-071
Skagit county 81-01-040
Spokane county 81-02-050
81-06-052
Tacoma 81-03-080
81-08-005
Wahkiakum county 81-08-070
Yakima county 81-02-051
81-06-050

EDUCATION, STATE BOARD OF

Accreditation system 81-04-044
81-04-045
81-08-027
81-08-028
81-08-051
Certification fees, use of
Educational service districts board election rules 81-01-022
Excuses, pupil absence 81-08-049
Learning resource centers 81-08-050
Professional preparation program 81-08-052
81-08-053
Public meeting notice 81-01-023
81-03-056
81-05-014
81-08-048
State support of public schools 81-04-046
81-08-026

EDUCATIONAL SERVICE DISTRICTS

Board elections 81-01-022

ELECTIONS

Educational service district boards 81-01-022
Redistricting, commission authority 81-06-032

ELECTRIC COMPANIES

Advertising 81-02-043
81-03-060
Cogeneration and small power production facilities, interconnection with 81-04-009
Discontinuance of service 81-02-043
81-03-060
Information to consumers 81-02-043
81-03-060
Refusal of service 81-02-043
81-03-060

ELECTRICIANS

Tree trimming, safety 81-01-069
81-07-049

Subject/Agency Index

ELECTRICIANS—cont.			
Wires and equipment installation	81-01-115		
	81-05-019		
	81-05-025		
	81-06-037		
ELEVATORS			
Handicapped	81-01-034		
EMERGENCIES			
Energy facility site evaluation council chairman, authority	81-08-023 81-08-037		
EMPLOYMENT AGENCIES			
Fees deregulation	81-02-031		
EMPLOYMENT AND TRAINING COUNCIL			
Public meeting notice	81-06-025		
ENERGY			
Emergencies			
energy facilities site evaluation council chairman, authority	81-08-023 81-08-037		
Low-income energy assistance program allowance	81-04-034 81-04-035		
state plan	81-01-006		
ENERGY CONSERVATION			
WEATHERIZATION ADVISORY COUNCIL			
Public meeting notice	81-04-070		
ENERGY FACILITY SITE EVALUATION COUNCIL			
Contested case proceedings commencement	81-03-055 81-07-019		
environmental impact statement procedures	81-03-055 81-07-019		
Emergencies			
chairman, authority	81-08-023 81-08-037		
EQUIPMENT, COMMISSION ON			
Emergency vehicle permits felons	81-04-043		
Flashing amber lights animal control vehicles	81-04-039 81-04-041		
Quartz halogen headlamps	81-01-009		
Tire chains, two-vehicle combinations	81-01-080 81-01-081 81-06-036		
Tow truck business rates, forms	81-04-040		
EVERETT COMMUNITY COLLEGE			
Student records, disclosure	81-01-104		
EVERGREEN STATE COLLEGE, THE			
Library circulation policy circulation records resources, selection	81-08-032 81-08-032		
Public meeting notice	81-01-057		
EXECUTIVE ORDERS			
Administrative rules, oversight of	81-01-084		
Adult correction, departmental organization	81-03-041		
Affirmative action	81-03-042		
Distant waters fisheries advisory committee	81-02-016		
Employment, monthly staffing limitation	81-03-054		
Mt. St. Helens			
state assistance, citizens, local governments	81-03-040		
Rural community development council	81-01-004		
EXEMPTIONS			
Property tax			
nonprofit organizations	81-01-021 81-05-017		
senior citizens and disabled persons	81-01-070 81-05-018		
		EXPLOSIVES	
		Possession, handling, use	81-07-048
		FARMS	
		Brucellosis	
		official calfhood vaccination definition	81-01-072 81-01-073
		payments to veterinarians, authorized	81-01-041 81-04-025 81-07-054
		reactors, sale of	81-01-071
		Calves, health certificates, vaccinations	81-07-055
		Cattle sales	81-07-054
		Herbicides	
		aerial application equipment	81-08-036
		Benton county	81-02-047 81-03-067 81-03-070
		Franklin county	81-07-043 81-02-045 81-03-065 81-03-068
		Walla Walla county	81-07-042 81-07-044 81-02-046 81-03-066 81-03-069 81-07-040 81-07-041 81-07-055
		Horses, Oregon imports	
		Irrigation	
		Prosser well, rates	81-07-037
		Livestock, special sales permits	81-01-113 81-05-010
		Phyto-sanitary certification and fees	81-08-059 81-08-062
		Seed certification	
		fees	
		alfalfa	81-08-055
		clover	81-08-056
		sanitary certificate	81-08-057
		white clover and trefoil	81-08-058
		varieties eligible	81-08-054
		FEES	
		Bellevue Community College	
		registration	81-07-033
		Bingo manager's license	81-04-072
		Boxing and wrestling licenses	81-01-116 81-05-005
		Electrical inspections	81-05-025 81-06-037
		Employment agencies, deregulation	81-02-031
		Gambling licenses	81-03-045 81-06-074
		Horse racing	
		occupation permit	81-01-060 81-08-024
		Phyto-sanitary certification and fees	81-08-059 81-08-062
		Seed certification	
		alfalfa	81-08-055
		clover	81-08-056
		sanitary certificate	81-08-057
		white clover and trefoil	81-08-058
		Workers' compensation claims	
		health care services	81-01-096 81-01-100
		FERRIES	
		Toll schedule	81-04-031 81-08-044
		FINANCIAL MANAGEMENT, OFFICE OF	
		Moving expenses, payment of	81-07-056
		Per diem allowance	81-06-073
		Private automobile use, reimbursement	81-06-073
		Special allowance, high cost areas	81-06-073

Subject/Agency Index

FIRE FIGHTERS

Disability retirement system
amendments, constitutionality
elective state officials,
continued membership 81-03-028
Pension funds, surplus moneys, use of 81-08-007
Probationary employees,
membership in retirement system 81-02-027

FIRE MARSHAL

Day care, treatment, group care facilities,
fire protection standards 81-03-051
81-06-022
81-08-017
Maternity homes, fire protection standards 81-03-051
81-06-022
81-08-017
Transient accommodations,
fire and life safety 81-03-081

FIRES

Protection standards
day care, group care facilities 81-03-051
81-06-022
81-08-017
maternity homes 81-03-051
81-06-022
81-08-017
transient accommodations 81-03-081
Smoke detection devices in dwellings 81-01-068
81-04-058
Winter burning rules,
western Washington, extension 81-07-038

FISHERIES, DEPARTMENT OF

Commercial fishing
bottomfish, coastal or ocean waters,
lawful gear 81-01-090
gear reduction program
ownership date, production, bonus payments 81-05-036
herring
area 20A 81-05-023
areas 21A, 21B 81-01-051
81-01-091
81-03-030
Bellingham bay area 81-01-095
Columbia river, closed period 81-03-043
Hoko river 81-01-008
lawful and unlawful acts 81-02-053
Nooksack river
salmon protection 81-02-019
Pacific cod, set net, seasons 81-03-031
Pacific ocean perch 81-02-018
reports
aquaculture production 81-03-032
hard shell clam production 81-03-032
river mouth, defined,
spring chinook protection 81-06-019
salmon
Chehalis river 81-06-028
Columbia river
gill net season 81-04-003
Dungeness river, chinook protection 81-01-050
81-02-009
Elwha river 81-01-008
Nisqually river 81-03-035
Puget Sound
area 4B 81-02-052
area 5 81-01-024
81-02-052
area 6A 81-01-094
area 6B, net gear 81-01-050
area 6D 81-01-102
area 7 81-01-094
area 7A 81-01-094
area 7B 81-01-094
area 7C 81-01-024
area 8A, purse seine, gill nets 81-01-008

FISHERIES, DEPARTMENT OF—cont.

area 9, net gear 81-01-050
81-02-009
area 10 81-01-050
81-02-009
area 10A 81-01-050
area 10C 81-01-050
81-01-094
area 11 81-01-050
81-02-009
area 11A 81-01-050
81-01-094
area 12 81-01-008
area 12A 81-02-009
area 12B 81-01-008
area 12C 81-02-009
area 12D 81-02-009
area 13 81-01-050
81-02-009
81-03-035
area 13A 81-02-009
area 13B 81-01-050
81-02-009
Puyallup river 81-01-092
Pysht bay 81-01-024
Samish river 81-01-094
Sekiu river 81-01-008
Skagit river 81-01-008
81-02-037
Skokomish river 81-02-052
Stillaquamish river 81-01-033
Strait of Juan de Fuca tributaries 81-01-008
81-01-092
81-01-102
shellfish
geoducks
harvesting reporting 81-05-006
81-07-016
unlawful hours 81-08-006
Point Grenville, closed season 81-04-060
81-08-032
sea cucumbers
unlawful hours 81-08-006
shrimp 81-04-060
81-08-031
sturgeon
Columbia river 81-03-044
Fisheries moratorium
advisory review boards 81-01-042
Personal-use fishing
annual update 81-01-117
81-05-027
Elliott Bay pier 81-02-010
Salmon
Columbia river, Richland-Pasco bridge 81-06-027
(Little) White salmon river 81-06-027
FISHING
Distant waters fisheries advisory committee 81-02-016
Steelhead
Chehalis, Nisqually rivers,
areas 2A, 2D, gill nets and
seines, treaty Indian closure 81-03-033
Columbia river 81-08-011
gill nets, purse seines, closures 81-01-007
gill net, purse seine, closed areas 81-02-021
Hoh river, treaty Indians, closure 81-03-009
Hoko, Pysht, Queets, Quinault rivers,
Lake Washington system, treaty Indians,
closure 81-03-010
Nooksack, Elwha, Sekiu rivers,
treaty Indians, closure 81-04-017
permit punch card 81-05-031
81-08-064
Quillayute and Puyallup rivers,
treaty Indian closure 81-04-057
Skokomish, Humptulips river,
Morse creek, treaty Indian closure. 81-05-011

Subject/Agency Index

FISHING—cont.		GENERAL ADMINISTRATION, DEPARTMENT OF	
trout	81-08-011	—cont.	
FOREST FIRE ADVISORY BOARD		demonstrators, restrictions	81-08-015 81-08-016
Public meeting notice	81-04-006	GEOGRAPHIC NAMES, BOARD OF	
FOREST PRACTICES BOARD		Public meeting notice	81-02-013
Public meeting notice	81-02-040	GOLD PROSPECTING	
FORESTS		Instructions	81-05-031 81-08-064
Logging		GOVERNOR, OFFICE OF THE	
safety standards	81-05-013	Administrative rules, oversight of	81-01-084
Timber tax		Adult corrections, departmental organization	81-03-041
stumpage values	81-02-007 81-02-008	Affirmative action	81-03-042
Winter burning rules,		Distant waters fisheries advisory committee	81-02-016
western Washington, extension	81-07-038	Employment, monthly staffing limitation	81-03-054
FORT STEILACOOM COMMUNITY COLLEGE		Mt. St. Helens	
Equal opportunity, affirmative action	81-06-029	state assistance to citizens,	
Faculty, dismissal	81-03-023 81-07-025 81-03-022 81-07-024	local governments	81-03-040
Reduction in force		Rural community development council	81-01-004
GAMBLING COMMISSION		GRAYS HARBOR COLLEGE	
Address	81-08-069	Classified staff, personnel rules	81-04-005
Bingo		Public records policy	81-04-005
managers	81-04-072	Tenure and dismissal	81-04-005
Card games, authorized	81-06-074	GREEN RIVER COMMUNITY COLLEGE	
Charitable and nonprofit organizations		Public meeting notice	81-02-025
licenses		HANDICAPPED	
validity, period of	81-03-045	Affirmative action, state government	81-03-042
Deputy director, authority of	81-01-063	Chore services for disabled adults	81-03-075 81-06-006
Equipment		Elevators, safety rules	81-01-034
distributor, defined	81-06-074	Property tax exemption	81-01-070 81-05-018
Field offices, addresses, services	81-08-069	Transportation, capital assistance,	
License		nonprofit organizations	81-03-050 81-07-046 81-01-034
fees	81-03-045 81-06-074	Wheelchair lifts	
manufacturer, distributor		HAZARDOUS MATERIALS	
application procedure	81-06-074	Railroads	81-07-059 81-07-060
Punchboards		Transportation of	
cash payment	81-08-069	technical advisory committee	
stamps	81-04-072	transportation requirements	81-01-025 81-03-008
GAME, DEPARTMENT OF		HEALTH, BOARD OF	
Fishing		Certificates of need	
steelhead		health care facilities	81-01-075 81-05-030
Chehalis, Nisqually rivers, areas 2A, 2D,		Hospitals	
gill net and seines, treaty Indians	81-03-033	alcoholism	
Columbia river	81-08-011	housing requirements	81-04-012 81-07-035
gill nets, purse seine, closures	81-01-007 81-02-021 81-03-009	licensing standards	81-02-004
Hoh river, treaty Indians, closure		records	81-04-012
Hoko, Pysht, Queets, Quinault rivers,		certificates of need	81-01-075 81-03-039 81-04-013 81-03-038 81-05-029
Lake Washington system, treaty Indians,		definitions	81-03-038 81-05-029
closure	81-03-010	exemptions and interpretations	81-03-038 81-05-029
Nooksack, Elwha, Sekiu rivers,		new construction requirements	81-03-038 81-05-029 81-02-004
treaty Indians, closure	81-04-017 81-05-031 81-08-064	psychiatric, licensing standards	
permit punch card		Ophthalmia neonatorum	
Quillayute and Puyallup rivers,		(Infectious conjunctivitis of the newborn)	81-08-003
treaty Indians, closure	81-04-057	Practice and procedure	
Skokomish, Humptulip rivers,		licensing of hospitals	81-01-001
Morse creek, treaty Indian closure	81-05-011 81-08-011	Sewage disposal systems	
trout	81-05-031	on-site systems	
Gold prospecting	81-08-064	subdivision, definition	81-02-042 81-05-028
Hunting		HEARING AIDS	
early hunting seasons,		Itinerant, temporary activities	81-05-026
fall opening dates, 1981	81-04-018		
mountain goat, sheep,			
and moose hunting seasons, 1981	81-05-031 81-08-064		
Public meeting notice	81-02-003		
Repealer, outdated rules	81-05-031 81-08-064		
GENERAL ADMINISTRATION, DEPARTMENT OF			
Capitol grounds			

Subject/Agency Index

HEARING AIDS—cont.		HORSE RACING COMMISSION—cont.	
Medical certification	81-05-026	Paramedics	81-08-030
HEARING EXAMINER		Veterinarians' reports	81-01-061
Boards of equalization, duties, appointment of	81-01-020		81-01-062
HERBICIDES		HOSPITAL COMMISSION	
Aerial application equipment	81-08-036	Accounting and financial reporting manual, update	81-02-036
Benton county	81-02-047	uniform system, established	81-02-035
	81-03-067	HOSPITALS	
	81-03-070	Accounting and financial reporting manual, update	81-02-036
Franklin county	81-07-043	uniform system, established	81-02-035
	81-02-045		81-06-016
	81-03-065		81-06-017
	81-03-068	Alcoholism	81-04-012
	81-07-042		81-07-035
Walla Walla county	81-07-044	Blood tests, implied consent, liability	81-04-019
	81-02-046	Certificate of need	81-01-075
	81-03-066		81-03-039
	81-03-069	expenditure thresholds, adjustments	81-04-013
	81-07-040	Definitions	81-05-030
	81-07-041	Exemptions and interpretations	81-06-007
HIGHER EDUCATION PERSONNEL BOARD		Licensing, practice and procedure	81-03-038
Demotion, suspension, reduction, dismissal	81-04-051	New construction requirements	81-05-029
Suspended operation	81-01-105		81-01-001
	81-04-023	Pharmacy standards	81-03-038
	81-07-002	Psychiatric	81-05-029
HIGHLINE COMMUNITY COLLEGE		costs, responsibility	81-01-001
Public meeting notice	81-06-020	housing requirements	81-03-038
HIGHWAYS		licensing standards	81-05-029
Snowmobiles, local control	81-06-030	records	81-06-075
Spokane river toll bridge		HOTELS-MOTELS	
tolls, rate	81-04-030	Fire and life safety	81-03-081
	81-07-052	HUMAN RIGHTS COMMISSION	
Tire chains, two-vehicle combinations	81-01-080	Public meeting notice	81-01-052
	81-01-081	HUNTING	
HORSE RACING COMMISSION		Early hunting seasons, fall opening dates, 1981	81-04-018
Definitions		Mountain goat, sheep, and moose hunting seasons, 1981	81-05-031
claims, incumbrances, use of	81-01-060		81-08-064
	81-07-020	ILLNESS	
entry	81-08-012	Ophthalmia neonatorum	
	81-01-060	(Infectious conjunctivitis of the newborn)	81-08-003
	81-07-020	IMMUNITY-LEGAL	
firearms	81-08-013	Blood tests, implied consent, hospitals	81-04-019
	81-01-060	INDIANS	
	81-07-020	Salmon	
first aid	81-08-013	Columbia river	
	81-01-060	gill net season	81-04-003
	81-07-020	Steelhead fishing	
horse identification	81-08-013	Chehalis, Nisqually rivers, areas 2A, 2D, gill nets and seines	81-03-033
	81-07-020	Hoh river	81-03-009
hypodermics	81-01-060	Hoko, Pysht, Queets, Quinalt rivers, Lake Washington system	81-03-010
	81-07-020	Nooksack, Elwha, Sekiu, closure	81-04-017
jurisdiction	81-08-012	Quillayute and Puyallup rivers, closure	81-04-057
	81-01-060	Skokomish, Humptulips rivers, Morse creek, closure	81-05-011
	81-07-020	INDUSTRIAL INSURANCE	
occupational permit fee	81-08-013	Appeals board	
	81-01-060	executive conflict of interest law, applicability	81-02-026
	81-07-020	Rates	81-01-120
punishment	81-08-024		81-04-024
	81-01-060	State fund deficits, self-insurers' shares	81-08-063
	81-07-020		
searches	81-01-060		
	81-07-020		
whips, use of	81-08-012		
	81-01-060		
Jockeys	81-07-020		
conflict of interest	81-08-013		
	81-01-059		
	81-07-021		
Medication	81-08-024		
	81-01-061		
	81-01-062		

Subject/Agency Index

INSPECTIONS		JUSTICE COURTS—cont.	
Electrical installations	81-05-025	Criminal rules	
	81-06-037	breathalyzer tests, machine maintenance	81-05-012
Health and safety, industrial	81-03-071	Traffic infraction rules	81-01-045
	81-06-026	plaintiff, legal representation	81-07-053
	81-08-035	rules of the road	
		penalty schedule (JTIR 6.2(d))	81-06-072
INSTITUTIONS		LABOR AND INDUSTRIES, DEPARTMENT OF	
Furloughs, residents, correctional institutions	81-03-076	Commercial diving	
Mental illness, costs, financial responsibility	81-04-032	safety standards	81-02-029
	81-04-038		81-07-048
Residential schools		Electrical wire and equipment installation	81-01-115
rate schedules	81-02-020		81-05-019
	81-02-023		81-05-025
	81-06-004	Electrical workers safety standards	81-06-037
Work release		Explosives, possession, handling, use	81-07-051
individual placement, supervision	81-01-088	General occupational health	81-07-048
	81-05-001	General safety and health	81-07-051
		Inspections, health and safety, method, manner, frequency	81-07-051
INSURANCE COMMISSIONER/FIRE MARSHAL			
Disability insurance			81-02-002
loss ratios, reserve standards, filing requirements	81-06-011		81-03-071
Fire protection standards			81-06-026
day care, day treatment centers	81-03-051	Respiratory protection and hearing conservation	81-08-035
	81-06-022	Safety	81-07-027
	81-08-017	electrical workers, tree trimming	81-01-069
group care facilities	81-03-051		81-07-049
	81-06-022	elevators, handicapped	81-01-034
	81-08-017	energized power lines	81-07-027
maternity homes	81-03-051	logging	81-05-013
	81-06-022	pulp, paper, and paperboard, standards	81-03-006
	81-08-017		81-03-007
mini day care centers	81-03-051		81-07-051
	81-06-022	wheelchair lifts	81-01-034
	81-08-017	Workers' compensation	
transient accommodations	81-03-081	fee schedules, health care service vendors	81-01-096
Smoke detection devices in dwelling units	81-01-068		81-01-100
	81-04-058	risk class 66-1, medical aid rate	81-01-119
	81-01-065		81-01-120
Surplus line insurance	81-02-011		81-04-024
	81-03-082	state fund deficits, self-insurers' shares	81-08-063
INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION		LAW ENFORCEMENT OFFICERS	
Public meeting notice	81-01-010	Blood tests, implied consent, liability	81-04-019
	81-06-018	Disability retirement system	
INTEREST		amendments, constitutionality	81-03-013
Bonds, use of	81-05-022	elective state officials, continued membership	81-03-028
Land sales, contract interest rate	81-06-057		81-04-022
IRRIGATION			81-07-017
Prosser research and extension center, well, rate of charges	81-04-067	Probationary employees, retirement system membership	81-02-027
	81-07-037		
JAIL COMMISSION		LEASES	
Custodial care standards	81-01-118	State lands, procedures and criteria	81-03-059
	81-04-062	LEGISLATURE	
	81-04-063	Redistricting, commission	81-06-032
	81-04-064	LIBRARY COMMISSION	
	81-07-057	Public meeting notice	81-05-024
	81-07-058	LIBRARY NETWORK COMPUTER SERVICES COUNCIL	
	81-08-001	Public meeting notice	81-05-024
	81-08-014	LIBRARY NETWORK EXECUTIVE COUNCIL	
Funding adjustment, limitation	81-08-072	Public meeting notice	81-05-024
Funding procedures, requirements	81-03-029	LICENSES	
Public meeting notice	81-04-061	Boxing and wrestling, fees	81-01-116
JOCKEYS		Gambling	
Conflict of interest	81-01-059	fees	81-03-045
	81-07-021	Hospitals	
JURISDICTION		practice and procedure	81-01-001
Municipal, police courts, traffic infractions	81-08-040	Motor vehicles, reciprocity	81-02-030
JUSTICE COURTS		Nurses	81-04-007
Appeal rules	81-01-046	Physicians and surgeons	
		application, approval	81-03-079

Subject/Agency Index

LICENSING, DEPARTMENT OF		MEXICAN-AMERICAN AFFAIRS, COMMISSION	
Barbers		ON—cont.	
examinations	81-03-015	Public records	81-03-084
Cosmetologists		MOTOR FREIGHT CARRIERS	
demonstrations	81-03-016	Classification for accounting	81-01-032
examinations	81-05-035	and reporting purposes	81-01-074
out of state applicants	81-03-016		81-03-074
student hours	81-03-016		81-04-008
water supply	81-03-016		81-06-060
Director, appointment notice,		Drivers' hours of service	81-02-044
form ratification	81-03-046	Equipment safety	81-02-044
	81-04-071		
	81-07-045	MOTOR VEHICLES	
Employment agencies		Animal control vehicles	
fee deregulations	81-02-031	flashing amber lights	81-04-039
Hearing aids			81-04-041
itinerant, temporary activities	81-05-026	Blood test, implied consent,	
medical certification	81-05-026	liability, hospital, arresting agency	81-04-019
Master license system	81-03-027	Emergency vehicle permits	81-04-043
Real estate brokers		License reciprocity	81-02-030
commissions, negotiability	81-02-054	Quartz halogen headlamps	81-01-009
	81-06-014	Tire chains, two-vehicle combinations	81-01-080
licensing requirements	81-05-016		81-01-081
schools	81-05-015		81-06-036
trust accounts	81-05-015		
Securities		MOUNT ST. HELENS	
health care facilities authority bonds	81-04-048	State assistance, citizens, local governments	81-03-040
Trade name registration		Toutle, Cowlitz rivers,	
corporations, limited partnerships	81-02-038	dredging materials, disposal of	81-04-069
LIQUOR CONTROL BOARD			
Advertising		NARCOTICS	
novelty items	81-01-035	Physician assistant, emergency administration	81-03-078
	81-04-011		
LIVESTOCK		NATURAL GAS UTILITIES	
Calves, health certificates, vaccination	81-07-055	Advertising costs, recovery of	81-01-101
Cattle sales	81-07-054	Discontinuance of service	81-01-101
Horses, Oregon imports	81-07-055	Outdoor lighting	81-06-062
Special sales permits	81-01-113		
	81-05-010	NATURAL RESOURCES, BOARD OF	
		Toutle, Cowlitz rivers,	
		dredging materials, disposal of	81-04-069
LOBBYING		NATURAL RESOURCES, DEPARTMENT OF	
Agencies, independent contractors	81-04-021	Board	
	81-05-007	public meeting notice	81-01-049
	81-08-025	Interest rate for contracts	81-06-057
Expenditures		Land leasing, procedures and criteria	81-03-059
monthly report	81-03-001	Winter burning rules,	
Registration	81-03-001	western Washington, extension	81-07-038
LOWER COLUMBIA COLLEGE		NONPROFIT ORGANIZATIONS	
College operating policies	81-01-005	Property tax exemption	81-01-021
	81-01-031		81-05-017
	81-04-026	Transportation, elderly, handicapped,	
		capital assistance	81-03-050
MASSAGE EXAMINING BOARD			81-07-046
License		NOXIOUS WEED CONTROL BOARD	
application		Proposed list	81-02-041
criminal record statement	81-08-042		81-07-039
MEDICAL EXAMINERS, BOARD OF		NURSING, BOARD OF	
Physician assistant		Documents of authority	81-07-011
classification	81-03-078	Licensing requirements	81-04-007
continuing education	81-03-078	Schools	
prescriptive authority, narcotics	81-03-078	faculty	81-07-011
supervision	81-03-078	nurse administrators	81-07-011
Physicians and surgeons		standards	81-04-007
license application, approval	81-03-079	NURSING HOMES	
MENTALLY ILL, MENTALLY RETARDED		Accounting and reimbursement system	
Hospitals		allowable costs	81-01-108
costs, financial responsibility	81-04-032		81-06-024
	81-04-038	requirements,	
	81-08-020	development of, consultant's product	81-02-006
licensing standards	81-02-004	Administrator	81-01-015
MEXICAN-AMERICAN AFFAIRS, COMMISSION		Drug distribution	81-06-076
ON		Drug facilities	81-02-033
General provisions	81-03-084	Emergency, supplemental dose kits	81-02-033
Practice and procedure	81-03-084		81-06-077
Public meeting notice	81-01-123		
	81-03-083		

Subject/Agency Index

NURSING HOMES—cont.		PERSONNEL, DEPARTMENT OF—cont.	
Operating requirements	81-01-002 81-01-014 81-03-004 81-03-005	allowance	81-01-055 81-03-019 81-07-030
Patients		PHARMACY, BOARD OF	
nonreusable medical supplies, billings for	81-01-012	Ephredine prescription restrictions	81-07-012
Pharmaceutical services	81-02-033	Hospital pharmacy standards	81-06-075
Physical facilities	81-08-047	Legend drugs, identification	81-07-012
OCCUPATIONAL HEALTH		Nursing homes	
Respiratory protection and hearing conservation	81-07-027	drug distribution	81-06-076
OPTOMETRY, BOARD OF		emergency kits, dose kits,	
Contact lenses, price advertising	81-01-107 81-06-012	drug facilities, pharmaceutical services	81-02-033 81-06-077
Continuing education	81-01-107 81-06-012	PHYSICIAN ASSISTANT	
Space leasing relationship	81-01-107 81-06-012	Classification	81-03-078
PARENT-CHILD		Continuing education	81-03-078
Aid to dependent children		Prescriptive authority, narcotics	81-03-078
absent parent, deprivation, determination	81-03-011	Supervision	81-03-078
Support enforcement	81-01-112 81-05-021	PHYSICIANS AND SURGEONS	
PARKING		License, application, approval of	81-03-079
Central Washington university	81-04-050 81-08-010	PILOTAGE COMMISSIONERS, BOARD OF	
University of Washington	81-08-033	Rates	
PARKS AND RECREATION COMMISSION		Grays Harbor district	81-03-072 81-07-009
Camping	81-04-049	Puget Sound district	81-03-072 81-06-054
Campsite reservation	81-06-055	PLANNING AND COMMUNITY AFFAIRS AGENCY	
Fees	81-04-049	Economic opportunity division	
Public meeting notice	81-01-098	public meeting notice	81-01-006 81-06-078
PARTNERSHIPS		Elderly and handicapped transportation,	
Limited		capital assistance, nonprofit organizations	81-03-050 81-07-046
trade name registration	81-02-038	Low-income energy assistance program	
PENINSULA COLLEGE		state plan, availability	81-01-006
Board meetings	81-06-031	PODIATRY	
PENSIONS (See RETIREMENT AND PENSIONS)		Public assistance services	81-06-039 81-06-070
PERMITS		POLLUTION	
Shoreline management		Air	
time requirements	81-04-027	new source review	81-03-002
PERSONNEL, DEPARTMENT OF		Volatile organic compounds (VOC), emission	
Certification, general methods	81-01-055 81-03-017 81-01-055 81-03-019	sources, standards and controls	81-03-003
Definitions	81-01-056 81-03-018 81-07-031	POLLUTION CONTROL HEARINGS BOARD	
Disciplinary action, basis	81-01-055 81-03-019 81-07-032	Public meeting notice	81-02-040
Discovery	81-01-054 81-01-055 81-03-019	POSTSECONDARY EDUCATION, COUNCIL FOR	
Human resource development	81-01-054	Educational services registration	
Leave, child care	81-01-055 81-03-019 81-07-032	exemptions	81-01-086
Salaries		sectarian religious grounds	81-01-086
reduction-in-force register appointments	81-01-054 81-06-053	PRESCRIPTIONS	
Sick leave		Ephredine restrictions	81-07-012
credit, accrual, conversion	81-01-055 81-03-017	Nurses	81-04-007
State personnel board	81-01-058	Physician assistant, narcotics	81-03-078
Subpoenas, service	81-01-055 81-03-019 81-07-032	PROPERTY, REAL	
Suspension, reduction, demotion	81-03-018 81-07-031	Indicated real property ratio, computation	81-01-027 81-01-028
Temporary employment, exempt service	81-03-064	Single family dwellings, improvements to,	
Transfer between classes	81-01-054	property tax exemption	81-01-019
Vacation leave		Tax	
		deferral of	81-01-067 81-05-020
		exemption	
		nonprofit organizations	81-01-021
		freoport exemption	81-01-036
		deferrals of	81-01-067
		leasehold estates	81-01-036
		PUBLIC ASSISTANCE	
		Abbreviations, update	81-01-013
		Aid to dependent children	
		absent parent deprivation, determination	81-03-011 81-06-058

Subject/Agency Index

PUBLIC ASSISTANCE—cont.		PUBLIC ASSISTANCE—cont.	
child care expenses	81-01-017	Medical care services	81-01-029
	81-07-018		81-01-030
	81-07-028		81-01-089
day care services	81-07-003		81-06-003
	81-07-010		81-06-041
eligibility	81-06-066		81-06-042
income	81-04-033		81-06-043
	81-04-036	Noncontinuing general assistance	81-06-046
HUD community development			81-06-064
block grant funds, exemption	81-07-014	Overpayment	
supplemental payments, amount of	81-06-002	departmental error	81-01-110
	81-06-005		81-05-002
Alcoholism detoxification program	81-06-046	repayment	81-06-034
	81-06-065		81-06-035
Chiropractic services	81-06-038	Podiatry	81-06-039
Chore services for disabled adults	81-01-109	Program elimination, grant continuance	81-06-009
	81-03-075		81-06-010
	81-06-006	Refugee assistance	81-05-008
	81-06-063		81-05-009
	81-08-067		81-08-061
	81-08-068	Residency, anticipated eligibility	81-06-033
eligibility	81-07-036	Services involving other agencies	81-06-065
income eligibility	81-06-056	Social services	
	81-06-067	eligibility	81-01-087
Congregate care		Standards of assistance	81-06-065
contracted bed requirement	81-01-077	Support enforcement	81-01-111
Continuing general assistance	81-06-064		81-05-021
Daily restaurant meals	81-04-037	Transportation to state of legal residence	81-06-064
	81-08-018		
Definitions	81-08-034	PUBLIC DISCLOSURE COMMISSION	
Dental services	81-06-040	Lobbyists	
Eligibility	81-06-046	agencies, independent contractors	81-04-021
Emergency assistance	81-06-065		81-05-007
Employment and training, work incentive	81-06-064		81-08-025
Energy assistance, low income	81-04-034	registration	81-03-001
	81-04-035	reporting	81-03-001
	81-08-045	Public meeting notice	81-03-062
Fair hearings		PUBLIC EMPLOYMENT RELATIONS COMMISSION	
decisions, precedential	81-08-060	Practice and procedure	81-02-034
hearings examiners, authority	81-08-060		
Food stamps		PUBLIC LANDS	
eligibility	81-08-046	Interest rate, real estate contracts	81-06-057
income		Leases, procedures	81-03-059
deductions	81-04-001	PUBLIC MEETING NOTICES	
	81-04-002	Asian-American affairs, commission on	81-01-122
	81-08-019	Bellevue community college	81-02-001
earned	81-08-021	Building code advisory council	81-02-048
exclusions	81-01-003	Centralia college	81-01-083
	81-01-018		81-07-050
	81-08-021	Clark college	81-02-028
requirements	81-02-005		81-07-005
	81-04-033	Community college education,	
	81-04-036	state board for	81-01-078
monthly allotments	81-03-024	Conservation commission	81-01-103
	81-03-025	Criminal justice training commission	81-04-059
	81-06-059	Ecological commission	81-02-049
Foster care			81-04-066
vendor rate increases	81-06-007	Economic opportunity division	
Funeral expense	81-06-065	advisory council	81-01-006
Grant or vendor payment	81-06-047		81-06-078
	81-06-071	Education, state board of	81-01-023
Grant programs, appeal procedure	81-01-016		81-03-056
Income	81-04-033		81-05-014
	81-04-036		81-08-048
	81-08-021	Employment and training council	81-06-025
Medical assistance		Energy conservation weatherization	
chiropractors	81-06-070	advisory council	81-04-070
drugs	81-06-070	Evergreen State College, The	81-01-057
eligibility	81-06-068	Forest fire advisory board	81-04-006
	81-08-034	Forest practices board	81-02-040
	81-08-039	Game commission	81-02-003
payment	81-06-070	Geographic names, board on	81-02-013
podiatrists	81-06-070	Green river community college	81-02-025
reduction of program availability	81-03-057	Highline community college	81-06-020
	81-03-058	Human rights commission	81-01-052
scope and content of care	81-06-069		

Subject/Agency Index

PUBLIC MEETING NOTICES—cont.

Interagency committee for outdoor recreation 81-01-010
 81-06-018
 Jail commission 81-04-061
 Library commission 81-05-024
 Library network computer services council 81-05-024
 Library network executive council 81-05-024
 Lower Columbia college 81-01-031
 Mexican-American affairs, commission on 81-01-123
 81-03-083
 Natural resources, board of 81-01-049
 Parks and recreation commission 81-01-098
 Personnel board 81-01-058
 Pollution control hearings board 81-02-040
 Public disclosure commission 81-03-062
 Real estate commission 81-02-012
 Reciprocity commission 81-02-017
 Seattle community college district 81-03-020
 Shorelines hearings board 81-02-040
 Skagit valley college 81-01-053
 Traffic safety commission 81-02-014
 81-06-021
 81-06-044
 University of Washington 81-01-085
 81-02-015
 81-02-039
 Urban arterial board 81-05-003
 81-03-063
 81-08-009
 Vocational education, advisory council on 81-03-021
 81-01-097
 81-03-053
 81-07-029
 81-03-053
 Walla Walla community college
 Washington state university
 Wenatchee valley college
 Whatcom community college
 Yakima valley college

PUBLIC RECORDS

Data processing authority 81-03-034
 81-07-004
 Grays Harbor community college 81-04-005
 Mexican-American affairs, commission on 81-03-084
 Social and health services, department of
 accessibility 81-02-022
 81-03-026
 81-04-004
 81-06-001
 81-08-008
 81-07-026
 Transportation, department of
 University of Washington

PUBLIC TRANSPORTATION SYSTEMS

County public transportation authority
 rate reductions, senior citizens, students 81-02-024
 Elderly and handicapped, capital assistance 81-03-050
 Retail sales tax
 collection schedule
 rate increase 81-01-099

PULP, PAPER, AND PAPERBOARD

Safety standards 81-03-006
 81-03-007

RADIOACTIVE MATERIALS

Radiation controls 81-01-011

RAILROADS

Bridges 81-07-061
 Hazardous materials 81-07-059
 Reports, spills 81-07-060

RATES

Pilotage
 Grays Harbor 81-03-072
 81-07-009
 Puget Sound 81-03-072
 81-06-054

REAL ESTATE

Brokers
 commissions, negotiability 81-02-054
 81-06-014
 trust accounts 81-05-015
 Licensing requirements 81-05-016

REAL ESTATE—cont.

Schools 81-05-015
 Single family dwellings, improvements to,
 property tax exemption 81-01-020
 Taxation
 exemption
 nonprofit organization 81-01-021
 81-05-017
 single family residence, improvements
 indicated real property ratio, computation 81-01-019
 81-01-027
 81-01-028
 special assessments/property tax,
 deferral of 81-01-067
 81-05-020

REAL ESTATE COMMISSION

Public meeting notice 81-02-012

RECIPROCITY COMMISSION

Meeting dates 81-02-017
 Out-of-state vehicles, operation 81-02-030

REGISTERED SANITARIANS, BOARD OF

Registration, application, examination 81-01-082

REPORTS

Horse racing
 veterinarians' 81-01-061
 81-01-062
 81-07-060
 Railroads, hazardous materials, leaks

RESIDENCY

Public assistance eligibility 81-06-033

RETIREMENT AND PENSIONS

Benefit increases, local taxing districts
 initiative no. 62 increases,
 state reimbursement responsibility 81-01-121
 Firemen's pension funds,
 surplus moneys, use of 81-08-007
 Law enforcement officers'
 and fire fighters' retirement
 amendments, constitutionality 81-03-013
 elective state officials,
 continued membership 81-03-028
 81-04-022
 81-07-017
 81-02-027
 probationary employees, membership
 State patrol
 disability retirement board
 composition of 81-01-064
 81-04-042

REVENUE, DEPARTMENT OF

Board of equalization,
 duties, hearing examiners 81-01-020
 81-04-053
 Indicated real property ratio, computation 81-01-027
 81-01-028
 81-04-056
 Property tax
 deferral of 81-01-065
 81-01-067
 81-05-020
 exemption
 average inventory, transient trader,
 freeport exemption 81-01-036
 81-04-054
 81-01-036
 81-04-054
 nonprofit organization 81-01-021
 81-05-017
 senior citizens and disabled persons 81-01-070
 81-05-018
 Retail sales tax collection schedules
 public transportation rate increases 81-01-099
 Single family dwellings, improvements,
 property tax exemption 81-01-019
 Special assessments
 deferral of 81-01-067
 81-05-020

Subject/Agency Index

REVENUE, DEPARTMENT OF—cont.			
State levy, apportionment to counties	81-01-026		
	81-04-055		
Tax freeze act of 1967	81-01-036		
	81-04-054		
Timber tax			
stumpage values	81-02-007		
	81-02-008		
RIVERS			
Nisqually river basin protection	81-04-028		
ROADS			
Funding increase requests,			
urban arterial projects	81-04-015		
Snowmobiles, local control	81-06-030		
Urban arterials			
functional classification	81-04-015		
fund allocations	81-04-015		
RULES OF COURT			
Appellate procedure			
appeal of decisions of			
courts of limited jurisdiction	81-01-046		
remand of criminal case,			
copy of mandate (RAP 12.5(d))	81-01-048		
General rules	81-01-047		
Justice court, appeals from	81-01-046		
Justice court criminal rules			
breathalyzer test, machine maintenance	81-05-012		
Justice court traffic infraction rules	81-01-045		
plaintiff, legal representation	81-07-053		
rules of the road			
penalty schedule (JTIR 6.2(d))	81-06-072		
Superior court civil rules			
default, setting aside,			
venue (CR 55(c), 82)	81-01-044		
temporary restraining order			
(CR 65(b) and (c))	81-01-043		
RURAL COMMUNITY DEVELOPMENT COUNCIL			
Created	81-01-004		
SAFETY			
Commercial diving	81-02-029		
	81-07-048		
Electrical workers, tree trimming	81-01-069		
	81-07-049		
Elevators, handicapped	81-01-034		
Energized power lines	81-07-027		
Explosives	81-07-048		
Fire protection standards			
day care, treatment centers	81-03-051		
	81-06-022		
group care facilities	81-03-053		
maternity homes	81-03-053		
transient accommodations	81-03-081		
Hazardous materials			
transportation requirements	81-01-025		
Inspections			
electrical installations	81-05-025		
	81-06-037		
method, manner, frequency	81-02-002		
	81-03-071		
	81-06-026		
	81-08-035		
Logging	81-05-013		
Pulp, paper, and paperboard, standards	81-03-006		
	81-03-007		
Radiation controls	81-01-011		
Railroad bridges	81-07-061		
Smoke detection devices in dwellings	81-01-068		
	81-04-058		
Tire chains, two vehicle combinations	81-06-036		
Wheelchair lifts	81-01-034		
SALARY, WAGES			
State employees			
reduction-in-force register appointments	81-01-054		
	81-06-053		
		SCHOOLS	
		Accreditation system	81-04-044
			81-04-045
			81-08-027
			81-08-028
		Educational services registration act	
		cancellation and refund policy	81-05-032
		exemption, religious ownership	81-01-086
		exemptions	81-01-086
		local program/craft advisory committees	81-05-033
		Excuses, pupil absence	81-08-049
		Learning resource centers	81-08-050
		Real estate	81-05-015
		Residential schools, rates	81-02-020
			81-02-023
			81-06-004
		State support	81-04-046
			81-08-026
		SEATTLE COMMUNITY COLLEGE DISTRICT	
		Board of trustees	
		appearance before, procedure	81-07-008
		Contested case hearings, procedure	81-07-007
		Facilities, use of	81-07-023
		Public meeting notice	81-03-020
		SECURITIES	
		Health care facilities authority bonds	81-04-048
		SENIOR CITIZENS	
		Chore services	81-01-109
			81-06-006
			81-06-056
			81-06-063
			81-06-067
			81-07-036
		Property tax exemption	81-01-070
			81-05-018
		Public transportation,	
		county systems, rate deductions	81-02-024
		Transportation, capital assistance,	
		nonprofit organizations	81-03-050
			81-07-046
		SEWERS	
		On-site disposal systems	
		subdivision, definition	81-02-042
			81-05-028
		SHELLFISH	
		Geoducks	
		harvesting reporting	81-05-006
			81-07-016
		unlawful hours	81-08-006
		Sea cucumbers	81-08-006
		Shrimp	
		Point Grenville, closed season	81-04-060
			81-08-031
		SHORELINE MANAGEMENT	
		Bellevue	81-08-071
		Grant county	81-01-038
			81-04-065
		Kent	81-01-039
		Mercer Island	81-01-037
			81-08-004
			81-08-071
		Permit	
		conditional use, variance	81-04-027
		San Juan county	81-05-034
		Seattle	81-02-050
			81-06-051
			81-08-071
		Skagit county	81-01-040
		Spokane county	81-02-050
			81-06-052
		Tacoma	81-03-080
			81-08-005
		Wahkiakum county	81-08-070
		Yakima county	81-02-051
			81-06-050

Subject/Agency Index

SHORELINES HEARINGS BOARD		SOCIAL AND HEALTH SERVICES, DEPARTMENT OF—cont.	
Public meeting notice	81-02-040	Mental illness	
SICK LEAVE		hospital costs, financial responsibility	81-04-032
Centralia college			81-04-038
compensation for unused sick leave	81-03-037		81-08-020
SKAGIT COUNTY		Nursing homes	
Shoreline management program	81-01-040	accounting and reimbursement system	
SKAGIT VALLEY COLLEGE		allowable costs	81-01-108
Public meeting notice	81-01-053		81-06-024
SNOHOMISH COUNTY COMMUNITY COLLEGES		requirements,	
Student records, disclosure	81-01-104	development of, consultant's product	81-02-006
SNOWMOBILES		administrator	81-01-014
Road operation, local control	81-06-030	operation requirements	81-01-002
SOCIAL AND HEALTH SERVICES, DEPARTMENT OF			81-01-014
Adult corrections			81-03-004
departmental organization	81-03-041	patients	81-03-005
hearing committee, hearing officer	81-03-076	nonreusable medical supplies,	
work release, home placement, supervision	81-01-076	billing for	81-01-012
	81-01-088	physical facilities	81-08-047
	81-05-001	Podiatry	81-06-038
Aid to dependent children		Public assistance	
absent parent, deprivation,		abbreviations, update	81-01-013
determination of	81-03-011	alcoholism detoxification program	81-06-046
	81-06-058	congregate care	
child care expenses	81-01-017	contracted bed requirement	81-01-077
	81-07-018	continuing general assistance	81-06-064
	81-07-028	daily restaurant meals	81-04-037
day care services	81-07-003		81-08-018
	81-07-010	definitions	81-08-034
eligibility	81-06-066		81-08-039
income	81-04-033	eligibility	81-06-046
	81-04-036	emergency assistance	81-06-065
HUD community development		employment and training, work incentive	81-06-064
block grant funds, exemption	81-07-014	fair hearings	
supplemental payments, amount of	81-06-002	decisions, precedential	81-08-060
	81-06-005	hearings examiners, authority	81-08-060
Alcoholism detoxification program	81-06-065	food stamps	
Chiropractic services	81-06-038	eligibility	81-08-046
Chore services for disabled adults	81-01-109	income	
	81-03-075	deductions	81-04-001
	81-06-006		81-04-002
	81-06-063	earned	81-08-019
	81-06-067	exclusions	81-08-021
	81-08-067		81-01-003
	81-08-068	requirements	81-01-018
eligibility	81-07-036		81-08-021
income eligibility	81-06-056	monthly allotments	81-02-005
Dental services	81-06-040		81-04-033
Energy assistance, low income	81-04-034		81-03-024
	81-04-035		81-03-025
	81-08-045	funeral expense	81-06-059
Foster care		grant or vendor payment	81-06-065
vendor rate increases	81-06-008		81-06-047
Hospitals		grant programs, appeal process	81-06-071
certificate of need		income	81-01-016
expenditure thresholds, adjustments	81-06-007		81-04-033
Medical assistance		noncontinuing general assistance	81-04-036
chiropractors	81-06-070		81-08-021
drugs	81-06-070	overpayment	81-06-046
eligibility	81-06-068	departmental error	81-06-064
	81-08-034		
	81-08-039	repayment	81-01-110
payment	81-06-070		81-05-002
podiatrists	81-06-070	program elimination, grant continuance	81-06-034
reduction of program	81-03-057		81-06-035
	81-03-058	services involving other agencies	81-06-009
scope and content of care	81-06-069	standards of assistance	81-06-010
Medical care services	81-01-029	transportation to state of legal residence	81-06-065
	81-01-030	Radiation control	81-06-064
	81-01-089	Records	81-01-011
	81-06-003		
	81-06-041		
	81-06-042		
	81-06-043		

Subject/Agency Index

SOCIAL AND HEALTH SERVICES, DEPARTMENT

OF—cont.

public access 81-02-022

81-03-026

81-04-004

81-06-001

Refugee assistance 81-05-008

81-05-009

81-08-061

81-06-033

Residency, anticipated eligibility

Residential schools

rate schedules 81-02-020

81-02-023

81-06-004

Social services

eligibility 81-01-087

Support enforcement 81-01-111

81-05-021

SPOKANE COMMUNITY COLLEGE DISTRICT NO.

17

Liquor consumption 81-01-093

SPOKANE COUNTY

Shoreline management 81-02-050

STATE

Affirmative action 81-03-042

Agencies

employment, monthly staffing limitation 81-03-054

lobbying, independent contractors 81-04-021

81-05-007

81-08-025

rules

oversight of 81-01-084

Bonds

interest earned, use of 81-05-022

Capitol grounds

demonstrators, restrictions 81-08-015

81-08-016

Employees

certification, general methods 81-01-055

81-03-017

employment, monthly staffing limitation 81-03-054

human resource development activities,

agency evaluation 81-01-054

insurance

automobile and homeowners insurance,

company selection criteria 81-03-014

medical plan options

between open enrollments 81-03-014

moving expenses, payment of 81-07-056

per diem 81-06-073

private automobile use, reimbursement 81-06-073

salaries

reduction-in-force appointments 81-01-054

sick leave

part time employees, accrual 81-01-055

81-03-017

suspension, reduction, demotion 81-01-056

81-03-018

81-03-064

temporary employment, exempt service 81-01-054

transfer between classes 81-03-019

vacation leave, allowance 81-07-030

Lands, leasing procedure and criteria 81-03-059

Personnel board 81-01-058

Schools, support 81-04-046

81-08-026

STATE EMPLOYEES INSURANCE BOARD

Automobile and homeowners insurance

company selection criteria 81-03-014

Medical plan options between open enrollments 81-03-014

STATE PATROL

Capitol grounds

demonstrators, restrictions 81-08-015

81-08-016

Disability retirement board

STATE PATROL—cont.

composition of 81-01-064

81-04-042

Hazardous materials

transportation requirements 81-01-025

81-03-008

STREETS

Traffic control devices, manual 81-04-029

Urban arterials

functional classification 81-04-015

fund allocations 81-04-015

fund increases, requests 81-04-015

STUDENTS

Eastern Washington University

conduct code 81-06-023

Excuses, absence

81-08-049

Public transportation,

county systems, reduced rates 81-02-024

Snohomish county community colleges

student records, disclosure 81-01-104

SUPERIOR COURTS

Civil rules

default, setting aside, venue 81-01-044

temporary restraining order 81-01-043

SUPREME COURT

Judicial information system committee

data dissemination, 81-07-022

computer-based court information 81-07-022

Rules of court

appellate court

appeals of decisions of 81-01-046

courts of limited jurisdiction

remand of criminal case, 81-01-048

copy of remand, to be provided 81-01-047

general rules 81-01-046

justice court, appeals from

justice court criminal rules 81-01-046

breathalyzer test,

machine maintenance (JCrR 4.09) 81-05-012

justice court traffic infraction rules 81-01-045

plaintiff, legal representation 81-07-053

rules of the road

penalty schedule (6.2(d)) 81-06-072

Superior court civil rules

default, setting aside, venue (CR 55(c), 82) 81-01-044

temporary restraining order 81-01-043

(CR 65(b) and (c))

TACOMA, CITY OF

Shoreline program 81-03-080

TACOMA COMMUNITY COLLEGE

Tenure, rights and procedure 81-03-047

81-03-061

81-08-002

TAVERNS

Underage wife of owner, right to enter

in course of employment 81-04-010

TAXATION

Board of equalization,

duties, hearing examiners 81-01-020

81-04-053

Indicated real property ratio, computation

81-01-027

81-01-028

81-04-056

Property tax

county tax refund levy, 81-08-029

106% limitation, application 81-01-067

deferral of 81-05-020

exemption

average inventory, transient trader, 81-01-036

freeport exemption 81-04-054

81-01-036

leasehold estates 81-04-054

Subject/Agency Index

TAXATION—cont.		UNIVERSITY OF WASHINGTON—cont.	
nonprofit organizations	81-01-021 81-05-017	Public meeting notice	81-01-085 81-02-015
senior citizens and disabled persons	81-01-070 81-05-018	Public records, access to	81-07-026
tax freeze act of 1967	81-01-036 81-04-054	URBAN ARTERIAL BOARD	
Retail sales tax		Arterials, functional classification, standards for	81-04-015
collection schedules		Fund apportionments, regional percentages	81-04-015
public transportation rate increase	81-01-099	Increases, requests for funds	81-04-015
Single family dwellings, improvements, exemption	81-01-019	Public meeting notice	81-02-039 81-05-003
Special assessments		Rural incorporated areas, standards for	81-04-016
deferral of	81-01-067 81-05-020	UTILITIES AND TRANSPORTATION COMMISSION	
State levy, apportionment to counties	81-01-026 81-04-055	Auto transportation companies	
Timber tax		classification for accounting purposes	81-01-032 81-01-074 81-04-008
stumpage values	81-02-007 81-02-008	Common carriers	
TEACHERS		drivers' hours of service	81-02-044
Certification fees, use of	81-08-051	equipment safety	81-02-044
Professional preparation program	81-08-052 81-08-053	Copying costs, public documents	81-03-073 81-06-061
TENURE		Electric companies	
Grays Harbor community college	81-04-005	advertising	81-02-043 81-03-060
Tacoma community college	81-03-047 81-03-061 81-08-002	cogeneration and small power facilities, interconnection	81-04-009 81-02-043
TOW TRUCKS		discontinuance of service	81-03-060 81-02-043
Rate listing	81-04-040	information to consumers	81-03-060 81-03-060
TRADE NAMES		refusal of service	81-02-043 81-03-060
Registration, corporations, limited partnerships	81-02-038	Field office addresses	81-03-073 81-06-061
TRAFFIC		Motor carriers	
Central Washington university	81-04-050 81-08-010	classification for accounting and reporting purposes	81-01-032 81-01-074 81-03-074 81-06-060
Control devices, manual	81-04-029 81-07-047	drivers hours of service	81-02-044
Justice court traffic infraction rules		equipment safety	81-02-044
plaintiff, legal representation	81-07-053	Natural gas utilities	
rules of the road		advertising cost recovery	81-01-101
penalty schedule (JTIR 6.2(d))	81-06-072	discontinuance of service	81-01-101
Municipal, police courts		outdoor lighting	81-06-062
traffic infractions	81-08-040	Railroads	
jurisdiction	81-08-033	bridge safety	80-07-061
University of Washington		hazardous materials	81-07-059
TRAFFIC SAFETY COMMISSION		reports, leaks, spillage	81-07-060
Public meeting notice	81-02-014 81-06-021 81-06-044	VENDING EQUIPMENT	
TRANSPORTATION, DEPARTMENT OF		Program administration	81-03-048 81-03-049 81-07-001
Elderly or handicapped transportation, capital assistance	81-03-050 81-07-046	VETERINARIANS	
Ferries		Brucellosis	
toll schedule	81-04-031 81-08-044	official calthood vaccination, defined	81-01-072 81-01-073
Public administrative review of rules	81-07-015	vaccination, payment, authorized	81-01-041 81-04-025 81-07-054
Records, disclosure	81-08-008	Horse racing	
Spokane river toll bridge		reports	81-01-061 81-01-062
toll, rate	81-04-030 81-07-052	VOCATIONAL EDUCATION, ADVISORY COUNCIL	
Traffic control devices, manual	81-04-029 81-07-047	ON	
TUITION		Public meeting notice	81-03-063 81-08-009
Bellevue community college	81-07-034 81-08-066	VOCATIONAL EDUCATION, COMMISSION FOR	
Educational services registration		Educational services registration	
cancellation and refusal policy	81-05-032	cancellation and refusal policy	81-05-032
UNIVERSITY OF WASHINGTON		definitions	81-05-032
Parking and traffic regulations	81-08-033	Local program/craft advisory committee	81-05-033
		Personnel qualification standards	81-03-052

Subject/Agency Index

WALLA WALLA COMMUNITY COLLEGE	
Public meeting notice	81-03-021
WASHINGTON ADMINISTRATIVE CODE	
Rules	
oversight of	81-01-084
WASHINGTON STATE UNIVERSITY	
Interlibrary loans	81-07-006
Libraries	81-08-038
Public meeting notice	81-01-097
WATER	
Instream resources protection program	
Nisqually river basin	81-04-028
Prosser research and extension center, irrigation well, rate of charges	81-04-067 81-07-037
WEEDS	
Noxious weeds, proposed list	81-02-041 81-07-039
WENATCHEE VALLEY COLLEGE	
Public meeting notice	81-03-053
WHATCOM COMMUNITY COLLEGE	
Public meeting notice	81-07-029
WORKERS' COMPENSATION	
Fee schedules, health care service vendors	81-01-096 81-01-100
risk class 66-1, medical aid rate	81-01-119 81-01-120 81-04-024
State fund deficits, self-insurers shares	81-08-063
YAKIMA VALLEY COLLEGE	
Public meeting notice	81-03-053