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**SEPTEMBER 15, 1982**

**OLYMPIA, WASHINGTON**

**ISSUE 82-18**



## IN THIS ISSUE

Agriculture, Department of  
Apple Advertising Commission  
Attorney General, Office of the  
Central Washington University  
Community College District V  
Community College District IX  
Corrections, Department of  
Ecology, Department of  
Everett Community College  
Evergreen State College, The  
Financial Management, Office of  
Fire Marshal  
Fisheries, Department of  
Forest Practices Appeals Board  
Forest Practices Board  
Gambling Commission  
Game, Department of  
Higher Education Personnel Board  
Highline Community College

Horse Racing Commission  
Hospital Commission  
Insurance Commissioner  
Labor and Industries, Department of  
Licensing, Department of  
Liquor Control Board  
Lottery Commission  
Natural Resources, Department of  
Nursing, State Board of  
Personnel, Department of  
Psychology, State Examining Board of  
Public Disclosure Commission  
Secretary of State  
Social and Health Services, Department of  
State Patrol  
Transportation, Department of  
Utilities and Transportation Commission  
Vocational Education, Advisory Council on  
Western Washington University

(Subject/Agency index at back of issue)  
This issue contains documents officially  
filed not later than September 1, 1982

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DENNIS W. COOPER  
Code Reviser

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# 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 \$95 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

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# STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

## 1. ARRANGEMENT OF THE REGISTER

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

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

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

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

## 3. PRINTING STYLE—INDICATION OF NEW OR DELETED MATTER

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

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

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

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

## 5. EFFECTIVE DATE OF RULES

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

## 6. EDITORIAL CORRECTIONS

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

## 7. INDEX AND TABLES

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

## 1982 - 1983

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

Issue No.	Closing Dates <sup>1</sup>			Distribution Date	First Agency Action Date <sup>3</sup>
	Non-OTS & 30 p. or more	Non-OTS & 11 to 29 p.	OTS <sup>2</sup> or 10 p. max. Non-OTS		
For Inclusion in—	File no later than—			Count 20 days from—	For hearing/adoption on or after
82-17	Jul 21	Aug 4	Aug 18	Sep 1	Sep 21
82-18	Aug 4	Aug 18	Sep 1	Sep 15	Oct 5
82-19	Aug 25	Sep 8	Sep 22	Oct 6	Oct 26
82-20	Sep 8	Sep 22	Oct 6	Oct 20	Nov 9
82-21	Sep 22	Oct 6	Oct 20	Nov 3	Nov 23
82-22	Oct 6	Oct 20	Nov 3	Nov 17	Dec 7
82-23	Oct 20	Nov 3	Nov 17	Dec 1	Dec 21
82-24	Nov 3	Nov 17	Dec 1	Dec 15	Jan 4, 1983
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83-01	Nov 24	Dec 8	Dec 22, 1982	Jan 5, 1983	Jan 25
83-02	Dec 8	Dec 22, 1982	Jan 5, 1983	Jan 19	Feb 8
83-03	Dec 22, 1982	Jan 5, 1983	Jan 19	Feb 2	Feb 22
83-04	Jan 5	Jan 19	Feb 2	Feb 16	Mar 8
83-05	Jan 19	Feb 2	Feb 16	Mar 2	Mar 22
83-06	Feb 2	Feb 16	Mar 2	Mar 16	Apr 5
83-07	Feb 23	Mar 9	Mar 23	Apr 6	Apr 26
83-08	Mar 9	Mar 23	Apr 6	Apr 20	May 10
83-09	Mar 23	Apr 6	Apr 20	May 4	May 24
83-10	Apr 6	Apr 20	May 4	May 18	Jun 7
83-11	Apr 20	May 4	May 18	Jun 1	Jun 21
83-12	May 4	May 18	Jun 1	Jun 15	Jul 5
83-13	May 25	Jun 8	Jun 22	Jul 6	Jul 26
83-14	Jun 8	Jun 22	Jul 6	Jul 20	Aug 9
83-15	Jun 22	Jul 6	Jul 20	Aug 3	Aug 23
83-16	Jul 6	Jul 20	Aug 3	Aug 17	Sep 6
83-17	Jul 27	Aug 10	Aug 24	Sep 7	Sep 27
83-18	Aug 10	Aug 24	Sep 7	Sep 21	Oct 11
83-19	Aug 24	Sep 7	Sep 21	Oct 5	Oct 25
83-20	Sep 7	Sep 21	Oct 5	Oct 19	Nov 8
83-21	Sep 21	Oct 5	Oct 19	Nov 2	Nov 22
83-22	Oct 5	Oct 19	Nov 2	Nov 16	Dec 6
83-23	Oct 26	Nov 9	Nov 23	Dec 7	Dec 27
83-24	Nov 9	Nov 23	Dec 7	Dec 21	Jan 10, 1984

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

<sup>2</sup>A filing of any length will be accepted on the closing dates of this column if it has been prepared by the Order Typing Service (OTS) of the Code Reviser's Office; see WAC 1-12-220 or 1-13-240. Agency-typed material is subject to a ten page limit for these dates; longer agency-typed material is subject to the earlier non-OTS dates.

<sup>3</sup>No proceeding may 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(4) and 34.04.025(4). These dates represent the twentieth day after the distribution date of the applicable Register.

**WSR 82-16-080**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Institutions)**

[Order 1853—Filed August 3, 1982]

I, David A. Hogan, director of the Division of Administration, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Institutions for the mentally retarded (IMR)—Accounting and reimbursement system, new chapter 275-38 WAC.

This action is taken pursuant to Notice No. WSR 82-09-071 filed with the code reviser on April 21, 1982. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 74.09.120 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency 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) in the adoption of these rules.

APPROVED AND ADOPTED June 30, 1982

By David A. Hogan  
 Director, Division of Administration

Chapter 275-38 WAC  
**IMR PROGRAM AND REIMBURSEMENT SYSTEM**

**NEW SECTION**

WAC 275-38-001 TERMS. Unless the context clearly requires otherwise, the following terms shall have the meaning set forth in this section when used in this chapter.

(1) "Accrual method of accounting" - A method of accounting where revenues are reported in the period when earned, regardless of when collected, and expenses are reported in the period incurred, regardless of when paid.

(2) "Active treatment in institutions for the mentally retarded" requires the following:

(a) The individual's regular participation, in accordance with an individual habilitation plan, in professionally developed and supervised activities, experiences, or therapies.

(b) A written individual habilitation plan setting forth measurable goals or objectives stated in terms of desirable behavior and prescribing an integrated program of activities, experiences or therapies necessary for the individual to reach the goals or objectives. The overall purpose of the plan is to help the individual function at the greatest physical, intellectual, social, or vocational level he or she can presently or potentially achieve.

(c) An interdisciplinary professional evaluation:

(i) Completed, for a recipient, before admission to the institution but not more than three months before, and for an individual applying for medicaid after admission, before the institution requests payment;

(ii) Consisting of complete medical, social, psychological diagnosis and evaluations, and an evaluation of the individual's need for institutional care; and

(iii) Made by a physician, a social worker, and other professionals, at least one of whom is a qualified mental retardation professional.

(d) Reevaluation medically, socially, and psychologically at least annually by the staff involved in carrying out the resident's individual plan of care. The reevaluation must include review of the individual's progress toward meeting the plan objectives, the appropriateness of the individual plan of care, assessment of his or her continuing need for institutional care, and consideration of alternate methods of care.

(e) An individual postinstitutionalization plan, as part of the individual plan of care, developed before discharge by a qualified mental retardation professional and other appropriate professionals.

(3) "Allowable costs" - See WAC 275-38-680.

(4) "Appraisal" - The process of establishing the fair market value or reconstruction of the historical cost of an asset acquired in a past period as performed by an individual professionally designated either by the American institute of real estate appraisers as a member, appraisal institute (MAI), or by the society of real estate appraisers as a senior real estate analyst (SREA) or a senior real property appraiser (SRPA). The process includes a systematic, analytic determination, the recording and analyzing of property facts, rights, investments, and values based on a personal inspection and inventory of the property.

(5) "Arm's-length transaction" - A transaction resulting from good-faith bargaining between a buyer and seller, where neither party is legally related to the other party by blood or under law, and having adverse positions in the market place. Sales or exchanges of IMR or nursing home facilities among two or more parties where all parties subsequently continue to own one or more of the facilities involved in the transaction shall not be considered arm's-length transactions. Sale of a IMR facility subsequently leased back to the seller within five years of the date of sale shall not be considered an arm's-length transaction.

(6) "Assets" - Economic resources of the contractor, recognized, and measured in conformity with generally accepted accounting principles. Assets also include deferred charges, not resources, but assets recognized and measured in accordance with generally accepted accounting principles.

(7) "Bad debts" - Amounts considered to be uncollectable from accounts and notes receivable.

(8) "Beds" - Unless otherwise specified, the number of set-up beds in the IMR facility, not to exceed the number of licensed beds.

(9) "Beneficial owner" - Any person:

(a) Directly or indirectly, through any contract, arrangement, understanding, relationship, or otherwise has or shares:

(i) Voting power including the power to vote, or to direct the voting of such ownership interest; and/or

(ii) Investment power including the power to dispose, or to direct the disposition of such ownership interest.

(b) Directly or indirectly, creates or uses a trust, proxy, power of attorney, pooling arrangement, or any other contract, arrangement, or device with the purpose or effect of divesting himself or herself of beneficial ownership of an ownership interest or preventing the vesting of such beneficial ownership as part of a plan or scheme to evade the reporting requirements of this chapter.

(c) Subject to subsection (9) of this section, has the right to acquire beneficial ownership of such ownership interest within sixty days, including but not limited to any right to acquire:

(i) Through the exercise of any option, warrant, or right;

(ii) Through the conversion of an ownership interest;

(iii) Pursuant to the power to revoke a trust, discretionary account, or similar arrangement; or

(iv) Pursuant to the automatic termination of a trust, discretionary account, or similar arrangement;

Except, any person acquiring an ownership interest or power specified in subsection (9)(c)(i), (ii), or (iii) of this section with the purpose or effect of changing or influencing the control of the contractor, or in connection with or as a participant in any transaction having such purpose or effect, immediately upon such acquisition shall be deemed to be the beneficial owner of the ownership interest acquired through the exercise or conversion of such ownership interest or power.

(d) Any person in the ordinary course of business having a pledgee of ownership interest under a written pledge agreement shall not be deemed to be the beneficial owner of such pledged ownership interest until the pledgee has taken all formal steps necessary required to declare a default and determine the power to vote or to direct the vote or to dispose or to direct the disposition of such pledged ownership interest will be exercised: PROVIDED, That

(i) The pledge agreement is bona fide and was not entered into with the purpose nor with the effect of changing or influencing the control of the contractor, nor in connection with any transaction having such purpose or effect, including persons meeting the conditions set forth in subsection (9) of this section; and

(ii) The pledge agreement, prior to default, does not grant to the pledgee:

(A) The power to vote or direct or to direct the vote of the pledged ownership interest; or

(B) The power to dispose or direct the disposition of the pledged ownership interest, other than the grant of such power(s) pursuant to a pledge agreement where credit is extended and where the pledgee is a broker or dealer.

(10) "Boarding home" – Means any home or other institution licensed in accordance with chapter 18.20 RCW.

(11) "Capitalization" – The recording of an expenditure as an asset.

(12) "Capitalized lease" – A lease required to be recorded as an asset and associated liability in accordance with generally accepted accounting principles.

(13) "Cash method of accounting" – A method of accounting where revenues are recognized only when cash

is received, and expenditures are expensed, and asset items are not recorded until cash is disbursed.

(14) "Change of ownership" – A change in the individual or legal organization responsible for the daily operation of an IMR facility.

(a) Events changing ownership include but are not limited to the following:

(i) The form of legal organization of the owner is changed (such as a sole proprietor forms a partnership or corporation);

(ii) Title to the IMR enterprise is transferred by the contractor to another party;

(iii) The IMR facility is leased, or an existing lease is terminated;

(iv) Where the contractor is a partnership, any event occurs dissolving the partnership;

(v) Where the contractor is a corporation, the corporation is dissolved, merges with another corporation which is the survivor, or consolidates with one or more other corporations to form a new corporation.

(b) Ownership does not change when the following occurs:

(i) A party contracts with the contractor to manage the enterprise as the contractor's agent, (i.e., subject to the contractor's general approval of daily operating decisions);

(ii) If the contractor is a corporation, some or all of the corporation's stock is transferred.

(15) "Charity allowances" – Reductions in charges made by the contractor because of the indigence or medical indigence of a resident.

(16) "Contract" – A contract between the department and a contractor for the delivery of IMR services to eligible medicaid recipients in a facility and an entity responsible for operational decisions.

(17) "Contractor" – An entity contracting with the department to deliver IMR services to eligible medicaid recipients.

(18) "Courtesy allowances" – Reductions in charges in the form of an allowance to physicians, clergy, and others, for services received from the contractor. Employee fringe benefits are not considered courtesy allowances.

(19) "CSO" – The local community services office of the department.

(20) "DDD" – The division of developmental disabilities of the department.

(21) "Department" – The department of social and health services (DSHS) and employees.

(22) "Depreciation" – The systematic distribution of the cost or other base of a tangible asset less salvage, over the estimated useful life of the asset.

(23) "Donated asset" – An asset the contractor acquired without making any payment in the form of cash, property, or services. An asset is not a donated asset if the contractor made even a nominal payment in acquiring the asset. An asset purchased using donated funds is not a donated asset.

(24) "Entity" – An individual, partnership, corporation, public institution established by law, or any other association of individuals, capable of entering enforceable contracts.

(25) "Equity capital" – Total tangible and other assets necessary, ordinary, and related to patient care from the most recent provider cost report minus related total long-term debt from the most recent provider cost report plus working capital as defined in this section.

(26) "Facility" – An IMR residential setting licensed in accordance with chapter 18.51 RCW as a nursing home, licensed in accordance with chapter 18.20 RCW as a boarding home for the aged, or certified as an IMR by the department in accordance with federal regulations.

(27) "Fair market value" – The price the asset would have been purchased for on the date of acquisition in an arm's-length transaction between a well-informed buyer and seller, neither being under any compulsion to buy or sell.

(28) "Fiscal year" – The operating or business year of a contractor. All contractors report on the basis of a twelve-month fiscal year, but provision is made in this chapter for reports covering abbreviated fiscal periods.

(29) "Generally accepted accounting principles" – Accounting principles currently approved by the financial accounting standard board (FASB).

(30) "Goodwill" – The excess of the price paid for a business over the fair market value of all other identifiable and tangible assets acquired. Also, the excess of the price paid for an asset over fair market value.

(31) "Habilitative services" – Those services required by the individual habilitation plan provided or directed by qualified therapists.

(32) "Historical cost" – The actual cost incurred in acquiring and preparing an asset for use, including feasibility studies, architects' fees, and engineering studies.

(33) "Imprest fund" – A fund regularly replenished in exactly the amount expended from the fund.

(34) "IMR" – When referring to a facility, one certified to provide services to the mentally retarded or persons with related conditions. When referring to a level of care, IMR is a range of services required for the mentally retarded or persons with related conditions. When referring to a person, a recipient requiring IMR services.

(35) "Interest" – The cost incurred for the use of borrowed funds, generally paid at fixed intervals by the user.

(36) "Joint facility costs" – Any costs representing expenses incurred benefiting more than one facility, or one facility and any other entity.

(37) "Levels of care" – The classification of levels of services provided to residents by a contractor, (e.g., levels A, B, C, D and E.)

(38) "Medicaid program" – The state medical assistance program provided under RCW 74.09.500 or authorized state medical services.

(39) "Medical assistance recipient" – An individual determined eligible for medical assistance by the department for the services provided in chapter 74.09 RCW.

(40) "Nonallowable costs" – Same as "unallowable costs".

(41) "Nonrestricted funds" – Donated funds not restricted to a specific use by the donor, (e.g., general operating funds).

(42) "Nursing home" – A home, place or institution, licensed in accordance with chapter 18.51 RCW, where skilled nursing, intermediate care and/or IMR services are delivered.

(43) "Operating lease" – A lease under which rental or lease expenses are included in current expenses in accordance with generally accepted accounting principles.

(44) "Owner" – A sole proprietor, general or limited partner, or beneficial interest holder of five percent or more of a corporation's outstanding stock.

(45) "Ownership interest" – All interests beneficially owned by a person, calculated in the aggregate, regardless of the form such beneficial ownership takes.

(46) "Per diem (per resident day) costs" – Total allowable costs for a fiscal period divided by total resident days for the same period.

(47) "Prospective daily payment rate" – The daily amount assigned to each contractor, determined by the department to be reasonable to meet the costs of providing services required by law if the contractor provides those services in an economical and efficient manner. Such a rate is a budget for maximum expenditures necessary to provide services required by law.

(48) "Qualified mental retardation professional (QMRP)" – A therapist approved by the department having specialized training and one year's experience in working with the mentally retarded or developmentally disabled.

(49) "Qualified therapist" – Any of the following:

(a) An activities specialist having specialized education, training, or experience as specified by the department.

(b) An audiologist eligible for a certificate of clinical competence in audiology or having the equivalent education and clinical experience.

(c) A dental hygienist as defined by chapter 18.29 RCW.

(d) A dietitian: Eligible for registration by the American dietetic association under requirements in effect on January 17, 1974; or having a baccalaureate degree with major studies in food and nutrition, dietetics, or food service management; having one year supervisory experience in the dietetic service of a health care institution; and participating annually in continuing dietetic education.

(e) An occupational therapist being a graduate of a program in occupational therapy, or having the equivalent of such education or training.

(f) A pharmacist as defined by chapter 18.64 RCW.

(g) A physical therapist as defined by chapter 18.74 RCW.

(h) A physician as defined by chapter 18.71 RCW or an osteopathic physician as defined by chapter 18.57 RCW.

(i) A psychologist as defined by chapter 18.83 RCW.

(j) A qualified mental retardation professional.

(k) A registered nurse as defined by chapter 18.88 RCW.

(l) A social worker who is a graduate of a school of social work.

(m) A speech pathologist eligible for a certificate of clinical competence in speech pathology or having the equivalent education and clinical experience.

(50) "Recipient" – An eligible medical care recipient.

(51) "Regression analysis" – A statistical technique through which one can analyze the relationship between a dependent or criterion variable and a set of independent or predictor variables.

(52) "Regional services" – Local office division of developmental disabilities.

(53) "Related organization" – An entity which is under common ownership and/or control with, or has control of or is controlled by, the contractor. An entity is deemed to "control" another entity if one entity has a five percent or greater ownership interest in the other, or if an entity has capacity, derived from any financial or other relationship, and whether or not exercised, to influence directly or indirectly the activities of the other.

(54) "Relative" – Spouse; natural parent, child, or sibling; adopted child or adoptive parent; step-parent, step-child, step-brother, step-sister; father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law; grandparent or grandchild; uncle, aunt, nephew, niece or cousin.

(55) "Resident day" – A calendar day of resident care. In computing calendar days of care, the day of admission is always counted. The day of discharge is counted only when the resident was admitted on the same day. A resident is admitted for purposes of this definition when he or she is assigned a bed and a resident record is opened.

(56) "Resident living staff" – Staff whose primary responsibility is the care and development of the residents, including:

(a) Resident activity program;

(b) Domiciliary services; and/or

(c) Habilitative services under the supervision of the QMRP.

(57) "Restricted fund" – A fund where the use of the principal and/or income is restricted by agreement with or direction by the donor to a specific purpose, in contrast to a fund over which the owner has complete control. These generally fall into three categories:

(a) Funds restricted by the donor to specific operating purposes;

(b) Funds restricted by the donor for additions to property, plant, and equipment; and

(c) Endowment funds.

(58) "Secretary" – The secretary of DSHS.

(59) "Start-up costs" – The one-time preopening costs incurred from the time preparation begins on a newly constructed or purchased building until the first resident is admitted. Start-up costs include administrative and nursing salaries, utility costs, taxes, insurance, repairs and maintenance, training costs, etc. Start-up costs do not include expenditures for capital assets.

(60) "Title XIX" – The 1965 amendments to the social security act, P.L. 89-07, as amended.

(61) "Unallowable costs" – Costs not meeting every test of an allowable cost, as determined in WAC 275-38-680.

(62) "Uniform chart of accounts" – A list of account titles identified by code numbers established by the department for contractors to use in reporting costs.

(63) "Vendor number" – A number assigned to each contractor delivering IMR services to IMR medicaid recipients.

(64) "Working capital" – Total current assets necessary, ordinary, and related to resident care as reported in the most recent cost report minus total current liabilities necessary, ordinary, and related to resident care from the most recent cost report.

#### NEW SECTION

WAC 275-38-005 IMR CARE. (1) The department has the administrative and legal responsibility to purchase the services of an institution for the mentally retarded and persons with similar conditions (IMR), and IMR-based services for eligible developmentally disabled persons. The department has the responsibility to assure adequate care, service, and protection are provided through licensing and certification procedures.

(2) The intent of this chapter is to establish standards for habilitative training, health related care, supervision, and residential services to eligible persons.

(3) Each IMR facility shall be certified as a Title XIX IMR facility.

(4) Each IMR facility with a certified capacity of sixteen beds or more shall be certified and/or licensed as a nursing home in accordance with chapter 18.51 RCW.

(5) Each private IMR facility with a certified capacity of fifteen beds or less shall be licensed as a boarding home for the aged in accordance with chapter 18.20 RCW.

(6) Facilities certified to provide IMR services must comply with all applicable federal regulations under Title XIX, Section 1905 of the Social Security Act 42 U.S.C. as amended, as well as state regulations governing the licensing of nursing homes or boarding homes for the aged, and other relevant state regulations.

(7) The sections of this chapter will supersede and replace any and all sections affecting IMR facilities or programs in chapters 388-88 and 388-96 WAC except where specifically referenced in this chapter.

#### NEW SECTION

WAC 275-38-007 IMR FACILITIES. (1) Contracts with IMR facilities will specify one of five levels (A, B, C, D, and E) of service. Clients will be referred for admission to IMR facilities by the DDD regional services office. Admission will be verified and classification determined by a qualified mental retardation professional employed by the department. This classification will specify one of these five levels of service.

(2) At least fifty percent of the licensed bed capacity of a facility will be occupied by persons with mental retardation or related conditions as of the date of application for certification.

(3) Facilities shall not admit any person as a resident except developmentally disabled persons after the date of certification.



NEW SECTION

WAC 275-38-015 NAME OF IMR. The division will recognize only the official name of an IMR as shown on the license.

NEW SECTION

WAC 275-38-020 CLOSURE OF AN IMR FACILITY. When a facility is due to cease operations, the facility has the responsibility of notifying the department in writing, giving sixty days notice. Upon receipt of notice of closure of a facility, the department shall cease referral of clients to the facility and proceed in the orderly relocation of the residents.

NEW SECTION

WAC 275-38-025 ADEQUATE IMR CARE. Care and services rendered must be justified as essential to the resident's habilitation and health care needs, with the overall goal of the resident attaining the highest level of independence. Each IMR is obligated to assure the provision of adequate habilitative training and health care to include but not limited to:

- (1) Active treatment as defined in WAC 275-38-001.
- (2) Services to the resident by or under the supervision of qualified therapists in accordance with the identified needs of the individual resident.
- (3) Provide routine items and supplies uniformly used for all residents.
- (4) Surgical appliances, prosthetic devices, and aids to mobility required for the exclusive use of an individual resident are available to the recipient pursuant to WAC 388-86-100.
- (5) Nonreusable supplies not usually provided for all residents may be individually ordered in accordance with WAC 388-86-005(2). Requests for such supplies must be authorized by a department representative.
- (6) Each IMR facility is responsible for providing transportation to and from the day training programs. Responsibility for transportation may include assurance of resident's use of public transportation.

NEW SECTION

WAC 275-38-030 CONTINUITY OF RESIDENT CARE. When a resident is transferred from one IMR facility to another, from an IMR facility to the hospital, from the hospital to an IMR facility, or to alternative community placement, essential information concerning the resident, his or her condition, regimen of care and training must be transmitted in writing by the sending facility to the receiving facility at the time of the resident's transfer.

NEW SECTION

WAC 275-38-035 IMR CONTRACT—NON-COMPLIANCE. When a facility is in violation of the terms of the contract, the department may temporarily suspend the referral of residents to the facility. Whenever referral is suspended under this section, the facility will immediately be notified in writing of the suspension and of the basis for the department's action. Suspension

may continue until the department determines the infraction has been corrected.

NEW SECTION

WAC 275-38-040 CLASSIFICATION OF IMR RESIDENTS. (1) For IMR residents the level of care determinations are made by a qualified mental retardation professional employed by the department, in accordance with his or her best professional judgment. Each IMR resident shall be classified by the level of care the resident may individually need. The levels of care are A, B, C, D, or E.

(2) In making IMR classification decisions, the departmental representative shall utilize the following guidelines:

- (a) Level A Residents:
    - (i) Require twenty-four hour licensed nursing supervision; and
    - (ii) May attend day training in community based programs; and
    - (iii) Manifest behaviors requiring highly structured behavioral management programs; or
    - (iv) Not able to receive adequate care or services in a lesser level of IMR.
  - (b) Level B Residents:
    - (i) Require licensed nursing supervision for at least eight hours each day; and
    - (ii) May attend day training in community based program; and
    - (iii) Manifest behaviors requiring highly structured behavioral management programs; or
    - (iv) Not able to receive adequate care or services in a lesser level of IMR.
  - (c) Level C Residents:
    - (i) Require twenty-four hours of licensed nursing supervision; and
    - (ii) Capable of participating in off-premises day training programs; or
    - (iii) Not able to receive adequate care or services in a lesser level of IMR.
  - (d) Level D Residents:
    - (i) Require licensed nursing supervision for at least eight hours each day; and
    - (ii) Capable of participating in off-premises day training programs; or
    - (iii) Not able to receive adequate care or services at a lesser level of IMR.
  - (e) Level E Residents:
    - (i) Require health-related supervision but not licensed nursing supervision. The facility must provide for licensed consultation to supervise the health care needs of the residents;
    - (ii) Capable of attending an off-premises day training program; and
    - (iii) Not able to receive adequate care or services at a less restrictive level of residential setting.
- (3) The classification of IMR residents shall be periodically reviewed by a qualified mental retardation professional employed by the department for the purposes of:
- (a) Determining the need for continued stay; and

(b) Identify the level of care required to meet the needs of the resident.

(4) Classification changes shall be made in accordance with the needs of the resident and in accord with appeal and relocation procedures outlined in WAC 275-27-500 and 275-38-060 as applicable.

#### NEW SECTION

WAC 275-38-045 MINIMUM STAFF REQUIREMENTS. (1) Each level of IMR must provide staff adequate in numbers and qualifications to meet the need of the residents.

(2) Specifically, the IMR must provide at least the following:

(a) Level A:

(i) Facility-based physician staff to provide for twenty-four hour medical supervision to include examination, diagnosis, planning, implementation, and review of appropriate medical regimen for each resident;

(ii) One full-time registered nurse as director of nursing services with sufficient additional licensed nurses to provide twenty-four hour nursing supervision;

(iii) Facility-based qualified therapist staff in accordance with WAC 275-38-025;

(iv) Sufficient resident living staff to meet the needs of the residents in care level A;

(v) Sufficient qualified mental retardation professional staff to meet the needs of the residents.

(b) Level B:

(i) Facility-based physician staff sufficient to provide for medical supervision to include examination, diagnosis, planning, implementation, and review of an appropriate medical regimen for each resident;

(ii) At least one registered nurse responsible as the director of nursing services and in addition sufficient licensed nurses to provide nursing supervision of the facility for at least eight hours per day;

(iii) Facility-based qualified therapist staff in accordance with WAC 275-38-025;

(iv) Sufficient resident living staff to meet the needs of the residents in care level B;

(v) Sufficient qualified mental retardation professional staff to meet the needs of the residents.

(c) Level C:

(i) A physician as a consultant medical director to the facility;

(ii) One full-time registered nurse as director of nursing services with additional licensed nurses to provide twenty-four hour nursing supervision of the facility;

(iii) Sufficient resident living staff to meet the needs of the residents in care level C;

(iv) Sufficient qualified mental retardation professional staff to meet the needs of the residents;

(v) Consultant qualified therapist staff in accordance with WAC 275-38-025.

(d) Level D:

(i) A physician as a consultant medical director to the facility;

(ii) A licensed nurse responsible as the director of nursing services with additional licensed nurses to provide nursing supervision of the facility for at least eight hours per day;

(iii) Sufficient resident living staff to meet the needs of the residents in care level D;

(iv) Sufficient qualified mental retardation professional staff to meet the needs of the residents;

(v) Consultant qualified therapist staff in accordance with WAC 275-38-025.

(e) Level E:

(i) A physician as a consultant medical director to the facility;

(ii) A registered nurse as a consultant to the facility, responsible for the health care needs of the residents;

(iii) Sufficient resident living staff must be provided to assure at least one staff is on duty in the facility when residents are present;

(iv) Sufficient qualified mental retardation professional staff to meet the needs of the residents;

(v) Qualified consultant therapists in accordance with WAC 275-38-025.

#### NEW SECTION

WAC 275-38-050 PLACEMENT OF IMR CLIENT. Placement into an IMR facility is the responsibility of the division of developmental disabilities and shall be accomplished in accordance with the applicable federal and state regulations. The client's classification and eligibility for IMR services shall be determined by representatives of the department before payment can be approved: PROVIDED, That a facility may not admit a client requiring services the facility is not able to provide.

#### NEW SECTION

WAC 275-38-055 TRANSFER OF IMR CLIENT—RELOCATION. (1) The department is responsible for assuring individual client's health care and rehabilitative training needs are identified and met, as provided by state and federal regulations. The department is therefore responsible for assuring that each client is placed in a facility certified as capable of meeting the needs of the client.

(2) Each client admitted to a facility may be transferred or discharged only for medical reasons, or for his or her welfare or the welfare of other residents of the facility. This determination shall be made by the department based on an assessment of the resident, consultation with the service provider, and a review of the relevant records.

(3) If the services being provided to a resident are not commensurate with the resident's needs, the department is responsible for initiating and facilitating the resident's relocation.

A circumstance where the department would enforce immediate movement of a resident from an IMR facility is the revocation or suspension of the IMR certification and/or license.

(4) Upon the determination by the department that a facility will no longer operate or be allowed to operate an IMR, because of any violation of the facility's contract or these regulations or state or federal law, the department will provide notice to the resident and the guardian, next-of-kin, or responsible party that thirty

days following the mailing date of the letter, the resident will be required to relocate: PROVIDED, That nothing in this section shall require a pretransfer notice be given when the secretary or his or her designee determines an immediate threat to health and/or safety exists or moves may be accomplished sooner at the request of the resident or with the resident's consent.

(5) Decertification, termination, or nonrenewal of contract actions require a stop payment of Title XIX funds. Such actions do not affect the facility's right to operate as a nursing home or boarding home, but does disqualify the facility from operating as an IMR facility and receiving federal funds. When termination of federal funds is contemplated, residents must be informed.

(6) When relocation is required, a designated representative of the department will conduct a review and assessment for the classification. Thirty days prior to any implementation of a change in the level of care, resulting in the change of the services required and provided, or because of the transfer, the department shall notify, in writing, the resident and guardian, next-of-kin, or responsible party pursuant to WAC 275-38-060.

(7) Grounds for the request by a facility to have a resident relocated or discharged are limited to the following:

- (a) Medical reasons;
- (b) Resident's welfare;
- (c) The welfare of the other residents; or
- (d) Nonpayment of services provided to the resident during his or her stay at the facility.

The facility shall follow the following procedure:

(i) The facility shall send a request in writing to the department, for relocation or discharge of a resident. This request shall include the grounds for the request and substantiation of concurrence by the interdisciplinary team in the development of an appropriate individual habilitation plan.

(ii) The department shall approve or deny the request for relocation or discharge based on an on-site visit with the resident and a review of his or her records, within fifteen working days following the receipt of the request.

(iii) The facility administrator shall be informed of the department's approval or denial of the request.

(iv) If the facility's request is approved, the department shall notify, in writing, the resident or the resident's guardian, or next-of-kin, or responsible party, of the decision pursuant to WAC 275-38-060.

(v) The resident and the department will be allowed thirty days from the date that the resident is notified of relocation or discharge by the department in order to facilitate relocation.

(e) The resident has a right to request relocation and to select the IMR he or she desires for placement. If this selection is available and appropriate to the habilitation and health care needs of the resident, all reasonable attempts to accomplish relocation shall be made by the department.

(i) The resident or the resident's guardian must request such a move in writing.

(ii) Arrangements for relocation will be the responsibility of the division of developmental disabilities.

## NEW SECTION

WAC 275-38-060 IMR RESIDENT RIGHTS—RELOCATION. (1) Except in the cases specified in WAC 275-38-060(2), the resident (or guardian, next-of-kin, or responsible party of the resident if the resident has been adjudicated to be incompetent or under age eighteen) must be informed in writing thirty days prior to any relocation or reclassification to ensure orderly transfer or discharge. Such notice must include:

(a) The grounds for the proposed change and/or transfer;

(b) A statement that the resident or any other individual designated by the resident has a right to a conference with a division of developmental disabilities representative within thirty days of receipt of the notice;

(c) The right to request a fair hearing within thirty days of the notice to contest the department's decision;

(d) The method by which a fair hearing may be obtained;

(e) The right to be represented at the fair hearing by an authorized representative;

(f) The existence and locations of any legal services in the community that are available.

(2) A fair hearing request form shall be sent with the notice of relocation and/or reclassification.

(a) If the resident requests a fair hearing within the thirty day time period, the department shall not change the level of care or transfer the resident pending fair hearing decision or appeal rights, unless such action is warranted by the health or safety needs of the resident.

(b) If the secretary or his or her designee finds a change in the level of care is not appropriate, no further action shall be taken to change the level of care or transfer the resident, unless there is a change in the situation or circumstances at which time the request may be resubmitted.

(c) If the secretary or his or her designee affirms the determination to change the resident's level of care and/or transfer, and no judicial review is filed within thirty days of the receipt of notice of determination, the department shall proceed with the planned action.

(d) If the secretary or his or her designee affirms the determination to change the resident's level of care and/or transfer and a request for judicial review has been filed, any proposed change and/or transfer shall be delayed pending the outcome of the process, unless such action is warranted by the health or safety needs of the resident.

(3) Advance notice is not required:

(a) If the resident or the resident's guardian requests a transfer in writing and waives the right to a period notice.

(b) In the event of an immediate threat to the resident's life or health, or life or health of others.

(4) Advance notice and planning does not include a right to a fair hearing for a resident when the department judges the facility where the resident resides is no longer able to provide Title XIX services due to:

(a) Termination of the facility's contract.

(b) Decertification of the facility.

(c) Nonrenewal of the facility's contract.

- (d) Revocation of the facility's license.
- (e) Emergency license suspension.

#### NEW SECTION

**WAC 275-38-065 TRANSFER OR DISCHARGE PLANNING.** A suitable discharge and/or transfer plan must be prepared by the division of developmental disabilities for each resident to be transferred or discharged. Transfers shall be dependent on the best interests of the resident. The plan shall include the location of available settings at the appropriate level of care consistent with the needs of the resident. The plan shall include:

- (1) Coordination of communication between the staffs of the old and new facilities;
- (2) Pretransfer visit, when the resident's condition permits, to the new facility, familiarizing the resident with the new surroundings, and other residents;
- (3) Coordination of active participation by the resident's guardian or family in the transfer preparation;
- (4) Coordination with staff members of the old and new facilities to discuss expectations and provide consultation on request;
- (5) Posttransfer follow-up by the division of developmental disabilities to monitor the effects of the change.

#### NEW SECTION

**WAC 275-38-075 DISCHARGE OR LEAVE OF AN IMR RESIDENT.** (1) A certified IMR facility having an IMR contract with the department shall contact the regional services office, division of developmental disabilities giving immediate notification of unauthorized leave, disappearance, serious accident, or other traumatic incident effecting a resident or the resident's health or welfare.

- (2) Discharge and readmission is required for all residents who are admitted as hospital inpatients.

#### NEW SECTION

**WAC 275-38-080 SOCIAL LEAVE FOR IMR RESIDENTS.** (1) Social leaves should be consistent with goals and objectives of the resident's individual habilitation plan.

- (2) Facility vacancies due to social leave of a resident will be reimbursed if such social leave complies with the individual habilitation plan and the following conditions:

- (a) The facility shall notify the director of the division of developmental disabilities or his or her designee, of social leaves exceeding fifty-three hours.
- (b) Social leaves over seven consecutive days require prior written approval by the director, division of developmental disabilities or his or her designee.
- (c) Social leave in excess of seventeen days per year requires prior written approval by the director, division of developmental disabilities or his or her designee.

#### NEW SECTION

**WAC 275-38-510 PROSPECTIVE COST-RELATED REIMBURSEMENT.** The prospective cost-related reimbursement system is the system used by the

department to pay for IMR services provided to IMR residents. Reimbursement rates for such services will be determined in accordance with the principles, methods, and standards contained in this chapter.

#### NEW SECTION

**WAC 275-38-515 CONDITIONS OF PARTICIPATION.** In order to participate in the prospective cost-related reimbursement system, the person or legal organization responsible for operation of an IMR facility shall:

- (1) Obtain a state certificate of need as required, pursuant to chapter 70.38 RCW;
- (2) Hold the appropriate current license (e.g., nursing home, boarding home);
- (3) Hold current Title XIX certification to provide IMR services;
- (4) Hold a current contract to provide IMR services; and
- (5) Comply with all provisions of the contract and all applicable regulations, including but not limited to the provisions of chapter 275-38 WAC.

#### NEW SECTION

**WAC 275-38-520 PROJECTED BUDGET FOR NEW CONTRACTORS.** (1) Each new contractor shall submit a one-year projected budget to the department at least sixty days before the contract will become effective. For purposes of this section, a "new contractor" is one:

- (a) Operating a new facility;
  - (b) Acquiring or assuming responsibility for operating an existing facility;
  - (c) Obtaining a certificate of need approval due to an addition to or renovation of a facility.
- (2) The projected budget shall cover the twelve months immediately following the date the contractor will enter the program. The projected budget shall be prepared on forms and in accordance with instructions provided by the department.

#### NEW SECTION

**WAC 275-38-525 CHANGE OF OWNERSHIP.** (1) On the effective date of a change of ownership, as defined in WAC 275-38-001, the department's contract with the former owner shall be terminated. The former owner shall give the department thirty days written notice of such termination in accordance with the terms of the contract. When certificate of need is required for the new owner to acquire the facility, and the new owner wishes to continue to provide service to recipients without interruption, certificate of need shall be obtained before the former owner submits a notice of termination.

(2) If the new contractor desires to participate in the cost-related reimbursement system, the contractor shall meet the conditions specified in WAC 275-38-515, and shall submit a projected budget in accordance with WAC 275-38-520 no later than sixty days before the date of the change of ownership. The IMR contract with the new owner shall be effective as of the date of the change of ownership.

NEW SECTION

**WAC 275-38-530 TERMINATION OF CONTRACT.** (1) When a contract is terminated for any reason, the former contractor shall submit final reports in accordance with WAC 275-38-575. Payment for care provided during the final thirty days of service under a contract will be held until the contractor has filed a properly completed final annual report, and final settlement has been determined.

(2) Following final settlement, a payment withheld pursuant to subsection (1) of this section will be sent to the contractor, after any overpayment determined in connection with final settlement has been deducted. If the contractor contests the settlement determination in accordance with WAC 275-38-940, the department will hold the amount in dispute pending completion of the appeal process, but will release the balance of such payment to the contractor.

(3) The department will release a payment which would be withheld pursuant to subsection (1) of this section, provided a bond issued by a reputable bonding company and acceptable to the department is filed by the contractor. The bond shall:

- (a) Be in an amount equal to the released payment;
- (b) Be for a term sufficient to ensure effectiveness after final settlement and the exhaustion of administrative and judicial remedies;
- (c) Provide the full amount of the bond shall be paid to the department if a properly completed final annual report is not filed in accordance with this chapter, or if financial records supporting this report are not preserved and made available to the department's auditors; and
- (d) Provide an amount equal to any recovery the department determines is due from the contractor at settlement, but not exceeding the amount of the bond, shall be paid to the department in the event the contractor does not pay the refund within sixty days following receipt of written demand or the conclusion of administrative or judicial proceedings to contest settlement issues.

(4) If a contract is terminated solely in order for the same owner to contract with the department to deliver IMR services to a different class of medical care recipients at the same IMR facility, the contractor is not required to submit final reports, and payment for the final thirty days will not be withheld.

(5) When a contract is terminated, any accumulated liabilities assumed by a new owner shall be reversed against the appropriate accounts by the contractor.

NEW SECTION

**WAC 275-38-535 DUE DATES FOR REPORTS.** Annual reports covering the complete fiscal year shall be submitted within ninety days after the end of the fiscal year.

NEW SECTION

**WAC 275-38-540 REQUESTS FOR EXTENSIONS.** The department, upon a written request setting forth reasons for the necessity of an extension, may

grant a thirty day extension of time for filing any required report, if the written request is received prior to the expiration of the relevant time period.

NEW SECTION

**WAC 275-38-545 REPORTS.** (1) In order for a contractor to receive payments under the cost-related reimbursement system for providing care to IMR residents, an annual report based on the contractor's fiscal year shall be submitted to the department.

(2) Each contractor's fiscal year for federal tax and cost reporting purposes shall coincide with the calendar year, except for state-owned and operated IMR facilities whose reporting form shall coincide with the facility's fiscal year.

NEW SECTION

**WAC 275-38-550 IMPROPERLY COMPLETED OR LATE REPORTS.** (1) For 1981 and subsequent annual cost reporting periods, an annual report, including the proposed settlement computed by cost center pursuant to WAC 275-38-630, must be completed in accordance with applicable statutes, departmental regulations and instructions. An annual cost report deficient in any of these respects may be returned in whole or in part to the contractor for proper completion. Annual reports must be submitted by the due date determined in accordance with WAC 275-38-535.

(2) For purposes of establishing rates effective July 1, 1982, if a contractor has not corrected errors in an annual cost report, including the proposed settlement, according to subsection (1) of this section by May 15, 1982, such report shall be excluded from computation of the redistribution pool established pursuant to WAC 275-38-855(5) and the contractor shall be subject to the provisions of subsection (3) of this section.

(3) If a report is not properly completed or is not received by the department on or before the due date of the report, including any approved extensions, all or a part of any payments due under the contract may be held by the department until the improperly completed or delinquent report is properly completed and received by the department.

NEW SECTION

**WAC 275-38-555 COMPLETING REPORTS AND MAINTAINING RECORDS.** (1) All reports shall be legible and reproducible. It is recommended all entries be typed or in black ink.

(2) Reports shall be completed in accordance with instructions provided by the department. If no specific instruction covers a situation, generally accepted accounting principles shall be followed.

(3) The accrual method of accounting shall be used, except for governmental institutions operated on a cash method of accounting, data based on this method of accounting will be acceptable. All revenue and expense accruals shall be reversed against the appropriate accounts if not received or paid within one hundred twenty days after the accrual is made, unless special circumstances are documented justifying continuing to carry all or part

of the accrual (e.g., contested billings). Accruals for vacation, holiday, sick pay, and taxes may be carried for longer periods, provided the contractor's usual policy is followed.

(4) Methods of allocating costs shall be consistently applied. Written approval must be obtained from the department if a contractor wishes to change an allocation method. Contractors operating multiservice facilities or facilities incurring joint facility costs shall allocate costs using the methods approved by the department under WAC 275-38-735.

(5) If a contractor fails to maintain records adequate for audit purposes or fails to allow inspection of such records by authorized personnel as provided in the contractor's IMR contract, the department may suspend all or part of subsequent reimbursement payments due under the contract until compliance is forthcoming. Upon compliance, the department shall resume current contract payments and shall release payments suspended pursuant to the contractor's IMR contract.

**NEW SECTION**

**WAC 275-38-560 CERTIFICATION REQUIREMENT.** Each required report shall be accompanied by a certification signed on behalf of the contractor responsible to the department during the report period. If the contractor files a federal income tax return, the certification shall be executed by the person normally signing this return. The certification shall also be signed by the licensed administrator of the IMR facility. If the report is prepared by someone other than an employee of the contractor, a separate statement shall be included with the certification signed by the individual preparing the report and indicating his or her status with the contractor.

**NEW SECTION**

**WAC 275-38-565 REPORTS—FALSE INFORMATION.** (1) If a contractor knowingly or with reason to know files a report containing false information, such action constitutes cause for termination of the contractor's contract with the department.

(2) Adjustments to reimbursement rates required because a false report was filed will be made in accordance with WAC 275-38-885.

(3) Contractors filing false reports may be referred for prosecution under applicable statutes.

**NEW SECTION**

**WAC 275-38-570 AMENDMENTS TO REPORTS.** (1) For purposes of computing settlements, an amendment to an annual report shall be filed if significant errors or omissions are discovered prior to the commencement of the department's field audit. Errors or omissions shall be deemed "significant" if errors or omissions would mean a net difference of two cents or more per resident day or one thousand dollars or more in reported costs, whichever is higher, in any cost area. To file an amendment, only pages where changes are required need to be filed, together with the certification

required by WAC 275-38-560. Adjustments to reimbursement rates resulting from an amended report will be made in accordance with WAC 275-38-885.

(2) If an amendment is filed, a contractor shall also submit with the amendment an account of the circumstances relating to and the reasons for the amendment, along with supporting documentation. The department may refuse to consider an amendment resulting in a more favorable settlement to a contractor if the amendment is not the result of circumstances beyond the control of the contractor or the result of good-faith error under the system of cost allocation and accounting in effect during the reporting period in question. Amendments may be submitted for purposes of adjusting reimbursement rates in accordance with WAC 275-38-900; however, use in this regard does not mean an amendment will be used for settlement purposes in the absence of conditions specified in subsection (2) of this section.

(3) Acceptance or use by the department of an amendment to a cost report shall in no way be construed as a release of applicable civil or criminal liability.

**NEW SECTION**

**WAC 275-38-575 REPORTING FOR AN ABBREVIATED PERIOD.** (1) Reports shall be filed as required by the department when a contractor or IMR facility enters the prospective cost-related reimbursement system.

(2) If the contractor changes during a fiscal year, the former contractor shall submit a final annual report covering the period the contract was in effect during the fiscal year. The new contractor shall submit an annual report covering the period the contract is in effect during the fiscal year.

(3) An annual report shall be submitted within sixty days after the end of the abbreviated period.

**NEW SECTION**

**WAC 275-38-585 REQUIREMENT FOR RETENTION OF REPORTS BY THE DEPARTMENT.** The department will retain each required report for a period of three years following the date the report was submitted. If at the end of three years there are unresolved audit questions, the report will be retained until such questions are resolved.

**NEW SECTION**

**WAC 275-38-590 DISCLOSURE OF IMR FACILITY REPORTS.** Pursuant to chapter 388-320 WAC, all required financial and statistical reports submitted by IMR facilities to the department will be available for public disclosure.

**NEW SECTION**

**WAC 275-38-595 DESK REVIEW.** (1) The department will analyze each annual cost report within six months after the annual cost is properly completed and filed.

(2) If it appears from the analysis a contractor has not correctly determined or reported costs, the department may request additional information from the contractor. If the department deems it necessary in order to ensure correct reporting, the department may schedule a special field audit of the contractor.

#### NEW SECTION

**WAC 275-38-600 FIELD AUDITS.** Each annual cost report will be field audited by auditors employed by or under contract with the department.

#### NEW SECTION

**WAC 275-38-605 PREPARATION FOR AUDIT BY THE CONTRACTOR.** (1) The department will normally notify the contractor at least two weeks in advance of a field audit.

(2) The contractor shall provide the auditors with access to the IMR and to all financial, statistical records, and work papers supporting the data in the cost report. Such records shall be made available at a location in the state of Washington specified by the contractor, as agreed by the department.

(3) The contractor shall reconcile reported data with applicable federal income and payroll tax returns and with the financial statement as of the end of the period covered by the report. Such reconciliation shall be in suitable form for verification by the auditors.

#### NEW SECTION

**WAC 275-38-610 SCOPE OF FIELD AUDITS.** (1) Auditors will review the contractor's record-keeping and accounting practices and, where appropriate, make written recommendations for improvements.

(2) Auditors will examine the contractor's financial and statistical records to verify:

(a) Supporting records are in agreement with reported data;

(b) Only expense items the department has specified as allowable costs have been included by the contractor in computing the costs of services provided under the contract;

(c) Allowable costs have been accurately determined and are reasonable, necessary, ordinary, and related to resident care; and

(d) Resident trust funds have been properly maintained.

(3) Auditors will prepare and provide draft audit narratives and summaries to the contractor before final narratives and summaries are prepared.

#### NEW SECTION

**WAC 275-38-615 INADEQUATE DOCUMENTATION.** The auditors will disallow any expenses reported as allowable costs not supported by adequate documentation in the contractor's financial records. Documentation must show the costs were incurred and were related to resident care and training.

#### NEW SECTION

**WAC 275-38-620 DEADLINE FOR COMPLETION OF AUDITS.** (1) Field audits will be completed within one year after a properly completed annual cost report is received by the department, provided field auditors are given timely access to the IMR facility and to all financial and statistical records necessary to audit the report.

(2) The department will give priority to field audits of final annual reports and whenever possible will begin such field audits within sixty days after a properly completed final annual report is received.

#### NEW SECTION

**WAC 275-38-625 DISCLOSURE OF AUDIT NARRATIVES AND SUMMARIES.** Final audit narratives and summaries prepared by the auditor will be available for public disclosure.

#### NEW SECTION

**WAC 275-38-630 SETTLEMENT.** (1) Beginning with calendar year 1981, the contractor shall submit a preliminary settlement report together with the contractor's annual cost report. This report shall compare the prospective rates paid to the contractor during the report period, weighted according to the number of resident days each rate was in effect, with the contractor's allowable costs for the period, taking into account all authorized shifting (WAC 275-38-635) and the upper rate limits set out in WAC 275-38-885.

(2) Settlement shall be in accordance with the following principles:

(a) In the resident care and food cost areas, the contractor shall refund all portions of payments received for residents in excess of allowable resident care and food costs, respectively, for residents;

(b) In the administration, operations, and property cost areas, the contractor shall refund all portions of payments received for recipients in excess of administration, operations, and property costs, respectively, for recipients;

(c) In the property cost area, the contractor shall refund amounts determined under WAC 275-38-815 and for settlement periods prior to January 1, 1981, amounts determined under WAC 275-38-810;

(d) In the return on equity cost area, the contractor shall refund amounts determined under WAC 275-38-880(4).

(3) The department will either accept or reject the preliminary settlement reported within ninety days after the preliminary settlement report's receipt. If the department accepts the preliminary settlement report, the preliminary settlement report will become the proposed settlement report. If the department rejects the preliminary settlement report, the department will submit a proposed settlement report to the contractor.

(4) The contractor shall pay the refund, or shall commence repayment in accordance with a schedule determined by the department, within sixty days after receiving the proposed settlement report, unless the contractor's preliminary settlement report was rejected by

the department and the contractor contests settlement issues in good faith in accordance with the procedures set out in WAC 275-38-960. If the settlement determination is contested, the contractor shall pay or commence repayment in accordance with a schedule determined by the department within sixty days after such proceedings are concluded. The department will pay any amount due the contractor as the result of errors in billing or payment disclosed on the proposed settlement report within thirty days after the settlement report is received by the contractor or within thirty days after proceedings to contest the settlement are concluded.

(5) If the contractor does not refund the overpayment and interest or any installment when due, the department may withhold payments from current billings until the overpayment is refunded. Payments will only be withheld under this subsection up to the underfunded amount of the overpayment.

(6) A proposed settlement may be revised by the department on the basis of audit findings. Payments of amounts determined to be due on revised settlement to either contractor or the department shall be made within the time limits specified in subsections (4) and (5) of this section.

#### NEW SECTION

WAC 275-38-635 SHIFTING. (1) For calendar year 1981 and subsequent years, in determining a contractor's settlement, if allowable costs were less than the rate in any cost area, savings will be shifted (or "transferred") to cover any deficit in another cost area.

(2) The amount shifted may not exceed twenty percent of the rate in the cost area into which the shift is made.

(3) No saving may be shifted into the property or return on equity cost areas.

#### NEW SECTION

WAC 275-38-640 DATE SETTLEMENT BECOMES FINAL. (1) A settlement will become final thirty days after the date the revised settlement is received by the contractor unless the contractor contests this determination in accordance with the procedures set out in WAC 275-38-960. In the event the settlement determination is contested, the settlement determination will be final as of the date these proceedings are concluded.

(2) A settlement for calendar year 1981 or subsequent years will become final one hundred twenty days after the final audit narrative and summary is sent to the contractor, if no revised settlement is sent to the contractor prior to that date.

(3) A settlement for a settlement period prior to January 1, 1981, will be reopened if necessary to make adjustments in accordance with WAC 275-38-810(4).

#### NEW SECTION

WAC 275-38-642 INTEREST ON SETTLEMENTS. (1) In any settlement for calendar year 1981 or a subsequent year, where an amount is determined to

be due the department, that amount will bear interest at a rate of one percent per month from the date the settlement is sent to the contractor to the date of payment, unless the contractor establishes the overpayment was the result of errors made by the department.

(2) The contractor may, by payment of a disputed settlement in whole, or where approved by the department, in part, stop accrual on the amount paid. Such payment will be without prejudice to any right to obtain review of a settlement determination.

#### NEW SECTION

WAC 275-38-645 RESIDENT TRUST ACCOUNTS. (1) The provider shall establish and maintain, as a service to the recipient, a bookkeeping system, incorporated in the business records, adequate for audit, for all resident moneys entrusted to and received by the facility for the resident.

(2) The system will apply to the resident:

(a) Incapable of handling his or her own money and whose guardian, relative, developmental disabilities regional service office administrator, or physician makes written request of the facility to accept this responsibility; if the social security form SSA-780, "certificate of applicant for benefits on behalf of another," is utilized as documentation, the form must be signed by one of the persons designated in this subsection.

(b) Capable of handling his or her own money, but requests the facility in writing to accept this responsibility.

(3) It shall be the responsibility of the provider to maintain such written authorization in the resident's file.

(4) The resident must be given at least a quarterly reporting of all financial transactions in his or her trust account. The representative payee, the guardian and/or other designated agents of the recipient must be sent a copy of the quarterly accounting report.

#### NEW SECTION

WAC 275-38-650 ACCOUNTING PROCEDURES FOR RESIDENT TRUST ACCOUNTS. (1) The provider shall maintain a subsidiary ledger with an account for each resident for whom the provider holds money in trust. Each account and related supporting information shall:

(a) Be maintained at the facility;

(b) Be kept current;

(c) Be balanced each month, and;

(d) Show in detail, with supporting verification, all moneys received on behalf of the individual resident and the disposition of all moneys so received.

(2) Each account shall be available for audit and inspection by a department representative and be maintained for a minimum of three years. The provider further agrees to notify the division of developmental disabilities, regional services office of the department when:

(a) The account of any individual certified on or before December 31, 1973, having an award letter limit of two hundred dollars cash, reaches the sum of one hundred seventy-five dollars.



The regional services office will re-evaluate the status of each recipient certified under the eligibility criteria prior to January 1, 1974, having an award letter specifying a two hundred dollar cash limit.

(b) The account of any individual certified on or after January 1, 1974, having an award letter limit of one thousand five hundred dollars, reaches the sum of one thousand four hundred fifty dollars.

(c) For both groups, the accumulation toward the limit, after admission to the facility, is permitted only from savings from the clothing and personal incidentals allowance and other income the department specifically designates as exempt income from time-to-time.

(d) No resident account may be overdrawn (show a debit balance). If a resident wants to spend an amount greater than in such resident's trust account, the IMR may provide money from the IMR's own funds and collect the debt by installments from the portion of the resident's allowance remaining at the end of each month. No interest may be charged to residents for such loans.

(3) In order to ensure the resident trust accounts are not charged for services provided under the Title XIX program, any charge for medical services otherwise properly made to a resident's trust account must be supported by a written denial from the department.

(a) A request for additional equipment such as a walker, wheelchair or crutches must have a written denial from the department of social and health services before a resident's trust account can be charged.

(b) Except as otherwise provided below, a request for physical therapy, drugs, or other medical services must have a written denial from the local CSO before a resident trust account can be charged.

A written denial from the local CSO is not required when the pharmacist verifies a drug is not covered by the program (e.g., items on the FDA list of ineffective or possible effective drugs, nonformulary over-the-counter (OTC) medications such as vitamins, laxatives, nose drops, etc.). The pharmacist's notation to this effect is sufficient.

#### NEW SECTION

WAC 275-38-655 TRUST MONEYS—IMPREST FUND. (1) The provider may maintain a petty cash fund originating from trust moneys of an amount reasonable and necessary for the size of the facility and the needs of the residents, not to exceed five hundred dollars. This petty cash fund shall be an imprest fund. All moneys over and above the trust fund petty cash amount shall be deposited intact in a trust fund checking account, separate and apart from any other bank account(s) of the facility or other facilities.

(2) Cash deposits of resident allowances must be made intact to the trust account within one week from the time payment is received from the department, social security administration, or other payor.

(3) Any related bankbooks, bank statements, checkbook, check register, and all voided and cancelled checks, shall be made available for audit and inspection by a department representative, and shall be maintained by the IMR for not less than three years.

(4) No service charges for such checking account shall be paid by resident trust moneys.

(5) The trust account per bank shall be reconciled monthly to the trust account per resident ledgers.

#### NEW SECTION

WAC 275-38-660 TRUST MONEYS CONTROL OR DISBURSEMENT. Trust moneys shall be held in trust and are not to be turned over to anyone other than the resident or his or her guardian without the written consent of the resident, his or her designated agent as appointed by power-of-attorney, or appropriate department of social and health services personnel as designated by the DDD regional services administrator.

(1) When moneys are received, a receipt should be filled out in duplicate; one copy should be given to the person making payment or deposit, and the other copy should be retained in the receipt book for easy reference.

(2) Checks received by residents must be endorsed by the resident. Each resident receiving a check or state warrant is responsible for endorsement by his or her own signature. Only when the resident is incapable of signing his or her name may the provider assume the responsibility of securing the resident's mark "X" followed by the name of the resident and the signature of two witnesses.

(3) If both the general fund account and the trust fund account are at the same bank, the trust portion of checks including care payments can be deposited directly to trust by including a trust account deposit slip for the correct amount with the checks and the general account deposit slip.

(4) The resident's trust account ledger sheet must be credited with the allowance received. This should be referenced with the receipt number and must be supported by a copy of the deposit slip (one copy for all deposits made).

#### NEW SECTION

WAC 275-38-665 TRUST MONEYS AVAILABILITY. Moneys so held in trust for any resident shall be available for his or her personal and incidental needs when requested by the resident or one of the individuals designated in WAC 275-38-660.

#### NEW SECTION

WAC 275-38-667 ACCOUNTING UPON CHANGE OF OWNERSHIP. (1) Upon sale of the facility or other transfer of ownership, the facility must provide the new owner with a written accounting, in accordance with generally accepted auditing procedures, of all patient funds being transferred, and obtain a written receipt for the funds from the new owner.

(2) The facility must give each patient or representative a written accounting of any personal funds held by the facility before any transfer of ownership occurs.

(3) In the event of a disagreement with the accounting provided by the facility, the patient retains all rights and remedies provided under state law.

NEW SECTION

**WAC 275-38-670 PROCEDURE FOR RE-FUNDING TRUST MONEY.** When a recipient is discharged and/or transferred, the balance of the resident's trust account will be returned to the individual designated in WAC 275-38-660, within thirty days, and a receipt obtained. In certain cases it may be advisable to mail the refund to the resident's new residence.

NEW SECTION

**WAC 275-38-675 LIQUIDATION OF TRUST FUND.** (1) Expired resident. The provider will obtain a receipt from next-of-kin, guardian, or duly qualified agent when releasing the balance of money held in trust. If there is no identified next-of-kin, guardian, or duly qualified agent, the DDD regional service office is to be contacted in writing within seven days for assistance in the release of the money held in trust. A check or other document showing payment to such next-of-kin, guardian, or duly qualified agent will serve as a receipt.

(2) Resident, unable to locate. In situations where the resident leaves the IMR facility without authorization and his or her whereabouts are unknown:

(a) The IMR will make a reasonable attempt to locate the missing resident. This includes: Contacting friends, relatives, police, the guardian, and the DDD in the area.

(b) If the resident cannot be located after ninety days, the IMR must notify the department of revenue of the existence of "abandoned property", outlined in chapter 63.28 RCW. The IMR will be required to deliver to the department of revenue the balance of the resident's trust fund account within twenty days following such notification.

NEW SECTION

**WAC 275-38-678 RESIDENT PROPERTY RECORDS.** (1) The facility must maintain a current, written record for each resident including written receipts for all personal possessions deposited with the facility by the resident.

(2) The property record must be available to the resident and resident representative as designated in WAC 275-38-645(2)(a).

NEW SECTION

**WAC 275-38-680 ALLOWABLE COSTS.** Allowable costs are documented costs necessary, ordinary, and related to the provision of IMR services to IMR residents, and are not expressly declared nonallowable by applicable statutes or regulations. Costs are ordinary if costs are of the nature and magnitude a prudent and cost-conscious management would pay.

NEW SECTION

**WAC 275-38-685 SUBSTANCE PREVAILS OVER FORM.** (1) In determining allowable costs, the substance of a transaction will prevail over the transaction's form. Accordingly, allowable costs will not include increased costs resulting from transactions or the application of accounting methods circumventing the

principles of the prospective cost-related reimbursement system.

(2) Increased costs resulting from a series of transactions between the same parties and involving the same assets (e.g., sale and leaseback, successive sales or leases of a single facility or piece of equipment) will not be allowed.

NEW SECTION

**WAC 275-38-690 OFFSET OF MISCELLANEOUS REVENUES.** (1) Allowable costs shall be reduced by the contractor whenever the item, service, or activity covered by such costs generates revenue or financial benefits (e.g., purchase discounts or rebates) other than through the contractor's normal billing for IMR services: Except, unrestricted grants, gifts, endowments, and interest therefrom, will not be deducted from the allowable costs of a nonprofit facility.

(2) Where goods or services are sold, the amount of the reduction shall be the actual cost relating to the item, service, or activity. In the absence of adequate documentation of cost, the amount of the reduction shall be the full amount of the revenue received. Where financial benefits such as purchase discounts or rebates are received, the amount of the reduction shall be the amount of the discount or rebate.

(3) Only allowable costs shall be recovered under this section. Costs allocable to activities or services not included in IMR services (e.g., costs of vending machines, residents' personal laundry, and services specified in chapter 388-86 WAC not included in IMR services) are nonallowable costs.

NEW SECTION

**WAC 275-38-695 COSTS OF MEETING STANDARDS.** All categories of necessary and ordinary expenses a contractor incurs in providing IMR services meeting all applicable standards will be allowable costs.

NEW SECTION

**WAC 275-38-700 LIMIT ON COSTS TO RELATED ORGANIZATIONS.** (1) Costs applicable to services, facilities, and supplies furnished by organizations related to the contractor shall be allowable only to the extent the costs do not exceed the lower of the cost to the related organization or the price of comparable services, facilities or supplies purchased elsewhere. The term "related organization" is defined in WAC 275-38-001.

(2) Documentation of costs to related organizations shall be made available to the auditors at the time and place the financial records relating to the entity are audited. Payments to or for the benefit of the related organization will be disallowed where the cost to the related organization cannot be documented.

NEW SECTION

**WAC 275-38-705 START-UP COSTS.** Necessary and ordinary start-up costs, as defined in WAC 275-38-001, will be allowable if start-up costs are amortized

over not less than sixty consecutive months beginning with the month the first resident is admitted for care.

**NEW SECTION**

**WAC 275-38-715 EDUCATION AND TRAINING.** (1) Ordinary expenses of on-the-job training and in-service training required for employee orientation and certification training directly related to the performance of duties assigned will be allowable costs.

(2) Ordinary expenses of resident life staff training will be allowable costs.

(3) Necessary and ordinary expenses of recreational and social activity training conducted by the contractor for volunteers will be allowable costs. Expenses of training programs for other nonemployees will not be allowable costs.

**NEW SECTION**

**WAC 275-38-720 TOTAL COMPENSATION—OWNERS, RELATIVES, AND CERTAIN ADMINISTRATIVE PERSONNEL.** For purposes of the tests in WAC 275-38-725 and 275-38-730, total compensation includes gross salary or wages and fringe benefits (e.g., health insurance) made available to all employees but excludes payroll taxes paid by the contractor.

**NEW SECTION**

**WAC 275-38-725 OWNER OR RELATIVE—COMPENSATION.** (1) Total compensation of an owner or relative of an owner shall be limited to ordinary compensation for necessary services actually performed.

(a) Compensation is ordinary if the compensation is the amount usually paid for comparable services in a comparable facility to an unrelated employee, and does not exceed limits set out in this chapter.

(b) A service is necessary if the service is related to resident care and training and would have had to be performed by another person if the owner or relative had not performed the service.

(2) The contractor, in maintaining customary time records adequate for audit shall include such records for owners and relatives receiving compensation.

(3) For purposes of this section, if the contractor with the department is a corporation, "owner" includes all corporate officers and directors.

**NEW SECTION**

**WAC 275-38-730 MAXIMUM ALLOWABLE COMPENSATION OF CERTAIN ADMINISTRATIVE PERSONNEL.** (1) Compensation for administrative personnel shall be an allowable cost, subject to the limits contained in this section.

(2) Total compensation of the licensed administrator for services actually rendered to an IMR facility on a full-time basis (at least forty hours per week, including reasonable vacation, holiday, and sick time) will be allowable at the lower of (a) actual compensation received, or (b) the amount in the table in subsection (5) of this section corresponding to the number of set-up beds in the IMR facility. Compensation of the licensed

administrator will only be allowable if the department is given written notice of his or her employment within ten days after the employment begins.

(3) Total compensation of not more than one full-time licensed assistant administrator will be allowable if there are at least eighty set-up beds in the IMR, at the lower of (a) actual compensation received, or (b) seventy-five percent of the appropriate amount in the table in subsection (5) of this section.

(4) Total compensation of not more than one full-time registered administrator-in-training will be allowable at the lower of (a) actual compensation received, or (b) sixty percent of the appropriate amount in the table in subsection (5) of this section.

(5) **TABLE**

Maximum Allowable Total Compensation for Licensed Administrators—Calendar Year 1982

SET-UP BEDS	
16 - 39	\$27,000
40 - 79	\$29,700
80 - 119	\$32,800
120 - 159	\$35,900
160 - 239	\$39,500
240 - 319	\$43,500
320 - 399	\$47,800
400 and up	\$52,600

(6) If the licensed administrator, licensed assistant administrator or registered administrator-in-training regularly works fewer than forty hours per week, allowable compensation shall be the lower of:

(a) Actual compensation received, or

(b) The appropriate amount in the table in subsection (5) of this section multiplied by the percentage derived from the division of the actual hours worked by forty hours. Further discounting is required if the person was licensed or registered and/or worked for less than the entire report period.

(7) The contractor shall maintain time records for the licensed administrator and for an assistant administrator, administrator-in-training or QMRP, if any.

(8) The cost of a licensed administrator, assistant administrator or administrator-in-training is not an allowable expense in IMR facilities of fifteen beds or less. Administrative services will be provided by the QMRP in these facilities. Total compensation of wages and salaries for the QMRP will be allowable at the lower of:

(a) Actual compensation received; or

(b) The hourly cost of wages and salaries of QMRP in level C and D IMR contracting with the department multiplied by the QMRP regularly worked hours per week, not to exceed forty hours per week.

**NEW SECTION**

**WAC 275-38-735 DISCLOSURE AND APPROVAL OF JOINT FACILITY COST ALLOCATION.** (1) The contractor shall disclose to the department:

(a) The nature and purpose of all costs which represent allocations of joint facility costs; and

(b) The methodology of the allocation utilized.

(2) Such disclosure shall be made not later than September 30, 1980, for the following year and not later

than September 30th for each year thereafter; except a new contractor shall submit the first year's disclosure together with the submissions required by WAC 275-38-520.

(3) The contractor shall demonstrate and certify:

(a) The services involved are necessary, ordinary, related to resident care, and nonduplicative; and

(b) Costs are allocated in accordance with the resident care related benefits and services received from the specific resources represented by those costs.

(4) The department shall approve such methodology not later than December 31, 1980, and not later than December 31 for each year thereafter.

(5) An amendment or revision to an approved methodology shall be submitted to the department for approval at least ninety days prior to the effective date of the amendment or revision.

(6) Where a contractor will begin to incur joint facility costs at some time other than the beginning of the calendar year, the contractor shall provide the information required in subsections (1) and (3) of this section at least ninety days prior to the date the cost will first be incurred.

(7) Joint facility costs not disclosed, allocated, and reported in conformance with this section are nonallowable costs.

#### NEW SECTION

**WAC 275-38-740 MANAGEMENT AGREEMENTS, MANAGEMENT FEES, AND CENTRAL OFFICE SERVICES.** (1) If a contractor intends to enter into a management agreement with an individual or firm which will manage the IMR facility as agent of the contractor, a copy of the agreement must be received by the department at least ninety days before the agreement is to become effective. A copy of any amendment to a management agreement must also be received by the department at least ninety days in advance of the date the amendment is to become effective. No management fees for periods prior to the time the department receives a copy of the applicable agreement will be allowable. When necessary for the health and safety of facility residents, the ninety-day notice requirement may be waived, in writing, by the department.

(2) Management fees will be allowed only if:

(a) A written management agreement both creates a principal or agent relationship between the contractor and the manager, and sets forth the items, services, and activities to be provided by the manager; and

(b) Documentation demonstrates the services contracted for were actually delivered.

(3) To be allowable, fees must be for necessary, non-duplicative services. Allowable fees for general management services, including the portion of a management fee not allocated to specific services such as accounting, are limited to:

(a) The maximum allowable compensation under WAC 275-38-730 of the licensed administrator and, if the facility has at least eighty set-up beds, of an assistant administrator; less

(b) Actual compensation received by the licensed administrator and by the assistant administrator, if any. In computing maximum allowable compensation under WAC 275-38-730 for a facility with at least eighty set-up beds, include the maximum compensation of an assistant administrator even if no assistant administrator is employed;

(c) For IMR facilities of fifteen or fewer beds, the maximum allowable compensation will be the cost of forty hours per week of wages and salaries of QMRP in level C and D IMR contracting with the department, less the actual compensation received by the QMRP.

(4) A management fee paid to or for the benefit of a related organization will be allowable to the extent the fee does not exceed the lesser of (a) the limits set out in subsection (3) of this section, or (b) the lower of the actual cost to the related organization of providing necessary services related to resident care and training under the agreement, or the cost of comparable services purchased elsewhere. Where costs to the related organization represents joint facility costs, the measurement of such costs shall comply with WAC 275-38-735.

(5) Central office joint facility costs for general management services, including the portion of a management expense not allocated to specific services, shall be subject to the management fee limits determined in subsections (3) and (4) of this section.

#### NEW SECTION

**WAC 275-38-745 ALLOWABLE INTEREST.**

(1) The contractor's necessary and ordinary interest for working capital and capital indebtedness will be allowable.

(a) To be necessary, interest must be incurred in connection with a loan satisfying a financial need of the contractor and be for a purpose related to resident care and training. Interest expense relating to business opportunity or goodwill will not be allowed.

(b) To be ordinary, interest must be at a rate not in excess of what a prudent borrower would have to pay at the time of the loan in an arm's-length transaction in the money market.

(c) Interest expense shall include amortization of bond discounts and expenses related to the bond issue. Amortization shall be over the period from the date of sale to the date of maturity or, if earlier, the date of extinguishment of the bonds.

(2) Interest paid to or for the benefit of a related organization will be allowed only to the extent the actual interest does not exceed the cost to the related organization of obtaining the use of the funds.

#### NEW SECTION

**WAC 275-38-750 OFFSET OF INTEREST INCOME.** (1) In computing allowable costs, interest income from the investment or lending of nonrestricted funds shall be deducted from allowable interest expense.

(2) Interest income from the investment or lending of restricted funds shall not be deducted from allowable interest expense.

NEW SECTION

**WAC 275-38-760 OPERATING LEASES OF FACILITIES AND EQUIPMENT.** Rental or lease costs under arm's-length operating leases of facilities and/or equipment shall be allowable to the extent the cost is not in excess of arm's-length rental or lease costs of comparable facilities or equipment.

NEW SECTION

**WAC 275-38-765 RENTAL EXPENSE PAID TO RELATED ORGANIZATIONS.** The expense of renting facilities or equipment from a related organization shall be allowable to the extent the rental does not exceed the related organization's costs of owning (e.g., depreciation, interest on a mortgage) or leasing the assets, computed in accordance with this chapter.

NEW SECTION

**WAC 275-38-770 CAPITALIZATION.** The following costs shall be capitalized:

- (1) Expenses for equipment with historical cost in excess of one hundred fifty dollars per unit and a useful life of more than one year from the date of purchase.
- (2) Expenses for equipment with historical cost of one hundred fifty dollars or less per unit if either:
  - (a) The item was acquired in a group purchase where the total cost exceeded one hundred fifty dollars; or
  - (b) The item was part of the initial stock of the IMR facility.
- (3) Effective January 1, 1981, for settlement purposes for periods subsequent to that date, and for purposes of setting rates for periods beginning July 1, 1982, and subsequently, subsection (1) of this section shall be applied with the sum "five hundred dollars" replacing the sum "one hundred fifty dollars."
- (4) Expenditures for building improvements and leasehold improvements, if required or authorized by the lease agreement, in excess of five hundred dollars and involving one or more of the following:
  - (a) Increase the interior floor space of the structure;
  - (b) Increase paved areas outside the structure adjacent to or providing access to the structure;
  - (c) Modification of the exterior or interior walls of the structure;
  - (d) Installation of additional heating, cooling, electrical or water-related equipment;
  - (e) Remodeling or redecorating enhancing the value of the structure sufficiently to justify an increase in service charges to residents;
  - (f) Increase the useful life of the structure by two years or more;
  - (g) For a leasehold improvement, the asset shall be amortized over the asset's useful life in accordance with American hospital association guidelines.

NEW SECTION

**WAC 275-38-775 DEPRECIATION EXPENSE.** Depreciation expense on depreciable assets required in

the regular course of providing resident care and training will be an allowable cost. The depreciation expense shall be:

- (1) Identifiable and recorded in the contractor's accounting records, and
- (2) Computed using the depreciation base, lives and methods specified in WAC 275-38-780.

NEW SECTION

**WAC 275-38-780 DEPRECIABLE ASSETS.** (1) Tangible assets of the following types where a contractor has an economic interest through ownership are subject to depreciation:

- (a) Building - The basic structure or shell and additions thereto.
- (b) Building Fixed Equipment - Attachments to buildings, such as wiring, electrical fixtures, plumbing, elevators, heating system, and air conditioning system. The general characteristics of this equipment are:
  - (i) Affixed to the building and not subject to transfer; and
  - (ii) An estimated life longer than ten years, but shorter than the life of the building where affixed.
- (c) Major Movable Equipment - Such items as beds, wheelchairs, desks, and x-ray machines. The general characteristics of this equipment are:
  - (i) A relatively fixed location in the building;
  - (ii) Capable of being moved as distinguished from building equipment;
  - (iii) A unit cost sufficient to justify ledger control;
  - (iv) Sufficient size and identity to make control feasible by means of identification tags; and
  - (v) A minimum life of approximately three years. Effective January 1, 1981, for settlement purposes for periods subsequent to that date, and for purposes of setting rates for periods beginning July 1, 1982, and subsequently, this equipment shall be characterized by a minimum life of greater than one year.
- (d) Minor Equipment - Such items as waste baskets, bed pans, syringes, catheters, silverware, mops, and buckets properly capitalized. No depreciation shall be taken on items not properly capitalized (see WAC 275-38-770). The general characteristics of minor equipment are:
  - (i) In general, no fixed location and subject to use by various departments;
  - (ii) Small in size and unit cost;
  - (iii) Subject to inventory control;
  - (iv) Fairly large number in use; and
  - (v) Generally, a useful life of one to three years.
- (e) Land Improvements - Such items as paving, tunnels, underpasses, on-site sewer and water lines, parking lots, shrubbery, fences, walls, etc., where replacement is the responsibility of the contractor.
- (f) Leasehold Improvements - Betterments and additions made by the lessee to the leased property, which become the property of the lessor after the expiration of the lease.

(2) Land is not depreciable. The cost of land includes the cost of such items as off-site sewer and water lines, public utility charges necessary to service the land, governmental assessments for street paving and sewers, the

cost of permanent roadways and grading of a nondepreciable nature, and the cost of curbs and sidewalks, replacement of which is not the responsibility of the contractor.

#### NEW SECTION

**WAC 275-38-785 DEPRECIATION BASE.** (1) The depreciation base shall be the historical cost of the contractor in acquiring the asset from an unrelated organization and preparing depreciation base for use, less goodwill and less accumulated depreciation incurred during periods the assets have been used in or as a facility by the contractor, such accumulated depreciation to be measured in accordance with subsection (4) of this section and WAC 275-38-790, 275-38-795, and 275-38-800. If the department challenges the historical cost of an asset or a contractor is not able to provide adequate documentation of the historical cost of an asset, the department may have the fair market value of the asset at the time of purchase established by appraisal. The fair market value of items of equipment will be established by appraisals performed by vendors of the particular type of equipment. When these appraisals are conducted, the depreciation base of the asset will not exceed fair market value. Estimated salvage value shall be deducted from historical cost where the straight-line or sum-of-the-years digits method of depreciation is used.

(2) Effective January 1, 1981, for purposes of setting rates for rate periods beginning July 1, 1982, and subsequently, subsection (1) of this section shall be applied with the phrase "in an arm's-length transaction" replacing the phrase "from an unrelated organization."

(3) Effective July 1, 1982, in all cases subsection (1) of this section shall be applied with the phrase "in an arm's-length transaction" replacing the phrase "from an unrelated organization."

(4) Where depreciable assets are acquired from a related organization, the contractor's depreciation base shall not exceed the base the related organization had or would have had under a contract with the department.

#### NEW SECTION

**WAC 275-38-790 DEPRECIATION BASE—DONATED OR INHERITED ASSETS.** (1) The depreciation base of donated assets, as defined in WAC 275-38-001, or of assets received through testate or intestate distribution, shall be the lesser of:

(a) Fair market value at the date of donation or death, less goodwill. Estimated salvage value shall be deducted from fair market value where the straight-line or sum-of-the-years digits method of depreciation is used; or

(b) The depreciation base under the cost-related reimbursement program of the owner last contracting with the department, if any.

(2) If the donation or distribution is between related organizations, the base shall be the lesser of:

(a) Fair market value, less goodwill and, where appropriate, salvage value, or

(b) The depreciation base the related organization had or would have had for the asset under a contract with the department.

#### NEW SECTION

**WAC 275-38-795 LIVES.** (1) The contractor shall use lives no shorter than guideline lives contained in the internal revenue service class life ADR system or published by the American hospital association in computing allowable depreciation. The shortest life which may be used for buildings is thirty years.

(2) Lives shall be measured from the date of the most recent arm's-length acquisition of the asset.

(3) Building improvements shall be depreciated over the remaining useful life of the building, as modified by the improvement, but not less than fifteen years.

(4) Improvements to leased property which are the responsibility of the contractor under the terms of the lease shall be depreciated over the useful life of the improvement.

(5) A contractor may change the estimate of an asset's useful life to a longer life for purposes of depreciation.

#### NEW SECTION

**WAC 275-38-800 METHODS OF DEPRECIATION.** (1) Buildings, land improvements, and fixed equipment shall be depreciated using the straight-line method. Major-minor equipment shall be depreciated using either the straight-line method, the sum-of-the-years digits method, or declining balance method not to exceed one hundred fifty percent of the straight-line rate. Contractors electing to take either the sum-of-the-years digits method or the declining balance method of depreciation on major-minor equipment may change to the straight-line method without permission of the department.

(2) The annual provision for depreciation shall be reduced by the portion allocable to use of the asset for purposes not both necessary and related to resident care and training.

(3) No further depreciation shall be claimed after an asset has been fully depreciated unless a new depreciation base is established pursuant to WAC 275-38-785.

#### NEW SECTION

**WAC 275-38-805 RETIREMENT OF DEPRECIABLE ASSETS.** (1) Where depreciable assets are disposed of through sale, trade-in, scrapping, exchange, theft, wrecking, or fire or other casualty, depreciation shall no longer be taken on the assets. No further depreciation shall be taken on permanently abandoned assets.

(2) Where an asset has been retired from active use but is being held for stand-by or emergency service, and the department has determined that the asset is needed and can be effectively used in the future, depreciation may be taken, as prescribed in WAC 275-38-775 through 275-38-800.

NEW SECTION

**WAC 275-38-810 HANDLING OF GAINS AND LOSSES UPON RETIREMENT OF DEPRECIABLE ASSETS.** Settlement periods prior to January 1, 1981, and rate periods prior to July 1, 1982.

(1) For settlement purposes for periods prior to January 1, 1981, and for rate-setting purposes for periods prior to July 1, 1982, gains and losses on the retirement of depreciable assets either during the period of participation in the program or within twelve months following termination, shall be treated in accordance with this section.

(2) A gain or loss on the retirement of an asset shall be the difference between the remaining undepreciated base and any proceeds received for, or to compensate for loss of, the asset. For purposes of subsections (3) and (4) of this section, the total gain shall be reduced by one percent for each month of ownership of an asset with an expected useful life of one hundred months or longer. For an asset with an expected useful life of less than one hundred months, total gain shall be reduced by the portion thereof equal to the ratio of the actual life of the asset from the most recent arm's-length acquisition up to the date of retirement to the assets expected useful life.

(3) If the retired asset is replaced, the gain or loss shall be applied against or added to the cost of the replacement asset, provided a loss will only be so applied if the contractor has made a reasonable effort to recover at least the outstanding book value of the asset.

(4) If the retired asset is not replaced, or if the contractor is terminating the contract, the gain or loss shall be spread over the actual life of the asset up to the date of retirement, provided a loss will only be so spread if the contractor has made a reasonable effort to recover at least the outstanding book value of the asset. The difference between reimbursement actually paid for depreciation in any period beginning on or after January 1, 1978, and the reimbursement for depreciation having been paid with the base adjusted to reflect the gain or loss, will be computed. Where the difference results from a gain, the difference shall be recovered by the department. Where the difference results from a loss, the difference will be added to allowable costs for purposes of determining settlement.

NEW SECTION

**WAC 275-38-812 HANDLING OF GAINS AND LOSSES UPON RETIREMENT OF DEPRECIABLE ASSETS—OTHER PERIODS.** (1) This section shall apply in the place of WAC 275-38-810 effective January 1, 1981, for purposes of settlement for settlement periods prior to that date, and for purposes of setting rates for rate periods beginning July 1, 1982, and subsequently.

(2) A gain or loss on the retirement of an asset shall be the difference between the remaining undepreciated base and any proceeds received for, or to compensate for loss of, the asset.

(3) If the retired asset is replaced, the gain or loss shall be applied against or added to the cost of the replacement asset, provided a loss will only be so applied if the contractor has made a reasonable effort to recover at least the outstanding book value of the asset.

NEW SECTION

**WAC 275-38-815 RECOVERY OF EXCESS OVER STRAIGHT-LINE DEPRECIATION.** If a contractor terminates the contract without selling or otherwise retiring equipment which was depreciated using an accelerated method, depreciation schedules relating to these assets for periods the contractor participated in the program shall be adjusted. The difference between reimbursement actually paid for depreciation in any period beginning on or after January 1, 1978, and the reimbursement which would have been paid for depreciation if the straight-line method had been used, will be recovered by the department.

NEW SECTION

**WAC 275-38-820 UNALLOWABLE COSTS.** (1) Costs will be unallowable if not documented, necessary, ordinary, and related to the provision of services to IMR residents.

(2) Unallowable costs include, but are not limited to, the following:

(a) Costs of items or services not covered by the Medicaid program. Costs of nonprogram items or services will be unallowable even if indirectly reimbursed by the department as the result of an authorized reduction in resident contribution.

(b) Costs of services and items provided to IMR residents covered by the department's medical care program but not included in IMR services respectively. Items and services covered by the medical care program are listed in chapter 388-86 WAC.

(c) Costs associated with a capital expenditure subject to Section 1122 approval (part 100, Title 42 C.F.R.) if the department found the capital expenditure was not consistent with applicable standards, criteria or plans. If the department was not given timely notice of a proposed capital expenditure, all associated costs will be nonallowable as of the date the costs are determined not to be reimbursable under applicable federal regulations.

(d) Costs associated with a construction or acquisition project requiring certificate of need approval pursuant to chapter 70.38 RCW if such approval was not obtained.

(e) Costs of outside activities (e.g., costs allocable to the use of a vehicle for personal purposes, or related to the part of a facility leased out for office space).

(f) Salaries or other compensation of officers, directors, stockholders, and others associated with the contractor or home office, except compensation paid for service related to resident care and training.

(g) Costs in excess of limits or violating principles set forth in this chapter.

(h) Costs resulting from transactions or the application of accounting methods circumventing the principles of the prospective cost-related reimbursement system.

(i) Costs applicable to services, facilities, and supplies furnished by a related organization in excess of the lower of the cost to the related organization or the price of comparable services, facilities or supplies purchased elsewhere.

(j) Bad debts.

(k) Charity and courtesy allowances.

(l) Cash, assessments, or other contributions, excluding dues, to charitable organizations, professional organizations, trade associations, or political parties, and cost incurred to improve community or public relations.

(m) Vending machine expenses.

(n) Expenses for barber or beautician services not included in routine care.

(o) Funeral and burial expenses.

(p) Expenses of gift shop operations and inventory.

(q) Personal items such as cosmetics, smoking materials, newspapers and magazines, and clothing, except those used in resident activity programs or in IMR programs where clothing is a part of routine care.

(r) Fund-raising expenses, except those directly related to the resident activity program.

(s) Penalties and fines.

(t) Expenses related to telephones, televisions, radios, and similar appliances in residents' private accommodations.

(u) Federal, state, and other income taxes.

(v) Costs of special care services, except where authorized by the department.

(w) Expenses of key-man insurance and other insurance or retirement plans not in fact made available to all employees.

(x) Expenses of profit-sharing plans.

(y) Expenses related to the purchase and/or use of private or commercial airplanes in excess of what a prudent contractor would expend for the ordinary and economic provision of such a transportation need related to resident care.

(z) Personal expenses and allowances of owners or relatives.

(aa) All expenses of maintaining professional licenses or membership in professional organizations.

(bb) Costs related to agreements not to compete.

(cc) Goodwill and amortization of goodwill.

(dd) Expenses related to vehicles in excess of what a prudent contractor would expend for the ordinary and economic provision of transportation needs related to resident care.

(ee) Legal and consultant fees in connection with a fair hearing against the department where a decision is rendered in favor of the department or where otherwise the determination of the department stands.

(ff) Legal and consultant fees in connection with a lawsuit against the department are nonallowable.

(gg) Lease acquisition costs and other intangibles not related to resident care and training.

(hh) Interest charges assessed by the state of Washington for failure to make timely refund of overpayments and interest expenses incurred for loans obtained to make such refunds.

#### NEW SECTION

WAC 275-38-830 PROSPECTIVE REIMBURSEMENT RATES. The department will determine prospective reimbursement rates for IMR services provided to residents. Each rate represents the contractor's maximum compensation for one resident day of care and training of a resident determined by the department to require IMR care and training.

#### NEW SECTION

WAC 275-38-835 PROGRAM SERVICES NOT COVERED BY THE REIMBURSEMENT RATE. Medical services which are part of the department's medical care program but not included in IMR services are not covered by the prospective reimbursement rate. Payment is made directly to the provider of service in accordance with chapter 388-87 WAC. Items and services covered by the medical care program are listed in chapter 388-86 WAC.

#### NEW SECTION

WAC 275-38-840 PROSPECTIVE REIMBURSEMENT RATE FOR NEW CONTRACTORS.

(1) A prospective reimbursement rate for a new contractor will be established within sixty days following receipt by the department of a properly completed projected budget (see WAC 275-38-520). The reimbursement rate will be effective as of the effective date of the contract.

(2) The prospective reimbursement rate will be based on the contractor's projected cost of operations, and on costs and payment rates of the prior contractor, if any, and/or of other contractors in comparable circumstances.

(3) If a properly completed projected budget is not received at least sixty days prior to the effective date of the contract, the department will establish a preliminary rate based on the other factors specified in subsection (2) of this section. The preliminary prospective rate will remain in effect until an initial prospective rate can be set.

(4) Where a change of ownership is involved which is not an arm's-length transaction as defined in WAC 275-38-001, the new contractor's prospective rates in the administration and operation and property cost areas will be no higher than the rates of the old contractor, adjusted if necessary to take into account economic trends.

#### NEW SECTION

WAC 275-38-845 RATE DETERMINATION.

(1) Each contractor's reimbursement rate will be determined prospectively at least once each calendar year to be effective July 1, and will be adjusted for inflation January 1, using factors specified in WAC 275-38-855(3). Rates may be adjusted more frequently to take into account program changes, as specified in WAC 275-38-855(4).

(2) Where the contractor participated in the program during all or part of the prior fiscal period, the property and return on equity rates, and the nonwage component



of administration and operations rate, will be determined based on the contractor's allowable costs in the prior period.

#### NEW SECTION

**WAC 275-38-850 COST CENTERS.** A contractor's overall reimbursement rate for IMR residents consists of the total of five component rates, each covering one cost center. The five cost centers are:

- (1) Residential care and habilitative services;
- (2) Food;
- (3) Administration and operations;
- (4) Property; and
- (5) Return on equity.

#### NEW SECTION

**WAC 275-38-855 METHOD OF RATE DETERMINATION.** (1) Data used in determining rates will be taken from the most recent complete, desk-reviewed annual cost report, and other documents submitted by each contractor.

(2) Data containing obvious errors, data for facilities out of compliance with any condition at any time during the reporting period, and data for facilities with average occupancy ratios of less than eighty-five percent for the report period, will be excluded from the determination of predicted costs and rate upper limits for WAC 275-38-870 and 275-38-875.

(3)(a) The rates determined in section 275-38-860, 275-38-865, and 275-38-870 of this chapter shall be adjusted for inflation utilizing factors specified by the department.

(b) The following semiannual rate adjustments for inflation shall be used in establishing inflation adjustment factors for the resident care and habilitative services cost center rate, the food cost center rate, and the administration and operations cost center rate effective July 1, 1982, through June 30, 1983:

(i) For rates effective January 1, 1981, through June 30, 1981: 4.25 percent for the resident care and habilitative services cost center rate; 5.25 percent for the food cost center rate; 4.25 percent for the wage component of the administration and operations cost center rate; and, 6.65 percent for the nonwage component of the administration and operations cost center rate.

(ii) 5.0 percent for rates effective July 1, 1981, through December 31, 1981.

(iii) 4.25 percent for rates effective January 1, 1982, through June 30, 1982.

(c) No adjustment for inflation shall be made for rates determined in section 275-38-875 and 275-38-880 of this chapter.

(4) Where new standards are imposed, or the department wishes to encourage additional services or otherwise change the program, a cost-related adjustment will be made to the appropriate cost area rates of each contractor affected by the program change. Adjustments will be made until reported costs used in setting rates reflect the new standards or program changes.

(5) For rate determinations effective July 1, 1982, through June 30, 1983, the department shall establish a

redistribution pool consisting of overpayments to contractors for 1981, indicated by preliminary settlements, less one hundred twenty thousand dollars. This pool shall be distributed to contractors pursuant to WAC 275-38-860 and 275-38-870.

#### NEW SECTION

**WAC 275-38-860 RESIDENT CARE AND HABILITATIVE SERVICES COST CENTER RATE.**

(1) The resident care and habilitative services cost center reimbursement rate will reimburse for the necessary and ordinary costs of providing routine nursing, residential and habilitative services to residents in accordance with WAC 275-38-040 and 275-38-045; accordingly, the department has established five levels of care. These levels are: Level A, level B, level C, level D, and level E.

(2) Effective July 1, 1982, through June 30, 1983, the residential care and habilitative services cost center rate will be computed according to this section.

(a) As used in this section, "desk-reviewed residential care and habilitative services cost" shall be allowable residential care and habilitative services costs as determined by desk reviews conducted in accordance with WAC 275-38-595.

(b) If a contractor's weighted residential care and habilitative services rate for 1981 as computed in accordance with department regulations and instructions is equal to or greater than the contractor's desk-reviewed 1981 residential care and habilitative services costs, the department shall reimburse the residential care and habilitative services cost center at the desk-reviewed 1981 residential care and habilitative services costs plus any residential care and habilitative services funds shifted to other cost centers pursuant to WAC 275-38-635, as adjusted for inflation.

(c) If a contractor's residential care and habilitative services rate for 1981 is less than the contractor's desk-reviewed 1981 residential care and habilitative services costs, the department shall reimburse the contractor's residential care and habilitative services cost at the contractor's January 1, 1982 residential care and habilitative services reimbursement rate, less one and one-half percent, as adjusted for inflation, plus an allowance from the redistribution pool. The total reimbursement paid to a contractor for residential care and habilitative services, including any allowance from the redistribution pool, shall not exceed the contractor's 1981 desk-reviewed residential care and habilitative services costs, as adjusted for inflation. The total of allowances distributed pursuant to subsection (2)(c) of this section shall not exceed the total amount in the redistribution pool. If the total of funds in the redistribution pool is equal to or exceeds the total amount of underfunding for residential care and habilitative services for all contractors, each contractor's allowance shall be the amount the contractor was underfunded for residential care and habilitative services, if any, where underfunding is defined as any excess of 1981 desk-reviewed cost over the 1981 rate in this cost center, as adjusted for inflation. If the total of funds in the redistribution pool is less than the total residential care and habilitative services underfunding for

all contractors, the allowance distributed to each contractor shall be a percentage of the amount a contractor was underfunded, as defined in subsection (2)(c) of this section, for residential care and habilitative services, if any was experienced by the contractor. The percentage shall be computed by dividing the total of funds in the pool by the total amount of underfunding for all contractors.

(3) To residential care and habilitative services cost center rates determined in accordance with subsections (2)(b) and (c) of this section, a residential care and habilitative services enhancement shall be added. The enhancement shall be distributed among facilities proportionately based upon residential care and habilitative services cost center rates and shall not be adjusted for inflation. The total of enhancements distributed to contractors shall be six hundred thousand dollars.

(4) In addition to the reimbursement rate, each contractor may be assigned a range of residential care and habilitative services hours representing the maximum and minimum number of hours the department will purchase. The range will depend on the assigned level of care in each facility. For purposes of establishing an hourly range of service hours the calculation of hours will include resident life direct care staff, licensed nursing personnel, qualified mental retardation professionals, staff training, and staff responsible for activities. The range by level is:

3.1-6.1 for IMR level A residents, 2.7-5.4 for IMR level B residents, 2.1-3.6 for IMR level C residents, 1.2-2.4 for IMR level D residents, and a maximum of 5.0 for level E residents. Standard hours for each facility will be calculated based upon staffing data annual cost reports or other certified documents as required in the above ranges. The standard hours for each level will not fall below the minimum staffing levels as established in WAC 275-38-045. When the department requires new standards or makes program changes requiring more or less residential care and habilitative services, the range will be adjusted as of the effective date of the new standard or program change.

#### NEW SECTION

**WAC 275-38-865 FOOD COST CENTER RATE.** (1) The food cost center rate will reimburse for the necessary and ordinary costs of procuring food, dietary supplements, and beverages for meals and between-meal nourishment for residents.

(2) Effective July 1, 1982, through June 30, 1983, food reimbursement will be at the January 1, 1982 rate, adjusted for inflation.

#### NEW SECTION

**WAC 275-38-870 ADMINISTRATION AND OPERATIONS COST CENTER RATE.** (1) The administration and operations cost center reimbursement rate will include reimbursement for the necessary and ordinary costs of overall management of the facility, operation and maintenance of the physical plant, resident transportation, dietary service (other than the cost of

food and beverages), laundry service, medical and habilitative supplies, taxes, and insurance.

(2) For rates effective July 1, 1982, through June 30, 1983, a contractor's administration and operations wage component reimbursement rate will be set pursuant to subsection (2) of this section.

(a) If a contractor's administration and operations wage component rate for 1981, is greater than or equal to the contractor's desk-reviewed 1981 wage component costs, the department shall reimburse the contractor's wage component at the desk-reviewed 1981 administration and operations wage component costs, as adjusted for inflation.

(b) If a contractor's administration and operations wage component rate for 1981 is less than the contractor's desk-reviewed 1981 wage component costs, the department shall reimburse the contractor's wage component costs at the January 1, 1982, reimbursement rate, as adjusted for inflation.

(c) It is further provided, if any funds remain in the redistribution pool established pursuant to WAC 275-38-855(5) after distribution to contractors pursuant to WAC 275-38-860, the department shall distribute the funds to contractors underfunded in the wage component area, as determined by subsection (2)(b) of this section, according to the following rules:

(i) If the amount remaining in the redistribution pool exceeds or is equal to the total amount the contractors were underfunded in the wage component center, each contractor's allowance shall be the amount the contractor was underfunded for costs in this component, if any, where underfunding is defined as any excess of 1981 desk-reviewed cost over the 1981 rate in this component, as adjusted for inflation.

(ii) If the amount remaining in the redistribution pool is less than the total amount the contractors were underfunded in the wage component area, each contractor shall receive an allowance which shall be a percentage of the amount the contractor was underfunded as defined in subsection (2)(c)(i) of this section. The percentage shall be computed by dividing the amount remaining in the redistribution pool by the total amount of underfunding in the wage component center for all contractors.

(iii) The distribution shall not exceed the total amount of underfunded wage component costs for all contractors nor the amount remaining in the redistribution pool, if any.

(3) For rates effective July 1, 1982, through June 30, 1983, a contractor's administration and operations non-wage component reimbursement rate will be calculated as follows:

(a) Allowable administration and operations costs, including wages of administrators, assistant administrators, and administrators-in-training, but excluding wages of other support staff, will be taken from the most recent desk-reviewed annual cost report.

(b) Effective July 1, 1982, through June 30, 1983, if any amounts were shifted into the administration and operations cost area during the period covered by the most recent annual cost report, an annualized amount

will be subtracted from administration and operations nonwage costs determined by the following formula:

$$AS = SS \times DR$$

(i) "AS" is the amount to be subtracted from administration and operations nonwage costs;

(ii) "SS" is the amount of the savings shifted into the administration and operations cost area; and

(iii) "DR" is the deficiency ratio, defined as the ratio of:

(A) Administration and operations nonwage costs minus the nonwage component of the administration and operations prospective rate; to

(B) Total administration and operations costs minus the total administration and operations prospective rate;

(C) This ratio may not be less than zero nor more than one.

(c) Adjusted costs will be updated using factors specified in WAC 275-38-855(3).

(d) Reimbursement for this portion of administration and operations will be limited to the eighty-fifth percentile of costs, adjusted as described in subsection (3)(b) of this section, of all reporting facilities, except facilities may be grouped by factors other than ownership or legal organization characteristics, which could reasonably influence cost requirements for administration and operations.

#### NEW SECTION

WAC 275-38-875 PROPERTY COST CENTER RATE. Property reimbursement for both leased and owner-operated facilities will not exceed the predicted cost plus one standard deviation of the necessary and ordinary costs of depreciation, and interest, of owner-operated facilities utilizing a multiple regression formula developed by the bureau of nursing home affairs pursuant to WAC 388-96-743. Effective July 1, 1982, through June 30, 1983, depreciation and interest costs of owner-operated facilities, for mortgages entered into prior to July 1, 1979, will be reimbursed to the extent the depreciation and interest costs do not exceed the reimbursement rate payable for the property cost center as of June 30, 1979, or July 1, 1979, whichever is higher, adjusted to meet any discrepancies as determined by the federal government between the reimbursements made and the approved state medicaid plan, and adjusted for any approved capitalized additions or replacements. Any leased facility operated as an intermediate care facility for the mentally retarded prior to July 1, 1979, will be reimbursed to the extent that the property cost exceed the upper limit of the multiple regression formula.

#### NEW SECTION

WAC 275-38-880 RETURN ON INVESTMENT. (1) Effective July 1, 1982, through June 30, 1983, the department will pay a return on equity to proprietary contractors utilizing applicable medicare rules and regulations as of July 1, 1979, with the following modifications:

(a) Monthly equity calculations will not be used. A desk review of reported equity will be conducted pursuant to WAC 275-38-595. The average ratio among proprietary contractors of current assets to expenses will be computed by the bureau of nursing home affairs pursuant to WAC 388-96-750. The standard deviation of the ratio and the average ratio plus one standard deviation will also be computed. Current assets in excess of the average ratio plus one standard deviation will not be allowed unless the contractor can document the excess is ordinary, necessary, and related to resident care and training. No adjustments will be made to reported equity insofar as changes reflect additions to fixed assets which are ordinary, necessary, and related to resident care and training.

(b) Goodwill is not includable in the determination of net equity.

(c) Net equity and the payment for net equity shall be calculated as described in subsections (2) and (3) of this section.

(2) A contractor's net equity will be calculated using the appropriate items from the contractor's most recent desk reviewed cost report utilizing the definition of equity capital in WAC 275-38-001 and applying relevant medicare rules and regulations as of July 1, 1979, with the modifications described in subsection (1) of this section.

(3) The contractor's net equity will be multiplied by the medicare rate of return on equity capital for the twelve-month period ending on the date of the closing date of the contractor's cost report. The amount will be divided by the contractor's annual resident days for the cost report period to determine a rate per resident day. Where a contractor's cost report covers less than a twelve-month period, annual resident days will be estimated using the contractor's reported resident days.

(4) The information on which the return on equity is calculated is subject to field audit. If a field audit determines the desk-reviewed reported equity exceeds the equity documented and calculated in conformance with medicare rules and regulations as modified by this section, the contractor's return on equity rate for the rate period a return on equity rate calculated on the basis of the cost report was in effect shall be recalculated using the determinations of the field audit. Any payments in excess of the rate shall be refunded to the department as part of the settlement procedure established by WAC 275-38-630. In particular, subsections (4), (5), and (6) of WAC 275-38-630 shall apply.

#### NEW SECTION

WAC 275-38-885 UPPER LIMITS TO REIMBURSEMENT RATE. The reimbursement rate shall not exceed the contractor's customary charges to the general public for the services covered by the rate, except that public facilities rendering such services free of charge or at a nominal charge will be reimbursed according to the methods and standards set out in this chapter. The contractor shall immediately inform the department if the department's reimbursement rate does exceed customary charges for comparable services. If necessary, the rate will be adjusted in accordance with

WAC 275-38-900. Rates will not exceed the limits set in 42 CFR 447.316.

#### NEW SECTION

WAC 275-38-895 NOTIFICATION OF RATES. The department will notify each contractor in writing of the department's prospective reimbursement rate. Unless otherwise specified at the time the reimbursement rate is issued, the rate will be effective from the first day of the month the rate is issued until a new rate becomes effective. If a rate is changed as the result of an appeal in accordance with WAC 275-38-960, the rate will be effective as of the date the rate appealed from became effective.

#### NEW SECTION

WAC 275-38-900 ADJUSTMENTS REQUIRED DUE TO ERRORS OR OMISSIONS. (1) Prospective rates are subject to adjustment by the department as a result of errors or omissions by the department or by the contractor. The department will notify the contractor in writing of each adjustment and of the effective date, and of any amount due to the department or to the contractor as a result of the rate adjustment. Rates adjusted in accordance with this section will be effective as of the effective date of the original rate.

(2) If a contractor claims an error or omission based upon incorrect cost reporting, amended cost report pages shall be prepared and submitted by the contractor. Amended pages shall be accompanied by the certification required by WAC 275-38-560 and a written justification explaining why the amendment is necessary. Such amendments shall not be accepted for settlement purposes unless the amendments meet the requirements of WAC 275-38-570, but may be used for purposes of revising a prospective rate. If changes made by the amendments are determined to be material by the department according to standards established by the department, such amended pages shall be subject to field audit. If a field audit determines the amendments are incorrect or otherwise unacceptable, any rate adjustment based on the amendment shall be null and void. Payments based upon the rate adjustment shall be subject to repayment as provided in subsection (3) of this section.

(3) The contractor shall pay an amount he or she owes the department resulting from an error or omission, or commence repayment in accordance with a schedule determined by the department, within sixty days after receipt of notification of the rate adjustment, unless the contractor contests the department's determination in accordance with the procedures set forth in WAC 275-38-960. If the determination is contested, the contractor shall pay or commence repayment within sixty days after completion of these proceedings. If a refund is not paid when due, the amount thereof may be deducted from current payments by the department.

(4) The department shall pay any amount owed the contractor as a result of a rate adjustment within thirty days after the department notifies the contractor of the rate adjustment.

(5) No adjustments will be made to a rate after the annual settlement for the period the rate was effective has become final.

#### NEW SECTION

WAC 275-38-905 REQUESTS FOR REVISION OF A PROSPECTIVE RATE. (1) A contractor may at any time request in writing a revision of the current rate. Each request shall include a detailed explanation of significant changes in the factors used to establish the rate, or of significant changes in actual costs incurred or anticipated.

(2) The department will inform a contractor of the disposition of a request within sixty days after receipt of the request and of any documentation necessary to support the request. Unless otherwise specified, a revised rate shall be effective as of the first day of the month in which the rate is issued.

(3) A formal request is not required for a rate increase granted to all contractors to cover the cost of meeting new federal or state requirements.

#### NEW SECTION

WAC 275-38-910 PUBLIC REVIEW OF RATE-SETTING METHODS AND STANDARDS. The department will provide all interested members of the public with an opportunity to review and comment on proposed rate-setting methods and standards each year before setting rates.

#### NEW SECTION

WAC 275-38-915 PUBLIC DISCLOSURE OF RATE-SETTING METHODOLOGY. Without identifying individual IMR facilities, the department will make available to the public full information regarding the department's rate-setting methodology.

#### NEW SECTION

WAC 275-38-920 BILLING PERIOD. A contractor shall bill the department for care provided to medical care recipients from the first through the last day of each calendar month.

#### NEW SECTION

WAC 275-38-925 BILLING PROCEDURES. (1) A contractor shall bill the department each month by completing and returning the IMR statement provided by the department. The IMR statement shall be completed and filed in accordance with instructions issued by the department.

(2) A contractor shall not bill the department for service provided to a resident until a department "notification to recipient in a title XIX facility" form (award letter) relating to the resident has been received. At that time the contractor may bill for service provided back through the date the resident was admitted or became eligible.

(3) Billing shall not cover the day of a resident's death, discharge, or transfer from the IMR facility.

NEW SECTION**WAC 275-38-930 CHARGES TO RESIDENTS.**

(1) The department will notify a contractor of the amount each resident is required to pay for care provided under the contract and the effective date of such required contribution. It is the contractor's responsibility to collect that portion of the cost of care from the resident, and to account for any authorized reduction from his or her contribution in accordance with procedures established by the department.

(2) If a contractor receives documentation showing a change in the income or resources of a resident which will mean a change in his or her contribution toward the cost of care, this shall be reported in writing to the regional services office, DDD, within seventy-two hours. If necessary, appropriate corrections shall be made in the next IMR statement, and a copy of documentation supporting the change shall be attached. If increased funds for a resident are received by a contractor, the normal amount shall be allowed for clothing, personal, and incidental expense, and the balance applied to the cost of care.

(3) The contractor shall accept the reimbursement rate established by the department as full compensation for all services the contractor is obligated to provide under the contract. The contractor shall not seek or accept additional compensation from or on behalf of a resident for any or all such services.

NEW SECTION

**WAC 275-38-935 PAYMENT.** (1) The department will reimburse a contractor for service rendered under the IMR contract and billed for in accordance with WAC 275-38-925.

(2) The amount paid will be computed using the appropriate rate assigned to the contractor.

(3) For each resident, the department will pay an amount equal to the appropriate rate or rates, multiplied by the number of resident days each rate was in effect, less the amount the resident is required to pay for his or her care (see WAC 275-38-930).

NEW SECTION

**WAC 275-38-940 SUSPENSION OF PAYMENT.** (1) Payments to a contractor may be withheld by the department in each of the following circumstances:

(a) A required report is not properly completed and filed by the contractor within the appropriate time period, including any approved extensions. Payments will be released as soon as a properly completed report is received.

(b) Auditors or other authorized department personnel in the course of his or her duties are refused access to an IMR or are not provided with existing appropriate records. Payments will be released as soon as such access or records are provided.

(c) A refund in connection with an annual settlement or rate adjustment is not paid by the contractor when due. The amount withheld will be limited to the unpaid amount of the refund.

(d) Payment for the final thirty days of service under a contract will be held pending final settlement when the contract is terminated.

(2) No payment will be withheld until written notification of the suspension is given to the contractor, stating the reason therefor.

NEW SECTION

**WAC 275-38-945 TERMINATION OF PAYMENTS.** All payments to a contractor will end no later than thirty days after any of the following occurs:

(1) A contract expires, is terminated or is not renewed;

(2) A facility license is revoked; or

(3) A facility is decertified as a Title XIX facility.

NEW SECTION

**WAC 275-38-950 DISPUTES.** (1) If a contractor wishes to contest the way a rule, contract provision, or policy statement relating to the prospective cost-related reimbursement system was applied to the contractor by the department, (e.g., in setting a reimbursement rate or determining a disallowance at audit), the contractor shall first pursue the administrative review process set out in WAC 275-38-960.

(2) The administrative review process in WAC 275-38-960 need not be exhausted if a contractor wishes to challenge the legal validity of a statute, rule, contract provision or policy statement.

NEW SECTION

**WAC 275-38-955 RECOUPMENT OF UNDISPUTED OVERPAYMENTS.** The department is authorized to withhold from the IMR current payment all amounts found by proposed or final settlement to be overpayments not identified by the IMR and challenged as overpayments as part of a good-faith administrative or judicial review. Contested amounts retained by the IMR pursuant to this section may be subject to recoupment by the department from the IMR current payment upon completion of judicial and administrative review procedures to the extent the department's position or claims are upheld.

NEW SECTION

**WAC 275-38-960 ADMINISTRATIVE REVIEW PROCESS.** (1) Within thirty days after a contractor is notified of an action or determination the contractor wishes to challenge, the contractor shall request in writing the director of the division of developmental disabilities or his or her designee review such determination. The request shall be signed by the contractor or the licensed administrator of the facility, shall identify the challenged determination and the date thereof, and shall state as specifically as practicable the grounds for the contractor's or licensed administrator's contention the determination was erroneous. Copies of any documentation the contractor intends to rely on to support the contractor's position shall be included with the request.

(2) After receiving a request meeting the criteria in subsection (1) of this section, the director of the division of developmental disabilities will contact the contractor to schedule a conference for the earliest mutually convenient time. The conference shall be scheduled for no later than thirty days after a properly completed request is received unless both parties agree in writing to a specific later date.

(3) The contractor and appropriate representatives of the department shall attend the conference. In addition, representatives selected by the contractor may attend and participate. The contractor shall bring to the conference, or provide to the department in advance of the conference, any documentation the contractor intends to rely on to support the contractor's contentions. The parties shall clarify and attempt to resolve the issues at the conference. If additional documentation is needed to resolve the issues, a second session of the conference shall be scheduled for not later than thirty days after the initial session unless both parties agree in writing to a specific later date.

(4) Unless informal agreement has been reached at the conference, a written decision by the director of the division of developmental disabilities will be furnished to the contractor within sixty days after the conclusion of the conference.

(5) If the contractor desires review of an adverse decision of the director of the division of developmental disabilities, the contractor shall within thirty days following receipt of such decision request a fair hearing in writing in accordance with the Administrative Procedure Act, chapter 34.04 RCW.

**WSR 82-17-045**  
**PROPOSED RULES**  
**WASHINGTON STATE UNIVERSITY**  
[Filed August 16, 1982]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that the Washington State University intends to adopt, amend, or repeal rules concerning campus parking and traffic regulations. The rules formerly codified in chapter 504-16 WAC will be repealed and re-enacted in revised form as chapter 504-17 WAC. Most of the revisions are stylistic in nature, and include deletion of redundant material. The major change of substance is an increase in the fine schedule for parking violations. The "E-Lot" parking category will be eliminated as of 1983-84. The new regulations will take effect on February 1, 1983;

that the institution will at 10:00 a.m., Tuesday, October 5, 1982, in the Compton Union Building, Room B11-13, WSU, Pullman, Washington 99164, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 22, 1982.

The authority under which these rules are proposed is RCW 28B.30.125, 28B.30.150, 28B.10.560 and chapter 28B.19 RCW.

The specific statute these rules are intended to implement is RCW 28B.30.125, 28B.30.150 and 28B.10.560.

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution before October 5, 1982. Mail or deliver to Safety Office, WSU, Pullman, Washington 99164.

Dated: August 12, 1982  
By: G. A. Hartford, Jr.

Vice President, Business and Finance

**STATEMENT OF PURPOSE**

Statutory Authority for the Rule(s): RCW 28B.30.125, 28B.30.150, 28B.10.560 and chapter 28B.19 RCW.

Purpose of the Rule(s): To revise and update campus parking and traffic regulations.

Summary of the Rule(s): The rules formerly codified in chapter 504-16 WAC will be repealed and re-enacted in revised form as chapter 504-17 WAC. Most of the revisions are stylistic in nature and include deletion of redundant material. The major change of substance is an increase in the fine schedule for parking violations. The "E-Lot" parking category will be eliminated as of 1983-84. The new regulations will take effect on February 1, 1983.

Reasons Which Support the Proposed Action: Fines for parking violations have not been revised for many years.

Name of Person or Organization Proposing the Rule(s): WSU Safety Department, Governmental.

Agency Personnel Responsible for Drafting, Implementation and Enforcement of the Rule(s): Del Brannan, Safety Office, (509) 335-8548.

The Rule(s) is (are) Necessary as the Result of Federal Law, Federal Court Action, or State Court Action: [No information supplied by agency]

Agency Comments, if any, Regarding Statutory Language, Implementation, Enforcement and Fiscal Matters Pertaining to the Rule(s): [No information supplied by agency]

**NEW CHAPTER**

Chapter 504-17

**CAMPUS PARKING AND TRAFFIC REGULATIONS**

WAC 504-17-010 AUTHORIZATION. Pursuant to the authority granted by RCW 28B.30.125, RCW 28B.30.150, RCW 28B.10.560, Chapter 28B.19 RCW, and other laws, the Board of Regents of Washington State University establishes the following regulations to govern parking and traffic on campus.

WAC 504-17-020 PURPOSES OF REGULATIONS. The purposes of these regulations are:

- (1) to expedite university business and provide maximum safety and convenience;
- (2) to regulate parking, with priority given to:
  - (a) services of the university,
  - (b) persons who need vehicles in connection with their work, and
  - (c) staff and students who need private vehicles because of a disability or other approved reason; and
- (3) to provide and maintain suitable campus parking and traffic facilities.

WAC 504-17-030 APPLICABLE PARKING AND TRAFFIC REGULATIONS. The following regulations apply upon state lands owned and/or controlled by Washington State University:

- (1) the motor vehicle and other traffic laws of the state of Washington (Revised Code of Washington);

(2) the Washington State University parking and traffic regulations.

**WAC 504-17-040 DEFINITIONS.** (1) **Campus.** For the purposes of these regulations, "campus" designates all property owned, leased and/or controlled by Washington State University that is or may hereafter be dedicated mainly to the educational, research, housing, recreational, parking, or other activities of Washington State University.

(2) **Commuter.** Any student who does not live in a residence hall (dormitory). All students living in fraternities, sororities, university housing (other than residence halls), and off-campus housing are considered to be commuters.

(3) **Dormitory.** See **Residence hall.**

(4) **Handicap permit.** A parking permit, temporary or annual depending on the duration of the disability, that requires a physician's written certification that the person's mobility is severely handicapped. It allows parking in all marked handicap, staff and student (commuter) lot zones and for unlimited periods of time in parking zones or areas which are otherwise restricted as to the length of time parking is permitted.

(5) **Handicap zone.** A parking zone identified with a sign bearing the national handicap symbol that is restricted at all times to use by vehicles bearing a valid Handicap Parking Permit.

(6) **Holiday.** A day when all university facilities, except those designated as essential services, are closed (e.g., Thanksgiving Day, Christmas Day, New Year's Day). Accordingly, most days during student vacations (such as those during Thanksgiving and Christmas time, and during the spring and summer breaks when school is not in session) are not considered to be holidays.

(7) **Housing area.** The single and married student housing units and their parking areas located near the periphery of the main campus and managed by the university's Housing and Food Service.

(8) **Housing permits.** Authorizes parking only in the specified housing area (not including dormitories). They are issued by the respective Housing offices in Rogers Hall or French Administration Building.

(9) **Illegal use of permit.**

(a) Use of a legal permit on the wrong vehicle.

(b) Use of a counterfeit permit.

(c) Use of a permit obtained under false pretenses.

(d) Use of an altered permit.

(10) **Indicator.** A decal displayed adjacent to the parking permit on a vehicle, which denotes where parking is permitted (e.g., S for Service, 121 for Graduate Center Lot, or NP for Night Parking).

(11) **Loading zone.** An area signed "Loading Zone" adjacent to a facility, in a parking lot, or near a dormitory. Such an area is intended for loading and unloading. Parking is limited to 15 minutes.

(12) **Motor vehicle.** All motor-driven conveyances, except mopeds, licensed for use on public streets (e.g., automobiles, trucks, motorcycles, motor scooters).

(13) **No parking zone.** Any area not specifically marked and/or signed for parking. Such areas include, but are not limited to, areas with adjacent curbs or rails painted yellow.

(14) **NP—Night parking.** A decal that authorizes parking overnight in parking areas signed "No 3:00 a.m. to 6:00 a.m. Parking".

(15) **Parking permit.** A decal authorizing parking in specified areas. There are several types of parking permits, each with specific privileges; the most frequently issued permits are Student Resident, Student Lot (Commuter), Staff, Visitor and Housing Area Permits. All, except Housing Area Permits, are issued by Parking Services, located in the Safety Building.

(16) **Pool permit.** A permit arrangement which allows different vehicles to use a single permit. Duplicate decals and a single transferable card are issued to the vehicles in the pool; the card must be displayed for the permit to be valid. The Pool Permit is available only to staff and to commuter students.

(17) **Residence hall.** A student residence, or "dormitory", located on campus and maintained by the Office of Residence Living. Students living in residence halls must purchase Student Resident Permits for parking on campus. "Residence Hall" should be distinguished from "Housing Area".

(18) **Service vehicle.** A vehicle used to provide a service for the university or a tenant or contractor of the university (e.g., a university-owned vehicle or a privately owned vehicle with a valid Service Permit displayed).

(19) **Service zone.** An area located near a service entrance to a facility and reserved for service vehicles. Service vehicles may park in

these zones for a maximum of 15 minutes, except for vehicles with unlimited Service Permits.

(20) **Specific residence hall lot.** A parking area in close proximity to a residence hall and in which those living in the hall who have been assigned priority by their hall director may park. A resident with priority is issued an appropriate indicator by his/her hall director or by the Office of Residence Living, and both the Student Resident Permit and the appropriate indicator must be attached to each vehicle parking in these lots. See Student Resident Permit.

(21) **Staff.** For the purposes of these regulations, "staff" includes all university faculty, classified staff, and administrative exempt employees and the personnel of other activities located on campus. Teaching assistants, research assistants, and other students employed part time by the university are not considered to be "staff".

(22) **Student lot permit.** A decal authorizing parking in student lot areas, available to students living off-campus (i.e., commuters) or in any university housing area. (See definition of Housing Area.) This permit should be distinguished from Student Resident Permit and Indicator.

(23) **Student resident permit.** A decal accompanied by a specific lot indicator available to students living in residence halls. This permit should be distinguished from a Student Lot Permit. See also Specific Residence Hall Lot.

(24) **Temporary permits.** Parking permits valid for a short period, issued by the University Parking Services free of charge to visitors. Staff and students may purchase Temporary Permits for one-day periods or for ten calendar-day periods.

(25) **Visitors.** Persons who have no direct relationship with the university and who only visit the campus on an occasional basis (i.e., persons who are neither staff nor students).

(26) **Wheel lock.** A wheel lock is a device used to temporarily immobilize a vehicle (i.e., on-the-spot impoundment).

**WAC 504-17-050 EMERGENCIES.** The president of Washington State University shall have authority to suspend, modify or repeal any or all provisions in this chapter in the event of an emergency, disaster or other like contingency. Such action shall be limited in duration and scope to meeting the dangers of the contingency.

**WAC 504-17-060 SPEED LIMITS.** Driving on campus roads and streets is permitted at any time, unless otherwise posted or restricted by signs and/or by these regulations. The maximum speed limit unless otherwise posted is 20 m.p.h.

**WAC 504-17-070 CLOSED AND RESTRICTED AREAS.** In certain designated areas on campus, such as the mall in the campus core, driving is restricted to mall service vehicles and vehicles bearing Handicap Permits.

**WAC 504-17-080 PEDESTRIANS.** (1) When traffic control signals are in place at intersections, pedestrians shall be subject to them.

(2) When traffic control signals are not in place or not in operation at pedestrian crossings, a vehicle must yield the right of way, by slowing down or stopping, when the pedestrian in the crossing is upon the same half of the roadway as the vehicle, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.

(3) No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.

(4) Pedestrians who are between adjacent intersections at which traffic-control signals are in operation must not cross at any place except in a marked crosswalk.

(5) Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection must yield the right of way to all vehicles upon the roadway.

(6) Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right of way to all vehicles upon the roadway.

(7) Pedestrians must yield the right of way to emergency vehicles.

**WAC 504-17-090 BICYCLES AND MOPEDS.** The general traffic regulations applicable to motor vehicles apply with equal force to bicycles and mopeds. Bicycles may be used on sidewalks, though pedestrians always have the right of way. Mopeds may not be ridden on sidewalks or in the mall area while the moped is operating under motorized power.

**WAC 504-17-100 PARKING.** (1) Throughout the year, during the hours of 7:30 a.m. to 5:00 p.m. Monday through Friday, parking on campus in other than metered spaces is limited to motor vehicles that have official permits and indicators, if applicable, properly displayed. At other hours, unless otherwise posted, parking permits are not required for parking in staff or student lot (commuter) parking areas.

(2) Parking permits are required 24 hours a day, seven days a week in residence hall areas, Rogers-Orton Lot (Lot No. 1), Wilson Road Lot (Lot No. 104), service and handicap zones.

(3) Standing (the stopping of a vehicle with the driver remaining in it) is permitted in marked parking spaces, except metered spaces, even though the vehicle does not have a valid parking permit. Double parking while "standing" is not permitted.

**WAC 504-17-110 SPECIAL CONDITIONS.** The parking regulations are enforced every day, 24 hours a day through-out the year. However, during the following periods special conditions exist and the regulations are modified accordingly:

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

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

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

(4) During vacation periods and summer sessions, any valid parking permit except those issued by University Housing authorizes parking in any lot designated for students.

(5) At the beginning of the fall semester, the prior year permits will be valid until the beginning of the sixth day of classes.

**WAC 504-17-120 PARKING AREAS.** (1) **Restricted hours:** During the hours of 7:30 a.m. to 5:00 p.m. Monday through Friday, all parking areas on campus are subject to restriction.

(2) **Restricted areas:** Some areas on campus are restricted at all times, except as provided in WAC 504-17-110(4). These include, but are not limited to, pedestrian mall areas, handicap zones, service zones, loading zones, motorcycle zones, spaces assigned to state vehicles, specific residence hall lots, hall director spaces, university housing zones, Rogers-Orton Lot, Wilson Road Lot, crosswalk areas and yellow curb areas. Parking is not permitted in these areas except by specifically authorized vehicles.

(3) **Marked areas:**

(a) Parking on campus is permitted only in the marked and/or signed spaces in lots and on streets. All other areas outside these designated areas are "No Parking Zones". Each parking area has signs to indicate the type of permit or permits required.

(b) Individual parking spaces are clearly marked, and no vehicle may be parked so as to occupy any portion of more than one parking space. The fact that other vehicles may have been parked so as to require other vehicles to occupy a portion of more than one space shall not constitute an excuse for the subsequent violation.

(4) **Metered parking spaces:**

(a) Spaces in certain lots are metered parking only. Permits are not effective in these spaces, and the meter must be paid for the amount of time parked in such space.

(b) Except in the Student Bookstore parking area (Lots 50 and 55), parking meters are effective from 8:00 a.m. to 5:00 p.m. daily except Saturdays, Sundays and university holidays. In the Bookstore parking area, meters are effective 8:00 a.m. to 5:00 p.m. daily except Sundays and university holidays.

**WAC 504-17-130 PARKING PERMITS—GENERAL INFORMATION.** (1) **Where to obtain permits:** Housing Area Permits are issued by the respective Housing Offices. All other parking permits are available at University Parking Services, located in the Safety Building, upon application and the payment of the appropriate fees. The applicant will receive a decal which—according to its design, color, and number code—will identify the vehicle in the categories of student commuter, student resident, staff, visitor, housing area, contractor, or other permit type, and also indicate the type of parking and the type of parking area where the vehicle may be parked.

(2) **The display of permits:**

(a) **Manner:** Parking permit decals must be completely affixed by means of their own adhesive (not by tape) in the approved position on

the vehicle so that they are clearly visible and readable from the outside.

(b) **Location:** Parking permit decals must be affixed to the lower left corner (driver's side) of the rear window with the following exceptions:

(i) On convertibles and trucks, they must be clearly affixed in the lower left corner of the front windshield.

(ii) On station wagons and cars with heated rear windows they must be affixed in the lower left rear side window.

(iii) On motorcycles they must be affixed in a conspicuous place.

(iv) Temporary permits are displayed by hanging them from the rear-view mirror.

(3) **Pool permits:** Each vehicle in a pool group must display a pool decal in the approved location. In addition, the vehicle to be parked on campus must display the transferable card in the lower left corner (driver's side) of the windshield, or in close proximity to the pool decal.

(4) **Ownership of permits:** A parking permit application must be on file for each vehicle displaying a permit. The ownership of permits is generally not transferable, but exceptions can be made by University Parking Services provided that:

(a) the person relinquishing ownership and the purchaser appear in person at Parking Services when requesting such a transfer;

(b) the former owner relinquishes all ownership or claim to the permit;

(c) the purchaser qualifies for ownership; and

(d) the new owner completes a new application form for the permit.

If the vehicle is sold, and for any reason a replacement permit is requested, the old permit must be removed and presented to University Parking Services to be eligible for a replacement or a refund.

**WAC 504-17-140 PARKING PERMITS—STAFF.** (1) Any staff member who wishes to park his/her vehicle on campus in other than metered spaces must have a parking permit displayed. Such permits may be a Structure Permit, which designates a particular parking structure to be used (and which also validates parking in staff parking areas, but not in other structures), or a general Staff Permit, which validates parking in staff parking areas, and student (commuter) lots.

(2) **Special indicator decals** may be issued to staff members holding valid parking permits in the following cases, each of which must be approved by the Traffic Control Subcommittee of the University Planning Committee or its designated representatives:

(a) Staff with a physical disability may be issued a Handicap Permit to meet individual needs. Applications must be accompanied by a doctor's written certification that the employee's mobility is so severely impaired as to require handicap parking privileges and the anticipated duration of the disability.

(b) Service Indicators may be issued to a staff member who must use his/her private vehicle as a service vehicle for university business; these indicators authorize parking in service zones for not more than 15 minutes.

(c) Night Parking Indicators are available to those staff members whose work schedule, certified by their department head, requires that they routinely park in areas posted "No 3:00 a.m. to 6:00 a.m. Parking" during those hours.

**WAC 504-17-150 PARKING PERMITS—STUDENTS.** (1) **Commuters:** Those commuters who wish to park on campus during restricted hours must purchase a Student Lot Permit.

(2) **Student residents:** Students living in residence halls who wish to park in an overnight lot must purchase a Student Resident Permit and obtain a lot indicator which authorizes parking either in an assigned hall lot or Rogers-Orton or Wilson Road lots.

(3) **University housing occupants:** Occupants of university housing may obtain parking permits which authorize parking in their specific housing areas from the following offices:

(a) Occupants of family housing apartments may obtain parking permits from the Housing Office, Room 131, Rogers Hall.

(b) Occupants of single students apartments may obtain permits from the Housing and Food Service Office, Room 124, French Administration Building.

These permits are valid only in the specific housing area. To park elsewhere on campus during restricted hours, the occupant must purchase a Student Lot Permit.

(4) **Exceptions:**

(a) Students with a physical disability may be issued a Handicap Permit to meet individual needs. Applications must be accompanied by



a WSU Student Health Physician's written certification that the student's mobility is so severely impaired as to require handicap parking privileges and the anticipated duration of the disability.

(b) Students who need their own vehicles for university work may buy a Staff Permit at the staff rate for periods varying up to one year. The application for such permits must be accompanied by certification by the dean, the director, or the administrative officer supervising the work, and must be submitted to the Traffic Control Subcommittee or its designated representative for approval.

**WAC 504-17-160 PARKING PERMITS—VISITORS.** (1) **Annual visitor permits.** Visitors may purchase an annual Visitor's Permit. This permit authorizes parking in the areas marked "Visitors" in the staff parking areas or in the student (commuter) lots.

(2) **Temporary visitor permit:** Individuals who visit the campus only occasionally may be issued a Temporary Visitor Permit without charge. This permit is valid for a maximum of five consecutive days, and is extended or renewed only upon reapplication.

(3) **Conference guest permits.** Conference Guest Permits are available to the conference sponsor upon application through University Relations and University Parking Services. Arrangements may be made with the latter for the sponsor to print such permits on the conference brochure.

(4) **Other:** The following vehicles may be parked on campus without charge: those of members of the Board of Regents, those of members of the State Legislature, and those bearing tax-exempt licenses.

**WAC 504-17-170 PARKING PERMITS—CONTRACTORS.** Vehicles parked by contractors and their employees working on campus projects must bear a parking permit. Such permits are issued for designated areas in staff parking lots on a weekly or monthly basis.

**WAC 504-17-180 PARKING PERMITS—MOTORCYCLES.** Motorcycle Permits may be purchased by either staff or students and are valid only in designated motorcycle areas, which are marked by signs and/or the letter "M" painted on the parking surface. Several cycles may park in one space.

**WAC 504-17-190 PARKING PERMIT FEES.** (1) **Staff and staff handicap permits:**

Time Purchased	Fee
Anytime during fall semester	\$45.00
Anytime during spring semester	\$25.00
Anytime during the summer	\$10.00

Handicap permits will be issued free of charge to those who have their vehicle identified with a state handicapped license plate or other indicator in accordance with RCW 46.16.380.

Refunds: If a permit is surrendered before the end of the second week of the spring semester, a refund of \$20.00 will be made upon request. No refund will be made for the summer, or for a partial period.

Temporary Staff Permits may be purchased at the rate of \$.50 per day, or \$3.00 for ten calendar days.

Staff members whose work hours qualify them for "night time differential pay" may purchase a permit for one-half the regular fee.

(2) **Structure Permit:**

Time Purchased	Fee
Anytime during fall semester	\$60.00
Anytime during spring semester	\$33.50
Anytime during the summer	\$13.50

Refunds: If a permit is surrendered before the end of the second week of the spring semester, a refund of \$26.50 will be made upon request. No refund will be made for the summer or for a partial period.

(3) **Student permits**

(a) **Student (commuter) lot and student handicap permits:**

Time Purchased	Fee
Anytime during fall semester	\$35.00
Anytime during spring semester	\$20.00
Anytime during summer	\$10.00

Handicap permits will be issued free of charge to those who have their vehicle identified with a state handicapped license or other indicator in accordance with RCW 46.16.380.

Refunds: If a permit is surrendered before the end of the second week of the spring semester, a refund of \$15.00 will be made upon request. No refund will be made for the summer or for a partial period.

Temporary Student Lot Permits may be obtained at the rate of \$.40 a day, or \$2.50 for ten calendar days.

(b) **Student resident permit**

Time Purchased	Fee
Anytime during fall semester	\$25.00
Anytime during spring semester	\$15.00
Anytime during the summer	\$10.00

Refunds: If a permit is surrendered before the end of the second week of the spring semester, a refund of \$10.00 will be made upon request. No refund will be made for the summer or for a partial period.

Temporary Student Resident Permits may be purchased at the rate of \$.30 per day, or \$2.00 for ten calendar days.

(4) **Visitor's permits:**

Time Purchased	Fee
Anytime during fall semester	\$10.00
Anytime during spring semester	\$ 7.50
Anytime during the summer	\$ 3.00

No refunds are made for Visitor Permits. Fees for Visitor Permits may be waived for qualified visitors who volunteer their services to the university (e.g., reading for the blind), University of Idaho students and employees involved in WSU/University of Idaho cooperative education programs and retired Washington State University employees.

(5) **Motorcycle permits:**

Time Purchased	Fee
Anytime during fall semester	\$14.00
Anytime during spring semester	\$10.00
Anytime during the summer	\$ 5.00

These permits are available to both staff and students. Refunds: If a permit is surrendered before the end of the second week of the spring semester, a refund of \$5.00 will be made upon request.

Temporary Motorcycle Permits may be purchased at the rate of \$.15 a day, or \$1.00 for 10 calendar days.

(6) **Contractor permits:** Permits will be issued for designated areas at the cost of \$1.00 per week or \$3.00 per month.

**WAC 504-17-200 ADMINISTRATION.** (1) **The traffic control subcommittee of the university planning committee.** This committee:

(a) makes recommendations on regulations governing campus traffic and parking control;

(b) reviews the administration and enforcement of traffic and parking regulations;

(c) makes recommendations for physical improvements in parking facilities;

(d) consults, where appropriate, with Pullman authorities on traffic matters; and

(e) coordinates campus traffic planning with the work of the University Planning Committee.

(2) **The parking appeals committee.** This committee:

(a) establishes and maintains an appeals procedure for parking violations on campus;

(b) hears appeals as requested and renders decisions.

(3) **The Washington State University police and parking services.**

These departments are responsible for the administration and enforcement of these regulations. This responsibility also involves recommending the installation of appropriate traffic and parking signs, maintaining a registration record system, the issuance of permits, the patrol of the university campus, and the keeping of a record of the violations, warnings, court summonses and arrests.

**WAC 504-17-210 ENFORCEMENT—GENERAL.** (1) Any vehicle found parked in violation of these regulations will be given notice of such violation. Fines will be imposed, but anyone contesting the propriety of such fine may appeal such to the Parking Appeals Committee.

(2) Moving violations will be referred to the local district court.

**WAC 504-17-220 ENFORCEMENT—FINES.** (1) Schedule of fines: Parking violations will be processed by the university. Fines must be paid at University Parking Services in the Safety Building at the following rates:

(a) Meter violation	\$ 5
(b) Overtime in time zone	\$ 5
(c) No transferable pool permit	\$10
(d) No parking permit	\$15
(e) No parking permit for this area	\$10
(f) No parking zone	\$10
(g) Improper parking	\$10
(h) No 3 a.m.—6 a.m. parking	\$10
(i) Blocking traffic	\$15
(j) Handicap (disability) zone	\$25

- (k) Fire zone \$25
- (l) Parking in reserved area \$25
- (m) Illegal use of permit \$50
- (n) All other parking violations \$10

(2) Reduction of fines: Except for (d) no parking permit and (m) illegal use of permit, all fines paid within twenty-four hours will be reduced by one-half. For (d) no parking permit, such fine will be reduced by one-half if a parking permit is purchased within 24 hours after issuance.

(3) Visitors: The first violation of the notices listed in WAC 504-17-220(d) (no parking permit) and (e) (no parking permit for area) issued to visitors are considered warning notices upon presentation to Parking Services office.

(4) Failure to pay fines: If a student or staff member fails to pay the fine assessed for any violation, the fine will be referred to the Controller's Office for collection. The Controller may, if other collection efforts fail, deduct outstanding fines from the salary warrants of employees or withhold the amount of the outstanding fines from damage deposits or other funds held for any student in order to secure payment. Where collection efforts are unsuccessful, the Controller may notify the Registrar to refrain from issuing student transcripts or to withhold permission to re-enroll for a subsequent term until outstanding fines are paid. The procedures discussed above are not exclusive, however, and failure to pay fines may lead to towing or use of the wheel-lock device described in these regulations. Nor are the procedures discussed above a precondition to towing or use of the wheel lock.

**WAC 504-17-230 ENFORCEMENT—ACCUMULATED VIOLATIONS—WHEEL LOCK—TOWING** (1) Any vehicle with an accumulation of three or more unpaid parking violations may be temporarily immobilized by use of a wheel lock device placed on a wheel. Any vehicle may be towed away if the vehicle:

- (a) has been immobilized by wheel lock more than 23 hours; or
- (b) is illegally parked in a marked tow-away zone; or
- (c) is a hazard or obstruction to vehicular or pedestrian traffic (including, but not limited to, vehicles parked in yellow curb zones or crosswalks); or
- (d) cannot be impounded with a wheel lock device.

The driver and/or owner of a towed vehicle shall pay towing and storage expenses. Any vehicle immobilized by use of the wheel lock device in excess of 24 hours in a location where towing away is impossible or impractical will be assessed a storage fee of \$5.00 for each calendar day or portion thereof, beyond the first 24 hours. The university assumes no responsibility in the event of damages resulting from towing, use of wheel lock devices, storage, or attempts to move a vehicle with a wheel lock device installed. No vehicle impounded by tow-away or wheel lock device shall be released until the following fines are paid:

- (a) all unpaid parking violation penalties against said vehicle;
  - (b) all towing and storage fees.
- Any vehicle impounded pursuant to these regulations in excess of 30 calendar days shall be considered an abandoned vehicle and shall be disposed of in accordance with RCW 46.52. A person wishing to challenge the validity of any fines or fees imposed under this subsection may appeal such fines or fees as elsewhere provided in these regulations. However, in order to secure release of the vehicle, such person must pay the amount of such fines or fees as a bond which may be refunded after a successful appeal.

(2) An accumulation of six unpaid violations during any 12-month period, exclusive of meter violations, overtime in time zone violations, and no transferable pool permit violations, will subject the violator to revocation or denial of parking privileges. Vehicles without permits which accumulate the above number of violations will be prohibited from parking on university property.

**WAC 504-17-240 APPEALS PROCEDURE.** (1) The appeals procedure serves two primary functions:

- (a) to assure an impartial evaluation of the circumstances relating to a particular parking violation; and
  - (b) to aid in the appraisal of parking and traffic problems.
- (2) Any person who has received notice of a parking violation may appeal the alleged violation. The appeal must be made in writing within ten days after receipt of notice of the violation. Forms for this purpose are available from University Parking Services.
- (3) The Parking Appeals Committee will make a preliminary decision on the appeal and notify the appellant of the decision within 20

days during the academic year and 45 days during the summer months after receipt of the appeal. If the appellant is dissatisfied with the preliminary decision, he/she may request a hearing before the committee. Such request must be made within 10 days of receipt of the notice of the preliminary decision. If no such request is received, the preliminary decision shall be final.

(4) During the hearing the appellant and representatives of University Parking Services may present and cross-examine witnesses. After the presentation of evidence, the Parking Appeals Committee shall render a decision within 5 days. Such decision shall be final.

**WAC 504-17-250 FAILURE TO PAY FINES.** Failure to pay a fine or comply with other penalties assessed pursuant to these regulations, after exhausting or failing to exercise appeals provided for in these regulations, constitutes a violation of RCW 28B.10.560 and .565. A citation or complaint for such violation may be issued and filed with the district court.

**WAC 504-17-900 REPEAL AND SAVINGS.** Chapter 504-16 WAC is hereby repealed, provided that neither this repeal nor any other provision of this enactment shall have the effect of terminating, or in any way modifying, any liability, civil or criminal, which is already in existence on the effective date of this enactment. Insofar as the provisions of this enactment are substantially the same as prior regulations, or relate to the same subject matter, they shall be construed as restatements and continuations, and not as new enactments. Provisions of Chapter 504-16 which relate to E-lots shall remain in effect until the beginning of the 1983-84 permit year.

**WAC 504-17-910 SEVERABILITY.** If any provision of this chapter, WAC 504-17, or its application to any person or circumstance is held invalid, the remainder of the chapter or its application to other persons or circumstances is unaffected.

**WAC 504-17-930 EFFECTIVE DATE.** Except as otherwise provided in these regulations, this chapter shall take effect on February 1, 1983.

**WSR 82-17-053  
EMERGENCY RULES  
LOTTERY COMMISSION  
[Order 1—Filed August 17, 1982]**

Be it resolved by the Washington State Lottery Commission, acting at Olympia, Washington, that it does adopt the annexed rules relating to adding new sections WAC 315-02-010, 315-02-030, 315-02-040, 315-02-050, 315-02-060, 315-02-070, 315-02-100, 315-02-110, 315-02-120, 315-02-130, 315-02-140, 315-02-150, 315-02-160, 315-02-170, 315-02-180, 315-02-190, 315-02-200, 315-02-210, 315-02-220, 315-04-010, 315-04-020, 315-04-030, 315-04-040, 315-04-050, 315-04-060, 315-04-070, 315-04-080, 315-04-090, 315-04-100, 315-04-110, 315-04-120, 315-04-130, 315-04-140, 315-04-150, 315-04-160, 315-04-170, 315-04-180, 315-04-190, 315-04-200, 315-04-210, 315-06-010, 315-06-020, 315-06-030, 315-06-040, 315-06-050, 315-06-060, 315-06-070, 315-06-080, 315-06-090, 315-06-100, 315-06-110, 315-06-120, 315-06-130, 315-06-140, 315-06-150, 315-06-160, 315-06-170, 315-06-180, 315-06-190, 315-06-200, 315-06-210, 315-10-010, 315-10-020, 315-10-030, 315-10-040 and 315-10-050.

We, the Washington State Lottery Commission, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of

notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is the State Lottery Commission hereby declares the adoption of each and every one of the rules adopted by it today to be necessary to protect the public health, safety and welfare and are adopted on an emergency basis to protect the public health, safety and welfare. The governor of this state has proclaimed the state to be in a fiscal and budgetary crisis. The legislature of the state, in adopting legislation authorizing a state lottery, directed the commission to promulgate rules in order that a lottery be initiated at the earliest feasible and practicable time and in order to produce the maximum amount of net revenues for the state. In order to aid the governor in solving the state's fiscal and budgetary crisis and to meet the legislature's statutory mandate to the commission, the adoption of the initial set of regulations on an emergency basis is necessary.

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

This rule is promulgated pursuant to section 4, chapter 7, Laws of 1982 2nd ex. sess. and is intended to administratively implement that statute.

This rule is promulgated pursuant to section 4, chapter 7, Laws of 1982 2nd ex. sess. which directs that the Washington State Lottery Commission has authority to implement the provisions of section 4, chapter 7, Laws of 1982 2nd ex. sess.

The undersigned hereby declares that the agency 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) in the adoption of these rules.

APPROVED AND ADOPTED August 4, 1982.

By Paul L. Mack  
Chairman

#### NEW SECTION

**WAC 315-02-010 WASHINGTON STATE LOTTERY COMMISSION.** *The Washington state lottery commission, hereinafter called "the commission," is the commission appointed by the governor pursuant to chapter 7, Laws of 1982, 2nd ex. sess. as the regulatory agency charged with the authority and duty to regulate lottery activities.*

#### NEW SECTION

**WAC 315-02-030 ADDRESS OF COMMISSION.** *Unless specifically provided elsewhere in these rules, submission of materials or requests for notice or information of any kind, may be made by addressing correspondence to: Washington State Lottery Commission, P. O. Box 9770, Olympia, WA 98507.*

#### NEW SECTION

**WAC 315-02-040 COMMISSION ACTIVITIES EXEMPT FROM ENVIRONMENTAL PROTECTION ACT.** *The commission has reviewed its authorized activities and has found them to be exempt*

*pursuant to WAC 197-10-040(2), 197-10-150 through 197-10-190 and the state environmental policy act, chapter 43.21 RCW.*

#### NEW SECTION

**WAC 315-02-050 DIRECTOR OF THE WASHINGTON STATE LOTTERY.** *The director of the Washington state lottery, hereinafter called "the director," is the director appointed by the governor pursuant to section 5, chapter 7, Laws of 1982, 2nd ex. sess., to be responsible for the supervision and administration of the operation of the lottery in accordance with the provisions of chapter 7, Laws of 1982, 2nd ex. sess. and with the rules of the commission. The director may delegate to his or her employees such responsibilities as the director may deem necessary to carry out the duties and responsibilities of this chapter.*

#### NEW SECTION

**WAC 315-02-060 ADDRESS OF THE OFFICE OF THE DIRECTOR.** *Unless specifically provided elsewhere in these rules, submission of materials or requests for notice or information of any kind, may be made by addressing correspondence to: Office of the Director, Washington State Lottery, P.O. Box 9770, Olympia, WA 98507.*

#### NEW SECTION

**WAC 315-02-070 OFFICE OF THE DIRECTOR ACTIVITIES EXEMPT FROM ENVIRONMENTAL PROTECTION ACT.** *The director has reviewed his or her authorized activities and has found them to be exempt pursuant to WAC 197-10-040(2), 197-10-150 through 197-10-190 and the state environmental policy act, chapter 43.21 RCW.*

#### NEW SECTION

**WAC 315-02-100 DEFINITIONS.** *Words and terms used in these rules shall have the same meaning as each has under chapter 7, Laws of 1982, 2nd ex. sess., unless otherwise specifically provided in these rules, or the context in which they are used clearly indicates that they be given some other meaning.*

#### NEW SECTION

**WAC 315-02-110 BANK DEFINED.** *"Bank" means and includes all commercial banks, mutual savings bank, savings and loan associations, credit unions, trust companies and any other type or form of banking institution organized under the authority of the state of Washington or the United States of America whose principal place of business is within the state of Washington and is designated to perform such functions, activities, or service in connection with the operations of the lottery for the deposit and handling of lottery funds, the accounting thereof and the safekeeping of tickets and records.*

**NEW SECTION**

**WAC 315-02-120 DEPOSITORY DEFINED.** "Depository" means any person, including a bank or state agency, performing activities or services in connection with the operation of the lottery for the deposit and handling of lottery funds, the accounting thereof, and the safekeeping of tickets.

**NEW SECTION**

**WAC 315-02-130 EMPLOYEE OF THE COMMISSION DEFINED.** "Employee of the commission" means the employees or agents of the commission and the director unless the context clearly indicates one or the other.

**NEW SECTION**

**WAC 315-02-140 GAME DEFINED.** "Game" means any individual or particular type of lottery authorized by the commission.

**NEW SECTION**

**WAC 315-02-150 GENERAL LICENSE DEFINED.** "General license" means a license issued by the director which authorizes a licensed agent to conduct the routine sale of tickets.

**NEW SECTION**

**WAC 315-02-160 LICENSED AGENT DEFINED.** "Licensed agent" means a person licensed by the director or any retail outlet of the state liquor control board.

**NEW SECTION**

**WAC 315-02-170 LOTTERY DEFINED.** "Lottery" means the lottery established and operated pursuant to chapter 7, Laws of 1982, 2nd ex. sess.

**NEW SECTION**

**WAC 315-02-180 PERSON DEFINED.** "Person" means an individual, association, corporation, club, trust, estate, society, company, joint stock company, receiver, trustee, assignee, referee, or any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination of individuals. "Person" does not mean any department, commission, agency, or instrumentality of the state, or any county or municipality or any agency or instrumentality thereof, except for retail outlets of the state liquor control board.

**NEW SECTION**

**WAC 315-02-190 PRIZE DEFINED.** "Prize" means any award, financial or otherwise, awarded by the director.

**NEW SECTION**

**WAC 315-02-200 PROVISIONAL LICENSE DEFINED.** "Provisional license" means a license issued by the director which temporarily authorizes a licensed

agent to conduct the sale of tickets pending processing of the general license application or renewal.

**NEW SECTION**

**WAC 315-02-210 SPECIAL LICENSE DEFINED.** "Special license" means a license issued by the director which authorizes a licensed agent to conduct the sale of tickets for specific sporting, charitable, social or other special event(s).

**NEW SECTION**

**WAC 315-02-220 TICKET DEFINED.** "Ticket" means a lottery ticket or share issued by the director for sale to the general public.

**NEW SECTION**

**WAC 315-04-010 LICENSED AGENTS.** The director shall license as licensed agents such persons who, in his or her opinion, will best serve the public interest and convenience, promote the sale of tickets and meet the eligibility criteria for application and licensure. Said licensed agents shall be authorized to sell such tickets as in the director's opinion will promote the best interests of the commission and produce maximum revenue, but a licensed agent need not be authorized to sell tickets for all games operated by the director. Each Licensed agent may be required to post a bond in such terms and conditions as the director may require.

**NEW SECTION**

**WAC 315-04-020 LICENSE APPLICATION ELIGIBILITY.** Any person may submit an application for licensure except:

- (1) No person may submit an application for licensure who is under 18 years of age.
- (2) No person may submit an application who will be engaged exclusively in the business of selling tickets.
- (3) No person may submit an application for licensure who is a member or employee of the commission or who is the spouse, child, brother, sister or parent residing as a member of the same household in the principal place of abode of any member or employee of the commission.
- (4) No person may submit an application who is, or is owned or controlled by or affiliated with, a vendor or contractor of the commission or director for the development, operation, management, security or any other aspect of a specific game.
- (5) No person may submit an application who is not legally registered and licensed to conduct business in the state of Washington.

The submission of an application shall not entitle any person to receipt of a license to act as a licensed agent. An application may be denied for any reason permitted by statute or these rules.

**NEW SECTION**

**WAC 315-04-030 LICENSE APPLICATION.** Any eligible person may apply for a license to act as a licensed agent by first filing with the director an application on a form approved by the director, together with

any supplement thereto, said form and supplements to be signed under oath, which shall include, but not be limited to, authorization to investigate criminal history, financial records and financial sources.

#### NEW SECTION

WAC 315-04-040 **GENERAL LICENSE.** The director may issue a general license to an applicant who qualifies for licensure. The general license shall authorize the licensed agent to conduct the routine sale of tickets at the location specified on the general license. The general license shall be valid for one year after the date of issuance, except as provided in WAC 315-04-100.

#### NEW SECTION

WAC 315-04-050 **SPECIAL LICENSE.** The director may issue a special license to an applicant for specific sporting, charitable, social, or other special event. A special license is one subject to such conditions or limitations as the director, in his or her discretion, may deem prudent and which is consonant with the dignity of the state, the general welfare of the people, and the operations and integrity of the lottery. These limitations or conditions may include, but are not limited to:

- (1) Length of license period;
- (2) Hours or days of sale; and
- (3) Location of sale.

#### NEW SECTION

WAC 315-04-060 **PROVISIONAL LICENSE.**  
 (1) The director may issue a provisional license to an applicant for a general license after receipt of a person's fully completed licensed agent's application, the authorization of a complete personal background check, and completion of a preliminary background check. The provisional license shall expire at the time of issuance of the general license or ninety days from the date the provisional license is issued, whichever occurs first. The provisional license may be extended by the director for one additional ninety-day period of time.

(2) The director may issue a provisional license to an applicant for renewal of a general license when he or she determines it necessary to authorize a licensed agent to sell tickets pending approval of the application for general license renewal. The provisional license shall expire at the time of the issuance of the general license renewal or ninety days from the date the provisional license is issued, whichever occurs first.

#### NEW SECTION

WAC 315-04-070 **LICENSE FEES.** (1) The fee for a license application shall be \$15.00.

(2) The fee for a background check for initial licensure shall be \$10.00.

(3) The fee for renewal of a license shall be \$15.00.

(4) The fee for late renewal of a license shall be \$25.00 in addition to the renewal fee of \$15.00.

(5) All fees established in this section or other sections of this title are not refundable.

(6) The fees in this section may be prorated for staggered license renewal periods as provided in WAC 315-04-100.

#### NEW SECTION

WAC 315-04-080 **BAD CHECKS SUBMITTED AS PAYMENT FOR FEES.** The payment of a fee with a check which for any reason is not promptly paid by the drawee bank shall be grounds for immediate denial of an application for the license, or for the suspension or revocation of a license issued for which the fee is due. The director shall add \$15.00 to each fee when payment of a check originally submitted is denied by the drawee bank, or when the check is required to be resubmitted for payment for any reason.

#### NEW SECTION

WAC 315-04-090 **LICENSE ISSUANCE ELIGIBILITY.** (1) The director may issue a license to any person to act as a licensed agent who meets the eligibility criteria established by chapter 7, Laws of 1982, 2nd ex. sess., and these rules.

(2) Before issuing a licensed agent license, the director shall consider:

- (a) the financial responsibility and security of the person and its business or activity;
- (b) the background and reputation of the applicant in the community for honesty and integrity;
- (c) the accessibility of the applicant's place of business or activity to the public;
- (d) the sufficiency of existing licenses to serve the public convenience;
- (e) the volume of expected sales;
- (f) the veracity of the information supplied in the application for a licensed agent license; and
- (g) the applicant's indebtedness to the state of Washington, local subdivisions of the state and/or the United States government.

(3) The director may condition the issuance of any license upon the posting of a bond in such terms and conditions as the director may require.

#### NEW SECTION

WAC 315-04-100 **STAGGERED LICENSE RENEWALS.** (1) The director shall set staggered dates for license renewal. License fees established shall be prorated for the actual period of licensure. In no event shall a license period established under this provision be longer than two years.

(2) The licensed agent shall apply for renewal of its license on a form approved by the director, at least 45 days prior to the expiration date of the license. Applications for renewal received later than 45 days prior to the expiration date of the license shall be subject to the late renewal fee, except a renewal application shall not be accepted if it is received by the director more than 60 days after the expiration date of the license.

NEW SECTION

**WAC 315-04-110 DUPLICATE LICENSES.** Upon the loss, mutilation or destruction of any license issued by the director, application for a duplicate must be made on a form approved by the director. A statement signed by the licensed agent which details the circumstances under which the license was lost, mutilated, or destroyed and certifies that such license was, in fact, lost, mutilated or destroyed, shall accompany such application. The fee for the duplicate of a license shall be \$10.00. A mutilated license shall be surrendered to the director upon issuance or denial of a duplicate license. A lost license, when found, must be immediately surrendered to the director.

NEW SECTION

**WAC 315-04-120 TRANSFER OF OWNERSHIP OR LOCATION OF LICENSE PROHIBITED.** (1) Any license issued by the director is personal to the licensed agent and may not be transferred to another person.

(2) If the person to which a license is issued substantially changes its ownership or changes its location, the license shall be terminated at the date of change and a new application for licensure shall be made. Every such change in ownership or location shall be reported to the director at least twenty days prior to the change. The license shall be surrendered to the director on the date of change. A substantial change in ownership of a business shall mean the transfer of ten percent equity or more of any licensee.

(3) A legal change of name, not involving a change in ownership or location, shall not be considered a transfer of license under this section. Upon request, a license shall be issued in the new name on payment of a \$10.00 fee. Every legal change of name, not involving a change in ownership or location, shall be reported to the director at least twenty days prior to the change.

NEW SECTION

**WAC 315-04-130 DEATH OR INCAPACITY OF LICENSEE.** (1) In the event of the proven incapacity, death, receivership, bankruptcy or assignment for benefit of creditors of any licensed agent, upon approval of the director, the license may be transferred to a court appointed or court confirmed guardian, executor or administrator, receiver, trustee, or assignee for the benefit of creditors, who may continue to operate the activity under the license, subject to the provisions of chapter 7, Laws of 1982, 2nd ex. sess. and these rules.

(2) The person to whom a license is transferred hereunder must be otherwise qualified to hold a license.

(3) The license following transfer shall be subject to regular renewal based upon its original expiration date and shall be void upon that person ceasing to hold such a court appointed or court confirmed position.

(4) The director may condition the transfer of any license under this section upon the posting of a bond in such terms and conditions as the director may require.

(5) The fee for transfer of the license under this rule shall be \$10.00.

NEW SECTION

**WAC 315-04-140 LICENSE NOT A VESTED RIGHT.** (1) The possession of a license issued by the director to any person to act as a licensed agent in any capacity is a privilege personal to that person and is not a legal right.

(2) The possession of a license issued by the director to any person to act as a licensed agent in any capacity does not entitle that person to sell tickets or obtain materials for any particular game or special event.

(3) Every licensed agent may be required to enter into a contract containing such terms and conditions as the director may require to sell tickets or materials for any particular game or special event.

NEW SECTION

**WAC 315-04-150 LICENSE TO BE DISPLAYED.** Every licensed agent shall conspicuously display its license in an area visible to the general public where tickets are being sold.

NEW SECTION

**WAC 315-04-160 DISPLAY OF MATERIAL.** Licensed agents shall display only lottery point-of-sale material approved by the director in a manner which is readily seen by and available to the public. Upon request, the director may make additional point-of-sale materials available to licensed agents at no cost or at such costs as determined by the director.

NEW SECTION

**WAC 315-04-170 TICKETS CONVENIENT TO PUBLIC.** (1) Every licensed agent shall make the purchase of tickets convenient and readily accessible to the public.

(2) Each licensed agent shall make tickets available for sale during its normal business hours at the location designated on its license.

NEW SECTION

**WAC 315-04-180 OBLIGATIONS OF LICENSED AGENTS.** (1) All tickets accepted by the licensed agent from its assigned depository shall be considered sold to the licensed agent (unless returned to the depository from which they were obtained within the time specified and as permitted by the director). The purchase price shall be paid to the depository, less any commission or deductions authorized by these rules.

(2) All lost or missing tickets are the licensed agent's responsibility.

(3) Each licensed agent shall abide by the law, these rules and all other directives or instructions issued by the director.

(4) Each licensed agent grants to the director and the commission, their agents and representatives, an irrevocable license to enter upon the premises of the licensed agent in which tickets may be sold or any other location under the control of the licensed agent where the director may have good cause to believe lottery materials or

tickets are stored or kept in order to inspect said lottery property and the premises.

(5) All property given, except tickets, to a licensed agent remains the property of the director, and, upon demand, the licensed agent agrees to deliver forthwith the same to the director.

(6) All books and records pertaining to the licensed agent's lottery activities shall be made available for inspection and copying, during the normal business hours of the licensed agent and between 8:00 a.m. and 5:00 p.m., Monday through Friday, upon demand by the director or his or her employees, agents, or representatives.

(7) All books and records pertaining to the licensed agent's lottery activities shall be subject to seizure by the director or the commission, and their employees, agents and representatives, without prior notice.

(8) No licensed agent shall advertise or otherwise display advertising in any part of the licensed agent's premises as a licensed location which may be considered derogatory or adverse to the operations or dignity of the lottery and the licensed agent shall remove any advertising forthwith if requested by the director.

#### NEW SECTION

**WAC 315-04-190 COMPENSATION.** Licensed agents shall be entitled to a five percent sales commission. The terms and conditions of payment of the sales commission shall be subject to the terms and conditions established by the director for the conduct of a specific game.

#### NEW SECTION

**WAC 315-04-200 DENIAL, SUSPENSION OR REVOCATION OF A LICENSE.** The director may deny an application for or suspend or revoke any license issued pursuant to these rules for one or more of the following reasons:

(1) Failure to meet or maintain the eligibility criteria for license application and issuance established by chapter 7, Laws of 1982, 2nd ex. sess., or these rules;

(2) Failure to account for lottery tickets received or the proceeds of the sale of tickets or to post a bond if required by the director or to comply with the instructions of the director concerning the licensed activity;

(3) Violating any of the provisions of chapter 7, Laws of 1982, 2nd ex. sess., or these rules;

(4) Failure to file any return or report or to keep records required by the director or by these rules;

(5) Failure to pay any federal, state or local tax or indebtedness;

(6) Fraud, deceit, misrepresentation or conduct prejudicial to public confidence in the lottery;

(7) If public convenience is adequately served by other licensees;

(8) Failure to sell a sufficient number of tickets to meet administrative costs;

(9) If there is a history of thefts or other forms of losses of tickets or revenue therefrom;

(10) If there is a delay in accounting or depositing in the designated depository the revenues from the ticket sales;

(11) Has violated, failed or refused to comply with any of the provisions, requirements, conditions, limitations or duties imposed by chapter 9.46 RCW (gambling act), or chapter 7, Laws of 1982, 2nd ex. sess., or when a violation of any provision of chapter 9.46 RCW or chapter 7, Laws of 1982, 2nd ex. sess., has occurred upon any premises occupied or operated by any such person or over which he or she has substantial control;

(12) Knowingly causes, aids, abets or conspires with another to cause any person to violate any of the laws of this state;

(13) Has obtained a license by fraud, misrepresentation, concealment or through inadvertence or mistake;

(14) Has been convicted of, or forfeited bond upon a charge of, or pleaded guilty to, forgery, larceny, extortion, conspiracy to defraud, wilful failure to make required payments or reports to a governmental agency at any level, or filing false reports therewith, or of any similar offense or offenses, or of bribing or otherwise unlawfully influencing a public official or employee of any state or the United States, or of any crime, whether a felony or misdemeanor involving any gambling activity or physical harm to individuals or involving moral turpitude.

(15) Makes a misrepresentation of, or fails to disclose, a material fact to the commission or director.

(16) Denies the commission or director or their authorized representatives, including authorized local law enforcement agencies, access to any place where a licensed activity is conducted, or fails to promptly produce for inspection or audit any book, record, document or item required by law or these rules;

(17) Is subject to current prosecution or pending charges, or a conviction which is under appeal, for any of the offenses indicated under subsection (14) of this section: **PROVIDED**, That at the request of an applicant for an original license, the director may defer decision upon the application during the pendency of such prosecution or appeal.

(18) Has pursued or is pursuing economic gain in an occupational manner or context which is in violation of the criminal or civil public policy of this state if such pursuit creates probable cause to believe that the participation of such person in gambling or related activities would be inimical to the proper operation of an authorized gambling or related activity in this state. For the purposes of this section, occupational manner or context shall be defined as the systematic planning, administration, management or execution of an activity for financial gain.

(19) Is a career offender or a member of a career offender cartel or an associate of a career offender or career offender cartel in such a manner which creates probable cause to believe that the association is of such a nature as to be inimical to the policy of this state or to the proper operation of the authorized gambling or related activities in this state. For the purposes of this section, career offender shall be defined as any person whose behavior is pursued in an occupational manner or context for the purpose of economic gain utilizing such methods as are deemed criminal violations of the public

policy of this state. A career offender cartel shall be defined as any group of persons who operate together as career offenders.

(20) Failure to follow the instructions of the director for the conduct of any particular game or special event.

(21) Failure to follow security procedures of the director for the handling of tickets or for the conduct of any particular game or special event; or

(22) Makes a misrepresentation of fact to the purchaser, or prospective purchaser, of a ticket, or to the general public with respect to the conduct of a particular game or special event.

#### NEW SECTION

**WAC 315-04-210 PROCEDURE IF LICENSE IS SUSPENDED OR REVOKED.** Upon revocation or suspension of a licensed agent's license for any reasons whatsoever, the licensed agent must appear at its assigned depository or before the director or his or her designee, by a date designated by the director for the purpose of rendering a final lottery accounting, the surrender of the licensed agent's license, his or her identification card and other lottery property. Upon the licensed agent's failure to appear by the designated date to render a final accounting, or otherwise to surrender the license, identification card and other lottery property as instructed, the depository shall immediately notify the director by telephone and confirm in writing.

#### NEW SECTION

**WAC 315-06-010 OPERATION OF THE LOTTERY.** The director shall conduct only those types of games which are authorized by these rules and meet the criteria set forth herein.

#### NEW SECTION

**WAC 315-06-020 AUTHORIZATION TO SELL TICKETS.** Licensed agents and commission employees designated by the director are authorized, as limited by WAC 315-04-140, to sell tickets directly to the public. Commission employees designated by the director to sell tickets directly to the public and retail outlets of the state liquor control board are not required to be licensed as licensed agents.

#### NEW SECTION

**WAC 315-06-030 LICENSED AGENTS INSTRUCTIONS.** Each licensed agent is to conform to the instructions and requirements established by the director for the delivery and return of tickets, the location and display of lottery materials, the conduct of a specific game, or other lottery business.

#### NEW SECTION

**WAC 315-06-040 DISCLOSURE OF PROBABILITY OF PURCHASING A WINNING TICKET.** The estimated probability of purchasing a winning ticket shall be conspicuously displayed on the back of tickets

for a specific game. The estimated probability of purchasing a winning ticket for each category of prize in a specific game shall be conspicuously displayed on:

(1) All printed promotional and advertising materials for a specific game, including, but not limited to, brochures, posters, billboards, placards, and point-of-sale displays;

(2) A placard to be located on the premises of each licensed agent in close proximity to the display location of the sales license; and

(3) Instructions to licensed agents for the conduct of a specific game.

The disclosure required by this section shall not apply to:

(1) Generic promotional and advertising materials publicizing the Washington state lottery which do not promote a specific game; and

(2) Electronic advertising for a specific game, or other nonprinted advertising mediums for a specific game, for which a printed disclosure is not feasible or practicable.

#### NEW SECTION

**WAC 315-06-050 LOCATION OF SALE.** (1) Tickets may be sold by any person who is issued a license to act as a licensed agent at the location specified on the license, subject to the director's authority as set forth in sections 5 and 7 of chapter 7, Laws of 1982, 2nd ex. sess.

(2) The director may permit any licensed agent to sell tickets in locations other than that specified on its license and to employ persons to make such sales provided that:

(a) The director shall specify the geographical area in which such sales may be made, and the types of locations in which such sales may be made.

(b) No such sales shall be made on premises used primarily for residential purposes, in or on the property of any school, or in or upon the property of any facility operated primarily for providing welfare services to the poor or infirmed, or in any facility maintained solely for religious worship.

(c) Any person making such sales shall be individually approved by the director or his or her designee, and shall display identification in such form and manner as shall be prescribed by the director.

(d) The licensed agent and its employees shall abide by such other instructions and restrictions as may be prescribed by the director to govern such sales.

(e) The licensed agent's license shall bear an addendum with the phrase "Limited off premises sales permitted," and the licensed agent shall display with its license the addendum which sets forth the terms and conditions on which such sales may be made. A photocopy of the addendum shall be posted at each location where off premise sales are permitted.

#### NEW SECTION

**WAC 315-06-060 PRICE OF TICKETS—LIMITATIONS.** (1) No licensed agent may sell a ticket at a price greater than that established in accordance with these rules.



(2) Tickets may be given by a licensed agent, or sold at a discount, as a means of promoting goods or services to customers or prospective customers. Such gift or discounted sale of tickets may be contingent upon the customers' purchase of some other article or the performance of some minimal activity required by the licensed agent such as taking a test ride in a vehicle held for sale by the merchant, opening a new bank account, or the like. All tickets accepted by the licensed agent from its assigned depository shall be considered sold to the licensed agent at the established price even though tickets may be subsequently given away or sold at a discount by such agent.

(3) Nothing in these rules shall be construed to prevent a person from giving tickets to another as a gift.

#### NEW SECTION

**WAC 315-06-070 PURCHASER'S OBLIGATIONS.** In purchasing a ticket, the purchaser agrees to comply with chapter 7, Laws of 1982, 2nd ex. sess., these rules, the final decisions of the director, and all procedures established by the director for the conduct of games.

#### NEW SECTION

**WAC 315-06-080 CERTAIN PURCHASES OF TICKETS, GRATUITIES, AND CERTAIN WINNING OF PRIZES PROHIBITED.** Certain purchases of tickets, certain winning and sharing of prizes, and gratuities are prohibited as follows:

(1) A ticket shall not be purchased by, and a prize shall not be paid to any member or employee of the commission or to any spouse, child, brother, sister, or parent residing as a member of the same household in the principal place of abode of any member or employee of the commission, or to any assistant attorney general assigned to advise the commission or director.

(2) A prize claimed by a holder of a winning ticket shall not be shared with any member or employee of the commission or any spouse, child, brother, sister, or parent residing as a member of the same household in the principal place of abode of any member or employee of the commission.

(3) A ticket shall not be purchased by, and a prize shall not be paid to any licensed agent. This provision shall not relieve licensed agents for payment of unaccounted tickets pursuant to WAC 315-04-180(1) and (2). Nothing in this provision shall be construed to prohibit the purchase of tickets, or the winning of prizes, by directors, officers, employees, relatives, parent corporations, subsidiaries, or other affiliates of licensed agents.

(4) No gratuities offered by prize winners, vendors, contractors, or others conducting business with the lottery, may be accepted by: (a) licensed agents, or by (b) any member or employee of the commission or any spouse, child, brother, sister, or parent residing as a member of the same household in the principal place of abode of any member or employee of the commission.

(5) A ticket shall not be purchased by, and a prize shall not be paid to any CPA accounting firm, or its

employees, retained by the director of financial management pursuant to sections 31 and 32 of chapter 7, Laws of 1982, 2nd ex. sess.

(6) A ticket shall not be sold to or purchased by any person under the age of eighteen. Nothing in this section shall prohibit the purchase of a ticket for the purpose of making a gift by a person eighteen years of age or older to a person less than that age.

#### NEW SECTION

**WAC 315-06-090 SLOT MACHINES PROHIBITED.** The following coin-operated machines shall not be used in the conduct of games:

(1) Coin-operated, instant video games which pay out prizes, either by skill or chance, and

(2) Coin-operated slot machines which dispense lottery tickets unattended by a licensed sales agent.

#### NEW SECTION

**WAC 315-06-100 DATA PROCESSING TERMINALS FOR THE DISPENSING OF TICKETS AUTHORIZED.** On-line data-processing ticket vending terminals for use by licensed agents in the issuing of tickets may be used in the conduct of games.

#### NEW SECTION

**WAC 315-06-110 CONVERSION TO DATA PROCESSING VENDING TERMINALS.** The director reserves the right upon thirty days' notice to the licensed agent to convert any licensed location from a manual-type operation to an on-line data processing ticket vending terminal operation and from a vending terminal operation on either a rental or purchase basis to a manual-type operation in the sale and distribution of tickets.

#### NEW SECTION

**WAC 315-06-120 PAYMENT OF PRIZES—GENERAL PROVISIONS.** (1) The director shall designate claim centers for the filing of prize claims and the redemption of winning tickets, and the location of such centers shall be publicized from time to time by the director.

(2) A claim shall be entered in the name of a single legal entity as claimant, either one individual or one organization. A claim may be entered in the name of an organization only if the organization is a legal entity and possesses a federal employer's identification number (FEIN) as issued by the internal revenue service and such number is shown on the claim form. Groups, family units, organizations, clubs, or other organizations which are not a legal entity, or do not possess a federal employer's identification number, shall designate one individual in whose name the claim is to be entered.

(3) Unless otherwise provided in the rules for a specific type of game, a claimant shall fill out a claim form approved by the director, present the form with the claimant's ticket at a designated claim center, and receive a copy of the claim form as his or her receipt. In order to claim a prize, each claimant must complete and

sign a claim form which shall include the following provisions:

(a) The discharge of the state, its officials, officers, and employees and of the commission and the director, its employees, agents and representatives, of all further liability upon payment of the prize, and

(b) Permission to use the claimant's name and photograph for publicity purposes upon award of the prize.

(4) A prize must be claimed within the time limits prescribed by the director in the instructions for the conduct of a specific game, but in no case shall a prize be claimed later than 180 days after determination of the winning ticket.

(5) The director may deny awarding a prize to a claimant if:

(a) The ticket was not legally issued initially;

(b) The ticket was stolen from the commission, director, its employees or agents, or from a licensed agent; or

(c) The ticket has been altered or forged, or has otherwise been mutilated such that the authenticity of the ticket cannot be reasonably assured by the director.

(6) No person entitled to a prize may assign his or her right to claim it except:

(a) That payment of a prize may be made to any court appointed legal representative, including, but not limited to, guardians, executors, administrators, receivers, or other court appointed assignees; or

(b) For the purposes of paying federal, state or local tax.

(7) In the event that there is a dispute or it appears that a dispute may occur relative to any prize, the director may, in his or her discretion, refrain from making payment of the prize pending a final determination by the director or by a court of competent jurisdiction relative to the same.

(8) A ticket that has been legally issued by a licensed agent is a bearer instrument. The person whose name is entered on the claim form is considered the bearer of the ticket, notwithstanding that the name of another person may appear on the ticket face or reverse side. Payment of any prize may be made to the bearer, and all liability of the state, its officials, officers, and employees and of the commission and the director, its employees, agents and representatives terminates upon payment.

(9) All prizes shall be paid within a reasonable time after the claims are verified by the director and a winner is determined. The date of the first installment payment of each prize requiring installment payments shall be the commencement date of the payments and a payment shall be made on the anniversary date of said payment thereafter in accordance with the type of prize awarded.

(10) The director may, at any time, delay any payment in order to review a change of circumstances relative to the prize awarded, the payee, the claim, or any other matter that may have come to his or her attention. All delayed payments shall be brought up to date immediately upon the director's confirmation and continue to be paid on each original anniversary date thereafter.

(11) If any prize is payable for the life of the claimant, only a natural person may claim such a prize and, if claiming on behalf of a group, corporation or the like,

the life of such natural person claiming the prize shall be the measuring life.

(12) The director's decisions and judgments in respect to the determination of a winning ticket or of any other dispute arising from the payment or awarding of prizes shall be final and binding upon all participants in the lottery.

(13) Each licensed agent shall pay all prizes authorized to be paid by the licensed agent by these rules during its normal business hours at the location designated on its license.

(14) In the event a dispute between the director and the claimant occurs as to whether the ticket is a winning ticket, and if the ticket prize is not paid, the director may, solely at his or her option, replace the disputed ticket with an unplayed ticket (or tickets of equivalent sales price from any game). This shall be the sole and exclusive remedy of the claimant.

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

#### NEW SECTION

**WAC 315-06-130 PRIZES PAYABLE AFTER DEATH OR DISABILITY OF OWNER.** (1) All prizes or a portion thereof which remain unpaid at the time of the prize winner's death shall be payable to his or her court appointed representative of his or her estate once satisfactory evidence of said representative appointment has been presented to the director, claim forms have been properly filled out, and the director is satisfied that such payment is lawful and proper.

(2) Prize monies will be paid according to the law of descent and distribution, chapter 11.04 RCW of the state of Washington if the owner thereof dies intestate regardless of whether he or she was domiciled at the time of his or her death in the state of Washington.

(3) The director may rely wholly on the presentment of certified copies of a court's appointment of an administrator or executor, guardian, conservator or on any other evidence of a person entitled to the payment of any prize winnings then due.

(4) The payment to the estate of the deceased owner of any prize winnings by the director shall absolve the director and his or her employees or agents of any further liability for payment of said prize winnings. The director need not look to the payment of the prize winnings beyond the payee thereof.

(5) Under no circumstances will the payment of prize money be accelerated.

(6) The director may petition any court of competent jurisdiction to request a determination for the payments of any prize winnings which are or may become due the estate of a deceased owner or an owner under a disability because of, but not limited to, underage, mental deficiency, or physical or mental incapacity.

(7) If the legatee(s) or heir(s) of a deceased owner entitled to prize winnings obtains an order from a court of competent jurisdiction directing payments due and to become due from the director to be paid directly to said legatee(s) or heir(s) or otherwise directs the director to make payments to another in the event of an owner's

disability or otherwise, the director shall pay the prize winnings accordingly.

#### NEW SECTION

**WAC 315-06-140 LOTTERY ACCOUNTS AND DEPOSITORIES** (1) The director may make depository arrangements with any person, including a bank, to perform such functions, activities or services in connection with the operation of the lottery as he or she may deem advisable. Such functions, activities and services shall constitute lawful functions, activities and services in behalf of lottery business unless otherwise prohibited by law.

(2) Unless otherwise directed by the director, each depository shall provide the lottery with weekly or other periodic statements of all transactions made during the sales week immediately preceding or for other periods, said accounting to be submitted in writing on forms provided by the director no later than such time as requested by the director. All deposits shall be secured in accordance with applicable state and federal laws. Each depository may be compensated for its services rendered in such manner as the director may determine.

#### NEW SECTION

**WAC 315-06-150 ASSIGNMENT OF DEPOSITORY.** Each licensed agent shall be assigned a designated depository from which to take delivery of tickets, in which to deposit receipts from the sale of tickets, and otherwise to account for the licensed agent's transactions. The depository shall be notified of each authorized licensed agent which it will service. Each depository may rely upon such notification in its dealings with the licensed agents until notified to the contrary by the director as long as the licensed agent presents a licensed agent form bearing an authorized signature and his or her licensed agent identification card.

#### NEW SECTION

**WAC 315-06-160 LICENSED AGENT'S IDENTIFICATION CARD.** (1) The director will issue to each licensed agent an identification card which must be presented by it or its authorized representative when taking delivery of tickets from the authorized depositories. No depository shall issue any tickets until the licensed agent or its authorized representative presents its identification card and fulfills all instructions of the director.

(2) In the event the identification card is lost or otherwise misplaced the licensed agent must immediately notify by telephone its assigned depository and the director, and confirm the loss in writing within 24 hours to the director. The depository shall not, in any way, transact business with any person presenting himself or herself with the reported lost identification card until otherwise notified by the director.

(3) Each licensed agent shall give notice in writing to the licensed agent's assigned depository and to the director the name and address of each person in his or her business who is authorized to request and to take delivery of tickets, to deposit receipts from the sale of tickets

and to otherwise have dealings with the depository. Each authorized person must identify himself or herself to the depository by means of a licensed agent's identification card received from the director before tickets are delivered. Each licensed agent is restricted to his or her assigned depository for the purpose of conducting lottery business in conformity to law, and these rules, unless otherwise instructed by the director.

#### NEW SECTION

**WAC 315-06-170 DEPOSITS OF LOTTERY REVENUES.** (1) Each licensed agent shall purchase the tickets distributed to it and the monies for payment of these tickets shall be deposited to the credit of the state lottery fund in a designated depository. Deducted from the total purchase cost to the licensed agent, in such manner as the director may require shall be the amount, if any, which the licensed agent may pay as prizes and which it may retain as compensation for its services in accordance with these rules. The licensed agents shall be required to file with the director periodic reports of their respective receipts and transactions in the sale of tickets in such form as approved by the director.

(2) Each licensed agent shall account to its assigned depository for all proceeds resulting from its sales of tickets within such time as may be specified by the director for any particular type or kind of lottery which may be authorized by the commission.

#### NEW SECTION

**WAC 315-06-180 STOLEN TICKETS.** (1) A licensed agent is responsible for all tickets it receives. If tickets are stolen, the licensed agent shall report the theft immediately to the director and to local or state police authorities. The agent shall pay for the stolen tickets and subsequently file a notarized affidavit stating the facts of the case and ask for a refund in the amount paid for the stolen tickets. The licensed agent shall furnish a copy of the police report covering the theft. Following an investigation by the director and police authorities, the director shall issue a refund to the licensed agent if its claim is verified.

(2) If a licensed agent is found to have been negligent or is unable to provide the director with the series, serial number, drawing date and lottery number of the tickets, then the director shall not reimburse the licensed agent for any losses occasioned therefrom.

(3) In the event reimbursement is granted by the director, the reimbursed party must sign forms holding the director and commission harmless and, in the event said reimbursement exceeds \$200.00, the director may demand a bond to indemnify the director and commission for any losses sustained by them. Request for reimbursement shall be made on a form approved by the director.

#### NEW SECTION

**WAC 315-06-190 ERRONEOUS OR MUTILATED TICKETS.** (1) Tickets erroneously made out or in any way mutilated when received by a licensed agent

are to be returned by the licensed agent immediately to the depository servicing said licensed agent. Credit may be allowed for said tickets but only at the point of original sale to the licensed agent. No credit shall be allowed if the authenticity of the ticket cannot be reasonably determined by the director.

(2) Unless the director is satisfied that a mutilated ticket is authentic, no credit or prize will be issued to the holder of said ticket.

NEW SECTION

WAC 315-06-200 RETURNED TICKETS. All tickets once returned by a licensed agent may not be re-issued without prior approval of the director.

NEW SECTION

WAC 315-06-210 LAW ENFORCEMENT. (1) The director shall be the chief law enforcement officer, pursuant to section 33, chapter 7, Laws of 1982, ex. sess., for the purposes of enforcing such chapter, and the penal laws of this state relating to the conduct of or participation in lottery activities.

(2) The director shall appoint in accordance with a sufficient number of competent the laws of the state of Washington a sufficient number of competent persons to act as Washington state lottery law enforcement officers, may remove them from a law enforcement capacity without cause, and shall define their rank and duties.

(3) The director may appoint employees to serve as special deputies, with such restricted police authority as the director shall designate as being necessary and consistent with their assignment to duty.

(4) The director shall apply for certification as a criminal justice agency pursuant to WAC 446-20-050 and shall designate specific employees for the collection and dissemination of criminal history record information, and for undercover audit or investigative work or other security operations.

(5) The director shall issue a badge and identification card to each employee designated as a lottery law enforcement officer.

(6) The director shall develop cooperative arrangements with other criminal justice agencies in the state of Washington for enforcement of laws related to lottery activities.

(7) The director shall issue guidelines for the conduct of lottery law enforcement personnel.

NEW SECTION

WAC 315-10-010 INSTANT GAMES - AUTHORIZED - DIRECTOR'S AUTHORITY. (1) The commission hereby authorizes instant games which meet the criteria set forth in this chapter.

(2) The director is hereby authorized to select, operate and contract relating to and for the operation of instant games which meet the criteria set forth in this chapter.

NEW SECTION

WAC 315-10-020 DEFINITIONS. (1) Ticket - The ticket purchased for participation in an instant game.

(2) Instant Game - A game in which a ticket is purchased and upon removal of a latex covering on the front of the ticket, the ticket bearer determines his or her winnings, if any.

(3) Ticket Bearer - The person who has possession of the ticket.

(4) Play Numbers - The numbers or symbols appearing in the designated areas under the removable covering on the front of the ticket.

(5) Validation Number - The multi-digit number found underneath the "void if removed" area on the ticket and on any ticket stub. There must be a validation number on the ticket or any stub.

NEW SECTION

WAC 315-10-030 INSTANT GAMES CRITERIA. (1) The price of an instant game ticket shall not be less than \$1.00 and not more than \$5.00.

(2) Winners of an instant game are determined by the matching or specified alignment of the play numbers on the tickets. The ticket bearer must notify the lottery of the win and submit the winning ticket to the lottery as specified by the director. The winning ticket must be validated by the lottery through use of the validation number and any other means as specified by the director.

(3) The total of all prizes available to be won in an instant game shall not be less than forty-five percent of the instant game's projected revenue.

(4) The instant game shall pay out both lower tier prizes and higher tier prizes. Lower tier prizes are of less than \$25.00. Higher tier prizes are of \$25.00 or more. The director shall determine the number of lower and higher tier prizes.

(5) The length of operation of an instant game shall not exceed fifteen weeks. The start date and closing date of the instant game shall be publicly announced.

(6) There is no required frequency of drawing or method of selection of a winner in an instant game.

(7) At the director's discretion, an instant game may include a grand prize drawing(s). The criteria for the grand prize drawing shall be as follows:

(a) Not more than ten finalists for a grand prize drawing shall be selected in an elimination drawing from redeemed tickets winning certain minimum prizes as determined by the director. Participation in the elimination drawing(s) shall be limited to such tickets which are actually received and validated by the director on or before a date to be announced by the director. The director may reserve the right to place any semi-finalist whose entry was not entered in the elimination drawing(s) and who is subsequently determined to have been entitled to such entry into an elimination drawing of a subsequent instant game, and the determination of the director shall be final.

(b) The prize of the grand prize drawing shall not exceed one million dollars. The number of such prizes shall

be determined by the director to correspond with the size and length of the instant game and to comply with (3) above.

(c) The dates and times as well as the procedures for conducting the elimination drawing and grand prize drawing shall be determined by the director.

(8) Procedures for claiming instant prizes are as follows:

(a) To claim an instant prize of less than \$25.00, the claimant shall present the winning ticket to the licensed agent from whom the ticket was purchased. The licensed agent shall verify the claim and, if acceptable, make payment of the amount due the claimant. In the event the licensed agent cannot verify the claim, the claimant shall fill out a claim form, as provided in WAC 315-06-120, which shall be obtained from the licensed agent and present the completed form, together with the disputed ticket to the designated claim center. The licensed agent shall deliver one copy of the claim form to the claimant and forward the disputed ticket and a copy of the claim form to the director for validation. If the claim is validated by the director, a check shall be forwarded to the claimant in payment of the amount due. In the event that the claim is not validated by the director, the claim shall be denied and the claimant shall be promptly notified.

(b) To claim an instant prize of \$25.00 or more, the claimant shall fill out a claim form, as provided in WAC 315-06-120, which is obtained from the licensed agent or the director and present the completed form together with the winning ticket to the licensed agent or the director. The licensed agent shall deliver one copy of the claim form to the claimant and forward the winning ticket and a copy of the claim form to the director for validation. Upon validation by the director, a check shall be forwarded to the claimant in payment of the amount due, less any applicable federal income tax withholding. In the event that the claim is not validated by the director, the claim shall be denied and the claimant shall be promptly notified.

(c) Any ticket not passing all the validation checks specified by the director is void and ineligible for any prize and shall not be paid. However, the director may, solely at his or her option, replace an invalid ticket with an unplayed ticket (or tickets of equivalent sales price from any other current game). In the event a defective ticket is purchased, the only responsibility or liability of the director shall be the replacement of the defective ticket with another unplayed ticket (or tickets of equivalent sale price from any other current game).

#### NEW SECTION

**WAC 315-10-040 CONFIDENTIALITY OF TICKETS.** No licensed agent or its employees or agents shall attempt to ascertain the numbers or symbols appearing in the designated areas under the removable latex coverings or otherwise attempt to identify winning tickets.

#### NEW SECTION

**WAC 315-10-050 NOTIFICATION TO COMMISSION.** The director shall provide commission members with written notification within five days of the selection of a specific instant game which meets the criteria set forth in this chapter. The chairman or a quorum of the commission may call a special meeting to review the instant game selection. Any order executed by the director for the operation of a specific instant game shall contain a provision that the order is null and void if the commission disapproves of the instant game selection. The commission may not disapprove of an instant game selection more than five days after receiving written notice of the selection.

#### **WSR 82-18-001**

**ATTORNEY GENERAL OPINION**

**Cite as: AGO 1982 No. 5**

[April 12, 1982]

#### **MOTOR VEHICLES—COURTS—JUSTICE COURTS—TRAFFIC INFRACTION PENALTY ASSESSMENTS**

The \$25 penalty imposed by § 5(3), chapter 19, Laws of 1981, for failure to respond to a notice of traffic infraction is not subject to the assessments imposed by RCW 43.101.210 or § 7(6), chapter 330, Laws of 1981, but it is subject to the traffic education assessment imposed by RCW 46.81.030.

Requested by:

Honorable Robert V. Graham  
State Auditor  
Legislative Building  
Olympia, Washington 98504

#### **WSR 82-18-002**

**ATTORNEY GENERAL OPINION**

**Cite as: AGLO 1982 No. 12**

[May 20, 1982]

#### **MOTOR VEHICLES—COURTS—PENALTY FOR FAILURE TO RESPOND TO TRAFFIC INFRACTION NOTICE**

Identification of the maximum penalties for failure to respond to a notice of a traffic infraction, including local parking violations, under 1982 amendatory legislation.

Requested by:

Honorable Phil Talmadge  
St. Sen., 34th District  
4006 53rd S.W.  
Seattle, WA 98116

**WSR 82-18-003**  
**ATTORNEY GENERAL OPINION**  
**Cite as: ALGO 1982 No. 13**  
 [May 20, 1982]

**OFFICE AND OFFICERS—STATE—BOARD OF HEALTH—  
 ABORTIONS—ACCREDITED HOSPITAL—PERFORMANCE  
 OF ABORTIONS IN OTHER APPROVED MEDICAL  
 FACILITIES**

The State Board of Health, acting pursuant to RCW 9.02.070, may sanction the performance of second trimester abortions in medical facilities other than an accredited hospital where such medical facilities meet standards prescribed by regulations issued by the Board for the safe and adequate care and treatment of patients.

**Requested by:**

Honorable Mike Padden  
 St. Rep., 4th District  
 E. 13021 9th Avenue  
 Spokane, WA 99216

**WSR 82-18-004**  
**NOTICE OF PUBLIC MEETINGS**  
**WESTERN WASHINGTON UNIVERSITY**  
 [Memorandum—August 18, 1982]

The board of trustees of Western Washington University will hold a special meeting on Friday, August 20, 1982, at 10:00 a.m. in Old Main 340, on the campus of the university.

**WSR 82-18-005**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
 [Order 82-112—Filed August 19, 1982]

I, Rolland A. Schmitten, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to personal use fishing rules.

I, Rolland A. Schmitten, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is the allowable harvest of coastal Washington coho salmon has been reached in punchcard reporting areas 1 through 4.

These 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 the agency 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) in the adoption of these rules.  
**APPROVED AND ADOPTED August 19, 1982.**

By Rolland A. Schmitten  
 Director

**NEW SECTION**

**WAC 220-56-19000N SALTWATER SEASONS AND BAG LIMITS** Notwithstanding the provisions of WAC 220-56-190, (1) Effective 11:59 p.m. August 19, 1982, it is unlawful to take, fish for, or possess salmon taken for personal use by angling from the waters of the Pacific Ocean west of the Bonilla-Tatoosh line and west of a line drawn true north-south through Buoy 10 at the mouth of the Columbia River.

(2) Grays Harbor (waters east of a line from the outermost end of the north jetty to the outermost end of the south jetty) closed to salmon angling.

(3) Willapa Harbor (waters east of a line from Leadbetter Point to Cape Shoalwater light and downstream from river mouths as defined in WAC 220-56-105 bag limit F - open.

(4) Strait of Juan de Fuca waters east of the Bonilla-Tatoosh line and west of a line drawn true north from Koitlah Point - closed to salmon angling.

(5) Strait of Juan de Fuca waters east of a line drawn true north from Koitlah Point and west of a line drawn true north from the mouth of Sekiu River - Bag limit F - open.

(6) Strait of Juan de Fuca east of a line drawn true north from the mouth of the Sekiu River, Gulf of Georgia, San Juan Islands and Puget Sound (including Hood Canal) - Bag limit H - open except for special provisions in WAC 220-59-195.

**REPEALER**

The following section of the Washington Administrative Code is repealed:

**WAC 220-56-19000M SALTWATER SEASONS AND BAG LIMITS (82-101)**

**WSR 82-18-006**  
**EMERGENCY RULES**  
**STATE PATROL**  
 [Order 82-4—Filed August 19, 1982]

I, Neil M. Moloney, director of the Washington State Patrol, do promulgate and adopt at General Administration Building, Olympia, Washington 98504, the annexed rules relating to this order adds several new sections to chapter 446-20 WAC, Washington State Patrol Criminal Records. Pursuant to chapter 202, Laws of 1982, the agency must furnish transcripts of conviction records to private employers and prospective employers, for specified purposes, upon written request.

These rules implement the new law, prescribing the procedure for making these requests, certification of compliance with the statute, fees, privacy and security requirements for record maintenance and requirements for audit of the record keeping system.

I, Neil W. Moloney, 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 requests for conviction records have been submitted to the agency by private employers. These rules are adopted as emergency rules in order to establish a uniform procedure for processing records, to establish record keeping safeguards to insure privacy and security, and establish audit requirements, without unduly delaying pending requests.

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

This rule is promulgated pursuant to section 1(7), chapter 202, Laws of 1982 which directs that the Washington State Patrol has authority to implement the provisions of chapter 202, Laws of 1982.

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 August 9, 1982.

By Neil W. Moloney  
Chief

Chapter 446-20 WAC  
EMPLOYMENT-CONVICTION RECORDS

NEW SECTION

WAC 446-20-280 EMPLOYMENT-CONVICTION RECORDS. (1) A transcript of a conviction record will be furnished consistent with the provisions of chapter 202, Laws of 1982, upon the submission of a written request of any employer, accompanied by fingerprints and other identifying data of the employee or prospective employee.

(2) Fingerprints shall be submitted on cards of the type specified by the identification section, and shall contain a certification by the employer that the information is being disseminated to and will be available only to persons involved in the hiring, background investigation, or job assignment of the person whose record is disseminated, that the record will be used only as necessary for the purposes enumerated in this section, and that the request for conviction data is for one of the following purposes:

- (a) Securing a bond required for any employment;
- (b) Conducting preemployment and postemployment evaluations of employees and prospective employees who, in the course of employment, may have access to information affecting national security, trade secrets,

confidential or proprietary business information, money, or items of value; or

(c) Assisting an investigation of suspected employee misconduct where such misconduct may also constitute a penal offense under the laws of the United States or any state.

NEW SECTION

WAC 446-20-290 FEES. A nonrefundable fee of ten dollars shall accompany each fingerprint card submitted pursuant to chapter 202, Laws of 1982, unless through prior arrangement an account is authorized and established. The Washington state identification section shall adjust the fee schedule as may be practicable to ensure that direct and indirect costs associated with the provisions of this chapter are recovered.

NEW SECTION

WAC 446-20-300 PRIVACY/SECURITY. All employers or prospective employers receiving conviction records pursuant to chapter 202, Laws of 1982, shall comply with the provisions of WAC 446-20-210 through 446-20-250 relating to privacy and security of the records.

NEW SECTION

WAC 446-20-310 AUDITS. All employers or prospective employers receiving conviction records pursuant to chapter 202, Laws of 1982, shall comply with the provisions of WAC 446-20-260 through 446-20-270 relating to audit of the record keeping system.

WSR 82-18-007  
PROPOSED RULES  
STATE PATROL  
[Filed August 19, 1982]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Patrol intends to adopt, amend, or repeal rules concerning this notice proposes to add several new sections to chapter 446-20 WAC, Washington State Patrol Criminal Records. Pursuant to chapter 202, Laws of 1982, the agency must furnish transcripts of conviction records to private employers and prospective employers for specified purposes, upon written request. The proposed rules will implement the new law, prescribing the procedure for making requests, certification of compliance with the statute, fees, privacy and security requirements for record maintenance, and requirements for audit of the record keeping system.

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 in response to written or oral comments received before the date set for adoption.

The agency may need to change the date for adoption on short notice. To ascertain that the adoption will take place as stated in this notice, an interested person may contact the person named below.

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

Captain George Tellevik  
3312 Capitol Boulevard  
Olympia, Washington 98504  
753-6858

The formal adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Monday, October 11, 1982, in the Chief's Office, General Administration Building, Olympia, Washington 98504.

The authority under which these rules are proposed is section 1(7), chapter 202, Laws of 1982.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to October 5, 1982.

Dated: August 9, 1982

By: Neil W. Moloney  
Chief

#### STATEMENT OF PURPOSE

Title and Number of Rule Sections or Chapters: Chapter 446-20 WAC, Washington State Patrol Criminal Records will include: WAC 446-20-280 Employment—Conviction Records; 446-20-290 Fees; 446-20-300 Privacy/Security; and 446-20-310 Audits.

Statutory Authority: Section 1(7), chapter 202, Laws of 1982.

Summary of the Rules: This notice proposes to add several new sections to chapter 446-20 WAC, Washington State Patrol Criminal Records. Pursuant to chapter 202, Laws of 1982, the agency must furnish transcripts of conviction records to private employers and prospective employers for specified purposes, upon written request. The proposed rules will implement the new law, prescribing the procedure for making requests, certification of compliance with the statute, fees, privacy and security requirements for record maintenance, and requirements for audit of the record keeping system.

Description of the Purpose of the Rules: The rules will implement chapter 202, Laws of 1982; set forth the procedure for employers to obtain conviction records; and establish standards employers must meet in order to obtain and maintain these records.

Reasons Supporting the Proposed Rules: Chapter 202, Laws of 1982, requires the Washington State Patrol to furnish conviction records to certain employers and prospective employers for specified purposes. These rules will assure that requesting employers are authorized to receive the records and will maintain them under the same conditions relative to security and privacy that are required of criminal justice agencies.

The Agency Personnel Responsible for the Drafting, Implementation and Enforcement of the Rules: Captain George Tellevik, Washington State Patrol, 3312 Capitol

Boulevard, Olympia, Washington 98504, phone: (206) 753-6858.

Name of the Person or Organization, Whether Private, Public, or Governmental that is Proposing the Rules: Washington State Patrol.

Agency Comments or Recommendations, if any, Regarding Statutory Language, Implementation, Enforcement and Fiscal Matters Pertaining to the Rule: The rules will provide for fees to offset the fiscal impact of providing this service, pursuant to chapter 202, Laws of 1982.

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.

#### Chapter 446-20 WAC EMPLOYMENT—CONVICTION RECORDS

##### NEW SECTION

WAC 446-20-280 EMPLOYMENT—CONVICTION RECORDS. (1) A transcript of a conviction record will be furnished consistent with the provisions of chapter 202, Laws of 1982, upon the submission of a written request of any employer, accompanied by fingerprints and other identifying data of the employee or prospective employee.

(2) Fingerprints shall be submitted on cards of the type specified by the identification section, and shall contain a certification by the employer that the information is being disseminated to and will be available only to persons involved in the hiring, background investigation, or job assignment of the person whose record is disseminated, that the record will be used only as necessary for the purposes enumerated in this section, and that the request for conviction data is for one of the following purposes:

- (a) Securing a bond required for any employment;
- (b) Conducting preemployment and postemployment evaluations of employees and prospective employees who, in the course of employment, may have access to information affecting national security, trade secrets, confidential or proprietary business information, money, or items of value; or
- (c) Assisting an investigation of suspected employee misconduct where such misconduct may also constitute a penal offense under the laws of the United States or any state.

##### NEW SECTION

WAC 446-20-290 FEES. A nonrefundable fee of ten dollars shall accompany each fingerprint card submitted pursuant to chapter 202, Laws of 1982, unless through prior arrangement an account is authorized and established. The Washington state identification section shall adjust the fee schedule as may be practicable to ensure that direct and indirect costs associated with the provisions of this chapter are recovered.

##### NEW SECTION

WAC 446-20-300 PRIVACY/SECURITY. All employers or prospective employers receiving conviction records pursuant to chapter 202, Laws of 1982, shall comply with the provisions of WAC 446-20-210 through 446-20-250 relating to privacy and security of the records.

##### NEW SECTION

WAC 446-20-310 AUDITS. All employers or prospective employers receiving conviction records pursuant to chapter 202, Laws of 1982, shall comply with the provisions of WAC 446-20-260 through 446-20-270 relating to audit of the record keeping system.



**WSR 82-18-008**  
**ATTORNEY GENERAL OPINION**  
**Cite as: AGLO 1982 No. 21**  
 [August 18, 1982]

**MUNICIPAL CORPORATIONS—JOINT OPERATING AGENCY—WASHINGTON PUBLIC POWER SUPPLY SYSTEM—MEMBERSHIP ON EXECUTIVE BOARD**

If a member of the executive board of a joint operating agency who has been selected from its board of directors is subsequently removed from the board of directors due to retirement, recall, attrition, or other reason, that person may no longer remain as a member of the executive board in an inside director position.

Requested by:

Honorable King Lysen  
 St. Sen., 31st District  
 12864 Shorecrest Drive S.W.  
 Seattle, Washington 98146

**WSR 82-18-009**  
**ADOPTED RULES**  
**DEPARTMENT OF TRANSPORTATION**  
**(Transportation Commission)**  
 [Order 29, Resolution No. 153—Filed August 20, 1982]

Be it resolved by the Washington State Transportation Commission, acting at Olympia, Washington, that it does adopt the annexed rules relating to the adoption of a new schedule of tolls for recreational trailers, amending WAC 468-300-030 and 468-300-040.

This action is taken pursuant to Notice No. WSR 82-14-021 filed with the code reviser on June 28, 1982. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 47.60.326 which directs that the Department of Transportation has authority to implement the provisions of RCW 47.60.326.

The undersigned hereby declares that the agency 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) in the adoption of these rules.

APPROVED AND ADOPTED August 18, 1982.

By Jerry B. Overton  
 Chairman

AMENDATORY SECTION (Amending Order 28, Resolution No. 143, filed 3/22/82)

**WAC 468-300-030 OVERSIZED VEHICLE, STAGE AND BUS, NEWSPAPER, EXPRESS SHIPMENT AND MEDICAL SUPPLIES FERRY TOLLS.**

ROUTES	OVERSIZED VEHICLES** 18' TO UNDER 28' LONG		OVERSIZED VEHICLES** 28' 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 Seattle-Winslow	— <del>((8-15))</del> <u>7.20</u>	<del>((130-40))</del> <u>115.20</u>	<del>((16-15))</del> <u>9.75</u>	<del>((258-40))</del> <u>156.00</u>	10.60	.75
Edmonds-Kingston Pt. Townsend-Keystone						
Fauntleroy-Vashon Southworth-Vashon	— <del>((11-40))</del> <u>9.90</u>	<del>((91-20))</del> <u>79.20</u>	<del>((22-60))</del> <u>13.70</u>	<del>((180-80))</del> <u>109.60</u>	13.60	1.00
Pt. Defiance-Tahlequah	*					
Mukilteo-Clinton	— <del>((5-70))</del> <u>4.95</u>	<del>((91-20))</del> <u>79.20</u>	<del>((11-30))</del> <u>6.85</u>	<del>((180-80))</del> <u>109.60</u>	6.80	.50
Lofall-Southpoint						
Anacortes to Lopez, Shaw, Orcas or	— <del>((9-75))</del> <u>8.85</u>	<del>((78-00))</del> <u>70.80</u>	<del>((19-35))</del> <u>11.70</u>	<del>((154-80))</del> <u>93.60</u>	14.45	1.00
Friday Harbor Sidney	— <del>((29-60))</del> <u>28.70</u>	N/A	<del>((50-00))</del> <u>33.65</u>	N/A	42.10	1.10 2.65
Friday Harbor to Lopez, Shaw or Orcas	— <del>((6-65))</del> <u>6.15</u>	<del>((53-20))</del> <u>49.20</u>	<del>((13-05))</del> <u>7.90</u>	<del>((104-40))</del> <u>63.20</u>	10.60	.75

ROUTES	OVERSIZED VEHICLES** 18' TO UNDER 28' LONG		OVERSIZED VEHICLES** 28' OR LONGER		STAGES AND BUSES INCL. DRIVER***	
	One Way	Commutation 20 Rides *****	One Way	Commutation 20 Rides *****	One Way	Each Pass
Between Lopez, Shaw or Orcas	— <del>((4.90))</del> <u>4.35</u>	<del>((39.20))</del> <u>34.80</u>	<del>((9.70))</del> <u>5.85</u>	<del>((77.60))</del> <u>46.80</u>	6.80	.50
Sidney to Lopez, Shaw, Orcas or	} — <del>((23.50))</del> <u>22.15</u>	N/A	<del>((39.70))</del> <u>26.75</u>	N/A	29.35	1.90
Friday Harbor			1.75			

(1) BULK NEWSPAPERS per 100 lbs. \$2.00

(Shipments exceeding 60,000 lbs. in any month shall be assessed .95¢ per 100 lbs.)

Daily Newspapers, in bundles, and medical supplies, to be received and delivered without receipt and subject to owner's risk, will be transported between ferry terminals on regular scheduled sailings.

(2) EXPRESS SHIPMENTS per 100 lbs. ~~\$(19.20))~~ 19.00

(Shipments exceeding 100 lbs. assessed \$7.50 for each 25 lbs. or fraction thereof.)

Express 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.

San Juan Inter-Island express shipments will be handled @ \$2.55 per 100 lbs.

(3) MEDICAL SUPPLIES per 100 lbs. \$1.00

(Medical supplies exceeding 100 lbs. shall be assessed express shipment rates.)

~~((San Juan Inter-Island express shipments will be handled @ \$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 and 18' in length. Excludes trucks licensed over 8,000 lbs., passenger busses and stages. All oversize vehicles under 18' in length will be considered as regular car and driver.

\*\*\*Stages - 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.

PROMOTIONAL DISCOUNTS

A promotional rate may be established at the discretion of the secretary of transportation for a specific discount (not to exceed 50 percent of full fare) and effective only at designated times on designated routes (not to exceed 100 days per year on any one route).

**AMENDATORY SECTION** (Amending Order 28, Resolution No. 143, filed 3/22/82)

**WAC 468-300-040 TRUCKS AND ((ALL VEHICLES)) TRUCKS WITH TRAILER FERRY TOLLS.**

ROUTES	INCL. DRIVER OVERALL UNIT LENGTH								Cost Per Ft. over 78 Ft.
	Class I *** Under 18'	Class II 18' to Under 28'	Class III 28' to Under 38' ****	Class IV 38' to Under 48'	Class V 48' to Under 58'	Class VI 58' to Under 68'	Class VII 68' to Under 78'	Class VIII Over 78'	
Fauntleroy-Southworth Seattle-Bremerton Seattle-Winslow Pt. Townsend-Keystone Edmonds-Kingston	4.80	8.15	16.15	24.15	32.15	40.15	48.15	48.15	.65
Fauntleroy-Vashon Southworth-Vashon Pt. Defiance-Tahlequah	6.50	11.40	22.60	33.80	45.00	56.20	67.40	67.40	.90
Mukilteo-Clinton Lofall-Southpoint	3.25	5.70	11.30	16.90	22.50	28.10	33.70	33.70	.45
**Anacortes to Lopez Shaw, Orcas	5.25 5.95	9.75	19.35	28.95	38.55	48.15	57.75	57.75	.80
or Friday Harbor Sidney	6.80 22.60	29.60	50.00	70.40	90.80	111.20	131.60	131.60	1.80
**Friday Harbor to Lopez, Shaw or Orcas	4.25	6.65	13.05	19.45	25.85	32.25	38.65	38.65	.55
**Between Lopez, Shaw or Orcas	2.90	4.90	9.70	14.50	19.30	24.10	28.90	28.90	.40
**Sidney to Lopez Shaw or Orcas Friday Harbor	17.90 17.30 16.55	23.50	39.70	55.90	72.10	88.30	104.50	104.50	1.45

\*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.

\*\*\*Includes all trucks licensed 8,001 lbs. gross vehicle weight and above, except busses. Trucks under 8,001 lbs. will be classified as automobiles.

Also includes all ((vehicles)) trucks licensed 8,001 lbs. gross vehicle weight and above pulling trailers ((except motorcycles)), unlicensed vehicles and road machinery on wheels. Vehicles not included in this class cannot be charged under this class.

\*\*\*\*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 28' to under 38', class III rate.

**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 crossings within any consecutive six day period ..... 25%

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.

**NEW SECTION**

**WAC 468-300-070 VEHICLE WITH TRAILER FERRY TOLLS.**

	Vehicle with Trailer Ferry Tolls***				
	Under 18'	18' To Under 28'	28' To Under 38'	38' To Under 48'	48' And Over
Seattle-Winslow Seattle-Bremerton Edmonds-Kingston Pt. Townsend-Keystone Fauntleroy-Southworth	4.80	7.20	9.75	13.75	17.75
*Fauntleroy-Vashon *Southworth-Vashon *Pt. Defiance-Tahlequah	6.50	9.90	13.70	19.30	24.90
Mukilteo-Clinton Lofall-South Point	3.25	4.95	6.85	9.65	12.45
Anacortes to Lopez Shaw, Orcas or Friday Harbor	5.25 5.95 6.80	8.85	11.70	16.50	21.30
Sidney	22.60	28.70	33.65	43.85	54.05
Friday Harbor to Lopez Shaw, or Orcas	4.25	6.15	7.90	11.10	14.30
Between Lopez, Shaw and Orcas	2.90	4.35	5.85	8.25	10.65
Sidney to Lopez Shaw or Orcas Friday Harbor	17.90 17.30 16.55	22.15	26.75	34.85	42.95

\*These routes operate on one-way only toll collection system.

**PENALTY CHARGES**

Owner of vehicle without driver will be assessed a \$50.00 penalty charge.

**\*\*\*INCLUDES THE FOLLOWING VEHICLES PULLING TRAILERS:**

- Automobiles
- Trucks licensed under 8,001 lbs. (For trucks 8,001 lbs. and over, see WAC 468-300-020)
- Oversize vehicles
- Does not include motorcycles with trailers.

Senior Citizen Discounts for the driver of the above vehicles shall apply.

Senior Citizen Discount is determined by subtracting full fare passenger rate and adding 1/2 passenger fare.

**WSR 82-18-010**

**ADOPTED RULES**

**DEPARTMENT OF TRANSPORTATION  
(Transportation Commission)**

[Order 31, Resolution No. 156—Filed August 20, 1982]

Be it resolved by the Washington State Transportation Commission, acting at Olympia, Washington, that it does adopt the annexed rules relating to vehicle size and weight regulations.

This action is taken pursuant to Notice No. WSR 82-14-092 filed with the code reviser on July 7, 1982. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 46.44.090 which directs that the Washington State Transportation Commission has authority to implement the provisions of chapter 46.44 RCW.

The undersigned hereby declares that the agency 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) in the adoption of these rules.

APPROVED AND ADOPTED August 18, 1982.

By Jerry B. Overton  
Chairman

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

WAC 468-38-010 **THREE VEHICLE COMBINATIONS.** (1) A three-vehicle combination shall consist of ((-Truck-tractor, semi-trailer and full trailer)) (a) a truck-tractor, semi-trailer and full trailer, or (b) a truck-tractor and two semi-trailers.

(2) The total length of the combination shall not exceed ((60 feet over-all, except that a total length of not to exceed)) 65 feet ((may be permitted upon highway

sections specifically designated therefor by the department of transportation)).

(3) Brakes shall be of the progressive type controlled by the foot brake and so designed that the braking (effort) effect shall start with the last axle in the combination and progress forward to the power unit.

~~((4) Maximum speed shall not exceed posted limits for trucks and combinations.~~

~~(5) "When snow or ice conditions on the surface of the highway are such that the unit may be stalled due to lack of traction or being unable to stop without jackknifing or in any other way create hazardous conditions which would endanger the unit or other vehicles using the highways, the operator, in addition to any other posted regulations, shall immediately institute either of the following two procedures: (a) Drop the last unit in the combination or (b) place tire chains on the drive axle of the tractor and on the last axle of the second trailer".~~

~~(6) Maximum gross weight of the combination shall not exceed 72,000 lbs. gross, except a maximum of 76,000 lbs. gross may be carried on the combination when a special restricted route permit is issued, but the additional weight will only be allowed on highways authorized to carry the additional weight and under the terms and conditions applying to restricted route permits. No single unit in the combination shall exceed its licensed capacity or legal limit and no axle in the combination shall exceed the limitations provided by law.))~~

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

WAC 468-38-020 ADDITIONAL TONNAGE PERMITS. A permit to carry weight in addition to that authorized by the licensed gross weight may be issued under some conditions:

(1) ((Maximum gross weight not to exceed . . . . pounds gross vehicle weight:)) A single-unit truck or a truck combination must be licensed to 40,000 pounds or to 80,000 pounds respectively in order to qualify for an additional tonnage permit.

(2) The wheelbase of any group((s)) of axles must meet ((Washington gross weight table)) the requirements of the legal weight table in RCW 46.44.041. No single axle shall exceed 20,000 pounds; no pair of tandem axles shall exceed 34,000 pounds.

(3) ((Maximum gross weight on dual axles not to exceed 32,000 pounds:)) The weight limits of 550 pounds per inch width of tire up to 12 inches and 660 pounds per inch width of 12 inches or more must be met.

(4) ((Maximum gross weight for each tire not to exceed 500 pounds per inch width of such tire, except when winter or other restrictions are in force.

(5) Maximum speed shall not exceed posted limits for trucks.

(6) This permit valid on state highways when regular or emergency winter road restrictions are in force only for maximum weights posted for such highways.

(7) This permit does not authorize operation over any road or structure in excess of posted limits thereof.

(8) This permit only valid on Washington state highways.

~~(9) Upon application to the department of transportation for a permit authorizing use of a boost-a-load or similar device, the applicant is required to produce written evidence from respective county and/or city authorities indicating their approval to travel over county roads and city streets.)) The restrictions on highway loads required by emergency conditions pursuant to WAC 468-38-080 shall apply even though an operator has an additional tonnage permit.~~

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

WAC 468-38-030 ISSUANCE OF ADDITIONAL TONNAGE PERMITS. (1) All permits for annual additional tonnage are to be issued at the headquarters office of the department of transportation, Olympia, Washington. Permits for quarterly, monthly, or temporary additional tonnage may be issued in the department's permit offices or by agents of the department located throughout the state.

(2) ((Permits will not be issued unless remittance is received with application:)) The department shall periodically publish a map showing which highways may be traversed by vehicles using additional tonnage permits. These routes are subject to change or cancellation by the department if deterioration occurs.

(3) ((Axle loading shall not exceed 32,000 pounds gross on duals. (18,000 pounds on singles):

(4) Maximum speed shall not exceed posted limits for trucks and combinations.

(5) Permit will not be valid on state highways when regular winter road restrictions are in force unless vehicles are equipped with 10:00 or larger tires on all wheels.

(6) Permit will not be valid on state highways when emergency winter road restrictions are in force, regardless of tire sizes.

(7) Permitted routes are subject to change or cancellation upon notification by the state department of transportation.

(8) Permits are not valid for widths, heights, or lengths in excess of legal limits.

(9)) Permits will be issued only to the following types of vehicles: Three or more axle full trucks; three or more axle truck-tractors; three or more axle dromedary truck-tractors; three axle full trailers. Three axle full trailers will require a permit only when towed by a two axle full truck, or if the towing vehicle is not covered by an additional tonnage permit.

(((10) Three or more axle trucks and three or more axle truck-tractors or three or more axle dromedary truck-tractors may be issued a permit in excess of the legal gross weight limit, provided the axle loads or tire limits are not in excess of provisions of law.

(11) Three or more axle trucks, when operating in combination with three axle full trailers, must have a valid additional tonnage permit issued for the maximum gross weight allowed under permit. The total gross weight of the combination shall not exceed 76,000 pounds gross. The weight may be distributed on either the truck or trailer, but neither vehicle shall exceed the maximum axle or tire limits prescribed by law. No permit will be required for the three axle full trailer when

~~operated in combination with a full three or more axle truck. Three or more axle truck-tractors or dromedary truck-tractors operated in combination with two axle semi-trailers shall not exceed a combined gross weight of 73,280 pounds. The overall wheelbase of any combination of vehicles shall be equal to or in excess of the minimum wheelbase required for 68,000 pounds or 72,000 pounds, as provided by the legal gross weight table in RCW 46.44.044.~~

~~(12) An additional tonnage permit, valid only for use with three vehicle combinations, may be issued allowing an additional 4,000 pounds gross or total of 76,000 pounds gross on the combination when operating on routes approved by the department of transportation. This permit shall be subject to the fees provided by law and subject to the rules and regulations adopted by the state transportation commission.~~

~~(13) Three axle full trailers, when towed by a two axle truck, must have a valid additional tonnage permit issued to the trailer involved, and all permitted weight must be carried on the trailer.~~

~~(14)) (4) Permits will not be issued to semi-trailers.~~

~~((15)) (5) The fees for additional tonnage permits shall be prorated under the following conditions and by the following method:~~

~~(a) Additional tonnage permits will be prorated only to firms or individuals listed by the ((director)) department of licensing to be fleet operators and only when the name is indicated on the listing furnished by the ((director)) department of licensing.~~

~~(b) All power units in a fleet ((which are eligible for additional tonnage permits and which)) that have been reported to the department of licensing ((under supplement "B" of Interstate Vehicle Proration application shall be considered as the number of power units on which additional tonnage fees will be prorated)) as proportionally registered are eligible for proration.~~

~~(c) ((The total number of units determined under subparagraph (b) of this subsection shall then be multiplied by the current fee for additional tonnage permits in effect at the time of application.)) The total cost of additional tonnage requested by the applicant for all units within the fleet shall be computed as if those fees were not subject to prorate.~~

~~(d) The percentage of mileage operated in Washington, which ((shall be)) is the ((same)) percentage as reported for vehicle license proration, shall be ((used to determine the amount of fees to be paid to the department of transportation for the issuance of additional tonnage permits to all eligible units reported under)) multiplied by the amount in subparagraph ((b)) (c) of this subsection ((. This)) to determine the amount ((is arrived at by taking the total under subparagraph (c) of this subsection and multiplying by the percent of mileage operated in Washington)) to be paid to the department of transportation: PROVIDED, HOWEVER, That the minimum fee assessed for any permit shall not be less than five dollars.~~

~~(e) Additions to fleets may be issued additional tonnage permits and payment shall be determined by using the same method as ((in subparagraphs (a), (b), (c), and (d) of this subsection)) described above: PROVIDED,~~

HOWEVER, That no additional tonnage permits will be issued until the vehicle or vehicles involved have been duly registered with the department of licensing as additions to the fleet ((involved)).

~~(6) Quarterly or monthly additional tonnage permits may be purchased only when the applicant has purchased licensed tonnage on a quarterly or monthly basis.~~

~~(7) Temporary additional tonnage permits may be purchased when the applicant has licensed tonnage in effect for the period for which he is applying.~~

~~(8) Additional tonnage purchased on a quarterly or monthly basis may be prorated if the prorate percentage for Washington state is at least sixty percent. Temporary additional tonnage may not be prorated.~~

~~(9) If a permit to increase weight by means of a boost-a-load or similar device is requested, the applicant must produce written evidence from respective county and/or city authorities indicating approval to travel over county roads or city streets.~~

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

WAC 468-38-040 SPECIAL LOG TOLERANCE TRANSPORTATION PERMITS. (1) ~~((The permit shall be termed "special log tolerance transportation permit."~~

~~(2) The permit)) Special log tolerance transportation permits shall be issued only at the headquarters office of the department of transportation located in Olympia, Washington.~~

~~((3) Payment of the fee shall be paid by cash, certified check, postal money order, bank draft, or Western Union money order, payable to department of transportation:~~

~~(4) Application will be accepted only on special forms provided by the department of transportation and applicant shall furnish all requested information.~~

~~(5) Permit may)) (2) A permit will be denied if the vehicle((s for which a permit is requested cannot)) does not meet the ((legal)) axle distance requirements ((provided by law)) of RCW 46.44.047, i.e., the distance between the front axle and the last axle of the combination shall be at least 37 feet.~~

~~((6)) (3) Maximum gross weight of the combination shall not exceed 68,000 lbs. by more than 6800 lbs. gross.~~

~~((7)) (4) Maximum gross weight on ((dual)) tandem axles shall not exceed ((32,000 lbs. by more than 1600)) 33,600 lbs. on each set of ((dual)) tandem axles.~~

~~((8) Maximum speed shall not exceed posted limits for trucks:~~

~~(9) Not valid on state highways placed under regular winter road restrictions unless vehicles are equipped with 11-00 or larger tires on all wheels.~~

~~(10) Not valid on state highways placed under emergency winter road restrictions regardless of tire sizes used on vehicles:~~

~~(11) Authorized state highway routes for this permit subject to change or cancellation upon notification by the state department of transportation:~~

~~(12) Not transferable to another vehicle.~~

(13) This permit does not authorize any width, height or length in excess of the legal limitations.

(14) Permit shall not be valid until permit is signed by permittee who agrees to follow conditions and requirements set forth.

(15) Bridges and structures will be the paramount controlling factor when granting permits. Permit may be issued only after the application is cleared by the bridge engineer and approved by the secretary of transportation or his designee.

(16) Permits will not be issued until a proper investigation has been made by the department of transportation relative to the ability of the requested section of state highway to accommodate the increased loading. Each route or section shall be considered separately.

~~(17))~~ (5) Operators having special log tolerance transportation permits are subject to all posted road restrictions.

(6) Special log tolerance transportation permits may be transferred to the purchaser of a log truck or to another vehicle owned by the permittee. A fee of five dollars will be charged.

(7) Any approved route, previously granted, shall be subject to immediate cancellation if upon determination of the department of transportation the section of state highway involved is showing abnormal failure or overstress. ((The maintenance division, upon notification by the department of transportation, shall immediately notify the permittee that the permit is canceled covering the section or sections for which said permit was granted. The permittee shall have the privilege of review before the secretary of transportation or his designee in the event that the permit cancellation by the department of transportation is questioned.))

(8) The department shall periodically publish a map showing which highways may be traversed by vehicles using special log tolerance transportation permits. The department shall be guided in its determination by the ability of each section of highway to accommodate the increased loading.

~~((18))~~ (9) When county roads or city streets are used to reach state highways, ((the)) a permit for ((such)) the use of such county roads or city streets is to be ((issued by)) obtained from the proper county or city authorities ((and the permission to use the state highways is to be issued by the proper state authority)).

(10) The fee for special log tolerance transportation permits may not be prorated.

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

WAC 468-38-050 (~~LOAD LIMITATIONS ON STATE HIGHWAYS WITHIN MOUNT RAINIER NATIONAL PARK~~) SPECIAL PERMITS FOR MOVEMENT OF OVERLEGAL SIZE OR WEIGHT LOADS. ((The maximum gross weights of vehicles on portions of primary state highway No. 5 within the boundaries of Mount Rainier National Park from the northerly boundary of said park to the easterly boundary thereof at Chinook Pass and from Cayuse Pass to the southerly boundary of said park near Ohanapcosh

Junction be and the same are hereby imposed and fixed as follows: (1) Closed to all vehicles having a gross weight in excess of 5,000 pounds, except when such use is in connection with the operation of the park or with the operations of park concessioners holding contracts from the secretary of the interior.

(2) Closed to all trailers having a gross weight in excess of 5,000 pounds, except when such use is in connection with the operation of the park or authorized park concessioners.

#### Exceptions:

(a) Buses having a gross weight in excess of 5,000 pounds may make regular or special runs on the above described roads, provided authority is obtained from the park superintendent or his representative.

(b) Trucks and/or trailers having a gross weight in excess of 5,000 pounds per vehicle unit may be allowed on the above named roads if they are hauling pack or saddle stock or recreational supplies or equipment for use within Mount Rainier National Park.

(c) Trucks and/or trailers having a gross weight in excess of 5,000 pounds per vehicle unit may be allowed on United States highway No. 410 between the north park boundary and the White River (Yakima Park) wye if they are hauling materials to or from a mine situated within Mount Rainier National Park.

(d) Trucks and/or trailers having a gross weight in excess of 5,000 pounds per vehicle unit may be allowed on the above named roads when the purpose of the trip is to carry stock used or grazed in the immediate vicinity of the park in areas served by said roads, provided that permission is obtained from the park superintendent or his representative.

There shall be posted at either end of said portion of primary state highway No. 5, where the load restrictions are in effect, signs of sufficient size to be easily read, setting forth the maximum loads allowed and stating that this regulation is made by order of the department of transportation pursuant to law.)) The department of transportation may issue permits for movement of overlegal size or weight loads when:

(1) Application has been made to the department and the applicant has shown that there is good cause for the move, and that the applicant is capable of making the move.

(2) The applicant has shown that the load cannot reasonably be dismantled or disassembled.

(3) The vehicle, combination, or load has been dismantled and made to conform to legal limitations where practical. Reductions shall be made even though the use of additional vehicles becomes necessary.

(4) The vehicle(s) and load have been thoroughly described and identified; the points of origin and destination and the route of travel have been stated and approved.

(5) The proposed move has been determined to be consistent with public safety.

(6) The permittee affirms that:

(a) The vehicles have been properly licensed to make the proposed move or carry the load described in accordance with the provisions of Washington law;

(b) The drivers are properly licensed to operate in Washington in the manner proposed.

(7) The permittee will comply with all applicable rules pertaining to the issuance of any special permit.

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

WAC 468-38-060 ((LOAD LIMITATIONS ON CERTAIN STATE HIGHWAYS ADJACENT TO MOUNT RAINIER NATIONAL PARK)) LIABILITY OF PERMITTEE. ((The following vehicle load limitations shall apply on the section of primary state highway 5 from the easterly boundary of Mount Rainier National Park easterly to the American River resort.

(1) Closed to all vehicles having a gross weight in excess of 5,000 pounds, except when such use is in connection with the operation of said park or with the operations of park concessioners holding contracts from the secretary of the interior.

(2) Closed to all trailers having a gross weight in excess of 5,000 pounds, except when such use is in connection with the operation of said park or authorized park concessioners.

Exceptions:

(a) Buses having a gross weight in excess of 5,000 pounds may make regular or special runs, provided authority is obtained first from the park superintendent or his representative, for operation within the park and from the department of transportation for operation on the highways described above.

(b) Trucks and/or trailers having a gross weight in excess of 5,000 pounds per vehicle unit may be allowed on the above named roads if they are hauling pack or saddle stock or recreational supplies or equipment for use with Mount Rainier National Park.

(c) Trucks and/or trailers having a gross weight in excess of 5,000 pounds per vehicle unit may be allowed on the above named roads when the purpose of the trip is to carry stock used or grazed in the immediate vicinity of the park in areas served by said roads, provided that permission is first obtained from the park superintendent or his representative.

There shall be posted at either end of said portions of primary state highway No. 5, where the load restrictions are in effect, signs of sufficient size to be easily read, setting forth the maximum loads allowed and stating that this regulation is made by order of the department of transportation pursuant to law.

The foregoing load limitations are adopted also for the section of primary state highway 5 from the southerly boundary of Mount Rainier National Park southerly to the junction of primary state highway 5, White Pass branch.) Permits are granted with the specific understanding that the permittee shall be responsible and liable for accidents, damage or injury to any person or property resulting from the operation of the vehicle covered by the permit upon public highways of the state. The permittee shall hold blameless and harmless and shall indemnify the state of Washington, department of transportation, its officers, agents and employees against

any and all claims, demands, loss, injury, damage, actions and costs of actions whatsoever, which any of them may sustain by reason of unlawful acts, conduct or operations of the permittee in connection with the operations covered by the permit.

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

WAC 468-38-070 ((CARGO PROHIBITION ON REVERSIBLE LANE ROADWAYS)) MAXIMUMS FOR SPECIAL PERMITS. ((Trucks carrying flammable liquid cargoes are prohibited from using the reversible lane roadways on State Route 5, Seattle freeway, between James Street and 110th Street N.E. The term "flammable liquid" as applied to this rule shall be as defined in chapter 46.04 RCW:)) (1) Overwidth: 14 feet on any two-lane highway; 20 feet on any multiple-lane highway where a physical barrier serving as a median divider separates the oncoming and opposing traffic lanes; 32 feet on any multiple lane undivided highway.

Loads up to 16 feet wide may be permitted on two-lane highways during daylight hours if the gross weight does not exceed 80,000 pounds. (RCW 46.44.092) Such movements shall be permitted only on highways whose lanes of travel are at least 12 feet wide.

The regulations on movement of buildings are in WAC 468-38-360.

(2) Overheight: A load over 14 feet high must be moved by permit, but the permittee is to be governed by the clearance of overhead obstructions such as bridges, underpasses, wires, overhead signs and other objects. The issuance of a permit does not insure the route to be free of low overhead structures. It is the responsibility of the permittee to check the proposed route and detour when necessary. County or city road detours for this purpose require authorization from respective jurisdictions. Vehicles hauling empty apple bins may be issued permits to haul such bins up to 14 feet 10 inches high.

(3) Overlength: The permit will allow movement on routes on which the permittee can negotiate curves, interchanges, entrance and exit roadways and other obstacles. In all instances the general safety of the public is considered paramount.

(4) Overweight: 22,000 pounds on a single axle; 43,000 pounds on tandem axles. (RCW 46.44.091)

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

WAC 468-38-080 ((RESERVATION OF FACILITIES FOR METRO TRANSIT BUSES AND THREE-PERSON CAR POOL)) EMERGENCY CLOSURE AND LOAD RESTRICTIONS ON STATE HIGHWAYS. ((1) The section of State Route 5 through the city of Seattle described in subparagraphs (a) and (b) herein, shall be used exclusively by rubber tired buses designated and operated by metro and three-person car pools. All other traffic is prohibited from the use of these sections which shall be posted with proper signing, pavement marking, and traffic control devices installed in conformance with applicable requirements of the Manual on Uniform Traffic Control Devices.



(a) ~~The entire reversible roadway exit-entrance on State Route 5 (Interstate 5) which serves Cherry Street and Columbia Street in Seattle. This entrance begins at the bifurcation of the lane serving the southerly reversible connection to the freeway mainline and the lane serving the Cherry-Columbia connection, reversible lane Mile Post 165.59, and extends southerly on the ramp roadway to its intersections on Fifth Avenue with both Columbia Street and Cherry Street.~~

(b) ~~The most easterly lane of the reversible roadway in the southbound direction only from the Cherry-Columbia ramp exit, reversible roadway Mile Post 165.59, northerly 1.62 miles to reversible roadway Mile Post 167.21.~~

(2) ~~The channelization of designated bus and three-person car pool traffic exclusively into the defined sections of the easterly reversible lane and Cherry-Columbia ramp shall be in effect at all times. The westerly lanes of the reversible roadway from Mile Post 165.59 to Mile Post 167.21, as well as all other portions of the roadway not specifically restricted herein, shall remain open to all motor vehicle traffic.)~~ (1) Pursuant to RCW 46.44.080, when the department of transportation determines that, because of emergency conditions, vehicles whose gross tire loads exceed those described in subsection (2) of this section and will damage a highway or will endanger other traffic using a highway, it shall without delay close that highway temporarily to all vehicles or to a designated class of vehicles. Notices shall be posted at each end of the closed portion of highway and at all intersecting state highways.

(2) The department shall impose load restrictions as needed by posting either of the following signs. The conditions existing at the time shall determine which schedule of emergency load restrictions will be imposed.

**EMERGENCY LOAD RESTRICTIONS**

CONVENTIONAL TIRES		TUBELESS OR SPECIAL WITH .5 MARKING	
Tire Size	Gross Load Each Tire	Tire Size	Gross Load Each Tire
7.00	1800 lbs.	8-22.5	2250 lbs.
7.50	2250 lbs.	9-22.5	2800 lbs.
8.25	2800 lbs.	10-22.5	3400 lbs.
9.00	3400 lbs.	11-22.5	4000 lbs.
10.00	4000 lbs.	11-24.5	4000 lbs.
11.00	4500 lbs.	12-22.5	4500 lbs.
12.00		12-24.5	
& over	4500 lbs.	& over	4500 lbs.

**SEVERE EMERGENCY LOAD RESTRICTIONS**

CONVENTIONAL TIRES		TUBELESS OR SPECIAL WITH .5 MARKING	
Tire Size	Gross Load Each Tire	Tire Size	Gross Load Each Tire
7.00	1800 lbs.	8-22.5	1800 lbs.
7.50	1800 lbs.	9-22.5	1900 lbs.
8.25	1900 lbs.	10-22.5	2250 lbs.
9.00	2250 lbs.	11-22.5	2750 lbs.
10.00	2750 lbs.	11-24.5	2750 lbs.
11.00		12-22.5	
& over	3000 lbs.	& over	3000 lbs.

(a) No allowance will be made for any second rear axle that is suspended from the frame of a vehicle independent of the regular driving axle, commonly known as

a "rigid trail axle". Allowance will be made for single tires only on the front axle of any truck.

(b) The load distribution on any one axle of any vehicle shall be such that it will not load the tires on that axle in excess of the prescribed load listed above: PROVIDED, That a truck, truck tractor, passenger bus or school bus having conventional 10:00 x 20 tires or 11:00 x 22.5 tires, or larger, may carry a maximum load of 10,000 pounds on the front axle over any state highway placed under Emergency Load Restrictions.

(3) Permits may be issued by the department of transportation to allow the operation of school buses and motor trucks transporting perishable commodities or commodities necessary for the health and welfare of local residents on such state highways as may be closed, subject to specific weight and speed restrictions as may be deemed necessary by the department of transportation.

(4) This rule shall not supersede or modify any rule in force establishing load limitations on state highway bridges.

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

~~WAC 468-38-090 ((RESERVATION OF FACILITY FOR TRANSIT BUS AND CAR POOL)) LOADING RESTRICTIONS AND REQUIREMENTS. (((1) The westbound shoulder of State Route 520 from the Toll Plaza, Mile Post 4.17 to 104th Avenue N.E., Mile Post 5.82, a distance of 1.65 miles, is reserved for the exclusive use of transit bus and three or more person car pool, on weekdays only, from 6:30 a.m. to 9:30 a.m.~~

(2) To allow transit and three-person minimum car pools exclusive southbound use of the Pike Street ramp, from Mile Post 165.97 to Mile Post 166.13, from 6:00 a.m. to 12:30 p.m.) (1) The vehicle, combination or load must be reduced or disassembled to a practical minimum. Loads created by means of welding, bolting or tying will be construed to be reducible. Reductions shall be made even though the use of additional vehicles becomes necessary.

(2) Tracked vehicles must be loaded longitudinally upon the hauling unit.

(3) Oversized hauling units in a combination over 65 feet in length, 14 feet in height, or 8 feet 6 inches in width will be authorized to be used under permit authority only when the article to be hauled cannot reasonably be dismantled or disassembled and the size of such article equals or exceeds outside dimensions of the hauling unit. Oversize hauling units in a combination over 65 feet in length, 14 feet in height, or 8 feet 6 inches in width shall not be used to haul objects which can readily be reduced or hauled within the limits of a legal vehicle or a combination of vehicles.

(4) Units more than 45 feet in length within a combination of 65 feet or less may operate by authority of a single trip permit or a thirty day permit authorized by RCW 46.44.0941.

(5) Notwithstanding the provisions of subsections (1) and (3) of this section a vehicle or load exceeding 8 feet in width may be allowed by permit provided it does not

exceed 8 feet 6 inches. Safety appliances may extend beyond the approved width by no more than 2 inches as defined in RCW 46.44.010 despite the fact that this results in a width in excess of 8 feet 6 inches.

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

~~WAC 468-38-100 ((VEHICLE TIRE CHAINS)) ESCORT CAR REQUIREMENTS. ((Each motor vehicle tire chain shall have at least two side chains, to which are attached sufficient cross chains so that at least one cross chain is in contact with the road surface at all times, which when required, shall be placed on the tires of the rear drive wheels of motor vehicles while traversing public highways.~~

~~It shall be unlawful for any person to operate any motor vehicle upon any public highway of this state when, because of the hazardous condition existing on such highway the use thereof has been restricted by order of the department of transportation as indicated by traffic control signs marked "Chains required on all vehicles," unless such vehicle shall be properly equipped with tire chains of a type approved by the state commission on equipment:)) Escort cars are required:~~

~~(1) When vehicle, vehicles or load is over 10 feet in width, escort cars (both front and rear) are required on a two-lane highway.~~

~~(2) When vehicle, vehicles or load is over 14 feet wide, one escort car in rear of movement is required on multiple-lane highways.~~

~~(3) When vehicle, vehicles or load is over 20 feet wide, escort cars in both front and rear of movement are required when the highway is a multiple-lane, undivided highway.~~

~~(4) When overall length of load, including vehicles, exceeds 100 feet or when rear overhang of load measured from the last axle exceeds one-third of the total length, one escort car is required on two-lane highways. The permit may authorize a riding flagperson in lieu of an escort car.~~

~~(5) When overall length of load, including vehicles, exceeds 140 feet, one rear escort car is required on multiple-lane highways.~~

~~(6) When in the opinion of the department of transportation, escort cars are necessary to protect the traveling public, for any overdimension and/or overweight move either across, upon, or along a highway.~~

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

~~WAC 468-38-110 ((BRIDGE TRAFFIC LIMITATIONS EFFECTIVE THROUGH AUGUST 31, 1982)) TYPE OF ESCORT CARS. ((The following bridge traffic limitations shall be effective through August 31, 1982 or until the bridge is either replaced or the deficiency removed:~~

<del>BRIDGE NO.</del>	<del>NAME AND LOCATION</del>	<del>LIMITATIONS</del>
<del>140/102</del>	<del>Washougal River, 9.8 mi. E. of Washougal</del>	<del>One truck at a time: Narrow Bridge Truck 16 tons Truck &amp; Semi-Tr. 18 tons Truck &amp; Trailer 22 tons</del>
<del>165/20</del>	<del>South Prairie Creek, 2.1 mi. S. of Buckley</del>	<del>Narrow Bridge All trucks stop before moving onto bridge: One truck at a time: Maximum speed 10 MPH. Truck 20 tons Truck &amp; Semi-Tr. 34 tons Truck &amp; Trailer 36 tons</del>
<del>407/5</del>	<del>Branch of Elokomina River, 5.5 mi. N. of Jct. SR 4 near Cathlamet</del>	<del>Narrow Bridge One truck at a time: Truck 20 tons Truck &amp; Semi-Tr. 34 tons Truck &amp; Trailer 36 tons</del>
<del>411/18</del>	<del>Olequah Creek, 2.0 mi. S. of Vader</del>	<del>Narrow Bridge One truck at a time: Truck 20 tons Truck &amp; Semi-Tr. 34 tons Truck &amp; Trailer 36 tons</del>
<del>506/104</del>	<del>Olequah Creek at Vader</del>	<del>Narrow Bridge One truck at a time: Truck 20 tons Truck &amp; Semi-Tr. 34 tons Truck &amp; Trailer 36 tons</del>
<del>20/618</del>	<del>Methow River, 8.2 mi. W. of Winthrop</del>	<del>Narrow Bridge One truck at a time: Truck 20 tons Truck &amp; Semi-Tr. 34 tons Truck &amp; Trailer 36 tons</del>
<del>SR 21</del>	<del>Keller Ferry Landings 13.9 mi. N. Jct. SR 174</del>	<del>Maximum Gross load 40 tons</del>
<del>112/8</del>	<del>Sekiu River, 6.8 mi. E. of Clallam Bay</del>	<del>Narrow Bridge One truck at a time: Truck 20 tons Truck &amp; Semi-Tr. 34 tons Truck &amp; Trailer 36 tons</del>
<del>126/102</del>	<del>Pataha Creek, 6.0 mi. W. of Pomeroy</del>	<del>Narrow Bridge One truck at a time: Truck 20 tons Truck &amp; Semi-Tr. 34 tons Truck &amp; Trailer 36 tons</del>
<del>161/1</del>	<del>Little Mashel River, 1.0 mi. S. of Eatonville</del>	<del>Narrow Bridge One truck at a time: Truck 20 tons Truck &amp; Semi-Tr. 34 tons Truck &amp; Trailer 36 tons</del>
<del>170/6</del>	<del>East Low Canal, 0.3 mi. W. of Warden</del>	<del>Narrow Bridge One truck at a time: Truck 20 tons Truck &amp; Semi-Tr. 34 tons Truck &amp; Trailer 36 tons</del>
<del>409/3</del>	<del>Welcome Slough, 2.2 mi. S. of Cathlamet</del>	<del>Narrow Bridge One truck at a time: Truck 20 tons Truck &amp; Semi-Tr. 34 tons Truck &amp; Trailer 36 tons</del>
<del>503/26</del>	<del>Lewis River, 6.3 mi. N. of Amboy</del>	<del>Narrow Bridge One truck at a time: Truck 20 tons Truck &amp; Semi-Tr. 34 tons Truck &amp; Trailer 36 tons</del>
<del>542/37</del>	<del>Gutch, 7.8 mi. E. of Glacier</del>	<del>Narrow Bridge One truck at a time: Truck 20 tons Truck &amp; Semi-Tr. 34 tons Truck &amp; Trailer 36 tons))</del>

~~(1) Escort cars must be furnished by the permittee. They may be a passenger car or a two-axle truck.~~

~~(2) Escort cars will be of such design as to afford the driver clear and unobstructed vision both front and rear.~~

Escort cars will be in safe operational condition and properly licensed.

(3) Escort car operators must be experienced in the operation of escort vehicles, and no unnecessary passengers shall be permitted.

Pilot escort cars will travel at a distance of approximately 800-1,500 feet in front of and to the rear of the load. This distance shall be reduced in urban areas, at major intersections, and at structures less than 28 feet curb-to-curb width.

In hazardous conditions, the pilot car driver will act as a flagperson for traffic control and will signal by hand or by radio to the towing vehicle driver when he can proceed.

(4) The driver of the rear escort car will act as flagperson when hazardous conditions exist, either in advising the driver of the tow vehicle as to clearance in turning movements or of accumulations of overtaking traffic.

As required, the rear escort car will travel far enough behind the load to provide adequate warning for overtaking vehicles and safe space between the rear escort car and the trailing unit for passing vehicles. All escort cars shall carry a minimum of three approved emergency fuses and red flags.

Pilot car operators shall be properly licensed to operate the vehicle.

(5) When uniformed off-duty law enforcement officers act as escorts, using official police cars or motorcycles, the preceding requirements shall not be applicable.

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

WAC 468-38-120 OVERSIZE MOBILE HOME TRANSPORT REGULATIONS. (1) The purpose of this section ((of chapter 468-38 WAC)) is to supplement the provisions of chapter 468-38 WAC ((468-38-150 through 468-38-430 to provide additional controls in regulating movement of mobile homes on state highways, subject to the statutory provisions for special permits)) as they relate to the movement of mobile homes. Where conflicts with other sections of this chapter occur, the following rules apply.

(2) Definitions:

(a) "Mobile home" means all trailers of the semitrailer type with hitch ball coupler designed as structures for human habitation ((or)) which may have been subsequently adapted to other uses, which are capable of being towed upon the public ((streets and)) highways and are more than forty-five feet in length or more than eight feet in width.

(b) "Modular homes and sectional buildings" means any factory-built housing designed for ((residential occupancy by human beings)) human habitation which does not contain a permanent frame and must be mounted on a permanent foundation. Modular homes or sectional buildings with their own attached running gear which can ((qualify for tow-away methods)) be towed are considered to be mobile homes for purposes of this regulation. Modular homes or sectional buildings moved on legally registered trailers are subject to the provisions

of chapter 46.44 RCW and the provisions of this chapter of the Washington Administrative Code ((governing overweight and overdimension vehicle permits)) regulating the movement of overlegal loads.

(c) Oversize permits may be issued to transporters, dealers or owners who shall assume full responsibility while operating under a permit. Operators of tow vehicles and ((escort vehicles and)) others assisting in the transport must function as agents or employees of the permittee.

(d) A "unit" is a complete or irreducible part of an oversize mobile home, together with its tow vehicle.

(3) Oversize limits: The following regulations ((are based upon the authority of the department of transportation to issue special permits as cited in chapter 46.44 RCW and)) apply to mobile homes of semi-trailer design whose width exceeds eight feet but does not exceed fourteen feet and whose length exceeds forty-five feet but in combination with a tow vehicle does not exceed eighty-five feet.

(4) Oversize mobile home permits may be issued as follows:

(a) Annual permits((:)) may be issued only to permittees who are qualified as dealers or manufacturers as provided in chapter 46.70 RCW ((and)) or to transporters licensed as provided in chapter 46.76 RCW. ((Fees as provided for in RCW 46.44.0941:))

Annual permits shall apply only to transport of mobile homes fourteen feet or less in height, above level ground, while being transported.

((Applicant must present a copy of transporter's license obtained in accord with chapter 46.76 RCW, a dealer's license or manufacturer's license obtained in accord with chapter 46.70 RCW, and register with the department of transportation the license number of the tow vehicle for which the oversize permit will be assigned, and the numbers of the dealer's, manufacturer's, and transporter's plates that may be used in combination with the tow vehicle's license number. Operation under the permit with dealer's, manufacturer's, and transporter's plates under conditions other than those recorded on the permit, shall constitute violation of the permit.))

Within ten days of transporting a mobile home ((on)) with an annual oversize permit, the permittee shall mail a completed Highway Form (560-053) to the department of transportation, giving notice of the origin and destination of the mobile home. ((Failure to comply with this regulation is a misdemeanor as provided by RCW 46.16.106:))

(b) Monthly permits((:)) may be issued to dealers, manufacturers, and transporters under the same conditions as annual permits except that fourteen ((feet)) foot height limitations may be waived ((as provided by RCW 46.44.0941)). ((Fees also provided for under RCW 46.44.0941:))

(c) Single trip permits((:)) may be issued to dealers, transporters and owners for a specific combination of tow vehicle and mobile home to travel from a point of origin to a prescribed destination.

A ((movement)) single trip permit (((\$5.00 fee)) is required for all mobile homes without a dealer's or transporter's license plates (in addition to an oversize mobile

~~home permit). For mobile homes being transported)) for movement of a mobile home within or leaving the state((; a movement permit)) shall not be ((issued until a Highway Form (560-053) is provided, signed)) valid unless there is attached certification by the treasurer of the county ((treasurer)) in which the mobile home has been located ((assuring that all appropriate taxes and fees have been paid. The highway form is not required for movement permits issued at ports of entry for mobile homes in transit throughout the state)) that the requirements of RCW 46.44.170 have been met. Movement permits for mobile homes coming into the state or in transit through the state to another state or province do not require such certification.~~

~~(5) ((Before an oversize permit is issued,)) The permittee must ((carry evidence that he has)) have insurance in effect while operating under the permit((;)) in the minimum amounts of \$100,000-\$300,000 public liability and \$50,000 property damage. Pilot car operators shall meet the insurance requirements of RCW 46.44.180.~~

~~(6) ((While operating under an oversize permit, accidents involving other vehicles or structures which results in damages of one hundred dollars or more, or any incident which results in damage only to the mobile home in excess of two hundred fifty dollars, shall be reported by the permittee immediately to the nearest state patrol office. The report shall include a statement of location of accident, the cause, and a brief account of circumstances and effects relating to the accident. Without approval by the state patrol, further movement of the mobile home is prohibited under the permit (except to take the minimum action to remove or reduce a hazard to highway traffic:)) If an accident occurs while transporting a mobile home under permit, the permittee shall immediately notify the nearest state patrol office if the damage is greater than two hundred and fifty dollars to the mobile home or greater than one hundred dollars to other vehicles or structures. Permission to continue the movement must be obtained from the state patrol.~~

~~(7) Dealers selling ((over)) 12((=foot)) to 14((=))foot wide mobile homes ((will)) must advise the prospective purchaser((, by written notice,)) in writing that ((the movement of such mobile homes over)) not all state highways ((will be at the discretion of the department of transportation, and that an oversize permit cannot be granted for movement over any section of state highway which is not designated as a route for over 12-foot to 14-)) are approved for the transport of 12 to 14 foot wide mobile homes.~~

~~(8) ((Mobile and modular homes in transit under the authority of permits issued in accordance with WASHTO Uniform Mobile and Modular Home Transportation Regulations, will be subject to such regulations and any conflicts between WASHTO regulations, as applied to an individual permit, issued by another WASHTO state and any regulations contained herein, will be resolved in favor of WASHTO regulations. On transporter's, dealer's or owner's request, permits may be issued in accordance with WASHTO Uniform Mobile and Modular Home Transportation Regulations when travel out-of-state is also involved.)) Permits issued in~~

accordance with the Uniform Mobile and Modular Home Transportation Regulations of WASHTO will be subject to those regulations and will be honored by the state of Washington if issued by other states.

(9) Mobile homes:

(a) Overall dimensions shall not exceed those ((pre-sented)) stated in the permit except for minor protrusions not to exceed 2 inches, such as door and window hardware. Eaves will be included in the measurement of maximum width. All dimensions shall be reduced to the practical minimum. Mobile homes having a single eave overhang along their length will be transported to allow for safe passing distances.

(b) The ((entire)) complete system ((frame, drawbar and coupling mechanism, running gear assembly, and lights) shall be in accord with federal H.U.D. rules and regulations title 24, chapter 11, subpart J part 280 effective June 15, 1976 (24 CFR 280) and as thereafter amended. In addition thereto, all tires used in transportation of mobile homes under this category shall be in accord with Federal Motor Carrier Safety regulations title 49, chapter 111, subchapter B, part 393 effective October 1, 1975, and as thereafter amended.)) of the mobile home, including running gear assembly, shall comply with the rules and regulations adopted by the United States Department of Housing and Urban Development (24 CFR 280 (1976) and as thereafter amended). Tires shall comply with applicable Federal Motor Carrier Safety Regulations, Title 49, chapter 111. Those mobile homes not certified as qualifying to the minimum H.U.D. specifications ((herein,)) shall have brakes on ((a minimum of)) at least two axles and on four wheels. Units ((that are)) of sixty feet or more in length shall have at least three full axles, ((provided,)) except that 12-foot wide mobile homes manufactured prior to November 1, 1970, may be moved with a minimum of two axles. The brakes shall be under the control of the driver from the cab of the towing vehicle, and shall be adequate to control the mobile home and its load((, and)). They shall be so designed and connected that they shall automatically apply in case of accidental breakaway from the towing vehicle. A wet-cell or approved battery with a full charged rating of 12 volts will be installed in the mobile home to actuate electric brakes in the event of a breakaway. The minimum track width between two wheels on ((an)) the same axle shall be ((not less than)) eight feet. Track width shall be measured from the outer edges of the road bearing tread of tires on a single axle. Tires shall have no signs of separation or excessive aging((;)) and shall be inflated to the maximum recommended tire pressure and have tread depth no less than 3/32nd inch in any part of tire contacting the road. Recapped or retreaded tires are not allowed. Minimum combined load rating of mobile home tires must be in excess of their in-transit load. Axles and wheels must be properly aligned to minimize wear and overheating of tires.

(c) The open side((s)) of half sections of mobile homes shall be covered ((with rigid material such as plywood, hardboard, or similar material, in lieu of rigid material, suitable plastic polyethylene or other material with a minimum .5 mil thickness may be used provided a

rigid grillwork of squares, not exceeding four feet on a side, prevents)) in such a way as to prevent billowing of the ((flexible)) covering material.

(d) ((Rear mounted turn and stop signal lights shall be in accord with Federal Motor Vehicle Safety Standard No. 108 effective January 1, 1972, and as thereafter amended:

(e) If mobile home is to transport furnishings or other loose objects, they)) Furnishings or loose objects within the mobile home shall be secured in positions to achieve proper weight and balance.

((f) Be in accord with Federal H.U.D. Mobile Home Construction and Safety Standards title 24, chapter 11, part 280, effective June 15, 1976, and as thereafter amended:))

(10) Tow vehicles:

(a) Tow vehicles shall comply with the following minimum requirements:

MOBILE HOME WIDTH TO BE TOWED	DRIVE AXLE TIRE WIDTH	DRIVE AXLE TIRE RATING	DRIVE AXLE GROSS CURB WEIGHT	(1) WEIGHT	REAR AXLE RATING
Over 8' to 10'	7.00"	6 ply	(2)	6,000#	(2)
Over 10' to 12'	8.00"	8 ply	35,000(3)	8,000#	15,000#
Over 12' to 14'	8.25"	10 ply	35,000#	9,000#	15,000#

- (1) Includes fuel and accessories prior to hook-up with mobile home.
- (2) Not required.
- (3) May be waived for older vehicles.

(b) Conventional or cab-forward configuration shall have a minimum wheelbase of 120 inches. Cab-over engine tow vehicles shall have a minimum wheelbase of 89 inches. ((Two)) Tow vehicles shall have a minimum 4-speed transmission. Power shall be sufficient to meet the requirements listed.

(c) Electrical brake controls, wiring and connections to mobile home brake systems will be capable of producing rated voltage and amperage at the mobile home brake magnets in accordance with the mobile home brake manufacturer's specifications.

(11) Signs and flags: ((Provisions of WAC 468-38-200 and 468-38-240 will apply and in addition thereto, sign length)) In addition to the requirements of WAC 468-38-190, the OVERSIZE LOAD sign will be attached horizontally on the rear of the trailer home with the bottom edge ((not less than six feet nor more than)) between five and seven feet above the road surface. Sign material shall be impervious to moisture, clean and mounted with adequate supporting anchorage to provide legibility at all times.

(12) Lights: In addition to provisions of WAC ((468-38-230)) 468-38-170, 6-inch diameter flashing amber lights with a minimum of 35 candle power shall be mounted on the upper outer edges of the rear of the trailing unit. They shall be operated with a flashing cycle of 60-120 times per minute during transit. Wiring and connections shall be in good working order.

(13) Travel speeds for mobile homes((:

(a) The maximum speed on sections of highway posted for 55 miles per hour will be 45 miles per hour and the minimum speed will be 35 miles per hour, except

where traffic or roadway conditions require a lower speed:

(b) The maximum speed on sections of highway posted for 50 miles per hour will be 40 miles per hour and the minimum speed will be 35 miles per hour, except when traffic or roadway conditions require a lower speed)) shall be as set forth in WAC 468-38-340.

(14) ((In addition to the provisions of WAC 468-38-330, movement of)) Mobile homes ((will be made with maximum consideration for safety and with the least possible inconvenience for the traveling public. Units)) traveling in rural areas shall maintain adequate spacing of at least one-half mile between any two mobile home units. All units shall maintain a minimum distance of from 400 to 500 feet behind any truck, truck-tractor or trailer which could impair the visibility of an overtaking vehicle.

(15) ((On multiple lane routes,)) The mobile home unit shall be operated in the right ((outside or number (†)) lane(;) except when passing. On two-lane highways, units shall not pass other vehicles(;) except when required to ((safely)) pass a vehicle ((operating at speeds less than the minimum specified in these regulations)) being operated at a speed so slow as to hinder the safe flow of traffic.

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

WAC 468-38-130 ((EMERGENCY CLOSURE AND LOAD RESTRICTIONS ON STATE HIGHWAYS)) LIGHTS-STOP AND TURN SIGNALS. ((†) In accordance with the provisions of RCW 46.44-.080, whenever due to emergency conditions the use of a state highway by all vehicles or by vehicles whose gross tire loads exceed those described in either schedule contained in subsection (2) of this section, will damage the highway or will be dangerous to traffic using the highway, the department of transportation shall without delay close such highway temporarily to all vehicles or to a designated class of vehicles, as the case may be, by posting notices at each end of the closed portion of highway and at all intersecting state highways:

(2) When imposing load restrictions pursuant to this section, the department of transportation shall specify and display by posted signs whichever of the following schedules of emergency load restrictions is necessary to protect the highway from damage in accordance with the conditions then existing:

**EMERGENCY LOAD RESTRICTIONS**

CONVENTIONAL TIRES		TUBELESS OR SPECIAL WITH .5 MARKING	
TIRE SIZE	GROSS LOAD EACH TIRE	TIRE SIZE	GROSS LOAD EACH TIRE
7.00	1800 lbs.	8-22.5	2250 lbs.
7.50	2250 lbs.	9-22.5	2800 lbs.
8.25	2800 lbs.	10-22.5	3400 lbs.
9.00	3400 lbs.	11-22.5	4000 lbs.
10.00	4000 lbs.	11-24.5	4000 lbs.
11.00	4500 lbs.	12-22.5	4500 lbs.
12.00		12-24.5	
& over	4500 lbs.	& over	4500 lbs.

**SEVERE EMERGENCY LOAD RESTRICTIONS**

CONVENTIONAL TIRES		TUBELESS OR SPECIAL WITH .5 MARKING	
TIRE SIZE	GROSS LOAD EACH TIRE	TIRE SIZE	GROSS LOAD EACH TIRE
7.00	1800 lbs.	8-22.5	1800 lbs.
7.50	1800 lbs.	9-22.5	1900 lbs.
8.25	1900 lbs.	10-22.5	2250 lbs.
9.00	2250 lbs.	11-22.5	2750 lbs.
10.00	2750 lbs.	11-24.5	2750 lbs.
11.00		12-22.5	
& over	3000 lbs.	& over	3000 lbs.

(a) No allowance will be made for any second rear axle that is suspended from the frame of a vehicle independent of the regular driving axle, commonly known as a "rigid trail axle". Allowance will be made for single tires only, on the front axle of any truck.

(b) The load distribution on any one axle of any vehicle shall be such that it will not load the tires on said axle in excess of the prescribed load set forth in this section: PROVIDED, That a truck, truck tractor, passenger bus or school bus having conventional 10.00 x 20 tires or 11-22.5 tires, or larger, may carry a maximum load of 10,000 lbs. on the front axle over any state highway placed under Emergency Load Restrictions.

(3) Permits may be issued by the department of transportation to allow the operation of school buses and motor trucks transporting perishable commodities or commodities necessary for the health and welfare of local residents on such state highways as may be closed or restricted in accordance with RCW 46.44.080, subject to specific weight and speed restrictions as may be deemed necessary by the department of transportation to protect highways from undue damage.

(4) This rule shall not supersede or modify any rule in force establishing load limitations on state highway bridges.) Permits will be issued to move only vehicles equipped with brake lights and turn signals as required by RCW 46.37.200.

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

WAC 468-38-140 ((LOAD LIMITATION ON STATE ROUTE 11)) **FLAGS.** ((All vehicles over 10,000 pounds gross weight shall be prohibited from using State Route 11 between Mile Post 10.79 at Oyster Creek and Mile Post 14.28 in the vicinity of Larrabee State Park, a distance of 3.49 miles except those vehicles connected with the operation, maintenance and construction of the highway, and emergency vehicles.)) All flags shall be clean, bright red flags at least 12 inches square. They shall be displayed so as to wave freely on all four corners of overwidth objects and at the extreme ends of all protrusions, projections, or overhangs.

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

WAC 468-38-150 ((SPECIAL PERMITS FOR MOVEMENT OVER STATE HIGHWAYS OF OVERLEGAL SIZE OR WEIGHT LOADS)) **FLAG-PERSONS.** ((1) Pursuant to the provisions of these

rules, special permits may be issued for movement of overlegal size or weight loads, other than those types of loads covered by other rules of the department of transportation, when:

(a) Application has been submitted in person, in writing, or by other approved method, good cause has been shown, and the applicant is competent to make the move.

(b) The applicant has shown that the load to be moved cannot reasonably be dismantled or disassembled, except as otherwise provided in subsection (2) of this section.

(c) The vehicle, combination, or load has been dismantled and made to conform with legal limitations where practical. Reductions shall be made even though the use of additional vehicles becomes necessary, except as otherwise provided in subsection (2) of this section.

(d) The vehicle or vehicle and load has been thoroughly described and identified; the points of origin and destination and the route of travel have been stated and approved.

(e) The proposed move has been determined to be "not inconsistent with traffic safety."

(f) The permittee affirms that:

(i) The vehicles have been properly licensed to make the proposed move or carry the load described in accordance with the provisions of Washington law;

(ii) The drivers and owners of the vehicles have met all financial responsibility requirements imposed by law;

(iii) The drivers are properly licensed to operate in Washington in the manner proposed; and

(iv) When the permit is requested, such action shall be deemed an unequivocal allegation by the permittee that all operational and financial responsibility requirements have been complied with.

(g) All applicable rules pertaining to the issuance of any special permit shall be complied with.

(2) The provisions of subsection (1) (b) and (c) of this section may be waived and a permit issued when the width of a vehicle or load will not exceed eight feet six inches. Safety appliances may extend beyond the approved width by no more than two inches as defined in RCW 46.44.010 despite the fact that this results in a width in excess of eight feet six inches.)) (1) The flagperson shall be an employee or an agent of the permittee, shall be at least eighteen years of age, and shall have a red flag at least 12 inches square mounted on a staff. The flagperson may ride in the cab of the motor vehicle operating under permit or in another vehicle. One flagperson may not be assigned to two or more simultaneous moves.

(2) The flagperson shall dismount and direct traffic at all locations where traffic may be obstructed, or when it is necessary to infringe on the opposing traffic lane because of breakdown or other cause. The flagperson shall warn traffic through the use of the red flag of the approaching load at danger points such as bridges, tunnels, and sharp corners where the operator of the vehicle or vehicles plans to turn.

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

~~WAC 468-38-160 ((SPECIAL PERMITS FOR MOVEMENT OVER STATE HIGHWAYS OF OVERLEGAL SIZE OR WEIGHT LOADS—LIABILITY OF PERMITTEE))~~ SIDE MIRRORS FOR OVERWIDE LOADS. ((Permits are granted with the specific understanding that the permittee shall be responsible and liable for accidents, damage or injury to any person or property resulting from the operation of the piece of equipment covered by the permit upon public highways of the state, and that the permittee shall hold blameless and harmless and shall indemnify the state of Washington, department of transportation and members thereof, its officers, agents and employees against any and all claims, demands, loss injury, damage, actions and costs of actions whatsoever, which they or any of them may sustain by reasons of unlawful acts, conducts or operations of the permittee in connection with the operations covered by the permit.)) Side mirrors shall be so mounted on vehicles hauling overwide loads that the driver can see the highway for a distance of two hundred feet to the rear of the vehicle.

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

~~WAC 468-38-170 ((SPECIAL PERMITS FOR MOVEMENT OVER STATE HIGHWAYS OF OVERLEGAL SIZE OR WEIGHT LOADS—MAXIMUMS FOR SPECIAL PERMITS))~~ AMBER LIGHTS ON ESCORT VEHICLES. ((~~(1) Overwidth: 14 feet on any 2-lane highway. (See also Buildings); 20 feet on any multiple lane highway where a physical barrier serving as a median divider separates the oncoming and opposing traffic lanes; 32 feet on any multiple lane undivided highways. RCW 46.44.092.~~

(2) Overheight: Governed by the clearance of overhead obstructions such as bridges, underpasses, wires, sign bridges, etc. Highways listed on a special permit for an overheight load as a primary route from starting point to destination does not insure the route to be free of low overhead structures. It is the responsibility of the permittee to check the proposed route and detour when necessary. County or city road detours for this purpose require authorization from respective jurisdictions.

(3) Overlength: Controlled by the route to be traveled and the ability to negotiate curves, interchanges, entrance and exit roadways, etc. In all instances, the general safety of the public is considered paramount.

(4) Overweight: 22,000 pounds on a single axle. (See also weight construction equipment); 43,000 pounds on dual (tandem) axles. RCW 46.44.091.) Two 4 inch minimum flashing amber lights or a single rotating amber flashing beacon will be displayed above the roof line of car escorts and plainly visible. The amber lights used for these purposes shall meet SAE Standard Specification (SAE J-59 5b), "Flashing Warning Lamps for Authorized Emergency, Maintenance and Service Vehicles." These amber lights will operate at all times during movement of oversize unit.

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

~~WAC 468-38-180 ((SPECIAL PERMITS FOR MOVEMENT OVER STATE HIGHWAYS OF OVERLEGAL SIZE OR WEIGHT LOADS—ESCORT CAR REQUIREMENTS))~~ BRAKES. ((Escort cars are required:

(1) When vehicle, vehicles or load is over 10 feet in width, escort cars (both front and rear) are required when the highway to be traversed is a two-lane highway.

(2) When vehicle, vehicles or load is over 12 feet in width, one escort car in rear of movement will be required on multiple-lane highways unless otherwise specified on permit maps furnished by the department of transportation.

(3) When vehicle, vehicles or load is over 20 feet in width, escort cars both in front and rear of movement will be required when highway to be traversed is a multiple-lane, undivided highway.

(4) When overall length of load, including vehicles, exceeds 100 feet or when rear overhang of load from the last axle exceeds one-third of total length, one escort car or by express authority set forth in the permit a riding flagman will be required on 2- and 3-lane highways.

(5) When overall length of load, including vehicles, exceeds 140 feet, one rear escort car will be required when movement is on multiple-lane highways.

(6) When in the opinion of the department of transportation, escort cars are necessary to protect the traveling public, for any overdimension and/or overweight move either across, upon, or along a highway.)) (1) Every motor vehicle or combination of motor drawn vehicles shall be capable, at all times and under all conditions of loading, of being stopped on a dry, smooth, level road free from loose material, upon application of the service brake, within a distance of 50 feet decelerating from 20 miles per hour.

(2) Permits will not be issued to equipment "in tow" without brakes unless a three axle truck with a minimum unladen weight of 15,000 pounds is employed as the power unit and is equipped with sufficient power and brakes to control at all times the vehicle being towed, in accordance with subsection (1) of this section.

(3) All vehicles must meet the requirements of chapter 46.37 RCW relating to brakes unless it is specifically stated on the permit that the vehicle is exempted from these requirements.

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

~~WAC 468-38-190 ((SPECIAL PERMITS FOR MOVEMENT OVER STATE HIGHWAYS OF OVERLEGAL SIZE OR WEIGHT LOADS—TYPE OF ESCORT CARS))~~ SIGNS. ((Cars must be furnished by the permittee. Escort cars may be a passenger car or a 2-axle truck with a minimum wheelbase of 95 inches and a maximum curb weight not to exceed 10,000 pounds except when used as escort vehicle, an unladen tow vehicle may exceed 10,000 pounds.

Escort cars will be of such design so as to afford the driver clear and unobstructed vision both front and rear.

~~Escort cars will be in safe operational condition, properly licensed and obey all traffic laws.~~

~~Escort car operators shall be experienced in the operation of escort vehicles, and no unnecessary passengers who could distract operator in escort vehicles shall be permitted.~~

~~When required, pilot escort cars will travel at a distance of approximately 800-1,500 feet in front of and to the rear of the load except that this distance will be reduced in urban areas, at major intersections, and at structures less than 28 feet curb to curb width.~~

~~When dictated by hazardous conditions the pilot car driver will act as a flagman for traffic control and will signal by hand or by radio to the towing vehicle driver when he can proceed without conflict with approaching traffic.~~

~~The driver of the rear escort car will act as a flagman when hazardous conditions exist and in turning movements will advise the towing vehicle driver as to clearance in turning movements and of accumulations of overtaking traffic so the driver can provide an opportunity to pass.~~

~~When required, the rear escort car will travel far enough behind the load to provide adequate warning for overtaking vehicles and safe space for the rear escort car and the trailing unit for passing vehicles. All escort cars shall carry a minimum of three approved emergency fuses and red flags.~~

~~Pilot car operators shall be properly licensed to operate the vehicle. PROVIDED, When uniformed off-duty law enforcement officers act as escorts, using official police cars or motorcycles, the preceding car requirements shall not be applicable.)~~ OVERSIZE LOAD signs (at least 5 feet wide and 10 inches high with 1 inch stroke on yellow background) will be mounted on the front of the towing vehicle and on the rear of the load or trailing unit and above the roof line of escort cars a minimum of five feet above the roadway surface measured from the bottom of the sign. If the nature of the towing vehicle or load is such that the sign cannot be mounted five feet above the roadway surface, it shall be placed above the front bumper or as high as practicable on the vehicle or load. Such signs are to be displayed only when the unit is in transit and must be removed or retracted at all other times. Such signs shall be clean and clearly legible at a distance of five hundred feet during clear weather.

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

~~WAC 468-38-200 ((SPECIAL PERMITS FOR MOVEMENT OVER STATE HIGHWAYS OF OVERLEGAL SIZE OR WEIGHT LOADS—FLAGS)) SAFETY CHAINS AND DEVICES. ((All flags shall be clean, bright red flags at least 12 inches square. They shall be displayed so as to wave freely on all four corners of overwidth objects and at the extreme ends of all protrusions, projections, or overhangs.)) Special permits will not authorize the operation of any vehicle upon the public highways of this state without having the load thereon securely fastened and protected by safety chains or other load securing device. Dragging of load on the roadway will not be permitted. Vehicles with~~

a boom or structural erection member attached thereto must have the boom or member secured in such a manner that it will not elevate or sway in transportation.

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

~~WAC 468-38-210 ((SPECIAL PERMITS FOR MOVEMENT OVER STATE HIGHWAYS OF OVERLEGAL SIZE OR WEIGHT LOADS—QUALIFICATIONS FOR FLAGMAN)) TWO-WAY RADIO. ((The flagman shall be an employee or an agent of the permittee, may be either male or female, shall be at least eighteen years of age, and shall be equipped with a red flag not less than 12 inches square mounted on a staff. He may ride in the cab of the motor vehicle with the driver, or may accompany the movement in another vehicle not being operated under permit authority. At least one flagman must accompany each move for which a flagman is stipulated in the permit. One flagman may not be assigned to two or more simultaneous moves.)) Both towing unit and escort vehicles shall be equipped with two-way radio facilities, licensed under federal communications commission regulations, adequate to provide reliable voice intercommunication between the drivers thereof at all times during which the oversize unit is in motion. The radio contact shall be capable of being sustained over a distance of at least one-half mile under conditions normally encountered along the route. The selected radio channel shall be continuously monitored by the drivers of the towing unit and the escort vehicle(s) at all times the oversize unit is in motion.~~

For the purpose of this requirement, radios designed for use under Federal Communications Commission Rules, Part 15, subpart E — low power communications devices, will not be considered acceptable.

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

~~WAC 468-38-220 ((SPECIAL PERMITS FOR MOVEMENT OVER STATE HIGHWAYS OF OVERLEGAL SIZE OR WEIGHT LOADS—DUTIES OF FLAGMAN)) MOVES IN CONVOY. ((The flagman shall dismount and direct traffic at all locations where traffic may be obstructed, or when it is necessary to infringe on the opposite bound traffic lane due to breakdown, pulling on or off the road, or other causes. Through the use of the red flag, he shall warn traffic of the approaching load at danger points such as bridges, tunnels, and sharp corners where the vehicle or vehicles plan to turn.)) Vehicles traveling under permit authority requiring pilot cars may not travel in convoy, unless they are moving farm implements.~~

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

~~WAC 468-38-230 ((SPECIAL PERMITS FOR MOVEMENT OVER STATE HIGHWAYS OF OVERLEGAL SIZE OR WEIGHT LOADS—AMBER LIGHTS ON ESCORT VEHICLES)) DAYS~~



ON WHICH PERMIT MOVEMENTS ARE PROHIBITED. ((Two 4 inch minimum flashing amber lights or a single rotating amber flashing beacon will be displayed on the top, above the roof line of car escorts and plainly visible. The amber lights used for these purposes shall meet SAE Standard Specification (SAE J-59-5b); "Flashing Warning Lamps for Authorized Emergency, Maintenance and Service Vehicles." These amber lights will operate at all times during movement of oversize unit.)) Oversize movements are prohibited on Fridays after 2:00 p.m. if width is in excess of 10 feet; all other overlegal movements prohibited after 4:00 p.m. Fridays and after 12:00 noon on Sundays. Overlegal movements are prohibited on the holidays of New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, and during the afternoon of the day preceding said holidays. Should any of the holidays fall on a Saturday or Sunday, the preceding Friday or the following Monday shall be considered such holiday.

Movements may be made on holidays that are not universally observed, provided they do not conflict with the policy for Fridays and Sundays, e.g., Lincoln's Birthday, Washington's Birthday, Columbus Day, Veterans' Day and General Election Day.

#### NEW SECTION

WAC 468-38-235 COMMUTER TRAFFIC RESTRICTIONS. Movement by special permit will be prohibited on urban sections of state highways in the vicinity of cities having a population of more than 15,000 during the morning and evening commuting hours and other sections of state highways having excessive volumes. The department shall prescribe specific hours and regulations for oversize movements in and adjacent to Seattle, Tacoma, Spokane, Everett, Vancouver and other areas as deemed necessary.

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

WAC 468-38-240 ((~~SPECIAL PERMITS FOR MOVEMENT OVER STATE HIGHWAYS OF OVERLEGAL SIZE OR WEIGHT LOADS—SIGNS~~)) CARGO PROHIBITION ON REVERSIBLE LANE ROADWAYS. ((~~"Oversize load" signs meeting the minimum standards of the department of transportation will be mounted on the front of the towing vehicle and on the rear of the load or trailing unit and above the roof line of escort cars, a minimum of 5 feet from the roadway surface measured from the bottom of the sign. A variance of this sign mounting requirement will be granted only when, due to nature of the towing vehicle and load, the sign is mounted above the front bumper or as high as practicable on vehicle or load. Such signs will be displayed only when the unit is in transit and must be removed or retracted at all other times.~~)) Trucks carrying flammable liquid cargoes are prohibited from using the reversible lanes on SR 5, Seattle Freeway, between James Street and 110th Street N.E. The term "flammable liquid" as applied to this rule shall be as defined in RCW 46.04.210.

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

WAC 468-38-250 ((~~SPECIAL PERMITS FOR MOVEMENT OVER STATE HIGHWAYS OF OVERLEGAL SIZE OR WEIGHT LOADS—TWO-WAY RADIO~~)) DAYS ON WHICH PERMITS NOT ISSUED. ((~~Both towing unit and escort vehicles shall be equipped with two-way radio facilities, licensed under federal communications commission regulations, adequate to provide reliable voice intercommunication between the drivers thereof at all times during which the oversize unit is in motion. Transmitting and receiving capabilities of the radio facilities employed shall be adequate to provide the required intercommunication over a minimum distance of one-half mile separation under conditions normally encountered along the proposed route. Communication shall be established between escort units and towing unit at the start of the movement and maintained at intervals during the movement sufficient to provide assurance of intercommunication capability. The selected radio channel shall be continuously monitored by both towing unit and escort vehicle drivers at all times oversize unit is in motion. Note: For the purpose of this requirement, radios designed for use under Federal Communications Commission Rules, Part 15, Subpart E—low power communication devices will not be considered acceptable.~~)) All offices of the department authorized to issue permits for the movement of vehicles or loads of excess size or weight are closed on Saturdays, Sundays and legal holidays. Consequently, permits will not be issued on these days. Applicants are required to arrange moving schedules and apply for permits sufficiently in advance of the moving dates to allow for this contingency.

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

WAC 468-38-260 ((~~SPECIAL PERMITS FOR MOVEMENT OVER STATE HIGHWAYS OF OVERLEGAL SIZE OR WEIGHT LOADS—DAYS UPON WHICH PERMIT MOVEMENTS ARE PROHIBITED~~)) NIGHT-TIME MOVEMENTS. ((~~Oversize movements are prohibited on Fridays after 2:00 p.m. if width is in excess of 10 feet; all other overlegal movements prohibited after 4:00 p.m. Fridays, after 12:00 noon on Saturdays, on Sundays and on the holidays of New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, and during the afternoon of the day preceding said holidays. Should any of the holidays fall on a Saturday or Sunday, the preceding Friday or the following Monday shall be considered such holiday.~~)) Special permits will authorize overlegal movements only during daytime hours under normal atmospheric conditions, except that movements up to 10 feet wide may be made by permit at night on highways whose lanes of travel are at least 12 feet wide. No movements shall be made when visibility is reduced to less than 1,000 feet or when hazardous roadway conditions exist. Daytime means from one-half hour before sunrise to one-half hour after sunset. Night-time means any other hour. It shall be the responsibility of

the permittee to discontinue movement and remove the unit from the highway when any of the above conditions exist which could create an unsafe movement.

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

WAC 468-38-270 ((SPECIAL PERMITS FOR MOVEMENT OVER STATE HIGHWAYS OF OVERLEGAL SIZE OR WEIGHT LOADS—PERMITS NOT ISSUED ON SATURDAYS, SUNDAYS OR HOLIDAYS)) CONSTRUCTION EQUIPMENT. ((All offices of the department authorized to issue permits for the movement of vehicles or loads of excess size or weight are closed on Saturdays, Sundays and legal holidays. Consequently, permits will not be issued on these days. Applicants are required to arrange moving schedules and apply for permits sufficiently in advance of the moving dates to allow for this contingency. Movements may be made on holidays which are not universally observed: PROVIDED, They do not conflict with the policy for Fridays, Saturdays and Sundays. i.e. Lincoln's Birthday, Washington's Birthday, Columbus Day and General Election Day.)) Pursuant to RCW 46.44.091(3), permits may be issued to move equipment on approved highways whose single axle weight is not more than 45,000 pounds if operating on single pneumatic tires having a rim width of 20 inches or more and a rim diameter of 24 inches or more. If the vehicle has dual pneumatic tires, the rim width shall be at least 16 inches and the rim diameter shall be at least 24 inches.

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

WAC 468-38-280 ((SPECIAL PERMITS FOR MOVEMENT OVER STATE HIGHWAYS OF OVERLEGAL SIZE OR WEIGHT LOADS—WINTER ROAD RESTRICTIONS)) SPECIAL EQUIPMENT. ((During the period of winter restrictions, permits shall not be issued for movement on routes posted for restricted weight and speed limits unless the tire sizes and number meet the requirements for waiver of such restrictions. The movement of units whether driven, towed or hauled is prohibited in areas where "Approved Traction Devices Recommended," "Approved Traction Devices Required" or "Tire Chains Required" signs are displayed. Special permits for movements over mountain passes (Snoqualmie, Stevens, Sherman, Blewett, White and Satus) will not be valid during periods when snow is falling to a degree that the visibility is limited to less than 1,000 feet; immediately following a severe storm when snow removal equipment is working; when fog or rain limits visibility to less than 1,000 feet; or when compact snow or ice conditions require the use of chains. If after a move is undertaken, hazardous conditions are encountered, it shall be the responsibility of the permittee to remove the oversize load from the highway, and he shall not proceed until conditions have abated and he has obtained clearance from the nearest department of transportation office or the Washington state patrol. PROVIDED, That no permits will be issued for 14 feet

wide mobile homes during the winter months commencing on a date to be determined by the secretary of transportation when snow conditions on any portion of Snoqualmie Pass first restrict the movement of such vehicles off the traveled portion of the highway onto shoulder areas. The prohibition of movement of such vehicles over Snoqualmie Pass shall continue until such time that the secretary determines that snow conditions on that pass which would restrict movement of such vehicles onto shoulder areas will probably not recur for the year. This restriction shall be effective when properly posted by the department of transportation.)) Special equipment employing axle groupings other than the conventional single or tandem axle must first be approved by the department before permits will be granted authorizing the unit to operate on state highways.

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

WAC 468-38-290 ((SPECIAL PERMITS FOR MOVEMENT OVER STATE HIGHWAYS OF OVERLEGAL SIZE OR WEIGHT LOADS—NIGHT-TIME MOVEMENTS PROHIBITED)) FARM IMPLEMENTS. ((Special permits will authorize overlegal movements only during daytime hours under normal atmospheric conditions. No movements shall be made when visibility is reduced to less than 1,000 feet or when hazardous roadway conditions exist. Daytime means from one-half hour before sunrise to one-half hour after sunset. Night-time means any other hour. It shall be the responsibility of the permittee to discontinue movement and remove the unit from the highway when any of the above conditions exist, which could create an unsafe movement.)) (1) "Farm implements" means every device capable of being driven or drawn upon a highway which, when operated, directly affects the fertilizing, tilling, planting, cultivation or harvesting of crops of the soil.

(2) "Farm implements" does not include:

- (a) Implements having a gross weight of 45,000 pounds or more;
- (b) Those more than 20 feet wide;
- (c) Those not equipped with pneumatic tires;
- (d) Those more than 14 feet wide if not used for the harvest of mature crops; or
- (e) Spray or fertilizer applicator rigs or equipment auxiliary to any of these rigs which are wider than 8 feet when they are operated more than 50 miles from the dealer facility.

(3) Farm implements less than 14 feet in width do not require a special permit for movement on state highways other than fully controlled limited access highways. Other movements require a permit, the fees for which are listed in RCW 46.44.0941.

(4) Permits will not be granted for farm machinery over 20 feet wide.

(5) The movement of farm implements, whether exempt from obtaining a permit or not, shall be subject to the following regulations:

- (a) Width: If more than 8 feet, the implement must display bright red flags at least 12 inches square so as to

wave freely on all 4 corners of the vehicle and at extreme ends of all protrusions, projections, or overhangs.

(b) Distance: A farm implement must allow at least 500 feet between it and another vehicle so as not to impair the visibility of an overtaking vehicle. If 5 or more vehicles line up behind a farm implement, the farm implement is to pull off the roadway until traffic is cleared.

(c) Hours of movement: Implements may be moved only during daylight hours (i.e., one-half hour before sunrise to one-half hour after sunset). Movement is prohibited when visibility is less than 1,000 feet, or when hazardous conditions exist, as defined by the department of transportation or the state patrol. Movement on weekends is prohibited except during harvest seasons.

(d) Lights: The department may authorize movements outside daylight hours if an emergent harvest condition exists. Escort vehicles are required for such movements operating in accordance with the requirements set forth below. The farm implement or transporting vehicle shall also be equipped with rear red lights and red reflectors. In addition, it shall display 4 inch double face flashing amber lights mounted one on each side at the widest point on the farm implement so as to be visible to oncoming and overtaking traffic.

(e) Convoys: Convoying may be used to move farm implements. Two-way radio equipment shall be available to the farm implements and the escort vehicle.

(6) Signs and escorts are required for the movement of farm implements as follows:

(a) On two-lane state highways:

(i) If 8 to 10 feet wide, OVERSIZE LOAD signs visible to oncoming and overtaking traffic must be displayed. (These signs must meet the requirements of WAC 468-38-190. They must be displayed as high as practicable on the farm implement.)

(ii) If 10 to 20 feet wide, escort vehicles must precede and follow.

(b) On multiple-lane state highways:

(i) If 8 to 14 feet wide, the implement shall display an OVERSIZE LOAD sign on the rear.

(ii) If 14 to 20 feet wide, it shall be followed by an escort vehicle.

(7) The use of escort vehicles shall be as prescribed in WAC 468-38-100 and 468-38-110.

(8) A flagperson may be used instead of an escort vehicle when authorized by permit.

(a) A flagperson shall be an agent or an employee of the person moving the farm implement, and must be at least 18 years old. The flagperson shall have a red flag not less than 12 inches square mounted on a staff, and may ride in the cab or in another vehicle. A flagperson is required if stipulated in the permit.

(b) The flagperson may get out of the vehicle and direct traffic whenever traffic is obstructed, or where necessary to infringe on the opposite lane of traffic. The flagperson shall warn traffic of the approaching load at danger points.

(9) Posting a route may be used in lieu of the requirement for pilot cars. The following conditions must be met:

(a) The intended route can be no more than 2 miles along public highways.

(b) Signs must be posted on the shoulder of the right side of the roadway no more than 12 feet from the edge of the traffic lane.

(c) Signs shall read "OVERSIZE VEHICLE MOVING AHEAD" and be posted on a square at least 36 inches on each side in black lettering on a yellow background. They shall be removed as soon as possible after the farm implement has left the state highway.

(d) Signs shall not rest on the ground, and must be visible to vehicles approaching or turning onto the portion of state highway to be traveled.

(e) They shall be placed:

(i) In advance of the point where the farm implement enters the state highway;

(ii) In advance of the exit point; and

(iii) A sign on each side of the state highway near each access, public or private, to inform the driver of a vehicle turning onto the state highway in either direction.

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

WAC 468-38-300 ((SPECIAL PERMITS FOR MOVEMENT OVER STATE HIGHWAYS OF OVERLEGAL SIZE OR WEIGHT LOADS—HOURS MOVEMENTS NOT ALLOWED)) DRAWBAR—TOWLINES. ((Commuter Traffic Restrictions: Movement will be prohibited on urban sections of state highway in the vicinity of cities having a population of more than 15,000 during the morning and evening commuting hours and other sections of state highways having excessive traffic volumes. The department shall prescribe specific hours and regulations for oversize movements in and adjacent to Seattle, Tacoma, Everett, and other areas as deemed necessary.)) The drawbar or other connection between vehicles in combination shall be of sufficient strength to hold the weight of the towed vehicle on any grade where operated. No trailer shall whip, weave, or oscillate or fail to follow substantially in the course of the towing vehicle. When a disabled vehicle is being towed by means of a bar, chain rope, cable or similar means and the distance between the towed vehicle and the towing vehicle exceeds 15 feet, there shall be fastened on such connection in approximately the center thereof a white flag or cloth not less than 12 inches square.

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

WAC 468-38-310 ((SPECIAL PERMITS FOR MOVEMENT OVER STATE HIGHWAYS OF OVERLEGAL SIZE OR WEIGHT LOADS—))ADVERSE WEATHER. Moves may not be made when visibility is reduced to less than 1,000 feet or under hazardous roadway conditions deemed unsafe by the department of transportation or the Washington state patrol.

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

~~WAC 468-38-320 ((SPECIAL PERMITS FOR MOVEMENT OVER STATE HIGHWAYS OF OVERLEGAL SIZE OR WEIGHT LOADS—PATROL)) ENFORCEMENT OFFICER MAY RESTRICT MOVEMENTS. ((During those periods of adverse weather when overdimension vehicles and loads may otherwise be transported over highways under permit authority, should operating conditions be impaired or otherwise become hazardous due to inclement weather (which may include high winds), the Washington state patrol)) When movements by permit are being made, and adverse weather conditions arise, an enforcement officer, at ((their)) his discretion, may require the driver of the vehicle or combination to pull off the highway. ((They)) He may direct or escort a vehicle ((off the highway)) to a place of safety where it may be parked until weather conditions abate and the movement can be resumed under safe operating conditions. The Washington state patrol may determine that such weather conditions exist that certain classes of vehicle may not traverse the highway until those conditions abate.~~

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

~~WAC 468-38-330 ((SPECIAL PERMITS FOR MOVEMENT OVER STATE HIGHWAYS OF OVERLEGAL SIZE OR WEIGHT LOADS—)) CONSIDERATION OF TRAVELING PUBLIC. When five or more vehicles ((queue)) line up behind an oversize load, the unit is to be removed from the roadway at a place of safety and temporarily stopped until the traffic has cleared.~~

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

~~WAC 468-38-340 ((SPECIAL PERMITS FOR MOVEMENT OVER STATE HIGHWAYS OF OVERLEGAL SIZE OR WEIGHT LOADS—)) SPEED LIMITS. (1) Unless otherwise stated, maximum speeds for vehicles, combination of vehicles, or vehicles and loads being operated under permit shall be as posted for trucks.~~

~~(2) When travel on the roadway shoulder is required on a two-lane highway(;) to allow overtaking traffic to pass, the speed will not exceed 25 miles per hour.~~

~~(3) The speed limit contained in a permit ((has been)) is listed as one of the conditions upon which the permit has been issued. This stated speed limit ((takes precedence over any maximum or minimum speed limit that may be posted on any highway)) shall not be exceeded, but if a lower limit is posted on any highway, it shall take precedence. Violation of the speed limit contained in the permit will render the permit null and void.~~

~~(4) Speed limits shall be as follows:~~

~~(a) On two-lane highways in rural areas, 45 miles per hour.~~

~~(b) On multiple-lane highways (for all moves including 12-foot width), as posted.~~

(c) On multiple-lane highways (for moves over 12-foot width), 50 miles per hour.

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

~~WAC 468-38-350 ((SPECIAL PERMITS FOR MOVEMENT OVER STATE HIGHWAYS OF OVERLEGAL SIZE OR WEIGHT LOADS—)) LANE OF TRAVEL. ((On multiple lane routes the oversize unit shall be operated in the right outside or number one lane, except when passing. On two-lane highways no passing will be permitted, except when required to safely pass a vehicle operating at speeds less than the minimum specified in these regulations. Exception: When permit requires crossing structures on inside lane or on centerline.)) The vehicle or combination moving by permit shall be operated in the right lane except when passing.~~

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

~~WAC 468-38-360 ((SPECIAL PERMITS FOR MOVEMENT OVER STATE HIGHWAYS OF OVERLEGAL SIZE OR WEIGHT LOADS—MOVES IN CONVOY)) BUILDINGS. ((Vehicles traveling under permit authority requiring pilot cars may not travel in convoy.)) (1) Width includes all eaves, porches, or other parts attached during movement.~~

~~(2) Movement of a high building will only be permitted if compatible with the structures on the route and the overhead wires, signs and traffic signals. In any movement of a building that requires dropping of any overhead service wire, it is the responsibility of the mover to make all arrangements with the power and telephone companies involved. If the move would require moving of overhead signs or signals, clearance must be obtained from the district administrator before the permit is granted.~~

~~(3) The district administrator shall determine whether the size of a building is such as to allow it to be moved by permit. He shall analyze the local traffic patterns and space to make that determination.~~

~~(4) Pilot cars will be used when required by the provisions of WAC 468-38-100.~~

~~(5) The maximum speed shall not exceed 25 miles per hour.~~

~~(6) No permit will be granted for dollies equipped with hard rubber or solid cushion rubber tires.~~

~~(7) Movement of buildings over 14 feet wide on two-lane state highways may be permitted under the following conditions:~~

~~(a) Controlled vehicular traffic shall be maintained as necessary at all times. The maximum traffic delay shall be five minutes, as estimated by the designated department employee.~~

~~(b) The maximum distance of the movement shall not exceed five miles. Additional contiguous permits shall not be issued to exceed the five mile limit. The department may, however, approve the movement for a distance greater than five miles if it determines that a hardship would otherwise result.~~

(c) Prior to issuing a permit, a qualified department of transportation employee shall make a visual inspection of the building and route involved determining that the conditions listed in this section shall be met and that structures or overhead obstructions may be cleared or moved in order to maintain a constant and uninterrupted movement.

(d) Special escort and other precautions may be imposed to assure movement is made under the safest possible conditions, and the Washington state patrol shall be advised when and where the movement is to be made.

AMENDATORY SECTION (Amending Order 25, Resolution 119, filed 7/22/81)

WAC 468-38-370 ((SPECIAL PERMITS FOR MOVEMENT OVER STATE HIGHWAYS OF OVERLEGAL SIZE OR WEIGHT LOADS—LOADING RESTRICTIONS AND REQUIREMENTS)) TRIPLE SADDLEMOUNTS. ((+)-The vehicle, combination or load must be reduced or disassembled to a practical minimum. Loads created by means of welding, bolting or tying will be construed to be reducible. Reductions shall be made even though the use of additional vehicles becomes necessary.

(2) Tracked vehicles must be loaded longitudinally upon the hauling unit.

(3) Oversize hauling units in a combination over sixty-five feet in length, fourteen feet in height, or eight feet six inches in width will be authorized to be used under permit authority only when the article to be hauled cannot reasonably be dismantled or disassembled and the size of such article equals or exceeds out-size dimensions of hauling unit. Oversize hauling units in a combination over sixty-five feet in length, fourteen feet in height, or eight feet six inches in width shall not be used to haul objects which can readily be reduced and hauled within the limits of a legal vehicle or combination of vehicles.

(4) Notwithstanding the provisions of subsections (1) and (3) of this section a vehicle or load exceeding eight feet in width may be allowed by permit provided it does not exceed eight feet six inches and providing such vehicle employs a minimum axle track of not less than 77-1/2 inches in width. Safety appliances may extend beyond the approved width by no more than two inches as defined in RCW 46.44.010 despite the fact that this results in a width in excess of eight feet six inches.)) (1) Definition: A combination of four vehicles used in a drive-away-tow-away operation with three vehicles in saddlemount position with the towing vehicle.

(2) Triple saddlemounts may be issued an annual permit to move on the state highway system in combinations up to 75 feet in length pursuant to RCW 46.44.0941.

(3) Vehicles operating in triple saddlemount combinations will meet specifications of the USDOT Federal Motor Carrier Regulations, parts 393.40-393.52 and 393.71.

(4) In triple saddlemount combinations, no towed vehicle will be permitted in lieu of saddlemount.

(5) Subject to limitations of RCW 46.44.041 a full mounted vehicle may be carried on the rear-most towed vehicle only.

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

WAC 468-38-390 ((SPECIAL PERMITS FOR MOVEMENT OVER STATE HIGHWAYS OF OVERLEGAL SIZE OR WEIGHT LOADS—SPECIAL EQUIPMENT)) WINTER ROAD RESTRICTIONS. ((Special equipment employing axle groupings other than the conventional single or tandem axle must first undergo a test inspection by the Washington state patrol before permits will be granted authorizing the unit to operate on state highways. The inspection report must be filed with the headquarters permit office before issuance of a permit will be authorized. Approved listings of such approved equipment will be maintained at each office.)) During periods when "Emergency Load Restrictions" or "Severe Emergency Load Restrictions" are in effect, only vehicles equipped with tires required by WAC 468-38-080 may operate under permit. Movement by permit of units whether driven, towed or hauled is prohibited in areas where any of the following signs are displayed: "Approved Snow Tires Recommended", "Approved Snow Tires Required", or "Tire Chains Required".

Special permits for movements over mountain passes (Snoqualmie, Stevens, Sherman, Blewett, White and Satus) will not be valid during periods when snow is falling to a degree that visibility is limited to less than 1,000 feet; immediately following a severe storm when snow removal equipment is operating; when fog or rain limits visibility to less than 1,000 feet; or when compact snow and ice conditions require the use of chains. If hazardous conditions are encountered after a move is undertaken, it shall be the responsibility of the permittee to remove the oversize load from the highway, and he shall not proceed until conditions have abated and he has obtained clearance from the nearest department of transportation office or the Washington state patrol.

The secretary of transportation may issue special permits for department vehicles used for snow removal or the sanding of highways during emergency winter conditions. Such permits shall also be valid for vehicles in transit to or from the work site. Limitations on movement during hours of the day or days of the week may be waived. Sign requirements may be waived if weather conditions render such signs ineffectual. Movements at night may be made only by department vehicles whose lights meet the standards for emergency maintenance vehicles established by the commission on equipment.

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

WAC 468-38-400 ((SPECIAL PERMITS FOR MOVEMENT OVER STATE HIGHWAYS OF OVERLEGAL SIZE OR WEIGHT LOADS—BRAKES—REQUIREMENTS)) LOAD LIMITATIONS ON STATE HIGHWAYS WITHIN MOUNT

RAINIER NATIONAL PARK. ((1) Every motor vehicle or combination of motor drawn vehicles shall be capable, at all times and under all conditions of loading, of being stopped on a dry, smooth, level road free from loose material, upon application of the service brake, within a distance of 50 feet decelerating from 20 m.p.h.

(2) Permits will not be issued to equipment "in tow" without brakes unless a three axle truck with a minimum unladen weight of 15,000 pounds is employed as the power unit and is equipped with sufficient power and brakes to control at all times the vehicle being towed, in accordance with subsection (1) of this section.)) The maximum gross weights of vehicles on SR 410 from the north boundary of Mount Rainier National Park to the east boundary at Chinook Pass, and on SR 123 from its junction with SR 410 to the south boundary of the park shall be as follows:

(1) No vehicle or trailer having a gross weight in excess of 5,000 pounds is permitted unless its use is in connection with the operation of the park or park concessioners holding contracts with the secretary of the interior.

(2) Buses having a gross weight in excess of 5,000 pounds may make regular or special runs provided authority is obtained from the park superintendent or his representative.

(3) Trucks and/or trailers having a gross weight in excess of 5,000 pounds per vehicle unit may be allowed:

(a) If used to haul pack or saddle stock or recreational supplies or equipment for use within the park;

(b) If used to haul materials to or from a mine situated in the park; or

(c) If used to carry stock used or grazed in the immediate vicinity of these highways.

Signs shall be posted at each entrance to the park on SR 410 and SR 123 indicating that the preceding load restrictions are in effect.

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

WAC 468-38-410 ((SPECIAL PERMITS FOR MOVEMENT OVER STATE HIGHWAYS OF OVERLEGAL SIZE OR WEIGHT LOADS—LIGHTS—STOP AND TURN SIGNALS)) LOAD LIMITATIONS ON CERTAIN STATE HIGHWAYS ADJACENT TO MOUNT RAINIER NATIONAL PARK. ((Permits will not be issued to allow movement of a vehicle not equipped with lights as provided by RCW 46.37.200.)) The limitations on gross weights listed in WAC 468-38-400 are applicable to SR 410 from the east boundary of the park to the American River resort, and to SR 123 from the south boundary of the park to its junction with SR 12. Authority to operate buses having a gross weight in excess of 5,000 pounds on these highways must be obtained from the department of transportation.

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

WAC 468-38-420 ((SPECIAL PERMITS FOR MOVEMENT OVER STATE HIGHWAYS OF

OVERLEGAL SIZE OR WEIGHT LOADS—SAFETY CHAINS AND DEVICES)) BRIDGE RESTRICTIONS. ((Special permits will not authorize the operation of any vehicle upon the public highways of this state without having the load thereon securely fastened and protected by safety chains or other device. Dragging of load on the roadway will not be permitted. Vehicles with a boom or structural erection member attached thereto must have the boom or member secured in such a manner that it will not elevate or sway in transportation.)) The department shall from time to time evaluate the capacity of all bridges on the state highway system to carry loads. Bridges that cannot safely carry vehicles moving without a permit shall be posted. Vehicles exceeding the posted load limit shall not cross the bridge.

Vehicles carrying overloads authorized by special motor vehicle permit may not cross restricted bridges noted on the permit.

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

WAC 468-38-430 ((SPECIAL PERMITS FOR MOVEMENT OVER STATE HIGHWAYS OF OVERLEGAL SIZE OR WEIGHT LOADS—DRAWBAR—TOWLINES)) LOAD LIMITATION ON STATE ROUTE 11. ((The drawbar or other connection between vehicles in combination shall be of sufficient strength to hold the weight of the towed vehicle on any grade where operated. No trailer shall whip, weave, or oscillate or fail to follow substantially in the course of the towing vehicle. When a disabled vehicle is being towed by means of a bar, chain rope, cable or similar means and the distance between the towed vehicle and the towing vehicle exceeds 15 feet, there shall be fastened on such connection in approximately the center thereof a white flag or cloth not less than 12 inches square.)) All vehicles over 10,000 pounds gross weight shall be prohibited from using State Route 11 between Mile Post 10.79 at Oyster Creek and Mile Post 14.28 in the vicinity of Larrabee State Park, a distance of 3.49 miles, except those vehicles connected with the operation, maintenance and construction of the highway, and emergency vehicles.

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

WAC 468-38-440 ((SPECIAL PERMITS FOR MOVEMENT OVER STATE HIGHWAYS OF OVERLEGAL SIZE OR WEIGHT LOADS—BUILDINGS)) RESERVATION OF FACILITIES FOR TRANSIT AND CARPOOLS. ((1) Width. Will include all caves, porches, etc., if attached during movement.

(2) Height. The maximum height will be governed by location of any structures on the route and by overhead wires, signs, or traffic signals. In all building movements involving heights that will require the dropping of any overhead service wire, it is the responsibility of the mover to make all arrangements with the power and telephone companies involved. If the move would require moving of overhead signs or signals, clearance must be

obtained from the district engineer involved before the permit is granted:

(3) Length: Local consideration will determine the length limitation of buildings:

(4) Pilot cars: The same requirements apply to buildings as to any overlegal load:

(5) Speed: Maximum speed shall not exceed twenty-five miles per hour. If overhead obstructions are involved, a slower speed will be required to insure safe passage:

(6) Hard rubber-tired dollies: No permit will be granted for dollies equipped with hard rubber or solid cushion rubber tires:

(7) Movement of buildings over 14 feet in width on two-lane state highways may be permitted under the following conditions:

(a) Uninterrupted vehicular traffic shall be maintained in one direction at all times:

(b) Maximum distance of movement shall not exceed five miles. Additional contiguous permits shall not be issued to exceed the five mile limit: PROVIDED, That when in the opinion of the department of transportation, a hardship would result, this limitation may be exceeded upon the approval of the department. RCW 46.44.092.

(c) Prior to issuing a permit, a qualified highway department employee shall make a visual inspection of the building and route involved determining that the conditions listed in this section shall be complied with and that structures or overhead obstructions may be cleared or moved in order to maintain a constant and uninterrupted movement:

(d) Special escort and other precautions may be imposed to assure movement is made under the safest possible conditions, and the Washington state patrol shall be advised when and where the movement is to be made:)) (1) The section of State Route 5 through the city of Seattle described in subparagraphs (a) and (b) herein, shall be used exclusively by rubber tired buses designated and operated by metro and three or more person car pools. All other traffic is prohibited from the use of these sections which shall be posted with proper signing, pavement marking, and traffic control devices installed in conformance with applicable requirements of the Manual on Uniform Traffic Control Devices.

(a) The entire reversible roadway exit-entrance on State Route 5 (Interstate 5) which serves Cherry Street and Columbia Street in Seattle. This entrance begins at the bifurcation of the lane serving the southerly reversible connection to the freeway mainline and the lane serving the Cherry-Columbia connection, reversible lane Mile Post 165.59, and extends southerly on the ramp roadway to its intersections on Fifth Avenue with both Columbia Street and Cherry Street.

(b) The most easterly lane of the reversible roadway in the southbound direction only from the Cherry-Columbia ramp exit, reversible roadway Mile Post 165.59, northerly 1.62 miles to reversible roadway Mile Post 167.21.

(2) The channelization of designated bus and three or more person car pool traffic exclusively into the defined sections of the easterly reversible lane and Cherry-

Columbia ramp shall be in effect at all times. The westerly lanes of the reversible roadway from Mile Post 165.59 to Mile Post 167.21, as well as all other portions of the roadway not specifically restricted herein, shall remain open to all motor vehicle traffic.

(3) The following facilities shall be restricted on those days and during those hours indicated by official traffic control devices:

(a) The westbound shoulder of SR 520 from 0.14 mile east of 76th Ave. undercrossing, milepost 4.22, to 108th Ave. N.E. westbound off-ramp, milepost 6.42, a distance of 2.20 miles, is reserved for the exclusive use of transit buses and three or more person carpools on weekdays only from 6:30 a.m. to 9:30 a.m.

(b) The southbound lanes of the Pike Street ramp from milepost 165.97 to milepost 166.13 is reserved for the exclusive use of transit buses and three or more person carpools.

#### REPEALER

The following sections of the Washington Administrative Code are repealed:

(1) WAC 468-38-380 SPECIAL PERMITS FOR MOVEMENT OVER STATE HIGHWAYS OF OVERLEGAL SIZE OR WEIGHT LOADS CONSTRUCTION EQUIPMENT.

(2) WAC 468-38-450 SPECIAL PERMITS FOR MOVEMENT OVER STATE HIGHWAYS OF OVERLEGAL SIZE OR WEIGHT LOADS—TRIPLE SADDLEMOUNTS.

(3) WAC 468-38-460 FARM IMPLEMENTS.

#### WSR 82-18-011

#### EMERGENCY RULES

#### DEPARTMENT OF FISHERIES

[Order 82-113—Filed August 20, 1982]

I, Rolland A. Schmitten, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to personal use fishing rules.

I, Rolland A. Schmitten, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is the allowable harvest of coastal Washington coho salmon has been reached in punchcard reporting areas 1 through 4.

These 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 the agency 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) in the adoption of these rules.

APPROVED AND ADOPTED August 20, 1982.

By W. R. Wilkerson  
for Rolland A. Schmitten  
Director

### NEW SECTION

**WAC 220-56-19000P SALTWATER SEASONS AND BAG LIMITS** Notwithstanding the provisions of WAC 220-56-190, (1) Effective 11:59 p.m. August 19, 1982, it is unlawful to take, fish for, or possess salmon taken for personal use by angling from the waters of the Pacific Ocean west of the Bonilla-Tatoosh line and west of a line drawn true north-south through Buoy 10 at the mouth of the Columbia River.

(2) Grays Harbor (waters east of a line from the outermost end of the north jetty to the outermost end of the south jetty) closed to salmon angling.

(3) Willapa Harbor (waters east of a line from Leadbetter Point to Cape Shoalwater light and downstream from river mouths as defined in WAC 220-56-105 bag limit F - open.

(4) Strait of Juan de Fuca waters east of the Bonilla-Tatoosh line and west of a line drawn true north from Koitlah Point - closed to salmon angling.

(5) Strait of Juan de Fuca waters east of a line drawn true north from Koitlah Point and west of a line drawn true north from the mouth of Sekiu River - Bag limit F - open.

(6) Strait of Juan de Fuca east of a line drawn true north from the mouth of the Sekiu River, Gulf of Georgia, San Juan Islands and Puget Sound (including Hood Canal) - Bag limit H - open except for special provisions in WAC 220-56-195.

### REPEALER

The following section of the Washington Administrative Code is repealed:

**WAC 220-56-19000N SALTWATER SEASONS AND BAG LIMITS (82-112)**

**WSR 82-18-012**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
[Order 82-114—Filed August 20, 1982]

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

I, Rolland A. Schmitten, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is restrictions in Areas 4B, 5, 6, 6A, 6C, 7, 7A and 7D provide the least restrictive regulations that allow protection of adult Canadian chinook. Restrictions in Area 7C and the Samish River provide

protection for chinook returning to the Samish Hatchery. Restrictions in Area 10C and the Cedar River provide protection for Lake Washington sockeye. Restrictions in Areas 6D, 10D, 12D, Skagit River above Old Faber Ferry Landing, Dungeness River, Hoko River, Twin Rivers, Clallam River, Lyre River, Sekiu River, Sail River, Pysht River, Salt and Deep Creek provide protection for local chinook stocks. Closure in 12C around Hoodspout Hatchery is to protect returning chinook salmon. Restrictions in Areas 6B, 9, 10, 11, 13 and 13B provide protection for Deschutes River origin chinook.

These 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 the agency 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) in the adoption of these rules.

APPROVED AND ADOPTED August 20, 1982.

By W. R. Wilkerson  
for Rolland A. Schmitten  
Director

### NEW SECTION

**WAC 220-28-211 PUGET SOUND COMMERCIAL FISHERY RESTRICTIONS.** It is unlawful for treaty Indian fishermen to take, fish for or possess salmon for commercial purposes in the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following restrictions:

Areas 4B, 5, and 6C - Drift gill net gear restricted to 5-7/8-inch maximum mesh, when open.

Areas 6, 6A, 7, 7A, and 7D - All gill net gear restricted to 5-7/8-inch maximum mesh, when open.

\*Areas 6B, 9, 10, and 11 - Effective August 22, closed to all commercial net fishing.

Area 6D - Closed to all commercial fishing.

Area 7C - Closed to all commercial fishing.

Area 10C - Closed to all commercial fishing.

\*Area 10D - Closed to all commercial fishing in that portion within 250 yards of the eastern and northern shores of Lake Sammamish between the Sammamish River and Issaquah Creek. Gill nets restricted to 6-1/2-inch minimum mesh and all other gear must release all sockeye, when open.

Area 12C - Closed to all commercial fishing within 1,000 feet of western shore between Hoodspout Marina Dock and Glen Ayr Trailer Park.

Area 12D - Closed to all commercial fishing.

\*Area 13 - Effective August 22, closed to all commercial fishing except in that portion



of Hale Pass inside and north of a line running 24° True from the ferry dock southeast of Ketners Point to the opposite shore and southerly of the Fox Island Bridge.

\*Area 13B – Effective August 22, closed to all commercial fishing in those portions east of a line from Hungerford Point to Arcadia Point and south of a line from the southern tip of Stretch Island due east to the Longbranch Peninsula.

Cedar River – Closed to all commercial fishing.

Samish River – Closed to all commercial fishing.

Skagit River – Closed to all commercial fishing above Old Faber Ferry Landing including all tributaries until further notice.

Dungeness River, Hoko River, East and West Twin Rivers, Clallam River, Lyre River, Sekiu River, Sail River, Pysht River, Salt and Deep Creeks – Closed to all commercial fishing.

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-28-210 Puget Sound Commercial Fishery Restrictions (82-107)

#### **WSR 82-18-013**

##### **EMERGENCY RULES**

#### **DEPARTMENT OF FISHERIES**

[Order 82-115—Filed August 20, 1982]

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

I, Rolland A. Schmitten, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is restrictions in Areas 4B, 5, 6, 6A, 6C, 7, 7A, 7D provide the least restrictive regulations that allow protection of adult Canadian chinook salmon and allow fisheries under IPSFC control. Scheduled fisheries in Area 7B allow a harvest of chinook salmon. Area 7C is closed to ensure escapement from all segments of the chinook run. All other Puget Sound areas are closed to all-citizen commercial fishing to prevent overharvest of salmon stocks.

These 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 the agency 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) in the adoption of these rules.

APPROVED AND ADOPTED August 20, 1982.

By W. R. Wilkerson  
for Rolland A. Schmitten  
Director

#### NEW SECTION

WAC 220-47-706 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY. Notwithstanding the provisions of Chapter 220-47 WAC, effective August 20, 1982, until further notice it is unlawful to take, fish for or possess salmon for commercial purposes in the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following restrictions:

Areas 4B, 5, and 6C – Under control of International Pacific Salmon Fisheries Commission and U.S. Department of Commerce. Drift gill nets restricted to 5-7/8-inch maximum mesh, when open.

Area 6B – Closed.

Area 6D – Closed.

Areas 6, 6A, 7, 7A, and 7D – Under control of International Pacific Salmon Fisheries Commission and U.S. Department of Commerce. Gill nets restricted to 5-7/8-inch maximum mesh, when open.

\*Area 7B – Closed except gill nets may fish from 6:00 PM to 9:00 AM nightly August 24 through the morning of August 27 with 7-inch minimum mesh. The Fidalgo Bay Preserve is closed as provided in WAC 220-47-307.

Areas 7C, 8, 8A, 9, 9A, 10, 10A, 10B, 10C, 10D, 10E, 11, 11A, 12, 12A, 12B, 12C, 12D, 13, 13A, 13B, and all freshwater areas – Closed.

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-47-705 Puget Sound All-Citizen Commercial Salmon Fishery (82-106)

#### **WSR 82-18-014**

##### **EMERGENCY RULES**

#### **DEPARTMENT OF FISHERIES**

[Order 82-116—Filed August 20, 1982]

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

I, Rolland A. Schmitten, find that an emergency exists and that this order is necessary for the preservation

of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is conservation of fall chinook salmon.

These 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 the agency 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) in the adoption of these rules.

APPROVED AND ADOPTED August 20, 1982.

By W. R. Wilkerson  
for Rolland A. Schmitten  
Director

### NEW SECTION

**WAC 220-28-072B0E CHEHALIS RIVER—CLOSED AREA** (1) *Effective immediately until 11:59 p.m. September 30, 1982, it is unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes from the waters of the Chehalis River and all tributaries of the Chehalis River below markers approximately 1/2 mile upstream of the Porter Bridge to the mouth of the Chehalis River.*

(2) *Effective 12:01 a.m. September 1, 1982 until 11:59 p.m. October 7, 1982, it is unlawful for any fisherman, including treaty Indian fishermen to take, fish for or possess foodfish from the waters of the Chehalis River and all tributaries of the Chehalis River above markers approximately 1/2 mile upstream of the Porter Bridge.*

### REPEALER

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

**WAC 220-28-072B0D CHEHALIS RIVER—CLOSED AREA (82-70)**

*The following section of the Washington Administrative Code is repealed effective 11:59 p.m. August 31, 1982.*

**WAC 220-28-073E0C HOH RIVER—CLOSED AREA (82-95)**

### **WSR 82-18-015**

#### **NOTICE OF PUBLIC MEETINGS HOSPITAL COMMISSION**

[Memorandum—August 20, 1982]

The State Hospital Commission will meet in Seattle at the Seattle Hyatt, SeaTac, on Thursday, September 9, 1982. The hospitals scheduled for informal hearing have previously filed with the commission their annual

budget and rate requests and their requests for amendments to their previously approved budget and rates. Staff findings and recommendations will be prepared and transmitted to the scheduled hospitals and to members of the Hospital Commission in accordance with WAC 261-20-135. Such information is on file in the Commission's office and is available for inspection.

A meeting of the State Hospital Commission is also scheduled for September 23, 1982, at the Seattle Hyatt.

### **WSR 82-18-016**

#### **NOTICE OF PUBLIC MEETINGS ADVISORY COUNCIL ON VOCATIONAL EDUCATION**

[Memorandum—August 20, 1982]

The next regular meeting of the Washington State Advisory Council on Vocational Education will be held on Friday, September 24, 1982, in the Auditorium of the Seattle-Tacoma International Airport. The meeting is scheduled to begin at 10:00 a.m.

This meeting site is barrier free. Interpreters for people with hearing impairments and taped information for people with visual impairments can be provided upon request, if the State Advisory Council on Vocational Education is notified by September 8, 1982.

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

### **WSR 82-18-017**

#### **PROPOSED RULES APPLE ADVERTISING COMMISSION**

[Filed August 23, 1982]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Apple Advertising Commission intends to adopt, amend, or repeal rules concerning increasing the state apple advertising assessment from 21 cents cwt. gross billing weight to 32.6 cents cwt. gross billing weight;

that the agency will at 9:00 a.m., Tuesday, October 5, 1982, in the Towne Plaza Motor Inn, 607 East Yakima Avenue, Yakima, WA 98901, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 15.24.070(1).

The specific statute these rules are intended to implement is RCW 15.24.090 and 15.24.100.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before 9:00 a.m., Tuesday, October 5, 1982.

Dated: August 19, 1982

By: Joe Brownlow  
Secretary-Manager

**STATEMENT OF PURPOSE**

Title: WAC 24-12-010 Amount of Assessments.

Description of Purposes: To increase state apple advertising assessment.

Statutory Authority: RCW 15.24.070(1) and 15.24.090.

Summary of Rule: To increase the state apple advertising assessment from 21 cents cwt. gross billing weight to 32.6 cents cwt. gross billing weight.

Reasons Supporting the Proposed Action: The revenue presently being raised by the Washington State Apple Advertising Commission is inadequate to accomplish the purposes of the commission, as a result of inflationary increase in costs, increasing production, and need for additional market promotion.

Agency Personnel Responsible for Drafting, Implementation and Enforcement of the Rule: Joseph T. Brownlow, 229 South Wenatchee Avenue, Wenatchee, Washington 98801, phone: (509) 662-2123.

Person or Organization Proposing the Rule, and Whether Public, Private, or Governmental: Washington State Apple Advertising Commission, governmental state agency.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement and Fiscal Matters Pertaining to the Rule: None.

Whether the Rule is Necessary as Result of Federal Law or Federal or State Court Action: No.

Small Business Economic Impact Statement: The proposed increase of Washington State Apple Advertising Assessments from 21 cents cwt. to 32.6 cents cwt. does not increase the costs of equipment, supplies, labor or administration since the apple industry is already reporting and paying assessments and an increase in the amount thereof is not expected to increase these costs. There will, however, be an increase in the costs of sales. The sales costs of a packed box of apples will be increased in the amount of 5.336 cents based on a 46 pound box of apples. While the sales price of a box of packed apples is dependent upon the market, size, variety, and condition, among other factors, if an average sales price of \$10.00 per box is assumed, 10 boxes of apples will equal \$100.00 of sales. If each box is assessed an additional 5.336 cents, \$100.00 of sales will incur an additional cost of assessment in the amount of approximately 53 1/3 cents. Since the proposed rule equally affects each box of apples, it is not anticipated there will be any significant difference in cost of compliance for small businesses as compared to the 10% of firms which are the largest businesses required to comply with the proposed amendatory rule.

**AMENDATORY SECTION** (Amending Order 9, filed 7/27/81)

WAC 24-12-010 AMOUNT OF ASSESSMENTS. There is hereby levied upon all fresh apples grown annually in this state, and upon all apples packed as Washington apples, an assessment of ~~((+6 cents of each one hundred pounds (100 lbs.) gross billing weight applicable to the 1980 crop of apples, and an assessment of 21))~~ 32.6 cents on each one hundred pounds (100 lbs.) gross billing weight ~~((applicable to the 1981 and subsequent crops of apples))~~. Assessments shall be payable when shipped, whether in bulk or loose in boxes or any other container, or packed in any style package. The gross billing weights for

the following containers shall apply for the purpose of computing said assessments:

DESCRIPTION OF CONTAINER	GROSS BILLING WEIGHTS
1/3 Bushel Box (packed or loose)	15 lbs.
1/2 Bushel Box (loose)	23 lbs.
Bulk Bushel Container (loose)	Net weight plus 3 lbs. tare
9/4 and 12/3 Bag Containers	41 lbs.
13/3 Bag Container	44 lbs.
10/4 and 8/5 Bag Containers	45 lbs.
12/4 Bag Container	53 lbs.
Standard Tray Pack Container	46 lbs.
Pocket Cell Tray Pack Container	46 lbs.
Cell Pack Containers, all counts	46 lbs.
2-Layer Tray Pack Container	23 lbs.
Single-Layer Tray Pack Container	12 lbs.

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 82-18-018**  
**EMERGENCY RULES**  
**DEPARTMENT OF LICENSING**  
**(Securities Division)**  
 [Order SDO-97-82-Filed August 23, 1982]

I, John Gonzalez, director of the Department of Licensing, do promulgate and adopt at the Department of Licensing, the annexed rules relating to the regulation and exemption of securities:

- Amd WAC 460-44A-500 Preliminary notes.
- Amd WAC 460-44A-501 Definitions and terms.
- Amd WAC 460-44A-502 General conditions to be met.
- Amd WAC 460-44A-503 Filing of notice and payment of fee prior to offering.
- Amd WAC 460-44A-506 Exemption for non-public offers and sales without regard to dollar amount of offering.
- Rep WAC 460-44A-010 through 460-44A-045 will be repealed upon the effectiveness of the permanent rules WAC 460-44A-500 through 460-44A-506.

I, John Gonzalez, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is to continue emergency rules WAC 460-44A-500 through 460-44A-506 coordinating with Securities and Exchange Commission Rules 501, 502, 503 and 506 of Regulation D adopted April 15, 1982, until effectiveness of the permanent rules. A safe harbor exemption coordinating with these federal rules is unavailable to issuers involved in the private offering of securities in the state of Washington after August 23, 1982, without the adoption of the annexed emergency rules.

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

WAC 460-44A-500, 460-44A-501, 460-44A-502 and 460-44A-506 are promulgated pursuant to RCW 21.20.320(1) and are intended to administratively implement that statute and RCW 21.20.450 which directs that the director of the Department of Licensing has authority to implement the provisions of chapter 21.20 RCW. WAC 460-44A-503 is promulgated pursuant to RCW 21.20.320(1) and 21.20.340(11) and is intended to administratively implement those statutes and RCW 21.20.450 which directs that the director of the Department of Licensing has authority to implement the provisions of chapter 21.20 RCW.

The undersigned hereby declares that the agency 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) in the adoption of these rules.  
APPROVED AND ADOPTED August 23, 1982.

By John Gonzalez  
Director

Chapter 460-44A WAC  
EXEMPT TRANSACTIONS

AMENDATORY SECTION

WAC 460-44A-500 PRELIMINARY NOTES.  
(1) The rules of WAC 460-44A-501 through 460-44A-506 relate to transactions exempted from the registration requirements of the federal Securities Act of 1933 and RCW 21.20.140. Such transactions are not exempt from the anti-fraud, civil liability, or other provisions of the securities laws. Issuers and persons acting on their behalf are reminded of their obligation to provide such further material information, if any, as may be necessary to make the information required under these rules, in light of the circumstances under which it is furnished, not misleading.

(2) Attempted compliance with the rules in WAC 460-44A-501 through 460-44A-506 does not act as an exclusive election; the issuer can also claim the availability of any other applicable exemption.

(3) These rules are available only to the issuer of the securities and not to any affiliate of that issuer or to any other person for resale of the issuer's securities. The rules provide an exemption only for the transactions in which the securities are offered or sold by the issuer, not for the securities themselves.

(4) In any proceeding involving the rules in WAC 460-44A-501 through 460-44A-506, the burden of proving the exemption or an exception from a definition or condition is upon the person claiming it.

~~((f4))~~ (5) The effective date of rules WAC 460-44A-501 through 460-44A-506 is May 25, 1982. Existing rules WAC 460-44A-010 through 460-44A-045 will be repealed on the adoption and effectiveness of the permanent rules WAC 460-44A-501 through 460-44A-506; no filings for exemption under rules WAC 460-44A-010 through 460-44A-045 will be accepted after repeal. For those offerings made in compliance with WAC 460-44A-010 through 460-44A-045 which commence or commenced prior to the date of repeal and

which continue past the date of repeal, no registration is required if the offering terminates before June 30, 1983.

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

WAC 460-44A-501 DEFINITIONS AND TERMS. As used in rules WAC 460-44A-501 through WAC 460-44A-506, the following terms shall have the meaning indicated:

(1) "Accredited investor" shall mean any person who comes within any of the following categories, or who the issuer reasonably believes comes within any of the following categories, at the time of the sale of the securities to that person:

(a) Any bank as defined in section 3(a)(2) of the Securities Act of 1933 whether acting in its individual or fiduciary capacity; insurance company as defined in section 2(13) of the Securities Act of 1933; investment company registered under the Investment Company Act of 1940 or a business development company as defined in section 2(a)(48) of that Act; Small Business Investment Company licensed by the U.S. Small Business Administration under section 301(c) or (d) of the Small Business Investment Act of 1958; employee benefit plan within the meaning of Title I of the Employee Retirement Income Security Act of 1974, if the investment decision is made by a plan fiduciary, as defined in section 3(21) of such Act which is either a bank, insurance company, or registered investment adviser, or if the employee benefit plan has total assets in excess of \$5,000,000;

(b) Any private business development company as defined in section 202(a)(22) of the Investment Advisers Act of 1940;

(c) Any organization described in Section 501(c)(3) of the Internal Revenue Code with total assets in excess of \$5,000,000;

(d) Any director, executive officer, or general partner of the issuer of the securities being offered or sold, or any director, executive officer, or general partner of a general partner of that issuer;

(e) Any person who purchases at least \$150,000 of the securities being offered, where the purchaser's total purchase price does not exceed 20 percent of the purchaser's net worth at the time of sale, or joint net worth with that person's spouse, for one or any combination of the following: (i) cash, (ii) securities for which market quotations are readily available, (iii) an unconditional obligation to pay cash or securities for which market quotations are readily available which obligation is to be discharged within five years of the sale of the securities to the purchaser, or (iv) the cancellation of any indebtedness owed by the issuer to the purchaser;

(f) Any natural person whose individual net worth, or joint net worth with that person's spouse, at the time of his purchase exceeds \$1,000,000;

(g) Any natural person who had an individual income in excess of \$200,000 in each of the two most recent years and who reasonably expects an income in excess of \$200,000 in the current year, and

(h) Any entity in which all of the equity owners are accredited investors under paragraph (1)(a), (b), (c), (d), (f), or (g) of this WAC 460-44A-501;

(2) "Affiliate" an "affiliate" of, or person "affiliated" with, a specified person shall mean a person that directly, or indirectly through one or more intermediaries, controls or is controlled by, or is under common control with, the person specified;

(3) "Aggregate offering price" shall mean the sum of all cash, services, property, notes, cancellation of debt, or other consideration received by an issuer for issuance of its securities. Where securities are being offered for both cash and non-cash consideration, the aggregate offering price shall be based on the price at which the securities are offered for cash. If securities are not offered for cash, the aggregate offering price shall be based on the value of the consideration as established by bona fide sales of that consideration made within a reasonable time, or, in the absence of sales, on the fair value as determined by an accepted standard;

(4) "Business combination" shall mean any transaction of the type specified in paragraph (a) of Rule 145 under the Securities Act of 1933 and any transaction involving the acquisition by one issuer, in exchange for all or a part of its own or its parent's stock, of stock of another issuer if, immediately after the acquisition, the acquiring issuer has control of the other issuer (whether or not it had control before the acquisition);

(5) "Calculation of number of purchasers". For purposes of calculating the number of purchasers under WAC 460-44A-506(2) the following shall apply:

(a) The following purchasers shall be excluded:

(i) Any relative, spouse or relative of the spouse of a purchaser who has the same principal residence as the purchaser;

(ii) Any trust or estate in which a purchaser and any of the persons related to him as specified in paragraph (5)(a)(i) or (5)(a)(iii) of this WAC 460-44A-501 collectively have more than 50 percent of the beneficial interest (excluding contingent interests);

(iii) Any corporation or other organization of which a purchaser and any of the persons related to him as specified in paragraph (5)(a)(i) or (5)(a)(ii) of this WAC 460-44A-501 collectively are beneficial owners of more than 50 percent of the equity securities (excluding directors' qualifying shares) or equity interests; and

(iv) Any accredited investor.

(b) A corporation, partnership or other entity shall be counted as one purchaser. If, however, that entity is organized for the specific purpose of acquiring the securities offered and is not an accredited investor under paragraph (1)(h) of this WAC 460-44A-501, then each beneficial owner of equity securities or equity interests in the entity shall count as a separate purchaser for all provisions ~~(in these rules)~~ of WAC 460-44A-501 through 460-44A-506.

Note: The issuer must satisfy all the other provisions of ~~(these rules)~~ WAC 460-44A-501 through 460-44A-506 for all purchasers whether or not they are included in calculating the number of purchasers. Clients of an investment adviser or customers of a broker-dealer shall be considered the "purchasers" under ~~(these~~

~~rules)~~ WAC 460-44A-501 through 460-44A-506 regardless of the amount of discretion given to the investment adviser or broker-dealer to act on behalf of the client or customer.

(6) "Executive officer" shall mean the president, any vice president in charge of a principal business unit, division or function (such as sales, administration or finance), or any other officer who performs a policy making function, or any other person who performs similar policy making functions for the issuer. Executive officers of subsidiaries may be deemed executive officers of the issuer if they perform such policy making functions for the issuer.

(7) "Issuer" as defined in section 2(4) of the Securities Act of 1933 or RCW 21.20.005(7) shall apply, except that in the case of a proceeding under the Federal Bankruptcy Code (11 U.S.C. 101 et seq.), the trustee or debtor in possession shall be considered the issuer in an offering under a plan or reorganization, if the securities are to be issued under the plan.

(8) "Purchaser representative" shall mean any person who satisfies all of the following conditions or who the issuer reasonably believes satisfies all of the following conditions:

(a) Is not an affiliate, director, officer or other employee of the issuer, or beneficial owner of 10 percent or more of any class of the equity securities or 10 percent or more of the equity interest in the issuer, except where the purchaser is:

(i) A relative of the purchaser representative by blood, marriage or adoption and not more remote than a first cousin;

(ii) A trust or estate in which the purchaser representative ~~(any)~~ and any persons related to him as specified in paragraph (8)(a)(i) or (8)(a)(iii) of this WAC 460-44A-501 collectively have more than 50 percent of the beneficial interest (excluding contingent interest) or of which the purchaser representative serves as trustee, executor, or in any similar capacity; or

(iii) A corporation or other organization of which the purchaser representative and any persons related to him as specified in paragraph (8)(a)(i) or (8)(a)(ii) of this WAC 460-44A-501 collectively are the beneficial owners of more than 50 percent of the equity securities (excluding directors' qualifying shares) or equity interests;

(b) Has such knowledge and experience in financial and business matters that he is capable of evaluating, alone, or together with other purchaser representatives of the purchaser, or together with the purchaser, the merits and risks of the prospective investment;

(c) Is acknowledged by the purchaser in writing, during the course of the transaction, to be his purchaser representative in connection with evaluating the merits and risks of the prospective investment; and

(d) Discloses to the purchaser in writing prior to the acknowledgment specified in ~~(paragraph)~~ subsection (8)(c) of this WAC 460-44A-501 any material relationship between himself or his affiliates and the issuer or its affiliates that then exists, that is mutually understood to be contemplated, or that has existed at any time during the previous two years, and any compensation received or to be received as a result of such relationship.

Note 1: A person acting as a purchaser representative should consider the applicability of the registration and antifraud provisions relating to broker-dealers under chapter 21.20 RCW and the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq., as amended) and relating to investment advisers under chapter 21.20 RCW and the Investment Advisers Act of 1940.

Note 2: The acknowledgment required by paragraph (8)(c) and the disclosure required by paragraph (8)(d) of this WAC 460-44A-501 must be made with specific reference to each prospective investment. Advance blanket acknowledgment, such as for "all securities transactions" or "all private placements," is not sufficient.

Note 3: Disclosure of any material relationships between the purchaser representative or his affiliates and the issuer of its affiliates does not relieve the purchaser representative of his obligation to act in the best interest of the purchaser.

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

**WAC 460-44A-502 GENERAL CONDITIONS TO BE MET.** The following conditions shall be applicable to offers and sales made under WAC 460-44A-506:

(1) "Intergration". All sales that are part of the same offering under these rules must meet all of the terms and conditions of these rules. Offers and sales that are made more than six months before the start of an offering or are made more than six months after completion of an offering, will not be considered part of that offering, so long as during those six month periods there are no offers or sales of securities by or for the issuer that are of the same or a similar class as those offered or sold under these rules, other than those offers or sales of securities under an employee benefit plan.

Note: The term "offering" is not defined in the securities acts. If the issuer offers or sells securities for which the safe harbor rule in paragraph (1) of this WAC 460-44A-502 is unavailable, the determination as to whether separate sales of securities are part of the same offering (i.e. are considered "integrated") depends on the particular facts and circumstances.

The following factors should be considered in determining whether offers and sales should be integrated for purposes of the exemptions under these rules:

- (a) Whether the sales are part of a single plan of financing;
- (b) Whether the sales involve issuance of the same class of securities;
- (c) Whether the sales have been made at or about the same time;
- (d) Whether the same type of consideration is received; and
- (e) Whether the sales are made for the same general purpose.

See Securities and Exchange Commission Release No. 33-4552 (November 6, 1962).

(2) Information requirements.

(a) When information must be furnished.

(i) If the issuer sells securities only to accredited investors, paragraph (2) of this WAC 460-44A-502 does not require that specific information be furnished to purchasers.

(ii) If the issuer sells securities under WAC 460-44A-506 to any purchaser that is not an accredited investor, the issuer shall furnish the information specified in paragraph (2)(b) of this WAC 460-44A-502 to all purchasers during the course of the offering and prior to sale.

(b) Type of information to be furnished.

(i) If the issuer is not subject to the reporting requirements of section 13 or 15(d) of the federal Securities Exchange Act of 1934, the issuer shall furnish the following information to the extent material to an understanding of the issuer, its business, and the securities being offered:

(A) Offerings up to \$5,000,000. The same kind of information as would be required in Part I of Form S-18 under the Securities Act of 1933, except that only the financial statements for the issuer's most recent fiscal year must be certified by an independent public or certified accountant. If form S-18 is not available to an issuer, then the issuer shall furnish the same kind of information as would be required in Part I of a registration statement filed under the Securities Act of 1933 on the form that the issuer would be entitled to use, except that only the financial statements for the most recent two fiscal years prepared in accordance with generally accepted accounting principles shall be furnished and only the financial statements for the issuer's most recent fiscal year shall be certified by an independent public or certified accountant. If an issuer, other than a limited partnership, cannot obtain audited financial statements without unreasonable effort or expense, then only the issuer's balance sheet, which shall be dated within 120 days of the start of the offering, must be audited. If the issuer is a limited partnership and cannot obtain the required financial statements without unreasonable effort or expense, it may furnish financial statements that have been prepared on the basis of federal income tax requirements and examined and reported on in accordance with generally accepted auditing standards by an independent public or certified accountant.

(B) Offerings over \$5,000,000. The same kind of information as would be required in Part I of a registration statement filed under the Securities Act of 1933 on the form that the issuer would be entitled to use. If an issuer, other than a limited partnership, cannot obtain audited financial statements without unreasonable effort or expense, then only the issuer's balance sheet, which shall be dated within 120 days of the start of the offering, must be audited. If the issuer is a limited partnership and cannot obtain the required financial statements without unreasonable effort or expense, it may furnish financial statements that have been prepared on the basis of federal income tax requirements and examined and reported on in accordance with generally accepted auditing standards by an independent public or certified accountant.

(ii) If the issuer is subject to the reporting requirements of section 13 or 15(d) of the Securities Exchange

Act of 1934, the issuer shall furnish the information required by Securities and Exchange Commission Regulation D, Rule 502(b)(2)(ii).

(iii) Exhibits required to be filed with the Administrator of Securities or the Securities and Exchange Commission as part of a registration statement or report, other than an annual report to shareholders or parts of that report incorporated by reference in a Form 10-K report, need not be furnished to each purchaser if the contents of the exhibits are identified and the exhibits are made available to the purchaser, upon his written request, prior to his purchase.

(iv) At a reasonable time prior to the purchase of securities by any purchaser that is not an accredited investor in a transaction under WAC 460-44A-506, the issuer shall furnish the purchaser a brief description in writing of any written information concerning the offering that has been provided by the issuer to any accredited investor. The issuer shall furnish any portion or all of this information to the purchaser, upon his written request, prior to his purchase.

(v) The issuer shall also make available to each purchaser at a reasonable time prior to his purchase of securities in a transaction under WAC 460-44A-506 the opportunity to ask questions and receive answers concerning the terms and conditions of the offering and to obtain any additional information which the issuer possesses or can acquire without unreasonable effort or expense that is necessary to verify the accuracy of information furnished under paragraph (2)(b)(i) or (ii) of this WAC 460-44A-502.

(vi) For business combinations, in addition to information required by paragraph (2)(b) of this WAC 460-44A-502, the issuer shall provide to each purchaser at the time the plan is submitted to security holders, or, with an exchange, during the course of the transaction and prior to sale, written information about any terms or arrangements of the proposed transaction that are materially different from those for all other security holders.

(3) Limitation on manner of offering. Neither the issuer nor any person acting on its behalf shall offer or sell the securities by any form of general solicitation or general advertising, including, but not limited to, the following:

(a) Any advertisement, article, notice or other communication published in any newspaper, magazine, or similar media or broadcast over television or radio; and

(b) Any seminar or meeting whose attendees have been invited by any general solicitation or general advertising.

(4) Limitations on resale. Securities acquired in a transaction under these rules shall have the status of restricted securities acquired in a non-public offering transaction under RCW 21.20.320(1) and cannot be resold without registration under the Securities Act of Washington or an exemption therefrom. The issuer shall exercise reasonable care to assure that the securities are restricted and that the purchasers of the securities are not underwriters within the meaning of section 2(11) of the Securities Act of 1933, which reasonable care shall include, but not be limited to, the following:

(a) Reasonable inquiry to determine if the purchaser is acquiring the securities for himself or for other persons;

(b) Written disclosure to each purchaser prior to sale that the Administrator of securities has not reviewed the offering or offering circular and the securities have not been registered under the Securities Act of Washington, chapter 21.20 RCW, and, therefore, cannot be resold unless they are registered under the Securities Act of Washington chapter 21.20 RCW or unless an exemption from registration is available; and

(c) Placement of a legend on the certificate or other document that evidences the securities stating that the securities have not been registered under the Securities Act of Washington chapter 21.20 RCW and setting forth or referring to the restrictions on transferability and sale of the securities.

(d) A written disclosure or legend will be deemed to comply with the provisions of WAC 460-44A-502(4)(b) or (c) if it substantially states that the offering has not been reviewed or approved by state securities administrators and that the securities offering is not registered under applicable state securities laws.

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

WAC 460-44A-503 FILING OF NOTICE AND PAYMENT OF FEE PRIOR TO OFFERING. (1)(a) The issuer shall file with the Administrator of Securities of the Department of Licensing a notice prescribed by the Administrator and pay a filing fee of \$300 ten business days (or such lesser period as the Administrator may allow) prior to making any offer or sale of securities in the state of Washington.

(b) The issuer shall file a report of sales in the state of Washington no later than 30 days after the last sale of securities in the offering.

(c) The notice or report of sales shall be manually signed by a person duly authorized by the issuer.

~~(2) ((The notice shall contain an undertaking by))~~  
 ((t))The issuer undertakes to furnish to the Administrator upon the written request of ((its)) the staff, the information furnished by the issuer under WAC 460-44A-502(2)(b) to any purchaser that is not an accredited investor.

(3) The form of notice and report of sales may be obtained from the Securities Division, P.O. Box 648, Olympia, Washington 98504.

(4) Issuers filing with the Securities and Exchange Commission under Regulation D, Rule 506, may file the notice required by WAC 460-44A-503(1) (a) on Form D if accompanied by a representation of the issuer that all ((other)) conditions of rule ((S)) WAC ((460-44A-501 through)) 460-44A-506 shall be met((,-including but not limited to the financial suitability of purchasers and the limitation on selling expenses of WAC 460-44A-506(2)(c) and (d))).

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

**WAC 460-44A-506 EXEMPTION FOR NON-PUBLIC OFFERS AND SALES WITHOUT REGARD TO DOLLAR AMOUNT OF OFFERING.** (1) Exemption. Offers and sales of securities by an issuer that satisfy the conditions in subsection (2) of this WAC 460-44A-506 shall be deemed to be exempt transactions within the meaning of RCW 21.20.320(1).

(2) Conditions to be met.

(a) General conditions. To qualify for exemption under this WAC 460-44A-506, offers and sales must satisfy all the terms and conditions of WAC 460-44A-501 through WAC 460-44A-503.

(b) Specific conditions.

(i) Limitation on number of purchasers. The issuer shall reasonably believe that there are no more than 35 purchasers (including those located outside the state of Washington) of securities from the issuer in any offering under this WAC 460-44A-506.

Note: See WAC 460-44A-501(5) for the calculation of the number of purchasers and WAC 460-44A-502(1) for what may or may not constitute an offering under this section WAC 460-44A-506.

(ii) Nature of purchasers. The issuer shall reasonably believe immediately prior to making any sale that each purchaser who is not an accredited investor either alone or with his purchaser representative(s) has such knowledge and experience in financial and business matters that he is capable of evaluating the merits and risks of the prospective investment.

~~((c) Financial suitability of purchasers. The issuer shall reasonably believe immediately prior to making any sale that each purchaser in this state who is not an accredited investor meets the following financial suitability requirements:~~

~~(i) A purchaser must invest \$5,000 or more, and have (A) A net worth (exclusive of home, furnishings and automobiles) of at least five times the amount of purchase and an annual income of at least \$35,000; or~~

~~(B) A net worth (exclusive of home, furnishing and automobiles) of at least three times the amount of purchase and an annual income of at least \$65,000.~~

~~(ii) These are minimum financial suitability standards, higher standards may be required depending upon the risk of the investment, the tax features, and the sales price of the security.)~~

The issuer shall prepare and retain for three years following termination of an offering in reliance of this WAC 460-44A-506, written documentation supporting the qualification of each nonaccredited investor, whether separately or together with his purchaser representative or representatives, as having such knowledge and experience in financial and business matters that he is capable of evaluating the merits and risks of the prospective investment ("financial sophistication"). The following shall apply in determining whether or not a purchaser has the requisite degree of financial sophistication for purposes of this WAC 460-44A-506: (A) The degree of financial

sophistication required shall depend upon the facts and circumstances of the particular offering, i.e., the nature and complexity of the business, the complexity of the issuer's organization and capital structure, and the nature and complexity of the offering. (B) If the issuer has an operating history, the issuer shall obtain reasonable assurances that the purchaser, together with his representative(s), if any, is capable of reading and interpreting financial statements.

~~((d))~~ (iii) Limitation on selling expenses. ((f)) (A) The issuer shall limit selling expenses in any offering under this WAC 460-44A-506 to an amount not to exceed fifteen percent of the aggregate offering price. For the purposes of this WAC 460-44A-506, "selling expenses" means the total underwriting and brokerage discounts and commissions (including fees of the underwriters' attorneys paid by the issuer) paid in connection with the offering plus all other expenses actually incurred by the issuer relating to printing, engraving, mailing, salaries of employees while engaged in sales activity, charges of transfer agents, registrars, trustees, escrow holders, depositaries, and engineers and other experts, expenses of qualification of the sale of the securities under Federal and State laws, including taxes and fees, and any other expenses actually incurred by the issuer and directly related to the offering and sale of the securities, but excluding accountants' and the issuer's attorneys' fees and options to underwriters.

~~((e))~~ (B) The issuer shall limit the number of shares or units called for by options issuable to underwriters or other persons as compensation, in whole or in part, for the offer or sale of securities in reliance on this WAC 460-44A-506 to an amount not to exceed ten percent of the number of shares or units actually sold in the offering.

(3) Offers or sales which are exempted under this WAC 460-44A-506 may not be combined with offers or sales exempted under any other rule or section of ch. 21.20 RCW; however, nothing in this limitation shall act as an election. Should for any reason an offering fail to comply with all of the conditions for this WAC 460-44A-506, the issuer may claim the availability of any other applicable exemption.

### REPEALER

The following sections of the Washington Administrative Code are expected to be repealed on the effectiveness of permanent rules WAC 460-44A-501, 460-44A-502, 460-44A-503 and 460-44A-506:

(1) WAC 460-44A-010 NONPUBLIC OFFERING EXEMPTION PURSUANT TO RCW 21.20.320(1).

(2) WAC 460-44A-020 TEXT OF RULE.

(3) WAC 460-44A-030 SELLING EXPENSE LIMITATIONS AND SUITABILITY STANDARDS FOR NONPUBLIC OFFERINGS.

(4) WAC 460-44A-041 FORM OF NOTIFICATION OF CLAIM OF EXEMPTION PURSUANT TO WAC 460-44A-010 THROUGH 460-44A-041.

(5) WAC 460-44A-045 REPORT OF SALES FOR OFFERING UNDER WAC 460-44A-020.



**WSR 82-18-019**  
**PROPOSED RULES**  
**GAMBLING COMMISSION**  
 [Filed August 23, 1982]

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 amending of WAC 230-40-030, 230-40-120, 230-40-020 and 230-04-200;

that such agency will at 10 a.m., Thursday, October 14, 1982, in the Spokane River Park, Convention Center, Spokane, Washington, conduct a hearing relative thereto.

The adoption, amendment, or repeal of such rules will take place immediately following such hearing.

The authority under which WAC 230-40-030 is proposed is RCW 9.46.070(11); the authority under which WAC 230-40-120 is proposed is RCW 9.46.070(12) and 9.46.020(20)(d); the authority under which WAC 230-40-020 is proposed is RCW 9.46.070(20); and the authority under which WAC 230-04-200 is proposed is RCW 9.46.070(5) and (11).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to October 14, 1982, and/or orally at 10 a.m., Thursday, October 14, 1982, Spokane River Park, Convention Center, Spokane, Washington.

Dated: August 20, 1982

By: Elwin Hart  
Deputy Director

### STATEMENT OF PURPOSE

Title: Amendments to WAC 230-40-030 Number of Tables and Players Limited; WAC 230-40-120 Limits on Wagers in Card Games; WAC 230-40-020 Portion of Premises Used for Card Playing Limited; and WAC 230-04-200 License Fees.

Description of Purpose: WAC 230-40-030, to allow more than eight players per table for the card game of "Hold Em"; WAC 230-40-120, to revise the current limit of \$2.00 on dealer "ante" when more than eight players per table are permitted; WAC 230-40-020, to correct a referenced subparagraph in the RCW caused by a previous statute change; and WAC 230-04-200, to establish a limit on the total number of players authorized by class of card room license.

Statutory Authority for Amendments to WAC 230-40-030 - RCW 9.46.070(11); WAC 230-40-120 - RCW 9.46.070(12) and 9.46.020(20)(d); WAC 230-40-020 - RCW 9.46.070(20); and WAC 230-04-200 - RCW 9.46.070(5) and (11).

Summary of Proposed Rules and Reasons Supporting Action: WAC 230-40-030, the proposed amendment would allow more than eight players per table for the card game "Hold Em" provided that the total number of players in the cardroom did not exceed the class for which licensed. For example, a three table card room could not exceed 24 players, four table-32, and five table-40 players; WAC 230-40-120, the proposed amendment would revise the current limit of \$2.00 on a dealer "ante" to permit but not require the ante to equal

a total of 25¢ per player. With more than eight players at a table in a "Hold Em" game, the dealer ante could be an amount greater than \$2.00; WAC 230-40-020, the proposed amendment is a housekeeping amendment which corrects a reference to a subparagraph in the RCW. The current incorrect reference was caused by a statute change which merged dual versions of RCW 9.46.030; and WAC 230-04-200, the proposed amendment establishes a limit on the total number of players authorized in a card room by class of license. The total number is based on an average of eight players per authorized table.

Agency Personnel Responsible for Drafting, Implementing and Enforcing the Rules: Keith Kisor, Director and Elwin Hart, Deputy Director, Capitol Plaza Building, 1025 East Union, Olympia, WA, 234-0865 Scan, 753-0865 Comm.

Proponents and Opponents: WAC 230-40-030, Mr. Darrell Lee, a licensee, WAC 230-40-120, Gambling Commission staff; WAC 230-40-020, Gambling Commission staff; and WAC 230-04-200, Gambling Commission staff.

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.

Small Business Economic Impact Statement: This agency has determined that there would be no economic impact upon small businesses in the state of Washington by the adoption of these amendments.

### AMENDATORY SECTION (Amending Order 23, filed 9/23/74)

WAC 230-40-030 NUMBER OF TABLES AND PLAYERS LIMITED. (1) No licensee to allow a public card room on its premises shall allow more than five separate tables at which card games are played, nor shall allow more than eight players to participate at any one table at any given time, except when Hold em is played, the licensee may exceed eight players at one table, PROVIDED the total number of persons playing cards on the premise does not exceed the class for which licensed.

(2) No licensee to allow a social card room on its premises shall allow more than eight players to participate at any one table at any given time, except when hold em is played, the licensee may exceed eight players at one table.

(3) The Commission may permit a licensee to exceed these limits on specific occasions for good cause shown. Requests to exceed the limit shall be submitted to the Commission in writing not less than 30 days preceding the date upon which the licensee wishes to exceed the limit. The request shall indicate the date(s) involved, the reasons why the request is made, and the number of games and players in the games which the licensee desires to allow on that occasion.

### AMENDATORY SECTION (Amending Order 118, filed 1/22/82)

WAC 230-40-120 LIMITS ON WAGERS IN CARD GAMES. The following limits shall not be exceeded in making wagers on any card game. For games in which the following method of wagering is allowed:

(1) Multiple wagers per player per hand during each round, each wager or raise shall not exceed \$5.00. There shall be no more than a total of two raises per round irrespective of the number of players.

(2) Single wagers per player per hand during each round (no raises), each wager shall not exceed \$5.00.

(3) Single wager per player per game, each wager shall not exceed \$5.00.

(4) Amount per point, each point shall not equal more than five cents in value.

(5) An ante, except for panguingue (pan), shall not be more than twenty-five cents per person per hand to be played, contributed by each player, or the dealer of each hand, subject to house rules, may

ante for all players before dealing (~~in an amount not to exceed \$2.00~~).

(6) Forced wagers or raises are prohibited except an ante and as they may be expressly included (~~(with) (within)~~) within the definition of poker games set out in WAC 230-40-010 or, for other authorized games not specifically defined by commission rule, within the basic definition of the particular card game in Hoyle's Modern Encyclopedia of Card Games, by Walter B. Gibson, published by Doubleday & Company, Inc., April 1974 edition.

(7) Panguingue (pan) - maximum value of a chip for payoff will not exceed \$2.00. Ante will not exceed one chip. No doubling of conditions. Players going out, may collect not more than two chips from each participating player.

No licensee shall allow these wagering limits to be exceeded in a card game on his premises.

#### AMENDATORY SECTION (Amending Order 78, filed 11/17/77)

WAC 230-40-020 PORTION OF PREMISES USED FOR CARD PLAYING LIMITED. Only those specific parts or portions of licensed premises which have been approved by the commission for licensed card games shall be used for that purpose. Card playing operating under the authority of a license issued by the commission involving wagers shall not take place upon any other portion or part of the premises. Social card games authorized by RCW 9.46.030(~~(7)~~)(9) shall not be allowed by the organization in the same room or rooms with the licensed card games in the social card room.

#### AMENDATORY SECTION (Amending Order 113, filed 10/15/81)

WAC 230-04-200 LICENSE FEES. The following fees shall be paid to the commission for licenses, and permits, issued by the commission. For the operation of:

##### (1) BINGO

- (a) Class A - five hundred dollars or less annual net receipts - \$25.
- (b) Class B - five hundred dollars through five thousand dollars annual net receipts - \$75.
- (c) Class C - over five thousand dollars through fifteen thousand dollars annual net receipts - \$300.
- (d) Class D - over fifteen thousand dollars through twenty-five thousand dollars annual net receipts - \$500.
- (e) Class E - over twenty-five thousand dollars through fifty thousand dollars annual net receipts - \$1000.
- (f) Class F - over fifty thousand dollars through one hundred thousand dollars annual net receipts - \$2000.
- (g) Class G - over one hundred thousand dollars through five hundred thousand dollars annual net receipts - \$4000.
- (h) Class H - over five hundred thousand dollars through seven hundred fifty thousand dollars annual net receipts - \$5500.
- (i) Class I - over seven hundred fifty thousand dollars through one million dollars annual net receipts - \$8000.
- (j) Class J - over one million dollars annual net receipts - \$11,000.

##### (2) RAFFLES

- (a) Class C - five hundred dollars or less annual net receipts - \$25.
- (b) Class D - over five hundred dollars but not over five thousand dollars, annual net receipts - \$75.
- (c) Class E - over five thousand dollars through fifteen thousand dollars annual net receipts - \$300.
- (d) Class F - over fifteen thousand dollars annual net receipts - \$500.

(3) AMUSEMENT GAMES - by bona fide charitable or bona fide nonprofit organizations.

- (a) Class A - five hundred dollars or less annual net receipts - \$25.
- (b) Class B - over five hundred dollars through one thousand dollars annual net receipts - \$30.
- (c) Class C - over one thousand dollars through five thousand dollars annual net receipts - \$50.
- (d) Class D - over five thousand dollars through fifteen thousand dollars annual net receipts - \$200.
- (e) Class E - over fifteen thousand dollars annual net receipts - \$350.

(4) FUND RAISING EVENT (license year) - by bona fide charitable or bona fide nonprofit organizations.

- (a) Class A-1 - one event, twenty-four consecutive hours - \$200.
- (b) Class A-2 - not more than two events, twenty-four consecutive hours each - \$300.
- (c) Class B-1 - one event, not more than seventy-two consecutive hours - \$300.

(5) SPECIAL LOCATION AMUSEMENT GAMES - other than bona fide charitable or bona fide nonprofit organizations.

- (a) Class A - one event per year lasting no more than 12 consecutive days - \$500.
- (b) Class B - twenty-five thousand dollars or less annual net receipts - \$500.
- (c) Class C - over twenty-five thousand dollars through one hundred thousand dollars annual net receipts - \$1500.
- (d) Class D - over one hundred thousand dollars through five hundred thousand dollars annual net receipts - \$3000.
- (e) Class E - over five hundred thousand dollars annual net receipts - \$5000.

(6) CARD GAMES - bona fide charitable and nonprofit organizations.

- (a) Class A - general (fee to play charged) - \$500.
- (b) Class B - limited card games - to hearts, rummy, pitch, pinochle, coon-can and/or cribbage (fee to play charged) - \$100.
- (c) Class C - tournament only (no more than ten consecutive days) per tournament - \$35.
- (d) Class D - general (no fee is charged a player to play cards) - \$35.
- (e) Class R - primarily for recreational purposes and meets the standards of WAC 230-04-100 - \$10.

(7) CARD GAMES - commercial stimulant - each licensee per premises.

- (a) Class B - limited card games to hearts, rummy, pitch, pinochle, coon-can and/or cribbage (fee to play charged) - \$100.
- (b) Class C - tournament only (no more than ten consecutive days) - per tournament - \$100.
- (c) Class D - general (no fee is charged a player to play cards) - \$35.
- (d) Class E - general.

(i) Up to five tables and maximum of 40 players - \$2000

(ii) Up to four tables and maximum of 32 players - \$1500

(iii) Up to three tables and maximum of 24 players - \$750

(iv) Up to two tables and maximum of 16 players - \$500

(v) One table only and maximum of 8 players - \$250.

(8) BINGO GAME MANAGER - each licensee - \$100, each renewal \$50.

(9) PUBLIC CARD ROOM EMPLOYEE - each licensee - \$100, each renewal - \$50.

(10) PERMITS - for operation by persons of authorized activity at agricultural fair or special property.

(a) Class A - one location and event only - \$10.

(b) Class B - annual permit for specified different events and locations - \$100.

(11) PUNCHBOARDS AND PULL TABS - each licensee, per premises - \$150.

(12) Manufacturer license - \$1250.

(13) Distributor license - \$1000.

(14) Distributor's representative license - \$150, renewal - \$75.

(15) Manufacturer's representative license - \$150, renewal - \$75.

The term annual net receipts as used above means net receipts from the activity licensed only, during the licensed year.

**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 82-18-020**  
**EMERGENCY RULES**  
**INSURANCE COMMISSIONER**  
**STATE FIRE MARSHAL**  
[Order FM 82-7—Filed August 23, 1982]

I, Thomas R. Brace, director of the Division of State Fire Marshal, do promulgate and adopt at Insurance Building, Olympia, Washington 98504, the annexed rules relating to fireworks, chapter 212-17 WAC.

I, Thomas R. Brace, find that an emergency exists and that this order is necessary for the preservation of the

public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is emergency rules were adopted and the existing rules repealed on May 20, 1982, to implement the State Fireworks Law, revised extensively by the 47th legislature. These rules expired August 18, 1982. A second emergency adoption is necessary to provide continuity in the administration of the law until such time as the permanent adoption takes effect. This second emergency adoption incorporates changes made in those adopted May 20th to reflect the result of public hearing and input. These rules will be superseded by those adopted on or after August 26, 1982, the date of the scheduled notice to adopt.

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

This rule is promulgated pursuant to RCW 70.77.250 which directs that the Insurance Commissioner/State Fire Marshal has authority to implement the provisions of chapter 70.77 RCW, to prescribe rules relating to fireworks as may be necessary for protection of life and property.

The undersigned hereby declares that the agency 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) in the adoption of these rules.

APPROVED AND ADOPTED August 23, 1982.

By Thomas R. Brace

Director, Division of State Fire Marshal

*Chapter 212-17 WAC  
FIREWORKS*

WAC

*PART I—GENERAL*

- 212-17-001 Title.
- 212-17-010 Purpose.
- 212-17-015 Scope.
- 212-17-020 Authority.
- 212-17-025 Definition—"Fireworks".
- 212-17-030 Definition and classification—"Trick and novelty devices".
- 212-17-035 Definition and classification—"Common fireworks".
- 212-17-040 Definition and classification—"Special fireworks".
- 212-17-045 Definition and classification—"Agricultural and wildlife fireworks".
- 212-17-050 Firework device chemical content, construction.
- 212-17-055 Firework device, labeling.
- 212-17-060 Public purchase of fireworks.

*PART II—MANUFACTURER*

- 212-17-065 Fireworks manufacturer—General.
- 212-17-070 Fireworks manufacturer—Licensing.
- 212-17-075 Fireworks manufacturer—Local ordinances.

- 212-17-080 Fireworks manufacturer—License limitations.
- 212-17-085 Fireworks manufacturer—Records and reports.
- 212-17-090 Fireworks manufacturer—Restrictions.
- 212-17-095 Fireworks manufacturer—Building and structures.
- 212-17-100 Fireworks manufacturer—Personnel.
- 212-17-105 Fireworks manufacturer—Visitors.
- 212-17-110 Fireworks manufacturer—Fire nuisance.

*PART III—WHOLESALE*

- 212-17-115 Fireworks wholesaler—General.
- 212-17-120 Fireworks wholesaler—Licensing.
- 212-17-125 Fireworks wholesaler—Investigation.
- 212-17-130 Fireworks wholesaler—Local ordinances.
- 212-17-135 Fireworks wholesaler—License limitations.
- 212-17-140 Fireworks wholesaler—Records and reports.
- 212-17-145 Fireworks wholesaler—Importing.
- 212-17-150 Fireworks wholesaler—Personnel.
- 212-17-155 Fireworks wholesaler—Visitors.
- 212-17-160 Fireworks wholesaler—Fire nuisance.

*PART IV—IMPORTER*

- 212-17-165 Importers of fireworks—General.
- 212-17-170 Importers of fireworks—Licensing.
- 212-17-175 Importers of fireworks—License scope.
- 212-17-180 Importers of fireworks—Restrictions.

*PART V—RETAILER*

- 212-17-185 Retailers of fireworks—General.
- 212-17-190 Retailers of fireworks—Sales dates.
- 212-17-195 Retailers of fireworks—Sales locations.
- 212-17-200 Retailers of fireworks—Safety inspection.
- 212-17-205 Retailers of fireworks—No Smoking signs.
- 212-17-210 Retailers of fireworks—Smoking and discharge of fireworks.
- 212-17-215 Retailers of fireworks—Disposition of unsold stock.

*PART VI—PYROTECHNIC OPERATOR*

- 212-17-220 Pyrotechnic operators—General.
- 212-17-225 Pyrotechnic operators—Application for license.
- 212-17-230 Pyrotechnic operators—Examination, investigation and licensing.
- 212-17-235 Pyrotechnic operators—Responsibility.
- 212-17-240 Pyrotechnic operators—Observance of laws, rules and regulations.

*PART VII—PUBLIC DISPLAY LICENSE*

- 212-17-245 Public displays of fireworks—General.

- 212-17-250 Application, state license.
- 212-17-255 Type of license.
- 212-17-260 General licenses.
- 212-17-265 Reports.
- 212-17-270 Local permit, application for.
- 212-17-275 Investigation.
- 212-17-280 Permits may not be granted, when.
- 212-17-285 Spectators.
- 212-17-290 Pyrotechnic operators.

**PART VIII—PUBLIC DISPLAYS**

- 212-17-295 Public display—General.
- 212-17-300 Public display—Definitions.
- 212-17-305 Public display—Construction of shells.
- 212-17-310 Public display—Storage of shells.
- 212-17-315 Public display—Installation of mortars.
- 212-17-320 Public display—Site selection.
- 212-17-325 Public display—Discharge site.
- 212-17-330 Public display—Operation.
- 212-17-335 Public display—Firing of shells.
- 212-17-340 Public display—Ground pieces.
- 212-17-345 Reports.

**PART IX—TRANSPORTATION**

- 212-17-350 Transportation—General.

**PART X—STORAGE**

- 212-17-355 Storage—General.
- 212-17-360 Storage—Explosive safety.
- 212-17-900 Appendix

**PART I—GENERAL**

**NEW SECTION**

WAC 212-17-001 **TITLE.** These rules shall be known as the "rules of the state fire marshal relating to fireworks," and may be cited as such.

**NEW SECTION**

WAC 212-17-010 **PURPOSE.** The purpose of these rules is to implement the state fireworks law, chapter 70.77 RCW, administered and enforced by the state fire marshal.

**NEW SECTION**

WAC 212-17-015 **SCOPE.** These rules apply to fireworks manufacture, storage, transportation, sale, importation, possession, classification, and discharge of fireworks of every class or kind in this state.

**EXCEPTIONS:** (1) Explosives, as defined and regulated under the state explosives law, chapter 70.74 RCW;

(2) Firearms and ammunition, including blank cartridges and pistols of the type used at sporting events or theatrical productions;

(3) Research or experiments with rockets or missiles, including model rockets and model rocket motors designed, sold and used for the purpose of propelling recoverable aero models;

(4) Toy paper and/or plastic caps, manufactured in accordance with DOT regulations, 49 CFR 173.100(p), 1981, or toy pistols, toy canes, toy guns, or other devices in which toy paper and/or plastic caps are used;

(5) Emergency signaling devices.

**NEW SECTION**

WAC 212-17-020 **AUTHORITY.** These rules are adopted pursuant to the Washington Administrative Procedure Act, chapter 34.04 RCW.

**NEW SECTION**

WAC 212-17-025 **DEFINITION—"FIREWORKS".** The term "fireworks" shall mean any composition or device for the purpose of producing a visible or an audible effect by combustion, deflagration, or detonation, and which meets the definition of "common" or "special" fireworks as set forth in the United States Department of Transportation's (DOT) Hazardous Materials Regulations, Title 49, Code of Federal Regulations, Parts 173.88 and 173.100, 1981.

**NEW SECTION**

WAC 212-17-030 **DEFINITION AND CLASSIFICATION—"TRICK AND NOVELTY DEVICES".** The term "trick and novelty devices" shall mean any small firework device not classified as common or special fireworks by the United States Department of Transportation or elsewhere in these rules, including:

(1) Snakes, glow worm. Pressed pellet of pyrotechnic composition that produces a large, snake-like ash upon burning. The ash expands in length as the pellet burns. These devices may not contain mercuric thiocyanate.

(2) Trick noisemaker. Item that produces a small report intended to surprise the user. These devices include:

(a) Party popper. Small plastic or paper item containing not more than 16 mg of explosive composition that is friction sensitive. A string protruding from the device is pulled to ignite it, expelling paper streamers and producing a small report.

(b) Booby trap. Small tube with string protruding from both ends, similar to a party popper in design. The ends of the string are pulled to ignite the friction sensitive composition, producing a small report.

(c) Snapper. Small, paper-wrapped item containing a minute quantity of explosive composition coated on small bits of sand. When dropped, the device explodes, producing a small report.

(d) Trick match. Kitchen or book match that has been coated with a small quantity of explosive or pyrotechnic composition. Upon ignition of the match, a small report or a shower of sparks is produced.

(e) Cigarette load. Small wooden peg that has been coated with a small quantity of explosive composition. Upon ignition of a cigarette containing one of the pegs, a small report is produced.

(f) Auto burglar alarm. Tube which contains pyrotechnic composition that produces a loud whistle and/or smoke when ignited. A small quantity of explosive, not exceeding 50 mg, may also be used to produce a small report. A squib is used to ignite the device.

NEW SECTION

WAC 212-17-035 **DEFINITION AND CLASSIFICATION—"COMMON FIREWORKS"**. The term "common fireworks" shall mean any small firework device designed primarily to produce visible effects by combustion and which must comply with the construction, chemical composition, and labeling regulations of the United States Consumer Product Safety Commission, as set forth in Title 16, Code of Federal Regulations, Part 1507, 1981. Some small devices designed to produce audible effects are included, such as whistling devices, ground devices containing 50 mg or less explosive composition, and aerial devices containing 130 mg or less of explosive composition. Common fireworks are classified as Class C explosives by the United States Department of Transportation and include the following:

(1) Ground and hand-held sparkling devices.

(a) Dipped stick, sparkler. Stick, or wire coated with pyrotechnic composition that produces a shower of sparks upon ignition. Total pyrotechnic composition may not exceed 100 grams per item. Those devices containing any perchlorate or chlorate salts may not exceed 5 grams of pyrotechnic composition per item. Wire sparklers which contain no magnesium and which contain less than 100 grams of composition per item, not Class C explosives under DOT regulations, are included in this category.

(b) Cylindrical fountain. Cylindrical tubes not more than 3/4 inch (19 mm) inside diameter, containing up to 75 grams of pyrotechnic composition. Upon ignition, a shower of colored sparks, and sometimes a whistling effect is produced. This device may be provided with a spike for insertion into the ground (spike fountain), a wood or plastic base for placing on the ground (base fountain), or a wood or cardboard handle, if intended to be hand-held (handle fountain).

(c) Cone fountain. Cardboard or heavy paper cone containing up to 50 grams of pyrotechnic composition. The effect is the same as that of a cylindrical fountain.

(d) Illuminating torch. Cylindrical tube containing up to 100 grams of pyrotechnic composition. Upon ignition, colored fire is produced. May be spike, base, or hand-held.

(e) Wheel. Pyrotechnic device attached to a post or tree by means of a nail or string. Each wheel may contain up to six "driver" units; tubes not exceeding 1/2 inch (12.5 mm) inside diameter and containing up to 60 grams of pyrotechnic composition. Total pyrotechnic composition of each wheel shall not exceed 240 grams. Upon ignition, the wheel revolves, producing a shower of color and sparks and, sometimes, a whistling effect.

(f) Ground spinner. Small device similar to a wheel in design and effect and placed on the ground and ignited. A shower of sparks and color is produced by the rapidly spinning device.

(g) Flitter sparkler. Narrow paper tube filled with pyrotechnic composition that produces color and sparks upon ignition. This device does not have a fuse for ignition. The paper at one end of the tube is ignited to make the device function.

(2) Aerial devices.

(a) Sky rocket. Tubes not exceeding 1/2 inch (12.5 mm) inside diameter that may contain up to 20 grams of pyrotechnic composition. Sky rockets contain a wooden stick for guidance and stability and rise into the air upon ignition. A burst of color or noise or both is produced at the height of flight.

(b) Missile-type rocket. A device similar to a sky rocket in size, composition, and effect that uses fins rather than a stick for guidance and stability.

(c) Helicopter, aerial spinner. A tube not more than 1/2 inch (12.5 mm) inside diameter and containing up to 20 grams of pyrotechnic composition. A propeller or blade is attached, which, upon ignition, lifts the rapidly spinning device into the air. A visible or audible effect is produced at the height of flight.

(d) Roman candles. Heavy paper or cardboard tube not exceeding 3/8 inch (9.5 mm) inside diameter and containing up to 20 grams of pyrotechnic composition. Upon ignition, up to ten "stars" (pellets of pressed pyrotechnic composition that burn with bright color) are individually expelled at several-second intervals.

(e) Mine, shell. Heavy cardboard or paper tube up to 2 1/2 inches (63.5 mm) inside diameter attached to a wood or plastic base and containing up to 40 grams of pyrotechnic composition. Upon ignition, "stars", firecrackers, or other devices are propelled into the air. The tube remains on the ground.

(3) Audible ground devices.

(a) Firecrackers, salutes. Small paper-wrapped or cardboard tube containing not more than 50 mg of pyrotechnic composition. Upon ignition, noise and a flash of light is produced. External dimensions shall not exceed 1 1/2 inches in length or 1/4 inch in diameter.

(b) Chaser. Small paper or cardboard tube that travels along the ground upon ignition. A whistling effect, or other noise, is often produced. The explosive composition used to create the noise may not exceed 50 mg.

(4) Combination items. Fireworks devices containing combinations of two or more of the effects described in subsections (1), (2) or (3) of this section.

(5) Smoke device. Tube or sphere containing pyrotechnic composition that, upon ignition, produces white or colored smoke as the primary effect.

NEW SECTION

WAC 212-17-040 **DEFINITION AND CLASSIFICATION—"SPECIAL FIREWORKS"**. The term "special fireworks" shall mean large fireworks designed primarily to produce visible or audible effects by combustion, deflagration, or detonation. The term includes, but is not limited to, firecrackers containing more than 2 grains (130 mg) of explosive composition, aerial shells containing more than 40 grams of pyrotechnic composition, and other display pieces which exceed the limits for classification as "common fireworks". Special fireworks are classified as Class B explosives by the United States Department of Transportation.

NEW SECTION

WAC 212-17-045 **DEFINITION AND CLASSIFICATION—"AGRICULTURAL AND WILDLIFE**

**FIREWORKS**". The term "agricultural and wildlife fireworks" shall mean fireworks devices, including but not limited to, firecrackers containing more than 50 mg (.772 grains) of pyrotechnic composition designed to produce audible effects, which are distributed to farmers, ranchers and growers through a wildlife management program administered by the United States Department of Interior (or by equivalent state or local governmental agencies); and, such distribution is in response to a written application describing the wildlife management problem that requires use of such devices, is of a quantity no greater than required to control the problem described, and is where other means of control is unavailable or inadequate.

### NEW SECTION

**WAC 212-17-050 FIREWORK DEVICE CHEMICAL CONTENT, CONSTRUCTION.** All fireworks devices shall meet the following chemical content, design, and construction requirements.

(1) Prohibited chemicals. Fireworks devices shall not contain any of the following chemicals:

- (a) Arsenic sulfide, arsenates, or arsenites.
- (b) Boron.
- (c) Chlorates, except:
  - (i) In colored smoke mixtures in which an equal or greater amount of sodium bicarbonate is included;
  - (ii) In caps and party poppers;
  - (iii) In those small items wherein the total powder content does not exceed four grams of which not greater than fifteen percent is potassium, sodium, or barium chlorate.
- (d) Gallates or gallic acid.
- (e) Magnesium (magnesium/aluminum alloys, called magnalium, are permitted).
- (f) Mercury salts.
- (g) Phosphorus (red or white). EXCEPT that red phosphorus is permissible in caps and party poppers.
- (h) Picrates or picric acid.
- (i) Thiocyanates.
- (j) Titanium, except in particle size greater than 100-mesh.
- (k) Zirconium.

(2) Fuses.

(a) Fireworks devices that require a fuse shall:

(i) Utilize only a fuse that has been treated or coated in such manner as to reduce the possibility of side ignition. Devices such as ground spinners that require a restricted orifice for proper thrust and contain less than 6 grams of pyrotechnic composition are exempt from this requirement.

(ii) Utilize only a fuse which will burn at least three seconds but not more than six seconds before ignition of the device.

(b) The fuse shall be securely attached so that it will support either the weight of the fireworks device plus eight ounces dead weight or double the weight of the device, whichever is less, without separation from the fireworks device.

(3) Bases. The base or bottom of fireworks devices that are operated in a standing upright position shall

have the minimum horizontal dimensions or the diameter of the base equal to at least one-third of the height of the device including any base or cap affixed thereto.

(4) Pyrotechnic leakage. The pyrotechnic chamber in fireworks devices shall be sealed in a manner that prevents leakage of the pyrotechnic composition during shipping, handling and normal operation.

(5) Burnout and blowout. The pyrotechnic chamber in fireworks devices shall be constructed in a manner to allow functioning in a normal manner without burnout or blowout.

(6) Handles and spikes. Fireworks devices that are intended to be hand-held and are so labeled shall incorporate a handle at least four inches in length. Handles shall remain firmly attached during transportation, handling and full operation of the device, or shall consist of an integral section of the device at least four inches below the pyrotechnic chamber. Spikes provided with fireworks devices shall protrude at least two inches from the base of the device and shall have a blunt tip not less than 1/8 inch in diameter or 1/8 inch square.

(7) Wheel devices. Drivers in fireworks devices commonly known as "wheels" shall be securely attached to the device so that they will not come loose in transportation, handling, and normal operation. Wheel devices intended to operate in a fixed location shall be designed in such a manner that the axle remains attached to the device during normal operation.

(8) Toy smoke devices and flitter devices.

(a) Toy smoke devices shall be so constructed that they will neither burst nor produce external flame (excluding the fuse and firstfire upon ignition) during normal operation.

(b) Toy smoke devices and flitter devices shall not be of such color and configuration so as to be confused with banned fireworks such as M-80 salutes, silver salutes, or cherry bombs.

(c) Toy smoke devices shall not incorporate plastic as an exterior material if the pyrotechnic composition comes in direct contact with the plastic.

(9) Rockets with sticks. Rockets with sticks (including sky rockets and bottle rockets) shall utilize a straight and rigid stick to provide a direct and stable flight. Such sticks shall remain straight and rigid and attached to the driver so as to prevent the stick from being damaged or detached during transportation, handling, or normal operation.

(10) Party poppers. Party poppers (also known by other names such as "Champagne party poppers" and "party surprise poppers" shall not contain more than 0.25 grains of pyrotechnic composition. Such devices may contain soft paper or cloth inserts provided any such inserts do not ignite during normal operation.

### NEW SECTION

**WAC 212-17-055 FIREWORK DEVICE, LABELING.** (1) Any fireworks device not required to have a specific label by 16 CFR 1500.14(b)(7), 1981, shall carry a warning label indicating to the user where and how the item is to be used and necessary safety precautions to be observed.

(2) Every fireworks device, or fireworks device container where the device is packaged in an immediate container intended or suitable for delivery to the ultimate consumer, shall be conspicuously labeled with the name and place of business of the manufacturer, packer, distributor, or seller and the United States Department of Transportation designation as "Class C common fireworks" or "Class B special fireworks".

(3) All label wording shall be prominently located, in the English language, and in conspicuous and legible type in contrast by typography, layout, or color with the printed matter on the fireworks device or container.

#### NEW SECTION

**WAC 212-17-060 PUBLIC PURCHASE OF FIREWORKS.** (1) The public may purchase common fireworks only from licensed retail fireworks stands between noon, June 28th and noon, July 6th of each year. Possession and discharge of fireworks is lawful during this period only, except as provided in subsection (2).

(2) Religious organizations or private organizations or adult persons may be authorized to purchase specific common fireworks from licensed wholesalers for use on prescribed dates and locations for religious or private purposes, when approved by the fire chief or other designated local official. Application shall be on forms provided by the state fire marshal and shall contain the following information: (a) The name and mailing address of the organization or person desiring to purchase and discharge the fireworks; (b) the date and time of the proposed discharge; (c) the location of the proposed discharge; (d) the quantity and type of fireworks desired to be purchased and discharged; (e) the reason or purpose of the discharge; and (f) the signature of the applicant, following a statement that: "The applicant understands and agrees to comply with all provisions of the application and requirements of the approving authority, will discharge the fireworks only in a manner that will not endanger persons or property or constitute a nuisance, and assumes full responsibility for all consequences of the discharge, intended or not". Upon approval by the fire official, the applicant may submit a copy of the approval to any licensed wholesaler as proof of authorization to purchase the fireworks listed therein. The applicant shall retain the approval and have it available for inspection by any public official at the actual discharge of the fireworks.

### PART II—MANUFACTURER

#### NEW SECTION

**WAC 212-17-065 FIREWORKS MANUFACTURER—GENERAL.** Persons intending to manufacture fireworks in this state shall procure a license from the state fire marshal and a permit from the local governmental agency having jurisdiction prior to engaging in business. Applications for license shall be made on forms provided by the state fire marshal and the annual license fee shall accompany the application.

#### NEW SECTION

**WAC 212-17-070 FIREWORKS MANUFACTURER—LICENSING.** Upon receipt of application and license fee, the state fire marshal will cause an investigation to be made. If the investigation discloses compliance with state laws governing the manufacture of fireworks and that granting of a license would not be contrary to public safety or welfare, a license will be granted. If the license is denied, then the applicant shall be notified in writing of the reason why license was denied, and he shall be given an opportunity to make such alterations and corrections as are deemed necessary.

#### NEW SECTION

**WAC 212-17-075 FIREWORKS MANUFACTURER—LOCAL ORDINANCES.** Applicants, before applying for a license, should determine that their facilities conform to local zoning, health and building safety standards, fire safety requirements, and any other local ordinances pertaining to manufacture and storage of fireworks. (See Appendix)

#### NEW SECTION

**WAC 212-17-080 FIREWORKS MANUFACTURER—LICENSE LIMITATIONS.** A fireworks manufacturer license, together with a permit from local authorities having jurisdiction, authorizes the holder to engage only in the business of manufacturing fireworks of all types and their sale and transportation to licensed wholesalers in Washington. If they desire to engage in other types of fireworks business, they shall first procure the necessary license.

#### NEW SECTION

**WAC 212-17-085 FIREWORKS MANUFACTURER—RECORDS AND REPORTS.** Manufacturers shall, when requested to do so, submit written reports on production, sale and distribution of fireworks and name of the person to whom such fireworks were sold to the state fire marshal.

#### NEW SECTION

**WAC 212-17-090 FIREWORKS MANUFACTURER—RESTRICTIONS.** The storage, transportation, sale and transfer of ownership of all classes and types of fireworks by manufacturers shall be subject to the restrictions and provisions of the state fireworks law and these rules.

#### NEW SECTION

**WAC 212-17-095 FIREWORKS MANUFACTURER—BUILDING AND STRUCTURES.** All buildings and structures used for manufacturing fireworks are subject to the provisions of these rules as well as all local ordinances relating to building, design, construction, location and zoning.

NEW SECTION

WAC 212-17-100 FIREWORKS MANUFACTURER—PERSONNEL. All employees who handle fireworks in any stage of storage, manufacture, or assembly shall be instructed in the hazards of the materials involved and of the processes in which they are engaged, and shall be made familiar with the rules and safety precautions governing such materials and processes.

NEW SECTION

WAC 212-17-105 FIREWORKS MANUFACTURER—VISITORS. No persons other than employees shall be permitted in portions of the premises where live fireworks or components are manufactured, processed, assembled, stored, or exposed. Visitors having business on the premises shall be restricted to the areas directly related to the purpose of their visit. No loitering shall be permitted on the premises.

NEW SECTION

WAC 212-17-110 FIREWORKS MANUFACTURER—FIRE NUISANCE. The premises of a fireworks manufacturing establishment shall be maintained in a clean, neat and orderly condition at all times and be free from any condition that would create a "fire nuisance." (See RCW 70.77.165)

## PART III—WHOLESALE

NEW SECTION

WAC 212-17-115 FIREWORKS WHOLESALE—GENERAL. Fireworks wholesaler licenses cover those persons engaged in the business of selling fireworks at wholesale to licensed persons in this state. Wholesale licensees may transport the class of fireworks for which they hold a valid license.

NEW SECTION

WAC 212-17-120 FIREWORKS WHOLESALE—LICENSING. Persons intending to engage in the sale of fireworks at wholesale in this state shall procure a license from the state fire marshal. A permit from the local governmental agency having jurisdiction shall also be obtained for the storage of all classes and types of fireworks in possession of the wholesaler licensee. The application shall be made on forms provided by the state fire marshal and the annual license fee shall accompany the application.

NEW SECTION

WAC 212-17-125 FIREWORKS WHOLESALE—INVESTIGATION. Upon receipt of an application and the license fee, the state fire marshal will cause an investigation to be made. If the investigation discloses compliance with state laws governing fireworks and that granting of a license would not be contrary to public safety or welfare, a license will be granted. If the license

is denied, then the applicant shall be notified in writing of the reason why the license was denied, and he shall be given an opportunity to make such alterations and corrections as are deemed necessary.

NEW SECTION

WAC 212-17-130 FIREWORKS WHOLESALE—LOCAL ORDINANCES. Applicants, before applying for a license should determine that their facilities conform to local zoning, health and building safety standards, fire safety requirements, and any other local ordinances pertaining to storage of fireworks. (See Appendix)

NEW SECTION

WAC 212-17-135 FIREWORKS WHOLESALE—LICENSE LIMITATIONS. (1) A fireworks wholesaler's license authorizes the holder to engage only in the sale of fireworks at wholesale. A fireworks wholesaler's license entitles him to sell fireworks to licensed retailers, licensed public display operators, other licensed wholesalers, religious organizations or private organizations, or adult persons authorized to purchase specific fireworks items in accordance with WAC 212-17-060(2), and for direct transport or shipment by common carrier to persons outside of this state entitled to purchase or receive fireworks by subsection (2) of this section. Fireworks wholesale licensees desiring to engage in other types of fireworks business shall first secure the necessary license as required by the state fireworks law.

(2) A wholesaler's license does not prohibit:

(a) The sale and delivery of fireworks at the wholesaler's place of business to any person who is a resident of a state contiguous to the state of Washington if the purchase, possession or use is not in violation of any state law or published ordinance applicable to the person's place of residence; or

(b) The direct shipment of fireworks by common carrier to a resident of any other state if the receipt or possession of the fireworks is not otherwise prohibited by that state.

It shall be the responsibility of the wholesaler in all instances to verify the identity and residence of the purchaser and the legal right of the purchaser to receive or possess the fireworks prior to any transfer or shipment.

NEW SECTION

WAC 212-17-140 FIREWORKS WHOLESALE—RECORDS AND REPORTS. The licensee shall maintain and make available to the state fire marshal full and complete records including imports, purchases, sales, and consumption of fireworks items by kind and class.

NEW SECTION

WAC 212-17-145 FIREWORKS WHOLESALE—IMPORTING. Wholesalers who engage in the business of importing fireworks shall first procure a state license as is required for import licensees.



NEW SECTION

WAC 212-17-150 **FIREWORKS WHOLESALER—PERSONNEL.** All employees who handle fireworks in any stage of storage or assembly shall be instructed in the hazards of the materials involved and of the processes in which they are engaged, and shall be made familiar with the rules and safety precautions governing such materials and processes.

NEW SECTION

WAC 212-17-155 **FIREWORKS WHOLESALER—VISITORS.** No persons other than employees shall be permitted in portions of the premises where live fireworks or components are assembled, stored, or exposed. Visitors having business on the premises shall be restricted to the areas directly related to the purpose of their visit. No loitering shall be permitted on the premises.

NEW SECTION

WAC 212-17-160 **FIREWORKS WHOLESALER—FIRE NUISANCE.** The premises of a fireworks wholesaling establishment shall be maintained in a clean, neat or orderly condition at all times and be free from any condition that would create a "fire nuisance." (See RCW 70.77.165)

**PART IV—IMPORTER**NEW SECTION

WAC 212-17-165 **IMPORTERS OF FIREWORKS—GENERAL.** Importer fireworks licenses are for the importation of fireworks to this state. Such a license does not authorize the licensee to engage in wholesale or retail trade or in any other activity requiring a special fireworks license.

NEW SECTION

WAC 212-17-170 **IMPORTERS OF FIREWORKS—LICENSING.** Every person who desires to import fireworks to this state shall file application and procure a license. Application shall be made on forms provided by the state fire marshal and shall be accompanied by the required license fee.

NEW SECTION

WAC 212-17-175 **IMPORTERS OF FIREWORKS—LICENSE SCOPE.** An importer fireworks license shall authorize the licensee to engage only in importing fireworks. Importer licensees desiring to engage in any type of fireworks distribution shall first procure the necessary license.

NEW SECTION

WAC 212-17-180 **IMPORTERS OF FIREWORKS—RESTRICTIONS.** The storage of all classes and types of fireworks in possession of an import licensee shall be subject to the restrictions and provisions of the local fire official. (See Appendix)

**PART V—RETAILER**NEW SECTION

WAC 212-17-185 **RETAILERS OF FIREWORKS—GENERAL.** Persons desiring to engage in the business of selling fireworks at retail shall secure a license from the state fire marshal. In addition to the state license, a permit must be obtained from the local governmental officials having jurisdiction. The application shall be made on forms provided by the state fire marshal and shall be accompanied by the license fee of ten dollars. Applicants are cautioned to first determine whether a local retail sales permit for fireworks can be obtained. A retailer's license to sell fireworks shall not authorize licensee to engage in any other fireworks activity.

NEW SECTION

WAC 212-17-190 **RETAILERS OF FIREWORKS—SALES DATES.** Retail fireworks licenses are for the retail sales of fireworks from 12 noon on the twenty-eighth day of June to 12 noon on the sixth day of July.

NEW SECTION

WAC 212-17-195 **RETAILERS OF FIREWORKS—SALES LOCATIONS.** (1) Fireworks sold at retail shall be sold only:

- (a) In roadside stands; or
- (b) Buildings used for no other purpose.

(2) Each retail fireworks location shall have not less than two water-type extinguishers of not less than two and one-half gallon capacity or alternate equipment deemed equivalent by the local fire authority.

(3) During the hours that a fireworks stand or location is not open for business, it shall be closed and locked unless all fireworks have been removed.

NEW SECTION

WAC 212-17-200 **RETAILERS OF FIREWORKS—SAFETY INSPECTION.** Retail fireworks stands and sales areas are subject to inspection by local fire officials. Such stands and sales areas shall be free from any condition which increases, or may cause an increase of, the hazard or menace of fire or explosion, or which may become the cause of any obstruction, delay or hindrance to the prevention, suppression or extinguishment of fire. Adequate and safe unobstructed means of exit shall be provided from all areas where fireworks are stored or displayed. At least one adult person shall be present at all times the fireworks stand or building is open to the public. No person under sixteen years of age shall be allowed to sell fireworks or remain within a fireworks stand when it is open to the public.

NEW SECTION

WAC 212-17-205 **RETAILERS OF FIREWORKS—NO SMOKING SIGNS.** Approved "No Smoking" signs shall be posted at conspicuous locations designated by the inspection authority. Each sign shall

have the words "No Smoking" in red letters not less than two inches in height on a white background. Metal signs may be used in locations exposed to the weather, but all signs shall be maintained in a legible condition.

#### NEW SECTION

WAC 212-17-210 **RETAILERS OF FIREWORKS—SMOKING AND DISCHARGE OF FIREWORKS.** Smoking shall be prohibited within twenty-five feet of any building in which fireworks are sold at retail. No fireworks shall be discharged within one hundred feet of any retail fireworks sales location.

#### NEW SECTION

WAC 212-17-215 **RETAILERS OF FIREWORKS—DISPOSITION OF UNSOLD STOCK.** All retail fireworks licensees shall return unsold fireworks stocks either to the wholesaler, from whom they were purchased, for safe storage, or store them in a place and in a manner approved by the fire authority having jurisdiction not later than the thirty-first of July of each year.

### PART VI—PYROTECHNIC OPERATOR

#### NEW SECTION

WAC 212-17-220 **PYROTECHNIC OPERATORS—GENERAL.** Pyrotechnic operators are licensed to conduct public displays of special fireworks. No public display license is issued unless at least one licensed pyrotechnic operator is listed on the application as being responsible for conducting the display.

#### NEW SECTION

WAC 212-17-225 **PYROTECHNIC OPERATORS—APPLICATION FOR LICENSE.** Application for license shall be made on forms prepared by the state fire marshal and shall be accompanied by the annual license fee. Every applicant for a pyrotechnic operators license shall take and pass a written examination administered by the state fire marshal and shall submit evidence attesting to the qualifications and experience of the applicant, including participation in the firing of at least six public displays as an assistant, at least one of which shall have been in the current or preceding year.

#### NEW SECTION

WAC 212-17-230 **PYROTECHNIC OPERATORS—EXAMINATION, INVESTIGATION AND LICENSING.** Upon receipt of application and license fee, the state fire marshal shall cause an investigation to be made as to the experience and competency of the applicant to conduct and supervise a public display of fireworks in a safe manner. Past experience in assisting in public displays shall be verified with the licensed pyrotechnic operator under whose supervision the applicant assisted. If experience requirements are satisfactory, the state fire marshal shall schedule a written examination for the applicant. A passing score of at least seventy percent shall be attained on the written examination. An

applicant failing the written examination may re-apply within thirty days to re-take the examination. No re-examination shall be taken within thirty days of the previous and no more than two examinations may be taken by the applicant in the same calendar year. Any applicant failing to appear for the written examination at the time and location established or who fails the written examination and fails to re-apply within thirty days, or fails the examination on the second attempt, is deemed to have forfeited the license fee. The state fire marshal shall grant or deny the license on the basis of the investigation and examination.

#### NEW SECTION

WAC 212-17-235 **PYROTECHNIC OPERATORS—RESPONSIBILITY.** The pyrotechnic operator shall be responsible for properly setting up the fireworks public display in accordance with the rules and regulations of the state fire marshal. He shall determine that all the mortars, set pieces, are properly installed and that the proper safety precautions have been taken to insure the safety of persons and property. He shall have charge of all activities directly related to handling, preparing and firing all fireworks at the public display, including fixing lifting charges and quick match as needed to aerial shells.

The pyrotechnic operator shall refuse to fire any fireworks that are deemed by him to be unsafe or where its discharge might jeopardize life or property.

#### NEW SECTION

WAC 212-17-240 **PYROTECHNIC OPERATORS—OBSERVANCE OF LAWS, RULES AND REGULATIONS.** Pyrotechnic operators shall strictly observe the provisions of the state fireworks law and these rules.

### PART VII—PUBLIC DISPLAY LICENSE

#### NEW SECTION

WAC 212-17-245 **PUBLIC DISPLAYS OF FIREWORKS—GENERAL.** Persons desiring to hold a public display of fireworks shall secure a license from the state fire marshal and a permit from the governmental agency having jurisdiction. Application for local permit must be made at least ten days in advance.

#### NEW SECTION

WAC 212-17-250 **APPLICATION, STATE LICENSE.** Application for fireworks public display license shall be made on forms provided by the state fire marshal and shall be accompanied by the prescribed license fee.

#### NEW SECTION

WAC 212-17-255 **TYPE OF LICENSE.** A public display license authorizes the applicant to conduct a public display of fireworks at a given location only. A

"general" license for public display of fireworks authorizes public displays of fireworks at any locations or dates within the current year.

#### NEW SECTION

WAC 212-17-260 **GENERAL LICENSES.** Application for a "general" license to hold public displays of fireworks shall be accompanied by a surety bond or a certificate evidencing public liability insurance. Such bond and public liability insurance shall be non-cancelable except upon fifteen days' written notice by the insurer to the state fire marshal.

#### NEW SECTION

WAC 212-17-265 **REPORTS.** General public display permit application licensees shall submit Part III of the fireworks display permit application to the state fire marshal, prior to date of each display contemplated under their general license.

#### NEW SECTION

WAC 212-17-270 **LOCAL PERMIT, APPLICATION FOR.** When applying for permit, applicant shall submit information and evidence to local fire authorities covering the following:

(1) The name of the organization sponsoring the display, if other than the applicant.

(2) The date the display is to be held.

(3) The exact location for the display.

(4) The name and license number of the pyrotechnic operator who is to supervise discharge of the fireworks and the name of at least one experienced assistant.

(5) The number of set pieces, shells (specify single or multiple break), and other items.

(6) The manner and place of storage of such fireworks prior to the display.

(7) A diagram of the grounds on which the display is to be held showing the point at which the fireworks are to be discharged, the location of all buildings, highways, and other lines of communication, the lines behind which the audience will be restrained, the location of all nearby trees, telegraph or telephone lines, or other overhead obstruction.

(8) Documentary proof of procurement of:

Surety bond;

Public liability insurance; or

A state fire marshal's "general license" for the public display of fireworks.

(10) Permittee shall be responsible for compliance with the provisions under which a public display permit has been granted.

#### NEW SECTION

WAC 212-17-275 **INVESTIGATION.** The officer to whom the application for permit is made shall make, or cause to be made, investigation of site of the proposed display for the purpose of determining if the fireworks will be of such a character or so located as to be hazardous to property or dangerous to any person. He shall

also determine whether the provisions of the state fireworks law and these rules and regulations are complied with in the case of a particular display. He shall, in the exercise of reasonable discretion, grant or deny the application subject to reasonable conditions, if any, as he may prescribe, taking into account locations, parking of vehicles, controlling spectators, storage and firing fireworks, and precautions in general against danger to life and property from fire, explosion, and panic.

#### NEW SECTION

WAC 212-17-280 **PERMITS MAY NOT BE GRANTED, WHEN.** No permit shall be granted for any public display of fireworks where the discharge, failure to fire, faulty firing, or fallout of any fireworks or other objects would endanger persons, buildings, structures, forests, brush, or other grass covered land.

#### NEW SECTION

WAC 212-17-285 **SPECTATORS.** Spectators at public displays of fireworks shall be restrained behind lines or barriers as designated by local authorities. Only authorized persons and those in actual charge of the display shall be allowed inside these lines or barriers during the unloading, preparation, or firing of fireworks.

#### NEW SECTION

WAC 212-17-290 **PYROTECHNIC OPERATORS.** No public display permit shall be granted unless at least two experienced pyrotechnic operators are provided, one of whom shall be a licensed pyrotechnic operator. The licensed operator shall:

(1) Be responsible for and have charge of the display with respect to preparation for transporting, unloading, storing, preparing special effects, set and mechanical pieces, setting mortars and rocket launchers, loading, arming and firing and disposing of all unfired or defective (dud) rockets, missiles and fireworks articles or items;

(2) Be responsible for setting all fireworks including mortars, finale batteries (hedgehogs) and rocket launchers at locations designated by the authority having jurisdiction and take into account wind direction and velocity predicted for the firing time in setting the firing angles. Shells, rockets and/or missiles shall not be permitted to cross or burst above areas occupied by persons;

(3) Be held responsible for acts of his assistants in connection with the display, from delivery to final firing who, through smoking, drinking, carelessness or negligence or any other act, endangers the safety of himself, any other person, or any property.

### PART VIII—PUBLIC DISPLAYS

#### NEW SECTION

WAC 212-17-295 **PUBLIC DISPLAY—GENERAL.** This section shall apply to the construction, handling, and use of Class B special fireworks intended solely for public display. It shall also apply to the general conduct and operation of the display.

NEW SECTION

**WAC 212-17-300 PUBLIC DISPLAY—DEFINITIONS.** For the purpose of this section, the following terms shall have the meanings shown:

(1) **Black match.** A fuse made from thread impregnated with black powder and used for igniting pyrotechnic devices.

(2) **Boxed finale.** A number of mortars grouped closely together and contained by a suitable frame. The mortars are loaded prior to the display and fused for rapid sequence firing.

(3) **Break.** An individual effect from an aerial shell, generally either color (stars) or noise (salute). Aerial shells can be single-break (having only one effect) or multiple-break (having two or more effects).

(4) **Colored pot.** A paper tube containing pyrotechnic composition that produces a colored flame on ignition. Colored pots are used in the construction of ground display pieces.

(5) **Discharge site.** The area immediately surrounding the mortars used to fire the aerial shells.

(6) **Finale rack.** A row of closely spaced two-inch (51 mm) or three-inch (76 mm) inside diameter, mortars held in a wooden frame. It is similar to a boxed finale.

(7) **Ground display piece.** A pyrotechnic device that functions on the ground (as opposed to an aerial shell which functions in the air). Typical ground display pieces include fountains, roman candles, wheels, "set pieces".

(8) **Lance.** A thin cardboard tube packed with color-producing pyrotechnic composition used to construct ground display pieces. Lances are mounted on a wooden frame and fused so that ignition of all tubes is simultaneous.

(9) **Lift charge.** That part of an aerial shell which actually lifts the shell into the air. It usually consists of a black powder charge ignited by a quick match fuse. A delay fuse then ignites the main part of the shell, producing the desired effect.

(10) **Mortar.** A metal or heavy cardboard tube from which aerial shells are fired.

(11) **Movable ground piece.** A ground display piece having movable parts, such as a revolving wheel.

(12) **Operator.** The licensed pyrotechnician (pyrotechnic operator) responsible for setting up and firing a public fireworks display.

(13) **Potential landing area.** The area over which shells are fired. The shells will normally burst over this area, but debris and malfunctions will fall into this area; therefore, it must be kept clear of spectators.

(14) **Quick match.** Black match that is encased in a loose-fitting paper sheath. While exposed black match burns slowly, quick match propagates flame extremely rapidly, almost instantaneously. Quick match is used in fuses for aerial shells and for simultaneous ignition of a number of pyrotechnic devices, such as lances in a ground display piece.

(15) **Safety cap.** A paper tube, closed at one end, that is placed over the end of the fuse of an aerial shell to protect it from accidental ignition. The cap is not removed until just before firing of the shell.

(16) **Shell (Aerial).** A cylindrical or spherical cartridge containing pyrotechnic composition, a long fuse, and a black powder lift charge. The shells are most commonly three-inch (76 mm) to six inch (152 mm) outside diameter and are fired from mortars. Upon firing, the fuse and lift charge are consumed.

NEW SECTION

**WAC 212-17-305 PUBLIC DISPLAY—CONSTRUCTION OF SHELLS.** (1) Shells shall be classified and described only in terms of the inside diameter of the mortar in which they can be safely used (e.g., 3-inch shells are only for use in 3-inch mortars).

(2) Shells shall be constructed so that the difference between the inside diameter of the mortar and the outside diameter of the shell is no less than 1/8 inch (3.2 mm) and no more than 1/4 inch (6.4 mm) for two-inch (51 mm) and three-inch (76 mm) shells or 1/2 inch (12.7 mm) for shells larger than three-inch (76 mm).

(3) Shells shall be labeled with the type of shell, the diameter measurement, and the name of the manufacturer or distributor. Shells shall also carry a warning label complying with 16 CFR 1500.121, 1981.

(4) The length of the internal delay fuse and the amount of lift charge shall be sized to insure proper functioning of the shells in their mortars. Quick match fuse shall be long enough to allow not less than 6 inches (152 mm) of fuse to protrude from the mortar after the shell has been properly inserted.

(5) The length of exposed black match on a shell shall not be less than 3 inches (76 mm) and the fuse shall not be folded or doubled back under the safety cap. Also, the time delay between ignition of the tip of the exposed black match and ignition of the lift charge shall not be less than 4 seconds to allow the operator to retreat safely.

(6) A safety cap shall be installed over the exposed end of the fuse. The safety cap shall be of a different color than that used for the paper of the fuse.

NEW SECTION

**WAC 212-17-310 PUBLIC DISPLAY—STORAGE OF SHELLS.** (1) As soon as the fireworks have been delivered to the display site, they shall not be left unattended nor shall they be allowed to become wet.

(2) All shells shall be inspected upon delivery to the display site by the display operators. Any shells having tears, leaks, broken fuses, or showing signs of having been wet shall be set aside and shall not be fired. After the display, any such shells shall either be returned to the supplier or be destroyed according to the supplier's instructions.

(3) All shells shall be separated according to diameter and stored in tightly covered containers of metal, wood, or plastic or in fiber drums or corrugated cartons meeting United States Department of Transportation specifications for transportation of fireworks. A flame-resistant tarpaulin shall be permitted to be used as a covering over the containers, if additional protection is desired.

(4) The shell storage area shall be located at a minimum distance of not less than 25 feet (7.6 m) from the discharge site.

(5) During the display, shells shall be stored upwind from the discharge site. If the wind should shift during the display, the shell storage area should be relocated so as to again be upwind from the discharge site.

**NEW SECTION**

**WAC 212-17-315 PUBLIC DISPLAY—INSTALLATION OF MORTARS.** (1) Mortars shall be inspected for dents, bent ends, and cracked or broken plugs prior to ground placement. Mortars found to be defective in any way shall not be used. Any scale on the inside surface of the mortars shall be removed.

(2) Mortars shall be positioned so that the shells are carried away from spectators and into a clear area acceptable to the authority having jurisdiction.

(3) Mortars shall be either buried securely into the ground to a depth of 2/3 to 3/4 of their length or fastened securely in mortar boxes or drums. In soft ground, heavy timber (e.g. 4-inch thick) or rock slabs shall be placed beneath the mortars to prevent their sinking or being driven into the ground during firing. **EXCEPTION: Boxed finales and finale racks.**

(4) In damp ground, a weather-resistant bag shall be placed under the bottom of the mortar prior to placement in the ground to protect the mortar against moisture.

(5) Weather-resistant bags shall be placed over the open end of the mortar in damp weather to keep moisture from accumulating on the inside surface of the mortar.

(6) Sand bags, dirt boxes, or other suitable protection shall be placed around the mortars to protect the operator from ground bursts. This requirement shall not apply to the down-range side of the discharge site.

(7) Mortars shall be inspected before the first shells are loaded to be certain no water or debris has accumulated in the bottom of the mortar.

(8) Metal mortars shall be deemed acceptable for use with all shells. Paper mortars shall only be used for discharge of single-break and double-break shells. A thirty-second cooling period shall be allowed between firing and reloading of paper mortars.

(9) Paper mortars shall be constructed of convolute wound paper, except that spiral wound paper shall be permitted for 3-inch (76 mm) diameter mortars only. Wall thickness of paper mortars shall conform to the following:

**WALL THICKNESS OF PAPER MORTARS**

Mortar Type	Mortar Diameter		Wall Thickness	
	In.	(mm)	In.	(mm)
Convolute	2-inch	(51)	1/4 inch	(6.4)
Convolute or Spiral	3-inch	(76)	3/8 inch	(9.5)
Convolute	4-inch	(102)	1/2 inch	(12.7)
Convolute	5-inch	(127)	3/4 inch	(19.0)
Convolute	6-inch	(152)	3/4 inch	(19.0)

**EXCEPTION:** For 3-inch (76 mm) single-fire mortars, such as used in finales, a wall thickness of 1/4-inch (6.4 mm) shall be permitted.

(10) A cleaning tool shall be provided for cleaning debris out of the mortars between firings.

**NEW SECTION**

**WAC 212-17-320 PUBLIC DISPLAY—SITE SELECTION.** The intent of this section is to provide minimum clearances between the discharge site and permanent buildings and spectator viewing areas, and recommended guidelines for overall site dimensions and other separation distances. Where unusual conditions exist, dimensions and separations may vary in accordance with the joint agreement of the operator and the local fire official.

**NEW SECTION**

**WAC 212-17-325 PUBLIC DISPLAY—DISCHARGE SITE.** (1) The area selected for the discharge of aerial shells shall be so located that the trajectory of the shells will not come within 25 feet (7.6 m) of any overhead object.

(2) Ground display pieces shall be located at a minimum distance of 75 feet (22.9 m) from spectator viewing areas and parking areas. **EXCEPTION:** For movable ground pieces, such as wheels, this minimum distance shall be increased to 150 feet (45.7 m).

(3) Mortars shall be separated from spectator viewing areas, parking areas and permanent structures as follows:

- 2-inch mortar.....50 feet (15.2 m)    5-inch mortar...100 feet (30.5 m)
- 3, 4-inch mortar..75 feet (22.9 m)    6-inch mortar...150 feet (45.7 m)

(4) Mortars shall be separated from public buildings or hazardous storage facilities by a minimum distance of 500 feet (152.4 m).

(5) A clear landing area of at least 150 feet (45.7 m) shall be provided in the trajectory direction of the mortar.

(6) The potential landing area shall be a large, clear, open area which has been approved by the local fire official.

(7) Spectators, vehicles, or any readily combustible materials shall not be located within the potential landing area during the display.

**NEW SECTION**

**WAC 212-17-330 PUBLIC DISPLAY—OPERATION.** General requirements.

(1) The licensee of the display shall provide adequate fire protection for the display, as required by the local fire official.

(2) The licensee shall consult with the local fire official to determine the level of fire protection and crowd control necessary.

(3) Monitors whose sole duty shall be the enforcement of crowd control shall be located around the display area by the licensee. The local fire and/or police officials shall

determine the number of monitors needed and their placement.

(4) Monitors shall be located around the discharge site to prevent spectators or any other unauthorized persons from entering the discharge site. The discharge site shall be so restricted throughout the display and until the discharge site has been inspected after the display. Where practical, fences and rope barriers shall be used to aid in crowd control.

(5) If, in the opinion of local fire and/or police officials or the pyrotechnic operator, lack of crowd control should pose a danger, the display shall be immediately discontinued until such time as the situation is corrected.

(6) If, at any time, high winds or unusually wet weather prevail, such that in the opinion of local officials or the pyrotechnic operator a definite danger exists, the public display shall be postponed until weather conditions improve to an acceptable level.

(7) Light snow or mist need not cause cancellation of the display; however, all materials used in the display shall be protected from the weather by suitable means until immediately prior to use.

(8) Display operators and assistants shall use only flashlights or electric lighting for artificial illumination.

(9) No smoking or open flames shall be allowed in the shell storage area as long as shells are present. Signs to this effect shall be conspicuously posted.

#### NEW SECTION

**WAC 212-17-335 PUBLIC DISPLAY—FIRING OF SHELLS.** (1) Shells shall be carried from the storage area to the discharge site only by their bodies, never by their fuses.

(2) Shells shall be checked for proper fit in their mortars prior to the display.

(3) When loaded into mortars, shells shall be held by the thick portion of their fuses and carefully lowered into the mortar. At no time shall the operator place any part of his body over the throat of the mortar.

(4) The operator shall be certain that the shell is properly seated in the mortar.

(5) Shells shall not, under any circumstances, be forced into a mortar too small to accept them. Shells that do not fit properly into the mortars shall not be fired; they shall be disposed of according to the supplier's instructions.

(6) Shells shall be ignited by lighting the tip of the fuse with a fusee, torch, portfire, or similar device. The operator shall never place any part of his body over the mortar at any time. As soon as the fuse is ignited, the operator shall retreat from the mortar area.

(7) The safety cap protecting the fuse shall not be removed by the operator responsible for igniting the fuse until immediately before the shell is to be fired.

(8) The first shell fired shall be carefully observed to determine that its trajectory will carry it into the intended firing range and that the shell functions over, and any debris falls into, the potential landing area.

(9) The mortars shall be re-angled or reset if necessary at any time during the display.

(10) In the event of a shell failing to ignite in the mortar, the mortar shall be left alone for a minimum of

five minutes, then carefully flooded with water. Immediately following the display, the mortar shall be emptied into a bucket of water. The supplier shall be contacted as soon as possible for proper disposal instructions.

(11) Operators shall never attempt to repair a damaged shell nor shall they attempt to dismantle a dry shell. In all such cases, the supplier shall be contacted as soon as possible for proper disposal instructions.

(12) Operators shall never dry a wet shell, lance, or pot for reuse. In such cases, the shell, lance, or pot shall be handled according to disposal procedures.

(13) The entire firing range shall be inspected immediately following the display for the purpose of locating any defective shells. Any shells found shall be immediately doused with water before handling. The shells shall then be placed in a bucket of water. The supplier shall then be contacted as soon as possible for proper disposal instructions.

(14) When fireworks are displayed at night, the licensee shall insure that the firing range is inspected early the following morning.

(15) The operator of the display shall keep a record, on a form provided by the state fire marshal, of all shells that failed to ignite or fail to function. The form shall be completed and returned to the state fire marshal. Failures shall also be reported to the supplier.

#### NEW SECTION

**WAC 212-17-340 PUBLIC DISPLAY—GROUND PIECES.** (1) All ground pieces shall be positioned out of the firing range of aerial displays. Mortars shall be positioned so that they do not fire towards any ground pieces.

(2) No dry grass or combustible material shall be located beneath ground pieces. If dry, the area should be thoroughly wet down before the display.

(3) Poles for ground pieces shall be securely placed and firmly braced so that they will not fall over when they function.

(4) Specific instructions from the supplier shall accompany ground pieces. A list of required accessories shall also be supplied.

#### NEW SECTION

**WAC 212-17-345 REPORTS.** After every public display, it shall be the responsibility of the licensed pyrotechnic operator in charge of the display to submit a written report to the state fire marshal, within ten days following the display, covering:

(1) A brief report of any duds, defective shells, with manufacturer's name, and the type and size of shell.

(2) A brief account of the cause of injury to any person(s) from fireworks and such person's name and address.

(3) A brief account of any fires caused by fireworks.

(4) Any violation of the state fireworks law or of these regulations relating to public display fireworks, with special observations on any irregularities on the part of persons present at the firing site.

(5) The names of pyrotechnic assistants who satisfactorily assisted in all phases of the display, if other than those shown on the license.

Failure to file this report shall constitute grounds for revocation of the operator's current license and/or rejection of his application for his license renewal.

## PART IX—TRANSPORTATION

### NEW SECTION

**WAC 212-17-350 TRANSPORTATION—GENERAL.** Licensees are authorized to transport the class and quantity of fireworks for which they have a license to possess from the point of acceptance from a licensed source to an approved storage facility or use site. Transportation shall be in accordance with the regulations of the United States Department of Transportation and the laws of the state of Washington governing the transportation of Class B and C explosives.

## PART X—STORAGE

### NEW SECTION

**WAC 212-17-355 STORAGE—GENERAL.** Storage of fireworks shall be free from any condition which increases or may cause an increase of the hazard or menace of fire or explosion or which may obstruct, delay or hinder, or may become the cause of any obstruction, delay or hindrance, to the prevention or extinguishment of fire.

### NEW SECTION

**WAC 212-17-360 STORAGE—EXPLOSIVE SAFETY.** Any person storing fireworks shall have a license for the possession (manufacturer, wholesaler, importer, retailer, display) and, in addition, a permit from the local fire authority for the storage site. Storage shall be in accordance with requirements of the local fire official, who may use the safety practices in the appendix of these rules as guidelines in approving the storage permit.

### NEW SECTION

**WAC 212-17-900 APPENDIX.** This appendix is not a part of this rule but is included to provide guidelines, based on nationally-recognized standards, for use by licensees in establishing safe practices involving the manufacture or storage of fireworks and for use by local fire officials in determining compliance with safety standards for the purpose of issuing permits for fireworks manufacture or storage.

In addition to the definitions in chapter 70.77 RCW and this rule, the following definitions apply to this appendix:

**Barricade.** A natural or artificial barrier that will effectively screen a magazine, building, railway, or highway from the effects of an explosion in a magazine or building containing explosives. It shall be of such height that a straight line from the top of any sidewall of a building or magazine containing explosives to the cave

line of any magazine, or building, or to a point twelve feet above the center of a railway or highway, will pass through such natural or artificial barrier.

**Natural Barricade.** Natural features of the ground, such as hills, or timber of sufficient density that the surrounding exposures that require protection cannot be seen from the magazine or building containing explosives when the trees are bare of leaves.

**Artificial Barricade.** An artificial mound or revetted wall of earth of a minimum thickness of three feet.

**Breakaway Construction.** A general term which applies to the principle of purposely providing a weak wall so that the explosive effects can be directed and minimized. The term "weak wall" as used in this Code refers to a weak wall, weak wall and roof, or weak roof.

The term "weak wall" is used in a relative sense as compared to the construction of the entire building. The design strength of a "weak wall" will vary as to the building construction, as well as to the type and quantity of explosive or pyrotechnic materials in the building. The materials used for "weak wall" construction are usually light gauge metal, plywood, hardboard or equivalent lightweight material, and the material is purposely selected to minimize the danger from flying missiles. Method of attachment of the weak wall shall be such as to aid the relief of blast pressure and fireball.

**Fireworks Plant.** Means all lands, and buildings thereon, used for or in connection with the manufacture or processing of fireworks. It includes storage buildings used with or in connection with plant operation.

**Highway.** Means any public street, public alley or public road.

**Inhabited Building.** Means a building or structure regularly used in whole or part as a place of human habitation. The term "inhabited building" shall also mean any church, school, store, passenger station, airport terminal for passengers, and any other building or structure where people are accustomed to congregate or assemble, but excluding any building or structure occupied in connection with the manufacture, transportation, and storage of explosive materials or fireworks.

**Magazine.** Means any building or structure, other than a manufacturing building, meeting the requirements specified in Chapter 3 of this Code.

**Manufacture of Fireworks.** Means the preparation of fireworks mixes and the loading and assembling of all fireworks, except pyrotechnic display items made on site by qualified personnel for immediate use when such operation is otherwise lawful.

**Mixing Building.** Means any building used primarily for mixing and blending pyrotechnic composition, excluding wet sparkler mixes.

**Motor Vehicle.** Means any self-propelled passenger vehicle, truck, tractor, semitrailer, or truck-full trailer used for the transportation of freight over public highways.

**Nonprocess Building.** Means office buildings, warehouses, and other fireworks plant buildings where no fireworks or explosive compositions are processed or stored.

**Person.** Means any individual, firm, copartnership, corporation, company, association, joint stock association, and including any trustee, receiver, assignee, or personal representative thereof.

**Process Building.** Means any mixing building, any building in which pyrotechnic or explosive composition is pressed or otherwise prepared for finishing and assembling, or any finishing and assembling building, including a building used for preparation of fireworks for shipment. If a pyrotechnic or explosive composition while in the state of processing is stored in a process building, the building is classified as a process building. See also Storage Building.

**Public Conveyance.** Means any vehicle carrying passengers for hire.

**Pyrotechnic Composition.** Means a chemical mixture which on burning and without explosion produces visible or brilliant displays or bright lights, or whistles.

**Railway.** Means any steam, electric, diesel electric or other railroad or railway which carries passengers for hire on the particular line or branch in the vicinity where explosives or fireworks are stored or where fireworks manufacturing buildings are situated.

**Screen Type Barricade.** Means any of several barriers for containing embers and debris from fires and deflagrations in process buildings that could cause fires and explosions in other buildings. Screen type barricades are constructed of metal roofing, one-quarter-inch and one-half-inch mesh screen or equivalent material. A screen type barricade extends from the floor level of the donor building to such height that a straight line from the top of any side wall of the donor building to the cave line of the acceptor building will go through the screen at a point not less than five feet from the top of the screen. The top five feet of the screen are inclined at an angle of between 30 and 45 degrees, toward the donor building.

**Squib.** Means a device containing a small quantity of ignition compound in contact with a bridge wire.

**Storage Building.** Means any building, structure, or facility in which Class C fireworks in any state of processing, or finished Class C fireworks are stored, but in which no processing or manufacturing is performed.

**Warehouse.** Means any building or structure used exclusively for the storage of materials, except fireworks or combustible or explosive compositions used to manufacture fireworks.

## PART I MANUFACTURING OPERATIONS

### 1. General

11. All fireworks plants shall comply with the requirements of this section except that those plants that meet all of the conditions of the following paragraphs a, b and c need not comply with Articles 2 and 6:

a. Making only customized fireworks not for general sale.

b. Having not more than five pounds of explosive composition, including not more than one-half pound of initiating explosive, in a building at one time.

c. All explosive and pyrotechnic compositions are removed to an appropriate storage magazine at the end of each work day.

### 2. Building Site Security

21. All fireworks plants shall be completely surrounded by a substantial fence having a minimum height of six feet. All buildings, except office buildings in which no processing or storage is permitted, must be located within the fence. All openings in the fence shall be equipped with suitable gates which shall be kept securely locked at all times, except when in actual use, except that the main gate of the plant may be left open during the regular hours of plant operation while in plain view of and under observation by authorized responsible employees or guards. Conspicuous signs indicating "WARNING — NO SMOKING — NO TRESPASSING" shall be posted along the plant fence at intervals not to exceed 500 feet.

22. No person other than authorized employees or representatives of departments of Federal, state, or political subdivisions of the state governments having jurisdiction over the establishment shall be allowed in any fireworks plants, except by special permission secured from the plant office.

### 3. Separation Distances

31. All process buildings shall be separated from inhabited buildings, public highways and passenger railroads in accordance with Table 1.

32. The separation distance between process buildings shall be in accordance with Table 2.

33. Separation distances of nonprocess buildings from process buildings and magazines shall be in accordance with Table 2.

34. Separation of magazines containing black powder or salutes classified as Class B fireworks from inhabited buildings, highways, and other magazines containing black powder or salutes classified as Class B fireworks shall be in accordance with Table 3.

### 4. Building Construction

41. Process buildings, except buildings in which customers' orders are prepared for shipment, shall embody breakaway construction. The exterior of process buildings constructed after this Code is adopted shall be constructed of materials no more combustible than painted wood.

42. No building shall have a basement or be more than one story high. Interior wall surfaces and ceilings of buildings shall be smooth, free from cracks and crevices, noncombustible, and with a minimum of horizontal ledges upon which dust may accumulate. Wall joints and openings for wiring and plumbing shall be sealed to prevent entry of dust. Floors and work surfaces shall not have cracks or crevices in which explosives or pyrotechnic compositions may lodge.

43. Mixing and pressing buildings shall have conductive flooring, properly grounded.

44. The number and location of exits in buildings in which fireworks are being processed shall comply with a, b and c.

a. From every point in every undivided floor area of more than one hundred square feet there shall be at least



two exits accessible in different directions. Where building floors are divided into rooms, there shall be at least two ways of escape from every room of more than one hundred square feet; toilet rooms need have only one exit and shall be so located that the points of access thereto are away from or suitably shielded from fireworks processing areas.

b. Exits shall be so located that it will not be necessary to travel more than twenty-five feet from any point to reach the nearest exit. The routes to the exits shall be unobstructed.

c. Exit doors shall open outward, and shall be capable of being pressure-actuated from the inside.

#### 5. Heat, Light, Electrical Equipment

51. No stoves, exposed flames, or electric heaters may be used in any part of a building except in a boiler room, machine shop, office building, pumphouse, or lavatory in which the presence of fireworks, fireworks components, or flammable liquids are prohibited. Heating shall be by means of steam, indirect hot air radiation, hot water, or any other means approved by local authorities. Unit heaters, located inside buildings that at any time contain explosive or pyrotechnic composition, shall be equipped with motors and switches suitable for use in Class II, Division 1 locations.

52. Where artificial lighting is required in fireworks processing buildings it shall be by electricity. Temporary or loose electrical wiring shall not be used. Extension lights are prohibited except that during repair operations approved portable lighting equipment may be used after the area has been cleared of all pyrotechnic or explosive composition and after all dust has been removed by washing down.

53. All wiring in process buildings shall be in rigid metal conduit or be Type MI cable. The wiring, lighting fixtures, and switches shall comply with the requirements for Class II, Division 1 locations in Article 502 of the National Electrical Code, 1981.

54. Wiring, switches, and fixtures in storage buildings shall comply with the requirements for Class II, Division 2 locations in Article 502 of the National Electrical Code, 1981.

55. All presses and other mechanical devices shall be properly grounded.

56. A master switch shall be provided at the point where electric current enters the plant, which will, upon being opened, immediately cut off all electric current to the plant, except that to emergency circuits such as a supply to a fire pump or emergency lighting.

#### 6. Maximum Building Occupancy and Quantities of Explosive or Pyrotechnic Compositions Permitted

61. The number of occupants in each process building and magazine shall be limited to that number necessary for the proper conduct of those operations.

NOTE: This requirement is for purposes of minimizing personnel exposure and is distinct from any requirement on maximum building occupancy that may be in the local building code.

62. The maximum number of occupants permitted in each process building and magazine shall be posted in a conspicuous location.

63. No more than 500 pounds of pyrotechnic and explosive composition shall be permitted at one time in any mixing building or any building in which pyrotechnic and explosive compositions are pressed or otherwise prepared for finishing and assembling.

64. No more than 500 pounds of pyrotechnic and explosive composition shall be permitted in a finishing and assembling building at one time.

#### 7. Fire, Explosion Prevention

71. All buildings shall be kept clean, orderly, and free from accumulation of dust or rubbish. Powder or other explosive or pyrotechnic materials, when spilled, shall be immediately cleaned up and removed from the building.

72. Rags, combustible, pyrotechnic or explosive scrap, and paper shall be kept separate from each other and placed in approved marked containers. All waste and reject hazardous material shall be removed from all buildings daily and removed from the plant at regular intervals and destroyed by submersion in water or by burning in a manner acceptable to local authorities.

73. No smoking or carrying of lighted pipes, cigarettes, cigars, matches, lighters, or open flame, is permitted within the plant fence, except that smoking may be permitted in office buildings or buildings used exclusively as lunchrooms or rest rooms and in which the presence of fireworks or any explosive composition is prohibited. Authorized smoking locations shall be so marked, contain suitable receptacles for cigarette and cigar butts and pipe residue, and contain at least one serviceable fire extinguisher suitable for use on Class A fires. Persons whose clothing is contaminated with explosives, pyrotechnic, or other dangerous materials to the degree that may endanger the safety of personnel shall not be permitted in smoking locations.

74. Matches, cigarette lighters or other flame-producing devices shall not be brought into any process building or magazine.

75. No employee or other person shall enter or attempt to enter any fireworks plant with liquor or narcotics in his possession, or while under the influence of liquor or narcotics, or partake of intoxicants or narcotics or other dangerous drugs while in a fireworks plant.

76. All persons working at or supervising the operations in fireworks mixing and pressing buildings shall be provided with, and wear, cotton working uniforms. In addition, conductive shoes and cotton socks shall be required for all Class B fireworks operations and all mixing, pressing, loading, and matching related to Class C fireworks. Facilities for changing into these uniforms, and safekeeping for the employees' street clothes shall be provided. The uniforms shall be frequently washed, to prevent accumulation of explosive or other pyrotechnic compounds, and shall not be worn outside the fireworks plant. Washing and shower facilities for employees shall be provided. All persons working in or supervising the operations in a process building shall wear protective clothing and eye protection as needed. All persons working in or supervising mixing areas shall wear respirators when the situation dictates their need.

77. Each fireworks plant shall have an employee designated as safety officer. All employees of a fireworks

plant, upon commencing employment and at least annually thereafter, shall be given formal instruction by this safety officer, regarding proper methods and procedures in fireworks plants and safety requirements and procedures for handling explosives, pyrotechnics and fireworks.

78. In areas where there is a danger of ignition of materials by sparks, properly maintained and nonferrous safety hand tools shall be used.

79. In no case shall oxidizers such as nitrates, chlorates, or perchlorates be stored in the same building with combustible powdered materials such as charcoal, gums, metals, sulfur, or antimony sulfide.

#### 8. Testing Fireworks

81. Testing of fireworks and components of fireworks shall be performed in an area set aside for that purpose and located at a safe distance, considering the nature of the materials being tested, from any plant building or other structure.

#### 9. Fire Extinguishers; Emergency Procedures

91. Fire extinguishers shall be provided in all buildings except those in which pyrotechnic mixtures are exposed. The number and location of extinguishers shall be in accordance with the requirements of the local fire official.

92. Emergency procedures shall be formulated for each plant which will include personnel instruction in any emergency that may be anticipated. All personnel shall be made aware of an emergency warning signal.

93. Emergency procedures shall include instruction in the use of portable fire extinguishers and instructions on the type of fires on which they may and may not be used.

a. The employees shall be told that if a fire is involving or is in danger of spreading to pyrotechnic mixtures, they are to leave the building at once and follow prescribed procedures for alerting other employees.

b. Extinguishers may be used on fires involving ordinary combustible materials, if the fire can be fought and extinguished without exposing pyrotechnic mixtures.

### PART II

#### STORAGE OF CLASS B FIREWORKS

##### 1. General Provisions

11. Class B fireworks shall be stored in magazines that meet the requirements of this section.

12. Class B fireworks shall be stored in magazines unless they are in process of manufacture, being physically handled in the operating process, being packaged or being transported.

13. Magazines required by this section shall be constructed in accordance with Articles 2 and 3.

14. Class B fireworks that are bullet-sensitive, shall be stored in Type 1, 2, or 3 magazines.

a. Black powder, and Class B fireworks that are not bullet-sensitive shall be stored in a Type 1, 2, 3, or 4 magazine.

15. Magazines containing black powder shall be separated from inhabited buildings, passenger railways, and public highways, and other magazines in accordance with Table 3.

16. Magazines containing Class B fireworks shall be separated from inhabited buildings, passenger railways and public highways in accordance with Table 1.

17. Magazines containing Class B fireworks shall be separated from other magazines and from fireworks plant buildings by barricades or screen-type barricades and the distances from other magazines and process buildings shall be in accordance with Table 2.

##### 2. Construction of Magazines—General

21. Magazines shall be constructed in conformity with the provisions of this section or may be of substantially equivalent construction.

22. The ground around magazines shall be graded in such a manner that water will drain away from the magazines.

23. Magazines requiring heat shall be heated by either hot water radiant heating within the magazine building, or air directed into the magazine building over either hot water or low pressure steam (15 psig maximum) coils located outside the magazine building.

24. The magazine heating systems shall meet the following requirements:

1. The radiant heating coils within the building shall be installed in such a manner that the fireworks containers cannot contact the coils and air is free to circulate between the coils and the fireworks.

2. The heating ducts shall be installed in such a manner that the hot air discharge from the duct is not directed against the fireworks or fireworks containers.

3. The heating device used in connection with a magazine shall have controls that prevent the ambient building temperature from exceeding 130° F.

4. The electric fan or pump used in the heating system for a magazine shall be mounted outside and separate from the wall of the magazine and shall be grounded.

5. The electric fan motor and the controls for an electrical heating device used in heating water or steam shall have overloads and disconnects, which comply with the National Electrical Code, 1981. All electrical switch gear shall be located a minimum distance of 25 feet from the magazine.

6. The heating source for water or steam shall be separated from the magazine by a distance of not less than 25 feet when electric and 50 feet when fuel-fired. The area between the heating unit and the magazine shall be cleared of all combustible materials.

7. The storage of fireworks and fireworks containers in the magazine shall allow uniform air circulation so temperature uniformity can be maintained throughout the stored materials.

25. When lights are necessary inside the magazine, electric safety flashlights or electric safety lanterns shall be used.

a. The authority having jurisdiction may authorize interior lighting of special design for magazines provided that adequate safety is maintained.

26. When ventilation is required in a magazine, sufficient ventilation shall be provided to protect the stored materials in storage for the specific area in which the magazine is located. Stored materials shall be so placed in the magazine as not to interfere with ventilation and

shall be stored so as to prevent contact with masonry walls or with any steel or other ferrous metal by means of a nonsparking lattice or equivalent lining.

### 3. Construction of Magazines

31. **Type 1 Magazine.** A Type 1 magazine shall be a permanent structure such as a building or an igloo that is bullet-resistant, fire-resistant, theft-resistant, weather-resistant, and ventilated.

a. **Walls.** Examples of wall construction considered suitable for Type 1 magazines are:

1. Hollow masonry block construction with 8-inch blocks having the hollow spaces filled with well-tamped dry sand or a well-tamped cement/sand mixture.

2. Brick or solid cement block construction 8 inches thick.

3. Wood construction covered with 26-gauge metal having 3/4-inch plywood or wood sheathing with a 6-inch space between the exterior and interior sheathing and the space between the sheathing filled with well-tamped dry sand or well-tamped cement/dry sand mixture, with not less than 1-to-8 ratio of cement to sand.

4. Fourteen-gauge metal construction lined with 4 inches of brick, solid cement block or hardwood; or filled with 6 inches of sand.

b. **Doors.** Examples of door construction considered suitable for Type 1 magazines are:

1. Steel plate 3/8-inches thick lined with four layers of 3/4-inch tongue and groove hardwood flooring.

2. Metal plate not less than 14 gauge lined with four inches of hardwood.

c. **Roof.** The roof of a Type 1 magazine may be constructed of metal not less than 14 gauge, or 3/4-inch wood sheathing covered by metal not less than 26 gauge or other noncombustible roofing material. All exposed wood on the exterior including the eaves shall be protected by metal not less than 26 gauge.

d. **Ceiling.** Where the natural terrain around a Type 1 magazine makes it possible to shoot a bullet through the roof at such an angle that a bullet could strike the explosives stored in the magazine, then either the roof or the ceiling shall be of bullet-resistant construction. A bullet-resistant ceiling may be constructed at the eave line, covering the entire area of the magazine except the space necessary for ventilation. Examples of ceiling construction that are considered bullet-resistant are:

1. A tray having a depth of not less than 4 inches of sand.

2. A hardwood ceiling not less than 4 inches thick.

e. **Foundation.** The foundation may be of masonry, wood, or metal and shall be completely enclosed except for openings to provide cross ventilation. A wooden foundation enclosure shall be covered on the exterior with not less than 26-gauge metal.

f. **Floor.** The floor may be constructed of wood or other suitable floor materials. Floors constructed of materials that may cause sparks shall be covered with a surface of nonsparking material or the packages of explosives shall be placed on pallets of nonsparking material. Magazines constructed with foundation ventilation shall have at least a 2-inch air space between the side walls and the edge of the floor.

g. **Ventilation.** Type 1 magazines shall be ventilated to prevent dampness and heating of stored explosives. Ventilating openings shall be screened to prevent the entrance of sparks. Ventilators in side walls shall be offset or shielded. Magazines having foundation and roof ventilators with the air circulating between the side walls and the floor and between the side walls and the ceiling shall have constructed a wooden lattice lining or equivalent to prevent the packages of explosives from being stacked against the side walls and blocking the air circulation.

h. **Locks.** Each door of a Type 1 magazine shall be equipped with two mortise locks, or with two padlocks fastened in separate hasps and staples, or with a combination of mortise lock and a padlock, or with a mortise lock that requires two keys to open; or a three-point lock, or equivalent type of lock that secures a door to the frame at more than one point. Padlocks shall be steel having at least five tumblers and at least a 7/16-inch-diameter case-hardened shackle. All padlocks shall be protected by steel hoods that are installed in a manner to discourage insertion of bolt cutters. Doors that are secured by a substantial internal bolt do not require additional locking devices. Hinges and hasps shall be securely fastened to the magazine and all locking hardware shall be secured rigidly and directly to the door frame.

32. **Type 2 Magazine.** A Type 2 magazine shall be a portable or mobile structure, such as a box, skid-magazine, trailer or semitrailer, that is fire-resistant, theft-resistant, weather-resistant, and ventilated. It shall also be bullet-resistant except when used for indoor storage.

a. **Type 2 Outdoor Box Magazine**

1. The sides, bottom, top and covers or doors of Type 2 outdoor box magazines shall be constructed of metal, lined with at least 4 inches of hardwood or equivalent bullet-resistant material. The floor shall be of wood or other suitable nonsparking floor materials. Floors constructed of ferrous metal shall be covered with a surface of nonsparking material. Magazines with top opening shall have a lid that overlaps the sides by at least 1 inch when in closed position.

2. Type 2 outdoor box magazines shall be supported in such a manner as to prevent the floor from having direct contact with the ground. Small magazines shall be securely fastened to a fixed object to prevent theft of the entire magazine.

3. Hinges, hasps, locks, and locking hardware shall conform to the provisions for Type 1 magazines as specified in Paragraph 31(h).

b. **Type 2 Vehicular Magazine**

1. The sides and roof shall be not less than 20 gauge metal. The walls shall be lined with 4 inches of brick or solid cement block or hardwood, or 6 inches of sand, or other bullet-resistant material. The exposed interior walls may be lined with wood. The roof shall be protected by a bullet-resistant ceiling meeting the construction requirements for bullet-resistant ceilings in Paragraph 31(d).

2. The doors shall be of metal, lined with not less than 4 inches of hardwood, or a metal exterior with a hardwood inner door not less than 4 inches in thickness.

3. The floors shall be in accordance with the provisions for Type 1 magazines in Paragraph 31(f).

4. The doors shall be locked with at least two padlocks for each door opening, either two padlocks on the exterior door fastened on separate hasps and staples or one padlock on the exterior door and one padlock on the interior door. The padlocks shall be steel having at least five tumblers and at least a 7/16-inch-diameter case-hardened shackle. The padlocks need not be protected by steel hoods. Hinges and hasps shall be securely fastened to the magazine and all locking hardware shall be secured rigidly and directly to the door frame. When unattended, vehicular magazines shall have wheels removed, or be locked with a kingpin locking device, or otherwise be effectively immobilized.

c. Type 2 Indoor Magazine

1. An indoor Type 2 magazine shall be provided with substantial wheels or casters to facilitate removal from a building in an emergency. The cover for the magazine shall have substantial strap hinges and a means for locking. The magazine shall be kept locked except during the placement or removal of explosive materials with one five-tumbler padlock or equivalent.

2. Type 2 indoor magazines shall be painted red and shall bear lettering in white, on top, at least three inches high, "Explosives—Keep Fire Away."

3. Type 2 indoor magazines constructed of wood shall have sides, bottoms, and covers or doors constructed of 2-inch hardwood and shall be well braced at corners. The magazines shall be covered with sheet metal of not less than 20 gauge. Nails exposed to the interior of such magazines shall be countersunk.

4. Type 2 indoor magazines constructed of metal shall have sides, bottoms, and covers or doors constructed of 12-gauge metal and shall be lined inside with a non-sparking material. Edges of metal covers shall overlap sides at least 1 inch.

33. Type 3 Magazine. Type 3 magazines shall be portable structures that are bullet-resistant, fire-resistant, theft-resistant, and weather-resistant.

a. Type 3 magazines shall be equipped with a five-tumbler padlock.

b. Type 3 magazines constructed of wood shall have sides, bottoms, and covers or doors constructed of 4-inch hardwood and shall be well braced at corners. They shall be covered with sheet metal of not less than 20 gauge. Nails exposed to the interior of such magazines shall be countersunk.

c. Type 3 magazines constructed of metal shall have sides, bottoms, and covers or doors constructed of 12-gauge metal and shall be lined inside with a nonsparking material. Edges of metal covers shall overlap sides at least 1 inch.

34. Type 4 magazine. A Type 4 magazine shall be a permanent, portable, or mobile structure, such as a building igloo, box, semitrailer, or other mobile container that is fire-resistant, theft-resistant, and weather-resistant.

a. Type 4 Outdoor Magazine

1. A Type 4 outdoor magazine shall be constructed of masonry, wood covered with metal, fabricated metal or a combination of these materials. The doors shall be metal

or wood covered with metal. Permanent magazines shall be constructed in accordance with those provisions for Type 1 magazines pertaining to: foundations (Paragraph 31(e)); ventilation (Paragraph 31(g)); and locks, hinges, hasps and locking hardware (Paragraph 31(h)). Vehicular Type 4 magazines shall be in accordance with the provisions for Type 2 vehicular magazines for locks, hinges, hasps and locking hardware (Paragraph 32(b)4) and shall be immobilized when unattended (Paragraph 32(b)2).

b. Type 4 Indoor Magazine

1. A Type 4 indoor magazine shall be in accordance with the provisions of a Type 2 indoor magazine (Paragraph 32(d)).

4. Magazine Operations

41. Storage Within Magazines

a. Magazines shall be in the charge of a competent person at all times who shall be at least 21 years of age, and who shall be held responsible for the enforcement of all safety precautions. The competent person shall keep an up-to-date inventory of the contents of magazines.

b. All magazines containing Class B fireworks or black powder shall be opened and inspected at intervals of not greater than three days to determine whether there has been an unauthorized entry or attempted entry into the magazines; or to determine whether there has been unauthorized removal of the magazines or the contents of the magazines.

c. Magazine doors shall be kept locked, except during the time of placement and removal of stocks or during inspection.

d. Safety rules covering the operations of magazines shall be posted on the interior of the magazine door.

e. Corresponding grades and brands shall be stored together in such a manner that brands and grade marks show. All stocks shall be stored so as to be easily counted and checked.

f. Containers shall be piled in a stable manner.

g. Containers of Class B fireworks shall be laid flat with top side up.

h. Black powder in shipping containers, when stored in magazines with other explosives, shall be segregated. Black powder stored in kegs shall be stored on ends, bungs down, or on side, seams down.

i. Open containers shall be securely closed before being returned to a magazine. Only fiberboard containers may be opened in the magazine. No container without a closed lid may be stored in the magazine.

j. Wooden packages of Class B fireworks or black powder shall not be unpacked or repacked in a magazine nor within 50 feet of a magazine or in close proximity to other explosive materials.

k. Tools used for opening containers of Class B fireworks or black powder shall be constructed of nonsparking material, except that metal slitters may be used for opening fiberboard containers. A wood wedge and a fiber, rubber or wood mallet shall be used for opening or closing wood containers of explosives.

l. Magazines shall be used exclusively for the storage of Class B fireworks and black powder. Metal tools other than nonferrous transfer conveyors, shall not be stored in

any magazine containing Class B fireworks or black powder. Ferrous metal conveyor stands may be stored in the magazine when the stands are protected by a coat of paint.

m. Magazine floors shall be regularly swept, kept clean, dry, free of grit, paper, empty used packages and rubbish. Brooms and other cleaning utensils shall not have any spark-producing metal parts. Sweepings from floors of magazines shall be properly disposed of, in accordance with the instructions of the manufacturer.

n. When magazines need interior repairs, all fireworks and black powder shall be removed therefrom and the floors cleaned.

o. In making exterior magazine repairs, when there is a possibility of causing sparks or fire, the fireworks and black powder shall be removed from the magazine.

p. Fireworks and black powder removed from a magazine under repair shall either be placed in another magazine or placed a safe distance from the magazine, where they shall be properly guarded and protected until repairs have been completed. Upon completion of repairs, the fireworks and black powder shall be promptly returned to the magazine.

#### 42. Miscellaneous Safety Precautions

a. Smoking, matches, open flames, spark-producing devices and firearms (except firearms carried by authorized guards) shall not be permitted inside of or within 50 feet of magazines.

b. The land surrounding magazines shall be kept clear of brush, dried grass, leaves and similar combustibles for a distance of at least 25 feet.

c. Combustible materials shall not be stored within 50 feet of magazines.

d. Property upon which magazines are located shall be posted with signs reading "Explosives—Keep Off." Such signs shall be located so as to minimize the possibility of a bullet's traveling in the direction of the magazine if anyone shoots at the sign.

### PART III

#### STORAGE OF CLASS C FIREWORKS

##### 1. General Provisions

11. Class C fireworks shall be kept in storage buildings that meet the requirements of this section.

12. Class C fireworks shall be stored in storage buildings unless they are in process of manufacture, being physically handled in the operating process, being used, packaged, or being transported.

13. Storage buildings required by this section shall be constructed in accordance with Article 2.

14. Storage buildings containing Class C fireworks shall be separated from inhabited buildings, passenger railways and public highways, in accordance with Table 1.

15. Storage buildings containing Class C fireworks shall be separated from other storage buildings, magazines and fireworks plant buildings in accordance with Table 2.

##### 2. Construction of Storage Buildings

21. Storage buildings for Class C fireworks may be a building, igloo, box, trailer, semi-trailer or other mobile facility. They shall be constructed to resist fire from an

outside source and to be weather-resistant and theft-resistant.

22. Storage buildings for Class C fireworks shall be vented, or in the alternative, shall be constructed in such a manner that venting will occur by yielding of weaker parts of the structure under pressure generated by burning fireworks.

23. All storage buildings shall be equipped with locking means for all openings.

24. All doors shall open outward and all exits must be clearly marked. Aisles and exit doors shall be kept free of any obstructions.

25. Only dust-ignition proof type electrical fixtures shall be used and wiring shall comply with Section 502-4(b) of the National Electrical Code. No wall receptacles are permitted. All light fixtures must have guards.

26. An outside master electrical switch shall be provided at each storage building where electricity is used.

##### 3. Storage Building Operations

###### 31. Storage.

a. Storage buildings shall be in the charge of a competent person at all times who shall be at least 21 years of age, and who shall be held responsible for the enforcement of all safety precautions.

b. Doors shall be kept locked, except during hours of operation.

c. Safety rules covering the operations of storage buildings shall be posted.

d. Containers shall be piled in a stable manner.

e. Class C fireworks shall be stored in their original packaging and in unopened cases or cartons so as to take advantage of the insulation provided by such packaging; provided, however, unpackaged fireworks which have been returned by retailers may be temporarily retained in bins for repackaging.

f. Tools used for opening containers of Class C fireworks shall be constructed of nonsparking material, except that metal slitters may be used for opening fiberboard containers.

g. Storage buildings shall be regularly swept, kept clean, dry, free of grit, paper, empty used packages and rubbish. Brooms and other cleaning utensils shall not have any spark-producing metal parts. Sweepings shall be properly disposed of.

h. When storage buildings need interior repairs, all fireworks shall be removed therefrom and the interior cleaned.

i. In making exterior storage building repairs, when there is a possibility of causing sparks of fire, the fireworks shall be removed from the storage building.

j. Fireworks removed from a storage building under repair shall either be placed in another storage building or placed a safe distance from the storage building, where they shall be properly guarded and protected until repairs have been completed. Upon completion of repairs, the fireworks shall be promptly returned to the storage building.

###### 32. Miscellaneous Safety Precautions

a. Smoking, matches, open flames, spark-producing devices and firearms (except firearms carried by authorized guards) shall not be permitted inside of or within 25 feet of storage buildings.

b. The land surrounding storage buildings shall be kept clear of brush, dried grass, leaves and similar combustibles for a distance of at least 25 feet, unless equivalent protection is provided.

c. Smoking shall not be permitted in storage buildings or within 25 feet of the storage building. There shall be conspicuously posted signs with the words "FIREWORKS—NO SMOKING" in letters not less than four inches high.

**PART IV  
QUANTITY-DISTANCE SEPARATION TABLES**

**Table 1. Minimum Separation Distances of Fireworks Processing Buildings, Fireworks Magazines, and Fireworks Storage Buildings from Inhabited Buildings, Passenger Railways, and Public Highways.**

Net Weight of Fireworks <sup>2</sup>	Distance from Passenger Railways and Public Highways <sup>3,4,5</sup>		Distance from Inhabited Buildings <sup>3,4,5</sup>	
	Class C Fireworks	Class B Fireworks <sup>5</sup>	Class C Fireworks	Class B Fireworks <sup>5</sup>
Pounds	Feet	Feet	Feet	Feet
100	25	200	50	200
200	30	200	60	200
400	35	200	70	200
600	40	200	80	208
800	45	200	90	252
1,000	50	200	100	292
2,000	58	230	115	459
3,000	62	296	124	592
4,000	65	352	130	704
5,000	68	400	135	800
6,000	70	441	139	882
8,000	73	509	140	1,018
10,000	75	565	150	1,129
15,000	80	668	159	1,335
20,000	83	745	165	1,490
30,000	87	863	174	1,725
40,000	90	953	180	1,906
50,000	93	1,030	185	2,060
60,000	95	1,095	189	2,190
80,000	98	1,205	195	2,410
100,000	100	1,300	200	2,600
150,000	105	1,488	209	2,975
200,000	108	1,638	215	3,275
250,000	110	1,765	220	3,530

**NOTE 1:** This Table does not apply to separation distances at fireworks manufacturing buildings, and magazines for storage of Class B fireworks and storage buildings for Class C fireworks. Those separation distances are given in Table 2.

**NOTE 2:** Net weight is the weight of all pyrotechnic and explosive composition and fuse only.

**NOTE 3:** See definitions of "passenger railways," "public highways" and "inhabited buildings."

**NOTE 4:** Class B fireworks processing buildings and Class B fireworks magazines, including buildings located on the property of a fireworks plant shall be separated from passenger railways, public highways, and inhabited buildings by a minimum distance of 200 feet

except that the separation from hospitals, schools and bulk storages of flammable liquids or flammable gases shall be by a minimum distance of 500 feet.

**NOTE 5:** The separation distances shall apply to all Class B fireworks except salutes. The separation distances in Table 3 shall apply for salutes. When salutes and Class B fireworks are stored in the same magazine, the net weight of salute is applied to Table 3 and the net weight of Class B fireworks, including the net weight of salutes, is applied to Table 1. Whichever distance is the greater shall determine the separation distances of the magazine.

**NOTE 6:** All distances in Table 1 are to be applied with or without barricades or screen-type barricades.

**Table 2. Minimum Separation Distances at Fireworks Manufacturing Plants**

Net Weight of Fireworks	Distance of Magazines and Storage Buildings from Process Buildings and Nonprocess Buildings <sup>1,5</sup>		Distance Between Process Buildings and Between Process and Nonprocess Buildings <sup>2</sup>	
	Class C Fireworks <sup>3</sup>	Class B Fireworks <sup>4</sup>	Class C Fireworks <sup>3</sup>	Class B Fireworks
Pounds	Feet	Feet	Feet	Feet
100	30	30	37	57
200	30	35	37	69
400	30	44	37	85
600	30	51	37	97
800	30	56	37	105
1,000	30	60	37	112
2,000	30	76	37	172
3,000	35	87	48	222
4,000	38	95	60	264
5,000	42	103	67	300
6,000	45	109	72	331
8,000	50	120	78	382
10,000	54	129	82	423

**NOTE 1:** Net weight is the weight of all pyrotechnic and explosive compositions and fuse only.

**NOTE 2:** For the purposes of applying the separation distances in Table 2 a process building includes a mixing building, any building in which pyrotechnic or explosive compositions is pressed or otherwise prepared for finishing and assembling, and any finishing and assembling building. A nonprocess building means office buildings, warehouses, and other fireworks plant buildings where no fireworks or explosive compositions are processed or stored.

**NOTE 3:** Distances apply with or without barricades or screen-type barricades.

**NOTE 4:** Distances apply only with barricades or screen-type barricades.

**NOTE 5:** Distances include those between magazines, between storage buildings, between magazines and storage buildings, between magazines or storage buildings from process buildings and nonprocess buildings.

Table 3. Minimum Separation Distances of Magazines for Storage of Black Powder or Class B Salutes from Inhabited Buildings, Highways, and Other Magazines for Storage of Black Powder or Class B Salutes.

American Table of Distances for Storage of Explosives as Revised and Approved by The Institute of Makers of Explosives—November 5, 1971. Distances in feet.

Explosives		Inhabited Buildings		Public Highways Class A to D		Passenger Railways— Public Highways with Traffic Volume of more than 3,000 Vehicles/Day		Separation of Magazines	
Pounds Over	Pounds Not Over	Barri- caded	Unbarri- caded	Barri- caded	Unbarri- caded	Barri- caded	Unbarri- caded	Barri- caded	Unbarri- caded
2	5	70	140	30	60	51	102	6	12
5	10	90	180	35	70	64	128	8	16
10	20	110	220	45	90	81	162	10	20
20	30	125	250	50	100	93	186	11	22
30	40	140	280	55	110	103	205	12	24
40	50	150	300	60	120	110	220	14	28
50	75	170	340	70	140	127	254	15	30
75	100	190	380	75	150	139	278	16	32
100	125	200	400	80	160	150	300	18	36
125	150	215	430	85	170	159	318	19	38
150	200	235	470	95	190	175	350	21	42
200	250	255	510	105	210	189	378	23	46
250	300	270	540	110	220	201	402	24	48
300	400	295	590	120	240	221	442	27	54
400	500	320	640	130	260	238	476	29	58
500	600	340	680	135	270	253	506	31	62
600	700	355	710	145	290	266	532	32	64
700	800	375	750	150	300	278	556	33	66
800	900	390	780	155	310	289	578	35	70
900	1,000	400	800	160	320	300	600	36	72
1,000	1,200	425	850	165	330	318	636	39	78
1,200	1,400	450	900	170	340	336	672	41	82
1,400	1,600	470	940	175	350	351	702	43	86
1,600	1,800	490	980	180	360	366	732	44	88
1,800	2,000	505	1,010	185	370	378	756	45	90
2,000	2,500	545	1,090	190	380	408	816	49	98
2,500	3,000	580	1,160	195	390	432	864	52	104
3,000	4,000	635	1,270	210	420	474	948	58	116
4,000	5,000	685	1,370	225	450	513	1,026	61	122
5,000	6,000	730	1,460	235	470	546	1,092	65	130
6,000	7,000	770	1,540	245	490	573	1,146	68	136
7,000	8,000	800	1,600	250	500	600	1,200	72	144
8,000	9,000	835	1,670	255	510	624	1,248	75	150
9,000	10,000	865	1,730	260	520	645	1,290	78	155
10,000	12,000	875	1,750	270	540	687	1,374	82	164
12,000	14,000	885	1,770	275	550	723	1,446	87	174
14,000	16,000	900	1,800	280	560	756	1,512	90	180
16,000	18,000	940	1,880	285	570	786	1,572	94	188
18,000	20,000	975	1,950	290	580	813	1,626	98	196
20,000	25,000	1,055	2,000	315	630	876	1,752	105	210
25,000	30,000	1,130	2,000	340	680	933	1,866	112	224
30,000	35,000	1,205	2,000	360	720	981	1,962	119	238
35,000	40,000	1,275	2,000	380	760	1,026	2,000	124	248
40,000	45,000	1,340	2,000	400	800	1,068	2,000	129	258
45,000	50,000	1,400	2,000	420	840	1,104	2,000	135	270
50,000	55,000	1,460	2,000	440	880	1,140	2,000	140	280
55,000	60,000	1,515	2,000	455	910	1,173	2,000	145	290
60,000	65,000	1,565	2,000	470	940	1,206	2,000	150	300
65,000	70,000	1,610	2,000	485	970	1,236	2,000	155	310
70,000	75,000	1,655	2,000	500	1,000	1,263	2,000	160	320
75,000	80,000	1,695	2,000	510	1,020	1,293	2,000	165	330
80,000	85,000	1,730	2,000	520	1,040	1,317	2,000	170	340
85,000	90,000	1,760	2,000	530	1,050	1,344	2,000	175	350
90,000	95,000	1,790	2,000	540	1,080	1,368	2,000	180	360
95,000	100,000	1,815	2,000	545	1,090	1,392	2,000	185	370
100,000	110,000	1,835	2,000	550	1,100	1,437	2,000	195	390
110,000	120,000	1,855	2,000	555	1,110	1,479	2,000	205	410
120,000	130,000	1,875	2,000	560	1,120	1,521	2,000	215	430
130,000	140,000	1,890	2,000	565	1,130	1,557	2,000	225	450
140,000	150,000	1,900	2,000	570	1,140	1,593	2,000	235	470
150,000	160,000	1,935	2,000	580	1,160	1,629	2,000	245	490
160,000	170,000	1,965	2,000	590	1,180	1,662	2,000	255	510
170,000	180,000	1,990	2,000	600	1,200	1,695	2,000	265	530
180,000	190,000	2,010	2,000	605	1,210	1,725	2,000	275	550
190,000	200,000	2,030	2,030	610	1,220	1,755	2,000	285	570

Explosives		Inhabited Buildings		Public Highways Class A to D		Passenger Railways— Public Highways with Traffic Volume of more than 3,000 Vehicles/Day		Separation of Magazines	
Pounds Over	Pounds Not Over	Barri- caded	Unbarri- caded	Barri- caded	Unbarri- caded	Barri- caded	Unbarri- caded	Barri- caded	Unbarri- caded
200,000	210,000	2,055	2,055	620	1,240	1,782	2,000	295	590
210,000	230,000	2,100	2,100	635	1,270	1,836	2,000	315	630
230,000	250,000	2,155	2,155	650	1,300	1,890	2,000	335	670
250,000	275,000	2,215	2,215	670	1,340	1,950	2,000	360	720
275,000	300,000	2,275	2,275	690	1,380	2,000	2,000	385	770

**WSR 82-18-021**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
 [Order 82-117—Filed August 23, 1982]

I, Rolland A. Schmitt, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to personal use rules.

I, Rolland A. Schmitt, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is protection of fall chinook salmon run.

These 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 the agency 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) in the adoption of these rules.

APPROVED AND ADOPTED August 23, 1982.

By Bette M. Johnson  
 for Rolland A. Schmitt  
 Director

NEW SECTION

*WAC 220-57-19000T COLUMBIA RIVER Notwithstanding the provisions of WAC 220-57-190, effective 12:01 a.m. August 25, 1982, until further notice the daily bag limit of salmon taken for personal use in those waters of the Columbia River between the Megler-Astoria Bridge and Buoy 10 at the mouth of the Columbia River is 2 coho salmon not less than 16 inches in length. Only barbless hooks may be used to fish for salmon for personal use and all chinook salmon must be released immediately.*

**WSR 82-18-022**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**NATURAL RESOURCES**  
 [Order 382—Filed August 23, 1982]

I, Brian J. Boyle, Commissioner of Public Lands, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the adoption of an emergency rule restricting logging on forest lands under the protection of the Department of Natural Resources. The Olympic Area shall have Hoot Owl conditions (everything shutdown from 1200 noon until 2400 midnight) in zone 649, 650, 651L, and 652 along the Olympic Peninsula effective at midnight, Monday, August 23, 1982, through midnight, Wednesday, August 25, 1982.

I, Brian J. Boyle, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is due to existing and forecasted weather conditions, the area listed above as included in the logging restriction is particularly exposed to fire danger. No one may enter areas of logging slash. Burning permits and burning privileges in zones B and C are cancelled during period of shutdown.

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

This rule is promulgated pursuant to RCW 76.04.150, 76.04.190 and 76.04.200 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 August 23, 1982.

By Brian J. Boyle  
 Commissioner of Public Lands

NEW SECTION

*WAC 332-26-082 MODIFIED LOGGING SHUTDOWN IN PARTS OF WESTERN WASHINGTON UNDER THE PROTECTION OF THE DEPARTMENT OF NATURAL RESOURCES IN THE OLYMPIC AREA. Effective Monday, midnight (2400 hours), August 23, 1982, through*



Wednesday, midnight (2400 hours), August 25, 1982, all logging, land clearing, and other industrial operations which may cause a fire to start are to be shutdown during the following time: All operations to cease operating from noon to midnight during shutdown period.

DNR shutdown zones affected by this restriction are the following: Zone 649 in western part of Grays Harbor, Jefferson, and Clallam counties; zone 650 in part of Clallam, Jefferson, and Grays Harbor counties; zone 651L in part of Grays Harbor county protected by Olympic Area; and zone 652 in western part of Clallam and Jefferson counties protected by Olympic Area.

During the shutdown period, all persons are excluded from logging operating areas and areas of logging slashing except those persons present in the interest of fire protection.

Burning permits in burning permit zones B and C are cancelled in the above zones during the shutdown.

### WSR 82-18-023

#### EMERGENCY RULES

#### DEPARTMENT OF AGRICULTURE

[Order 1770—Filed August 24, 1982]

I, M. Keith Ellis, director of the Department of Agriculture, do promulgate and adopt at Olympia, Washington, the annexed rules relating to domestic equine, amending WAC 16-54-071.

I, M. Keith Ellis, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is the immediate reenactment of the exemption for horses being moved between Washington and Oregon from the requirement for a negative equine infectious anemia test will save Washington horse owners unneeded expense.

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

This rule is promulgated pursuant to chapter 16.36 and 16.44 RCW and is intended to administratively implement that statute.

The undersigned hereby declares that the agency 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) in the adoption of these rules.

APPROVED AND ADOPTED August 23, 1982.

By M. Keith Ellis  
Director

#### AMENDATORY SECTION (Amending Order 1730, filed 5/1/81)

WAC 16-54-071 DOMESTIC EQUINE. Domestic equine animals shall be accompanied by an official health certificate stating that they are free from clinical symptoms of infectious and communicable disease. All

equine over six months of age must have a record of a negative test for the diagnosis of equine infectious anemia made within six months prior to entry. Horses moving to Washington from Oregon are excluded from test requirements.

### WSR 82-18-024

#### NOTICE OF PUBLIC MEETINGS HIGHLINE COMMUNITY COLLEGE

[Memorandum—August 23, 1982]

In compliance with RCW 42.30.075, I am submitting the following dates for the regular monthly meetings in September, 1982 and November, 1982 of the board of trustees of Highline Community College: September 23, 1982 and November 4, 1982.

These dates are a change from the dates provided your office in my memorandum of December 28, 1981. Board action for these date changes was taken at the July 8, 1982, regular meeting.

### WSR 82-18-025

#### EMERGENCY RULES

#### DEPARTMENT OF TRANSPORTATION (Division of Aeronautics)

[Order 30, Resolution No. 154—Filed August 24, 1982]

Be it resolved by the Washington State Transportation Commission, acting at Olympia, Washington, that it does adopt the annexed rules relating to pilot registration rules and fees.

We, the Washington State Transportation Commission, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is no current statute implementation exist; lead time requirements for printing renewal pilot registration forms require emergency rule-making prior to permanent implementation. Search and rescue costs require an increase within statutory limits of fees charged.

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

This rule is promulgated pursuant to RCW 47.68.210, 47.68.233 and 47.68.236 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency 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) in the adoption of these rules.

APPROVED AND ADOPTED August 18, 1982.

By Jerry B. Overton  
Chairman, Transportation Commission

Chapter 12-18 WAC  
PILOT REGISTRATION

NEW SECTION

**WAC 12-18-001 PROMULGATION.** Whereas, it is necessary for the purpose of protecting and insuring the general public interest, and developing and promoting aeronautics in this state to efficiently enforce the laws of the State of Washington relating to the registration of pilots, and;

It is essential to the enforcement of such laws that regulations relating to their enforcement be promulgated:

It is hereby ordered under authority of RCW 47.68-.210 and by virtue of the regulatory powers vested in the Washington State Transportation Commission for and on behalf of the State of Washington that the following sections be implemented.

NEW SECTION

**WAC 12-18-010 PILOT REGISTRATION REQUIRED.** A pilot who is a resident of this state or who regularly operates in this state shall register with the Division of Aeronautics prior to January 31st each year. A new resident shall register with the Division of Aeronautics within 60 days of becoming a resident pilot. This section shall not apply to those persons exempted by RCW 47.68.233. Student pilots shall register not later than the date of their first solo flight.

NEW SECTION

**WAC 12-18-020 FEES.** A fee of \$3.00 per year shall be paid for each pilot registration prior to December 31, 1982. A fee of \$5.00 per year shall be paid for each pilot registration after December 31, 1982, without regard to the actual date of registration. Pilot registration fees will be deposited into the Search and Rescue, Safety and Education fund created under RCW 47.68.236.

NEW SECTION

**WAC 12-18-030 POSSESSION OF REGISTRATION.** A pilot who is required to register under this chapter shall carry such registration at all times while exercising the privileges of an airmans certificate issued by the Federal Aviation Administration, and shall present such registration when requested to any law enforcement officer, Division of Aeronautics personnel or any other person on reasonable demand.

NEW SECTION

**WAC 12-18-040 SEMINARS AND CLINICS.** The Division of Aeronautics may require that all persons required by this chapter to register as pilots to show proof of registration as a prerequisite to attendance at any seminar or clinic sponsored or conducted by the Division of Aeronautics and funded by pilot registration fees.

Pilots participating in Division of Aeronautics Flight Instructor Refresher Clinics will be required to show

proof of registration prior to receiving credit for the course.

NEW SECTION

**WAC 12-18-050 UNLICENSED PILOTS.** Pilots who do not possess a valid Federal Aviation Administration airmans certificate and who operate aircraft for which such certificate is not required are nevertheless required to register with the Division of Aeronautics.

**WSR 82-18-026****ADOPTED RULES****DEPARTMENT OF****LABOR AND INDUSTRIES**

[Order 82-26—Filed August 25, 1982]

I, Sam Kinville, director of the Department of Labor and Industries, do promulgate and adopt at Room 334, General Administration Building, Olympia, Washington 98504, the annexed rules relating to new charges for providing contractor registration documents and information to the public. The proposed rule will require a person to pay for written or documented responses to requests for information. The department will continue to provide information without charge in response to requests for oral information made at the department's office in Olympia or by telephone. WAC 296-200-900 is also amended to charge for issuing duplicate certificates of registration. WAC 296-200-050 is amended to specify that a contractor that changes its business structure or name must pay a \$20.00 registration fee to the section.

This action is taken pursuant to Notice No. WSR 82-11-047 filed with the code reviser on May 13, 1982. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 18.27.040, 42.17.290 and 42.17.300 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency 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) in the adoption of these rules.

APPROVED AND ADOPTED August 23, 1982.

By Sam Kinville  
Director

AMENDATORY SECTION (Amending Order 76-27, filed 9/28/76)

**WAC 296-06-120 COPYING AND FEES.** Where copies of public records are requested, the department may charge a fee of ten cents for each letter-size or legal-size copy for reimbursement of its actual costs incident to such copying. For each paper copy of a micro-filmed record, the department may charge 20 cents per copy. These copying fees do not apply to the contractor registration section of the department. The fees that section charges for copies are set out in WAC 296-200-

900. Whenever copies of public records are mailed to the person making the request, the department may require reimbursement for postage costs. All copies made at the request of persons desiring copies on copy equipment of the department will be made by department staff at times when the making of such copies will not unreasonably disrupt the operations of the department. If the records to be copied contain information that would violate any right of personal privacy, the department staff member shall prevent such information from appearing on any copy. Where the use of such equipment does not harm the public records or impede the normal work of the department, those requesting copies of public records may use their own copying equipment and paper without charge, but in such event the department staff will supervise the copying at all times.

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 81-25, filed 10/8/81)

WAC 296-200-050 CHANGE IN BUSINESS STRUCTURE, NAME, OR ADDRESS. (1) If a contractor changes its business structure (for example if it changes from a partnership to a corporation, or if the partners in a partnership change), the contractor must apply for a new registration in the manner required by WAC 296-200-025. The new registration must be accompanied by a \$20.00 registration fee. If a contractor does not reregister after a change in its business structure, its registration may be invalid. See RCW 18.27.040.

(2) If a registered contractor changes its name or address it must notify the Section of the change. The contractor must include a \$20.00 registration fee with the notification of a change in name.

AMENDATORY SECTION (Amending Order 81-25, filed 10/8/81)

WAC 296-200-900 FEES. (1) The department shall charge a \$20.00 fee for each registration and renewal of registration. For purposes of this rule, a contractor renews its registration after its registration expires, or after the registration has lapsed because the contractor's bond or insurance has been cancelled. The department shall charge \$10.00 for providing a duplicate certificate of registration.

(2) The department will charge the following amounts for providing copies or documented information from a contract's file. The department will not charge for providing an oral answer for requests for information.

- (a) Charge for certifying a letter that states that a contractor is not registered or that describes the contents of a contractor's file:

\$14.00

- (b) Charge for copying documents from a contractor's file in addition to providing a certified letter:

\$ .60  
per page

- (c) Charge for copying documents from a contractor's file when no certified letter is requested:

\$14.00 for the first page and \$ .60 for each additional page.

A request for copies or written information must enclose a check or money order made out to the department for \$14.00. The department will bill the person making the request for any additional charges. The department shall not charge more than a total of \$24.00 for additional copies.

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 82-18-027

ADOPTED RULES

DEPARTMENT OF ECOLOGY

[Order DE 82-33—Filed August 25, 1982]

I, Donald W. Moos, director of the Department of Ecology, do promulgate and adopt at the Department of Ecology, Lacey, Washington, the annexed rules relating to Skagit County, amending WAC 173-19-370.

This action is taken pursuant to Notice Nos. WSR 82-10-076 and 82-14-088 filed with the code reviser on May 5, 1982, and July 7, 1982. These rules shall take effect thirty days after they are filed with the code reviser 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 the agency 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) in the adoption of these rules.

APPROVED AND ADOPTED August 19, 1982.

By Donald W. Moos  
Director

AMENDATORY SECTION (Amending Order DE 81-38, filed 12/2/81)

WAC 173-19-370 SKAGIT COUNTY. Skagit County master program approved October 5, 1976. Revision approved January 5, 1979. Revision approved May 11, 1979. Revision approved March 3, 1980. Revision approved September 10, 1980. Revision approved December 10, 1980. Revision approved September 23,

1981. Revision approved November 23, 1981. Revision approved August 19, 1982.

**WSR 82-18-028**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**NATURAL RESOURCES**  
[Order 383—Filed August 25, 1982]

I, Brian J. Boyle, Commissioner of Public Lands, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the adoption of an emergency rule restricting logging on forest lands under the protection of the Department of Natural Resources. The Olympic Area shall have Hoot Owl conditions (everything shutdown from 1200 noon until 2400 midnight) in zone 650, 651L, and 652 along the Olympic Peninsula effective at midnight, Wednesday, August 25, 1982, through midnight, Friday, August 27, 1982.

I, Brian J. Boyle, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is due to existing and forecasted weather conditions, the area listed above as included in the logging restriction is particularly exposed to fire danger. No one may enter areas of logging slash. Burning permits and burning privileges in zones B and C are cancelled during period of shutdown.

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

This rule is promulgated pursuant to RCW 76.04.150, 76.04.190 and 76.04.200 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 August 25, 1982.

By Brian J. Boyle  
Commissioner of Public Lands

**NEW SECTION**

**WAC 232-26-083 MODIFIED LOGGING SHUTDOWN IN PARTS OF WESTERN WASHINGTON UNDER THE PROTECTION OF THE DEPARTMENT OF NATURAL RESOURCES IN THE OLYMPIC AREA. Effective Wednesday, midnight (2400 hours), August 25, 1982, through Friday, midnight (2400 hours), August 27, 1982, all logging, land clearing, and other industrial operations which may cause a fire to start are to be shutdown during the following time: All operations to cease operating from noon to midnight during shutdown period.**

*DNR shutdown zones affected by this restriction are the following: Zone 650 in part of Clallam, Jefferson, and Grays Harbor counties; zone 651L in part of Grays Harbor county protected by Olympic Area; and zone 652 in western part of Clallam and Jefferson counties protected by Olympic Area.*

*During the shutdown period, all persons are excluded from logging operating areas and areas of logging slash-ing except those persons present in the interest of fire protection.*

*Burning permits in burning permit zones B and C are cancelled in the above zones during the shutdown.*

**WSR 82-18-029**  
**PROPOSED RULES**  
**LIQUOR CONTROL BOARD**  
[Filed August 25, 1982]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Liquor Control Board intends to adopt, amend, or repeal rules concerning Beer, malt beverages, malt liquor—Alcoholic content—Labeling required—Tolerances, WAC 314-20-025.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on Wednesday, July 6, 1983.

The authority under which these rules are proposed is RCW 66.08.030, 66.98.070 and chapter 34.04 RCW.

The specific statute these rules are intended to implement is chapter 39, Laws of 1982.

This notice is connected to and continues the matter in Notice No. WSR 82-14-086 filed with the code reviser's office on July 7, 1982.

Dated: August 25, 1982  
By: Robert D. Hannah  
Chairman

**WSR 82-18-030**  
**ADOPTED RULES**  
**DEPARTMENT OF GAME**  
**(Game Commission)**  
[Order 189—Filed August 25, 1982]

Be it resolved by the Game Commission, state of Washington, acting at Tacoma, Washington, that it does promulgate and adopt the annexed rules relating to 1982-83 Trapping Seasons and Regulations, WAC 232-28-505.

This action is taken pursuant to Notice No. WSR 82-12-065 filed with the code reviser on June 2, 1982. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Game Commission as authorized in RCW 77.12.040.

The undersigned hereby declare that they have 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 July 9, 1982.

By Archie U. Mills  
Chairman, Game Commission

### NEW SECTION

#### WAC 232-28-505 1982-83 TRAPPING SEASONS AND REGULATIONS.

**Reviser's note:** The text and accompanying pamphlet comprising the 1982-83 Trapping Seasons and Regulations adopted by the Department of Game have been omitted from publication in the Register under the authority of RCW 34.04.050(3) as being unduly cumbersome to publish. Copies of the rules may be obtained from the main office of the Department of Game, 600 North Capitol Way, Olympia, Washington 98504, and are available in pamphlet form from the department, its six regional offices, and at numerous drug and sporting goods stores throughout the state.

### REPEALER

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

#### WAC 232-28-504 1981-82 TRAPPING SEASONS AND REGULATIONS

### WSR 82-18-031

#### ADOPTED RULES

#### PUBLIC DISCLOSURE COMMISSION

[Order 82-06—Filed August 25, 1982]

Be it resolved by the Public Disclosure Commission, acting at 403 Evergreen Plaza Building, Olympia, Washington 98504, FJ-42, that it does adopt the annexed rules relating to copying of public records, WAC 390-14-030.

This action is taken pursuant to Notice No. WSR 82-14-084 filed with the code reviser on July 7, 1982. These rules shall take effect thirty days after they are filed with the code reviser 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 the agency 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) in the adoption of these rules.

APPROVED AND ADOPTED August 24, 1982.

By Graham E. Johnson  
Administrator

### AMENDATORY SECTION (Amending Order 82-01, filed 2/4/82)

WAC 390-14-030 COPYING OF PUBLIC RECORDS. No fee shall be charged for the inspection of public records. The commission shall charge a fee of ten cents per page of copy for providing copies of public records maintained on paper. A fee of twenty-five cents per film shall be charged for copies of microfiche. These charges are the amounts necessary to reimburse the commission for its actual costs incident to such copying ((and for)) including the use of the commission's copy equipment.

### WSR 82-18-032

#### EMERGENCY RULES

#### DEPARTMENT OF FISHERIES

[Order 82-118—Filed August 25, 1982]

I, Rolland A. Schmitt, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to personal use fishing rules.

I, Rolland A. Schmitt, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is the allowable harvest of coastal Washington coho salmon has been reached in punchcard reporting areas 1 through 4, harvestable numbers of Soleduck stock summer coho are available in the boat basin at Westport.

These 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 the agency 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) in the adoption of these rules.

APPROVED AND ADOPTED August 25, 1982.

By Rolland A. Schmitt  
Director

### NEW SECTION

WAC 220-56-19000Q SALTWATER SEASONS AND BAG LIMITS Notwithstanding the provisions of WAC 220-56-190, (1) Effective immediately it is unlawful to take, fish for, or possess salmon taken for personal use by angling from the waters of the Pacific Ocean west of the Bonilla-Tatoosh line and west of a line drawn true north-south through Buoy 10 at the mouth of the Columbia River.

(2) Grays Harbor (waters east of a line from the outermost end of the north jetty to the outermost end of the south jetty) closed to salmon angling, except bag limit code A as defined in WAC 220-56-180 applies through

October 31, 1982, in the Westport Boat Basin, which is defined as the area inside the breakwater surrounding the boat basin and inside of lines drawn between lighted day markers 10 and 11 and between lighted day markers 1 and 2 which mark the two entrances to the boat basin.

(3) Willapa Harbor (waters east of a line from Leadbetter Point to Cape Shoalwater light and downstream from river mouths as defined in WAC 220-56-105 bag limit F - open.

(4) Strait of Juan de Fuca waters east of the Bonilla-Tatoosh line and west of a line drawn true north from Koitlah Point - closed to salmon angling.

(5) Strait of Juan de Fuca waters east of a line drawn true north from Koitlah Point and west of a line drawn true north from the mouth of Sekiu River - Bag limit F - open.

(6) Strait of Juan de Fuca east of a line drawn true north from the mouth of the Sekiu River, Gulf of Georgia, San Juan Islands and Puget Sound (including Hood Canal) Bag limit H - open except for special provisions in WAC 220-56-195.

#### REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 220-56-19000P SALTWATER SEASONS AND BAG LIMITS (82-113)

WAC 220-56-19000L SALTWATER SEASONS AND BAG LIMITS (82-99)

**WSR 82-18-033**  
**PROPOSED RULES**  
**INSURANCE COMMISSIONER**  
**STATE FIRE MARSHAL**

[Filed August 26, 1982]

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 fireworks, chapter 212-17 WAC.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on September 24, 1982.

The authority under which these rules are proposed is RCW 70.77.250.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before September 24, 1982.

This notice is connected to and continues the matter in Notice No. WSR 82-13-001 filed with the code reviser's office on June 3, 1982.

Dated: August 23, 1982  
By: Thomas R. Brace  
Director, Division of State Fire Marshal

**WSR 82-18-034**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
[Filed August 26, 1982]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning medical assistance, amending chapters 388-82, 388-86, 388-87 and 388-92 WAC.

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

David A. Hogan, Director  
Division of Administration  
Department of Social and Health Services  
Mailstop OB 33-C  
Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact William B. Pope, Chief, Office of Administrative Regulations, at State Office Building #2, 12th and Franklin, Olympia, Phone (206) 753-7015, by September 22, 1982. The meeting site is in a location which is barrier free;

that the agency will at 10:00 a.m., Wednesday, October 6, 1982, in the General Administration Building Auditorium, Olympia, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 13, 1982.

The authority under which these rules are proposed is RCW 74.08.090.

The specific statute these rules are intended to implement is chapter 74.09 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 6, 1982.

Dated: August 24, 1982

By: David A. Hogan  
Director, Division of Administration

#### STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Re: Amending chapters 388-82, 388-86, 388-87 and 388-92 WAC.

Purpose of the Rule or Rule Change: To clarify various medical assistance rules. There are no policy changes.

Statutory Authority: RCW 74.08.090.

Summary of the Rule or Rule Change: WAC 388-82-010 and 388-92-015, the spouse of an SSI recipient who is ineligible for SSI is also ineligible for medical assistance; WAC 388-86-045, home health agencies are certified under Title XVIII - not by physicians; WAC 388-87-065, individuals need not exhaust medicare benefits to be eligible for certain medical services; and WAC 388-92-025, the age of a "child" is reduced from under 21 to under 18.

Person or Persons Responsible for the Drafting, Implementation and Enforcement of the Rule: James Sparks, Program Manager, Division of Medical Assistance, Mailstop: LK 11, Phone: 3-7313.

These rules are not necessary as a result of federal law, federal court decision, or state court decision.

#### AMENDATORY SECTION (Amending Order 1766, filed 2/18/82)

WAC 388-82-010 PERSONS ELIGIBLE FOR MEDICAL ASSISTANCE. Medical assistance is available to any individual who is categorically needy.

(1) 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. The ineligible spouse of an SSI beneficiary receiving a state supplemental payment for the ineligible spouse is not eligible for medicaid; 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) Approved 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 and whose gross income does not exceed the three hundred percent SSI benefit cap. This includes only aged, blind, and disabled groups.

(3) Individuals who would not receive cash assistance because of special provisions as defined in WAC 388-83-028.

#### AMENDATORY SECTION (Amending Order 1542, filed 9/9/80)

WAC 388-86-045 HOME HEALTH SERVICES. The department shall provide home health nursing and other services ~~((for which the home health agency has been certified as requested by the attending physician and furnished by a home health services agency certified by the division of medical assistance))~~ furnished by a Title XVIII certified home health agency. To qualify for home health services the patient must be in the care of an attending physician who has authorized the plan of treatment, which was developed for the individual patient. Approval by the office of the medical ((policy and procedure)) director is required for any care extending beyond the limits established by the division of medical assistance.

#### AMENDATORY SECTION (Amending Order 1542, filed 9/9/80)

WAC 388-87-065 PAYMENT—HOME HEALTH AGENCY. Fees for home health ~~((visits))~~ services shall be paid ~~((at))~~ within rates established by the division of medical assistance. The department will pay for the services of a home health agency certified under Title XVIII for an eligible recipient under age sixty-five and for those recipients sixty-five years of age and over who ~~((have exhausted Part A Medicare and do not have Part B. These services shall be requested by appropriate state form))~~ are in need of services of a type or degree for which Medicare does not pay. Approval by the office of the medical director is required for care which extends beyond the limits established by the division of medical assistance.

#### AMENDATORY SECTION (Amending Order 1646, filed 4/27/81)

WAC 388-92-015 ELIGIBILITY DETERMINATION—SSI. (1) For the purposes of medical assistance related to SSI, the applicant must be:

(a) Age 65 or over; or

(b) Blind, with central visual acuity of 20/200 or less in the better eye with the use of a correcting lens, or with a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees; or

(c) Disabled, that is, unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted

or can be expected to last for a continuous period of not less than 12 months or, in the case of a child under the age of 18, if he suffers from any medically determinable physical or mental impairment of comparable severity. Decisions on SSI related disability are the responsibility of the office of disability insurance benefits, division of medical assistance.

(d) The ineligible spouse of an SSI beneficiary receiving a state supplement payment for the ineligible spouse is not eligible for Medicaid.

(2) A resident of Washington who requires medical assistance outside the United States will be provided care according to chapter 388-82 WAC.

#### AMENDATORY SECTION (Amending Order 1801, filed 5/5/82)

WAC 388-92-025 COMPUTATION OF AVAILABLE INCOME. (1) Total income of a beneficiary of supplemental security income is not considered available in determining eligibility.

(2) For individuals other than SSI beneficiaries income and resources are considered:

(a) Jointly for spouses who live together in a common household and blind or disabled children who live with their parent(s). ((Income and resources are considered separately when spouses and/or children and parents cease to live together. Income and resources are considered mutually available.))

(b) Mutually available:

((~~(a)~~)) (i) For the first six months after the month they cease to live together where both spouses apply as SSI related (aged, blind or disabled),

((~~(b)~~)) (ii) For the month of separation where only one spouse applies as SSI related (aged, blind or disabled), or where blind or disabled children are separated from parents.

(c) Separately, after the time periods in subsection (2)(b), when spouses and/or children and parents cease to live together.

(3) For SSI related individuals, age eighteen to twenty-one, parents' income is not deemed available.

(4) For SSI related individuals under age eighteen, parents' income is deemed available when living in the same household.

(5) When the spouse of an SSI related applicant is ineligible or does not apply, the exclusions in subsections (6) and (8) of this section, shall be applied to his/her income in determining the amount to be deemed to the applicant. If the remaining income of the ineligible spouse exceeds the monthly state supplement benefit standard all the remaining income shall be deemed to the applicant.

(6) Exclusions from income. The following shall be excluded sequentially from income:

(a) Any amount received from any public agency as a return or refund of taxes paid on real property or on food purchased by such individual or spouse;

(b) State public assistance based on financial need;

(c) Any portion of any grant, scholarship, or fellowship received for use in paying the cost of tuition and fees at any educational institution;

(d) Income that is not reasonably anticipated, or received infrequently or irregularly, if such income does not exceed twenty dollars per month if unearned, or ten dollars per month if earned;

(e) Any amounts received for the foster care of a child, who is not an eligible individual, but who is living in the same house as such individual and was placed in such home by a public or nonprofit private child-placement or child-care agency;

(f) One-third of any payment for child support received from an absent parent will be excluded;

(g) The first twenty dollars per month of earned or unearned income, not otherwise excluded in subsection (6)(a) through (f) of this section, for a person at home. The exclusion is considered only once for a husband and wife. There is no exclusion on income which is paid on the basis of need of the eligible individual, such as VA pension and cash from private charitable organizations;

(h) Tax exempt payments received by Alaska natives under the Alaska Native Claims Settlement Act;

(i) Tax rebates or special payments excluded by other statutes. When necessary these exclusions will be publicized by numbered memoranda from the state office;

(j) Compensation provided to volunteers in ACTION programs established by Public Law 93-113, the Domestic Volunteer Service Act of 1973;

(k) When an ineligible minor is in the household of an SSI applicant, an amount will be excluded for such child's needs. The exclusions

will be the difference between the SSI couple cash benefit and the SSI individual cash benefit;

(l) Veteran's aid and attendance allowance is to be excluded in determining financial eligibility.

(i) If the sum is paid to a spouse, it is considered that individual's earned income and may be deemed to the applicant.

(ii) For institutionalized applicants, the amount subsequently is considered in the cost of institutional care.

(m) A fee charged by a guardian to reimburse himself or herself for services provided is not considered available to the individual and is not treated as income.

(n) Income received by an ineligible or nonapplying spouse from a governmental agency for services provided to an eligible recipient (e.g. chore services).

(7) An ineligible or nonapplying individual under the age of ~~((twenty-one))~~ eighteen who is a student regularly attending a school, college or university or pursuing a course of vocational or technical training designed to prepare him for gainful employment will have all earned income excluded unless that income is actually contributed to the applicant.

(8) Earned income exclusions for SSI related individuals shall be the first sixty-five dollars per month of earned income not excluded according to subsection (6) of this section, plus one-half of the remainder.

**WSR 82-18-035**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**NATURAL RESOURCES**  
 [Order 384—Filed August 26, 1982]

I, Brian J. Boyle, Commissioner of Public Lands, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the adoption of an emergency rule lifting modified logging shutdown restriction for the Olympic Area in western Washington effective midnight, August 26, 1982, on lands protected by the Department of Natural Resources.

I, Brian J. Boyle, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is due to existing and forecast weather conditions, the above noted area included in the modified logging shutdown is no longer exposed to fire danger.

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

This rule is promulgated pursuant to RCW 76.04.150, 76.04.190 and 76.04.200 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 August 26, 1982.

By Brian J. Boyle  
 Commissioner of Public Lands

AMENDATORY SECTION (Amending Emergency Order No. 383, filed 8/25/82)

WAC 332-26-083 LIFTING MODIFIED LOGGING SHUTDOWN IN PARTS OF WESTERN WASHINGTON UNDER THE PROTECTION OF THE DEPARTMENT OF NATURAL RESOURCES IN THE OLYMPIC AREA. *Effective ((Wednesday, midnight (2400 hours), August 25, 1982, through Friday, midnight (2400 hours), August 27, 1982;)) Thursday, midnight (2400 hours), August 26, 1982, the shutdown on all logging, land clearing, and other industrial operations which may cause a fire to start ((are to be shutdown during the following time: All operations to cease operating from noon to midnight during shutdown period:)) is lifted.*

*DNR shutdown zones affected by this lifting of the shutdown restriction are the following: Zone 650 in part of Clallam, Jefferson, and Grays Harbor counties; zone 651L in part of Grays Harbor county protected by Olympic Area; and zone 652 in western part of Clallam and Jefferson counties protected by Olympic Area.*

*((During the shutdown period, all persons are excluded from logging operating areas and areas of logging slashing except those persons present in the interest of fire protection.*

*Burning permits in burning permit zones B and C are cancelled in the above zones during the shutdown.))*

**WSR 82-18-036**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
 [Order 82-29—Filed August 26, 1982]

I, Sam Kinville, director of the Department of Labor and Industries, do promulgate and adopt at Room 334, General Administration Building, Olympia, Washington 98504, the annexed rules relating to a new fee for late renewal of an electrical administrator's certificate; an increased fee for journeyman and specialty electrician licensing exams; an increased fees for electrical work permits (safe wiring labels) and other inspections of electrical installations.

This action is taken pursuant to Notice Nos. WSR 82-08-003 and 82-11-057 filed with the code reviser on March 25, 1982 and May 14, 1982. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 19.28.060 and 19.28.210 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency 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) in the adoption of these rules.

APPROVED AND ADOPTED August 26, 1982.

By Sam Kinville  
 Director



AMENDATORY SECTION (Amending Order 77-31, filed 1/31/78)

WAC 296-46-493 ELECTRICAL ((CONTRACTING)) CONTRACTOR LICENSE AND ADMINISTRATOR CERTIFICATE FEES.

- (1) General electrical contractor license (annual) - \$200
- (2) Specialty electrical contractor license (annual) - \$150
- (3) Administrator certificate examination - \$ 50

- (4) Administrator certificate renewal (annual) - \$ 20
- (5) Late renewal of administrator certificate - \$ 40

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

AMENDATORY SECTION (Amending Order 81-5, filed 2/27/81)

WAC 296-46-910 ((APPENDIX F)) INSPECTION FEES ((SCHEDULE)).

((INSPECTION FEES SCHEDULE

Appendix F

BUILDING AND CONSTRUCTION SAFETY INSPECTION SERVICES DIVISION

ELECTRICAL INSPECTION SECTION  
DEPARTMENT OF LABOR AND INDUSTRIES

FEES. For fee calculation purposes;)) To calculate the fees, amperage will be based on conductor ampacity. Voltage will be based on service conductor voltage ((as per National Electrical Code;)) in accordance with NEC Article 230-201, or load side of transformer.

Inspection fees shall be paid ((PRIOR TO)) before connection by serving utility.

(1) New Service Fees:

AMPS	Single Multi-Family Residence (Each Family Dwelling Unit)	Other Than Residential			
	1 phase	120/208 240 Volts	480-600 Volts	601 & Over Volts	
1- 100	\$ ((20.00)) 32.00	\$ ((20.00)) 32.00	\$ ((20.00)) 40.00	\$ ((20.00)) 48.00	\$ ((40.00)) 68.00
101- 200	((26.00)) 40.00	((26.00)) 44.00	((26.00)) 52.00	((40.00)) 64.00	((72.00)) 124.00
201- 300	((30.00)) 48.00	((30.00)) 52.00	((48.00)) 76.00	((60.00)) 96.00	((112.00)) 192.00
301- 400	((40.00)) 60.00	((40.00)) 64.00	((60.00)) 108.00	((80.00)) 128.00	((156.00)) 268.00
401- 500	((52.00)) 84.00	((52.00)) 88.00	((88.00)) 140.00	((108.00)) 172.00	((200.00)) 340.00
501- 600	((72.00)) 108.00	((72.00)) 116.00	((108.00)) 172.00	((132.00)) 212.00	((240.00)) 408.00
601- 800	((80.00)) 124.00	((80.00)) 128.00	((120.00)) 192.00	((152.00)) 244.00	((288.00)) 488.00
801-1200	((95.00)) 144.00	((95.00)) 152.00	((140.00)) 224.00	((176.00)) 280.00	((332.00)) 564.00
1201-1600	((100.00)) 152.00	((100.00)) 160.00	((152.00)) 244.00	((192.00)) 308.00	((352.00)) 600.00
1601-2000		((108.00)) 172.00	((156.00)) 252.00	((200.00)) 320.00	((376.00)) 640.00
2001-2500		((116.00)) 184.00	((172.00)) 276.00	((212.00)) 340.00	((400.00)) 680.00
2501-3000		((120.00)) 192.00	((180.00)) 288.00	((228.00)) 364.00	((416.00)) 708.00
3001-4000		((128.00)) 204.00	((192.00)) 308.00	((236.00)) 380.00	((440.00)) 748.00
4001-5000		((132.00)) 212.00	((200.00)) 320.00	((252.00)) 404.00	((472.00)) 800.00
5001-6000		((140.00)) 224.00	((212.00)) 340.00	((268.00)) 428.00	((496.00)) 844.00

- (2) A ((minimum)) fee of \$((10)) 12.00 shall be charged for ((each of)) the following ((subject to noted limitations)).

- a. Mobile home service connection in a mobile home park.

- b. Mobile home feeder where service is existing in a mobile home park.
- c. Each lot in a recreational vehicle park ((each lot)) to which power is supplied.
- d. ((Boat space)) Each berth in a boat harbor or marina ((each berth)) to which power is supplied.
- ~~((c. Calculation of or checking heat calculations, where required.~~
- ~~f. Individual carnival concessions to which power is supplied.))~~
- (3) A ~~((minimum))~~ fee of \$15.00 shall be charged for each of the following ~~((subject to noted limitations)).~~
- A temporary construction service for lighting and power of 20 KVA or less. The fee for a temporary construction service in excess of 20 KVA shall be 50% of the fee for a new service installation of like ampacity.
  - Yard pole meter loops or similar isolated metering installations.
  - ~~((Each adjacent farm building served from yard pole other than each residence. Exceptions: Installations exceeding 200 amperes shall be in accordance with the appropriate schedule.))~~ Calculation of or checking heat calculations.
  - Each unit of transient worker housing ((per unit)).
- (4) The fee for a circuit extension installed for controls and motors for central vacuum systems, garage door openers, and heating plants such as gas, oil, and electrical furnaces is \$10.00.
- (5) The fee for installations, increases, and ~~((or))~~ relocations (altered) of an existing service or feeder ~~((shall be))~~ is 50% of the fee for a new service of like ampacity, with a minimum fee of ~~(((\$15.00))~~ \$20.00, plus \$1.00 for each new circuit installed. The total fee shall be no greater than the fee for a new service of like ampacity.
- (6) The fee for new circuits, circuit extensions, and circuit alteration ~~((;))~~ where the service or feeder is not modified, shall be ~~((a total of))~~ ~~\$(15.00)~~ 20.00 for one to four circuits inspected at the same time on the same premises under a single label and \$3.00 for each additional circuit. The total fee shall be no greater than the fee for a new service of like ampacity.
- (7) The fee for sign and outline lighting circuits ~~((shall be a total of))~~ is \$10.00 for one to four circuits inspected at the same time on the same premises under a single label and \$2.00 for each additional circuit.
- (8) The fee for each electric sign installed ~~((shall be a minimum of)),~~ other than portable indoor signs connected with an electrical cord, is \$10.00.
- (9) ~~((Where a feeder terminates in a separate building it shall be classed as a separate service.))~~ To calculate the fees, the following shall be classed as separate services:
- Feeder that terminate in a separate building; and
  - Secondaries of transformers.
- (10) The fee for the first feeder installation ~~((s))~~ with new services ~~((shall be))~~ is 25% of the fee for service installations of like ampacity with a minimum fee of \$10.00 for each ~~((such))~~ feeder.
- (11) ~~((Optional))~~ The fee ~~((schedule))~~ for a service to an individual motor ~~((s))~~ will be ~~\$(20.00)~~ 25.00 per motor for a motor rating ~~((25))~~ of 10 HP or less ~~((;))~~. The fee for each ~~((additional))~~ horse power in excess of ~~((25))~~ 10 HP ~~((will be an additional fifty))~~ is 75 cents per HP ~~((; with a))~~. The maximum of ~~\$(100)~~ 150.00, including an allowance of 5 KVA of auxiliary motor equipment.
- The optional fee for a new service installation to an individual motor ~~((s))~~ may be calculated in accordance with ~~((item (11) above based on HP rating or calculated per))~~ the ~~((new service amperage schedule item))~~ fees in subsection (1) ~~((above whichever is the lesser of the calculation methods so stated)).~~
- (12) In addition to the service and feeder installation fees, the fee for each electrically driven irrigation machine ~~((shall be))~~ is ~~\$(20.00)~~ 25.00 plus \$5.00 for each tower or drive motor.
- (13) ~~((Inspections requested for))~~ The fee for inspecting existing electrical facilities will be \$25.00 for the first hour ~~((or fraction thereof))~~ and \$20.00 for each additional hour or fraction ~~((thereof))~~ of an hour.
- (14) The fee ~~((s))~~ for a plan review request ~~((s as noted in))~~ pursuant to WAC 296-46-140(1) ~~((will be based upon twenty))~~ is 25 percent of the job label fee as determined by WAC 296-46-495, plus a fee of ~~((twenty-five dollars))~~ \$25.00. The fee ~~((s))~~ for ~~((electrical))~~ review of electrical plans voluntarily requested ~~((as noted in))~~ pursuant to WAC 296-46-140(4) ~~((will be based upon an hourly charge of))~~ is \$30.00 per hour or fraction of an hour.
- (15) ~~((Penalty.))~~ A fee of ~~\$(15.00)~~ 20.00 per hour or fraction ~~((thereof))~~ of an hour shall be paid ~~((prior to))~~ before approval of the installation if the following ~~((inspector))~~ services are necessary:
- ~~((Unnecessary trip or))~~ Trips to inspect when the label submitter has given ~~((premature))~~ notice to the inspector that the work is ready for inspection when it is not, or if the submitter has given an erroneous address.
  - More than one additional inspection ~~((call))~~ per label to ~~((view))~~ inspect corrections required by ~~((written notice of))~~ the inspector as a result of carelessness ~~((;))~~ or neglect or for improperly responding to a corrective notice ~~((s))~~.
  - Each trip necessary to remove a red tag from a jobsite posted because unlicensed electricians were working on the jobsite.
  - When corrections have not been made in the prescribed time, unless an exception has been requested and granted.
- (16) The fee for emergency, standby, and resource recovery generators up to 5 KW ~~((will be))~~ is \$10.00. The fee for such generators over 5 KW ~~((will be))~~

is \$10.00 plus \$0.50 per KW up to a maximum fee of \$120.00. The fee(s) for a generator installation(s) that constitutes the main source of power ((will be based upon)) is that for the applicable services and feeders ((schedule)).

- (17) A person or business that fails to submit a fee and obtain an electrical wiring permit for a completed electrical job before the department inspects the work must pay a double fee for the permit.
- (18) The fee for each individual carnival concession to which power is supplied is \$10.00.

**AMENDATORY SECTION** (Amending Order 73-21, filed 11/5/73)

WAC 296-401-010 EXAMINATION AND FEES. A person who wants to take the examination for a journeyman or specialty electrician certificate of competency must pay a \$35.00 fee to the department to cover the cost of the examination. After the examination, the department ((staff)) will certify the results within thirty days after the examination and ((staff)) will notify the applicant whether he or she has passed or failed. An((y)) applicant who has failed the examination may, after thirty days from the date of ((notification)) the notice, ((petition)) apply to the department to retake the examination upon payment of an additional \$((+5)) 35.00 examination fee

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 82-18-037**

**ADOPTED RULES**

**DEPARTMENT OF LICENSING  
(Securities Division)**

[Order SDO-100-82-Filed August 27, 1982]

I, John Gonzalez, director of the Department of Licensing, do promulgate and adopt at the Department of Licensing, the annexed rules relating to the regulation and exemption of securities, adding new section WAC 460-42A-081, exchange exemption and amending WAC 460-42A-080 blue chip exemption.

This action is taken pursuant to Notice No. WSR 82-14-022 filed with the code reviser on June 28, 1982. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

WAC 460-44A-080 and 460-44A-081 are promulgated pursuant to RCW 21.20.310(8) and are intended to administratively implement that statute and RCW 21.20.450 which directs that the director of the Department of Licensing has authority to implement the provisions of chapter 21.20 RCW.

The undersigned hereby declares that the agency 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) in the adoption of these rules.

APPROVED AND ADOPTED August 27, 1982.

By John Gonzalez  
Director

**NEW SECTION**

WAC 460-42A-081 EXCHANGE EXEMPTION. Any security that meets all of the following conditions is exempt under RCW 21.20.310(8).

(1) Any security listed or approved for listing upon notice of issuance on an "approved national securities" exchange and any warrant or right to purchase or subscribe to any such security.

(2) An "approved national securities exchange" is one that requires all of the following be met:

(a) That the issuer of securities traded on the exchange be required to maintain a minimum of two outside directors on its board of directors.

(b) The exchange must have established reasonable procedures for trading oversight and surveillance over all exchange listed securities to ensure timely disclosure of material corporate developments to the interested public.

(c) The exchange must, in acting on applications for listing of common stock, have established procedures to ensure careful review of the issuer's financial integrity and risk and substantially apply each of the minimum qualifications set forth in (i) below, and in considering suspension or removal from listing, substantially apply each of the criteria set forth in (ii) below.

(i) Listing qualifications:

(A) Net tangible assets of at least four million dollars (\$4,000,000) and net income of at least four hundred thousand dollars (\$400,000) after all charges including federal income taxes in the fiscal year immediately preceding the filing of a listing application; or, in the alternative, net tangible assets of a least ten million dollars (\$10,000,000) provided the issuer has had a minimum of three years of operations and the aggregate market value of the issuer's publicly held shares is ten million dollars (\$10,000,000).

(B) Minimum public distribution of 400,000 shares excluding the holdings of officers, directors, controlling shareholders and other concentrated or family holdings.

(C) Minimum price of stock or shares of three dollars (\$3) per share for a reasonable period of time prior to the filing of a listing application, and/or an aggregate market value of publicly held shares of at least three million dollars (\$3,000,000).

(ii) Criteria for consideration of suspension or removal from listing:

(A) If a company which (A) has net tangible assets of less than two million dollars (\$2,000,000) has sustained net losses in each of its two most recent fiscal years, or (B) has net tangible assets of less than four million dollars (\$4,000,000) and has sustained net losses in three of its four most recent fiscal years.

(B) If the number of shares publicly held (excluding the holdings of officers, directors, controlling shareholders and other concentrated or family holdings) is less than 200,000.

(C) If the aggregate market value of shares publicly held in the aggregate remains less than one million dollars (\$1,000,000) for a significant period of time.

(3) For the purposes of nonissuer transactions only, any security listed or approved for listing upon notice of issuance on the New York stock exchange, the American stock exchange, the Midwest stock exchange, the Spokane stock exchange or any other stock exchange registered with the federal securities and exchange commission and approved by the director; any other security of the same issuer which is of senior or substantially equal rank; any security called for by subscription rights or warrants so listed or approved; or any warrant or right to purchase or subscribe to any of the foregoing, is exempted under RCW 21.20.310(8).

Chapter 460-42A  
EXEMPT SECURITIES

AMENDATORY SECTION

WAC 460-42A-080 BLUE CHIP EXEMPTION.

(1) Any security that meets all of the following conditions is exempted under RCW 21.20.310(8):

(a) If the issuer is not organized under the laws of the United States or a state, it has appointed a duly authorized agent in the United States for service of process and has set forth the name and address of such agent in its prospectus;

(b) A class of the issuer's securities is required to be and is registered under section 12 of the Securities Exchange Act of 1934, and has been so registered for the three years immediately preceding the offering date;

(c) Neither the issuer nor a significant subsidiary has had a material default during the lesser of the last seven years or the issuer's existence in the payment of (i) principal, interest, dividend, or sinking fund installment on preferred stock or indebtedness for borrowed money, or (ii) rentals under leases with terms of three years or more. A "material default" is a failure to pay, the effect of which is to cause indebtedness to become due prior to its stated maturity or to cause termination or reentry under a lease prior to its stated expiration, if the indebtedness or the rental obligation for the unexpired term exceeds five percent of the issuer's (and its consolidated subsidiaries) total assets, or if the arrearage in required dividend payments on preferred stock is not cured within thirty days;

(d) The issuer has had annual consolidated net income (before extraordinary items and the cumulative effect of accounting changes) as follows: (i) At least one million dollars in four of its last five fiscal years including its last fiscal year, and (ii) if the offering is of interest bearing securities, at least one and one-half times its annual interest expense, calculating net income before deduction for income taxes and depreciation and giving effect to the proposed offering and the intended use of the proceeds, for its last fiscal year. "Last fiscal year" means the most recent year for which audited financial statements are available, provided that such statements cover a fiscal period ended not more than fifteen months from the commencement of the offering.

(e) If the offering is of stock or shares (other than preferred stock or shares), and except as otherwise required by law, the securities have voting rights at least

equal to the securities of each of the issuer's outstanding classes of stock or shares (other than preferred stock or shares), with respect to (i) the number of votes per share, and (ii) the right to vote on the same general corporate decisions;

(f) If the offering is of stock or shares (other than preferred stock or shares), the securities are owned beneficially or of record, on any date within six months prior to the commencement of the offering, by at least twelve hundred persons, and on that date there are at least seven hundred fifty thousand of the shares outstanding with an aggregate market value, based on the average bid price, of at least three million seven hundred fifty thousand dollars. In determining the number of persons who are beneficial owners of the stock or shares, the issuer or a broker-dealer may rely in good faith upon written information furnished by record owners;

(g) Provided that, if the securities to be issued are listed, or approved for listing upon notice of issuance, on the New York Stock Exchange, Inc. or the American Stock Exchange, Inc., and the current original listing standards of that exchange are satisfied as of the end of the issuer's most recent fiscal year, the conditions of (c) of this subsection need be met for only five years and the annual net earnings requirement of (d)(i) of his subsection shall be two hundred fifty thousand dollars;

(h) And provided further that, if the issuer of the securities is a finance company with liquid assets of at least one hundred five percent of its liabilities (other than deferred income taxes, deferred investment tax credits, capital stock and surplus) at the end of each of its last five fiscal years, the net income requirement of (d)(ii) of this subsection, but before deduction for interest expense, shall be one and one-fourth times its annual interest expense. "Finance company" means a company engaged primarily in the business of wholesale, retail, installment, mortgage, commercial, industrial or consumer financing, banking or factoring. "Liquid assets" means cash receivables payable on demand or not more than twelve months following the close of the company's last fiscal year, and readily marketable securities, in each case less applicable reserves and unearned income.

(2) ~~((For the purposes of nonissuer transactions only, any security listed or approved for listing upon notice of issuance on the New York stock exchange, the American stock exchange, the Midwest stock exchange, the Spokane stock exchange or any other stock exchange registered with the federal securities and exchange commission and approved by the director, any other security of the same issuer which is of senior or substantially equal rank, any security called for by subscription rights or warrants so listed or approved, or any warrant or right to purchase or subscribe to any of the foregoing, is exempted under RCW 21.20.310(8).))~~ An issuer meets the conditions of WAC 460-42A-080(1)(b), (c) and (d) if either the issuer or the issuer and the issuer's predecessor, taken together, meet these conditions and if: (a) the succession was primarily for the purpose of changing the state of incorporation of the predecessor or forming a holding company and the assets and liabilities of the successor at the time of succession were substantially the same as those of the predecessor, or (b) all predecessors

met the conditions at the time of succession and the issuer has continued to do so since the succession.

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 82-18-038**  
**WITHDRAWAL OF PROPOSED RULES**  
**UTILITIES AND TRANSPORTATION**  
**COMMISSION**  
 [Filed August 27, 1982]

Notice is hereby given that rules proposed by the Washington Utilities and Transportation Commission under WSR 82-14-085 and continued under notice WSR 82-17-035 are hereby withdrawn. It had been proposed to amend WAC 480-12-210 pertaining to leasing to exempt auto transportation companies from certain requirements of that rule.

Barry M. Mar  
 Secretary

**WSR 82-18-039**  
**EMERGENCY RULES**  
**CENTRAL WASHINGTON UNIVERSITY**  
 [Order 49—Filed August 27, 1982]

I, Donald M. Schliesman, Dean of Undergraduate Studies of the Central Washington University, do promulgate and adopt at Ellensburg, Washington, the annexed rules relating to college housing and dining hall services policy, chapter 106-156 WAC.

I, Donald M. Schliesman, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is this revision of the firearms policy is being proposed for the safety of the students residing in college housing. There will not be an opportunity for a full hearing process to be completed before the beginning of the fall term (September 23), but this change should be in effect by that date.

These 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 Central Washington University as authorized in RCW 28B.35.120(11).

The undersigned hereby declares that the institution has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 25, 1982.

By Donald M. Schliesman  
 Dean of Undergraduate Studies

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

**WAC 106-156-055 USE OF HOUSING FACILITIES—FIREARMS.** *Firearms and other (~~weapons are not allowed in student rooms. Weapons and ammunition must be turned in to the head resident who will issue the weapons on request. Firearms are not to be cleaned in the residence halls.~~) incendiary devices or explosives are strictly prohibited in university-owned housing, except for authorized university purposes, unless specifically authorized in writing by the president or his designee. Violations will result in immediate confiscation of the firearm or device and may result in other university disciplinary action and termination of the violator's housing contract or lease.*

**WSR 82-18-040**  
**PROPOSED RULES**  
**CENTRAL WASHINGTON UNIVERSITY**  
 [Filed August 27, 1982]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that the Central Washington University intends to adopt, amend, or repeal rules concerning parking and traffic regulations, chapter 106-116 WAC and college housing and dining hall services policy, chapter 106-156 WAC;

that the institution will at 1:30 p.m., Tuesday, October 5, 1982, in the Kachess Room, Samuelson Union Building, Central Washington University, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 28B.19.030 and 28B.35.120.

The specific statute these rules are intended to implement is none.

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution before Tuesday, October 5, 1982.

This notice is connected to and continues the matter in Notice No. WSR 82-16-071 filed with the code reviser's office on August 2, 1982.

Dated: August 25, 1982

By: Judy Couture  
 Administrative Secretary

**STATEMENT OF PURPOSE**

Title: Chapter 106-116 WAC Parking and Traffic Regulations and chapter 106-156 WAC College Housing and Dining Hall Services Policy.

Description of Purpose: Chapter 106-116 WAC, Parking and Traffic Regulations, is for the purpose of regulating vehicular traffic on the campus of Central Washington University. Chapter 106-156 WAC, College Housing and Dining Hall Services Policy, delineates the rights and responsibilities of students using the university's housing and food services.

Statutory Authority: RCW 28B.50.852.

Summary of Rules: Parking and traffic regulations; firearms policy for campus housing.

Reasons Supporting Proposed Action: On August 2, 1982, the university filed proposed changes in its parking and traffic regulations. The Rules Review Committee suggested that the procedure for appealing traffic infraction notices should be more clearly defined. This filing is an attempt to address the concerns of the Rules Review Committee. Since the time the proposed parking and traffic regulation changes were originally filed, the proposed revision to the university's firearms policy has been finalized. This revision is the result of growing concern within the general campus community over firearms on the university campus.

Agency Personnel Responsible for Drafting: Judy Couture, Administrative Secretary, Assistant Attorney General's Office, Central Washington University, Ellensburg, WA 98926, (509) 963-2111 or Scan 453-2111; Implementation and Enforcement: Mr. Alfred J. Teeple, Chief of Campus Safety, Central Washington University, Ellensburg, WA 98926 and Mr. Wendell Hill, Director of Auxiliary Services, Central Washington University, Ellensburg, WA 98926.

Organization Proposing Rule: None.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: None.

AMENDATORY SECTION (Amending Order 46, filed 3/23/81)

WAC 106-116-042 INFRACTIONS. ((f+)) (1) The entire campus, including parking and traffic areas, is patrolled by the Campus Safety Department with authority to issue infractions for on-campus violations. This authority is further shown in WAC ((f+06-116-040) f106-114-040)) 106-116-040 of this policy.

(2) The Campus Safety Department and its duly sworn officers have authority to issue infractions 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.

AMENDATORY SECTION (Amending Order 45, filed 8/14/80)

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

AMENDATORY SECTION (Amending Order 47, filed 11/3/81)

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 4:00 p.m. Monday through Friday, except:

(2) No parking permitted daily in C-1 lot from 4:00 a.m. to 5:00 a.m.

(3) No parking permitted daily in B lot from 4:00 a.m. to 5:00 a.m.

(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) Limited time zones((:));
- (d) J Lot((:));
- (e) Handicapped areas.

AMENDATORY SECTION (Amending Order 47, filed 11/3/81)

WAC 106-116-203 SPECIFIC PARKING PROHIBITIONS. (1) Parking in areas and places normally used for moving traffic is a specific violation of these regulations.

(2) Parking in such a position with relation to other parked cars or marked parking spaces as to impede, restrict, or prevent free ingress or egress by other automobiles violates these regulations.

(3) Parking in areas marked for a special permit or clearly designated by signing for special use not available to the general public or regular permit holders is prohibited. Examples: parking in a space marked "Handicapped Permits Only," in spaces reserved for residence hall personnel ((or)) Health Center permit only and library parking lot.

(4) Parking and/or driving on sidewalks adjacent to streets is prohibited.

(5) Parking or driving on lawns or flower beds is prohibited.

AMENDATORY SECTION (Amending Order 45, filed 8/14/80)

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

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

AMENDATORY SECTION (Amending Order 45, filed 8/14/80)

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

AMENDATORY SECTION (Amending Order 47, filed 11/3/81)

WAC 106-116-403 VISITOR PARKING PERMITS. Visitors may obtain parking permits from the automatic permit dispensers.

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)) 1/2 block west of D Street on 11th Avenue.

AMENDATORY SECTION (Amending Order 47, filed 11/3/81)

WAC 106-116-404 VISITOR PARKING AREAS. Visitors, after obtaining a proper permit, may park in any university owned and designated parking area except staff and faculty reserved areas and "J" lot. ((They may park at any metered parking area, if meter fee is paid:))

AMENDATORY SECTION (Amending Order 47, filed 11/3/81)

WAC 106-116-514 ELECTION TO FORFEIT OR CONTEST. The 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 monetary penalty to the infraction(s) charged or to contest the matter(s) ((in the manner described by the court of the Judge of the Lower Kittitas County District Court)).

(1) If the alleged violator chooses to forfeit the penalty, he/she may do so by paying the appropriate amount to ((Judge of the Lower Kittitas County District Court)) the cashier's office. 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 Judge of the Lower Kittitas County District Court in accordance with directions given on the infraction notice)) Cashier's Office, Mitchell Hall, CWU, where Parking Infraction Appeal forms are available upon request. The completed form stating the reasons for challenging the validity of the assessed obligation must be filed in the cashier's office within seven days of the date of the infraction notice. The appeal must be reviewed by the University Parking Appeal Board, consisting of three student members, one faculty member, one staff member, the Chief of Campus Safety (ex-officio)

and the Director of Student Activities (ex-officio). The Parking Appeal Board will render a decision in good faith which will become final and binding.

**AMENDATORY SECTION** (Amending Order 45, filed 8/14/80)

WAC 106-116-601 TRAFFIC REGULATION SIGNS, MARKINGS, BARRICADES, ETC. (1) The Campus Safety (~~Department~~) Office and the Physical Plant Department are authorized to erect signs, barricades and other structures and to paint marks and other directions upon the streets and roadways for the regulation of traffic and parking upon state lands devoted mainly to the educational or research activities of Central Washington University. Such signs, barricades, structures, markings(~~and~~), and directions shall be so made and placed as to, in the opinion of the Chief of Campus Safety and the Director of Physical Plant, best effectuate the objectives stated in WAC 106-116-020 of these regulations.

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

**AMENDATORY SECTION** (Amending Order 47, filed 11/3/81)

WAC 106-116-603 MONETARY PENALTY SCHEDULE FOR COURT.

Offense	Fine
(1) Improper display of permit .....	\$((-1.00)) 2.00
(2) Parking faculty-staff area .....	\$((-1.00)) 2.00
(3) Parking yellow stripe or curb .....	\$((-2.00)) 3.00
(4) Parking outside designated parking area .....	\$ 2.00
(5) ( <del>Live parking area</del> ) .....	\$ 2.00
( <del>6</del> ) Obstructing traffic .....	\$((-2.00)) 5.00
( <del>7</del> ) (6) Double parking .....	\$((-2.00)) 5.00
( <del>8</del> ) (7) Parking at improper angle or using more than one stall, or backing into parking stall .....	\$ 2.00
( <del>9</del> ) (8) Violation of the bicycle parking rules in WAC 106-116-901 .....	\$((-1.00)) 2.00
( <del>10</del> ) (9) Reserved parking area .....	\$((-2.00)) 3.00
( <del>11</del> ) (10) No parking area .....	\$((2.00)) 5.00
( <del>12</del> ) Failure to remove keys from ignition .....	\$ 2.00
( <del>13</del> ) (11) Overtime parking .....	\$((1.00)) 2.00
( <del>14</del> ) Vehicle not registered .....	\$ 2.00
( <del>15</del> ) Falsification of vehicle registration .....	\$ 5.00
( <del>16</del> ) (12) Using counterfeit, falsely made or altered permit .....	\$((+0.00)) 50.00
( <del>17</del> ) (13) Illegal use of permit .....	\$((+0.00)) 20.00
( <del>18</del> ) (14) No current permit .....	\$((-2.00)) 3.00
( <del>19</del> ) (15) Parking service drive .....	\$((-2.00)) 5.00
( <del>20</del> ) (16) Parking/driving sidewalks, malls .....	\$((-5.00)) 10.00
( <del>21</del> ) (17) Parking/driving lawns .....	\$((+0.00)) 15.00
( <del>22</del> ) (18) Parking fire lane .....	\$((+0.00)) 15.00
( <del>23</del> ) (19) Parking fire hydrant .....	\$((+0.00)) 15.00
( <del>24</del> ) (20) Driving, walking, leading, etc., certain animals on campus without permit (WAC 106-116-10401) .....	\$10.00
( <del>25</del> ) (21) Other violations of the objectives of the CWU Parking and Traffic Regulations. ....	(((\$1.00 to \$10.00))

Offense Fine

\$2.00 to \$10.00

(~~26~~) (22) Parking in a space marked "Handicapped Permits Only" .....

\$15.00

(~~27~~) (a) When 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 notice to the District Court office in the Kittitas County Courthouse and therewith pay \$ 7.75 and no additional fine or penalty shall be imposed for such violation.

(b) The Court Commissioner of the [Lower] Kittitas County District Court and authorized deputies, or during nonbusiness hours of said court the office of the Sheriff of Kittitas County will accept payments made under this rule.

(c) This schedule of monetary penalties and provisions for their payment corresponds with rules laid down by the Lower Kittitas County District Court.)

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

WAC 106-156-055 USE OF HOUSING FACILITIES—FIREARMS. Firearms and other (~~weapons are not allowed in student rooms. Weapons and ammunition must be turned in to the head resident who will issue the weapons on request. Firearms are not to be cleaned in the residence halls.~~) incendiary devices or explosives are strictly prohibited in university-owned housing, except for authorized university purposes, unless specifically authorized in writing by the president or his designee. Violations will result in immediate confiscation of the firearm or device and may result in other university disciplinary action and termination of the violator's housing contract or lease.

**WSR 82-18-041**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
[Order 82-28—Filed August 27, 1982]

I, Sam Kinville, director of the Department of Labor and Industries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to prevailing wage on public works contracts. These new rules will define terms, set fees for statements of intent to pay prevailing wages, affidavits of wages paid and arbitration. They will also set rules for the conduct of arbitration hearings.

This action is taken pursuant to Notice No. WSR 82-14-028 filed with the code reviser on June 29, 1982. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 39.12.015, 39.12.060 and House Bill 795, chapter 38, Laws of 1982 1st ex. sess. and is intended to administratively implement that statute.

The undersigned hereby declares that the agency 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) in the adoption of these rules.

APPROVED AND ADOPTED August 27, 1982.

By Paula Stewart  
for Sam Kinville  
Director

Chapter 296-127  
PREVAILING WAGE

WAC

- 296-127-010 Definitions.
- 296-127-011 Time for determining prevailing wage.
- 296-127-017 Notice of wage determinations.
- 296-127-020 Interpretation of locality.
- 296-127-021 Apprentice worker.
- 296-127-030 Irrigation district exemption.
- 296-127-040 Statement of intent to pay prevailing wages.
- 296-127-045 Affidavit of wages paid.
- 296-127-060 Director of department of labor and industries to arbitrate disputes—  
General provisions.
- 296-127-061 Requests for arbitration.
- 296-127-062 Conduct of arbitration hearing.

NEW SECTION

WAC 296-127-010 DEFINITIONS. (1) "Department" means the department of labor and industries.

(2) "Director" means the director of the department of labor and industries or his duly authorized deputy or representative.

(3) "Industrial Statistician" means the industrial statistician of the department of labor and industries, industrial relations division.

(4) "Assistant director" means the supervisor of industrial relations for the department of labor and industries or his duly authorized deputy or representative.

NEW SECTION

WAC 296-127-011 TIME FOR DETERMINING PREVAILING WAGE. The department will use the date bids are due as the effective date for determining prevailing wages provided the contract is awarded within 60 days after bids are due. If the contract is not awarded within 60 days after bids are due, the department will determine the prevailing wage on the date the contract is awarded. If the contract is not awarded pursuant to bids, the department will determine the prevailing wage on the date the contract is awarded.

NEW SECTION

WAC 296-127-017 NOTICE OF WAGE DETERMINATIONS. Current prevailing wage data will be furnished by the industrial statistician upon request. Please mail the request to:

Industrial Statistician  
Department of Labor and Industries  
Employment Standards Division  
General Administration Building  
Olympia, Washington 98504 MS AX31r  
(Telephone: (206) 753-4019).

NEW SECTION

WAC 296-127-020 INTERPRETATION OF LOCALITY. The department interprets the definition of "locality" contained in RCW 39.12.010(2), "wherein the

physical work is being performed," as the actual work site. For example, if materials are prefabricated in a county other than the county wherein the public works project is to be completed, the wage for the prefabrication shall be the prevailing wage for the county where the physical work of prefabrication is actually performed. Standard items for sale on the general market are not subject to the requirements of chapter 39.12 RCW.

NEW SECTION

WAC 296-127-021 APPRENTICE WORKER. Any apprentice employed on public works projects for whom an apprentice agreement is registered and approved by the state apprenticeship council pursuant to chapter 49.04 RCW within 60 days of hiring may be considered an apprentice and paid the applicable prevailing hourly rate for an apprentice of that trade for all hours worked.

NEW SECTION

WAC 296-127-030 IRRIGATION DISTRICT EXEMPTION. Contracts awarded by irrigation districts for the reclamation or development of waste or undeveloped lands are not covered by the prevailing wage law, pursuant to RCW 39.04.010. Any work, construction, alteration, repair or improvement that is not solely for the reclamation or development of waste or undeveloped land is covered by the prevailing wage laws and therefore subject to all the laws and regulations contained in and adopted pursuant to chapter 39.12 RCW.

NEW SECTION

WAC 296-127-040 STATEMENT OF INTENT TO PAY PREVAILING WAGES. (1) All statements of intent to pay prevailing wages submitted to the industrial statistician of the department shall be accompanied by a fee of \$12.50 for each statement. Fees shall be made payable to the department of labor and industries.

(2) Any agency, division, or department of the state of Washington which through agreement with the department certifies statements of intent for its own contracts shall provide to the industrial statistician each month the number of statements of intent certified and quarterly shall send a fee of \$10.00 for each statement of intent to pay prevailing wages it has certified. This fee shall be sent to the industrial statistician and be made payable to the department of labor and industries.

NEW SECTION

WAC 296-127-045 AFFIDAVIT OF WAGES PAID. (1) All affidavits of wages paid submitted to the industrial statistician of the department shall be accompanied by a fee of \$12.50 for each affidavit of wages paid. All fees shall be made payable to the department of labor and industries.

(2) Any agency, division, or department of the state of Washington which through agreement with the department certifies affidavits of wages paid for its own contracts shall provide to the Industrial Statistician each



month the number of affidavit of wages paid it has certified and quarterly shall send a fee of \$10.00 for each affidavit of wages paid it has certified. This fee shall be sent to the industrial statistician and be made payable to the department of labor and industries.

#### NEW SECTION

WAC 296-127-060 DIRECTOR OF DEPARTMENT OF LABOR AND INDUSTRIES TO ARBITRATE DISPUTES—GENERAL PROVISIONS. (1) The contract executed between a public authority and the successful bidder or contractor and all of his subcontractors shall contain a provision that in case any dispute arises as to what are the prevailing rates of wages for a specific trade, craft or occupation and such dispute cannot be adjusted by the parties in interest, including labor and management representatives, the matter shall be referred for arbitration to the director, and his decision shall be final, conclusive, and binding on all parties involved in the dispute.

(2) In exercising his authority to hear and decide disputes the director shall consider among other things, timeliness, the nature of the relief sought, matters of undue hardship or injustice, or public interest. A "timely" request for arbitration is one received within 30 days after the contract has been awarded.

(3) Any party in interest who is seeking a modification or other change in a wage determination under RCW 39.12.015, and who has requested the industrial statistician to make such modification or other change and the request has been denied, after appropriate reconsideration by the assistant director shall have a right to petition for arbitration of the determination.

(a) For purpose of this section, the term "party in interest" is considered to include, without limitation:

(i) Any contractor, or an association representing a contractor, who is likely to seek or to work under a contract containing a particular wage determination, or any worker, laborer or mechanic, or any council of unions or any labor organization which represents a laborer or mechanic who is likely to be employed or to seek employment under a contract containing a particular wage determination, and

(ii) Any public agency concerned with the administration of a proposed contract or a contract containing a particular wage determination issued pursuant to chapter 39.12 RCW.

(b) For good cause shown, the director may permit any party in interest to intervene or otherwise participate in any proceeding held by the director. A petition to intervene or otherwise participate shall be in writing, and shall state with precision and particularity:

(i) The petitioner's relationship to the matters involved in the proceedings, and

(ii) The nature of the presentation which he would make. Copies of the petition shall be served on all parties or interested persons known to be participating in the proceeding, who may respond to the petition. Appropriate service shall be made of any response.

#### NEW SECTION

WAC 296-127-061 REQUESTS FOR ARBITRATION. (1) The petition for arbitration (original and four copies) shall be filed with Director, Department of Labor and Industries, General Administration Building, Olympia, Washington 98504. In addition, copies of the petition shall be served personally or by mail upon each of the following:

(a) The public agency or agencies involved,  
 (b) The industrial statistician, and  
 (c) Any other person (or the authorized representatives of such person) known to be interested in the subject matter of the petition.

(2) The director shall under no circumstances request any administering agency to postpone any contract performance because of the filing of a petition. This is a matter which must be resolved directly with the administering agency by the petitioner or other party in interest.

(3) A petition for arbitration of a wage determination shall:

(a) Be in writing and signed by the petitioner or his counsel (or other authorized representative), and

(b) Identify clearly the wage determination, location of project or projects in question, and the agency concerned, and

(c) State that the petitioner has requested reconsideration of the wage determination in question and describe briefly the action taken in response to the request, and

(d) Contain a short and plain statement of the grounds for review, and

(e) Be accompanied by supporting data, views, or arguments, and

(f) Be accompanied by a filing fee of \$75.00. Fees shall be made payable to the department of labor and industries.

#### NEW SECTION

WAC 296-127-062 CONDUCT OF ARBITRATION HEARING. (1) Interested persons other than the petitioner shall have a reasonable opportunity as specified by the director in particular cases to submit to the director written data, views, or arguments relating to the petition. Such material (original and four copies) shall be filed with the Director, Department of Labor and Industries, General Administration Building, Olympia, Washington 98504 and be accompanied by a filing fee of \$35.00. Fees shall be made payable to the department of labor and industries. Copies of any such material shall be served on the petitioner and other interested persons.

(2) Each party in interest shall have the right to appear in person or by or with counsel or other qualified representatives in any proceeding before the director. If all parties agree, oral testimony may be waived and arguments submitted in writing.

(3) Upon his own initiative or upon motion of any interested person or party, the director may consolidate in any proceeding or concurrently consider two or more appeals which involve substantially the same persons or parties, or issues which are the same or closely related, if he finds that such consolidation or concurrent review will

contribute to an efficient review and to the ends of justice, and it will not unduly delay consideration of any such appeals.

(4) The director shall prescribe the time and place for hearing. The director shall schedule the hearing within 45 days of the request. For good cause shown, the director may allow a continuance at the request of a party in interest.

(a) With respect to any proceeding before him, the director may upon his own initiative or upon the request of any interested person or party direct the interested persons or parties to appear before the director at a specified time and place in order to simplify the issues presented or to take up any other matters which may tend to expedite or otherwise facilitate the disposition of the proceeding.

(b) All papers submitted to the director under this section shall be filed with the Department of Labor and Industries, General Administration Building, Olympia, Washington 98504. An original and four copies of all papers shall be submitted. Service under this part shall be by the filing party or interested person; service may be personal or may be by mail. Service by mail is complete on mailing.

(5) The final disposition shall be by the director.

(a) The director may decline review of any case whenever in his judgment a review would be inappropriate or because of the lack of timeliness, the nature of the relief sought, or other reasons.

(b) The director shall decide the case upon the basis of all relevant matter contained in the entire record before him but the director may utilize his experience, technical competence, and specialized knowledge in evaluating the evidence.

(c) Upon reasonable notice to the parties or interested persons, the director may vary the procedures specified in this part in particular cases.

(6) The director may allow all parties a period of ten days for filing post-hearing briefs prior to closing the record and concluding the hearing.

(7) The director shall issue a written decision within 30 days of the conclusion of the hearing. A copy shall be sent to each party in interest.

#### WSR 82-18-042

##### ADOPTED RULES

#### DEPARTMENT OF CORRECTIONS

[Order 82-11—Filed August 27, 1982]

I, Amos E. Reed, director of the Department of Corrections, do promulgate and adopt at Olympia, Washington, the annexed rules relating to institutional industries, new chapter 137-80 WAC.

Correspondence regarding this rule should be addressed to:

Mr. John J. Sinclair, Administrator  
Office of Contracts and Regulations  
Division of Management and Budget  
Mailstop: FN-61  
Post Office Box 9699

Olympia, Washington 98504  
234-5770

This action is taken pursuant to Notice No. WSR 82-14-032 filed with the code reviser on June 29, 1982. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Department of Corrections as authorized in RCW 72.09.050 and chapter 34.04 RCW.

The undersigned hereby declares that the agency 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) in the adoption of these rules.  
APPROVED AND ADOPTED August 10, 1982.

By Amos E. Reed  
Secretary

#### Chapter 137-80 WAC INSTITUTIONAL INDUSTRIES

##### NEW SECTION

WAC 137-80-010 PURPOSE. These rules and regulations are adopted pursuant to and in accordance with chapter 34.04 RCW. The purpose is to provide standards and procedures for the operation of the division of institutional industries.

##### NEW SECTION

WAC 137-80-020 DEFINITIONS. (1) "Secretary" means the secretary of the department of corrections or his/her designee.

(2) "Director" means the director of the institutional industries division appointed by the secretary.

(3) "Institutional industries board of directors" means the board established by the authority of the Corrections Reform Act of 1981, RCW 72.09.070.

(4) "Free venture industries" means any industry producing goods or services for sale to both the public and private sector which is operated and managed in total or in part by any profit or nonprofit organization pursuant to an agreement between the organization and the department. Inmates shall be paid a wage by the organization of not less than sixty percent of the approximate prevailing wage within the state for the occupation, as determined by the director, or minimum wage, whichever is greater.

(5) "Tax reduction industries" means any state-owned and operated enterprises designed to reduce the cost for services and goods for tax supported agencies and for nonprofit organizations which assist persons who are poor or infirm. Products of these enterprises may be sold to public agencies and to nonprofit organizations which assist persons who are poor or infirm. Inmates shall be paid for their work on a gratuity scale, approved by the director, which shall not exceed the federal minimum wage.

(6) "Institutional support industries" means any industry operated by the department of corrections designed and managed to provide basic work training and

experience to the inmate. All able and eligible inmates who are assigned work and who are not working in other classes of industries are included in this class. Inmates shall be paid for their work in accordance with an inmate gratuity scale adopted by the secretary.

(7) "Community work industries" means any industry operated by the department of corrections designed and managed to provide services in the inmate's resident community at a reduced cost. Services shall be provided to public agencies, to persons who are poor or infirm, or to nonprofit organizations which assist the poor or infirm. Inmates shall receive a gratuity from a unit of local government which shall not exceed the minimum wage.

(8) "Community service programs" means any program operated by the state, local unit of government, or a nonprofit agency which assists persons who are poor or infirm which is subject to supervision by the department of corrections which enables an offender, placed on probation, to work off all or part of a community service order as ordered by the sentencing court.

(9) "Department" means the department of corrections.

(10) "Institutional industries" means the division within the department of corrections charged with developing and managing comprehensive work programs to provide work skills, work experience and exposure to the work ethic for offenders under the jurisdiction of the department.

#### NEW SECTION

WAC 137-80-030 ESTABLISHMENT OF INMATE PROGRAMS. In order to provide a comprehensive work program the following classes of work programs are adopted:

- (1) Class I: Free venture industries;
- (2) Class II: Tax reduction industries;
- (3) Class III: Institutional support industries;
- (4) Class IV: Community work industries; and
- (5) Class V: Community service programs.

The above listed classes of work programs are adopted as codified in RCW 72.09.100. The secretary shall set forth department policy for the establishment of each class of work program, regulating, among others, inmates participation and wages, space rental and contracts for inmate employment.

#### NEW SECTION

WAC 137-80-040 SALE OF GOODS. (1) The director or his/her designee may sell all articles, materials, and supplies authorized by statute to be produced or manufactured in correctional institutions to any state agency, political subdivision of the state or as otherwise authorized by statute.

(2) The secretary shall require those institutions under his direction to give preference to those articles, materials, and supplies produced or manufactured by institutional industries when purchases are made for institution needs.

(3) The director may cause to be prepared annually, at such times he may determine, lists containing the descriptions of all articles and supplies manufactured and

produced in state correctional institutions; copies of such list shall be sent to the supervisor of purchasing and to all departments, institutions and agencies of the state of Washington.

#### NEW SECTION

WAC 137-80-050 PROCEEDS OF SALE. Except for any sum recommended by the institutional industries board of directors to be returned to the state general fund, all net profits from institutional industries shall be placed in a special revolving fund (Class II account) and shall be used exclusively, without appropriation, in the expansion and improvement of Class II industries.

#### NEW SECTION

WAC 137-80-060 INMATE JOB OPPORTUNITIES. The director shall cause to be periodically prepared and distributed to a central location in each institution a list of prison industries' job opportunities. This list shall include, but not limited to, job descriptions and the educational and skill requirements of each job and shall be made available to personnel of the institution, institutional industries and to the inmates.

#### WSR 82-18-043

#### WITHDRAWAL OF PROPOSED RULES DEPARTMENT OF CORRECTIONS

[Filed August 27, 1982]

The Department of Corrections hereby withdraws its Notice of Intent to Adopt chapter 137-65 WAC concerning the cost of supervision for probation and parole filed with the code reviser on June 29, 1982, and published as WSR 82-14-031.

Amos E. Reed  
Secretary

#### WSR 82-18-044

#### PROPOSED RULES DEPARTMENT OF TRANSPORTATION (Division of Aeronautics)

[Filed August 27, 1982]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Transportation Commission intends to adopt, amend, or repeal rules concerning pilot registration rules and fees;

that the agency will at 10:00 a.m., Wednesday, October 20, 1982, in the Commission Meeting Room, Room 1D2, Highway Administration Building, Olympia, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 47.68.210.

The specific statute these rules are intended to implement is RCW 47.68.233 and 47.68.236.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 20, 1982.

Dated: August 18, 1982

By: Lue Clarkson  
Administrator

### STATEMENT OF PURPOSE

Pilot Registration Rules and Fees, chapter 12-18 WAC

The Division of Aeronautics, through the Washington State Transportation Commission intends to implement the provisions of RCW 47.68.233 by enacting the additions shown below to the Washington Administrative Code.

The rules were drafted by LeMoine Stitt, Aeronautics Program Specialist, Washington State Division of Aeronautics, 8600 Perimeter Road, Seattle, Washington 98108.

The rule was prepared by and at government agency request by the Division of Aeronautics at the following address: Division of Aeronautics, 8600 Perimeter Road, King County International Airport, Seattle, WA 98108, phone: (206) 764-4131, toll free: 1-800-552-0666.

The rule will be enforced by the Department of Transportation, Division of Aeronautics and law enforcement agencies of this state.

This rule requires a payment of a \$3.00 fee this year and a \$5.00 fee per year in subsequent years by individuals alone. Since this fee is required of all pilots, whether engaged in flying for business or not, and is not a prerequisite to doing business, it does not adversely affect small business as contemplated by the Regulatory Fairness Act.

#### Chapter 12-18 WAC PILOT REGISTRATION

#### NEW SECTION

WAC 12-18-001 PROMULGATION. Whereas, it is necessary for the purpose of protecting and insuring the general public interest, and developing and promoting aeronautics in this state to efficiently enforce the laws of the state of Washington relating to the registration of pilots; and

It is essential to the enforcement of such laws that regulations relating to their enforcement be promulgated:

It is hereby ordered under authority of RCW 47.68.210 and by virtue of the regulatory powers vested in the Washington state transportation commission for and on behalf of the state of Washington that the following sections be implemented.

#### NEW SECTION

WAC 12-18-010 PILOT REGISTRATION REQUIRED. A pilot who is a resident of this state or who regularly operates in this state shall register with the division of aeronautics prior to January 31st each year. A new resident shall register with the division of aeronautics within sixty days of becoming a resident pilot. This section shall not apply to those persons exempted by RCW 47.68.233. Student pilots shall register not later than the date of their first solo flight.

#### NEW SECTION

WAC 12-18-020 FEES. A fee of \$3.00 per year shall be paid for each pilot registration prior to December 31, 1982. A fee of \$5.00 per year shall be paid for each pilot registration after December 31, 1982, without regard to the actual date of registration. Pilot registration fees will be deposited into the search and rescue, safety and education fund created under RCW 47.68.236.

#### NEW SECTION

WAC 12-18-030 POSSESSION OF REGISTRATION. A pilot who is required to register under this chapter shall carry such registration at all times while exercising the privileges of an airmans certificate issued by the Federal Aviation Administration, and shall present such registration when requested to any law enforcement officer, division of aeronautics personnel or any other person on reasonable demand.

#### NEW SECTION

WAC 12-18-040 SEMINARS AND CLINICS. The division of aeronautics may require all persons required by this chapter to register as pilots to show proof of registration as a prerequisite to attendance at any seminar or clinic sponsored or conducted by the division of aeronautics and funded by pilot registration fees.

Pilots participating in division of aeronautics flight instructor refresher clinics will be required to show proof of registration prior to receiving credit for the course.

#### NEW SECTION

WAC 12-18-050 UNLICENSED PILOTS. Pilots who do not possess a valid Federal Aviation Administration airmans certificate and who operate aircraft for which such certificate is not required are nevertheless required to register with the division of aeronautics.

### WSR 82-18-045

#### EMERGENCY RULES

#### DEPARTMENT OF FISHERIES

[Order 82-120—Filed August 27, 1982]

I, Rolland A. Schmitt, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington the annexed rules relating to commercial fishing rules.

I, Rolland A. Schmitt, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is restrictions in Areas 4B, 5, 6, 6A, 6C, 7, 7A, 7D provide the least restrictive regulations that allow protection of adult Canadian chinook salmon and allow fisheries under IPSFC control. Scheduled fisheries in Area 7B allow a harvest of chinook salmon. Area 7C is closed to ensure escapement from all segments of the chinook run. All other Puget Sound areas are closed to all-citizen commercial fishing to prevent overharvest of salmon stocks.

These 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 the agency 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) in the adoption of these rules.

APPROVED AND ADOPTED August 27, 1982.

By Gary C. Alexander  
for Rolland A. Schmitt  
Director

NEW SECTION

**WAC 220-47-707 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY.** Notwithstanding the provisions of Chapter 220-47 WAC, effective August 27, 1982, until further notice it is unlawful to take, fish for or possess salmon for commercial purposes in the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following restrictions:

Areas 4B, 5, and 6C - Under control of International Pacific Salmon Fisheries Commission and U.S. Department of Commerce. Drift gill nets restricted to 5-7/8-inch maximum mesh, when open.

Area 6B - Closed.

Area 6D - Closed

Areas 6, 6A, 7, 7A, and 7D - Under control of International Pacific Salmon Fisheries Commission and U.S. Department of Commerce. Gill nets restricted to 5-7/8-inch maximum mesh, when open.

\*Area 7B - Closed except gill nets may fish from 6:00 PM to 9:00 AM nightly August 30 through the morning of September 1 with 7-inch minimum mesh. The Fidalgo Bay Preserve is closed as provided in WAC 220-47-307.

Areas 7C, 8, 8A, 9, 9A, 10, 10A, 10B, 10C, 10D, 10E, 11, 11A, 12, 12A, 12B, 12C, 12D, 13, 13A, 13B, and all freshwater areas - Closed.

REPEALER

The following section of the Washington Administrative Code is repealed:

**WAC 220-47-706 Puget Sound All-Citizen Commercial Salmon Fishery (82-115)**

**WSR 82-18-046  
PROPOSED RULES  
FOREST PRACTICES  
APPEALS BOARD  
[Filed August 27, 1982]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Forest Practices Appeals Board intends to adopt, amend, or repeal rules concerning regulations for practice and procedure before the board, specifically, amending WAC 223-08-020;

that such agency will at 9:30 a.m., Wednesday, November 17, 1982, in the Conference Room, Suite 610, 1411 4th Avenue Building, Seattle, WA 98101, conduct a hearing relative thereto.

The adoption, amendment, or repeal of such rules will take place immediately following such hearing.

The authority under which these rules are proposed is RCW 76.09.230(4).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this

agency prior to November 17, 1982, and/or orally at 9:30 a.m., Wednesday, November 17, 1982, Conference Room, Suite 610, 1411 4th Avenue Building, Seattle, WA 98101.

Dated: August 27, 1982  
By: William A. Harrison  
Administrative Officer

**STATEMENT OF PURPOSE**

Title: Amendments to chapter 223-08 WAC, Rules of Procedure of the Forest Practices Appeals Board.

Description of Purpose: To respond to the notice of objection received from the Legislative Joint Administrative Rules Review Committee on July 28, 1982.

Statutory Authority: RCW 76.09.230(4).

Summary of Rule: Adopts statutory language from RCW 76.09.220(3).

Reasons Supporting Proposed Action: Same as "Description of Purpose" above.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: William A. Harrison, Environmental Hearings Office, 4224-6th Avenue, MS: PY-21, Building No. 2, Rowsix, Lacey, WA 98504, 459-6327.

Person or Organization Proposing Rule, and Whether Public, Private or Governmental: Forest Practices Appeals Board in response to the notice of objection of the Legislative Joint Rules Review Committee received July 28, 1982.

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: No.

AMENDATORY SECTION (Amending Order 82-1, filed 4/13/82)

**WAC 223-08-020 BOARD ADMINISTRATION—QUORUM.** ((Two members of the appeals board shall constitute a quorum for making final orders or decisions, or for promulgating rules and regulations relating to its procedures, and may act although one position on the appeals board be vacant (RCW 76.09.220). One member or designated agent may hold hearings and take testimony when designated by the appeals board to so do. The findings of such member or agent shall not become final until approved by a quorum of the board.)) A majority of the appeals board shall constitute a quorum for making orders or decisions, promulgating rules and regulations necessary for the conduct of its powers and duties, or transacting other official business, and may act though one position on the board be vacant. One or more members may hold hearings and take testimony to be reported for action by the board. The appeals board shall perform all the powers and duties granted to it in this chapter or as otherwise provided by law.

**WSR 82-18-047****ATTORNEY GENERAL OPINION**

**Cite as: ALGO 1982 No. 22**

[August 27, 1982]

**OFFICES AND OFFICERS—STATE—CRIMINAL JUSTICE TRAINING COMMISSION—POLICE—MINIMUM STANDARDS OF FITNESS FOR LAW ENFORCEMENT PERSONNEL**

Consideration of questions regarding the legal authority of the Washington Criminal Justice Training Commission to adopt certain proposed regulations establishing

minimum standards of mental, physical and moral fitness for appointment to various state and local law enforcement positions.

Requested by:

Honorable James C. Scott  
Executive Director  
Criminal Justice Training Commission  
Olympia, Washington 98504

**WSR 82-18-048**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
[Filed August 30, 1982]

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 this notice proposes to amend the definitions section of chapter 296-04 WAC by redefining "trainee" and adding definitions of "registration" and "department." These rules establish registration fees for apprenticeship and training agreements and apprenticeship and training standards. The rules describe the consequences of failure to pay the registration fees and notify the affected public of where to send the fees. The rules specify that the registration fees include apprenticeship and training agreements and standards now registered with the Department of Labor and Industries.

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.

The agency may need to change the date for public hearing or adoption on short notice. To ascertain that the public hearing or adoption will take place as stated in this notice, an interested person may contact the person named below.

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

G. David Hutchins  
Assistant Director  
Apprenticeship Division  
4436 Lacey Blvd. SE  
Lacey, WA 98504  
(206) 459-6339

that the agency will at 1:30 p.m. to 4:30 p.m., Wednesday, October 20, 1982, in the Ridpath Hotel, Ballroom C, West 515 Sprague, Spokane, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on Friday, October 29, 1982, at 11:00 a.m., Third Floor, General Administration Building, Olympia, Washington 98504.

The authority under which these rules are proposed is sections 1 and 3, chapter 39, Laws of 1982 1st ex. sess.

The specific statute these rules are intended to implement is sections 1 and 3, chapter 39, Laws of 1982 1st ex. sess.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency on or before October 20, 1982.

Dated: August 30, 1982

By: Paula Stewart  
for Sam Kinville  
Director

**STATEMENT OF PURPOSE**

Title and Number of Rule Section(s) or Chapter(s): Chapter 296-04 WAC, Internal Rules; includes WAC 296-04-015 Definitions; WAC 296-04-500 Registration Fees for Apprenticeship and Training Agreements and Standards; WAC 296-04-501 Registration Fees for Apprenticeship and Training Agreements; WAC 296-04-502 Fees for Apprenticeship and Training Standards; WAC 296-04-503 Registration Fees for Apprenticeship and Training Standards—Limitation on Fees; WAC 296-04-504 Registration Fees—Application to Existing Apprenticeship and Training Agreements and Standards; WAC 296-04-505 Registration Fees for Apprenticeship and Training Agreements and Standards—Effect of Failure to Make Timely Payment; and WAC 296-04-506 Registration Fees for Apprenticeship and Training Agreements and Standards—Mailing Address.

Statutory Authority: Sections 1 and 3, chapter 39, Laws of 1982 1st ex. sess.

Specific Statute that Rule is Intended to Implement: Sections 1 and 3, chapter 39, Laws of 1982 1st ex. sess.

Summary of the Rule(s): This notice proposes to amend WAC 296-04-015, Definitions, by redefining "trainee" and adding definitions of "registration" and "department." This notice adds several new sections to chapter 296-04 WAC, Apprenticeship, that establish registration fees for apprenticeship and training agreements and apprenticeship and training standards. The new rules specify that the registration fees include apprenticeship and training agreements and standards now registered with the Department of Labor and Industries. The rules inform the public of the address to which the fees may be mailed. The rules describe the consequences of failure to pay the registration fees.

Reasons Supporting the Proposed Rule(s): The legislature instructed the Department of Labor and Industries to set fees for the registration of apprenticeship and training agreements and standards that will generate revenue at a level that is not less than fifty percent of the appropriation for the apprenticeship division for each biennium. The proposed rules described in this statement of purpose are the department's attempt to comply with the legislature's instructions.

The Agency Personnel Responsible for the Drafting, Implementation and Enforcement of the Rule: G. David Hutchins, Assistant Director, Apprenticeship Division, 4436 Lacey Blvd. SE, Lacey, Washington, (206) 459-6339.

Name of the Person or Organization Whether Private, Public, or Governmental, that is Proposing the Rule: Department of Labor and Industries.

Agency Comments or Recommendations, if any, Regarding Statutory Language, Implementation, Enforcement and Fiscal Matters Pertaining to the Rule: These are rules that will enable the Department of Labor and Industries to continue to administer chapter 49.04 RCW.

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 (Amending Order 80-2, filed 2/8/80)

WAC 296-04-015 DEFINITIONS. Whenever in these rules and regulations, the following words shall have these meanings:

(1) "Council" shall mean the Washington State Apprenticeship and Training Council established pursuant to RCW 49.04.010.

(2) The words "apprenticeship committee" shall mean a state or local Joint Apprenticeship Committee established pursuant to RCW 49.04.040 and/or a committee administering a plant program.

(3) The words "regular meeting" shall mean a public meeting of the council as described in WAC 296-04-040(1).

(4) The term "special meeting" shall mean a public meeting of the council as described in WAC 296-04-040(2).

(5) The word "supervisor" shall mean the Supervisor of Apprenticeship and Training appointed pursuant to RCW 49.04.030.

(6) The term "agreement" shall mean an apprenticeship agreement and/or training agreement.

(7) The term "plant program" is defined in WAC 296-04-050.

(8) The term "individual agreement" shall mean a written agreement between an apprentice and/or trainee and either his employer or an apprenticeship committee acting as agent for the employer.

(9) The term "committee program" shall mean an apprenticeship agreement described in WAC 296-04-270(1)(a).

(10) The term "on-the-job training program" shall mean a program described in WAC 296-04-280.

(11) The term "trainee" shall mean a person registered with the supervisor pursuant to ~~((an on-the-job training program pursuant to WAC 296-04-280))~~ WAC 296-04-270 or WAC 296-04-280.

(12) The term "apprentice" shall mean a person registered with the supervisor pursuant to an apprenticeship training program pursuant to WAC 296-04-270 for purposes of chapter 49.04 RCW and these rules.

(13) The term "standards" shall mean a written agreement setting forth a plan containing all terms and conditions for the qualifications, recruitment, selection, employment, and training of apprentices, as further defined in RCW 49.04.050.

(14) The term "registration" shall mean the maintenance of records of apprenticeship and training agreements and of apprenticeship and training standards.

(15) The term "sponsor" shall mean any plant, firm, facility, association, committee, or organization operating an apprenticeship and training program and in whose name the program is registered or is to be registered.

(16) The term "department" shall mean the department of labor and industries.

#### NEW SECTION

WAC 296-04-500 REGISTRATION FEES FOR APPRENTICESHIP AND TRAINING AGREEMENTS AND STANDARDS. The department shall charge \$30.00 annually for the registration of all agreements and \$125.00 annually for the registration of all standards.

#### NEW SECTION

WAC 296-04-501 REGISTRATION FEES FOR APPRENTICESHIP AND TRAINING AGREEMENTS. The registration fees for apprenticeship and training agreements shall be paid annually. The department shall use the anniversary date of each agreement for the purpose of determining annual payment dates. The department shall give notice that the annual registration fee for an agreement is due. The registration fee for such agreements shall be paid within 30 days after notice that the registration fee is due. The apprentice or the

trainee shall be charged the fee for registration of his or her agreement.

#### NEW SECTION

WAC 296-04-502 REGISTRATION FEES FOR APPRENTICESHIP AND TRAINING STANDARDS. The registration fee for standards shall be paid annually. The department shall use the original date of approval for each set of standards for the purpose of determining annual payment dates. The department shall give notice that the annual registration fee for a set of standards is due. The registration fee for such standards shall be paid within 30 days after notice that the registration fee is due. The sponsor shall pay the fee for registration of standards.

#### NEW SECTION

WAC 296-04-503 REGISTRATION FEES FOR APPRENTICESHIP AND TRAINING STANDARDS—LIMITATION ON FEES. The registration fee for a sponsor with less than five apprentices in its program shall be no more than the total amount charged to its apprentices for registration of their apprenticeship or training agreements.

#### NEW SECTION

WAC 296-04-504 REGISTRATION FEES—APPLICATION TO EXISTING APPRENTICESHIP AND TRAINING AGREEMENTS AND STANDARDS. The responsibility to pay annual registration fees shall include agreements and standards that are registered on or prior to the date these rules take effect.

#### NEW SECTION

WAC 296-04-505 REGISTRATION FEES FOR APPRENTICESHIP AND TRAINING AGREEMENTS AND STANDARDS—EFFECT OF FAILURE TO MAKE TIMELY PAYMENT. The supervisor may remove from registration or refuse to register any agreement for which timely payment of registration fees has not been received. The supervisor shall notify the program sponsor and each affected apprentice when he removes an agreement from registration or refuses to register it.

If the fee for a set of standards is not paid, the Council shall disapprove the sponsor and the Council shall act as the joint committee. The Council shall administer the apprenticeship program for the benefit of apprentices enrolled in the program at the time the sponsor was abolished, but shall not accept any new apprentices as participants in that apprenticeship program.

#### NEW SECTION

WAC 296-04-506 REGISTRATION FEES FOR APPRENTICESHIP AND TRAINING AGREEMENTS AND STANDARDS—MAILING ADDRESS. The registration fees for apprenticeship and training agreements and standards shall be made payable to the department and shall be sent to:

Supervisor of Apprenticeship  
Department of Labor and Industries  
Apprenticeship Division  
Lacey, Washington 98503

**WSR 82-18-049**

**EMERGENCY RULES**

**OFFICE OF**

**FINANCIAL MANAGEMENT**

[Order 54—Filed August 30, 1982]

I, Joe Taller, director of Office of Financial Management, do promulgate and adopt at Insurance Building, Olympia, Washington, the annexed rules relating to pay dates for state employees, chapter 82-50 WAC.

I, Joe Taller, find that an emergency exists and that this order is necessary for the preservation of the public

health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is a change in the pay dates for state employees will facilitate payroll preparation and accounting and will serve to implement the provisions of RCW 42.16-.010 through 42.16.017. RCW 42.16.017 provides that the payroll date may be changed by an order of the director of the Office of Financial Management. Such an order was entered August 27, 1982. This rule provides notice of that order and of how its terms will be implemented.

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

This rule is promulgated pursuant to RCW 42.16.017 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency 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) in the adoption of these rules.

APPROVED AND ADOPTED August 30, 1982.

By Joe Taller  
Director

#### Chapter 82-50

#### PAY DATES FOR STATE EMPLOYEES

WAC 82-50-010 Purpose

WAC 82-50-020 Pay Dates Established

WAC 82-50-030 Exceptions

WAC 82-50-040 Effective Date

#### NEW SECTION

WAC 82-50-010 PURPOSE. The purpose of this chapter is to implement RCW 42.16.017 which authorizes the Director of Financial Management to adopt customary and necessary procedures to facilitate payroll preparation and accounting, including the establishment of pay dates at reasonable times following periods in which payment is earned.

#### NEW SECTION

WAC 82-50-020 PAY DATES ESTABLISHED. Unless excepted under the provisions of WAC 82-50-030, the salaries of all state officers and employees shall be paid monthly on the tenth calendar day of the month next following the end of the previous monthly earning period. When the tenth calendar day of the month is a Saturday, Sunday, or a legal holiday as defined in RCW 1.16.050 the salaries of all state officers and employees shall be paid on the last working day preceeding such Saturday, Sunday or legal holiday.

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

#### NEW SECTION

WAC 82-50-030 EXCEPTIONS. The salaries of all state officers and employees shall be paid on a schedule consistent with the provisions of WAC 82-50-020 with the following exceptions:

(1) Schedules for the payment of compensation more often than monthly currently in effect and currently lagged shall continue, PROVIDED, that within 30 days of the filing of this emergency rule the agency head requests such continuation, in writing, from the director of the Office of Financial Management.

(2) Schedules for the payment of compensation on dates following the end of the previous monthly earning period other than those established in WAC 82-50-020 may continue, PROVIDED, that within 30 days of the filing of this emergency rule the agency head requests such continuation, in writing, from the director of the Office of Financial Management, and PROVIDED FURTHER, this section only applies to lagged payroll schedules in effect prior to the effective date of this rule.

(3) Schedules for the payment of compensation on dates other than those defined in WAC 82-50-020 are authorized for those state officers and employees with written contracts currently in force which explicitly specify payroll dates other than those established in WAC 82-50-020 until the contracts in effect on the effective date of this rule expire or are renegotiated, PROVIDED, that no state agency, office, or institution shall hereafter contract or agree to any payroll dates other than as specified in WAC 82-50-020 and no state agency, office, or institution shall agree to any extension of a contract specifying payroll dates other than those set in WAC 82-50-020 without amending the contract to delete any reference to payroll dates other than those established by WAC 82-50-020.

#### NEW SECTION

WAC 82-50-040 EFFECTIVE DATE. This rule is effective immediately, PROVIDED, that Section WAC 82-50-020 is effective immediately, or on such date hereafter as any injunction preventing its implementation may be dissolved, PROVIDED FURTHER, that if the injunction preventing implementation of this rule is dissolved after the 20th calendar day of any month, the change in payroll date specified in this rule shall be effective as of the next following calendar month.

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

WSR 82-18-050

ADOPTED RULES

HORSE RACING COMMISSION

[Order 82-06—Filed August 30, 1982]

Be it resolved by the Washington Horse Racing Commission, acting at Marriott Hotel, 3201 South 176th, Seattle, WA, that it does adopt the annexed rules relating to prohibiting nonparimutual wagering at horse racing tracks, adopting WAC 260-20-035.



This action is taken pursuant to Notice No. WSR 82-15-022 filed with the code reviser on July 14, 1982. These rules shall take effect thirty days after they are filed with the code reviser 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 61.16.020 and 67.16.040.

The undersigned hereby declares that the agency 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) in the adoption of these rules.

APPROVED AND ADOPTED August 25, 1982.

Will Bachofner  
Chairman

**NEW SECTION**

WAC 260-20-035 NONPARIMUTUEL WAGERING PROHIBITED. No association shall conduct, or permit to be conducted, on its grounds during a race day any gambling or wagering other than on a horse race by the parimutuel method.

**WSR 82-18-051  
PROPOSED RULES  
OFFICE OF  
FINANCIAL MANAGEMENT**  
[Filed August 30, 1982]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Office of Financial Management intends to adopt, amend, or repeal rules concerning the adoption of pay dates for state officers and employees of the tenth calendar day of the month next following the end of the previous monthly earning period or last working day preceding such day;

that such agency will at 1:30 p.m., Thursday, October 7, 1982, in Office Building #2 Auditorium, Olympia, Washington, conduct a hearing relative thereto.

The formal adoption, amendment, or repeal of such rules will take place at 9 a.m., Friday, October 8, 1982, in the Office of the Director of Financial Management, Insurance Building, Olympia, Washington.

The authority under which these rules are proposed is RCW 42.16.017.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to October 7, 1982, and/or orally at 1:30 p.m., Thursday, October 7, 1982, Office Building #2 Auditorium, Olympia, Washington.

Dated: August 30, 1982  
By: Joe Taller  
Director

**STATEMENT OF PURPOSE**

Title: Chapter 82-50 WAC, Pay Dates for State Employees.

Statutory Authority: RCW 42.16.017.

Summary of the Rule: Provides that, unless excepted, the salaries of all state officers and employees shall be paid monthly on the tenth calendar day of the month next following the end of the previous monthly earning period or the last working day preceding the tenth calendar day.

Description of Purpose: The change in payroll date will facilitate payroll preparation and accounting and will serve to implement the provisions of RCW 42.16.010 through 42.16.017.

Reasons Supporting the Rule: It currently takes approximately ten calendar days (seven or eight working days) to process payroll information supplied by agencies and generate pay warrants. Under the predictive system in use before this change, agencies had to submit payroll information by the 20th day of each month for the payroll to be made on the last working day. In any given month a number of state employees change their employment status in the last ten days of the month. Under the predictive payroll system the state incurs much time, effort, and cost making the necessary accounting adjustments, correcting erroneous entries, and issuing supplementary payroll warrants. Adoption of a lagged payroll system, in which agencies will submit their payroll data nearer to the last working day of each month, will allow data to be processed in time for warrants to be issued on the 10th day of the following month. The lagged payroll will allow for the submission of much more accurate data by agencies, and will substantially reduce the number of errors and post-payroll accounting adjustments and will provide agencies with an accurate payroll for certification that "services have been received."

Person Responsible for Drafting, Implementation and Enforcement of the Rule: Dan Pensula, Assistant Director, State Accounting and Fiscal Services Division, Room 410, Insurance Building, AQ-44, Olympia, Washington, 753-5461.

Agency Proposing the Rule: Office of Financial Management.

The rule is not necessary to comply with a federal law or a federal or state court decision, however, Order No. 48937-8 issued by the Supreme Court of Washington on August 24, 1982, must be dissolved before the rule can be implemented.

**Chapter 82-50  
PAY DATES FOR STATE EMPLOYEES**

- WAC 82-50-010 Purpose
- WAC 82-50-020 Pay Dates Established
- WAC 82-50-030 Exceptions
- WAC 82-50-040 Effective Date

**NEW SECTION**

WAC 82-50-010 PURPOSE. The purpose of this chapter is to implement RCW 42.16.017 which authorizes the Director of Financial Management to adopt customary and necessary procedures to facilitate payroll preparation and accounting, including the establishment of pay dates at reasonable times following periods in which payment is earned.

NEW SECTION

WAC 82-50-020 PAY DATES ESTABLISHED. Unless excepted under the provisions of WAC 82-50-030, the salaries of all state officers and employees shall be paid monthly on the tenth calendar day of the month next following the end of the previous monthly earning period. When the tenth calendar day of the month is a Saturday, Sunday, or a legal holiday as defined in RCW 1.16.050 the salaries of all state officers and employees shall be paid on the last working day preceding such Saturday, Sunday or legal holiday.

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

NEW SECTION

WAC 82-50-030 EXCEPTIONS. The salaries of all state officers and employees shall be paid on a schedule consistent with the provisions of WAC 82-50-020 with the following exceptions:

(1) Schedules for the payment of compensation more often than monthly may be authorized only upon the written request of the agency head, and only for the purpose of conforming state payment schedules for classes of employees in specific trades or occupations to customary schedules prevailing in private industries.

(2) Schedules for the payment of compensation on dates following the end of the previous monthly earning period other than those established in WAC 82-50-020 may be authorized only upon the written request of the agency head, and only for the purpose of maintaining a lagged payroll schedule which was in effect prior to the effective date of this rule.

(3) Schedules for the payment of compensation on dates other than those defined in WAC 82-50-020 are authorized for those state officers and employees with written contracts currently in force which explicitly specify payroll dates other than those established in WAC 82-50-020 until the contracts in effect on the effective date of this rule expire or are renegotiated, PROVIDED, that no state agency, office, or institution shall hereafter contract or agree to any payroll dates other than as specified in WAC 82-50-020 and no state agency, office, or institution shall agree to any extension of a contract specifying payroll dates other than those set in WAC 82-50-020 without amending the contract to delete any reference to payroll dates other than those established by WAC 82-50-020.

NEW SECTION

WAC 82-50-040 EFFECTIVE DATE. This rule is effective immediately, PROVIDED, that Section WAC 82-50-020 is effective immediately, or on such date hereafter as any injunction preventing its implementation may be dissolved, PROVIDED FURTHER, that if the injunction preventing implementation of this rule is dissolved after the 20th calendar day of any month, the change in payroll date specified in this rule shall be effective as of the next following calendar month.

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

**WSR 82-18-052****EMERGENCY RULES****DEPARTMENT OF FISHERIES**

[Order 82-121—Filed August 30, 1982]

I, Rolland A. Schmitten, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to personal use rules.

I, Rolland A. Schmitten, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity

to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is the Columbia River fall chinook run needs protection in the terminal area. Accidental snagging will occur if sport fishing is not curtailed below Bonneville Dam and at the Lewis River hatchery fishway.

These 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 the agency 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) in the adoption of these rules.

APPROVED AND ADOPTED August 30, 1982.

By Gary C. Alexander  
for Rolland A. Schmitten  
Director

NEW SECTION

WAC 220-57-16000U COLUMBIA RIVER (1) *Notwithstanding the provisions of WAC 220-57-160, effective immediately until further notice the daily bag limit of salmon taken for personal use in those waters of the Columbia River between the Megler-Astoria Bridge and Buoy 10 at the mouth of the Columbia River is 2 coho salmon not less than 16 inches in length. Only barbless hooks may be used to fish for salmon for personal use and all chinook salmon must be released immediately.*

(2) *Effective immediately until further notice it is unlawful to take, fish for or possess salmon taken for personal use from the waters of the Columbia River from the upstream line of Bonneville Dam to a line running southerly from a fishing boundary marker on the Washington shore (approximately 3/4 mile downstream from the dam) to the downstream end of Cascade Island and thence to the Oregon angling boundary marker on Bradford Island (located approximately 600 feet downstream from the fish ladder entrance).*

NEW SECTION

WAC 220-57-32000B LEWIS RIVER (NORTH FORK) *Effective immediately until further notice, it is unlawful to take, fish for or possess salmon taken for personal use from those waters of the North Fork of the Lewis River shoreward of the cable, buoy and corkline located at the mouth of the Lewis River Salmon Hatchery fishway.*

REPEALER

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

WAC 220-57-19000T COLUMBIA RIVER (82-117)

## WSR 82-18-053

## ADOPTED RULES

## FOREST PRACTICES BOARD

[Resolution No. 82-2—Filed August 31, 1982]

Be it resolved by the Forest Practices Board, acting at Room 301, Public Lands Building, Olympia, Washington, 9:00 a.m., August 31, 1982, that it does promulgate and adopt the annexed rules relating to processing forest practices applications and notifications for the development and maintenance of utility rights of way are not conversions.

This action is taken pursuant to Notice No. WSR 82-15-061 filed with the code reviser on July 20, 1982. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 76.09.040 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 August 31, 1982.

By Harold B. Brunstad  
Chairman protem

AMENDATORY SECTION (Amending Order 263  
filed 6/16/76)

WAC 222-20-010 APPLICATIONS AND NOTIFICATIONS—POLICY. (1) No Class II, III or IV forest practices shall be commenced or continued unless the department has received a notification for Class II forest practices, or approved an application for Class III or IV forest practices pursuant to the act. Where the time limit for the department to act on the application has expired, and none of the conditions in WAC 222-20-020(1) exist, the operation may commence.

(2) At the option of the applicant, applications or notifications may be submitted to cover a single forest practice or any number of forest practices within reasonable geographic or political boundaries as specified by the department. Long range plans may be submitted to the department for review and consultation.

(3) The department shall prescribe the form and contents of the notification and application, which shall specify what information is needed for a notification, and the information required for the department to approve or disapprove the application.

(4) Applications and notifications for operations not converting to another use shall be signed by the landowner, the timber owner and the operator(;;), or the operator and accompanied by a consent form signed by the timber owner and the landowner. A consent form may be another document if it is signed by the landowner(s) and it contains a statement acknowledging

that he is familiar with the forest practices act, including the provisions dealing with conversion to another use (RCW 76.09.060(3)). Where the application is not signed by the landowner, the department shall, provided all the other requirements contained in chapter 222-20 WAC are met, approve the application without the signature of the landowner if:

(a) The operator or timber owner provides legal evidence of timber rights, ownership, or other legal rights;

(b) The timber owner or operator posts a bond securing compliance with the requirements of the forest practices regulations (as determined necessary by the department)(;); and

(c) The operator or timber owner provides evidence of reasonably advance notification to the landowner of the proposed forest practice and that the landowner has been requested to sign the application, a copy of which has been made available to the landowner(;); PROVIDED, That in lieu of such evidence the applicant may submit a sworn statement indicating inability to locate the landowner after a reasonable good faith attempt to locate and notify the landowner of the proposed forest practice.

(5) Where an application for a conversion is not signed by the landowner or accompanied by a consent form, as outlined in subsection (4) ((above)) of this section, the department shall not approve the application. Applications and notifications for the development or maintenance of utility rights of way shall not be considered to be conversions.

(6) Transfer of the approved application or notification to a new landowner, timber owner or operator requires written notice by the original landowner or applicant to the department and should include the original application or notification number. In the case of a transfer of an application previously approved without the landowner's signature the new timber owner or operator must submit a bond securing compliance with the requirements of the forest practices regulations as determined necessary by the department. If an application or notification indicates that the landowner or timber owner is also the operator, or an operator signed the application, no notice need be given regarding any change in subcontractors or similar independent contractors working under the supervision of the operator of record.

(7) Applications and notifications must be delivered to the department at the appropriate area office. Delivery should be in person or by registered or certified mail.

(8) Applications and notifications shall be considered received on the date and time shown on any registered or certified mail receipt, or the written receipt given at the time of personal delivery, or at the time of receipt by general mail delivery. Applications or notifications that are not complete, or are inaccurate will not be considered officially received until the applicant furnishes the necessary information to complete the application. If a notification or application is delivered in person to the department by the operator or his authorized agent, the department shall immediately provide a dated receipt. In all other cases, the department shall immediately mail a dated receipt to the applicant.

**WSR 82-18-054**  
**PROPOSED RULES**  
**INSURANCE COMMISSIONER**  
 [Filed August 31, 1982]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Insurance Commissioner intends to adopt, amend, or repeal rules concerning the establishment of the filing fee for filing insurance rates and forms; the definition of a rate and form filing; and the information to be furnished with the transmittal of a filing;

that the agency will at 8 a.m., Wednesday, October 6, 1982, in the Insurance Commissioner's Office, Insurance Building, Olympia, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 48.02.060.

The specific statute these rules are intended to implement is section 35, chapter 9, Laws of 1982 1st ex. sess.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 6, 1982.

Dated: August 31, 1982  
 By: Robert E. Johnson  
 Deputy Commissioner

**STATEMENT OF PURPOSE**

Title: Chapter 284-14 WAC, proposing new rules defining insurance rate and form filings, establishing the filing fee for filing insurance rates and forms and specifying the information to be furnished with the transmittal of such filings to the insurance commissioner.

Statutory Authority: RCW 48.02.060 and section 35, chapter 9, Laws of 1982 1st ex. sess., the latter statute being specifically implemented.

The proposed rules establish \$15 as the filing fee for filing insurance rates and forms, that being the amount determined to produce the income which will match the anticipated expenses to be incurred in connection with the regulation of rates and forms filings as required by statute; define a rate filing and a form filing for purposes thereof; and outline the transmittal information which will be required to be furnished with each rate or form filing.

The basic purpose of the rules is to comply with the legislative mandate set forth in section 35, chapter 9, Laws of 1982 1st ex. sess., directing the insurance commissioner to fix the fee for filing rates and forms at an amount not in excess of \$20, but sufficient, insofar as practicable, to match income to the anticipated expenses to be incurred in connection with the regulation of rates and forms.

Roger Polzin, Deputy Insurance Commissioner, Insurance Building, AQ-21, Olympia, Washington, (206) 753-2403, is directly responsible for the drafting, implementation and enforcement of the proposed rules.

The proposed action is mandated by the legislature and the form and contents of the rule are proposed by the insurance commissioner, a state public official.

The proposed rules are not necessary as the result of federal law or federal or state court action.

Small Business Economic Impact Statement: The effect of the proposed rule is to increase the filing fee for insurance rates and forms filings from five to fifteen dollars each, or an increase per filing of ten dollars.

The rule will not create any new workload for the employees of any insurer, large or small, but will only change the amount of the fee written on the check. Thus, the cost per hour of labor will not be affected, nor will the cost per employee be changed.

From the standpoint of cost per one hundred dollars of sales, the following chart demonstrates the effect of a \$10 increase in the filing fee based on premium volume and number of filings per year:

Annual Premium	Cost Per \$100 of Sales For An Increase of \$10 In the Filing Fee		
	@ 10 Filings Per Year	@ 20 Filings Per Year	@ 30 Filings Per Year
\$ 1 Million	\$ 0.01	\$ 0.02	\$ 0.03
\$ 10 Million	0.001	0.002	0.003
\$100 Million	0.0001	0.0002	0.0003

It should be noted that a "small business" as measured by number of employees, as the law requires, will not necessarily have the lowest premium volume, nor will it necessarily make more or less filings than average. (The average number of filings for all companies per year is 24.) The factors that are variable are nearly endless. However, as the chart demonstrates, the impact of the increased filing fee charge is not great. If a company, large or small, had annual premium income of one million dollars and made the average of 24 filings during the year, its increased cost per \$100 of sales would be \$.024, or \$240 for the year. If its premium volume is increased to ten million dollars, its cost per \$100 of sales from the rate increase is \$.0024.

In any event, the fee charge is mandated by the law and the insurance commissioner is given no discretion to exempt small businesses or to vary the requirements as to them.

Chapter 284-14 WAC  
**REGULATIONS PERTAINING TO FEES AND TAXES**

- WAC  
 284-14-010 Filing fee for rates and forms.  
 284-14-020 Filing transmittal information.

NEW SECTION

WAC 284-14-010 FILING FEE FOR RATES AND FORMS.  
 (1) Beginning November 15, 1982, the filing fee for filing insurance rates and the filing fee for filing insurance forms shall be fifteen dollars each per filing.

(2) The following definitions shall apply for the purpose of determining the proper filing fee:

(a) A rate filing is a submission at one time from one insurer or rating organization of manuals of classification and manuals of rules and rates, or any modification thereof, and rating schedules or rating plans or a request for a rate change or deviation for one or more contract forms which may logically be grouped together.

(b) A form filing pertaining to life or disability insurance is the submission at one time from one insurer of:

(i) Policy pages which define all the conditions pertaining to one basic insurance contract, together with its application if it is an integral part thereof and set forth therein; or

(ii) An application form for general use with one or more policy forms, except when it is an integral part of the policy pages and set forth therein; or

(iii) A rider form which provides optional benefits in addition to those of one or more basic insurance contracts; or

(iv) An endorsement or amendment form which alters the provisions of any insurance contract; or

(v) Any other form for general use attachable to or becoming part of an insurance contract.

(c) A form filing pertaining to all other types of insurance is the submission at one time from one insurer of:

(i) A policy, meaning a basic contract of insurance, together with its application form, if any, or any other forms which may define, extend, limit, exclude, condition, or otherwise alter coverage under the policy; or

(ii) Each application form or other form or combination of forms, other than a policy, related to one policy or to more than one similar policies, such as a series of homeowners-type policies, which form or forms are designed to define, extend, limit, exclude, condition, or otherwise alter coverage under such policy or policies.

**NEW SECTION**

WAC 284-14-020 FILING TRANSMITTAL INFORMATION. Each rate or form filing, as defined by 284-14-010, shall be accompanied by a transmittal containing the following information:

- (1) Date of submission;
- (2) Company name;
- (3) Washington state company identification code (CIC);
- (4) National Association of Insurance Commissioners number;
- (5) Line of insurance and policy type, as appropriate, as follows:
  - (a) Life; individual or individual credit or individual separate account, group or group credit or group separate account;
  - (b) Annuity; individual or individual separate account, group or group separate account;
  - (c) Disability; individual or individual credit, group or group credit;
  - (d) Medicare supplement; individual or group;
  - (e) Property;
  - (f) Casualty;
  - (g) Other (explain);
- (6) Type of filing, indicating whether it is a:
  - (a) Rate filing; or
  - (b) Form filing. If a form filing, indicate:
    - (i) The form number and, if appropriate, the form number being replaced;
    - (ii) Whether the form is being filed for approval or as a certified filing;
- (7) The name and telephone number of the company contact person.

Sample transmittal forms, that may be used in conjunction with company letterhead, are available from the Office of Insurance Commissioner.

**WSR 82-18-055**  
**EMERGENCY RULES**  
**DEPARTMENT OF GAME**  
**(Game Commission)**  
 [Order 175—Filed August 31, 1982]

Be it resolved by the Game Commission of the state of Washington, that we, the Game Commission, promulgate and adopt at Spokane, Washington, as emergency rule of this governing body, the annexed rule relating to emergency season extension on Deep Lake (Thurston County) and Williams Lake (Spokane County) beginning September 1, 1982 until November 29, 1982, WAC 232-28-60417.

We, the Game 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 the public interest. A statement of facts constituting such emergency is because of poor survival rates, none of the waters listed above have been stocked with trout fry in 1982. Consequently, early season closures to prevent premature harvest of planted trout are not necessary. Therefore, to allow maximum sport harvest and recreational opportunity, the above

listed waters will have an emergency season extension beginning September 1, 1982, until November 29, 1982.

Such rule is therefore adopted as an emergency rule.

This rule is promulgated under the authority of the Game Commission as authorized in RCW 77.12.150.

The undersigned chairman hereby declares that the Game Commission 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 August 28, 1982.

By Archie U. Mills  
 Chairman, Game Commission

**NEW SECTION**

*WAC 232-28-60417 EMERGENCY SEASON EXTENSION ON DEEP LAKE (THURSTON COUNTY) AND WILLIAMS LAKE (SPOKANE COUNTY) BEGINNING SEPTEMBER 1, 1982 UNTIL NOVEMBER 29, 1982. Notwithstanding the provisions of WAC 232-28-604, Deep Lake (Thurston County) and Williams Lake (Spokane County) shall have an emergency season extension on the fishing season beginning September 1, 1982 until November 29, 1982.*

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

**WSR 82-18-056**  
**ADOPTED RULES**  
**DEPARTMENT OF GAME**  
**(Game Commission)**  
 [Order 190—Filed August 31, 1982]

Be it resolved by the Game Commission, state of Washington, acting at Spokane, Washington, that it does promulgate and adopt the annexed rules relating to season extension on Burke Lake (Grant County) through December 31, 1982, WAC 232-28-60415.

This action is taken pursuant to Notice No. WSR 82-15-068 filed with the code reviser on July 21, 1982. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Game Commission as authorized in RCW 77.12.040.

The undersigned hereby declare that they have 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 August 28, 1982.

By Archie U. Mills  
Chairman, Game Commission

### NEW SECTION

WAC 232-28-60415 SEASON EXTENSION ON BURKE LAKE (GRANT COUNTY) THROUGH DECEMBER 31, 1982. Notwithstanding the provisions of WAC 232-28-604, Burke Lake (Grant County) shall have an extension of the fishing season through December 31, 1982.

**WSR 82-18-057**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
[Order 82-122—Filed August 31, 1982]

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

I, Rolland A. Schmitten, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is this rule is the result of federal court order to protect the fall chinook run.

These 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 the agency 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) in the adoption of these rules.

APPROVED AND ADOPTED August 31, 1982.

By W. R. Wilkerson  
for Rolland A. Schmitten  
Director

### NEW SECTION

WAC 220-57-16000V COLUMBIA RIVER Notwithstanding the provisions of WAC 220-57-160, effective 12:01 a.m. September 1, 1982 through 11:59 p.m. September 30, 1982, the bag limit in those waters of the Columbia River between the Megler-Astoria Bridge and the Hood River Bridge is "A", except that all chinook salmon over 24 inches in length must be released and only barbless hooks may be used to fish for salmon.

**WSR 82-18-058**  
**PROPOSED RULES**  
**HIGHER EDUCATION**  
**PERSONNEL BOARD**  
[Filed September 1, 1982]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Higher Education Personnel Board intends to adopt, amend, or repeal rules concerning the amending of WAC 251-04-040 exemptions, by providing clearer definition of conditions under which classified employees may be laid off or reduced while exempt student or part-time employees are retained;

that the agency will at 10:00 a.m., Friday, October 22, 1982, in the Council Chambers, Pence Union Building, Eastern Washington University, Cheney, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 22, 1982.

The authority under which these rules are proposed is RCW 28B.16.100.

The specific statute these rules are intended to implement is RCW 28B.16.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 22, 1982.

Dated: September 1, 1982

By: Dennis Carlson  
Acting Director

### STATEMENT OF PURPOSE

This statement is related to the notice filed with the code reviser on September 1, 1982, and is filed pursuant to RCW 34.04.025.

Rule Affected: WAC 251-04-040 Exemptions.

Statutory Authority: RCW 28B.16.100 to implement the provisions of RCW 28B.16.040.

Purpose of Existing Rule: Identifies the classifications, positions and employees of higher education institutions and related boards which are exempted from the HEPB jurisdiction.

Summary of Proposed Change: Provides a clearer definition of the conditions under which classified employees may be laid off or reduced while exempt student or part-time employees are retained.

Agency Person Responsible for Rule: Dennis Carlson, Acting Director, HEPB, FT-11, Olympia, 98504, Scan 234-3730.

Organization Proposing Change: HEPB staff.

The agency makes no additional comments/recommendations regarding the proposal.

The change is not the result of federal law or state court action.

AMENDATORY SECTION (Amending Order 98, filed 7/22/82, effective 9/1/82)

WAC 251-04-040 EXEMPTIONS. The following classifications, positions, and employees of higher education institutions/related boards are hereby exempted from coverage of this chapter.

(1) Members of the governing board of each institution/related board; all presidents, vice presidents and their confidential secretaries,

administrative and personal assistants; deans, directors, and chairmen; academic personnel; executive heads of major administrative or academic divisions employed by institutions of higher education; and any employee of a community college district whose place of work is one which is physically located outside the state of Washington and who is employed pursuant to RCW 28B.50.092 and assigned to an educational program operating outside of the state of Washington.

(2)(a) Students employed under separately funded student assistance work programs, or who are employed in a position directly related to the major field of study to provide training opportunity; or who are elected or appointed to student body offices or student organization positions such as student officers or student news staff members.

(b) Persons employed in a position scheduled for less than twenty hours per week or on an intermittent employment schedule.

(c) Nonclassified employees filling positions identified in subsections (1)(a) and (3) of the definition of "temporary appointment" in WAC 251-04-020.

(d) Part-time professional consultants retained on an independent part-time or temporary basis such as physicians, architects, or other professional consultants employed on an independent contractual relationship for advisory purposes and who do not perform administrative or supervisory duties.

(3) The director, his confidential secretary, assistant directors, and professional education employees of the state board for community college education.

(4) The personnel director of the higher education personnel board and his confidential secretary.

(5) The governing board of each institution/related board may also exempt from this chapter, subject to the employee's right of appeal to the higher education personnel board, classifications involving research activities, counseling of students, extension or continuing education activities, graphic arts or publications activities requiring prescribed academic preparation or special training, and principal assistants to executive heads of major administrative or academic divisions, as determined by the higher education personnel board: PROVIDED, That no nonacademic employee engaged in office, clerical, maintenance, or food and trades services may be exempted by the higher education personnel board under this provision.

(6) Any employee who believes that any classification should or should not be exempt, or any employee because of academic qualifications which would enable such employee to teach and thus be exempt, may appeal to the board in the same manner as provided in WAC 251-12-080, et seq.

(7) Any classified employee having civil service status in a classified position who accepts an appointment in an exempt position shall have the right of reversion to the highest class of position previously held, or to a position of similar nature and salary, within four years from the date of appointment to the exempt position. However, (a) upon the prior request of the appointing authority of the exempt position, the board may approve one extension of no more than four years; and (b) if an appointment was accepted prior to July 10, 1982 then the four-year period shall begin on July 10, 1982. Application for return to classified service must be made not later than thirty calendar days following the conclusion of the exempt appointment.

(8) When action is taken to convert an exempt position to classified status, the effect upon the incumbent of such position shall be as provided in WAC 251-18-420.

(9) A classified position may not be eliminated or reduced to less than half time if, after such action, there would be exempt student employees or employees scheduled for less than twenty hours per week who are:

(a) Attached to the organization which constitutes the layoff unit in which the classified position is located; and

(b) Performing work which, if in the classified service, would fit within the class specification of the classified position.

**WSR 82-18-059**  
**PROPOSED RULES**  
**DEPARTMENT OF PERSONNEL**  
**(Personnel Board)**

[Filed September 1, 1982]

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

Amd	WAC 356-06-055	Exempt—Classified service—Movement between.
Amd	WAC 356-15-080	Standby provisions and compensation.
Amd	WAC 356-26-030	Register designation.
Amd	WAC 356-30-330	Reduction-in-force—( <del>Rules</del> ) <u>Reasons</u> , regulations—Procedure.
Amd	WAC 356-46-060	Agencies—Personnel records;

that the agency will at 10:00 a.m., Thursday, October 14, 1982, in the Board Hearing Room, Department of Personnel, 600 South Franklin, Olympia, WA 98504, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 41.06.040.

The specific statute intended to implement WAC 356-46-060 is HB 593.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 12, 1982.

Dated: September 1, 1982

By: Leonard Nord  
Secretary

**STATEMENT OF PURPOSE**

Amend WAC 356-06-055.

Title: Exempt—Classified Service—Movement Between.

Purpose: States the rights of employees moving between classified positions and exempt positions; outlines the movement procedures.

Statutory Authority: RCW 41.06.150.

Summary: Rule change would revise the right of HEPB employees who have been laid off due to reduction-in-force to be offered positions under the jurisdiction of the State Personnel Board; the HEPB employees would be referred under the new rule of five if revision is adopted.

Reasons: This revision is proposed to make the rule consistent with the new rule of five referral process as mandated by SHB 1226.

Responsibility for Drafting: Fred Richardson, Personnel Analyst, Department of Personnel, 600 South Franklin, MS: FE-11, Olympia, WA, Phone: 753-1003; Implementation and Enforcement: Department of Personnel.

Proposed by: Department of Personnel, governmental agency.

Amend WAC 356-15-080.

Title: Standby Provisions and Compensation.

Purpose: Provides for the circumstances and methods for payment of standby pay to employees required to be responsive to a phone call or pager.

Statutory Authority: RCW 41.06.150.

Summary: The proposed change would allow exceptions work period employees to use compensatory time rather than requiring cash payment. This compensatory time would be at the same rate as their hourly salary rate is to the hourly standby pay rate.

Reasons: Changes would allow the use of compensatory time in lieu of cash payment so that exceptions work period employees can be allowed some compensation for the amount of time required for standby when it is other than occasional without necessitating additional expenditures.

Responsibility for Drafting: Reginald Taschereau, Personnel Officer, Department of Corrections, P.O. Box 9699, MS: FN-61, Olympia, WA, Phone: 753-0326; Implementation: All state agencies; and Enforcement: Office of the State Auditor.

Proposed by: Department of Corrections, governmental agency.

Amend WAC 356-26-030.

Title: Register Designation.

Purpose: Rule describes the type of registers, their composition, method of ranking, and life.

Statutory Authority: RCW 41.06.150.

Summary: Changes would clarify who can be placed on reduction-in-force registers and at what levels following reallocations downward; defines what past service will count toward the classification of registers employees may be placed on.

Reasons: Changes would clarify procedures for some anticipated reductions-in-force.

Responsibility for Drafting: Bill B. Turney, Personnel Analyst, Department of Personnel, 600 South Franklin, MS: FE-11, Olympia, WA, Phone: 753-7125; Implementation and Enforcement: Department of Personnel.

Proposed by: Department of Personnel, governmental agency.

Amend WAC 356-30-330.

Title: Reduction-in-Force—(~~Rules~~) Reasons, Regulations—Procedure.

Purpose: Defines rules and procedures for reduction-in-force.

Statutory Authority: RCW 41.06.150.

Summary: Proposed changes would provide for filling vacancies prior to bumping employees; would clarify employees rights and options into new permanent positions.

Reasons: To clarify methods of determining probable reductions-in-force.

Responsibility for Drafting: Bill B. Turney, Personnel Analyst, Department of Personnel, 600 South Franklin, MS: FE-11, Olympia, WA, Phone: 753-7125; Implementation and Enforcement: Department of Personnel.

Proposed by: Department of Personnel, governmental agency.

Amend WAC 356-46-060.

Title: Agencies—Personnel Records.

Purpose: States the type of records agencies are to maintain in employees' personnel records and files; states the agency responsibility and who has the right to see the files, etc.

Statutory Authority: RCW 41.06.150 (general rule-making authority). Intended to implement HB 593 (sections 9-14).

Summary: Proposal adds rules governing the maintenance of employee records relative to employee misconduct or alleged misconduct and destruction of records.

Reasons: To implement provisions of HB 593.

Responsibility for Drafting: Fred Richardson, Personnel Analyst, Department of Personnel, 600 South Franklin, MS: FE-11, Olympia, WA, Phone: 753-1003; Implementation and Enforcement: Department of Personnel.

Proposed by: Department of Personnel, governmental agency.

Comments: N/A.

Rule proposed to implement provisions of HB 593.

#### AMENDATORY SECTION (Amending Order 82, filed 9/26/75)

WAC 356-06-055 EXEMPT—CLASSIFIED SERVICE—MOVEMENT BETWEEN. (1) Any classified employee having civil service status in a position may take an appointment in an exempt position with the right to return to his/her regular position, or to a like position at the conclusion of such appointment. Such employee must apply to return to classified service within 30 calendar days of:

(a) Termination of employment in such exempt position, or

(b) Termination of employment in any other exempt position in which the employee subsequently serves provided there was no break in his/her service with the state of more than 30 calendar days.

(2) Any employee who holds a position in the classified service which is subsequently exempted and who previously held permanent status in another classified position shall have a right to return to the highest classified position previously held or to a similar position. Such employee must apply to return to classified service within 30 calendar days of:

(a) Termination of employment in such exempt position, or

(b) Termination of employment in any other exempt position in which the employee subsequently served provided there was no break in his/her service with the state of more than 30 calendar days.

(3) Present or past employees of the exempt service who have not previously left the classified service specifically to take an exempt position shall not be entitled to move back into the classified service under the provisions of this section or WAC 356-30-045 or WAC 356-30-330.

(4) Classified employees under the jurisdiction of the ((state institutions of)) higher education personnel board who are otherwise exempt from the right by WAC 356-06-020, and have been or are going to be separated because of reduction-in-force action shall be ((~~offered the opportunity to accept~~)) certified to any vacant classified positions under the jurisdiction of the state personnel board provided:

(a) The employees are qualified as determined by the director, or designee, and;

(b) No other employees under the jurisdiction of the state personnel board are eligible to be certified from the RIF registers, or transferred, or promoted into vacancies, and;

(c) The employees have greater seniority than other such qualified employees under the jurisdiction of the higher education personnel board involved in reduction-in-force action, and;

(d) The employees are being offered the opportunity according to the department of personnel procedure established for that purpose.

#### AMENDATORY SECTION (Amending Order 161, filed 10/5/81)

WAC 356-15-080 STANDBY PROVISIONS AND COMPENSATION. (1) Requirements:

(a) An employee is in standby status when she/he is required to put in time (outside her/his normal working hours) during which both of the following conditions exist:

(i) She/He is required by her/his agency to remain in a specified duty station or predetermined location during specified hours.

(ii) She/He is required by her/his agency to be prepared to do full time work if the need arises, although the need for her/him to work might not arise.



**NOTE:** Standing by must include restriction to a specific location. When the nature of a duty station confines an employee during her/his off duty hours (e.g., a ship), and that duty station is a normal condition of work in the employee's position, standby compensation is not required merely because the employee is confined.

(b) An agency may issue a written policy stating that an employee is in standby status (b) (outside her/his normal working hours) when required to leave a telephone number with the agency or remain in communication with a dispatching authority to respond to a call to begin work in a specified time limit.

Standby status (b) shall not be considered time worked for any employee.

(2) Payment: Any scheduled or non scheduled work period employee required by her/his agency to stand by shall be paid the hourly standby rate as shown in the Standby Pay Schedule. Standby pay may be authorized for exceptions work period employees if the appointing authority deems it appropriate. For exceptions work period employees, standby may be compensated for by the use of compensatory time. This compensatory time shall be in an amount equivalent to the proportion of the hourly Salary Schedule salary that the hourly Standby Pay Schedule salary represents. Overtime pay and standby pay shall not be paid for the same hours. Shift differential premium and standby pay shall not be paid for the same hours.

(3) In cases where standby hours are scheduled over a number of months, agencies may pay standby pay at a monthly rate which is equal for all months in which an employee stands by. Such monthly rates shall be calculated by dividing the number of months containing standby time into the total amount of standby pay the employee would earn during those months if the hourly standby pay schedule identified in subsection (2) of this rule was applied. This option is granted to simplify bookkeeping and is not authorization to establish standby rates higher or lower than those set by the personnel board.

#### AMENDATORY SECTION (Amending Order 161, filed 10/5/81)

WAC 356-26-030 REGISTER DESIGNATION. (1) Agency reduction-in-force.

(a) Composition.

(i) The ((departmental)) agency reduction-in-force register will consist of ((appropriate)) classes and the names of all employees who hold or have held permanent status in those classes and: (A) Have been notified they are scheduled for reduction-in-force; or (B) Held permanent status prior to separation due to a reduction-in-force; or (C) Who have accepted a voluntary demotion in a class in lieu of a reduction-in-force; or (D) Were in a trial service period with another department and separated due to reduction-in-force; or (E) Employees requesting to be placed on this register for classes held immediately prior to its being reallocated downward; or (F) Who were separated due to disability within the last year as provided in WAC 356-35-010 and who have submitted to the Director of Personnel a current physician's statement that they are physically able to perform the duties of the class for which the register is established.

(ii) The employee's name shall appear for all classifications for which he/she is not disabled in which he/she held permanent status since the employee's last separation other than a reduction-in-force, or in which he/she served more than six months on a position which would have meant permanent status had it been under the jurisdiction of the State Personnel Board at the time.

(b) Method of ranking.

(i) This register will be ranked according to seniority.

(c) Life of register.

(i) An eligible's name will normally remain on this register for three years.

(d) Special provisions.

(i) Employees appointed from this register will assume the same status they held prior to the reduction-in-force. Persons on this register will indicate the geographic areas in which they are available. Appointment of persons from this register to seasonal positions will be as provided in WAC 356-30-130.

(ii) Employee's names shall not appear for classes at or below the range level of a class in which the employees are serving on a permanent full-time basis, except when the employees have accepted options beyond a reasonable commuting distance in lieu of separation due to reduction-in-force. In the excepted cases, the employees' names may

appear for classes at the same or lower range levels with the availability returning the employees back to their previous geographic locations.

(2) Service-wide reduction-in-force.

(a) Composition.

(i) This register will consist of the same names as the agency reduction-in-force register, except for those requesting to be on the agency reduction-in-force register following a reallocation downward.

(b) Method of ranking.

(i) This register will be ranked according to seniority.

(c) Life of register.

(i) An eligible's name will normally remain on this register for two years.

(d) Special provisions.

(i) Employees appointed from this register will assume the same status they held prior to the reduction-in-force. Persons on this register will indicate the geographic areas and departments for which they are available. Appointment of persons from this register to seasonal positions will be as provided in WAC 356-30-130.

(3) Dual-agency reversion.

(a) Composition.

(i) This register will contain the names of employees who while serving a trial service period in another agency were either voluntarily or involuntarily reverted to their former class and status.

(b) Method of ranking.

(i) This register will be ranked according to total unbroken classified service.

(c) Life of register.

(i) An eligible's name will normally remain on this register for two years.

(d) Special provisions.

(i) This register refers to the agency from which promoted and the agency from which reverted. Employees appointed from this register will assume the status they held prior to promotion. Persons on this register will indicate the geographic area in which they are available.

(4) Agency promotional.

(a) Composition.

(i) This register will be established by appropriate classes and shall include the names of those permanent employees, or past permanent employees who have been separated due to reduction-in-force within the last year who have received a passing final grade in the total promotional examination and are eligible to be certified. The names of past permanent employees who were separated due to disability within the last year as provided in WAC 356-35-010 shall also be included on this register provided that they submit to the Director of Personnel a physician's statement that they are physically able to perform the duties of the class for which the register is established and they have received a passing final grade as required for other promotional applicants.

(b) Method of ranking.

(i) This register shall be ranked according to final score from the highest to the lowest.

(c) Life of register.

(i) An eligible's name will normally remain on this register for an indefinite period unless replaced by a register established by the use of a substantially new examination.

(d) Special provisions.

(i) An employee may convert any current open competitive rating to this register upon achieving permanent status.

(5) Service-wide reversion.

(a) Composition.

(i) This register will contain the names of employees who while serving a trial service period in another agency were either voluntarily or involuntarily reverted to their former class and status.

(b) Method of ranking.

(i) This register will be ranked according to total unbroken classified service.

(c) Life of register.

(i) An eligible's name will normally remain on this register for two years.

(d) Special provisions.

(i) This register refers to all agencies, except the two which are involved with the dual-agency transaction. Persons on this register will indicate the geographic areas and agencies for which they are available.

(6) Transfer.

(a) Composition.

(i) This register shall contain the names of all permanent employees who have submitted a request to be considered for transfer.

(b) Method of ranking.

(i) This register will be unranked.

(c) Life of register.

(i) An eligible's name shall normally remain on this register for one year.

(d) Special provisions.

(i) To use this register, the employee must transfer either within the same class or the same pay range having the same salary range number.

(7) Voluntary demotion.

(a) Composition.

(i) This register shall contain the names of all permanent employees who have submitted a request for and are eligible under the rules to be considered for a voluntary demotion.

(b) Method of ranking.

(i) This register shall be unranked. However, employees subject to reduction-in-force shall have priority.

(c) Life of register.

(i) An eligible's name shall normally remain on this register for one year.

(d) Special provisions.

(i) Employees appointed from this register to a class not previously held will serve a trial service period. All examination ratings for the class from which demoted shall be nullified; however, the employee may be elevated to the class from which demoted with permanent status without benefit of certification provided permanent status was achieved at the higher level.

(8) Service-wide promotional.

(a) Composition.

(i) This register shall contain the names of those permanent employees or past permanent employees who have been separated due to reduction-in-force within the last year who have obtained a passing final grade in the total promotional examination. The names of past permanent employees who were separated due to disability within the last year as provided in WAC 356-35-010 shall also be included on this register provided that they submit to the Director of Personnel a physician's statement that they are physically able to perform the duties of the class for which the register is established and they have received a passing final score as required for other promotional applicants.

(b) Method of ranking.

(i) This register shall be ranked according to final score, from the highest to the lowest.

(c) Life of register.

(i) An eligible's name will normally remain on this register for an indefinite period unless replaced by a register established by the use of a substantially new examination.

(d) Special provisions.

(i) An employee may convert any current open competitive rating to this register upon achieving permanent status. Persons on this register will indicate the geographic areas and agencies for which they are available.

(9) Reemployment.

(a) Composition.

(i) This register shall contain the names of all past permanent employees who have submitted a request and an application for reemployment within two years from the date of separation, provided that the names of employees separated for cause while performing similar duties shall not be placed on this register except with the approval of the agency from which they were separated for cause. This register shall also contain the names of those employees who have been in reversion or reduction-in-force status and have been offered and declined employment. The Director of Personnel may extend the time during which an employee may apply for reemployment if the Director of Personnel has determined that a need for eligibles exists in a certain class and/or geographical area.

(b) Method of ranking.

(i) This register shall be unranked.

(c) Life of register.

(i) An eligible's name will normally remain on this register for two years.

(d) Special provisions.

(i) Persons reemployed from this register will serve a probationary period. The former employee may limit or enlarge upon his/her area of availability either by department or geographic area.

(10) Open competitive.

(a) Composition.

(i) This register will contain the names of all persons who have passed the entrance examination.

(b) Method of ranking.

(i) This register shall be ranked by the final score.

(c) Life of register.

(i) An eligible's name will normally remain on this register for one year unless changed by the Director of Personnel.

(d) Special provisions.

(i) Persons on this register will indicate the geographic areas for which they are available.

#### AMENDATORY SECTION (Amending Order 161, filed 10/5/81)

WAC 356-30-330 REDUCTION-IN-FORCE--((RULES)) REASONS, REGULATIONS--PROCEDURE. (1) The reasons for reduction-in-force actions and the minimum period of notice are:

(a) Employees may be separated in accordance with the statutes and the agencies' approved reduction-in-force procedures after fifteen calendar days' notice in writing, without prejudice, because of lack of funds or curtailment of work, or good faith reorganization for efficiency purposes.

~~((Incumbents of positions reclaimed by previously exempted employees will have the rights and options of the approved procedures developed as prescribed below when the positions are being reclaimed in accordance with RCW 41.06.070(22), 41.06.100, and WAC 356-30-045.))~~

(b) When employees have legal and merit system rule rights to return to agencies and the total number of employees exceeds the number of positions to be filled in the classification, those employees remaining will be determined by reduction-in-force rights prescribed in this section.

(2) The agencies shall develop a reduction-in-force procedure which shall include:

(a) The definition of "seniority" as defined in WAC 356-06-010.

(b) For purposes of reduction-in-force (WAC 356-30-330), seniority shall be determined by the definition in WAC 356-06-010; and, if necessary, by measuring the employees' last continuous time within their current classification; and, if still necessary, by measuring the employees' last continuous time in their current agency. When the above seniority determination process results in a tie, the tie will be broken by comparing the employees' last regular annual performance evaluation.

(c) Clearly defined layoff limits, either geographically or by administrative units or both, so as to limit the disruption of an agency's total operation; but not so small as to unduly restrict the options available to employees with greater seniority. Layoff units may be defined to expand within an agency when respective individual employees cannot be offered an option in lieu of separation within the lesser sized unit.

~~((c) "Bumping" by employees with greater seniority will be limited to the same layoff unit.~~

(i) Classifications in which the "bumping" employee previously held permanent status.

(ii) Position at the current salary range of the employee doing the bumping, or lower.

(iii) Employees with the least seniority.

~~(iv) Competition at one progressively lower classification at a time.))~~

(d) Offers of options in lieu of separation by reduction-in-force by an agency only when such options are in accordance with the agency's procedure which has been approved by the Director of Personnel.

(e) ~~((The rights for employees who have been scheduled for reduction-in-force to take a transfer or a voluntary demotion to a vacancy that is to be filled in their own layoff unit for which they qualify, as determined by the Director of Personnel. This right to be exercised according to the seniority of those desiring the same vacancy.~~

~~(f)) Rights and obligations for employees to accept or reject options offered in lieu of separation due to reduction-in-force.~~

(f) "Bumping" by employees with greater seniority will be limited to the same layoff unit.

(i) Classifications in which the "bumping" employee previously held permanent status.

(ii) Position at the current salary range of the employee doing the bumping, or lower.

(iii) Employees with the least seniority.

(iv) Competition at one progressively lower classification at a time.

(g) Offers, if any, of vacancies at the same range that are to be filled in classifications in which employees previously held permanent status must be accepted before accepting offers to bumped employees.

(h) When an employee has previously held permanent status in more than one classification at the same range, the employee will be offered the option to bump into the position of the employee with the least seniority.

((fg)) (i) The right to actually "bump" only after the employee to be "bumped" has received fifteen calendar days' notice of the scheduled action.

(j) Options of full-time or part-time positions to full-time employees and part-time employees who were previously full-time employees in the subject classification. Offers of full-time positions will be made to full-time employees first before offers of part-time positions.

(k) Seniority for less than thirty-two hours a week will be computed on a payroll hour basis within the same provision and restrictions of the general definition of seniority. When less than thirty-two hour employees become employees working at least thirty-two hours a week, their payroll hours will be integrated on a comparable time basis as full-time employees.

(l) The right for permanent employees who have been scheduled for reduction-in-force to take a transfer or a voluntary demotion to a vacancy that is to be filled in their own layoff unit for which they qualify, as determined by the Director of Personnel. This right is to be exercised according to the seniority of those desiring the same vacancy.

(m) Options of other than permanent positions as named in subsection (2)(n) of this section are to be made if no permanent position to be filled is available within a reasonable commuting distance.

((th)) (n) The statement that, "No permanent employee shall lose a position through reduction-in-force without being offered those positions within the layoff unit for which he/she qualifies, currently being held by emergency, temporary, provisional, or ((probationary)) intermittent employees; but only within fifteen calendar days prior to what would be the permanent employee's effective separation."

((t)) That ties in seniority will be broken by first measuring the employees' last continuous time within their current classification; if the tie still exists, by measuring the employees' last continuous time in their current agency; if the tie still exists by measuring the employees' total accumulative service within the state; and if the tie still exists by lot.

((j)) (o) The salary of an employee who has accepted a lower position will be reduced to the top of the range of the lower class unless the previous salary is within the range of the new class, in which case it will remain unchanged.

(p) An employee who has accepted a lower position shall be paid an amount equal to his/her previous salary if such amount is within the salary range for the lower class. Employees whose current salary falls between two steps or exceeds the top step of the new position shall be Y-rated.

(3) The agency shall file the procedure with the Director of Personnel for approval.

(4) Vacancies will not be filled either by local list procedures or on a provisional, temporary, or seasonal basis without contacting the Department of Personnel in an effort to fill the positions by qualified employees who have been or are scheduled for separation due to reduction-in-force.

(5) When a majority of the positions in a reduction-in-force unit is to be eliminated because of a lack of funds and/or work, permanent employees in such positions shall be offered, according to their seniority, those positions in classes in which they have held permanent status which are currently being held by emergency, temporary, provisional, or probationary employees; provided they have not rejected offers of vacant positions made by certifications from the registers.

(a) Positions in the employee's own agency and within a reasonable commuting distance shall be offered first; second, in the classified service within a reasonable commuting distance; third, anywhere within the employee's own agency; and fourth, throughout the classified service.

(b) A permanent employee's right to fill a position may be exercised only within fifteen calendar days prior to the effective date of separation.

(c) Offers will be made in accordance with a procedure established by the Director of Personnel.

(6) In order to exercise an option to a position for which selective criteria were approved when the position was established, reallocated or last filled, and when such specialized qualifications as determined by the Director of Personnel or designee to be still essential for successful job performance, an employee must possess the specialized qualifications established for the position.

(7) When making comparison of seniority for the purposes of offering options and/or separating employees due to reduction-in-force, appointing authorities will adjust seniority so vacation leave that must be taken after a common effective reduction-in-force date is not counted. Such adjustment will have the effect of placing employees on a like basis so variation in length of accumulated vacation leave that would be due employees will not influence the common ending date for measuring seniority.

#### AMENDATORY SECTION (Amending Order 144, filed 5/9/80)

##### WAC 356-46-060 AGENCIES—PERSONNEL RECORDS.

(1) Each agency shall maintain a record of each employee showing the name, title, position held, ((the unit within the division to which assigned, the)) organizational assignment, salary, changes of employment status, attendance, leaves, and such other information as may be necessary for the administration of regulations. ((A#)) Personnel records ((including employee service records and ratings)) shall be open to the inspection of the personnel board and shall accompany the employee throughout his/her service career.

(2)((a#)) Agencies shall publish policies pertaining to the retention and confidentiality of personnel records which are consistent with ((these rules and which shall identify for purposes of these rules the official depository and custodian for said records)) the following requirements:

(a) Agencies shall designate the official depository and custodian of personnel records.

(b) Agencies shall ensure that employees have knowledge of all job performance information inserted into the personnel record pertaining to the employee. ((Job performance information shall remain as part of an employee's personnel record for a period as provided by chapter 40.14 RCW.))

(c) Employees and/or their representatives may review ((their own)) the employee's personnel records, subject to policies of the employing agency.

(d) Employees or their representatives contesting allegedly erroneous, prejudicial, or otherwise adverse information in ((their)) the employee's personnel records may insert rebuttal or refuting documentation into their personnel records.

(e) Information in the personnel records relating to employee misconduct shall be destroyed in situations where the employee is exonerated or where the information is found to be false. The agency's record retention plan shall provide for the prompt destruction of this information.

(f) Information relating to employee misconduct committed in the performance of off duty activities shall be placed in the records and retained by the agency as provided in chapter 40.14 RCW, only where said information has a reasonable bearing on the employee's job performance. Employees may request that such information be removed from their personnel record at the conclusion of the retention period. The information may be retained by the agency if it has a reasonable bearing on the efficient and effective management of the agency.

(g) Information relating to employee misconduct that is committed in the performance of state business shall be maintained by the agency for a minimum of six years or as provided in chapter 40.14 RCW. Employees may request that such information be removed from their personnel record at the conclusion of the retention period. The information may be retained by the agency if it has a reasonable bearing on the efficient and effective management of the agency.

(h) Notwithstanding paragraphs (e), (f) and (g) of this section, agencies may retain information relating to employee misconduct or alleged misconduct if the employee requests that the information be retained or if agency management reasonably expects that the information will be needed in a pending or prospective legal action.

(3) The agency shall submit its policy relating to the retention and confidentiality of personnel records to the director of personnel for approval and filing.

**WSR 82-18-060**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
 [Filed September 1, 1982]

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 Deductible—Limited casualty plan, amending WAC 388-100-030.

The department held a public hearing regarding these proposed rules on August 25. The purpose of this notice is to postpone adoption from September 1 to October 1 to give the secretary additional time to consider public testimony.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 1, 1982.

The authority under which these rules are proposed is RCW 74.08.090.

The specific statute these rules are intended to implement is RCW 74.09.700.

This notice is connected to and continues the matter in Notice No. WSR 82-15-063 filed with the code reviser's office on July 20, 1982.

Dated: September 1, 1982

By: David A. Hogan  
 Director, Division of Administration

**WSR 82-18-061**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
 [Order 1851—Filed September 1, 1982]

I, David A. Hogan, director of the Division of Administration, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Additional requirements for emergent situations—AFDC, amending WAC 388-29-270.

I, David A. Hogan, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is the existing rule is inconsistent with policy decisions made after a public hearing held on July 27 and effective this date.

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

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

The undersigned hereby declares that the agency 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) in the adoption of these rules.  
 APPROVED AND ADOPTED September 1, 1982.

By David A. Hogan  
 Director, Division of Administration

**AMENDATORY SECTION** (Amending Order 1355, filed 11/3/78)

**WAC 388-29-270 ADDITIONAL REQUIREMENTS FOR EMERGENT SITUATIONS—AFDC.**  
 (1) Additional requirements shall be allowed in the following emergent situations. In no instances is the payment under this section to exceed one month's ~~((assistance standards))~~ payment standard as set in WAC 388-29-100 for renting, owning, or buying.

(a) To secure housing and necessary clothing in the event of a natural disaster such as flood or fire and relief is not available under WAC 388-53-010 et seq.;

(b) ~~((In case of loss or theft of the cash proceeds of a warrant, assistance will be limited to the emergent need only,~~

~~((c)))~~ (c) Imminent eviction, where a formal notice of eviction has been received, only in an amount needed to prevent the eviction or to secure new housing, but only if the basis of eviction is not a delinquency in payment resulting from a fault of the client;

~~((d)))~~ (c) Sudden malfunction resulting in loss of heat, water, electricity or cooking facilities and the recipient is legally responsible for the repairs and winterization funds are not available; limited to actual costs of repairs or replacement when there is no other alternative;

~~((e)))~~ (d) A notice of impending utility shutoff issued by the company providing the service, and only in the amount needed to prevent shutoff; or it is otherwise verified by the CSO that the applicant or recipient is without necessary fuel for heating or cooking and only in the amount to meet the emergent need. Assistance is limited to situations where the emergent need occurred due to conditions beyond the control of the recipient;

~~((f)))~~ (e) Housing needs caused by an abusive spouse will be limited to established fees paid to shelters especially for abused spouses;

~~((g)))~~ (f) Inoperable vehicle which is necessary to continue employment and where public transportation is not available; limited to actual costs of repairs.

(2) Emergency assistance as defined in WAC 388-24-260, shall be provided to AFDC recipients from another state when it is determined that such individuals are detained in Washington for reasons beyond their control and as a result of events which could not have been reasonably anticipated or they have decided to become residents.

**WSR 82-18-062**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
 [Order 1869—Filed September 1, 1982]

I, David A. Hogan, director of the Division of Administration, do promulgate and adopt at Olympia, Washington, the annexed rules relating to state financed medical care services, amending WAC 388-86-120.

This action is taken pursuant to Notice No. WSR 82-15-051 filed with the code reviser on July 19, 1982. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

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

The undersigned hereby declares that the agency 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) in the adoption of these rules.

APPROVED AND ADOPTED September 1, 1982.

By David A. Hogan  
 Director, Division of Administration

AMENDATORY SECTION (Amending Order 1685, filed 7/29/81)

WAC 388-86-120 STATE FINANCED MEDICAL CARE. A recipient of a continuing general assistance grant who cannot be related to a federal aid category is eligible to receive the same scope of care (WAC 388-86-005) as a recipient of medicaid, except that no care will be provided outside the state of Washington other than in designated bordering cities as specified in chapter 388-82 WAC, and shall be subject to the following medical program limitations. Continuing general assistance medical coupons bear the imprint "GAU".

(1) Elective hospital admissions and elective surgery requests require prior medical consultant approval.

(2) Criteria used to determine that the proposed surgery is elective are:

(a) Medical necessity must be established. Definition in chapter 388-80 WAC applies.

(b) Procedure cannot reasonably be delayed.

(3) Prescribed drugs are limited to specific therapeutic classifications. Lists are published through the Drug Formulary and/or official memoranda.

(4) Mental health services will be provided only in community mental health centers.

(5) Hearing aids are not provided.

(6) Covered medical care services may be provided for no more than seven days prior to the date of application. The department may ~~((on an exception basis))~~ waive the seven-day rule if a person fails to apply for medical reasons or other good cause.

**WSR 82-18-063**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
 [Order 1870—Filed September 1, 1982]

I, David A. Hogan, director of the Division of Administration, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Nonexempt resources—Real property, amending WAC 388-28-455.

This action is taken pursuant to Notice No. WSR 82-15-052 filed with the code reviser on July 19, 1982. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

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

The undersigned hereby declares that the agency 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) in the adoption of these rules.

APPROVED AND ADOPTED September 1, 1982.

By David A. Hogan  
 Director, Division of Administration

AMENDATORY SECTION (Amending Regulation 8.641, filed 1/24/64)

WAC 388-28-455 NONEXEMPT RESOURCES—REAL PROPERTY—NONEXEMPT. (1) Any real property other than the home (including life estate not occupied as a home) shall be considered a nonexempt resource in the amount of: (a) The quick sale value if sale is possible, or (b) the income from rental or lease if sale is not possible.

~~(2) ((However, exception to the policy in (1) above may be made under the following conditions:~~

~~(a) Although the property has a sale value, its rental or lease is more practical. Lack of separate entry to the property and other such considerations may force the sale of the property only at unreasonable sacrifice in view of its higher value if held as a part of the home property, or in view of the income which could be realized from rent or lease. In such cases property rented or leased within a reasonable period of time and continued as such may be retained as a part of the home. If not rented or leased it is a nonexempt resource. The exception is made on an individual case basis by the CO administrator.~~

~~(b))~~ If an applicant has used reasonable diligence in seeking a purchaser, renter or leasee of his nonexempt real property or life estate but is unable to sell, rent or lease the property at any price, no resource value exists pending any change which might give value to the item.

~~((c))~~ (3) WAC 388-28-400 should be reviewed in connection with these situations.

**WSR 82-18-064**  
ADOPTED RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Public Assistance)

[Order 1871—Filed September 1, 1982]

I, David A. Hogan, director of the Division of Administration, do promulgate and adopt at Olympia, Washington, the annexed rules relating to nursing home care, amending chapter 388-88 WAC.

This action is taken pursuant to Notice Nos. WSR 82-13-038 and 82-17-006 filed with the code reviser on June 9, 1982 and August 6, 1982. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 74.42.620 which directs that the Department of Social and Health Services has authority to implement the provisions of chapter 74.42 RCW.

The undersigned hereby declares that the agency 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) in the adoption of these rules.

APPROVED AND ADOPTED September 1, 1982.

By David A. Hogan  
Director, Division of Administration

AMENDATORY SECTION (Amending Order 1300, filed 6/1/78)

WAC 388-88-001 NURSING HOME CARE. (1) The department has the administrative and legal responsibility to purchase nursing home and nursing home based (out-patient services, WAC 248-14-295) care for eligible persons. The department has the responsibility to assure to the state that adequate care, service, and protection are provided through licensing ((and)), certification ((procedures)) and utilization control activities.

(2) Each Title ((19)) XIX nursing home will be certified as a skilled nursing facility, intermediate care facility, skilled nursing and intermediate care facility, and/or institution for the mentally retarded and ((those)) residents with related conditions (IMR).

(3) A contract for the provision of care to medical ((recipient patients)) assistance clients at an ICF facility will be for ICF care only. Except as provided in WAC 388-88-001(4) ((and 388-88-007;)) contracts for the provision of care at all other facilities will be dual (ICF/SNF). Medical assistance ((recipients who are)) clients classified as requiring either intermediate level or skilled nursing care must be provided care only in a facility so certified.

((3)) (4) ((When)) A hospital may ((elects)) elect to provide skilled nursing facility and/or intermediate care facility services to medical assistance ((recipients, the department will consider the hospital as such a provider)) clients. The hospital ((will be surveyed and)) must be certified, and all rules and regulations relating to skilled nursing facilities and/or intermediate care facilities shall apply((, including certificate of need and/or section 1122)).

~~((4)) In order to qualify for a SNF only contract, a facility must meet department criteria regarding location, patient-classification ratios, ICF availability, average length of stay, staffing, and provision of rehabilitative services. The department will review all such requests and respond in writing within thirty days of receipt of a properly completed application.))~~

AMENDATORY SECTION (Amending Order 342, filed 3/20/69)

WAC 388-88-010 NAME OF NURSING HOME. The department will recognize only the official name of a nursing home as shown on the nursing home license application or subsequent written notification of a name change.

AMENDATORY SECTION (Amending Order 1571, filed 12/8/80)

WAC 388-88-050 ADEQUATE NURSING HOME CARE. (1) Care and services rendered must be justified as essential to ((patient)) resident health care needs, with the overall goal of restoration, maintenance at the highest possible level of independence, and/or ((terminal)) supportive care. The nursing home is obligated to provide adequate nursing home care ((which includes;)) as defined in chapter 248-14 WAC and federal regulations. Adequate care and services include but ((is)) are not necessarily limited to:

- (a) ((Medical supervision)) Physician services,
- (b) Nursing care and supervision, including provision of twenty-four hour RN staffing when deemed necessary by the provider or the department,
- (c) ((Administration of medications and treatments)) Personal hygiene; baths, shampoos, nail care, shaves, oral care, and skin care,
- ((d)) Medically justified consultant services where defined in chapter 388-86 WAC,
- ((e)) (d) ((Patient)) Health record ((system)) for each resident,
- ((f)) (e) Meeting medically related ((social and emotional)) psychosocial needs, ordered by the physician when appropriate,
- ((g)) (f) Nutritionally adequate and varied diet,
- ((h)) (g) Safe and comfortable environment,
- ((i)) (h) Safeguarding the ((patient's)) resident's rights and personal possessions.

(2) The nursing home is obligated to provide items and supplies ((which are)) routinely and relatively uniformly used for ((all patients)) residents, and ((which are)) essential for the provision of adequate health care services. Such items include but are not limited to:

- (a) ((Patient)) Resident gowns,
- (b) Pitchers, basins, bedpans, urinals, commodes, and elevated toilet seats,
- (c) ((Bedpans, urinals)) Materials used for care of incontinent residents, such as pads,
- (d) Soaps, lotions, shampoos, toothpaste, mouthwash, and powder,
- (e) Alcohol sponges, applicators, tongue depressors, thermometers, band-aids, facial tissue, swabs, and dressings for occasional and emergency use,

(f) Appropriate equipment used for protective support or restraints,

~~((f))~~ (g) Approved nonlegend stock drugs and solutions, such as antiseptics, laxatives, anti-diarrheal medications, aspirin or equivalent pain relievers, salt or sugar substitutes,

~~((g))~~ (h) Physician ordered dietary supplements,

~~((h))~~ (i) Linen and nonpersonal laundry((-:)),

(j) Clinitest tape or tablets, quiac tests, mineral oil, vaseline or other lubricants,

(k) Medication supplies including gloves, hypodermic syringes, and needles,

(l) Supplies for specimen collections, simple irrigations, and enemas,

(3) Reuseable equipment to be available for periodic use includes:

(a) Ice bags, hotwater bottles,

(b) Bedrails, ~~((canes, crutches))~~ footstools, traction equipment,

(c) Walkers, wheelchairs, ~~((traction equipment))~~ canes, crutches,

(d) Emergency tray and aspirator, ~~((and oxygen tank,))~~

(e) ~~((Other durable medical))~~ Equipment for administration of oxygen.

(4) Medically justified services provided for in chapter 388-86 WAC:

(a) Specialty consultation,

(b) Laboratory services including specimen bottles, tubes, needles, and syringes,

(c) X-ray services,

(d) Prescription services,

(e) Eye glasses and examinations,

(f) Physical therapy,

(g) Respiratory therapy and oxygen services.

~~((4))~~ (5) Surgical appliances, prosthetic devices, and aids to mobility required for the exclusive use of ~~((an individual patient))~~ a resident are available to the ~~((recipient))~~ resident directly ~~((through))~~ according to WAC 388-86-100.

~~((5))~~ (6) ~~((Nonreuseable supplies required in excess of those routinely and relatively uniformly used for all patients may be individually ordered per patient need when authorized by a department nursing care consultant. These items may include medically justified suction catheters, enterostomy supplies, urinary catheters and drainage equipment. Billings shall be on department Medical Vendor Invoice (525-101) and will include the signature of the nursing care consultant. Reimbursement is made to the original vendor of approved items.))~~ Supplies not usually provided for nursing home residents may be individually ordered according to WAC 388-86-005(2). These items may include medically justified resident care supplies. Requests for such supplies must be authorized by the nursing care consultant. These supplies may be categorized as nonreusable (one-time use) or disposable (time-limited use), items which can be reused with proper handling and precautions by the same residents, but not between residents.

AMENDATORY SECTION (Amending Order 1257, filed 12/21/77)

WAC 388-88-075 NURSING HOME CONTRACT—NONCOMPLIANCE. (1) When a home is in violation of the terms of the contract, the department may temporarily suspend the referral of ~~((patients))~~ clients to the home. Whenever referral is suspended under this section, the home will immediately be notified by phone and confirmed in writing of the suspension and of the basis for the department's action. Suspension may continue until the department determines the infraction has been satisfactorily corrected.

~~((Failure of a home to provide staffing commensurate with the terms of the contract shall necessitate the suspension of))~~ Referral of ~~((recipients who require the level of nursing care not provided by the home))~~ clients is suspended when a home fails to provide staffing commensurate with the terms of the contract. A home, unable to provide the level of care for which a ~~((recipient))~~ client is classified, shall not accept or retain ~~((those recipients))~~ clients whose unique needs cannot be met. ~~((See WAC 388-88-100(2).))~~ Violations ~~((which create))~~ creating a health or safety hazard to individual ~~((patients))~~ residents shall constitute grounds for termination of the contract by the department (chapter 18.51 RCW).

~~((3))~~ The occupancy of each patient room in any licensed nursing home is designated by the licensing authority and the occupancy of each room must be limited to the number of patients for which the room is licensed. The location of any recipient in such a manner as to exceed the licensed capacity of any patient room constitutes violation of the contract for skilled and/or intermediate nursing home care whether or not the total licensed capacity of the facility has been reached. The location of a recipient in any area of the home which has not been licensed is also such violation.

~~((4))~~ (3) When the department terminates a contract, the home will be notified in writing of the contract termination and the basis for the department's action. The department will assist in the movement of medical assistance ~~((patients))~~ clients needing continued nursing care.

AMENDATORY SECTION (Amending Order 1257, filed 12/21/77)

WAC 388-88-080 UTILIZATION REVIEW AND CLASSIFICATION OF ~~((PATIENTS))~~ CLIENTS. (1) Level of care determinations in skilled nursing and intermediate care facilities are made by the nursing care consultants in accordance with ~~((their best))~~ the nursing care consultants' professional judgment and in accord with WAC 388-88-081 and 388-88-083.

(2) In making classification ~~((decisions))~~ recommendations for nursing home placement, the department's personnel shall utilize the guidelines for skilled and intermediate nursing home care in WAC 388-88-081 and 388-88-083.

(3) The classification of ~~((the))~~ each individual nursing home ~~((patient))~~ client shall periodically be reviewed

by the nursing care consultant ~~((for the purposes of))~~ to assure appropriate use of medicaid services by:

~~((a))~~ (a) Assessing client(s) care needs and adequacy of services provided.

~~((b))~~ (b) Determining the need for continued stay.

~~((c))~~ (c) Identifying the level of care required to meet the nursing care needs of the ((patient)) client.

(4) Classification changes shall be made in accordance with the needs of the ~~((recipients))~~ clients and in accord with appeal and relocation procedures outlined in WAC 388-88-101.

AMENDATORY SECTION (Amending Order 1257, filed 12/21/77)

WAC 388-88-081 SKILLED NURSING CARE ~~((PATIENTS))~~ RESIDENTS. ~~((Patients who require))~~ Residents requiring skilled nursing home care are ~~((those))~~ residents whose condition, needs, and/or services are of such complexity and sophistication so as to require ~~((the))~~ frequent or continuous ~~((or frequent))~~ observation and intervention of a ~~((licensed physician and))~~ registered nurse and the supervision of a licensed physician or authorized Christian Science practitioner. These ~~((patients))~~ residents require on-going 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))~~ Resident needs include on-going evaluations, care plan revisions, and the teaching necessary to provide for ~~((those))~~ residents whose condition is unstable and/or complex.

AMENDATORY SECTION (Amending Order 1257, filed 12/21/77)

WAC 388-88-082 MINIMUM LICENSED PERSONNEL REQUIREMENTS FOR SKILLED NURSING FACILITIES. The facility shall meet all ~~((federal))~~ staffing requirements ~~((and:))~~ as defined in chapter 248-14 WAC.

~~((1))~~ A registered nurse shall be employed as director of nursing services (DNS) who shall direct all nursing care given in the home. The DNS shall be employed full time (minimum 8-hour day, 40-hour week) on-day duty, and shall be relieved by a registered nurse.

~~((2))~~ A registered nurse or licensed practical nurse shall be on afternoon and night duty, at least one of the two shifts shall be covered by a registered nurse. Sufficient licensed nursing staff shall be provided to meet necessary nursing care needs.

~~((3))~~ The licensed administrator may not serve as such, in name or fact, for more than one facility unless prior written approval is granted by the department.

AMENDATORY SECTION (Amending Order 1257, filed 12/21/77)

WAC 388-88-083 INTERMEDIATE NURSING CARE ~~((FACILITY PATIENTS))~~ RESIDENTS. Residents ~~((who require))~~ requiring intermediate nursing care are ~~((those))~~ residents whose physiological and/or

psychological functioning is stable, but require ~~((on-going))~~ individually planned ~~((programs))~~ treatment and services under the daily direction of a ~~((licensed physician and licensed))~~ registered nurse or a licensed nurse with registered nurse consultation as provided by exemption and ~~((includes supervision, assistance, protection, and restoration))~~ the supervision of a licensed physician or authorized Christian Science practitioner. ~~((This))~~ The program is directed toward maintenance of maximum independence and return to the community whenever possible. ~~((The treatment regimen is established and requires the residents active participation))~~ The program includes an established treatment regimen involving more than supervision, assistance with personal care, and protection.

AMENDATORY SECTION (Amending Order 1257, filed 12/21/77)

WAC 388-88-100 TRANSFER ~~((OF RECIPIENT))~~ OR RELOCATION. (1) The department is responsible for ensuring that individual medical ~~((care recipient's))~~ assistance client's needs are identified and met, as provided by state and federal regulations. ~~((It))~~ The department is therefore responsible for ensuring ~~((that))~~ each ~~((medical care recipient))~~ client is ~~((placed))~~ authorized to receive care in a facility ~~((which is))~~ certified ~~((as))~~ and capable of meeting the needs of the ~~((recipient))~~ individual client and for ensuring ~~((that))~~ necessary transfers are accomplished ~~((with a minimum of trauma to the recipient))~~ to provide appropriate continuity of care.

(2) Each medical ~~((care recipient))~~ assistance client admitted to a facility is transferred or discharged only for medical reasons, or for his or her welfare or ~~((that))~~ the welfare of other ~~((patients))~~ clients, or for nonpayment for his or her stay. ~~((This))~~ The determination shall be made by the department based on an assessment of the ~~((patient))~~ client, consultation with the provider, and a review of relevant records. ~~((See WAC 388-88-075(2).))~~

(3) ~~((If the services being provided to a medical recipient are not commensurate with the recipient's needs.))~~ The department is responsible for initiating and facilitating ~~((recipient))~~ client relocation if the services being provided are not commensurate with the client's needs. See WAC 388-88-075. This includes the following:

(a) ~~((A circumstance under which the department would enforce immediate movement of a medical recipient from a nursing home is in the event of))~~ Revocation or suspension of the nursing home license.

~~((b))~~ (i) ((Recipients and their)) Clients or next of kin, guardian or responsible party will be notified by letter from the department that ~~((30))~~ thirty days after the mailing date of the letter, the facility will no longer be allowed to operate as a nursing home ~~((and that they)).~~

(ii) The client, therefore, will be required to relocate: PROVIDED, That nothing in this section shall require ~~((that))~~ a pretransfer notice be given when the secretary or ~~((his/her))~~ his or her designee determines ~~((that))~~ an immediate threat to health and/or safety exists ~~((or that)).~~



(iii) Moves may be accomplished sooner at the request of the ((patient)) client or with the ((patient's)) client's consent.

~~((c))~~ (b) Decertification, termination or nonrenewal of contract actions require stop payment of Title XIX funds.

(i) The decisions do not affect the ((facility's)) provider's right to operate as a nursing home, but rather, ((its)) the provider's eligibility to receive federal funds. ~~((When termination of federal funds is contemplated, recipients))~~

(ii) Clients must be informed in writing of provider's discontinued eligibility for Title XIX funds.

~~((d))~~ (c) ~~((For reclassification))~~ Reclassifications requiring relocation(;) are based on review and assessment by the designated representative of the department (WAC 388-88-080) ~~((will occur:))~~.

(i) The attending physician is informed of the classification determination and given an opportunity to provide additional information.

(ii) Prior to implementation of a change in the level of care, which will result in a ~~((change in the services required and provided or a))~~ transfer, ~~((the medical care recipient and))~~ the client or next of kin, guardian or responsible party shall be informed of relocation in writing. Written notification shall be ((30)) thirty days prior to the effective date of the change pursuant to WAC 388-88-101.

(iii) The client will be informed of his or her right to request a fair hearing.

(4) A provider is responsible for initiating transfer or relocation of a client under the following circumstances:

~~((e))~~ (a) A ((facility)) provider may request ~~((that))~~ a ((recipient)) client be transferred or relocated ~~((or discharged))~~ only for medical reasons, or for his or her welfare or ~~((that))~~ the welfare of other ((patients)) residents or for nonpayment of his or her stay. See WAC 388-88-075(2).

(i) The ((facility)) provider shall send a request in writing for relocation or discharge of a medical ((care recipient)) assistance client to the department. ~~((This))~~ The request shall include the reason for the relocation or discharge.

(ii) The department shall approve or deny the request for relocation or discharge based on an on-site visit with the ((patient)) client and a review of ((his/her)) his or her records, within ((30)) thirty days following receipt of the request.

(iii) The facility administrator shall be informed of the department approval or denial of the request in writing.

(iv) If the ((facility's)) provider's request is approved, the department shall notify~~((, in writing,))~~ the ~~((medical care recipient or the recipient's))~~ client and next of kin or guardian, or responsible party, in writing of the decision pursuant to WAC 388-88-101. The client and next of kin, guardian or responsible party will be informed of the right to request a fair hearing.

(v) The ((medical care recipient)) client and the department will be allowed ((30)) thirty days from the date ~~((that))~~ the ((recipient)) client is notified by the department ~~((in order))~~ to facilitate discharge planning

and accomplish relocation ~~((or discharge and minimize transfer trauma))~~.

(vi) Arrangements for relocation will be the responsibility of the client or next of kin, guardian or responsible party.

(vii) The provider must notify the community services office and the nursing care consultant of the relocation arrangements.

(b) Closure of a nursing home.

(i) When a nursing home provider decides to cease operation, the provider must notify the bureau of nursing home affairs in writing, giving thirty days notice.

(ii) The nursing home provider is responsible for written notification to all residents.

(iii) The department may assist residents in transfer and relocation appropriate to the individual care needs.

~~((f))~~ (5) The medical ((care recipient)) assistance client has ~~((an unlimited))~~ a right to ((request)) seek relocation and to select the nursing home ~~((he/she))~~ he or she desires for placement. If this selection is available and appropriate to the client's medical care ((recipient's)) needs, relocation shall be arranged by the client or next of kin, guardian or responsible party.

~~((f))~~ The medical care recipient or the recipient's next of kin, guardian or responsible party must request such a move in writing.

~~((f))~~ Arrangements for relocation will be the responsibility of the department placement personnel.)

#### AMENDATORY SECTION (Amending Order 1257, filed 12/21/77)

#### WAC 388-88-101 ~~((MEDICAL CARE RECIPIENT)) RESIDENTS' RIGHTS((=RELOCATION))~~.

(1) Except in ~~((those))~~ cases specified in WAC 388-88-101(3), the medical ((care recipient-)) assistance client or next of kin, guardian or responsible party or the ((next of kin,)) guardian((, or responsible party)) of the ((recipient who)) client, if the client has been adjudicated to be incompetent((?))<sub>2</sub>, must be informed in writing ((30)) ninety days prior to the relocation or reclassification ~~((to ensure orderly transfer or discharge))~~. Such notice must include:

(a) The reasons for the proposed change and/or transfer;

(b) A right to a conference with departmental representatives and any other individuals the ((recipient)) client wishes to speak to within ((30)) thirty days of receipt of such notice;

(c) The right to request a fair hearing within ((30)) ninety days of receipt of the notice to contest the department's decision;

(d) The method by which a fair hearing may be obtained;

(e) The right to be represented at the fair hearing by an authorized representative;

(f) The existence ~~((and locations))~~ of any legal services available in the community ~~((that are available))~~.

(2) A fair hearing request form shall be sent with the notice of relocation and/or reclassification.

(a) ~~((f))~~ The ((recipient)) client must ((requests)) request a fair hearing within ~~((the 30 day time period, the department shall not change the level of care or~~

~~transfer the patient pending the fair hearing decision and the exhaustion of appeal rights) thirty days of receipt of the reclassification notice in order to have the current level of care continued. Any proposed change and/or transfer shall be delayed pending the outcome of the appeal process.~~

(b) If the secretary or ~~((his/her))~~ his or her designee finds ~~((that))~~ a change in the level of care is not appropriate, no further action shall be taken to change the level of care or transfer the patient, unless there is a change in the situation or circumstances at which time the request may be resubmitted.

(c) If the secretary or ~~((his/her))~~ his or her designee affirms the determination to change the ~~((recipient's))~~ level of care and/or transfer, and no judicial review is filed within ~~((30))~~ thirty days of the receipt of notice of determination, the department shall proceed with the planned action.

~~(d) ((If the secretary or his/her designee affirms the determination to change the recipient's level of care and/or transfer and a request for judicial review has been filed, any proposed change and/or transfer shall be delayed pending the outcome of the appeal process.))~~ Medical assistance clients assessed as no longer requiring nursing home care who refuse to transfer to another level of care will be ineligible for medicaid nursing home payment thirty days following the effective date of determination or thirty days following the fair hearing decision affirming the department's determination of not in need of nursing care.

(3) Advance notice is not required when:

(a) ~~((If))~~ The medical ~~((care recipient))~~ assistance client or the ~~((recipient's))~~ next of kin, guardian or responsible party, requests a transfer in writing and waives the right to a period of notice.

(b) ~~((In the event of))~~ An immediate threat to the ~~((medical care recipient's))~~ client's life or health, or that of others is present.

~~((4))~~ (c) ~~((Advance notice and planning to mitigate transfer trauma does not include a right to fair hearing for medical care recipients when))~~ The department judges ~~((that))~~ the facility where ~~((they))~~ the client resides is no longer able to provide Title XIX services due to:

- ~~((a))~~ (i) Termination of ~~((its))~~ provider's contract;
- ~~((b))~~ (ii) Decertification of the ~~((facility))~~ provider;
- ~~((c))~~ (iii) Nonrenewal of ~~((its))~~ provider's contract;
- ~~((d))~~ (iv) Revocation of ~~((its))~~ provider's license;
- ~~((e))~~ (v) Emergency license suspension.

#### AMENDATORY SECTION (Amending Order 1257, filed 12/21/77)

WAC 388-88-102 ~~((MITIGATION OF TRANSFER TRAUMA))~~ DISCHARGE PLANNING. A suitable discharge and transfer plan must be prepared ~~((by the department))~~ for each medical care ~~((recipient who is to be transferred or discharged))~~ assistance client. ~~((Transfer))~~ Discharge or transfer shall be dependent on the ~~((best interests of the patient))~~ client care needs, services provided, and the best ~~((available means of mitigating any traumatic effects of transfer))~~ resources available to provide an appropriate continuum of care.

~~((The plan shall include the location of available beds at the appropriate level of care which is consistent with the needs of the recipient. It))~~ The plan shall include provisions for ~~((mitigating))~~ continuity of care and mitigation of potential transfer trauma:

(1) ~~((of communication between the staffs of the old and new facilities))~~ and active participation by the client and/or client's next of kin, guardian or responsible party in the transfer preparation program;

(2) Pre-transfer visit to the new facility, when the ~~((recipient's))~~ client's condition permits, ~~((to the new facility, familiarizing))~~ to familiarize the ~~((recipient))~~ client with new surroundings, and other ~~((patients))~~ residents;

(3) ~~((Coordination of active participation by the recipient's relatives in the transfer preparation program;~~

~~4))~~ Coordination and ~~((counseling sessions with members of the old and the new facility to discuss expectations and apprehensions about the new facility and provide further counseling on request))~~ communication of essential information concerning the client shall be provided in writing from:

(a) Hospital to nursing home;

(b) Nursing home to hospital;

(c) One nursing home to another;

(d) Any other alternatives to nursing home care.

(4) The department will assume responsibility for assisting with relocation and post-transfer follow-up in the following circumstances:

(a) Reclassification requiring relocation;

(b) Decertification actions;

(c) Involuntary termination or nonrenewal of contract;

(d) Revocation or suspension of nursing home license.

(5) ~~((Post-transfer follow-up by the Department to monitor the immediate effects of the change including visits to recipients during the first month of stay in the new facility;))~~ The department shall participate in planning and will specify the location of available beds at the appropriate level of care consistent with the needs of the client when discharge is necessitated by:

(a) Reclassification requiring relocation;

(b) Decertification actions;

(c) Involuntary termination or nonrenewal of contract;

(d) Revocation or suspension of nursing home license.

~~((6))~~ The department shall consider all pertinent aspects of an individual's history and current status which may impact on his/her susceptibility to transfer trauma.)

#### AMENDATORY SECTION (Amending Order 1237, filed 8/31/77)

WAC 388-88-115 DISCHARGE OR LEAVE OF NURSING HOME ~~((PATIENT))~~ RESIDENT. (1) A certified nursing home or hospital having a nursing home contract with the department shall send immediate written notification of the date of discharge or death of a client to the ~~((ESSO))~~ community services office (CSO) ~~((immediate written notification of the date of discharge or death of a patient))~~.

(2) ~~((The facility shall also notify the ESSO of social absences exceeding 24 hours. Social absences over 36 hours require ESSO approval of the patient care plan.~~

(3)) Discharge and readmission notification is necessary for all ~~((recipients who are))~~ medical assistance clients admitted as hospital inpatients.

(3) The provider shall also notify the CSO of social absences exceeding twenty-four hours. Social absences over thirty-six hours require CSO approval of the resident care plan.

(4) The department will not reimburse providers for the reservation of a bed for a single social absence exceeding seven days, unless written permission is received by the provider from the ~~((ESSO))~~ CSO. The department will reimburse providers for absences not to exceed a total per calendar year of eighteen days.

**NEW SECTION**

WAC 388-88-119 PROVIDER REPORT OF A DISTURBANCE. (1) The provider will report to the local law enforcement agency any person including a client or next of kin, guardian or responsible party threatening bodily harm or causing a disturbance of such magnitude any individual's welfare and safety is threatened.

(2) Any event that requires or may require the evacuation to another address of all or part of the nursing home's residents shall be reported immediately to the licensing agency of the department.

**REPEALER**

The following sections of Washington Administrative Code are repealed:

- (1) WAC 388-88-007 IMR FACILITIES.
- (2) WAC 388-88-045 CLOSURE OF NURSING HOME.
- (3) WAC 388-88-051 ADDITIONAL SERVICES REQUIRED FOR IMR RESIDENTS.
- (4) WAC 388-88-065 CONTINUITY OF PATIENT CARE.
- (5) WAC 388-88-086 MINIMUM STAFFING REQUIREMENTS—IMR.
- (6) WAC 388-88-088 CLASSIFICATION OF IMR CLIENTS.
- (7) WAC 388-88-117 SOCIAL LEAVE FOR IMR CLIENTS.

**WSR 82-18-065**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Health)**

[Order 1872—Filed September 1, 1982]

I, David A. Hogan, director of the Division of Administration, do promulgate and adopt at Olympia, Washington, the annexed rules relating to nursing homes, amending chapter 248-14 WAC.

This action is taken pursuant to Notice Nos. WSR 82-13-037 and 82-17-002 filed with the code reviser on June 9, 1982 and August 5, 1982. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 74.42.620 which directs that the Department of Social and Health Services has authority to implement the provisions of chapter 74.42 RCW.

The undersigned hereby declares that the agency 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) in the adoption of these rules.

APPROVED AND ADOPTED September 1, 1982.

By David A. Hogan  
 Director, Division of Administration

Reviser's note: The material contained in this filing will appear in the 82-19 issue of the Register as it was received after the applicable closing date for this issue for agency typed material exceeding the volume limitations of WAC 1-12-035 or 1-13-035, as appropriate.

**WSR 82-18-066**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
 [Order 1873—Filed September 1, 1982]

I, David A. Hogan, director of the Division of Administration, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Payment—Hospital care, amending WAC 388-87-070.

This action is taken pursuant to Notice No. WSR 82-15-071 filed with the code reviser on July 21, 1982. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

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

The undersigned hereby declares that the agency 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) in the adoption of these rules.

APPROVED AND ADOPTED September 1, 1982.

By David A. Hogan  
 Director, Division of Administration

**AMENDATORY SECTION** (Amending Order 1725, filed 12/3/81)

WAC 388-87-070 PAYMENT—HOSPITAL CARE. The department will pay hospital costs of eligible persons who are patients in general hospitals when such hospitals meet the criteria as defined in RCW 70.41.020. Except for nonallowable revenue codes and the salary and wage component determination described in this subsection, reimbursable cost will be determined ~~((according to medicare cost reimbursement methods))~~ by the application of the ratio of hospital commission approved operating expense and total rate setting revenue. Changes in the salary and wage component will be determined by the secretary, after consideration of legislative policy with regard to public employees and after

consideration of the amount of increases being financed by the department for other providers of medical assistance services. Recipients of medicaid funded hospital services must have been approved as financially and medically eligible for hospitalization. They are:

- (1) Categorically needy recipients,
- (2) Limited casualty program recipients. A deductible not to exceed one-half the payment the department makes for the first day of inpatient hospital care for each admission is the responsibility of the limited casualty program—medically needy recipients,
- (3) Recipients of continuing general assistance.

**WSR 82-18-067**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Institutions)**

[Order 1874—Filed September 1, 1982]

I, David A. Hogan, director of the Division of Administration, do promulgate and adopt at Olympia, Washington, the annexed rules relating to community mental health programs, new chapter 275-56 WAC.

I, David A. Hogan, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is chapter 204, Laws of 1982, requires that these rules be effective this date.

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

This rule is promulgated pursuant to chapter 204, Laws of 1982, and is intended to administratively implement that statute.

The undersigned hereby declares that the agency 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) in the adoption of these rules.

APPROVED AND ADOPTED September 1, 1982.

By David A. Hogan  
 Director, Division of Administration

**Reviser's note:** The material contained in this filing will appear in the 82-20 issue of the Register as it was received after the applicable closing date for this issue for agency typed material exceeding the volume limitations of WAC 1-12-035 or 1-13-035, as appropriate.

**WSR 82-18-068**  
**ADOPTED RULES**  
**EVERETT COMMUNITY COLLEGE**

[Order 82-8-1, Resolution No. 82-8-1—Filed September 1, 1982]

Be it resolved by the board of trustees of Washington Community College District V, acting at the Everett Community College Campus, Bookstore Conference Room, that it does adopt the annexed rules relating to

policy and regulations governing reduction-in-force, chapter 132E-130 WAC.

This action is taken pursuant to Notice No. WSR 82-14-076 filed with the code reviser on July 6, 1982. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 28B.19.050(2).

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

The undersigned hereby declares that the institution has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 31, 1982.

By Paul D. Walker  
 President

Chapter 132E-130 WAC  
**EVERETT COMMUNITY COLLEGE POLICY**  
**AND REGULATIONS GOVERNING REDUC-**  
**TION-IN-FORCE**

NEW SECTION

WAC 132E-130-010 PURPOSE. (1) This policy shall govern reduction-in-force, which is deemed to constitute sufficient or adequate cause for dismissal/termination of probationary faculty employees prior to the written term of their individual appointment or tenured faculty employees.

(2) Reduction-in-force shall include, but not be limited to, any of the following grounds:

- (a) Lack of funds.
- (b) Elimination and/or reduction of programs, courses or services.
- (c) Decreased enrollment.
- (d) Changes in educational policy and/or goals.

(3) Nothing in this reduction-in-force policy shall be construed to affect the decision and right of the appointing authority not to renew a probationary academic employee appointment without cause pursuant to RCW 28B.50.857.

NEW SECTION

WAC 132E-130-020 IMPLEMENTATION OF REDUCTION-IN-FORCE. If the number of academic employees is to be reduced, the district president shall decide which programs and/or support services are most necessary to maintain the educational mission of the district. The district president shall then decide the number of full-time academic employees to be laid off in each lay-off unit. If a reduction is determined to be necessary, the order of reduction normally will be based on seniority within the applicable lay-off unit. In instances where it is in the best interest of the quality or effectiveness of the programs and services of the college, and after consultation with appropriate administrators responsible for and/or related to the lay-off unit regarding qualifications and/or performance of involved faculty, the district president may determine individuals to be

laid off without following the order of seniority. Subsequent steps in the procedure for reduction-in-force are specified in Appendix B of the District V/Everett Community College Federation of Teachers Labor Agreement.

**NEW SECTION**

**WAC 132E-130-030 SENIORITY.** Seniority shall be determined by establishing the date of the signing of the first full-time contract for continuous full-time professional services for Community College District V and continuous professional services for the Everett School District prior to July, 1967. Continuous service shall include leaves of absence, professional leaves, and periods of lay-offs. The longest term of employment as thus established shall be considered the highest level of seniority. In instances where faculty members have the same beginning date of full-time professional service, seniority shall be determined in the following order:

- (1) First date of signature of an employment contract.
- (2) First date of signature of letter of intent.
- (3) First date of application for employment.

**NEW SECTION**

**WAC 132E-130-040 LAY-OFF UNITS.** (1) The lay-off units included under this policy are as follows:

Accounting and General Business	Geology
Alternative Education	History
Anthropology	Home Economics
Art	Journalism
Automotive Technology	Law Enforcement
Aviation Technology	Library
Biology	Licensed Practical Nursing
Carpentry	Math
Chemistry	Media Services
Cosmetology	Music
Counseling	Nursing Aide
Dance	Paramedical
Data Processing	Philosophy
Developmental Studies	Photography
Economics	Physical Education
Electronics	Physics and Physical Science
Emergency Medical	Political Science
Engineering	Psychology
English	Quality Control
Environmental Science	Real Estate
Family Life	Registered Nursing
Fire Science	Secretarial
Food Technology	Sociology
Foreign Languages	Speech
Forestry	Theater
Geography	Water Science
	Welding

(2) Additional lay-off units may be included under this policy at the discretion of the district president. Seniority lists of tenured and probationary faculty will be developed and published and/or posted by the district president and will be updated within five working days of November 1 of each year. Tenured and probationary academic employees shall be placed in the lay-off unit which best reflects their training and ability as determined by the district president.

**WSR 82-18-069  
PROPOSED RULES  
DEPARTMENT OF ECOLOGY  
[Filed September 1, 1982]**

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 Washington forest practices rules and regulations to protect water quality, amending chapter 173-202 WAC; that the agency will at 10:00 a.m., Tuesday, October 15, 1982, in Room 273, Department of Ecology, Abbott Rafael Hall, St. Martin's College Campus, Lacey, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 76.09.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 5, 1982.

Dated: September 1, 1982

By: John F. Spencer  
Deputy Director

**STATEMENT OF PURPOSE**

Title: Amending chapter 173-202 WAC, Washington Forest Practices Rules and Regulations.

Description of Purpose: To adopt changes in forest practices regulations pertaining to water quality protection.

Statutory Authority: RCW 76.09.040.

Summary of Rule: These amendments adopt the changes in the forest practices regulations pertaining to water quality protection that have been agreed upon by the Department of Ecology and the Forest Practices Board.

Reasons Supporting Proposed Action: RCW 76.09-.040 requires the Department of Ecology to independently adopt forest practices regulations pertaining to water quality.

Agency Personnel Responsible for Drafting: Jim Sachet, 459-6066; and Implementation: Pat Bucknell, 459-6038, Department of Ecology, Mailstop PV-11, Olympia, WA 98504.

Person or Organization Proposing Rule, and Whether Public, Private, or Governmental: Department of Ecology, state government; Forest Practices Board.

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: No.

Small Business Economic Impact Statement: Adoption of these amendments will have no additional economic impact.

**AMENDATORY SECTION** (Amending Order DE 76-32, filed 7/13/76)

**WAC 173-202-020 CERTAIN WAC SECTIONS ADOPTED BY REFERENCE.** The following sections of the Washington Administrative Code as now promulgated are hereby adopted by reference as

part of this chapter in all respects as though the sections were set forth herein in full:

- WAC 222-12-010—Authority.  
WAC 222-12-070—Enforcement.  
WAC 222-12-090—Forest Practice Board Manual.  
WAC 222-16-010—General Definitions.  
WAC 222-16-020—Water Categories.  
WAC 222-16-030—Water Typing System.  
WAC 222-16-040—Temperature Sensitive Waters.  
WAC 222-16-050—Classes of Forest Practices.  
WAC 222-24-010((+), (4), (5))—Policy((—Road Construction and Maintenance)).  
WAC 222-24-020(2), (3), (4)((—(5), (6), (7)))—Road Location ((and Design)).  
WAC 222-24-025(5), (6), (7), (8), (9)—Road Design.  
WAC 222-24-030(2), (4), (5), (6), (8), (9), (10)—Road Construction.  
WAC 222-24-035(1)—Landing Location and Construction.  
WAC 222-24-040(1), (2), (3), (4)—Water Crossing Structures.  
WAC 222-24-050((+), (2), (3), (4), (5))—Road Maintenance.  
WAC 222-24-060(1), (2), (3), (6)—Rock Quarries, Gravel Pits, Borrow Pits, and Spoil Disposal Areas.  
WAC 222-30-010—Policy: Timber Harvesting.  
WAC 222-30-020(2), (3)(c), (3)(e), (4)—Harvest Unit Planning & Design.  
WAC 222-30-030—Streambank Integrity.  
WAC 222-30-040—Temperature Control.  
WAC 222-30-050(1), (2), (3), (4)—Felling & Bucking.  
WAC 222-30-060(1), (2), (3), (4)((—(5)))(c)—Cable Yarding.  
WAC 222-30-070(1), (2), (4), (6), (7), (8)—Tractor & Wheeled Skidding Systems.  
WAC 222-30-080(1), (2)—Landing Cleanup.  
WAC 222-30-100(1)(c), (4), (5)—Slash Disposal.  
WAC 222-34-040((+), (2), (3))—Site Preparation and Rehabilitation.  
WAC 222-38-010—Policy: Forest Chemicals.  
WAC 222-38-020(1), (2), (3), (4), (5), (6), (10)—Handling, Storage, Application.

**WSR 82-18-070**  
**PROPOSED RULES**  
**DEPARTMENT OF ECOLOGY**  
 [Filed September 1, 1982]

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 Beverage containers—Detachable pull tabs, adopting chapter 173-320 WAC;

that the agency will at 2:00 p.m., Tuesday, October 5, 1982, in the Hearings Room, Department of Ecology, Air and Land Offices, 4224 Sixth Avenue S.E., Lacey, WA, conduct a public hearing on the proposed rules.

The department will also conduct a public hearing on the proposed rules at 7:00 p.m., Thursday, October 7, 1982, at the Spokane County Health Center, West 1101 College, Spokane, WA.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 28, 1982.

The authority under which these rules are proposed is chapter 113, Laws of 1982.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 21, 1982.

Dated: September 1, 1982

By: John F. Spencer  
Deputy Director

**STATEMENT OF PURPOSE**

Title: Adopting chapter 173-320 WAC, Beverage Containers—Detachable Pull Tabs.

Description of Purpose: To implement chapter 113, Laws of 1982, prohibiting retail sales statewide of beverage containers with detachable pull tabs for opening.

Statutory Authority: Chapter 113, Laws of 1982.

Summary of Rule: Detachable pull tabs for purposes of opening beverage containers are prohibited after July 1, 1983.

Reasons Supporting Proposed Action: Prevention of litter and/or environmental degradation.

Agency Personnel Responsible for Drafting: Linda Bradford, 459-6309; and Implementation: Leighton Pratt, 459-6307, Department of Ecology, Mailstop PV-11, Olympia, WA 98504.

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: No.

Small Business Economic Impact Statement: N/A.

CHAPTER 173-320 WAC

BEVERAGE CONTAINERS—DETACHABLE PULL TABS

NEW SECTION

WAC 173-320-010 AUTHORITY. Pursuant to chapter 113, Laws of 1982. The department of ecology is given authority to adopt rules interpreting the chapter.

NEW SECTION

WAC 173-320-020 DECLARATION OF PURPOSE. This chapter prohibits sale or offers to sell at retail levels beverage containers with detachable pull tabs for opening after July 1, 1983. The department of ecology is designated the state agency responsible for the administration and enforcement of this chapter.

NEW SECTION

WAC 173-320-030 APPLICABILITY. The provisions of this chapter shall apply statewide to any retailer or wholesaler who engages in the distribution of beverages in sealed containers intended to be offered for sale at retail outlets.

NEW SECTION

WAC 173-320-040 DEFINITIONS. (1) "Department" means the department of ecology created under chapter 43.21A RCW.

(2) "Beverage" means beer or other malt beverage or mineral water, soda water, or other drink in liquid form intended for human consumption.

(3) "Beverage container" means a separate and sealed can containing a beverage.

(4) "Sell or offer to sell" means to advertise, display or set out in such a way to make available for purchase to any other outlet or person.

(5) "Retail outlet" means any business which engages in sale of any products to the general public.

(6) "Wholesale outlet" means any business or organization that sells any products to retail outlets for eventual resale to the general public.

(7) "Violation" means for a retailer or wholesaler to sell or offer to sell any number of beverage containers with illegal, detachable metal rings or tabs during any one day period. Each day of continuing violation constitutes a separate violation.

#### NEW SECTION

WAC 173-320-050 PROHIBITION. No person may sell or offer to sell at retail in this state any beverage containers so designed and constructed that under normal conditions a metal part of the container is detachable in opening the container through use of a metal ring or tab. Nothing in this section prohibits the sale of a beverage container which is opened by use of pressure sensitive or metallic tape.

#### NEW SECTION

WAC 173-320-060 RETURN REQUIREMENT. Any wholesaler or distributor who delivers beverage containers which are in violation of this chapter on or after June 1, 1983 to any retail outlet shall be required to retrieve any illegal containers remaining at the retail sites after June 30, 1983 at his own expense, with full refund to the retailer of the price paid by that retailer. Failure to remove said containers from retail premises constitutes a violation of the act.

#### NEW SECTION

WAC 173-320-070 COMPLAINTS. Complaints of alleged violation of this chapter may be made to the department by any person. Complaints shall be in writing and shall contain an allegation of violation accompanied by a receipt or affidavit of purchase indicating location and date of purchase and/or by the offending items or a photo of the item.

#### NEW SECTION

WAC 173-320-080 ENFORCEMENT. The department shall have the authority to initiate investigations and complaints and require corrective action by the retailer or wholesaler.

Response by the department to allegations of violation may consist of:

(1) Verification of allegation which may include visit to the site to ascertain extent of violation, and

(2) Written warning to violator giving seven days from date of receipt.

Failure by the retailer to comply with written warning may require a written notice of violation from the department, allowing seven more days for the violator to remove the illegal container(s).

Failure by the retailer to comply with notice of violation may require assessment of a civil penalty not exceeding five hundred dollars per day for each violation, upon written order of the director of the department.

**WSR 82-18-071**  
**PROPOSED RULES**  
**DEPARTMENT OF ECOLOGY**  
 [Filed September 1, 1982]

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 Instream Resources Protection Program—Wenatchee River Basin, Water Resource Inventory Area (WRIA) 45;

that the agency will at 2:00 p.m., Monday, October 25, 1982, in the Chumstick Grange Hall, Leavenworth, Washington, conduct a public hearing on the proposed rules.

The department will also conduct a public hearing on the proposed rules at 7:00 p.m., Monday, October 25,

1982, at the Cascade Natural Gas Auditorium, 614 North Mission, Wenatchee, WA.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on January 12, 1983.

The authority under which these rules are proposed is chapters 90.54, 90.22 and 75.20 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 10, 1982.

Dated: September 1, 1982

By: John F. Spencer  
 Deputy Director

#### STATEMENT OF PURPOSE

Title: Adopting chapter 173-545 WAC, Instream Resources Protection Program—Wenatchee River Basin, Water Resource Inventory Area (WRIA) 45.

Description of Purpose: To retain perennial rivers, streams, and lakes in the Wenatchee River Basin with instream flows and levels necessary to provide for protection of wildlife, fish, scenic, aesthetic and environmental values, recreation, navigation and water quality.

Statutory Authority: Chapters 90.54, 90.22 and 75.20 RCW.

Summary of Rule: Rules establish stream management units and control stations and instream flows at three locations on the Wenatchee River and one control station each on Icicle and Mission Creeks. Peshastin Creek is proposed to be closed to consumptive appropriations from June 15 to October 31.

Reasons Supporting Proposed Action: Statutes require protection of instream flows with respect to future consumptive water rights permits.

Agency Personnel Responsible for Drafting: Marsha Beery, 459-6116; and Implementation: Russ Taylor, (509) 575-2490, Department of Ecology, Mailstop PV-11, Olympia, WA 98504.

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: Included in the Wenatchee River Basin Instream Resources Protection Program.

Whether Rule is Necessary as a Result of Federal Law or Federal or State Court Action: No.

Small Business Economic Impact Statement: See memo and pages from the Environmental Impact Statement dealing with economic impacts on file at the Office of the Code Reviser.

Chapter 173-545 WAC  
 INSTREAM RESOURCES PROTECTION PROGRAM—  
 WENATCHEE RIVER BASIN, WATER RESOURCE INVENTORY AREA (WRIA) 45

#### NEW SECTION

WAC 173-545-010 GENERAL PROVISION. These rules apply to waters within the Wenatchee River Basin, WRIA 45, as defined in WAC 173-500-040. This chapter is promulgated pursuant to Chapter 90.54 RCW (Water Resources Act of 1971), Chapter 90.22 RCW (Minimum Water Flows and Levels), Chapter 75.20 RCW (State

Fisheries Code) and in accordance with Chapter 173-500 WAC (Water Resources Management Program).

**NEW SECTION**

WAC 173-545-020 PURPOSE. The purpose of this chapter is to retain perennial rivers, streams, and lakes in the Wenatchee River Basin with instream flows and levels necessary to provide protection for wildlife, fish, scenic, aesthetic, and environmental values, recreation, navigation, and water quality.

**NEW SECTION**

WAC 173-545-030 ESTABLISHMENT OF INSTREAM FLOWS. (1) Stream management units and associated control stations are established as follows:

Stream Management Unit Information

Control Station No. Stream Management Unit Name	Control Station by River Mile and Section, Township, and Range	Affected Stream Reach(es) including Tributaries
12-4570.00 Wenatchee River at Plain	46.2 Sec. 12, T. 26N., R. 17E. W.M	From Plain Road Bridge, R.M. 46.2, to headwaters
12-4580.00 Icicle Cr. near Leavenworth	5.8 Sec. 28, T. 24N., R. 17E. W.M	Headwaters of Icicle Creek to its mouth
12-4590.00 Wenatchee River at Peshastin	21.5 Sec. 8, T. 24N., R. 18E. W.M	From confluence of Derby Creek to Plain Road Bridge, R.M. 46.2 excluding Derby Creek and Icicle Creek
12-4625.00 Wenatchee River at Monitor	7.0 Sec. 11, T. 23N., R. 19E. W.M	From mouth to confluence of Derby Creek, including Derby Creek and excluding Mission Creek
12-4620.00 Mission Creek near Cashmere	1.5 Sec. 8, T. 23N., R. 19E. W.M	From mouth to headwaters

(2) Instream flows are established for the stream management units in WAC-173-545-030(1) as follows:

Instream Flows in the Wenatchee River Basin  
(in cubic feet per second)

Month	Day	12-4570.00 Wenatchee R. at Plain	12-4580.00 Icicle Cr. near Leavenworth	12-4590.00 Wenatchee R. at Peshastin
Jan	1	550	120	700
	15	550	120	700
Feb	1	550	120	700
	15	550	120	700
Mar	1	550	120	700
	15	775	150	1075
Apr	1	1100	210	1700
	15	1400	290	2000
May	1	1800	410	2400
	15	2300	630	2900
Jun	1	2500	1000	3500
	15	2000	630	2600
Jul	1	1500	400	1900
	15	1200	250	1400
Aug	1	880	150	1000
	15	680	130	790
Sep	1	500	115	600
	15	480	100	600
Oct	1	450	100	600
	15	470	100	650
Nov	1	500	120	700
	15	550	120	700
Dec	1	550	120	700
	15	550	120	700

Instream Flows in the Wenatchee River Basin (cont'd)  
(in cubic feet per second)

Month	Day	12-4620.00 Mission Cr. near Cashmere	12-4625.00 Wenatchee R. at Monitor
Jan	1	6	760
	15	6	760
Feb	1	6	760
	15	6	760
Mar	1	6	760
	15	11	1170
Apr	1	22	1800
	15	40	2100
May	1	40	2500
	15	40	2850
Jun	1	28	3500
	15	20	2400
Jul	1	14	1700
	15	10	1200
Aug	1	7	800
	15	5	620
Sep	1	4	480
	15	4	510
Oct	1	4	550
	15	5	640
Nov	1	6	760
	15	6	760
Dec	1	6	760
	15	6	760

(3) Instream flow hydrographs, as represented in the document entitled "Wenatchee River Basin Instream Resources Protection Program, figs. 7, 8, 9, pgs. 29 and 30," shall be used for identification of instream flows on those days not specifically identified in WAC 173-545-030(2).

(4) Future consumptive water right permits issued hereafter for diversion of surface water from the main stem Wenatchee River and perennial tributaries shall be expressly subject to instream flows established in WAC 173-545-030(1) through (3) as measured at the appropriate gage, preferably the nearest one downstream, except those described in WAC 173-545-070 (1) through (4).

(5) Projects that would reduced the flow in a portion of a stream's length (e.g.: hydroelectric diversion projects) will be considered consumptive with respect to the bypassed portion of the stream and will be subject to appropriate instream flow requirements established by WAC 173-545-030(1) through (3) unless modified by the department as a result of detailed, project-specific instream flow studies.

(6) If department investigations determine that withdrawal of ground water from the source aquifers would not interfere significantly with stream flow during the period of stream closure or with maintenance of minimum flows, then applications to appropriate public ground waters may be approved and permits or certificates issued.

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

**NEW SECTION**

WAC 173-545-040 STREAM CLOSURE. The department has determined that additional diversions of water from Peshastin Creek during the period June 15 to October 15 would deplete instream flows required to protect instream values. Peshastin Creek is, therefore, closed to further consumptive appropriation from June 15 to October 15 each year. During the nonclosed period, minimum instream flows will be controlled and measured from the control station on the Wenatchee River at Monitor.

**NEW SECTION**

WAC 173-545-050 POLICY STATEMENT FOR FUTURE PERMITTING ACTIONS. Consistent with the provisions of Chapter 90.54 RCW, it is the policy of the department to preserve an appropriate base flow in all streams and rivers as well as the water levels in



all lakes in the Wenatchee River Basin by encouraging the use of alternate sources of water which include (1) ground water, (2) storage water, or (3) purchase of other valid water rights.

#### NEW SECTION

WAC 173-545-060 LAKES. In future permitting actions relating to withdrawal of lake waters, lakes and ponds shall be retained substantially in their natural condition. Withdrawals of water which would conflict therewith shall be authorized only in those situations where it is clear that overriding considerations of the public interest will be served.

#### NEW SECTION

WAC 173-545-070 EXEMPTIONS. (1) Nothing in this chapter shall affect existing water rights, riparian, appropriative, or otherwise existing on the effective date of this chapter, nor shall it affect existing rights relating to the operation of any navigation, hydroelectric, or water storage reservoir or related facilities.

(2) Future requests for group domestic uses, including municipal supply, proposing to use main stem Wenatchee River water as a source, may be exempted from the minimum instream flow provisions on the mainstem Wenatchee River when it is determined by the department, in consultation with the departments of Fisheries and Game, that overriding considerations of the public interest will be served.

(3) Single domestic and stockwatering use, except that related to feedlots, shall be exempt from the provisions established in this chapter.

(4) Nonconsumptive uses which are compatible with the intent of the chapter may be approved.

#### NEW SECTION

WAC 173-545-080 FUTURE RIGHTS. No rights to divert or store public surface waters of the Wenatchee River Basin, WRIA 45, shall hereafter be granted which shall conflict with the purpose of this chapter.

#### NEW SECTION

WAC 173-545-090 ENFORCEMENT. In enforcement of this chapter, the Department of Ecology may impose such sanctions as appropriate under authorities vested in it, including but not limited to the issuance of regulatory orders under RCW 43.27A.190 and civil penalties under RCW 43.83B.335.

#### NEW SECTION

WAC 173-545-100 REGULATION REVIEW. Review of the rules in this chapter shall be initiated by the Department of Ecology within five years of the date of adoption.

**WSR 82-18-072**  
**PROPOSED RULES**  
**GAMBLING COMMISSION**  
[Filed September 1, 1982]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Gambling Commission intends to adopt, amend, or repeal rules concerning the amending of WAC 230-40-030;

that the agency will at 10:00 a.m., Thursday, October 14, 1982, in the River Park Center, West 334 Spokane Falls Boulevard, Spokane, WA, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 14, 1982.

The authority under which these rules are proposed is RCW 9.46.070(11).

The specific statute these rules are intended to implement is RCW 9.46.070(11).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 14, 1982.

Dated: September 1, 1982

By: Richard A. Finnigan  
for Keith Kisor  
Director

#### STATEMENT OF PURPOSE

Title: Amending WAC 230-40-030, Numbers of Tables and Players Limited.

Description of Purpose: Amendment to WAC 230-40-030, the purpose of this proposed amendment is to allow more than eight players per table for the playing of cards.

Statutory Authority: RCW 9.46.070(11).

Summary of Proposed Rules and Reasons Supporting Action: Amendment to WAC 230-40-030, the proposed amendment would allow more than eight players per table for the playing of card games provided the total number of players in the card room did not exceed the class for which licensed. For example, a three table card room cannot exceed twenty four players, a four table — thirty two, and five table — forty players.

Agency Personnel Responsible for Drafting, Implementing and Enforcing the Rules: Keith Kisor, Director, Capital Plaza Building, 1025 East Union, Olympia, WA, 234-0865 Scan, 753-0865 Comm.

Proponents and Opponents: For WAC 230-40-030, Mr. Darrell Lee, a licensee.

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 a federal law or federal or state court action.

This agency has determined that there would be no economic impact on small business in the state of Washington by the adoption of this amendment.

#### AMENDATORY SECTION (Amending Order 23, filed 9/23/74)

WAC 230-40-030 NUMBER OF TABLES AND PLAYERS LIMITED. (1) No ~~((licensee to allow))~~ person licensed to operate a public card room on its premises shall allow more than five separate tables at which card games are played, nor shall allow ~~((more than eight players to participate at any one table at any given time))~~ the total number of persons playing cards on the premise to exceed the class for which licensed.

~~((2) No licensee to allow a social card room on its premises shall allow more than eight players to participate at any one table at any given time.))~~

~~((3))~~ (2) The commission may permit a licensee to exceed these limits on specific occasions for good cause shown. Requests to exceed the limit shall be submitted to the commission in writing not less than 30 days preceding the date upon which the licensee wishes to exceed the limit. The request shall indicate the date(s) involved, the reasons why the request is made, and the number of games and players in the games which the licensee desires to allow on that occasion.

**WSR 82-18-073****ADOPTED RULES****DEPARTMENT OF LICENSING****(Examining Board of Psychology)**

[Order PL 404—Filed September 1, 1982]

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

This action is taken pursuant to Notice No. WSR 82-09-078 filed with the code reviser on April 21, 1982. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

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

The undersigned hereby declares that the agency 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) in the adoption of these rules.

APPROVED AND ADOPTED September 1, 1982.

By Yvonne Braeme  
Executive Secretary

**AMENDATORY SECTION** (Amending Order No. PL 346, filed 6/9/80)

**WAC 308-122-220 PSYCHOLOGISTS—WRITTEN EXAMINATION.** Written examination requirements: The written examination that is used in the state of Washington is the examination of Professional Practice of Psychology. The examination consists of objective multiple choice questions covering the major areas of psychology. Each form of the examination contains between 150 and 200 items in the areas listed below:

(1) Background information, including physiological psychology and comparative psychology, learning, history, theory and systems, sensation and perception, motivation, social psychology, personality, cognitive processes, developmental psychology and psychopharmacology.

(2) Methodology including research design and interpretation, statistics, test construction and interpretation, scaling.

(3) Clinical psychology including test usage and interpretation, diagnosis, psychopathology, therapy, judgment in clinical situations, community mental health.

(4) Behavior modification including learning and applications.

(5) Other specialties including management consulting, industrial and human engineering, social psychology, t-groups, counseling and guidance, communication systems analysis.

(6) Professional conduct and ethics including interdisciplinary relations and knowledge of professional affairs.

The cutoff score which the Washington state board of examiners uses is 75% of the raw score, or the national mean of all first time doctorates, whichever is the lowest.

**WSR 82-18-074****PROPOSED RULES****LOTTERY COMMISSION**

[Filed September 1, 1982]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Lottery Commission intends to adopt, amend, or repeal rules concerning adding new sections WAC 315-02-020, 315-04-030, 315-04-090, 315-04-100, 315-04-120, 315-04-180, 315-04-200, 315-06-020, 315-06-050, 315-06-060, 315-06-080, 315-06-120 and 315-06-130;

that the agency will at 10:00 a.m., Tuesday, October 11, 1982, in the Transportation Commission Meeting Room, Second Floor, Highways Administration Building, Olympia, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is chapter 7, Laws of 1982 2nd ex. sess.

The specific statute these rules are intended to implement is sections 4 and 5, chapter 7, Laws of 1982 2nd ex. sess.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 11, 1982.

Dated: September 1, 1982

By: Paul L. Mack  
Chairman

**STATEMENT OF PURPOSE**

Title and Number of Rule Section(s) or Chapter(s), and Summary of the Rule(s): WAC 315-02-020 Time and Place of Meetings, describes time, place, and dates for regular meetings of the Lottery Commission and how special meetings are called; WAC 315-04-030 License Application, provides that the applications for a license shall be on a form approved by the director and include an authorization to investigate the applicant's criminal history, financial records and financial sources; WAC 315-04-090 License Issuance Eligibility, provides that the director may issue a license to a person to act as licensed agent who meets the eligibility criteria established by chapter 7, Laws of 1982 2nd ex. sess., and as required by these rules. Provides factors a director shall consider for license eligibility and provides that the director may require a bond; WAC 315-04-100 Staggered License Renewals, states that the director may set staggered dates for license renewal and states that the director shall provide renewal forms; WAC 315-04-120 Transfer of Ownership or Location of License Prohibited, provides that any license issued by the director is personal to that licensed agent and is not to be transferred, and provides for termination of license if ownership is substantially changed or if location is changed;

WAC 315-04-180 Obligations of Licensed Agents, provides for sale of tickets; lost or missing tickets; that the licensed agent will abide by the law; that the director, commission, their agents and representatives have an irrevocable license to enter the premises of the licensed agent; that all property, except tickets, belong to the director; that all books and records of licensed agent's lottery activities are available for inspection and may be subject to seizure; and that the licensed agent shall remove any advertising considered derogatory or adverse to the operation or dignity of the lottery; WAC 315-04-200 Denial, Suspension or Revocation of a License, provides reasons for which the director may suspend, or revoke a license and for denying an application; WAC 315-06-020 Authorization to Sell Tickets, provides who may sell tickets to the public; WAC 315-06-050 Location of Sale, provides who may sell tickets and the locations where the director may permit the licensed agent to sell tickets; WAC 315-06-060 Price of Tickets—Limitations, states the maximum price limit a licensed agent may sell the tickets for. Provides for the sale of tickets at a discount or as a means of promoting goods or services to customers; WAC 315-06-080 Certain Purchases of Tickets, Gratuities, and Certain Winning of Prizes Prohibited, provides that certain purchases of tickets, certain winning and sharing of prizes, and certain gratuities will be prohibited by the rule; WAC 315-06-120 Payment of Prizes—General Provisions, provides for general provisions for the payment of prize claims; and WAC 315-06-130 Prizes Payable After Death or Disability of Owner, provides how the prizes may be paid or distributed by the director if the prize winner is deceased or is under a disability.

Statutory Authority:

WAC	Section(s) of chapter 7, Laws of 1982 2nd ex. sess.
315-02-020	3 and 4
315-04-030	4
315-04-090	4 and 5
315-04-100	4 and 5
315-04-120	4, 5 and 9
315-04-180	4, 5 and 6
315-04-200	4, 5, 6 and 9
315-06-020	5 and 8
315-06-050	5
315-06-060	4 and 5
315-06-080	4, 5, 12 and 18
315-06-120	4, 5, 10, 13, 19 and 22
315-06-130	4, 5, 10, 13, 19, 22 and chapter 11.04 RCW

Description of the Purpose of the Rules: WAC 315-02-020, the purpose of this rule is to establish the commission's regular hearing dates and method for calling a special meeting; WAC 315-04-090, the rule is intended to give the director criteria in order to determine whether an applicant will be eligible for a license; WAC 315-04-100, this rule's purpose is to allow staggered license renewal by the director and to also describe the procedures the licensed agent needs to meet for license renewal; WAC 315-04-120, the purpose of this rule is to

explain the consequences of any transfer of ownership or location of license; WAC 315-04-180, this rule is proposed in order to tell the licensed agent his/her obligations; WAC 315-04-190, this rule describes the compensation that a licensed agent is entitled to; WAC 315-04-200, this rule describes the reasons for denial, suspension, or revocation of a license by the director; WAC 315-06-020, the purpose of the rule is to specify who is authorized to sell tickets; WAC 315-06-050, this rule is intended to clarify the location of the sale of tickets; WAC 315-06-060, the purpose of this rule is to describe the limitations on the price of tickets; WAC 315-06-080, this rule states the prohibition of certain purchases of tickets, certain winning and sharing of prizes, and gratuities; WAC 315-06-120, this rule describes the general provisions for the payment of prizes; and WAC 315-06-130, the purpose of the rule is to clarify how prizes will be paid after death or disability of the owner.

Reasons Supporting the Proposed Rules: WAC 315-02-020, this rule is necessary to comply with chapter 42.30 RCW; WAC 315-04-030, this rule was drafted in order to give notice to the public on how a person can apply to become a licensed agent; WAC 315-04-090, this rule was drafted in order to establish the license eligibility requirements that the director shall consider in determining whether to license a person as a licensed agent; WAC 315-04-100, this rule was drafted in order to establish a staggered license renewal process; WAC 315-04-120, the reason for this rule is to establish procedures and to give notice to the licensed agent that transfer of ownership or location of license is prohibited; WAC 315-04-180, the reason for this rule is to establish the obligations and to give notice of the obligations of the licensed agent; WAC 315-04-200, the reason for this rule is to establish the criteria for which the director may deny, suspend, or revoke a license; WAC 315-06-020, the reason for this rule is to establish who has authorization to sell tickets for the games; WAC 315-06-050, this rule was proposed in order to establish the location of sale of tickets; WAC 315-06-060, this rule was drafted in order to set the limitation that the licensed agent shall comply with in setting the price of tickets; WAC 315-06-080, the reason for this rule is to prohibit certain purchases of tickets, gratuities, and certain winning of prizes in order to protect the integrity of the game; WAC 315-06-120, this rule was proposed in order to establish the general provisions for the payment of prizes; and WAC 315-06-130, the reason for this rule is to establish the procedures for paying out prizes after the death or disability of the owner.

The Agency Personnel who are Responsible for the Drafting: Richard Finnigan, Assistant Attorney General, 5th Floor, Highways-Licenses Building, Olympia, Washington 98504, (206) 753-2702 and Meredith Halliday, Office of Financial Management, Insurance Building, ER-13, Olympia, Washington 98504, (206) 753-5459; Implementation: Washington State Lottery Commission, P.O. Box 9770, Olympia, Washington 98504, (206) 753-1412, Robert Boyd, Director of the State Lottery Commission, P.O. Box 9770, Olympia,

Washington 98504, (206) 753-1412, N.A. Stussy, Assistant Director, Office of Director of the State Lottery, P.O. Box 9770, Olympia, Washington 98504, (206) 753-1412, William Robinson, Assistant Director, Office of the Director of the State Lottery, P.O. Box 9770, Olympia, Washington 98504, (206) 753-1412 and Hugh Mann, Assistant Director, Office of the Director of the State Lottery, P.O. Box 9770, Olympia, Washington 98504, (206) 753-1412; Enforcement: Washington State Lottery Commission, P.O. Box 9770, Olympia, Washington 98504, (206) 753-1412, Robert Boyd, Director of the State Lottery Commission, P.O. Box 9770, Olympia, Washington 98504, (206) 753-1412, N.A. Stussy, Assistant Director, Office of the Director of the State Lottery, P.O. Box 9770, Olympia, Washington 98504, (206) 753-1412 and William Robinson, Assistant Director, Office of the Director of the State Lottery, P.O. Box 9770, Olympia, Washington 98504, (206) 753-1412.

Name of the Person or Organization Whether Private, Public, or Governmental, that is Proposing the Rule: Washington State Lottery Commission.

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.

Small Business Economic Impact Statement: The Office of the Director of the State Lottery has reviewed the requirements to file a small business economic impact statement and has determined that such a statement is not required for the rules proposed by the Washington State Lottery Commission for the following reason. The rules will only affect those businesses, large and small, which voluntarily apply as licensed agents for the sale of lottery tickets or as contractors to provide other services to the Office of the Director of the State Lottery. No business (or industry) will be required to comply with these rules unless they wish to provide services to the Office of the Director of the State Lottery in conformance with these rules.

#### NEW SECTION

WAC 315-02-020 TIME AND PLACE OF MEETINGS. Regular public meetings of the commission shall be held upon the first Friday of every other month, beginning with the month of February in any year, or the preceding business day if that Friday is a holiday. The location and time of each such regular session shall be as follows:

TIME: 10:00 a.m.

LOCATION: Transportation Commission Meeting Room  
Second Floor  
Highways Administration Building  
Olympia, Washington

Additional public meetings necessary to discharge the business of the commission may be called from time to time by the chairman or by a quorum of the commission.

#### NEW SECTION

WAC 315-04-030 LICENSE APPLICATION. Any eligible person may apply for a license to act as a licensed agent by first filing with the director an application on a form approved by the director, together with any supplement thereto, which shall include, but not be limited to, authorization to investigate criminal history, financial records and financial sources, said forms and supplements to be signed under oath.

#### NEW SECTION

WAC 315-04-090 LICENSE ISSUANCE ELIGIBILITY. (1) The director may issue a license to any person to act as a licensed agent who meets the eligibility criteria established by chapter 7, Laws of 1982, 2nd ex. sess., and these rules.

(2) Before issuing a license, the director shall consider:

- (a) the financial responsibility and security of the person and its business or activity;
  - (b) the background and reputation of the applicant in the community for honesty and integrity;
  - (c) the accessibility of the applicant's place of business or activity to the public;
  - (d) the sufficiency of existing licenses to serve the public convenience;
  - (e) the volume of expected sales;
  - (f) the veracity of the information supplied in the application for a licensed agent license; and
  - (g) the applicant's indebtedness to the state of Washington, local subdivisions of the state and/or the United States government.
- (3) The director may condition the issuance of any license upon the posting of a bond in such terms and conditions as the director may require.

#### NEW SECTION

WAC 315-04-100 STAGGERED LICENSE RENEWALS. (1) The director may set staggered dates for license renewal. License fees established shall be prorated for the actual period of licensure. In no event shall a license period established under this provision be longer than two years.

(2) The licensed agent shall apply for renewal of its license on a form approved by the director, at least 45 days prior to the expiration date of the license. Applications for renewal received later than 45 days prior to the expiration date of the license shall be subject to the late renewal fee; except a renewal application shall not be accepted if it is received by the director more than 60 days after the expiration date of the license.

#### NEW SECTION

WAC 315-04-120 TRANSFER OF OWNERSHIP OR LOCATION OF LICENSE PROHIBITED. (1) Any license issued by the director is personal to the licensed agent and may not be transferred to another person.

(2) If the person to which a license is issued substantially changes its ownership, or changes its location, the license shall be terminated at the date of change and a new application for licensure shall be made. Every such change in ownership or location shall be reported to the director at least twenty days prior to the change. The license shall be surrendered to the director on the date of change. A substantial change in ownership of a business shall mean the transfer of ten percent equity or more of any licensee.

(3) A legal change of name, not involving a change in ownership or location, shall not be considered a transfer of license under this section. Upon request, a license shall be issued in the new name on payment of a \$10.00 fee. Every legal change of name, not involving a change in ownership or location, shall be reported to the director at least twenty days prior to the change.

#### NEW SECTION

WAC 315-04-180 OBLIGATIONS OF LICENSED AGENTS. (1) All tickets accepted by the licensed agent from its assigned depository shall be considered sold to the licensed agent (unless returned to the depository from which they were obtained within the time specified and as permitted by the director). The purchase price shall be paid to the depository, less any commission or deductions authorized by these rules.

(2) All lost or missing tickets are the licensed agent's responsibility.  
 (3) Each licensed agent shall abide by the law, these rules and all other directives or instructions issued by the director.

(4) Each licensed agent grants to the director and the commission and employees of the commission an irrevocable license to enter upon the premises of the licensed agent in which tickets may be sold or any other location under the control of the licensed agent where the director may have good cause to believe lottery materials or tickets are stored or kept in order to inspect said lottery property and the premises.

(5) All property given, except tickets, to a licensed agent remains the property of the director, and, upon demand, the licensed agent agrees to deliver forthwith the same to the director.

(6) All books and records pertaining to the licensed agent's lottery activities shall be made available for inspection and copying, during the normal business hours of the licensed agent and between 8:00 a.m. and 5:00 p.m., Monday through Friday, upon demand by the director and employees of the commission.

(7) All books and records pertaining to the licensed agent's lottery activities shall be subject to seizure by the director or employees of the commission without prior notice.

(8) No licensed agent shall advertise or otherwise display advertising in any part of the licensed agent's premises as a licensed location which may be considered derogatory or adverse to the operations or dignity of the lottery and the licensed agent shall remove any advertising forthwith if requested by the director.

#### NEW SECTION

**WAC 315-04-200 DENIAL, SUSPENSION OR REVOCATION OF A LICENSE.** The director may deny an application for or suspend or revoke any license issued pursuant to these rules for one or more of the following reasons:

(1) Failure to meet or maintain the eligibility criteria for license application and issuance established by chapter 7, Laws of 1982, 2nd ex. sess., or these rules;

(2) Failure to account for lottery tickets received or the proceeds of the sale of tickets or to post a bond if required by the director or to comply with the instructions of the director concerning the licensed activity;

(3) Violating any of the provisions of chapter 7, Laws of 1982, 2nd ex. sess., or these rules;

(4) Failure to file any return or report or to keep records required by the director or by these rules;

(5) Failure to pay any federal, state or local tax or indebtedness;

(6) Fraud, deceit, misrepresentation or conduct prejudicial to public confidence in the lottery;

(7) If public convenience is adequately served by other licensees;

(8) Failure to sell a sufficient number of tickets to meet administrative costs;

(9) If there is a history of thefts or other forms of losses of tickets or revenue therefrom;

(10) If there is a delay in accounting or depositing in the designated depository the revenues from the ticket sales; provisions, requirements, conditions, limitations or duties imposed by chapter 9.46 RCW (gambling act), or chapter 7, Laws of 1982, 2nd ex. sess., or when a violation of any provisions of chapter 7, Laws of 1982, 2nd ex. sess., has occurred upon any premises occupied or operated by any such person or over which he or she has substantial control;

(12) Knowingly causes, aids, abets or conspires with another to cause any person to violate any of the laws of this state;

(13) Has obtained a license by fraud, misrepresentation, concealment or through inadvertence or mistake;

(14) Has been convicted of, or forfeited bond upon a charge of, or pleaded guilty to, forgery, larceny, extortion, conspiracy to defraud, wilful failure to make required payments or reports to a governmental agency at any level, or filing false reports therewith, or of any similar offense or offenses, or of bribing or otherwise unlawfully influencing a public official or employee of any state or the United States, or of any crime, whether a felony or misdemeanor, involving any gambling activity or physical harm to individuals or involving moral turpitude;

(15) Makes a misrepresentation of, or fails to disclose, a material fact to the commission or director;

(16) Denies the commission or director or their authorized representatives, including authorized local law enforcement agencies, access to any place where a licensed activity is conducted, or fails to promptly

produce for inspection or audit any book, record, document or item required by law or these rules;

(17) Is subject to current prosecution or pending charges, or a conviction which is under appeal, for any of the offenses indicated under subsection (14) of this section: **PROVIDED**, That at the request of an applicant for an original license, the director may defer decision upon the application during the pendency of such prosecution or appeal;

(18) Has pursued or is pursuing economic gain in an occupational manner or context which is in violation of the criminal or civil public policy of this state if such pursuit creates probable cause to believe that the participation of such person in lottery or gambling or related activities would be inimical to the proper operation of an authorized lottery or gambling or related activity in this state. For the purposes of this section, occupational manner or context shall be defined as the systematic planning, administration, management or execution of an activity for financial gain;

(19) Is a career offender or a member of a career offender cartel or an associate of a career offender or career offender cartel in such a manner which creates probable cause to believe that the association is of such a nature as to be inimical to the policy of this state or to the proper operation of the authorized lottery or gambling or related activities in this state. For the purposes of this section, career offender shall be defined as any person whose behavior is pursued in an occupational manner or context for the purpose of economic gain utilizing such methods as are deemed criminal violations of the public policy of this state. A career offender cartel shall be defined as any group of persons who operate together as career offenders;

(20) Failure to follow the instructions of the director for the conduct of any particular game or special event.

(21) Failure to follow security procedures of the director for the handling of tickets or for the conduct of any particular game or special event; or

(22) Makes a misrepresentation of fact to the purchaser, or prospective purchaser, of a ticket, or to the general public with respect to the conduct of a particular game or special event.

#### NEW SECTION

**WAC 315-06-020 AUTHORIZATION TO SELL TICKETS.** Licensed agents and employees of the commission designated by the director are authorized, as limited by WAC 315-04-140, to sell tickets directly to the public. Employees of the commission designated by the director to sell tickets directly to the public and retail outlets of the state liquor control board are not required to be licensed as licensed agents.

#### NEW SECTION

**WAC 315-06-050 LOCATION OF SALE.** (1) Tickets may be sold by any person who is issued a license to act as a licensed agent at the location specified on the license, subject to the director's authority as set forth in sections 5 and 7 of chapter 7, Laws of 1982, 2nd ex. sess.

(2) The director may permit any licensed agent to sell tickets in locations other than that specified on its license and to employ persons to make such sales provided that:

(a) The director shall specify the geographical area in which such which may be made, and the types of locations in which such sales may be made.

(b) No such sales shall be made on premises used primarily for residential purposes, in or on the property of any school, or in or upon the property of any facility operated primarily for providing welfare services to the poor or infirmed, or in any facility maintained solely for religious worship.

(c) Any person making such sales shall be individually approved by the director and shall display identification in such form and manner as shall be prescribed by the director.

(d) The licensed agent and its employees shall abide by such other instructions and restrictions as may be prescribed by the director to govern such sales.

(e) The licensed agent's license shall bear an addendum with the phrase "Limited off premises sales permitted," and the licensed agent shall display with its license the addendum which sets forth the terms and conditions on which such sales may be made. A photocopy of the addendum shall be posted at each location where off premise sales are permitted.

NEW SECTION

**WAC 315-06-060 PRICE OF TICKETS—LIMITATIONS.** (1) No licensed agent may sell a ticket at a price greater than that established in accordance with these rules.

(2) Tickets may be given or sold at a discount by a licensed agent as a means of promoting goods or services to customers or prospective customers. A gift or discounted sale of tickets may be made contingent upon the purchase of some other article or the performance of some minimal activity, such as taking a test ride in a vehicle, opening a new bank account, or the like. All tickets accepted by the licensed agent from its assigned depository shall be considered sold to the licensed agent at the established price even though tickets may be subsequently given away or sold at a discount by the licensed agent.

(3) Nothing in these rules shall be construed to prevent a person from giving tickets to another as a gift.

NEW SECTION

**WAC 315-06-080 CERTAIN PURCHASES OF TICKETS, GRATUITIES, AND CERTAIN WINNING OF PRIZES PROHIBITED.** Certain purchases of tickets, certain winning and sharing of prizes, and gratuities are prohibited as follows:

(1) A ticket shall not be purchased by, and a prize shall not be paid to any member or employee of the commission or to any spouse, child, brother, sister, or parent residing as a member of the same household in the principal place of abode of any member or employee of the commission, or to any assistant attorney general assigned to advise the commission or director.

(2) A prize claimed by a holder of a winning ticket shall not be shared with any member or employee of the commission or any spouse, child, brother, sister, or parent residing as a member of the same household in the principal place of abode of any member or employee of the commission.

(3) A ticket shall not be purchased by, and a prize shall not be paid to any licensed agent. This provision shall not relieve licensed agents for payment of unaccounted tickets pursuant to WAC 315-04-180(1) and (2). Nothing in this provision shall be construed to prohibit the purchase of tickets, or the winning of prizes, by directors, officers, employees, relatives, parent corporations, subsidiaries, or other affiliates of licensed agents.

(4) No gratuities offered by prize winners, vendors, contractors, or others conducting business with the lottery, may be accepted by licensed agents or by any member or employee of the commission or any spouse, child, brother, sister, or parent residing as a member of the same household in the principal place of abode of any member or employee of the commission.

(5) A ticket shall not be purchased by, and a prize shall not be paid to any CPA accounting firm, or its employees, retained by the director of financial management pursuant to sections 31 and 32 of chapter 7, Laws of 1982, 2nd ex. sess. or any employee of the director of financial management performing a management review or audit of the commission or director.

(6) A ticket shall not be sold to or purchased by any person under the age of eighteen. Nothing in this section shall prohibit the purchase of a ticket for the purpose of making a gift by a person eighteen years of age or older to a person less than that age.

(7) A ticket shall not be purchased with food stamps or coupons and a licensed agent shall not accept as consideration for a ticket food stamps or coupons.

NEW SECTION

**WAC 315-06-120 PAYMENT OF PRIZES—GENERAL PROVISIONS.** (1) The director shall designate claim centers for the filing of prize claims and the redemption of winning tickets, and the location of such centers shall be publicized from time to time by the director.

(2) A claim shall be entered in the name of a single legal entity as claimant, either one individual or one organization. A claim may be entered in the name of an organization only if the organization is a legal entity and possesses a federal employer's identification number (FEIN) as issued by the internal revenue service and such number is shown on the claim form. Groups, family units, organizations, clubs, or other organizations which are not a legal entity, or do not possess a federal employer's identification number, shall designate one individual in whose name the claim is to be entered.

(3) Unless otherwise provided in the rules for a specific type of game, a claimant shall fill out a claim form approved by the director, present the form with the claimant's ticket at a designated claim center, and receive a copy of the claim form as his or her receipt. In order to claim a prize, each claimant must complete and sign a claim form which shall include the following provisions:

(a) The discharge of the state, its officials, officers, and employees and of the commission and the director and employees of the commission of all further liability upon payment of the prize; and

(b) Permission to use the claimant's name and photograph for publicity purposes upon award of the prize.

(4) A prize must be claimed within the time limits prescribed by the director in the instructions for the conduct of a specific game, but in no case shall a prize be claimed later than 180 days after determination of the winning ticket.

(5) The director may deny awarding a prize to a claimant if:

(a) The ticket was not legally issued initially;

(b) The ticket was stolen from the commission, director, its employees or agents, or from a licensed agent; or

(c) The ticket has been altered or forged, or has otherwise been mutilated such that the authenticity of the ticket cannot be reasonably assured by the director.

(6) No person entitled to a prize may assign his or her right to claim it except:

(a) That payment of a prize may be made to any court appointed legal representative, including, but not limited to, guardians, executors, administrators, receivers, or other court appointed assignees; or

(b) For the purposes of paying federal, state or local tax.

(7) In the event that there is a dispute or it appears that a dispute may occur relative to any prize, the director may, in his or her discretion, refrain from making payment of the prize pending a final determination by the director or by a court of competent jurisdiction relative to the same.

(8) A ticket that has been legally issued by a licensed agent is a bearer instrument. The person whose name is entered on the claim form is considered the bearer of the ticket, notwithstanding that the name of another person may appear on the ticket face or reverse side. Payment of any prize may be made to the bearer, and all liability of the state, its officials, officers, and employees and of the commission and the director and employees of the commission terminates upon payment.

(9) All prizes shall be paid within a reasonable time after the claims are verified by the director and a winner is determined. The date of the first installment payment of each prize requiring installment payments shall be the commencement date of the payments and a payment shall be made on the anniversary date of said payment thereafter in accordance with the type of prize awarded.

(10) The director may, at any time, delay any payment in order to review a change of circumstances relative to the prize awarded, the payee, the claim, or any other matter that may have come to his or her attention. All delayed payments shall be brought up to date immediately upon the director's confirmation and continue to be paid on each original anniversary date thereafter.

(11) If any prize is payable for the life of the claimant, only a natural person may claim such a prize and, if claiming on behalf of a group, corporation or the like, the life of such natural person claiming the prize shall be the measuring life.

(12) The director's decisions and judgments in respect to the determination of a winning ticket or of any other dispute arising from the payment or awarding of prizes shall be final and binding upon all participants in the lottery.

(13) Each licensed agent shall pay all prizes authorized to be paid by the licensed agent by these rules during its normal business hours at the location designated on its license.

(14) In the event a dispute between the director and the claimant occurs as to whether the ticket is a winning ticket, and if the ticket prize is not paid, the director may, solely at his or her option, replace the disputed ticket with an unplayed ticket (or tickets of equivalent sales price from any game). This shall be the sole and exclusive remedy of the claimant.

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

## NEW SECTION

for Paul L. Mack  
Chairman

**WAC 315-06-130 PRIZES PAYABLE AFTER DEATH OR DISABILITY OF OWNER.** (1) All prizes or a portion thereof which remain unpaid at the time of the prize winner's death shall be payable to his or her court appointed representative of his or her estate once satisfactory evidence of said representative appointment has been presented to the director, claim forms have been properly filled out, and the director is satisfied that such payment is lawful and proper.

(2) Prize monies will be paid according to the law of descent and distribution, chapter 11.04 RCW, of the state of Washington if the owner thereof dies intestate regardless of whether he or she was domiciled at the time of his or her death in the state of Washington.

(3) The director may rely wholly on the presentation of certified copies of a court's appointment of an administrator or executor, guardian, conservator or on any other evidence of a person entitled to the payment of any prize winnings then due.

(4) The payment to the estate of the deceased owner of any prize winnings by the director shall absolve the director and the commission and employees of the commission of any further liability for payment of said prize winnings. The director need not look to the payment of the prize winnings beyond the payee thereof.

(5) Under no circumstances will the payment of prize money be accelerated.

(6) The director may petition any court of competent jurisdiction to request a determination for the payments of any prize winnings which are or may become due the estate of a deceased owner or an owner under a disability because of, but not limited to, underage, mental deficiency, or physical or mental incapacity.

(7) If the legatee(s) or heir(s) of a deceased owner entitled to prize winnings obtains an order from a court of competent jurisdiction directing payments due and to become due from the director to be paid directly to said legatee(s) or heir(s) or otherwise directs the director to make payments to another in the event of an owner's disability or otherwise, the director shall pay the prize winnings accordingly.

**WSR 82-18-075**  
**PROPOSED RULES**  
**LOTTERY COMMISSION**  
[Filed September 1, 1982]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Lottery Commission intends to adopt, amend, or repeal rules concerning adding new sections WAC 315-02-010, 315-02-030, 315-02-040, 315-02-050, 315-02-060, 315-02-070, 315-02-100, 315-02-110, 315-02-120, 315-02-130, 315-02-140, 315-02-150, 315-02-160, 315-02-170, 315-02-180, 315-02-190, 315-02-200, 315-02-210, 315-02-220, 315-10-010, 315-10-020, 315-10-030, 315-10-040 and 315-10-050;

that the agency will at 10:00 a.m., Tuesday, October 11, 1982, in the Transportation Commission Meeting Room, Second Floor, Highways Administration Building, Olympia, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is chapter 7, Laws of 1982 2nd ex. sess.

The specific statute these rules are intended to implement is sections 4 and 5, chapter 7, Laws of 1982 2nd ex. sess.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 11, 1982.

Dated: September 1, 1982  
By: Richard A. Finnigan

## STATEMENT OF PURPOSE

Title and Number of Rule Section(s) or Chapter(s), and Summary of the Rule(s): WAC 315-02-010 Washington State Lottery Commission, defines the commission for later use in these rules; WAC 315-02-030 Address of Commission, provides the address of the commission for communications to the commission; WAC 315-02-040 Commission Activities Exempt from Environmental Protection Act, states that the commission has reviewed its activities and found that they are exempt from the provisions of the Environmental Protection Act; WAC 315-02-050 Director of the Washington State Lottery, defines the director for later use in these rules and authorizes the director to delegate his/her power or authority to his/her employees; WAC 315-02-060 Address of the Office of the Director, provides an address for communication to the director; WAC 315-02-070 Office of the Director Activities Exempt from Environmental Protection Act, states that the director has reviewed his/her activities and found that they are exempt from the provisions of the Environmental Protection Act; WAC 315-02-100 Definitions, incorporates the definition found in chapter 7, Laws of 1982 2nd ex. sess. into these rules; WAC 315-02-110 Bank Defined, defines banks or financial institutions organized under the authority of the state of Washington or the United States of America and designated to perform services for the lottery; WAC 315-02-120 Depository Defined, defines depository as any person, bank or state agency which performs activities in connection with the operation of the lottery for the deposit or handling of lottery funds, the accounting thereof, and the safekeeping of tickets; WAC 315-02-130 Employee of the Commission Defined, defines the term employee for use in these rules; WAC 315-02-140 Game Defined, defines game as the particular game; WAC 315-02-150 General License Defined, defines a general license as a license to routinely sell tickets; WAC 315-02-160 Licensed Agent Defined, defines a licensed agent as a person licensed to sell tickets; WAC 315-02-170 Lottery Defined, the lottery is defined as the lottery established by chapter 7, Laws of 1982 2nd ex. sess.; WAC 315-02-180 Person Defined, a person is defined as an individual, association, corporation, club, trust, estate, society, company, joint stock company, receivers, trustee, assignee, referee, combination of individuals and retail outlets of state liquor control board; WAC 315-02-190 Prize Defined, prize is defined as awards financial or otherwise awarded by the director; WAC 315-02-200 Provisional License Defined, defines a provisional license as a temporary license issued pending the processing of a general license application or renewal; WAC 315-02-210 Special License Defined, defines a special license as license of limited duration for a specific event; WAC 315-02-220 Ticket Defined, defines a ticket as the lottery ticket or share issued for sale to the general public; WAC 315-10-010 Instant Games—Authorized—Director's Authority, states that the commission authorizes instant

games and that the director is authorized to select, operate and contract relating to and for the operation of instant games; WAC 315-10-020 Definitions, defines "ticket" for an instant game. Defines "instant game". Defines "ticket bearer". Defines "play numbers". Defines "validation number"; WAC 315-10-030 Instant Games Criteria, provides the price of an instant game ticket, how the winners of an instant game are determined, the total of all prizes available to be won in an instant game, the pay out of lower tier and higher tier prizes, the length of operation of an instant game, that there is no required frequency of drawing or method of selection of a winner in an instant game, that at the director's discretion an instant game may include a grand prize drawing, and provides the procedures for claiming an instant prize; WAC 315-10-040 Confidentiality of Tickets, states that no licensed agent shall attempt to ascertain the numbers or symbols under the removable coverings or otherwise attempt to identify winning tickets; and WAC 315-10-050 Notification to Commission, states that the director shall provide commission members with written notification within five days of the selection of a specific instant game. Provides that the commission may call a special meeting to review the instant game selection.

Statutory Authority:

WAC	Section(s) of chapter 7, Laws of 1982 2nd ex. sess.
315-02-010	3
315-02-040	4 and chapter 43.21 RCW
315-02-050	5
315-02-060	5
315-02-070	4 and chapter 43.21 RCW
315-02-100	1
315-02-110	4
315-02-120	4
315-02-130	4
315-02-140	4
315-02-150	4, 5 and 7
315-02-160	5
315-02-170	1, 4 and 5
315-02-180	4, 5 and 7
315-02-190	4 and 5
315-02-200	4 and 5
315-02-210	4 and 5
315-02-220	4
315-10-010	4 and 5
315-10-020	4
315-10-030	4 and 5
315-10-040	4, 5 and 13
315-10-050	4 and 5

Description of the Purpose of the Rules: WAC 315-02-010, the legislature of the state of Washington has created the commission in order to regulate lottery activities; WAC 315-02-030, this rule has been proposed in order to give the public an address for correspondence, notice, or information; WAC 315-02-040, the rule has been proposed in order to give notice that the commission is exempt from the State Environmental Protection Act; WAC 315-02-050, this rule has been

proposed in order to identify the director for the administration of the lottery; WAC 315-02-060, this rule is proposed in order to give notice of the address of the director; WAC 315-02-070, the rule has been proposed in order to give notice that the director is exempt from the State Environmental Protection Act; WAC 315-02-100, the purpose of the rule is to make the definition in the rules have the same meaning as under chapter 7, Laws of 1982 2nd ex. sess.; WAC 315-02-110, the purpose of this rule is to define "bank" for the rules; WAC 315-02-120, this rule has been proposed to define "depository" for the rules; WAC 315-02-130, this rule has been proposed to define "employee of the commission" for the rules; WAC 315-02-140, this rule's purpose is to define "game" for the rules; WAC 315-02-150, this rule's purpose is to define "general license" for the rules; WAC 315-02-160, this rule has been proposed to define "licensed agent" for the rules; WAC 315-02-170, the rule's purpose is to define "lottery" for the rules; WAC 315-02-180, the rule's purpose is to define "person" for the rules; WAC 315-02-190, the rule's purpose is to define "prize" for the rules; WAC 315-02-200, the rule's purpose is to define "provisional license" for the rules; WAC 315-02-210, the rule's purpose is to define "special license" for the rules; WAC 315-02-220, the rule's purpose is to define "ticket" for the rules; WAC 315-10-010, this section is proposed in order to grant the director authority to operate instant games; WAC 315-10-020, the purpose of this section is to define certain terms for the instant game rules such as "ticket", "instant game", "ticket bearer", "play numbers", and "validation number"; WAC 315-10-030, this rule is intended to describe criteria for instant games; WAC 315-10-040, this rule is proposed in order to protect the confidentiality of the tickets; and WAC 315-10-050, this rule is proposed in order that the director notify the commission of the specific instant game which meets the criteria.

Reasons Supporting the Proposed Rules: WAC 315-02-010, the state of Washington has determined that a lottery commission needs to be created in order to conduct a state lottery; WAC 315-02-030, the commission needs an address in order to provide information and to receive notice; WAC 315-02-040, certain activities are exempt from the State Environmental Protection Act and this rule gives notice that the commission is exempt; WAC 315-02-050, the state of Washington has determined that a director is necessary in order to be responsible for carrying the commission's rules for running a state lottery; WAC 315-02-060, the director needs an address in order to provide information and to receive notice; WAC 315-02-070, certain activities are exempt from the State Environmental Protection Act and this rule gives notice that the office of the director is exempt; WAC 315-02-100, this rule is intended so that the definitions in the rules and in the statute are consistent; WAC 315-02-110, this definition is needed so that an understanding of "bank" as used in the rules will be provided the reader; WAC 315-02-120, the definition is needed to provide an understanding of "depository" as used in the rules; WAC 315-02-130, the definition is



needed to provide an understanding of the term "employee of the commission" as used in the rules; WAC 315-02-140, the definition is needed to provide an understanding of the term "game" as used in the rules; WAC 315-02-150, the definition is needed to provide an understanding of the term "general license" as used in the rules; WAC 315-02-160, the definition is needed to provide an understanding of the term "licensed agent" as used in the rules; WAC 315-02-170, the definition is needed to provide an understanding of the term "lottery" as used in the rules; WAC 315-02-180, the definition is needed to provide an understanding of the term "person" as used in the rules; WAC 315-02-190, the definition is needed to provide an understanding of the term "prize" as used in the rules; WAC 315-02-200, the definition is needed to provide an understanding of the term "provisional license" as used in the rules; WAC 315-02-210, the definition is needed to provide an understanding of the term "ticket" as used in the rules; WAC 315-10-010, the reason for this rule is to authorize the director to operate instant games; WAC 315-10-020, the reason for this rule is to establish definitions of the words "ticket", "instant game", "ticket bearer", "play numbers", and "validation numbers" for use in the rules; WAC 315-10-030, the reason for this rule is to establish the criteria for instant games; WAC 315-10-040, the reason for this rule is to protect the confidentiality of tickets used in the games; and WAC 315-10-050, the reason for this rule is to require the director to give notification to the commission of which instant game the director selects.

The Agency Personnel who are Responsible for the Drafting: Richard Finnigan, Assistant Attorney General, 5th Floor, Highways Licensing Building, Olympia, Washington 98504, (206) 753-2600 and Meredith Halliday, Office of Financial Management, Insurance Building, ER-13, Olympia, Washington 98504, (206) 753-5459; Implementation and Enforcement: Washington State Lottery Commission, P.O. Box 9770, Olympia, Washington 98504, (206) 753-1412, Robert Boyd, Director of the State Lottery Commission, P.O. Box 9770, Olympia, Washington 98504, (206) 753-1412, N. A. Stussy, Assistant Director, Office of the Director of the State Lottery, P.O. Box 9770, Olympia, Washington 98504, (206) 753-1412, William Robinson, Assistant Director, Office of the Director of the State Lottery, P.O. Box 9770, Olympia, Washington 98504, (206) 753-1412 and Hugh Mann, Assistant Director, Office of the Director of the State Lottery, P.O. Box 9770, Olympia, Washington 98504, (206) 753-1412.

Name of the Person or Organization Whether Private, Public, or Governmental, that is Proposing the Rule: Washington State Lottery Commission.

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.

Small Business Economic Impact Statement: The Office of the Director of the State Lottery has reviewed the requirements to file a small business economic impact statement and has determined that such a statement is not required for the rules proposed by the Washington State Lottery Commission for the following reason. The rules will only affect those businesses, large and small, which voluntarily apply as licensed agents for the sale of lottery tickets or as contractors to provide other services to the Office of the Director of the State Lottery. No business (or industry) will be required to comply with these rules unless they wish to provide services to the Office of the Director of the State Lottery in conformance with these rules.

#### NEW SECTION

WAC 315-02-010 WASHINGTON STATE LOTTERY COMMISSION. The Washington state lottery commission, hereinafter called "the commission," is the commission appointed by the governor pursuant to chapter 7, Laws of 1982, 2nd ex. sess. as the regulatory agency charged with the authority and duty to regulate lottery activities.

#### NEW SECTION

WAC 315-02-030 ADDRESS OF COMMISSION. Unless specifically provided elsewhere in these rules, submission of materials or requests for notice or information of any kind, may be made by addressing correspondence to: Washington State Lottery Commission, P.O. Box 9770, Olympia, Washington 98507.

#### NEW SECTION

WAC 315-02-040 COMMISSION ACTIVITIES EXEMPT FROM ENVIRONMENTAL PROTECTION ACT. The commission has reviewed its authorized activities and has found them to be exempt pursuant to WAC 197-10-040(2), 197-10-150 through 197-10-190 and the state environmental policy act, chapter 43.21 RCW.

#### NEW SECTION

WAC 315-02-050 DIRECTOR OF THE WASHINGTON STATE LOTTERY. The director of the Washington state lottery, hereinafter called "the director," is the director appointed by the governor pursuant to section 5, chapter 7, Laws of 1982, 2nd ex. sess., to be responsible for the supervision and administration of the operation of the lottery in accordance with the provisions of chapter 7, Laws of 1982, 2nd ex. sess. and with the rules of the commission. The director may delegate to his or her employees such responsibilities as the director may deem necessary to carry out the duties and responsibilities of this chapter.

#### NEW SECTION

WAC 315-02-060 ADDRESS OF THE OFFICE OF THE DIRECTOR. Unless specifically provided elsewhere in these rules, submission of materials or requests for notice or information of any kind, may be made by addressing correspondence to: Office of the Director; Washington State Lottery; P.O. Box 9770; Olympia, Washington 98507.

#### NEW SECTION

WAC 315-02-070 OFFICE OF THE DIRECTOR ACTIVITIES EXEMPT FROM ENVIRONMENTAL PROTECTION ACT. The director has reviewed his or her authorized activities and has found them to be exempt pursuant to WAC 197-10-040(2), 197-10-150 through 197-10-190 and the state environmental policy act, chapter 43.21 RCW.

#### NEW SECTION

WAC 315-02-100 DEFINITIONS. Words and terms used in these rules shall have the same meaning as each has under chapter 7, Laws of 1982, 2nd ex. sess., unless otherwise specifically provided in

these rules, or the context in which they are used clearly indicates that they be given some other meaning.

#### NEW SECTION

WAC 315-02-110 **BANK DEFINED.** "Bank" means and includes all commercial banks, mutual savings bank, savings and loan associations, credit unions, trust companies and any other type or form of banking institution organized under the authority of the state of Washington or the United States of America whose principal place of business is within the state of Washington and is designated to perform such functions, activities, or service in connection with the operations of the lottery for the deposit and handling of lottery funds, the accounting thereof and the safekeeping of tickets and records.

#### NEW SECTION

WAC 315-02-120 **DEPOSITORY DEFINED.** "Depository" means any person, including a bank or state agency, performing activities or services in connection with the operation of the lottery for the deposit and handling of lottery funds, the accounting thereof, and the safekeeping of tickets.

#### NEW SECTION

WAC 315-02-130 **EMPLOYEE OF THE COMMISSION DEFINED.** "Employee of the commission" means the employees or agents of the commission and the director unless the context clearly indicates one or the other.

#### NEW SECTION

WAC 315-02-140 **GAME DEFINED.** "Game" means any individual or particular type of lottery authorized by the commission.

#### NEW SECTION

WAC 315-02-150 **GENERAL LICENSE DEFINED.** "General license" means a license issued by the director which authorizes a licensed agent to conduct the routine sale of tickets.

#### NEW SECTION

WAC 315-02-160 **LICENSED AGENT DEFINED.** "Licensed agent" means a person licensed by the director or any retail outlet of the state liquor control board.

#### NEW SECTION

WAC 315-02-170 **LOTTERY DEFINED.** "Lottery" means the lottery established and operated pursuant to chapter 7, Laws of 1982, 2nd ex. sess.

#### NEW SECTION

WAC 315-02-180 **PERSON DEFINED.** "Person" means an individual, association, corporation, club, trust, estate, society, company, joint stock company, receiver, trustee, assignee, referee, or any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination of individuals. "Person" does not mean any department, commission, agency, or instrumentality of the state, or any county or municipality or any agency or instrumentality thereof, except for retail outlets of the state liquor control board.

#### NEW SECTION

WAC 315-02-190 **PRIZE DEFINED.** "Prize" means any award, financial or otherwise, awarded by the director.

#### NEW SECTION

WAC 315-02-200 **PROVISIONAL LICENSE DEFINED.** "Provisional license" means a license issued by the director which temporarily authorizes a licensed agent to conduct the sale of tickets pending processing of the general license application or renewal.

#### NEW SECTION

WAC 315-02-210 **SPECIAL LICENSE DEFINED.** "Special license" means a license issued by the director which authorizes a licensed agent to conduct the sale of tickets for specific sporting, charitable, social or other special event(s).

#### NEW SECTION

WAC 315-02-220 **TICKET DEFINED.** "Ticket" means a lottery ticket or share issued by the director for sale to the general public.

#### NEW SECTION

WAC 315-10-010 **INSTANT GAMES - AUTHORIZED - DIRECTOR'S AUTHORITY.** (1) The commission hereby authorizes instant games which meet the criteria set forth in this chapter.

(2) The director is hereby authorized to select, operate and contract relating to and for the operation of instant games which meet the criteria set forth in this chapter.

#### NEW SECTION

WAC 315-10-020 **DEFINITIONS.** (1) Ticket - The ticket purchased for participation in an instant game.

(2) Instant Game - A game in which a ticket is purchased and upon removal of a latex covering on the front of the ticket, the ticket bearer determines his or her winnings, if any.

(3) Ticket Bearer - The person who has possession of the ticket.

(4) Play Numbers - The numbers or symbols appearing in the designated areas under the removable covering on the front of the ticket.

(5) Validation Number - The multi-digit number found underneath the "void if removed" area on the ticket and on any ticket stub. There must be a validation number on the ticket or any stub.

#### NEW SECTION

WAC 315-10-030 **INSTANT GAMES CRITERIA.** (1) The price of an instant game ticket shall not be less than \$1.00 and not more than \$5.00.

(2) Winners of an instant game are determined by the matching or specified alignment of the play numbers on the tickets. The ticket bearer must notify the lottery of the win and submit the winning ticket to the lottery as specified by the director. The winning ticket must be validated by the lottery through use of the validation number and any other means as specified by the director.

(3) The total of all prizes available to be won in an instant game shall not be less than forty-five percent of the instant game's projected revenue.

(4) The instant game shall pay out both lower tier prizes and higher tier prizes. Lower tier prizes are of less than \$25.00. Higher tier prizes are of \$25.00 or more. The director shall determine the number of lower and higher tier prizes.

(5) The length of operation of an instant game shall not exceed fifteen weeks. The start date and closing date of the instant game shall be publicly announced.

(6) There is no required frequency of drawing or method of selection of a winner in an instant game.

(7) At the director's discretion, an instant game may include a grand prize drawing(s). The criteria for the grand prize drawing shall be as follows:

(a) Not more than ten finalists for a grand prize drawing shall be selected in an elimination drawing from redeemed tickets winning certain minimum prizes as determined by the director. Participation in the elimination drawing(s) shall be limited to such tickets which are actually received and validated by the director on or before a date to be announced by the director. The director may reserve the right to place any semi-finalist whose entry was not entered in the elimination drawing(s) and who is subsequently determined to have been entitled to such entry into an elimination drawing of a subsequent instant game, and the determination of the director shall be final.

(b) The prize of the grand prize drawing shall not exceed one million dollars. The number of such prizes shall be determined by the director to correspond with the size and length of the instant game and to comply with (3) above.

(c) The dates and times as well as the procedures for conducting the elimination drawing and grand prize drawing shall be determined by the director.

(8) Procedures for claiming instant prizes are as follows:

(a) To claim an instant prize of less than \$25.00, the claimant shall present the winning ticket to the licensed agent from whom the ticket was purchased. The licensed agent shall verify the claim and, if acceptable, make payment of the amount due the claimant. In the event the licensed agent cannot verify the claim, the claimant shall fill out a claim form, as provided in WAC 315-06-120, which shall be obtained from the licensed agent and present the completed form, together with the disputed ticket to the designated claim center. The licensed agent shall deliver one copy of the claim form to the claimant and forward the disputed ticket and a copy of the claim form to the director for validation. If the claim is validated by the director, a check shall be forwarded to the claimant in payment of the amount due. In the event that the claim is not validated by the director, the claim shall be denied and the claimant shall be promptly notified.

(b) To claim in instant prize of \$25.00 or more, the claimant shall fill-out a claim form, as provided in WAC 315-06-120, which is obtained from the licensed agent or the director and present the completed form together with the winning ticket to the licensed agent or the director. The licensed agent shall deliver one copy of the claim form to the claimant and forward the winning ticket and a copy of the claim form to the director for validation. Upon validation by the director, a check shall be forwarded to the claimant in payment of the amount due, less any applicable federal income tax withholding. In the event that the claim is not validated by the director, the claim shall be denied and the claimant shall be promptly notified.

(c) Any ticket not passing all the validation checks specified by the director is void and ineligible for any prize and shall not be paid. However, the director may, solely at his or her option, replace an invalid ticket with an unplayed ticket (or tickets of equivalent sales price from any other current game). In the event a defective ticket is purchased, the only responsibility or liability of the director shall be the replacement of the defective ticket with another unplayed ticket (or tickets of equivalent sale price from any other current game).

#### NEW SECTION

WAC 315-10-040 CONFIDENTIALITY OF TICKETS. No licensed agent or its employees or agents shall attempt to ascertain the numbers or symbols appearing in the designated areas under the removable latex coverings or otherwise attempt to identify winning tickets.

#### NEW SECTION

WAC 315-10-050 NOTIFICATION TO COMMISSION. The director shall provide commission members with written notification within five days of the selection of a specific instant game which meets the criteria set forth in this chapter. The chairman or a quorum of the commission may call a special meeting to review the instant game selection. Any order executed by the director for the operation of a specific instant game shall contain a provision that the order is null and void if the commission disapproves of the instant game selection. The commission may not disapprove of an instant game selection more than five days after receiving written notice of the selection.

**WSR 82-18-076**  
**PROPOSED RULES**  
**LOTTERY COMMISSION**  
 [Filed September 1, 1982]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Lottery Commission intends to adopt, amend, or repeal rules concerning adding new sections WAC 315-04-010, 315-04-020, 315-04-030, 315-04-040, 315-04-050, 315-04-060, 315-04-070, 315-04-080, 315-04-090, 315-04-100, 315-04-110, 315-04-120, 315-04-130, 315-04-140, 315-04-150, 315-04-160, 315-04-170, 315-04-180, 315-04-190, 315-04-200 and 315-04-210;

that the agency will at 10:00 a.m., Tuesday, October 11, 1982, in the Transportation Commission Meeting

Room, Second Floor, Highways Administration Building, Olympia, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is chapter 7, Laws of 1982 2nd ex. sess.

The specific statute these rules are intended to implement is sections 4 and 5, chapter 7, Laws of 1982 2nd ex. sess.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 11, 1982.

Dated: September 1, 1982

By: Richard A. Finnigan  
 for Paul L. Mack  
 Chairman

#### STATEMENT OF PURPOSE

Title and Number of Rule Section(s) or Chapter(s), and Summary of the Rule(s): WAC 315-04-010 Licensed Agents, provides that the director will license persons as licensed agents who will sell tickets to the public; WAC 315-04-020 License Application Eligibility, defines which persons may not submit applications; WAC 315-04-030 License Application, provides that the applications for a license shall be on a form approved by the director and include an authorization to investigate the applicant's criminal history, financial records and financial sources; WAC 315-04-040 General License, provides to whom the director may issue a general license. Provide what the general license authorizes for the sale of tickets and the length of validity of a general license; WAC 315-04-050 Special License, provides to whom the director may issue a special license and provides limitations and conditions to which a special license may be subject; WAC 315-04-060 Provisional License, states to whom the director may issue a provisional license and states the conditions a person must meet to be considered for a provisional license. Describes the length of time a provisional license may last; WAC 315-04-070 License Fees, states the fees for licenses and provides that the fees may be prorated or staggered as provided in WAC 315-04-100; WAC 315-04-080 Bad Checks Submitted as Payment for Fees, provides for denial of application or revocation or suspension of license if bad check is submitted and provides for additional fee for bad checks; WAC 315-04-090 License Issuance Eligibility, provides that the director may issue a license to a person to act as licensed agent who meets the eligibility criteria established by chapter 7, Laws of 1982 2nd ex. sess., and as required by the rules. Provides factors a director shall consider for license eligibility and provides that the director may require a bond; WAC 315-04-100 Staggered License Renewals, states that the director shall set staggered dates for license renewal and states that the director shall provide renewal forms; WAC 315-04-110 Duplicate Licenses, provides for procedures when a duplicate license may be issued and provides for a duplicate license fee; WAC 315-04-120 Transfer of Ownership or Location of License Prohibited, provides that any license issued by the director is personal to that

licensed agent and is not to be transferred, and provides for termination of license if ownership is substantially changed or if location is changed; WAC 315-04-130 Death or Incapacity of Licensee, provides that the director may transfer the license of a licensed agent in the event of proven incapacity, death, receivership bankruptcy, or assignment for benefit of creditors, subject to the provisions of chapter 7, Laws of 1982 2nd ex. sess. and these rules. Provides that the director may require the posting of a bond and provides for a fee for transfer of the license; WAC 315-04-140 License not a Vested Right, states that possession of a license is a privilege personal to that person and not a legal right. States that the director can require a licensed agent to enter into a contract for any particular game or special event; WAC 315-04-150 License to be Displayed, states that every licensed agent shall conspicuously display its license; WAC 315-04-160 Display of Material, provides that licensed agents shall display lottery point-of-sale material in a manner readily seen by and available to the public; WAC 315-04-170 Tickets Convenient to Public, provides that licensed agent shall make purchase of tickets convenient to the public and provides that tickets shall be sold during the licensed agent's normal business hours; WAC 315-04-180 Obligations of Licensed Agents, provides for sale of tickets; lost or missing tickets; that the licensed agent will abide by the law; that the director, commission, their agents and representatives have an irrevocable license to enter the premises of the licensed agent; that all property, except tickets, belong to the director; that all books and records of licensed agent's lottery activities are available for inspection and may be subject to seizure; and that the licensed agent shall remove any advertising considered derogatory or adverse to the operation or dignity of the lottery; WAC 315-04-190 Compensation, states the licensed agents sales commission; WAC 315-04-200 Denial, Suspension or Revocation of a License, provides reasons for which the director may suspend, or revoke a license and for denying an application; and WAC 315-04-210 Procedure if License is Suspended or Revoked, provides for procedures for the licensed agent to comply with upon revocation or suspension of the licensed agent's license.

Statutory Authority:

WAC	Section(s) of chapter 7, Laws of 1982 2nd ex. sess.
315-04-010	4 and 5
315-04-020	4
315-04-030	4
315-04-040	4
315-04-050	4
315-04-060	4 and 5
315-04-070	4 and 5
315-04-080	4 and 5
315-04-090	4 and 5
315-04-100	4 and 5
315-04-110	4 and 5
315-04-120	4, 5 and 9
315-04-130	4, 5 and 9

315-04-140	4 and 5
315-04-150	4 and 5
315-04-160	4 and 5
315-04-170	4 and 5
315-04-180	4, 5 and 6
315-04-190	4
315-04-200	4, 5, 6 and 9
315-04-210	4, 5 and 9

Description of the Purpose of the Rules: WAC 315-04-010, the rule's purpose is to give the director the authority to determine who will be a licensed agent; WAC 315-04-020, this rule is promulgated in order to determine the eligibility requirements for a licensed agent; WAC 315-04-030, this rule is intended to describe what information will be required to be on a license application; WAC 315-04-040, this rule allows the director to issue a general license; WAC 315-04-050, this rule is intended to grant the director the authority to grant a provisional license; WAC 315-04-060, the rule's purpose is to allow the director to be able to grant a special license; WAC 315-04-070, this rule is intended to state the applicable license fees; WAC 315-04-080, the rule's purpose is to set out the consequence of submitting a bad check for any fees; WAC 315-04-090, the rule is intended to give the director criteria in order to determine whether an applicant will be eligible for a license; WAC 315-04-100, this rule's purpose is to allow staggered license renewal by the director and to also describe the procedures the licensed agent needs to meet for license renewal; WAC 315-04-110, this rule is proposed in order to create procedures in cases where a duplicate license is needed; WAC 315-04-120, the purpose of this rule is to explain the consequences of any transfer of ownership or location of license; WAC 315-04-130, this rule is intended to clarify what will result if there is death or incapacity of the licensee; WAC 315-04-140, the rule's purpose is to state that a license is not a vested right; WAC 315-04-150, this rule is intended to tell the licensed agent how to display the license; WAC 315-04-160, the purpose of this rule is to describe how to display lottery material to the public by the licensed agent; WAC 315-04-170, this rule is intended to tell the licensed agent the manner of sale of tickets to the public; WAC 315-04-180, this rule is proposed in order to tell the licensed agent his/her obligations; WAC 315-04-190, this rule describes the compensation that a licensed agent is entitled to; WAC 315-04-200, this rule describes the reasons for denial, suspension, or revocation of a license by the director; and WAC 315-04-210, the purpose of the rule is to specify the procedures if a license is suspended or revoked.

Reasons Supporting the Proposed Rules: WAC 315-04-010, the rule is necessary in order to authorize the director to license licensed agents; WAC 315-04-020, this rule was promulgated in order to set the license eligibility requirements for licensed agents; WAC 315-04-030, this rule was drafted in order to give notice to the public on how a person can apply to become a licensed agent; WAC 315-04-040, this rule was drafted in order to describe to whom a general license may be issued and the limitations of usage and validity of a general license;

WAC 315-04-050, this rule was drafted in order to describe to whom a special license may be issued and the limitations of usage and validity of a special license; WAC 315-04-060, this rule was drafted in order to describe to whom a provisional license may be issued and the limitations of usage and validity of a provisional license; WAC 315-04-070 the rule was drafted in order to give notice of the license fees; WAC 315-04-080, this rule was drafted in order to set procedures when a bad check is submitted as payment for fees; WAC 315-04-090, this rule was drafted in order to establish the license eligibility requirements that the director shall consider in determining whether to license a person as a licensed agent; WAC 315-04-100, this rule was promulgated in order to establish a staggered license renewal process; WAC 315-04-110, the reason for this rule is to set procedures in case a duplicate license needs to be issued; WAC 315-04-120, the reason for this rule is to establish procedures and to give notice to the licensed agent that transfer of ownership or location of license is prohibited; WAC 315-04-130, the reason for this rule is to establish what will occur to an issued license in the event of death or incapacity to the licensee; WAC 315-04-140, this rule was drafted in order to state and give notice that a license is not a vested right; WAC 315-04-150, this rule was drafted in order to require the licensed agent to display his/her license in a conspicuous location; WAC 315-04-160, this rule was drafted in order to state what display material a licensed agent can display in connection with a game; WAC 315-04-170, the reason for this rule is to require that the tickets be made convenient to the public; WAC 315-04-180, the reason for this rule is to establish the obligations and to give notice of the obligations of the licensed agent; WAC 315-04-190, the reason for this rule is to establish the compensation a licensed agent may receive; WAC 315-04-200, the reason for this rule is to establish the criteria for which the director may deny, suspend, or revoke a license; and WAC 315-04-210, the reason for this rule is to set out procedures if a license is suspended or revoked.

The Agency Personnel who are Responsible for the Drafting: Richard Finnigan, Assistant Attorney General, 5th Floor, Highways Licensing Building, Olympia, Washington 98504, (206) 753-2600 and Meredith Halliday, Office of Financial Management, Insurance Building, ER-13, Olympia, Washington 98504, (206) 753-5459; Implementation and Enforcement: Washington State Lottery Commission, P.O. Box 9770, Olympia, Washington 98504, (206) 753-1412, Robert Boyd, Director of the State Lottery Commission, P.O. Box 9770, Olympia, Washington 98504, (206) 753-1412, N. A. Stussy, Assistant Director, Office of the Director of the State Lottery, P.O. Box 9770, Olympia, Washington 98504, (206) 753-1412, William Robinson, Assistant Director, Office of the Director of the State Lottery, P.O. Box 9770, Olympia, Washington 98504, (206) 753-1412 and Hugh Mann, Assistant Director, Office of the Director of the State Lottery, P.O. Box 9770, Olympia, Washington 98504, (206) 753-1412.

Name of the Person or Organization Whether Private, Public, or Governmental, that is Proposing the Rule: Washington State Lottery Commission.

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.

Small Business Economic Impact Statement: The Office of the Director of the State Lottery has reviewed the requirements to file a small business economic impact statement and has determined that such a statement is not required for the rules proposed by the Washington State Lottery Commission for the following reason. The rules will only affect those businesses, large and small, which voluntarily apply as licensed agents for the sale of lottery tickets or as contractors to provide other services to the Office of the Director of the State Lottery. No business (or industry) will be required to comply with these rules unless they wish to provide services to the Office of the Director of the State Lottery in conformance with these rules

#### NEW SECTION

WAC 315-04-010 LICENSED AGENTS. The director shall license as licensed agents such persons who, in his or her opinion, will best serve the public interest and convenience, promote the sale of tickets and meet the eligibility criteria for application and licensure. Said licensed agents shall be authorized to sell such tickets as in the director's opinion will promote the best interests of the commission and produce maximum revenue, but a licensed agent need not be authorized to sell tickets for all games operated by the director. Each Licensed agent may be required to post a bond in such terms and conditions as the director may require.

#### NEW SECTION

WAC 315-04-020 LICENSE APPLICATION ELIGIBILITY. Any person may submit an application for licensure except:

(1) No person may submit an application for licensure who is under 18 years of age.

(2) No person may submit an application who will be engaged exclusively in the business of selling tickets.

(3) No person may submit an application for licensure who is a member or employee of the commission or who is the spouse, child, brother, sister or parent residing as a member of the same household in the principal place of abode of any member or employee of the commission.

(4) No person may submit an application who is, or is owned or controlled by or affiliated with, a vendor or contractor of the commission or director for the development, operation, management, security or any other aspect of a specific game.

(5) No person may submit an application who is not legally registered and licensed to conduct business in the state of Washington.

The submission of an application shall not entitle any person to receipt of a license to act as a licensed agent. An application may be denied for any reason permitted by statute or these rules.

#### NEW SECTION

WAC 315-04-030 LICENSE APPLICATION. Any eligible person may apply for a license to act as a licensed agent by first filing with the director an application on a form approved by the director, together with any supplement thereto, said form and supplements to be signed under oath, which shall include, but not be limited to, authorization to investigate criminal history, financial records and financial sources.

NEW SECTION

WAC 315-04-040 GENERAL LICENSE. The director may issue a general license to an applicant who qualifies for licensure. The general license shall authorize the licensed agent to conduct the routine sale of tickets at the location specified on the general license. The general license shall be valid for one year after the date of issuance, except as provided in WAC 315-04-100.

NEW SECTION

WAC 315-04-050 SPECIAL LICENSE. The director may issue a special license to an applicant for specific sporting, charitable, social, or other special event. A special license is one subject to such conditions or limitations as the director, in his or her discretion, may deem prudent and which is consonant with the dignity of the state, the general welfare of the people, and the operations and integrity of the lottery. These limitations or conditions may include, but are not limited to:

- (1) Length of license period;
- (2) Hours or days of sale; and
- (3) Location of sale.

NEW SECTION

WAC 315-04-060 PROVISIONAL LICENSE. (1) The director may issue a provisional license to an applicant for a general license after receipt of a person's fully completed licensed agent's application, the authorization of a complete personal background check, and completion of a preliminary background check. The provisional license shall expire at the time of issuance of the general license or ninety days from the date the provisional license is issued, whichever occurs first. The provisional license may be extended by the director for one additional ninety-day period of time.

(2) The director may issue a provisional license to an applicant for renewal of a general license when he or she determines it necessary to authorize a licensed agent to sell tickets pending approval of the application for general license renewal. The provisional license shall expire at the time of the issuance of the general license renewal or ninety days from the date the provisional license is issued, whichever occurs first.

NEW SECTION

WAC 315-04-070 LICENSE FEES. (1) The fee for a license application shall be \$15.00.

(2) The fee for a background check for initial licensure shall be \$10.00.

(3) The fee for renewal of a license shall be \$15.00.

(4) The fee for late renewal of a license shall be \$25.00 in addition to the renewal fee of \$15.00.

(5) All fees established in this section or other sections of this title are not refundable.

(6) The fees in this section may be prorated for staggered license renewal periods as provided in WAC 315-04-100.

NEW SECTION

WAC 315-04-080 BAD CHECKS SUBMITTED AS PAYMENT FOR FEES. The payment of a fee with a check which for any reason is not promptly paid by the drawee bank shall be grounds for immediate denial of an application for the license, or for the suspension or revocation of a license issued for which the fee is due. The director shall add \$15.00 to each fee when payment of a check originally submitted is denied by the drawee bank, or when the check is required to be resubmitted for payment for any reason.

NEW SECTION

WAC 315-04-090 LICENSE ISSUANCE ELIGIBILITY. (1) The director may issue a license to any person to act as a licensed agent who meets the eligibility criteria established by chapter 7, Laws of 1982, 2nd ex. sess., and these rules.

(2) Before issuing a licensed agent license, the director shall consider:

- (a) the financial responsibility and security of the person and its business or activity;
- (b) the background and reputation of the applicant in the community for honesty and integrity;

(c) the accessibility of the applicant's place of business or activity to the public;

(d) the sufficiency of existing licenses to serve the public convenience;

(e) the volume of expected sales;

(f) the veracity of the information supplied in the application for a licensed agent license; and

(g) the applicant's indebtedness to the state of Washington, local subdivisions of the state and/or the United States government.

(3) The director may condition the issuance of any license upon the posting of a bond in such terms and conditions as the director may require.

NEW SECTION

WAC 315-04-100 STAGGERED LICENSE RENEWALS. (1) The director shall set staggered dates for license renewal. License fees established shall be prorated for the actual period of licensure. In no event shall a license period established under this provision be longer than two years.

(2) The licensed agent shall apply for renewal of its license on a form approved by the director, at least 45 days prior to the expiration date of the license. Applications for renewal received later than 45 days prior to the expiration date of the license shall be subject to the late renewal fee; except a renewal application shall not be accepted if it is received by the director more than 60 days after the expiration date of the license.

NEW SECTION

WAC 315-04-110 DUPLICATE LICENSES. Upon the loss, mutilation or destruction of any license issued by the director, application for a duplicate must be made on a form approved by the director. A statement signed by the licensed agent which details the circumstances under which the license was lost, mutilated, or destroyed and certifies that such license was, in fact, lost, mutilated or destroyed, shall accompany such application. The fee for the duplicate of a license shall be \$10.00. A mutilated license shall be surrendered to the director upon issuance or denial of a duplicate license. A lost license, when found, must be immediately surrendered to the director.

NEW SECTION

WAC 315-04-120 TRANSFER OF OWNERSHIP OR LOCATION OF LICENSE PROHIBITED. (1) Any license issued by the director is personal to the licensed agent and may not be transferred to another person.

(2) If the person to which a license is issued substantially changes its ownership or changes its location, the license shall be terminated at the date of change and a new application for licensure shall be made. Every such change in ownership or location shall be reported to the director at least twenty days prior to the change. The license shall be surrendered to the director on the date of change. A substantial change in ownership of a business shall mean the transfer of ten percent equity or more of any licensee.

(3) A legal change of name, not involving a change in ownership or location, shall not be considered a transfer of license under this section. Upon request, a license shall be issued in the new name on payment of a \$10.00 fee. Every legal change of name, not involving a change in ownership or location, shall be reported to the director at least twenty days prior to the change.

NEW SECTION

WAC 315-04-130 DEATH OR INCAPACITY OF LICENSEE. (1) In the event of the proven incapacity, death, receivership, bankruptcy or assignment for benefit of creditors of any licensed agent, upon approval of the director, the license may be transferred to a court appointed or court confirmed guardian, executor or administrator, receiver, trustee, or assignee for the benefit of creditors, who may continue to operate the activity under the license, subject to the provisions of chapter 7, Laws of 1982, 2nd ex. sess. and these rules.

(2) The person to whom a license is transferred hereunder must be otherwise qualified to hold a license.

(3) The license following transfer shall be subject to regular renewal based upon its original expiration date and shall be void upon that person ceasing to hold such a court appointed or court confirmed position.

(4) The director may condition the transfer of any license under this section upon the posting of a bond in such terms and conditions as the director may require.

(5) The fee for transfer of the license under this rule shall be \$10.00.

#### NEW SECTION

**WAC 315-04-140 LICENSE NOT A VESTED RIGHT.** (1) The possession of a license issued by the director to any person to act as a licensed agent in any capacity is a privilege personal to that person and is not a legal right.

(2) The possession of a license issued by the director to any person to act as a licensed agent in any capacity does not entitle that person to sell tickets or obtain materials for any particular game or special event.

(3) Every licensed agent may be required to enter into a contract containing such terms and conditions as the director may require to sell tickets or materials for any particular game or special event.

#### NEW SECTION

**WAC 315-04-150 LICENSED TO BE DISPLAYED.** Every licensed agent shall conspicuously display its license in an area visible to the general public where tickets are being sold.

#### NEW SECTION

**WAC 315-04-160 DISPLAY OF MATERIAL.** Licensed agents shall display only lottery point-of-sale material approved by the director in a manner which is readily seen by and available to the public. Upon request, the director may make additional point-of-sale materials available to licensed agents at no cost or at such costs as determined by the director.

#### NEW SECTION

**WAC 315-04-170 TICKETS CONVENIENT TO PUBLIC.** (1) Every licensed agent shall make the purchase of tickets convenient and readily accessible to the public.

(2) Each licensed agent shall make tickets available for sale during its normal business hours at the location designated on its license.

#### NEW SECTION

**WAC 315-04-180 OBLIGATIONS OF LICENSED AGENTS.**

(1) All tickets accepted by the licensed agent from its assigned depository shall be considered sold to the licensed agent (unless returned to the depository from which they were obtained within the time specified and as permitted by the director). The purchase price shall be paid to the depository, less any commission or deductions authorized by these rules.

(2) All lost or missing tickets are the licensed agent's responsibility.

(3) Each licensed agent shall abide by the law, these rules and all other directives or instructions issued by the director.

(4) Each licensed agent grants to the director and the commission, their agents and representatives, an irrevocable license to enter upon the premises of the licensed agent in which tickets may be sold or any other location under the control of the licensed agent where the director may have good cause to believe lottery materials or tickets are stored or kept in order to inspect said lottery property and the premises.

(5) All property given, except tickets, to a licensed agent remains the property of the director, and, upon demand, the licensed agent agrees to deliver forthwith the same to the director.

(6) All books and records pertaining to the licensed agent's lottery activities shall be made available for inspection and copying, during the normal business hours of the licensed agent and between 8:00 a.m. and 5:00 p.m., Monday through Friday, upon demand by the director or his or her employees, agents, or representatives.

(7) All books and records pertaining to the licensed agent's lottery activities shall be subject to seizure by the director or the commission, and their employees, agents and representatives, without prior notice.

(8) No licensed agent shall advertise or otherwise display advertising in any part of the licensed agent's premises as a licensed location which may be considered derogatory or adverse to the operations or dignity of the lottery and the licensed agent shall remove any advertising forthwith if requested by the director.

#### NEW SECTION

**WAC 315-04-190 COMPENSATION.** Licensed agents shall be entitled to a five percent sales commission. The terms and conditions of payment of the sales commission shall be subject to the terms and conditions established by the director for the conduct of a specific game.

#### NEW SECTION

**WAC 315-04-200 DENIAL, SUSPENSION OR REVOCATION OF A LICENSE.** The director may deny an application for or suspend or revoke any license issued pursuant to these rules for one or more of the following reasons:

(1) Failure to meet or maintain the eligibility criteria for license application and issuance established by chapter 7, Laws of 1982, 2nd ex. sess., or these rules;

(2) Failure to account for lottery tickets received or the proceeds of the sale of tickets or to post a bond if required by the director or to comply with the instructions of the director concerning the licensed activity;

(3) Violating any of the provisions of chapter 7, Laws of 1982, 2nd ex. sess., or these rules;

(4) Failure to file any return or report or to keep records required by the director or by these rules;

(5) Failure to pay any federal, state or local tax or indebtedness;

(6) Fraud, deceit, misrepresentation or conduct prejudicial to public confidence in the lottery;

(7) If public convenience is adequately served by other licensees;

(8) Failure to sell a sufficient number of tickets to meet administrative costs;

(9) If there is a history of thefts or other forms of losses of tickets or revenue therefrom;

(10) If there is a delay in accounting or depositing in the designated depository the revenues from the ticket sales;

(11) Has violated, failed or refused to comply with any of the provisions, requirements, conditions, limitations or duties imposed by chapter 9.46 RCW (gambling act), or chapter 7, Laws of 1982, 2nd ex. sess., or when a violation of any provision of chapter 9.46 RCW or chapter 7, Laws of 1982, 2nd ex. sess., has occurred upon any premises occupied or operated by any such person or over which he or she has substantial control;

(12) Knowingly causes, aids, abets or conspires with another to cause any person to violate any of the laws of this state;

(13) Has obtained a license by fraud, misrepresentation, concealment or through inadvertence or mistake;

(14) Has been convicted of, or forfeited bond upon a charge of, or pleaded guilty to, forgery, larceny, extortion, conspiracy to defraud, wilful failure to make required payments or reports to a governmental agency at any level, or filing false reports therewith, or of any similar offense or offenses, or of bribing or otherwise unlawfully influencing a public official or employee of any state or the United States, or of any crime, whether a felony or misdemeanor involving any gambling activity or physical harm to individuals or involving moral turpitude.

(15) Makes a misrepresentation of, or fails to disclose, a material fact to the commission or director.

(16) Denies the commission or director or their authorized representatives, including authorized local law enforcement agencies, access to any place where a licensed activity is conducted, or fails to promptly produce for inspection or audit any book, record, document or item required by law or these rules;

(17) Is subject to current prosecution or pending charges, or a conviction which is under appeal, for any of the offenses indicated under subsection (14) of this section: PROVIDED, That at the request of an applicant for an original license, the director may defer decision upon the application during the pendency of such prosecution or appeal.

(18) Has pursued or is pursuing economic gain in an occupational manner or context which is in violation of the criminal or civil public policy of this state if such pursuit creates probable cause to believe that the participation of such person in gambling or related activities would be inimical to the proper operation of an authorized gambling or related activity in this state. For the purposes of this section, occupational manner or context shall be defined as the systematic planning, administration, management or execution of an activity for financial gain.

(19) Is a career offender or a member of a career offender cartel or an associate of a career offender or career offender cartel in such manner which creates probable cause to believe that the association is

of such a nature as to be inimical to the policy of this state or to the proper operation of the authorized gambling or related activities in this state. For the purposes of this section, career offender shall be defined as any person whose behavior is pursued in an occupational manner or context for the purpose of economic gain utilizing such methods as are deemed criminal violations of the public policy of this state. A career offender cartel shall be defined as any group of persons who operate together as career offenders.

(20) Failure to follow the instructions of the director for the conduct of any particular game or special event.

(21) Failure to follow security procedures of the director for the handling of tickets or for the conduct of any particular game or special event; or

(22) Makes a misrepresentation of fact to the purchaser, or prospective purchaser, of a ticket, or to the general public with respect to the conduct of a particular game or special event.

#### NEW SECTION

WAC 315-04-210 PROCEDURE IF LICENSE IS SUSPENDED OR REVOKED. Upon revocation or suspension of a licensed agent's license for any reasons whatsoever, the licensed agent must appear at its assigned depository or before the director or his or her designee, by a date designated by the director for the purpose of rendering a final lottery accounting, the surrender of the licensed agent's license, his or her identification card and other lottery property. Upon the licensed agent's failure to appear by the designated date to render a final accounting, or otherwise to surrender the license, identification card and other lottery property as instructed, the depository shall immediately notify the director by telephone and confirm in writing.

**WSR 82-18-077**  
**PROPOSED RULES**  
**LOTTERY COMMISSION**  
 [Filed September 1, 1982]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Lottery Commission intends to adopt, amend, or repeal rules concerning WAC 315-06-010, 315-06-020, 315-06-030, 315-06-040, 315-06-050, 315-06-060, 315-06-070, 315-06-080, 315-06-090, 315-06-100, 315-06-110, 315-06-120, 315-06-130, 315-06-140, 315-06-150, 315-06-160, 315-06-170, 315-06-180, 315-06-190, 315-06-200 and 315-06-210;

that the agency will at 10:00 a.m., Tuesday, October 11, 1982, in the Transportation Commission Meeting Room, Second Floor, Highways Administration Building, Olympia, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is chapter 7, Laws of 1982 2nd ex. sess.

The specific statute these rules are intended to implement is sections 4 and 5, chapter 7, Laws of 1982 2nd ex. sess.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 11, 1982.

Dated: September 1, 1982  
 By: Richard A. Finnigan  
 for Paul L. Mack  
 Chairman

#### STATEMENT OF PURPOSE

Title and Number of Rule Section(s) or Chapter(s), and Summary of the Rule(s): WAC 315-06-010 Operation of the Lottery, states the types of games the director is authorized to conduct; WAC 315-06-020 Authorization to Sell Tickets, provides who may sell tickets to the public; WAC 315-06-030 Licensed Agent's Instructions, states that the licensed agent is to conform to instructions and requirements established by the director; WAC 315-06-040 Disclosure of Probability of Purchasing a Winning Ticket, describes where the estimated probability of purchasing a winning ticket will be conspicuously displayed for a specific game; WAC 315-06-050 Location of Sale, provides who may sell tickets and the locations where the director may permit the licensed agent to sell tickets; WAC 315-06-060 Price of Tickets—Limitations, states the maximum price limit a licensed agent may sell the tickets for. Provides for the sale of tickets at a discount or as a means of promoting goods or services to customers; WAC 315-06-070 Purchaser's Obligations, states what the purchaser agrees to comply with when purchasing a ticket; WAC 315-06-080 Certain Purchases of Tickets, Gratuities, and Certain Winning of Prizes Prohibited, provides that certain purchases of tickets, certain winning and sharing of prizes, and certain gratuities will be prohibited by the rule; WAC 315-06-090 Slot Machines Prohibited, provides specific categories of coin-operated machines which shall not be used in the conduct of the games; WAC 315-06-100 Data Processing Terminals for the Dispensing of Tickets Authorized, states that on-line data processing ticket vending terminals may be used in the conduct of games; WAC 315-06-110 Conversion to Data Processing Vending Terminals, provides that the director can convert any licensed location from a manual-type operation to an on-line data processing vending terminal operation and from a vending terminal operation to a manual operation in the sale and distribution of tickets; WAC 315-06-120 Payment of Prizes—General Provisions, provides for general provisions for the payment of prize claims; WAC 315-06-130 Prizes Payable After Death or Disability of Owner, provides how the prizes may be paid or distributed by the director if the prize winner is deceased or is under a disability; WAC 315-06-140 Lottery Accounts and Depositories, allows the director to make depository arrangements in behalf of lottery business, and provides that each depository shall provide the lottery with statements of all transactions; WAC 315-06-150 Assignment of Depository, states that each licensed agent shall be assigned a depository and that each depository shall be notified of each licensed agent it will service; WAC 315-06-160 Licensed Agent's Identification Card, provides for the issuance of an identification card for each licensed agent and procedures the licensed agent shall follow if the identification card is lost or otherwise misplaced. States that the licensed agent shall give notice of each person in the licensed agent's business who is authorized to request and to take delivery of tickets; WAC 315-06-170 Deposits of Lottery Revenues, provides that



the licensed agents shall file periodic reports of their respective receipts and transactions in the sale of tickets as provided by the director; WAC 315-06-180 Stolen Tickets, states the procedures the licensed agent shall follow if the tickets are stolen in order for the licensed agent to be eligible for a refund from the director. The licensed agent may be required to post a bond to indemnify the director or the commission; WAC 315-06-190 Erroneous or Mutilated Tickets, requires the licensed agent to immediately return erroneously made or mutilated tickets. The director will not issue a prize or credit unless the director is satisfied the mutilated ticket is authentic; WAC 315-06-200 Returned Tickets, provides that returned tickets by a licensed agent may not be re-issued without prior approval of the director; and WAC 315-06-210 Law Enforcement, provides that the director shall be the chief law enforcement officer relating to the conduct of or participation in lottery activities. The rules further provide that the director shall appoint Washington state lottery law enforcement officers; the director may appoint employees to serve as special deputies; the director shall apply for certification as a criminal justice agency pursuant to WAC 446-20-050; the director shall issue a badge and identification card to each lottery law enforcement officer; the director shall develop cooperative arrangements with other criminal justice agencies in the state of Washington, and the director shall issue guidelines for the conduct of lottery law enforcement personnel.

Statutory Authority:

WAC	Section(s) of chapter 7, Laws of 1982 2nd ex. sess.
315-06-010	5
315-06-020	5 and 8
315-06-030	5
315-06-040	4 and 5
315-06-050	4 and 5
315-06-060	4 and 5
315-06-070	4 and 5
315-06-080	4, 5, 12 and 18
315-06-090	4 and 5
315-06-100	4 and 5
315-06-110	5
315-06-120	4, 5, 10, 13, 19 and 22
315-06-130	4, 5, 10, 13, 19, 22 and chapter 11.04 RCW
315-06-140	4, 5, 20 and 28
315-06-150	4, 5 and 20
315-06-160	4, 5 and 8
315-06-170	4, 5 and 20
315-06-180	4 and 5
315-06-190	4 and 5
315-06-200	4 and 5
315-06-210	4, 5 and 6

Description of the Purpose of the Rules: WAC 315-06-010, this rule describes what games the director is empowered to conduct; WAC 315-06-020, the purpose of the rule is to specify who is authorized to sell tickets; WAC 315-06-030, this rule describes the licensed agent's instructions which need to be complied with by

the licensed agent; WAC 315-06-040, this rule is proposed in order to describe where to disclose the probability of purchasing a winning ticket; WAC 315-06-050, this rule is intended to clarify the location of the sale of tickets; WAC 315-06-060, the purpose of this rule is to describe the limitations on the price of tickets; WAC 315-06-070, this rule is proposed in order to specify the purchaser's obligations; WAC 315-06-080, this rule states the prohibition of certain purchases of tickets, certain winning and sharing of prizes, and gratuities; WAC 315-06-090, this rule prohibits slot machines in the conduct of the games; WAC 315-06-100, the purpose of this rule is to authorize data processing terminals for the dispensing of tickets; WAC 315-06-110, this rule states when the director can make a conversion to data processing vending terminals; WAC 315-06-120, this rule describes the general provisions for the payment of prizes; WAC 315-06-130, the purpose of the rule is to clarify how prizes will be paid after death or disability of the owner; WAC 315-06-140, the purpose of the rule is to describe the depository and lottery account arrangements; WAC 315-06-150, this rule is proposed to describe relationship between the licensed agent and its assigned depository; WAC 315-06-160, the purpose of this rule is to create a licensed agent's identification card and to describe all rights and responsibilities of being issued such a card; WAC 315-06-170, this rule is proposed in order to describe when lottery revenues will be deposited; WAC 315-06-180, this rule is proposed in order to specify procedures for stolen tickets; WAC 315-06-190, this rule is proposed in order to specify procedures for erroneous or mutilated tickets; WAC 315-06-200, this rule is proposed in order to specify procedures for returned tickets; and WAC 315-06-210, this rule is proposed in order to grant the director law enforcement powers over the conduct of the lottery.

Reasons Supporting the Proposed Rules: WAC 315-06-010, the reason for this rule is to authorize which games the director may conduct in the operation of the lottery; WAC 315-06-020, the reason for this rule is to establish who has authorization to sell tickets for the games; WAC 315-06-030, the reason for this rule is to direct the licensed agent to conform to the instructions given to the licensed agent; WAC 315-06-040, the rule was drafted in order to describe the places and locations for the disclosure of the probability of purchasing a winning ticket; WAC 315-06-050, this rule was promulgated in order to establish the location of sale of tickets; WAC 315-06-060, this rule was drafted in order to set the limitation that the licensed agent shall comply with in setting the price of tickets; WAC 315-06-070, the reason for this rule is to establish the purchaser's obligations; WAC 315-06-080, the reason for this rule is to prohibit certain purchases of tickets, gratuities, and certain winning of prizes in order to protect the integrity of the game; WAC 315-06-090, the reason for this rule is to specify that slot machines are prohibited; WAC 315-06-100, the reason for this rule is to authorize the use of data processing terminals for the dispensing of tickets; WAC 315-06-110, the reason for this rule is to grant the director the right to convert data processing vending terminals; WAC 315-06-120, this rule was promulgated

in order to establish the general provisions for the payment of prizes; WAC 315-06-130, the reason for this rule is to establish the procedures for paying out prizes after the death or disability of the owner; WAC 315-06-140, the reason for this rule is to grant the director the authority to establish and oversee lottery accounts and depositories. The rule was promulgated to also give notice to the depository of its obligations; WAC 315-06-150, the reason for this rule is to assign each licensed agent a depository and to establish the procedures for assignment of a depository; WAC 315-06-160, the reason for this rule is to authorize the director to create a licensed agent's identification card and to describe the rights and responsibilities of the licensed agent's holding an identification card; WAC 315-06-170, the reason for this rule is to establish the procedures for the deposit of lottery revenues; WAC 315-06-180, the reason for this rule is to establish the procedures for dealing with the issue of stolen tickets; WAC 315-06-190, the reason for this rule is to establish the procedures for dealing with the issue of erroneous or mutilated tickets; WAC 315-06-200, the reason for this rule is to establish the procedures for dealing with the issue of returned tickets; and WAC 315-06-210, the reason for this rule is to grant to the director law enforcement powers and to specify the procedures the director shall comply with in the grant of the law enforcement powers.

The Agency Personnel who are Responsible for the Drafting: Richard Finnigan, Assistant Attorney General, 5th Floor, Highways Licensing Building, Olympia, Washington 98504, (206) 753-2600 and Meredith Halliday, Office of Financial Management, Insurance Building, ER-13, Olympia, Washington 98504, (206) 753-5459; Implementation and Enforcement: Washington State Lottery Commission, P.O. Box 9770, Olympia, Washington 98504, (206) 753-1412, Robert Boyd, Director of the State Lottery Commission, P.O. Box 9770, Olympia, Washington 98504, (206) 753-1412, N. A. Stussy, Assistant Director, Office of the Director of the State Lottery, P.O. Box 9770, Olympia, Washington 98504, (206) 753-1412, William Robinson, Assistant Director, Office of the Director of the State Lottery, P.O. Box 9770, Olympia, Washington 98504, (206) 753-1412 and Hugh Mann, Assistant Director, Office of the Director of the State Lottery, P.O. Box 9770, Olympia, Washington 98504, (206) 753-1412.

Name of the Person or Organization Whether Private, Public, or Governmental, that is Proposing the Rule: Washington State Lottery Commission.

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.

Small Business Economic Impact Statement: The Office of the Director of the State Lottery has reviewed the requirements to file a small business economic impact statement and has determined that such a statement is not required for the rules proposed by the

Washington State Lottery Commission for the following reason. The rules will only affect those businesses, large and small, which voluntarily apply as licensed agents for the sale of lottery tickets or as contractors to provide other services to the Office of the Director of the State Lottery. No business (or industry) will be required to comply with these rules unless they wish to provide services to the Office of the Director of the State Lottery in conformance with these rules.

#### NEW SECTION

WAC 315-06-010 OPERATION OF THE LOTTERY. The director shall conduct only those types of games which are authorized by these rules and meet the criteria set forth herein.

#### NEW SECTION

WAC 315-06-020 AUTHORIZATION TO SELL TICKETS. Licensed agents and commission employees designated by the director are authorized, as limited by WAC 315-04-140, to sell tickets directly to the public. Commission employees designated by the director to sell tickets directly to the public and retail outlets of the state liquor control board are not required to be licensed as licensed agents.

#### NEW SECTION

WAC 315-06-030 LICENSED AGENT'S INSTRUCTIONS. Each licensed agent is to conform to the instructions and requirements established by the director for the delivery and return of tickets, the location and display of lottery materials, the conduct of a specific game, or other lottery business.

#### NEW SECTION

WAC 315-06-040 DISCLOSURE OF PROBABILITY OF PURCHASING A WINNING TICKET. The estimated probability of purchasing a winning ticket shall be conspicuously displayed on the back of tickets for a specific game. The estimated probability of purchasing a winning ticket for each category of prize in a specific game shall be conspicuously displayed on:

- (1) All printed promotional and advertising materials for a specific game, including, but not limited to, brochures, posters, billboards, placards, and point-of-sale displays;
- (2) A placard to be located on the premises of each licensed agent in close proximity to the display location of the sales license; and
- (3) Instructions to licensed agents for the conduct of a specific game.

The disclosure required by this section shall not apply to:

- (1) Generic promotional and advertising materials publicizing the Washington state lottery which do not promote a specific game; and
- (2) Electronic advertising for a specific game, or other nonprinted advertising mediums for a specific game, for which a printed disclosure is not feasible or practicable.

#### NEW SECTION

WAC 315-06-050 LOCATION OF SALE. (1) Tickets may be sold by any person who is issued a license to act as a licensed agent at the location specified on the license, subject to the director's authority as set forth in sections 5 and 7 of chapter 7, Laws of 1982, 2nd ex. sess.

(2) The director may permit any licensed agent to sell tickets in locations other than that specified on its license and to employ persons to make such sales provided that:

(a) The director shall specify the geographical area in which such which may be made, and the types of locations in which such sales may be made.

(b) No such sales shall be made on premises used primarily for residential purposes, in or on the property of any school, or in or upon the property of any facility operated primarily for providing welfare services to the poor or infirmed, or in any facility maintained solely for religious worship.

(c) Any person making such sales shall be individually approved by the director or his or her designee, and shall display identification in such form and manner as shall be prescribed by the director.

(d) The licensed agent and its employees shall abide by such other instructions and restrictions as may be prescribed by the director to govern such sales.

(e) The licensed agent's license shall bear an addendum with the phrase "Limited off premises sales permitted," and the licensed agent shall display with its license the addendum which sets forth the terms and conditions on which such sales may be made. A photocopy of the addendum shall be posted at each location where off premise sales are permitted.

#### NEW SECTION

**WAC 315-06-060 PRICE OF TICKETS—LIMITATIONS.** (1) No licensed agent may sell a ticket at a price greater than that established in accordance with these rules.

(2) Tickets may be given by a licensed agent, or sold at a discount, as a means of promoting goods or services to customers or prospective customers. Such gift or discounted sale of tickets may be contingent upon the customers' purchase of some other article or the performance of some minimal activity required by the licensed agent such as taking a test ride in a vehicle held for sale by the merchant, opening a new bank account, or the like. All tickets accepted by the licensed agent from its assigned depository shall be considered sold to the licensed agent at the established price even though tickets may be subsequently given away or sold at a discount by such agent.

(3) Nothing in these rules shall be construed to prevent a person from giving tickets to another as a gift.

#### NEW SECTION

**WAC 315-06-070 PURCHASER'S OBLIGATIONS.** In purchasing a ticket, the purchaser agrees to comply with chapter 7, Laws of 1982, 2nd ex.sess., these rules, the final decisions of the director, and all procedures established by the director for the conduct of games.

#### NEW SECTION

**WAC 315-06-080 CERTAIN PURCHASES OF TICKETS, GRATUITIES, AND CERTAIN WINNING OF PRIZES PROHIBITED.** Certain purchases of tickets, certain winning and sharing of prizes, and gratuities are prohibited as follows:

(1) A ticket shall not be purchased by, and a prize shall not be paid to any member or employee of the commission or to any spouse, child, brother, sister, or parent residing as a member of the same household in the principal place of abode of any member or employee of the commission, or to any assistant attorney general assigned to advise the commission or director.

(2) A prize claimed by a holder of a winning ticket shall not be shared with any member or employee of the commission or any spouse, child, brother, sister, or parent residing as a member of the same household in the principal place of abode of any member or employee of the commission.

(3) A ticket shall not be purchased by, and a prize shall not be paid to any licensed agent. This provision shall not relieve licensed agents for payment of unaccounted tickets pursuant to WAC 315-04-180(1) and (2). Nothing in this provision shall be construed to prohibit the purchase of tickets, or the winning of prizes, by directors, officers, employees, relatives, parent corporations, subsidiaries, or other affiliates of licensed agents.

(4) No gratuities offered by prize winners, vendors, contractors, or others conducting business with the lottery, may be accepted by: (a) licensed agents; or by (b) any member or employee of the commission or any spouse, child, brother, sister, or parent residing as a member of the same household in the principal place of abode of any member or employee of the commission.

(5) A ticket shall not be purchased by, and a prize shall not be paid to any CPA accounting firm, or its employees, retained by the director of financial management pursuant to sections 31 and 32 of chapter 7, Laws of 1982, 2nd ex. sess.

(6) A ticket shall not be sold to or purchased by any person under the age of eighteen. Nothing in this section shall prohibit the purchase of a ticket for the purpose of making a gift by a person eighteen years of age or older to a person less than that age.

#### NEW SECTION

**WAC 315-06-090 SLOT MACHINES PROHIBITED.** The following coin-operated machines shall not be used in the conduct of games:

(1) Coin-operated, instant video games which pay out prizes, either by skill or chance; and

(2) Coin-operated slot machines which dispense lottery tickets unattended by a licensed sales agent.

#### NEW SECTION

**WAC 315-06-100 DATA PROCESSING TERMINALS FOR THE DISPENSING OF TICKETS AUTHORIZED.** On-line data-processing ticket vending terminals for use by licensed agents in the issuing of tickets may be used in the conduct of games.

#### NEW SECTION

**WAC 315-06-110 CONVERSION TO DATA PROCESSING VENDING TERMINALS.** The director reserves the right upon thirty days' notice to the licensed agent to convert any licensed location from a manual-type operation to an on-line data processing ticket vending terminal operation and from a vending terminal operation on either a rental or purchase basis to a manual-type operation in the sale and distribution of tickets.

#### NEW SECTION

**WAC 315-06-120 PAYMENT OF PRIZES—GENERAL PROVISIONS.** (1) The director shall designate claim centers for the filing of prize claims and the redemption of winning tickets, and the location of such centers shall be publicized from time to time by the director.

(2) A claim shall be entered in the name of a single legal entity as claimant, either one individual or one organization. A claim may be entered in the name of an organization only if the organization is a legal entity and possesses a federal employer's identification number (FEIN) as issued by the internal revenue service and such number is shown on the claim form. Groups, family units, organizations, clubs, or other organizations which are not a legal entity, or do not possess a federal employer's identification number, shall designate one individual in whose name the claim is to be entered.

(3) Unless otherwise provided in the rules for a specific type of game, a claimant shall fill out a claim form approved by the director, present the form with the claimant's ticket at a designated claim center, and receive a copy of the claim form as his or her receipt. In order to claim a prize, each claimant must complete and sign a claim form which shall include the following provisions:

(a) The discharge of the state, its officials, officers, and employees and of the commission and the director, its employees, agents and representatives, of all further liability upon payment of the prize; and

(b) Permission to use the claimant's name and photograph for publicity purposes upon award of the prize.

(4) A prize must be claimed within the time limits prescribed by the director in the instructions for the conduct of a specific game, but in no case shall a prize be claimed later than 180 days after determination of the winning ticket.

(5) The director may deny awarding a prize to a claimant if:

(a) The ticket was not legally issued initially;

(b) The ticket was stolen from the commission, director, its employees or agents, or from a licensed agent; or

(c) The ticket has been altered or forged, or has otherwise been mutilated such that the authenticity of the ticket cannot be reasonably assured by the director.

(6) No person entitled to a prize may assign his or her right to claim it except:

(a) That payment of a prize may be made to any court appointed legal representative, including, but not limited to, guardians, executors, administrators, receivers, or other court appointed assignees; or

(b) For the purposes of paying federal, state or local tax.

(7) In the event that there is a dispute or it appears that a dispute may occur relative to any prize, the director may, in his or her discretion, refrain from making payment of the prize pending a final determination by the director or by a court of competent jurisdiction relative to the same.

(8) A ticket that has been legally issued by a licensed agent is a bearer instrument. The person whose name is entered on the claim form is considered the bearer of the ticket, notwithstanding that the name of another person may appear on the ticket face or reverse side. Payment of any prize may be made to the bearer, and all liability of the state, its officials, officers, and employees and of the commission

and the director, its employees, agents and representatives terminates upon payment.

(9) All prizes shall be paid within a reasonable time after the claims are verified by the director and a winner is determined. The date of the first installment payment of each prize requiring installment payments shall be the commencement date of the payments and a payment shall be made on the anniversary date of said payment thereafter in accordance with the type of prize awarded.

(10) The director may, at any time, delay any payment in order to review a change of circumstances relative to the prize awarded, the payee, the claim, or any other matter that may have come to his or her attention. All delayed payments shall be brought up to date immediately upon the director's confirmation and continue to be paid on each original anniversary date thereafter.

(11) If any prize is payable for the life of the claimant, only a natural person may claim such a prize and, if claiming on behalf of a group, corporation or the like, the life of such natural person claiming the prize shall be the measuring life.

(12) The director's decisions and judgments in respect to the determination of a winning ticket or of any other dispute arising from the payment or awarding of prizes shall be final and binding upon all participants in the lottery.

(13) Each licensed agent shall pay all prizes authorized to be paid by the licensed agent by these rules during its normal business hours at the location designated on its license.

(14) In the event a dispute between the director and the claimant occurs as to whether the ticket is a winning ticket, and if the ticket prize is not paid, the director may, solely at his or her option, replace the disputed ticket with an unplayed ticket (or tickets of equivalent sales price from any game). This shall be the sole and exclusive remedy of the claimant.

#### NEW SECTION

**WAC 315-06-130 PRIZES PAYABLE AFTER DEATH OR DISABILITY OF OWNER.** (1) All prizes or a portion thereof which remain unpaid at the time of the prize winner's death shall be payable to his or her court appointed representative of his or her estate once satisfactory evidence of said representative appointment has been presented to the director, claim forms have been properly filled out, and the director is satisfied that such payment is lawful and proper.

(2) Prize monies will be paid according to the law of descent and distribution, chapter 11.04 RCW of the state of Washington if the owner thereof dies intestate regardless of whether he or she was domiciled at the time of his or her death in the state of Washington.

(3) The director may rely wholly on the presentation of certified copies of a court's appointment of an administrator or executor, guardian, conservator or on any other evidence of a person entitled to the payment of any prize winnings then due.

(4) The payment to the estate of the deceased owner of any prize winnings by the director shall absolve the director and his or her employees or agents of any further liability for payment of said prize winnings. The director need not look to the payment of the prize winnings beyond the payee thereof.

(5) Under no circumstances will the payment of prize money be accelerated.

(6) The director may petition any court of competent jurisdiction to request a determination for the payments of any prize winnings which are or may become due the estate of a deceased owner or an owner under a disability because of, but not limited to, underage, mental deficiency, or physical or mental incapacity.

(7) If the legatee(s) or heir(s) of a deceased owner entitled to prize winnings obtains an order from a court of competent jurisdiction directing payments due and to become due from the director to be paid directly to said legatee(s) or heir(s) or otherwise directs the director to make payments to another in the event of an owner's disability or otherwise, the director shall pay the prize winnings accordingly.

#### NEW SECTION

**WAC 315-06-140 LOTTERY ACCOUNTS AND DEPOSITORIES** (1) The director may make depository arrangements with any person, including a bank, to perform such functions, activities or services in connection with the operation of the lottery as he or she may deem advisable. Such functions, activities and services shall constitute lawful functions, activities and services in behalf of lottery business unless otherwise prohibited by law.

(2) Unless otherwise directed by the director, each depository shall provide the lottery with weekly or other periodic statements of all transactions made during the sales week immediately preceding or for other periods, said accounting to be submitted in writing on forms provided by the director no later than such time as requested by the director. All deposits shall be secured in accordance with applicable state and federal laws. Each depository may be compensated for its services rendered in such manner as the director may determine.

#### NEW SECTION

**WAC 315-06-150 ASSIGNMENT OF DEPOSITORY.** Each licensed agent shall be assigned a designated depository from which to take delivery of tickets, in which to deposit receipts from the sale of tickets, and otherwise to account for the licensed agent's transactions. The depository shall be notified of each authorized licensed agent which it will service. Each depository may rely upon such notification in its dealings with the licensed agents until notified to the contrary by the director as long as the licensed agent presents a licensed agent form bearing an authorized signature and his or her licensed agent identification card.

#### NEW SECTION

**WAC 315-06-160 LICENSED AGENT'S IDENTIFICATION CARD.** (1) The director will issue to each licensed agent an identification card which must be presented by it or its authorized representative when taking delivery of tickets from the authorized depositories. No depository shall issue any tickets until the licensed agent or its authorized representative presents its identification card and fulfills all instructions of the director.

(2) In the event the identification card is lost or otherwise misplaced the licensed agent must immediately notify by telephone its assigned depository and the director, and confirm the loss in writing within 24 hours to the director. The depository shall not, in any way, transact business with any person presenting himself or herself with the reported lost identification card until otherwise notified by the director.

(3) Each licensed agent shall give notice in writing to the licensed agent's assigned depository and to the director the name and address of each person in his or her business who is authorized to request and to take delivery of tickets, to deposit receipts from the sale of tickets and to otherwise have dealings with the depository. Each authorized person must identify himself or herself to the depository by means of a licensed agent's identification card received from the director before tickets are delivered. Each licensed agent is restricted to his or her assigned depository for the purpose of conducting lottery business in conformity to law, and these rules, unless otherwise instructed by the director.

#### NEW SECTION

**WAC 315-06-170 DEPOSITS OF LOTTERY REVENUES.** (1) Each licensed agent shall purchase the tickets distributed to it and the monies for payment of these tickets shall be deposited to the credit of the state lottery fund in a designated depository. Deducted from the total purchase cost to the licensed agent, in such manner as the director may require shall be the amount, if any, which the licensed agent may pay as prizes and which it may retain as compensation for its services in accordance with these rules. The licensed agents shall be required to file with the director periodic reports of their respective receipts and transactions in the sale of tickets in such form as approved by the director.

(2) Each licensed agent shall account to its assigned depository for all proceeds resulting from its sales of tickets within such time as may be specified by the director for any particular type or kind of lottery which may be authorized by the commission.

#### NEW SECTION

**WAC 315-06-180 STOLEN TICKETS.** (1) A licensed agent is responsible for all tickets it receives. If tickets are stolen, the licensed agent shall report the theft immediately to the director and to local or state police authorities. The agent shall pay for the stolen tickets and subsequently file a notarized affidavit stating the facts of the case and ask for a refund in the amount paid for the stolen tickets. The licensed agent shall furnish a copy of the police report covering the theft. Following an investigation by the director and police authorities, the director shall issue a refund to the licensed agent if its claim is verified.

(2) If a licensed agent is found to have been negligent or is unable to provide the director with the series, serial number, drawing date and lottery number of the tickets, then the director shall not reimburse the licensed agent for any losses occasioned therefrom.

(3) In the event reimbursement is granted by the director, the reimbursed party must sign forms holding the director and commission harmless and, in the event said reimbursement exceeds \$200.00, the director may demand a bond to indemnify the director and commission for any losses sustained by them. Request for reimbursement shall be made on a form approved by the director.

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

#### NEW SECTION

**WAC 315-06-190 ERRONEOUS OR MUTILATED TICKETS.** (1) Tickets erroneously made out or in any way mutilated when received by a licensed agent are to be returned by the licensed agent immediately to the depository servicing said licensed agent. Credit may be allowed for said tickets but only at the point of original sale to the licensed agent. No credit shall be allowed if the authenticity of the ticket cannot be reasonably determined by the director.

(2) Unless the director is satisfied that a mutilated ticket is authentic, no credit or prize will be issued to the holder of said ticket.

#### NEW SECTION

**WAC 315-06-200 RETURNED TICKETS.** All tickets once returned by a licensed agent may not be reissued without prior approval of the director.

#### NEW SECTION

**WAC 315-06-210 LAW ENFORCEMENT.** (1) The director shall be the chief law enforcement officer, pursuant to section 33, chapter 7, Laws of 1982, ex. sess., for the purposes of enforcing such chapter, and the penal laws of this state relating to the conduct of or participation in lottery activities.

(2) The director shall appoint in accordance with a sufficient number of competent the laws of the state of Washington a sufficient number of competent persons to act as Washington state lottery law enforcement officers, may remove them from a law enforcement capacity without cause, and shall define their rank and duties.

(3) The director may appoint employees to serve as special deputies, with such restricted police authority as the director shall designate as being necessary and consistent with their assignment to duty.

(4) The director shall apply for certification as a criminal justice agency pursuant to WAC 446-20-050 and shall designate specific employees for the collection and dissemination of criminal history record information, and for undercover audit or investigative work or other security operations.

(5) The director shall issue a badge and identification card to each employee designated as a lottery law enforcement officer.

(6) The director shall develop cooperative arrangements with other criminal justice agencies in the state of Washington for enforcement of laws related to lottery activities.

(7) The director shall issue guidelines for the conduct of lottery law enforcement personnel.

**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 82-18-078**  
**PROPOSED RULES**  
**DEPARTMENT OF LICENSING**  
**(Board of Nursing)**  
 [Filed September 1, 1982]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Nursing intends to adopt, amend, or repeal

rules concerning the amending of WAC 308-120-162, 308-120-163, 308-120-164, 308-120-165, 308-120-166, 308-120-300, 308-120-305, 308-120-400, 308-120-410, 308-120-420, 308-120-430, 308-120-440, 308-120-450, repealing WAC 308-120-310, 308-120-320, 308-120-330, 308-120-340 and 308-120-350 and adding new sections WAC 308-120-315, 308-120-325, 308-120-335, 308-120-345, 308-120-355, 308-120-360 and 308-120-365;

that the agency will at 9:00 a.m., Saturday, October 23, 1982, in Rooms A and B, Sea-Tac Travelodge, 2824 South 188th, Seattle, WA, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 18.88.030(2), 18.88.080 and 18.88.140.

The specific statute these rules are intended to implement is RCW 18.88.140, 18.88.150, 18.88.080, 18.88.030(2) and 69.41.030.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 23, 1982.

Dated: September 1, 1982

By: Margaret M. Sullivan  
 Executive Secretary

#### STATEMENT OF PURPOSE

Name of Agency: Washington State Board of Nursing.

Purpose: The purpose of the rules is to amend certain requirements regarding licensing examinations, licensing of foreign applicants, the requirements for certified registered nurses and for certified registered nurse prescriptive authority.

Statutory Authority: RCW 18.88.030(2), 18.88.080 and 18.88.140.

Summary of the Rules: WAC 308-120-162 Filing of Application for Licensing Examination, this section contains the requirements with which an applicant must comply when applying to take the licensing examination; WAC 308-120-163 Licensing Examination, this section describes the official examination for registered nurse licensure, establishes the passing score, establishes the number and time of examinations per year, and discusses the negotiation of the contract for the examination and the security measures; WAC 308-120-164 Release of Results of Examination, this section contains the procedure to be followed for the release of examination results to applicants and to others; WAC 308-120-165 Failures—Repeat Examination, this section contains the procedure for applicants who fail the licensing examination; WAC 308-120-166 Applicants Previously Licensed in a Foreign Country, this section contains the requirements for licensure of applicants who have been licensed under the laws of a country other than the United States; WAC 308-120-300 Certified Registered Nurse, this section contains the requirements for certification as a certified registered nurse (CRN); WAC 308-120-305 Use of Nomenclature, this section describes who may use the title "Certified Registered Nurse" and the abbreviation "CRN"; WAC 308-120-315 Certification

and Certification Program, this section describes certification and certification programs. It includes the requirement a certification program must meet in order for individuals who have received certification to obtain recognition in this state; WAC 308-120-325 Board Approval of Certification Programs, this section discusses the board approval and review of certification programs; WAC 308-120-335 Application Requirements for CRN, this section contains the requirements for application for designation as a CRN; WAC 308-120-345 Renewal of CRN Designation, this section contains the requirements an applicant must need to renew CRN designation; WAC 308-120-355 Termination of Certification by Certification Program, this section requires that the CRN notify the board if his or her certification is terminated; WAC 308-120-360 Termination of CRN Designation by the Board, this section contains the grounds for termination of CRN designation by the board; WAC 308-120-365 CRN Designation at Effective Date, this section is intended to clarify that certified registered nurses who are so recognized at the effective date of the rule shall continue to be designated as CRNs; WAC 308-120-400 CRN Prescriptive Authorization, this amendment is intended to clarify the requirement that registered nurses be licensed under chapter 18.88 RCW in order to be authorized by the board to prescribe drugs; WAC 308-120-410 Application Requirements for CRN Prescriptive Authority, this section contains the requirements an applicant must meet in order to be given prescriptive authorization; WAC 308-120-420 Authorized Prescriptions by the CRN, this section describes prescriptions that are authorized by CRNs; WAC 308-120-430 Termination of Prescriptive Authorization, this section contains the grounds for termination of prescriptive authorization of a CRN; WAC 308-120-440 Prescriptive Authorization, this section establishes the period of prescriptive authorization; and WAC 308-120-450 Renewal, this section contains the requirements for renewal of CRN prescriptive authorization.

**Reason Proposed:** These rules and amendments are proposed primarily to clarify current or existing rules.

**Responsible Departmental Personnel:** In addition to the director of the Department of Licensing, the following personnel have knowledge of and responsibility for drafting, implementing and enforcing these rules: Margaret M. Sullivan, Executive Secretary, Third Floor, Highways-Licenses Building, Olympia, WA 98504, 234-3726 Scan, 753-3726 Comm.

**Proponents:** These rules were proposed by the Washington State Board of Nursing.

**Agency Comments:** These rules are promulgated pursuant to the authority granted in RCW 18.88.030(2), 18.88.080 and 18.88.140.

**Small Business Economic Impact Statement:** A small business economic impact statement is not required and has not been filed since these rules do not impact any small businesses as that term is defined by RCW 43.31.920.

AMENDATORY SECTION (Amending Order PL 370, filed 1/27/81)

WAC 308-120-162 FILING OF APPLICATION FOR LICENSING EXAMINATION. (1) All applicants shall file with the Washington State Board of Nursing a completed notarized application, with the required fee prior to May 1, for the July examination and December 1 for the February examination.

(2) Applicants shall request the school of nursing to send an official transcript directly to the ~~((division of professional licensing))~~ Board of Nursing.

(3) Applicants shall also file an examination application, along with the required fee directly with the testing service.

~~((3))~~ (4) Applicants who have filed the required application and met all qualifications will be notified of their eligibility, and only such applicants will be admitted to the examination.

AMENDATORY SECTION (Amending Order PL 370, filed 1/27/81)

WAC 308-120-163 LICENSING EXAMINATION. (1) ~~((The official registered nurse licensing examination shall be the current series of the State Board Test Pool Examination for registered nurse licensure.))~~ The current series of the National Council of the State Board of Nursing Registered Nurse Examination (NCLEX) shall be the official examination for registered nurse licensure.

~~((2))~~ The minimum passing score is a standard score of 350 for each one of the five tests included in the examination, up to and including the February 1982 examination.))

~~((3))~~ (2) ~~((As of July 1982, there))~~ The NCLEX will ((be)) consist of four two-hour tests with a minimum passing standard score of 1600 for the total examination.

~~((4))~~ (3) Examinations shall be conducted twice a year, in February and July.

~~((5))~~ The annual contract with the testing services for the use of the State Board Test Pool Examination shall be negotiated by the executive secretary or the chairman of the board.))

(4) The executive secretary of the board shall negotiate with the National Council of State Boards of Nursing, Inc. (NCSBN) for the use of the NCLEX.

~~((6))~~ (5) The examination shall be administered in accord with the ((National Council of State Boards of Nursing, Inc.)) NCSBN security measures and contract.

**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 PL 370, filed 1/27/81)

WAC 308-120-164 RELEASE OF RESULTS OF EXAMINATION. (1) Candidates shall be notified regarding the examination results by mail only.

(2) Candidates who pass shall receive ~~((the results of the examination and))~~ a license to practice as a registered nurse provided all other requirements are met.

(3) Candidates who fail shall receive ~~((the results of the examination and))~~ a letter of notification regarding their eligibility to rewrite the examination.

(4) In addition to a listing of the names of graduates indicating whether each passed or failed the examination, each ((such)) school of nursing in Washington shall receive a statistical report of the examination results of candidates from that school.

(5) ~~((Results or scores))~~ Scores of the examination will not be released to anyone except as provided above unless release is ((other wise)) authorized by the candidate in writing.

(6) The candidate's examination results will be maintained in his/her application file in the Division of Professional Licensing, Department of Licensing.

**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 PL 370, filed 1/27/81)

## WAC 308-120-165 FAILURES—REPEAT EXAMINATION.

(1) The application form to rewrite the examination and fees (~~(when required)~~) shall be filed (~~(with the board)~~) on or before May 1 for the July examination and December 1 for the February examination.

(2) Candidates who fail (~~(any test(s))~~) the examination will be permitted to rewrite (~~(any failed test)~~) the examination three (3) times within the two-year period from the month of first writing (~~(until February 1, 1982. After February 1, 1982, all candidates who fail the examination will be required to rewrite the entire examination.)~~)

(3) (~~(If a candidate fails the first examination taken, no additional fee will be required, provided that the candidate appears for and takes the next scheduled examination. Candidates shall pay the required examination fee for any subsequent examination taken.)~~). If the candidate fails the first examination, the state will require no additional fee from the candidate who takes the next scheduled examination. The candidate will pay any examination fees required by the testing service before taking the reexamination.

(4) Candidates who fail to pass the examination within the time period specified in (2) above shall be required to complete a program of study approved by the board. Upon successful completion of the approved program, the candidate shall be required to write the entire examination.

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

AMENDATORY SECTION (Amending Order PL 370, filed 1/27/81)

WAC 308-120-166 APPLICANTS PREVIOUSLY LICENSED IN A FOREIGN COUNTRY. (1) Applicants for licensure educated in a country outside the United States or its territories shall meet the following requirements for licensure:

(a) Satisfactory completion of a basic nursing education program approved in the country of original licensure.

(i) The nursing education program shall be equivalent to the minimum standards prevailing for state board approved schools of nursing in Washington at the time of graduation.

(ii) Any deficiencies in the nursing program (theory and clinical practice in medical, psychiatric, obstetric, surgical and pediatric nursing) shall be satisfactorily completed in a state board approved school of nursing.

(b) Satisfactory passage of the screening examination for foreign nurses. As of May 1, 1981, all applicants from countries outside the United States, and never before licensed in one of the U. S. jurisdictions shall have passed the Commission on Graduates of Foreign Nursing Schools (CGFNS) qualifying examination.

(c) Applicants licensed under the laws of a country outside the United States or its territories shall be required to take the (~~(state board test pool examination for registered nurse licensure)~~) current series of the National Council of State Boards of Nursing Registered Nurse Examination (NCLEX) as provided in WAC 308-120-163: PROVIDED, That those persons meeting the requirements of WAC 308-120-168(2) are exempt from this requirements.

(d) All other requirements of the statute and regulation shall be met.

(2) Applicants for examination shall:

(a) (~~(Submit a completed notarized application with nonrefundable fee)~~) File with the Board of Nursing a completed notarized license application with the required fee prior to May 1 for the July examination and prior to December 1 for the February examination.

(b) Request the school of nursing to submit an official transcript directly to the division of professional licensing.

(c) Applicants shall also file an examination application, along with the required fee directly with the testing service.

(~~(e)~~) (d) Request the licensing agency in the country of original licensure to submit evidence of licensure.

(~~(d)~~) (e) Submit a notarized copy of the certificate issued by the CGFNS.

(~~(e)~~) (f) If the applicant's original documents (education and licensing) are on file in another state or with the CGFNS, the applicant may request the state board or the CGFNS to send notarized copies in lieu of the originals.

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 PL 270, filed 6/16/77)

WAC 308-120-300 CERTIFIED REGISTERED NURSE. A certified registered nurse shall:

(1) Hold a current license to practice as a registered nurse in Washington, (~~(RCW 18-88-020)~~) and

(~~(2)~~) Hold a current certification in a speciality area of nursing through a national association approved by the board:

(3) Submit evidence of current certification with the annual renewal of registered nurse licensure.)

(2) Hold a current certification credential for specialized and advanced nursing practice granted by a national association whose certification program is approved by the board.

AMENDATORY SECTION (Amending Order PL 270, filed 6/16/77)

WAC 308-120-305 USE OF NOMENCLATURE. Any person who (~~(meets the requirements of)~~) qualifies under WAC 308-120-300 ((to practice as a certified registered nurse in this state)) and whose application for certified registered nurse designation has been approved by the board shall be designated as a certified registered nurse and shall have the right to use the title "Certified Registered Nurse" and the abbreviation "CRN". ((No other person shall assume such title or use such abbreviation or any other words, letters, signs or figures to indicate that the person using same is a certified registered nurse.))

NEW SECTION

WAC 308-120-315 CERTIFICATION AND CERTIFICATION PROGRAM. (1) Certification is a voluntary form of credentialing, under sponsorship of a national association, that recognizes specialized and advanced nursing practice.

(2) A certification program is used by a national association to grant the certification credential. A certification program shall be based on:

(a) A scope of practice statement which shall denote the dimension and boundary, the focus, and the standards of specialized and advanced nursing practice in the area of certification.

(b) A program of study requirement in the area of certification which shall:

(i) be based on measurable objectives that relate directly to the scope of practice;

(ii) include theoretical and clinical content directed to the objectives; and

(iii) until July 1, 1984, the program of study shall be acceptable to the board and shall include clinical practice in the area of certification or two years of current practice in the area of certification. After July 1, 1984, the program of study must be not less than nine months in length.

(c) An examination in the area of certification which shall:

(i) measure the theoretical and clinical content denoted in the scope of practice;

(ii) be developed in accordance with generally accepted standards of validity and reliability;

(iii) be open only to registered nurses who have successfully completed the program of study referred to in (2)(b) of this rule.

(d) A recertification process with the objective of maintaining currency of practice in the area of certification. The recertification process shall be required to be completed at least every five years and shall require evidence of continued learning related to the scope of practice.

NEW SECTION

WAC 308-120-325 BOARD APPROVAL OF CERTIFICATION PROGRAMS. (1) A certification program being considered for approval shall submit documentation showing that it meets the requirements of WAC 308-120-315(2).

(2) The board shall periodically review each certification program and may discontinue approval in the event that a certification program no longer meets the requirements of WAC 308-120-315(2).

(3) The board shall notify the certification program of pending review and may request that the program submit further information

regarding its continued compliance with the provisions of WAC 308-120-315(2).

NEW SECTION

WAC 308-120-335 APPLICATION REQUIREMENTS FOR CRN. A registered nurse applicant for designation as a CRN shall:

- (1) Meet the requirements of WAC 308-120-300.
(2) Submit a completed application on a form furnished by the board.
(3) Submit evidence of certification by a certification program approved by the board.
(4) Submit a non-refundable fee as specified in WAC 308-120-260.

NEW SECTION

WAC 308-120-345 RENEWAL FOR CRN DESIGNATION. CRN designation shall be renewed every two years. The applicant shall:

- (1) Maintain a current registered nurse license in Washington.
(2) Maintain current certification from a board approved certification program.
(3) Provide documentation of fifteen contact hours (a contact hour is fifty minutes) of continuing education during the renewal period in the area of certification derived from any combination of the following approved by the board:
(a) formal academic study;
(b) continuing education offerings;
(c) other learning activities.
(4) Submit a non-refundable fee as specified.

NEW SECTION

WAC 308-120-355 TERMINATION OF CERTIFICATION BY THE CERTIFICATION PROGRAM. The CRN shall immediately notify the board of termination of her/his certification from the certification program which was approved by the board.

NEW SECTION

WAC 308-120-360 TERMINATION OF CRN DESIGNATION BY THE BOARD. CRN designation may be terminated by the board when the CRN has:

- (1) practiced outside the scope of practice denoted for the area of certification, or
(2) had her/his certification terminated by the certification program, or
(3) been found in violation of any provision of RCW 18.88.230.

NEW SECTION

WAC 308-120-365 CRN RECOGNITION AT EFFECTIVE DATE. Any registered nurse recognized as a CRN on the effective date of this rule shall continue to be so designated and shall thereafter comply with all board rules regarding certified registered nurses.

AMENDATORY SECTION (Amending Order PL 310, filed 8/17/79)

WAC 308-120-400 CRN PRESCRIPTIVE AUTHORIZATION. (1) A registered nurse licensed under chapter 18.88 RCW when authorized by the Board of Nursing may prescribe drugs pursuant to applicable state and federal laws.

(2) Dispensing of legend drugs is not an authorized activity under the rules pertaining to prescriptive authority.

AMENDATORY SECTION (Amending Order PL 310, filed 8/17/79)

WAC 308-120-410 APPLICATION REQUIREMENTS FOR CRN PRESCRIPTIVE AUTHORITY. A registered nurse (applicant) who applies for (authority) authorization to prescribe drugs shall:

- (1) be currently ((recognized)) designated as a certified registered nurse in Washington ((and shall not be in violation of the provision of RCW 18.88.230));
(2) have been engaged in clinical practice for ((a total of)) one year, either as a requirement of the ((board-approved-national)) certification program approved by the board, or practice subsequent to CRN ((recognition-by-the-board)) designation;

(3) provide evidence of completion of thirty contact hours of education in pharmacology and clinical management of drug therapy related to the applicant's scope of practice and which are:

(a) obtained within a four-year time period immediately prior to the date of application for prescriptive authority. Eight of the thirty contact hours must have been obtained during the year immediately preceding the application.

((i) at least eight contact hours shall be obtained in the year immediately prior to the date of application;))

(b) derived from the following:

(i) study within the CRN ((certification-program)) area of certification;

(ii) study other than (i) above approved by the board; and

(4) submit a completed, notarized application on a form provided by the board accompanied by a ((specified)) nonrefundable fee as specified in WAC 308-120-260.

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 PL 310, filed 8/17/79)

WAC 308-120-420 AUTHORIZED PRESCRIPTIONS BY THE CRN. (1) Prescriptions for drugs shall comply with all applicable state and federal laws.

(2) Prescriptions shall ((specify the indication for use and shall)) be signed by the prescriber with the initials "CRN" and the prescriber's identification number assigned by the board ((with reference to specific CRN practice areas as follows:

Table with 2 columns: Practice Area, Count. Includes: anesthesia -10, midwifery -20, adult health -30, community health -40, family health -50, gerontology -60, maternal-gynecological-neonatal -70, medical/surgical -80, pediatrics -90, psychiatric/mental health -100, occupational health -110, neuro-surgical nursing -120))

(3) Prescriptions for controlled substances in schedules I through IV are ((statutory)) prohibited by RCW 18.88.280(16). ((Controlled substances in Schedule V shall not be prescribed;))

(4) Any CRN with prescriptive authorization who prescribes schedule V controlled substances shall register with the Drug Enforcement Administration and the Pharmacy Board.

AMENDATORY SECTION (Amending Order PL 310, filed 8/17/79)

WAC 308-120-430 TERMINATION OF PRESCRIPTIVE AUTHORIZATION. Prescriptive authorization ((shall)) may be terminated by the board when the CRN has:

(1) not maintained current ((recognition)) designation as a CRN in the area of certification; or

(2) prescribed outside the CRN scope of practice or for other than therapeutic purposes; or

(3) ((been found in violation of chapter 18.88 RCW)) violated provisions of RCW 18.88.230.

AMENDATORY SECTION (Amending Order PL 310, filed 8/17/79)

WAC 308-120-440 PRESCRIPTIVE AUTHORIZATION PERIOD. (1) Prescriptive authorization shall be for a period of two years.

(2) Initial authorization shall expire on the applicant's second birthday ((anniversary date of the applicant)) following initial authorization.

(3) Subsequent renewal periods shall expire on the applicant's birthday ((anniversary date on a)) every two((-) years ((cycle)).

(4) Authorization shall be ((approved-for-renewal)) renewed after ((meeting)) the applicant meets the requirements of WAC 308-120-450.



**AMENDATORY SECTION** (Amending Order PL 310, filed 8/17/79)

WAC 308-120-450 RENEWAL. CRN prescriptive authorization shall be renewed every two years. For renewal of prescriptive authorization, the applicant shall:

- (1) Maintain current CRN ((~~recognition~~)) designation.
- (2) Provide documentation of eight contact hours of continuing education during the renewal period in pharmacology and clinical management of drug therapy related to applicant's ((~~scope of practice approved by the board~~)) area of certification. Continuing education shall be derived from any combination of the following, approved by the board:

((~~(a) derived from any combination of the following approved by the board:~~

- ((~~(i))~~)) (a) formal academic study;
- ((~~(ii))~~)) (b) continuing education offerings;
- ((~~(iii))~~)) (c) other learning activities.
- ((~~(b) obtained within the renewal period:~~))

(3) Submit a completed and notarized renewal application with ((~~specified~~)) nonrefundable fee as specified in WAC 308-120-260.

**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.

**REPEALER**

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

- WAC 308-120-310 CERTIFICATION PROGRAMS APPROVED BY THE BOARD.
- WAC 308-120-320 SCOPE OF PRACTICE OF CERTIFIED REGISTERED NURSE.
- WAC 308-120-330 ARN/SRN REGISTRATION EXPIRATION.
- WAC 308-120-340 CRN APPROVED ASSOCIATIONS AND/OR CERTIFYING BOARDS.
- WAC 308-120-350 CRN CERTIFICATION PROGRAM.

**Reviser's note:** The spelling errors in the above repealer occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

**WSR 82-18-079  
PROPOSED RULES  
THE EVERGREEN  
STATE COLLEGE  
[Filed September 1, 1982]**

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that The Evergreen State College intends to adopt, amend, or repeal rules concerning parking and traffic rules, chapter 174-116 WAC;

that the institution will at 1:30 p.m., Thursday, October 14, 1982, in the Board of Trustees Room, Library 3112, The Evergreen State College, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 28B.40.120(11).

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution before October 5, 1982.

Dated: August 31, 1982  
By: Daniel J. Evans  
President

**STATEMENT OF PURPOSE**

**Campus Parking and Traffic Regulations:** To provide for greater efficiency of vehicular parking and traffic control through the development of revised campus parking and traffic regulations.

Statutory Authority: WAC 174-116-011 through 174-116-270.

**Summary of Rule:** Establishes regulations which expedite college business, protect state property, provide maximum safety and convenience for all and which assure access at all times for emergency vehicles and personnel. These regulations also establish a means to provide funds to maintain suitable campus parking facilities.

**Agency Personnel Responsible for Drafting:** Ken Jacob, Director of Auxiliary Services, The Evergreen State College, TA-00, 866-6194; **Implementation:** Daniel J. Evans, President, The Evergreen State College, TA-00, 866-6100; and **Enforcement:** The Board of Trustees, The Evergreen State College, TA-00, 866-6100.

The Evergreen State College, a public educational institution higher education system of the state of Washington, Olympia, Washington 98505.

Chapter 174-116 WAC  
**((~~CAMPUS PARKING AND TRAFFIC REGULATIONS~~))  
PARKING AND TRAFFIC RULES**

WAC	
174-116-010	Purpose.
174-116-011	Regulations.
174-116-020	Authority.
174-116-030	Enforcement.
174-116-040	(( <del>Scope:</del> )) <u>Parking permits—General information.</u>
174-116-041	Parking permits—Visitors and guests.
174-116-042	Parking permits—Special permits.
174-116-043	Parking permits—Issuance and display.
174-116-044	Parking permits—Validity periods.
174-116-045	Parking permits—Housing residents.
174-116-046	Parking permits—Revocations.
174-116-050	Responsibility.
174-116-060	(( <del>Traffic regulations applicable:</del> )) <u>Designated and assigned parking areas.</u>
174-116-070	(( <del>Speed</del> )) <u>Parking within designated spaces.</u>
174-116-071	Parking—Prohibited places.
174-116-080	Access.
174-116-090	(( <del>Motor vehicle registration:</del> )) <u>Disabled and Inoperative Vehicles—Impounding.</u>
174-116-091	Special parking and traffic regulations and restrictions authorized.
174-116-092	Parking of motorcycles and scooters.
174-116-119	Fines.
174-116-121	Election to pay or contest a citation.
174-116-122	Appeal/hearing procedure.
174-116-123	Establishment of Citation Review Committee.
174-116-124	Jurisdiction of the Citation Review Committee.
174-116-125	(( <del>Valid parking permits:</del> )) <u>Appeal/hearing procedure—Rules of evidence.</u>
174-116-126	Appeal/hearing—Procedure—Review decision.
174-116-127	Appeal/hearing—Mitigation and suspension of fines.
174-116-128	Appeal/hearing—Review decision of Citation Committee.
174-116-180	Bicycle equipment, brakes, lights.
174-116-200	Impounding of vehicles.
174-116-210	Delegation of authority.
174-116-220	Prohibition of Dumping.
174-116-250	Prohibition of literature.
174-116-260	Fines and penalties.
174-116-270	Presumption in reference to illegal parking.

AMENDATORY SECTION (Amending Order 72-7, filed 10/27/72)

WAC 174-116-010 PURPOSE. (1) To expedite college business, protect state property, provide maximum safety and convenience for all.

(2) To assure access at all times for emergency vehicles and personnel.

(3) To provide funds to obtain and maintain suitable campus parking facilities.

~~(4) ((These regulations shall become effective on November 26, 1972-)) To protect and control pedestrian and vehicular traffic.~~

NEW SECTION

WAC 174-116-011 REGULATIONS. Drivers and owners of vehicles on the property of The Evergreen State College are responsible for safe and lawful operation of those vehicles. Individuals operating or parking vehicles on college owned property must at all times comply with the campus regulations, ordinances of Thurston county and laws of the state of Washington.

AMENDATORY SECTION (Amending Order 72-7, filed 10/27/72)

WAC 174-116-020 AUTHORITY. (1) The Evergreen State College through its Board of Trustees is authorized to establish traffic and parking regulations as stated in RCW 28B.10.560. The Board of Trustees reserves the right to add, delete or modify portions of these regulations including the appended fee and fine and penalty schedules in accordance with its regulations and applicable laws. Administration and enforcement of these regulations will be delegated to the Parking and Security Offices.

(2) The Evergreen State College Parking Supervisor is authorized to issue annual, quarterly, daily, car-pool, housing and special permits to park upon the campus. Special permits are issued pursuant to the provisions of these regulations. All outstanding campus parking violations must be satisfactorily settled before a special permit will be issued or renewed.

(3) The authority and powers conferred upon the Parking Supervisor or the Security Chief by these regulations shall be subject to delegation by them to their subordinates.

AMENDATORY SECTION (Amending Order 72-7, filed 10/27/72)

WAC 174-116-030 ENFORCEMENT. ~~((Personnel of the Security Office and any other enforcement agency having jurisdiction shall be responsible for enforcing all of the parking and traffic regulations of the campus:)) Security Office personnel shall be responsible for enforcing traffic regulations on the campus. This shall include all College Parking regulations and "rules of the road" as set forth in Title 46 of the Revised Code of the State of Washington.~~

Whenever a vehicle is observed in violation of the regulations herein set forth, the Parking Personnel shall take the registration number and other identifiable information and shall affix to such vehicle a parking citation in conspicuously visible location.

AMENDATORY SECTION (Amending Order 72-7, filed 10/27/72)

WAC 174-116-040 ~~((SCOPE:))~~ PARKING PERMITS—GENERAL INFORMATION. ((These laws and regulations shall be applicable at all times and on all lands which are or may hereafter be devoted mainly to educational, research, housing, recreational, or parking activities of The Evergreen State College:)) (1) Parking permits are issued by the Parking Office following application and the payment of the appropriate fees. All privately owned motor vehicles parked or left standing unattended on College property are required to display a currently valid Evergreen parking permit during the hours of 7:00 a.m. to 4:00 p.m., Monday through Friday, and at such other times as the college may designate.

(2) Fees for parking permits are as follows:

	<u>Automobile</u>	<u>Motorcycle</u>
<u>Quarterly</u>	<u>16.00</u>	<u>8.00</u>
<u>Annual</u>	<u>40.00</u>	<u>20.00</u>
<u>Daily</u>	<u>.50</u>	<u>.50</u>

NEW SECTION

WAC 174-116-041 PARKING PERMITS—VISITORS AND GUESTS. All visitors, including guests, salespersons, maintenance or service personnel and all other members of the public will park in

available space as directed by The Evergreen State College parking personnel and will pay the established parking fee except as noted below:

(1) Federal, state, county, city, school district and similar governmental personnel, on official business in vehicles with tax exempt licenses, will be admitted without charge.

(2) Vehicles owned by contractors and their employees working on campus construction may be parked within available construction sites or designated areas without charge.

(3) Members of the press, television, radio and wire services, on official business, may park without charge, but must have a permit authorized by the Parking Office to do so.

(4) Taxis and commercial delivery vehicles may enter the campus without payment of the parking fee for pick up and delivery of passengers, supplies and equipment only.

(5) Visitors and guests attending special college events may be parked without charge if prior arrangement has been made with the Parking Office.

(6) Visitors invited to the campus for the purpose of rendering uncompensated services to The Evergreen State College may be parked without charge, provided prior notification is given to the Parking Office.

NEW SECTION

WAC 174-116-042 PARKING PERMITS—SPECIAL PERMITS. (1) Physically handicapped faculty members, staff personnel, visitors, and students may apply through the Parking Office for a special parking permit in a reserved area. Such individuals must obtain a certificate from a physician indicating that special parking assignment is essential in order for them to perform their assigned duties or to attend classes. Such persons, however, must also display on their vehicle a valid daily, quarterly or annual parking permit. State of Washington handicapped "Overtime Parking" permits will be honored as valid on campus.

(2) Salespersons, maintenance and service personnel, persons serving the college without pay, and other visitors who must frequently visit the campus on college business, may be issued a parking permit from the Parking Office, upon request from the division benefiting from the services provided, subject to approval by the Parking Supervisor. Parking on campus will not be provided to persons intending to make personal solicitations from or personal sales to college employees or students.

(3) Overnight or extended period permits may be obtained from the Parking Office for disabled vehicles, field trips or other valid reasons that may necessitate the operator's leaving the vehicle on campus.

NEW SECTION

WAC 174-116-043 PARKING PERMITS—ISSUANCE AND DISPLAY. (1) All parking permits must be positioned so that they are clearly visible and readable from the outside of the vehicle.

(2) Car pool permits may be purchased by faculty, staff and students. One transferable permit will be issued by the Parking Office for each car pool. This permit is transferable only among the registered members of the car pool. The permit must be displayed on the dashboard in the left corner in front of the driver on a registered car pool vehicle.

(3) Annual and quarterly parking permits must be affixed to the vehicle's rear window with the following exceptions:

(a) On convertibles and trucks they may be affixed in the lower left corner of the front windshield.

(b) On station wagons and cars with heated rear windows permits must be affixed in the left rear side window.

(c) Motorcycle permits must be affixed in a conspicuous place.

(4) Daily parking permits shall be placed on the dash board with date stamp facing up, so as to be clearly visible from the exterior of the vehicle.

(5) A parking permit application is required to be on file for each vehicle displaying a permit. Ownership of permits is not transferable except when approved by the Parking Supervisor. The Parking Supervisor can approve replacement of or transfer of a permit under the following conditions:

(a) The person relinquishing ownership and the purchaser appear in person at the Parking Office when requesting a transfer.

(b) The former owner relinquishes all ownership or claims to said permit.

(c) The purchaser qualifies for ownership.

(d) The new owner completes a new application form for the permit.  
 (e) If the vehicle is sold, and for any reason a replacement permit is requested, the old permit must be removed and presented to the Parking Office to be eligible for a replacement or a refund.

(6) Faculty, staff and students may be issued a duplicate car permit for another vehicle either personally owned, family owned, or owned by their employer. Proof of ownership or authorization from the owner for all additional vehicles must be presented. However, two vehicles bearing the same numbered permit may not be parked on campus at the same time unless one also displays a valid daily permit.

(7) Any permit holder may obtain a temporary permit at the Parking Office without charge for another vehicle when the vehicle for which a permit was purchased is unavailable due to repair or for another valid reason. These permits are good for a period of two weeks only, and may not be renewed.

#### NEW SECTION

WAC 174-116-044 PARKING PERMITS—VALIDITY PERIODS. (1) Annual parking permits shall be valid from the date of issue until the first day of the following fall quarter.

(2) Quarterly parking permits shall be valid from the date issued each academic quarter until the first day of the following academic quarter.

(3) Daily permits shall be valid from the time purchased until 4:00 p.m. on the date of purchase.

#### NEW SECTION

WAC 174-116-045 PARKING PERMITS—HOUSING RESIDENTS. Under the following conditions, College Housing residents will, upon request, receive a parking permit at no charge.

(1) Permits must be renewed quarterly.  
 (2) Housing residents must show proof of ownership before permit will be issued.

(3) Free parking will be discontinued when students terminate their contract with Housing.

(4) Housing will verify residency status to the Parking Office.  
 (5) Only one permit per resident will be issued free. Additional permits may be purchased through regular procedures.

(6) Resident parking permits will only be valid for parking in the modular parking areas or in "F" lot. A regularly purchased permit is required for use in all other parking areas.

#### NEW SECTION

WAC 174-116-046 PARKING PERMITS—REVOCATIONS. Permits are licenses and the property of the college, and may be recalled for any of the following reasons:

(1) When the purpose for which the permit was issued changes or no longer exists.

(2) When a permit is used by an unauthorized individual.  
 (3) Falsification on a second car parking permit application.  
 (4) Counterfeiting or altering of permits.

(5) Appeals of permit revocations must be made in accordance with the Institutional Hearing procedures outlined in Citation Review Committee's governing document.

#### AMENDATORY SECTION (Amending Order 72-7, filed 10/27/72)

WAC 174-116-050 RESPONSIBILITY. ~~((The operator or owner, or both, of any vehicle driven in areas covered under the scope of this policy shall be held responsible for obeying all state laws and campus traffic and parking regulations.~~

~~Ignorance of these laws and regulations shall not be an excuse for their violation.))~~ The registered owner or permit holder shall be responsible for all parking violations involving the vehicle on which the permit is displayed.

#### AMENDATORY SECTION (Amending Order 72-7, filed 10/27/72)

WAC 174-116-060 ~~((TRAFFIC REGULATIONS APPLICABLE:))~~ DESIGNATED AND ASSIGNED PARKING AREAS. The motor vehicle laws of the state of Washington and any rules stated herein shall be applicable at all times in areas covered under the scope of this policy.

The College assumes no liability for vehicles operated or parked on college properties. No bailment, but only a license, is created by the purchase and/or issuance of any permit.

(1) No vehicle shall be parked on the campus except in those areas set aside and designated as parking areas.

(2) No vehicle shall be parked in any parking area without a permit for that area.

(3) Vehicles may only park within marked spaces provided in each parking lot.

#### AMENDATORY SECTION (Amending Order 72-7, filed 10/27/72)

WAC 174-116-070 ~~((SPEED))~~ PARKING WITHIN DESIGNATED SPACES. Unless otherwise posted, the maximum speed limit in areas covered under the scope of this policy shall be 25 miles per hour for all motor vehicles and bicycles.

No vehicle shall be parked so as to occupy any portion of more than one parking space or stall as designated within the parking area. The fact that other vehicles may have been so parked as to require the violator to occupy a portion of more than one space or stall shall not constitute an excuse for a violation of this section.

#### NEW SECTION

WAC 174-116-071 PARKING—PROHIBITED PLACES. (1) No person shall stop, stand or park any vehicle so as to obstruct traffic along or upon any street or sidewalk.

(2) No vehicle shall park or stand except momentarily to pick up or discharge passengers:

- (a) At any place where official signs prohibit parking;
- (b) Within 15 feet of a fire hydrant or in fire lanes;
- (c) On any lawn or grass areas except as required for maintenance or construction authorized by the Director of Facilities;
- (d) In areas with posted time limits;
- (e) Within an intersection;
- (f) So as to block a curb cut or driveway;
- (g) Adjacent to a yellow or red painted curb.

#### AMENDATORY SECTION (Amending Order 72-7, filed 10/27/72)

WAC 174-116-080 ACCESS. Privately owned motor vehicles shall be driven only on those roadways designed and built for their use.

Marked "service" drives shall be used only by college employees conducting official business, emergency vehicles, and authorized delivery vehicles. Any and all other vehicles are prohibited from traveling or parking in these areas ~~((for any reason)).~~

Brick-paved and other designated areas are for pedestrian and bicycle traffic only, except as needed for emergency vehicle or for maintenance of buildings or grounds.

#### AMENDATORY SECTION (Amending Order 72-7, filed 10/27/72)

WAC 174-116-090 ~~((MOTOR VEHICLE REGISTRATION:))~~ DISABLED AND INOPERATIVE VEHICLES—IMPOUNDING.

~~((In accordance with state laws, all motor vehicles must be currently licensed and display appropriate plates.))~~ No disabled or inoperative vehicle shall be parked on the campus for a period in excess of 72 hours. Vehicles which have been parked for periods in excess of 72 hours and which appear to be disabled or inoperative may be impounded and stored at the expense of the registered owner. Neither the college nor its employees shall be liable for loss or damage of any kind resulting from such impounding and storage. Notice of intent to impound will be posted on the vehicle 24 hours prior to impound. In any case the owner or operator of a disabled vehicle should notify the Security/Parking Office of the vehicle's location and estimated time of removal or repair.

#### NEW SECTION

WAC 174-116-091 SPECIAL PARKING AND TRAFFIC REGULATIONS AND RESTRICTIONS AUTHORIZED. (1) During special conditions causing additional heavy traffic and during emergencies, the Parking Supervisor is authorized to impose additional traffic and parking regulations and restrictions for the achievement of the specified objectives of these regulations and provide appropriate notice thereof whenever possible.

(2) The Director of Facilities is authorized to erect signs, barricades and other structures and to paint marks and other directions upon the streets and roadways for the regulation of traffic and parking upon state lands devoted mainly to the educational, recreational, or parking activities of The Evergreen State College. Such signs, barricades, structures, markings and directions shall be so made and placed as in

the opinion of the Director of Facilities will best effectuate the objectives of these regulations.

(3) No person without authorization from the Director of Facilities shall move, deface, or in any way change a sign, barricade, structure, marking or direction so placed, or previously placed, for the purpose of regulating traffic or parking.

#### NEW SECTION

WAC 174-116-092 **PARKING OF MOTORCYCLES AND SCOOTERS.** (1) Motorcycles, motorized bicycles and scooters are for the purpose of these regulations considered to be motor vehicles and are subject to all traffic and parking rules and regulations controlling other motor vehicles.

(2) Motorcycles, motorized bicycles and scooters may be parked in designated areas in addition to the regular parking lots.

(3) Motorcycles, motorized bicycles and scooters are not permitted on paths, sidewalks, in buildings or in pedestrian areas at any time.

#### NEW SECTION

WAC 174-116-119 **FINES.** (1) Payment.

(a) Persons cited for violation of these regulations may respond either by filing a written request for a review hearing or as detailed in WAC 174-116-122 or by paying a fine within ten days of receipt of the citation.

(b) All fines are payable to The Evergreen State College cashier. Fines may be paid in person or by mail by sending the citation and amount of fine to The Evergreen State College cashier. The cashier will not discuss the appropriateness of the fine with the payee.

(2) Unpaid.

If any fine remains unpaid after ninety days, the following action will be taken by The Evergreen State College:

(a) Academic registration for the following quarter shall be prohibited.

(b) The College may impound the violator's vehicle.

(c) Transcripts shall be held for any persons having outstanding unpaid fines.

(d) The amount of the fine may be deleted from an employee's paycheck unless payment of the fine has been made.

#### NEW SECTION

WAC 174-116-121 **ELECTION TO PAY OR CONTEST A CITATION.** The summons or parking/traffic violation notice issued pursuant to these regulations shall direct the alleged violator that he/she may elect either to pay the fine applicable to the violation(s) charged or to request a hearing with the Citation Review Committee.

(1) If the alleged violator chooses to pay the fine(s) he/she may do so by paying directly to The Evergreen State College cashier or by mail, forwarding the appropriate amount by check or money order to The Evergreen State College, attention cashier. This shall be accomplished within ten days of the date of citation. Such payment shall constitute a waiver of the right to request a hearing.

(2) If the alleged violator chooses to contest, a written request for a hearing will be filed with the Chairperson of the Citation Review Committee, through the Dean of Student and Enrollment Services. Requests for a hearing may be submitted without posting of the fine within ten days after date of citation.

(3) Failure of an alleged violator to appear before the Citation Review Committee on the date set or to apply for a continuance of the review date shall, unless extenuating circumstances are shown, constitute an admittance of guilt to the complaint and such penalty or fine may be imposed by the Citation Review Committee as is appropriate under the schedule of fines established pursuant to WAC 174-116-260.

#### NEW SECTION

WAC 174-116-122 **APPEAL/HEARING PROCEDURE.** Persons receiving citations for violations of these regulations may choose to appeal the citation through the following procedure:

(1) The initial appeal must be in writing and must be submitted to the chairperson of the Citation Review Committee through the Dean of Student Enrollment Services within ten days of the date of the violation.

(2) The Citation Review Committee will review the written appeal and notify the appellant within ten class days of their decision.

(3) If the initial appeal is rejected by the Citation Review Committee, the appellant may request a hearing before the Citation Review Committee to present his/her case in person. The Citation Review Committee will meet a minimum of once a month (usually the first Wednesday of the month) to hear such cases.

(4) Persons requesting a hearing before the Citation Review Committee must make such request to the chairperson of the Citation Review Committee in writing through the Dean of Student and Enrollment Services within twenty class days of notification of appeal rejection.

(5) The appellant will be notified by the chairperson of the Citation Review Committee of the time and date of such hearing.

Decisions rendered by the Citation Review Committee on cases heard shall be binding except as provided in WAC 174-116-180.

Forms for the purpose of appeal may be obtained from the Dean of Student and Enrollment Services.

#### NEW SECTION

WAC 174-116-123 **ESTABLISHMENT OF CITATION REVIEW COMMITTEE.** The Evergreen State College Citation Review Committee is hereby established, the members of which shall be composed of the following:

(1) One faculty member chosen by the Vice President and Provost;

(2) One exempt staff member chosen by the President;

(3) One classified staff member chosen by the Vice President for Business; and

(4) Two currently enrolled students chosen by the Evergreen Council.

#### NEW SECTION

WAC 174-116-124 **JURISDICTION OF THE CITATION REVIEW COMMITTEE.** The Citation Review Committee established by these regulations shall have jurisdiction to hear and review citations involving alleged violations of these rules and to render a judgment as to the validity of such citations.

#### AMENDATORY SECTION (Amending Order 77-3, filed 12/16/77)

WAC 174-116-125 ~~((VALID PARKING PERMITS:))~~  
APPEAL/HEARING PROCEDURE—RULES OF EVIDENCE. Quarter periods are defined as fall, winter, spring and summer. Annual permits are valid for one calendar year, quarterly permits are valid until the beginning of the next quarter as listed on the academic schedule, monthly permits are valid for one calendar month, daily permits are valid for date stamped only.

The rules of evidence applicable to courts of law shall apply and any oral or documentary evidence may be received, but the chairman of the Citation Review Committee may exclude such evidence as is irrelevant, immaterial or unduly repetitious.

#### NEW SECTION

WAC 174-116-126 **APPEAL/HEARING—PROCEDURE—REVIEW DECISION.** Upon conclusion of the review, the chairman of the Citation Review Committee shall render the decision of the review committee as to guilty or not guilty and shall assess fines or penalties not in excess of the schedule of fines set forth in WAC 174-116-260. The decision shall be recorded in the records maintained by the Parking Office and the chairman of the Citation Review Committee shall endorse his/her signature therein, certifying the record to be correct.

#### NEW SECTION

WAC 174-116-127 **APPEAL/HEARING—MITIGATION AND SUSPENSION OF FINES.** Upon the showing of good cause of mitigating circumstances, the Citation Review Committee may impose any lesser fine than those established in WAC 174-116-260 of these regulations or may dismiss the fine. The chairman may grant an extension of time within which to comply with the review decision.

#### NEW SECTION

WAC 174-116-128 **APPEAL/HEARING—REVIEW DECISION OF CITATION COMMITTEE.** Upon conclusion of the review, if an individual wishes, an appeal of the review may be made

within ten days by petitioning the President for a formal hearing in accordance with WAC 174-108-06005.

**AMENDATORY SECTION** (Amending Order 72-7, filed 10/27/72)

WAC 174-116-180 BICYCLE EQUIPMENT, BRAKES, LIGHTS. (~~RCW 46.61.780: Lamps and other equipment on bicycles. As a matter of information, Washington law~~) As a matter of information, Washington law (RCW 46.61.780: Lamps and other equipment on bicycles) requires that:

(1) Every bicycle when in use during the hours of darkness as defined in RCW 46.37.020 shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear of a type approved by the State Commission on Equipment, which shall be visible from all distances from 50 feet to 300 feet to the rear when directly in front of lawful upper beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to the red reflector.

(2) Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.

**NEW SECTION**

WAC 174-116-200 IMPOUNDING OF VEHICLES. Any vehicle parked upon property of The Evergreen State College in violation of these regulations, including the motor vehicle and other traffic laws of the state of Washington may be impounded or immobilized and taken to such place for storage as the Campus Parking Supervisor selects. The expense of such impounding and storage shall be charged to the owner or operator of the vehicle and paid by him/her prior to its release. The college and its employees shall not be liable for loss or damage of any kind resulting from such immobilization, impounding and/or storage.

**NEW SECTION**

WAC 174-116-210 DELEGATION OF AUTHORITY. The authority and powers conferred upon the Parking Supervisor or the Security Chief by these regulations shall be subject to delegation by them to their subordinates.

**NEW SECTION**

WAC 174-116-220 PROHIBITION OF DUMPING. No person shall dump any materials on the campus without authorization.

**NEW SECTION**

WAC 174-116-250 PROHIBITION OF LITERATURE. Distribution of literature by placing the same on motor vehicles parked on the premises of The Evergreen State College is hereby prohibited. Literature includes but is not limited to pamphlets, flyers, or stickers.

**NEW SECTION**

WAC 174-116-260 FINES AND PENALTIES. The following schedule of fines for violations of the rules listed in chapter 174-116 WAC is hereby established:

No.	Offense	Maximum Fine
1.	No valid permit	\$500.00
2.	Overtime parking	15.00
3.	Improper position	5.00
4.	Parked where signs prohibit	15.00
5.	Parked within 15 feet of hydrant	15.00
6.	No parking of Handicapped Zone	15.00
7.	Parked within intersection	10.00
8.	Within 30 feet of intersection	5.00
9.	Blocking curb cut/driveway	10.00
10.	Parked at painted curb	10.00
11.	Parked in prohibited zone	15.00
12.	Obstructing traffic	10.00
13.	Parked in bus zone	15.00
14.	Parked in fire lane	15.00
15.	Altered permit	25.00
16.	Other violations of TESC Parking and Traffic Regulations	10.00

**NEW SECTION**

WAC 174-116-270 PRESUMPTION IN REFERENCE TO ILLEGAL PARKING. In any hearing alleging the violation of any parking regulation, proof that the particular vehicle described was stopping, standing or parked in violation of any such regulation together with proof that the person named in the complaint at the time of such violation was the registered owner or permit holder of such vehicle shall constitute in evidence a prima facie presumption that the owner was the person who parked or placed such vehicle in the location the violation occurred.

**REPEALER**

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

- (1) WAC 174-116-115 PARKING PERMIT REGULATIONS.
- (2) ~~WAC 174-116-135~~ PARKING PERMITS DISPLAYED.
- (3) ~~WAC 174-116-140~~ PARKING AREAS.
- (4) ~~WAC 174-116-150~~ VIOLATION, PENALTY, IMPOUNDING.

**WSR 82-18-080**

**EMERGENCY RULES**

**DEPARTMENT OF FISHERIES**

[Order 82-124—Filed September 1, 1982]

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

I, Rolland A. Schmitten, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is the allowable troll catch of Washington coastal coho stocks has been reached.

These 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 the agency 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) in the adoption of these rules.

APPROVED AND ADOPTED September 1, 1982.

By Rolland A. Schmitten  
Director

**NEW SECTION**

WAC 220-47-50300A TROLL LINE CLOSED AREAS Notwithstanding the provisions of WAC 220-47-507, effective 12:01 a.m. September 2, 1982, it is unlawful to take, fish for or possess salmon taken for commercial purposes with troll line gear from the waters of Puget Sound Salmon Management and Catch Reporting Area 4B.

**WSR 82-18-081**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
 [Filed September 1, 1982]

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 effective date of increase or decrease in grant, amending WAC 388-33-140.

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

David A. Hogan, Director  
 Division of Administration  
 Department of Social and Health Services  
 Mailstop OB 33-C  
 Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact William B. Pope, Chief, Office of Administrative Regulations, at State Office Building #2, 12th and Franklin, Olympia, Phone (206) 753-7015, by September 22, 1982. The meeting site is in a location which is barrier free;

that the agency will at 10:00 a.m., Wednesday, October 6, 1982, in the General Administration Building Auditorium, Olympia, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 13, 1982.

The authority under which these rules are proposed is RCW 74.08.090.

The specific statute these rules are intended to implement is Title 74 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 6, 1982.

Dated: September 1, 1982

By: David A. Hogan  
 Director, Division of Administration

#### STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Re: Amending WAC 388-33-140.

The Purpose of the Rule or Rule Change: To clarify policy and reduce expenditures.

Statutory Authority: RCW 74.08.090.

Summary of the Rule or Rule Change: When a person is added to a public assistance grant, the effective date will be the first of the month following the month in which the change is reported instead of the month the person entered the household.

Person or Persons Responsible for the Drafting, Implementation and Enforcement of the Rule: Gerry Nelson, Program Manager, Division of Income Assistance, Mailstop: OB 31C, Phone: 3-3177.

These rules are not necessary as a result of federal law, federal court decision, or state court decision.

AMENDATORY SECTION (Amending Order 1852, filed 7/30/82, effective 9/1/82)

WAC 388-33-140 EFFECTIVE DATE OF INCREASE OR DECREASE IN GRANT. (1) Increase or reduction in grant:

(a) When a change in circumstances results in an increase or reduction of the assistance grant the effective date of change is the first of the following month providing that the change is reported to the local office by the 21st day of the month.

(b) If the change in circumstances is not reported to the local office by the 21st day of the month the effective date of change is the first of the second month following the month in which the change of circumstances occurred.

(c) If a change of circumstances resulting in a decrease in the grant amount is not reported until the month following its occurrence and after the 21st day of the month in which it is reported an overpayment shall be established.

(d) When a person is added to a grant, the effective date of change shall be the first of the month following the month in which the (~~person entered the household~~) change was reported.

(2) The effective date shall never precede the date the circumstances actually changed.

(3) Change in grant involving a cancelled warrant:

When a warrant is cancelled and assistance is to be reissued by an adjusting payment, the effective date of the grant as recomputed by the state office is the first of the month covered by the cancelled warrant. If, according to the rule in subsection (1) of this section, any assistance is due the recipient for a month prior to that covered by the cancelled warrant, the local office shall authorize a one-time grant.

**WSR 82-18-082**  
**PROPOSED RULES**  
**SECRETARY OF STATE**  
 [Filed September 1, 1982]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Office of the Secretary of State intends to adopt, amend, or repeal rules concerning procedures and fees applicable to limited partnership filings at the Office of the Secretary of State;

that such agency will at 10:00 a.m., Wednesday, October 6, 1982, in the House Rules Room, Legislative Building, Olympia, Washington, conduct a hearing relative thereto.

The adoption, amendment, or repeal of such rules will take place immediately following such hearing.

The authority under which these rules are proposed is RCW 25.10.600 through 25.10.610 and sections 187(2), 191 and 193, chapter 35, Laws of 1982.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to October 6, 1982, and/or orally at 10 a.m., Wednesday, October 6, 1982, House Rules Room, Legislative Building, Olympia, Washington.

Dated: September 1, 1982

By: Laura E. Eckert  
 Assistant Secretary of State

#### STATEMENT OF PURPOSE

Title of Proposed Rules: Chapter 434-55 WAC, Limited Partnership Filing Procedures and Fees.

Purpose of the Proposed Rules: To establish procedural requirements and fees for limited partnership filings at the Office of the Secretary of State and to fully implement the centralized limited partnership filing system established by the 1981 Washington Uniform Limited Partnership Act.

Statutory Authority for the Proposed Rules: RCW 25.10.600 through 25.10.610, sections 187(2), 191 and 193, chapter 35, Laws of 1982.

Summary of the Proposed Rules: In connection with limited partnership filings: identifies filing office hours and location; states required format for certain filings; clarifies procedural filing requirements for document execution and legibility; clarifies requirements for specified office and specified agent designation; establishes a non-mandatory cover sheet document review system; clarifies status of limited partnership filings previously made at the county clerks' offices; establishes regular document filing fees and fees for special expedited services.

Reason for the Proposed Rules: Regulations governing limited partnership filings at the Office of the Secretary of State are required by the 1981 Washington Uniform Limited Partnership Act.

Agency Personnel Responsible for Drafting, Implementation and Enforcement of the Proposed Rules: Laura Eckert, Assistant Secretary of State, Office of the Secretary of State, Olympia, Washington 98504, (206) 753-7123; Helen Morris, Corporations Division Supervisor, Office of the Secretary of State, Olympia, Washington 98504, (206) 753-2896.

Person or Agency Proposing the Rules: Office of the Secretary of State.

Agency Comments on Recommendations Regarding Statutory Language, Implementation, Enforcement or Fiscal Matters Pertaining to the proposed Rules: None.

Small Business Economic Impact: Not applicable or none quantifiable.

The proposed rules apply to all limited partnership filings to be made at the Office of the Secretary of State after October 1, 1982, under the 1981 Washington Uniform Limited Partnership Act. There is presently no way to determine whether "twenty percent of all industries, or more than ten percent of any one industry" will be affected by the proposed regulations. The adopting agency believes those conditions will not be present, but files this statement in view of the remote possibility those conditions might occur, and thereby trigger the requirement for a small business economic impact statement. The proposed regulation is procedural (to implement a statutorily-required document filing system), not regulatory or of a design criteria nature. The only costs to be incurred by an affected business are document filing or special service fees. These fees relate to the actual legal establishment, amendment or certification of a limited partnership by means of a statutorily-required filing or document. The fees are not a continuing cost or regulatory or penalty fee for the limited partnership. It is not legal or feasible to exempt small businesses from the procedural requirements implementing the 1981 Washington Uniform Limited Partnership Act.

These proposed rules are not necessary because of federal law or federal or state court action.

#### NEW SECTION

WAC 434-55-010 PURPOSE AND AUTHORITY. These regulations are adopted pursuant to RCW 25.10.600-.610 and Sections 187(2), 191, 193, Chapter 35, laws of 1982, to implement a centralized system for limited partnership filings at the Office of the Secretary of State.

#### NEW SECTION

WAC 434-55-015 FILING OFFICE LOCATION AND ADDRESS. (1) Effective October 1, 1982, limited partnership filings under Chapter 25.10 RCW are to be made at the Office of the Secretary of State, Olympia, Washington, rather than at the offices of the respective county clerks.

(2) Effective October 1, 1982, limited partnership filings will be handled by the Corporations Division of the Office of the Secretary of State.

(3) Mail address for the Corporations Division is: Corporations Division, Office of the Secretary of State, Olympia, WA 98504. Use of any other address may delay mail delivery.

(4) The offices of the Corporations Division are located at 500-A State Modular Office Building, Airdustrial Way and Armstrong Street SW, Tumwater, Washington. To reach the division's offices, take Exit 102, Interstate 5 (Trospen Road exit), go east two blocks to Capitol Boulevard, turn south on Capitol Boulevard, drive one mile to Airdustrial Way, turn right on Airdustrial Way, go one-half mile. The State Modular Office Building is on the south (airport) side of Airdustrial Way; the division is located in the northwest corner of the building.

#### NEW SECTION

WAC 434-55-016 OFFICE HOURS. (1) Hours of operation for personnel in the division are 8:00 a.m. to 12 noon and 1:00 to 4:30 p.m., Monday through Friday.

(2) Over-the-counter or walk-in, same-day processing of documents is available only between 8:30 - 11:30 a.m. and 1:00 to 3:30 p.m. each day. Documents can be received, but not processed on a same-day basis, at other times when the office is open. Same-day or expedited counter service is available at other hours only under exigent circumstances or by approval of the supervisor of corporations.

(3) Certain expedited or over-the-counter services are subject to the special service fees established elsewhere in these regulations.

#### NEW SECTION

WAC 434-55-020 DOMESTIC LIMITED PARTNERSHIPS—REQUIREMENTS FOR FILING. (1) A domestic limited partnership certificate will be accepted for filing when duplicate originals thereof which comply with the requirements of the 1981 Washington Uniform Limited Partnership Act are submitted to the Secretary of State with applicable fees as established in these regulations.

(2) The limited partnership certificate must set forth at a specific geographic address in this state the specified office at which records will be kept pursuant to RCW 25.10.050. The specified office address may be, but is not required to be, identical to the specified agent's address.

(3) The limited partnership certificate must set forth an address of the specified agent which is at a specific geographic location in this state, identified by number, if any, and street or building address or rural route, or, if a commonly known street or rural route address does not exist, by legal description. A specified agent's address may not be identified solely by post office box number or other non-geographic address. For purposes of mail communications from the Secretary of State, the Secretary of State will permit the use of a post office address in conjunction with a specified agent's street address, provided the post office box address is in the same Washington city as the street address.

(4) The limited partnership certificate submitted to the Secretary of State must leave at least 3 vertical inches of space at the top of the first page of the certificate. This space will be used by the Secretary of State to indicate the filing acceptance and filing date of the certificate.

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

#### NEW SECTION

WAC 434-55-030 FOREIGN (OUT-OF-STATE) LIMITED PARTNERSHIPS—REQUIREMENTS FOR FILING. (1) A foreign limited partnership must identify a specified office and a specified agent in the same manner as set out in WAC 434-55-025.

(2) A foreign limited partnership will be accepted for filing and issuance of a certificate of registration when it submits:

(a) An application in compliance with the requirements of RCW 25.10.490-.510, and

(b) The requisite fees for filing.

(3) The Secretary of State does not provide specific forms for the application for a certificate of registration of a foreign limited partnership.

(4) A foreign limited partnership which in its application designates the Secretary of State as its only specified agent must maintain at the Secretary of State's office a current address of its principal place of business in its home state and current address(es) of its general partner(s). Such addresses must be maintained in a current manner so as to facilitate the Secretary of State's forwarding of any documents received as specified agent. Failure to maintain current addresses at the Secretary of State's office may be cause for involuntary revocation of the certificate of foreign limited partnership.

#### NEW SECTION

**WAC 434-55-035 INDEX SHEET REVIEW.** A new domestic limited partnership filing may use an index sheet or cover sheet to assist the Secretary of State's review of the documents presented for filing.

The index sheet shall list the following in this order, and provide a reference to the page number of the underlying document on which the information requested will be found:

- (1) The name of the limited partnership;
- (2) The character of its business;
- (3) The specified office address;
- (4) The specified agent's name and address;
- (5) The page or pages whereon the names and addresses of each partner are identified;
- (6) The time at which and any earlier events upon the happening of which the limited partnership is to be dissolved and its affairs wound up;
- (7) The page or pages on which executing signatures are located.

The index cover sheet shall be signed by a partner or agent of the corporation. The index sheet may be, but is not required to be, submitted in duplicate.

#### NEW SECTION

**WAC 434-55-040 EXECUTION OF DOCUMENTS, DUPLICATE ORIGINALS AND REPRODUCTION QUALITY.** (1) At any time that the statute requires a limited partnership filing with the Secretary of State to be in duplicate form, the Secretary of State will accept the following:

- (a) Two original copies, each with original signatures; or
- (b) Two original copies, one with original signatures and one with true and correct copies of the original signatures; or
- (c) One original with original signatures and a true and correct photocopy thereof.

In the case of duplicate originals submitted with only one original and one copy thereof, the Secretary of State will retain as its official file copy the certificate or filing with original signatures and will return to the limited partnership for its records the document version bearing copied or non-original signatures.

(2) (a) Certificates for domestic limited partnerships shall be executed as provided in RCW 25.10.110.

(b) Filings for foreign limited partnerships must be signed and sworn to by at least one general partner of the foreign limited partnership. The Secretary of State will accept as a "sworn" document an application or amendment witnessed by an appropriate notary or official of the foreign limited partnership's home state, or a statement that the signature of the general partner is executed under penalties of perjury, and is, to the best of his or her knowledge, true and correct.

(3) All documents presented to the Secretary of State for filing under the limited partnership act shall be of no larger size than standard legal paper (8-1/2 x 14). At least one copy of the materials shall be submitted in a form which is suitable for future microfilming or reproduction by a similar photographic process. The Secretary of State will not accept documents for filing which are not typed, or with illegible text and signatures.

#### NEW SECTION

**WAC 434-55-050 NAME RESERVATION OR REGISTRATION.** A name for a domestic limited partnership may be reserved (or, in the case of a foreign limited partnership, registered) by filing an application therefor and paying the applicable fee. The applicant may use the Secretary of State's form for registration/reservation of name, or may submit a written request. A written request must identify the

name desired, the fact that it is requested for a limited partnership, the entity for which the name is to be reserved or registered, the agent making the request and his/its address, and must be signed by the agent, partner or other authorized representative of the limited partnership.

In view of the increasing competition for business names, persons making name reservation requests are advised to submit up to three prioritized names per request. The Secretary of State will review the names requested in order of priority indicated and will reserve the available name of highest priority. If no name reservation can be accepted, the reservation (registration) fee is returned to the requestor.

#### NEW SECTION

**WAC 434-55-055 PRE-OCTOBER 1, 1982 LIMITED PARTNERSHIP FILINGS.** (1) Except as otherwise provided by law or these regulations, limited partnership filings originally made at the respective county clerks' offices before October 1, 1982, shall be deemed to be filings at the Secretary of State's office, and shall continue in full force and effect as when previously filed at the respective county clerks' offices. No additional registration or refiling shall be required for pre-October 1, 1982 limited partnerships.

(2) Pre-October 1, 1982 conflicts between limited partnership names in the separate 39 counties' files, between filings in the same county, and between pre-October 1, 1982 limited partnership filings and active corporation filings since 1889 render a satisfactory integration of pre-October 1, 1982 limited partnership filings into the corporate name protection system impossible. Except as provided below, the Secretary of State will therefore not consider or research the name of any pre-October 1, 1982 limited partnership in determining whether a proposed name for a post-October 1, 1982 limited partnership is acceptable under RCW 25.10.020. The post-October 1, 1982 name will be checked as against other post-October limited partnership names and the names of active profit and non-profit corporations registered at the Office of the Secretary of State.

Nothing in this section is intended to limit any judicial remedies which may be available to a pre-October 1, 1982 limited partnership for protection of its business name. In addition, if the probable existence of a name conflict between (a) a specific pre-October 1, 1982 limited partnership, and (b) a post-October 1, 1982 limited partnership filing that would have been filed in that same county if the centralized system had not been established, is brought to the attention of the Secretary of State, the Secretary of State may determine that an unacceptable conflict exists and/or would be perpetuated if the proposed name of the post-October 1, 1982 limited partnership were accepted. Under those circumstances, the Secretary of State may refuse to accept the proposed name without modification, or without consent of the existing pre-October 1, 1982 limited partnership, sufficient to comply with RCW 25.10.020.

#### NEW SECTION

**WAC 434-55-060 DOCUMENT FILING FEES—LIMITED PARTNERSHIPS.** The following fees are due and must be submitted concurrently with the limited partnership documents presented to the Secretary of State for filing under the Washington Uniform Limited Partnership Act:

(1) Filing of a certificate of limited partnership for a domestic or foreign limited partnership: \$75.00 with index sheet, \$100.00 without (domestics); \$75.00 (foreigns)

(2) Filing of a certificate of cancellation for a domestic or foreign limited partnership: \$25.00

(3) Filing of a certificate of amendment for a domestic or foreign limited partnership: \$25.00

(4) Filing an application to reserve or transfer a limited partnership name: \$10.00 to reserve.

(5) Filing any other statement or report: \$10.00

(6) Furnishing a certified copy of any certificate of limited partnership: \$5.00 plus \$.20 per page copied.

(7) Furnishing a certified copy of any other document, instrument, or paper relating to a limited partnership: \$5.00, plus \$.20 per page copied.

(8) Furnishing a certificate, under seal, attesting to the status (recording) of a limited partnership: \$5.00

(9) Furnishing copies of any document, instrument, or paper relating to a limited partnership: \$1.00 first page. \$.20 each page thereafter

(10) Service of process on the Office of the Secretary of State as agent of a limited partnership: \$25.00



All fees under this section are general fund fees and do not support services or operations of the Office of the Secretary of State.

#### NEW SECTION

**WAC 434-55-065 IN-PERSON OR EXPEDITED COUNTER SERVICE—SPECIAL FEES.** (1) Same-day processing of limited partnership documents is available during counter-service hours (8:30-11:30 a.m., 1:00-3:30 p.m.) at the offices of the corporations division.

(2) Fees for same-day services provided in-person, over-the-counter at the corporations division are as follows:

(a) A copy of limited partnership records: Five dollars expedited service fee plus regular fees;

(b) Certificate or certified copies: Five dollars expedited service fee, plus regular fee;

(c) Same-day processing of limited partnership charter documents: Ten dollars expedited service fee per document, plus regular fees for the form of the filing;

(d) Same-day processing of name reservation or registration requests: Ten dollars expedited service fee, plus regular filing fee for each action or document processed;

(e) Processing of service-of-process on the Secretary of State on a same-day basis: Ten dollars expedited service fee, plus regular \$25.00 service-of-process fee, for each action or document filed;

(f) Same-day processing of any other documents or materials submitted for filing under the limited partnership laws: Ten dollars expedited service fee, plus any other applicable statutory fee, for each action or document processed;

(g) Search of pre-October 1, 1982 limited partnerships: Ten dollars expedited search fee, for each request.

(3) (a) Special service fees, as established above, will be charged when same-day, over-the-counter service is requested. (Allow four-hour turn-around time for same-day service.) If the Office of the Secretary of State is unable to complete the requested action, by approval, denial or other definite disposition of the matter, by 4:30 p.m. of the day of receipt, the documents or other work will be processed first on the following business day.

(b) If special emergency services beyond same-day or over-the-counter services are provided by the division, including but not limited to delivery of documents, employee overtime, special copying, certifying or approval of materials, special research, or making long-distance phone calls related to the emergency situation, a special emergency fee of \$75.00 per hour will be charged, in addition to regular fees which may be due for the form of the filing. When a request qualifying as an emergency is received by the agency, the agency will notify the requestor of the emergency service fee. The requestor must agree to the fee and any other reasonable conditions set by the agency before emergency services will be provided. Emergency requests require intensive amounts of agency effort for a short period, and will not be accepted by the agency except under exigent and compelling circumstances.

(4) Because of limited staff, the corporations division reserves the right to limit the availability of counter service or to limit the number of service requests submitted by one person during one day.

(5) There are no fees or other expedited service charges for:

(a) In-person inspection or review of limited partnership or other public records located at the corporation division offices;

(b) Documents or other service requests left at the corporations division for regular, non-expedited processing. Such documents will be receipt-stamped only, and reviewed and processed as if otherwise received in the mail.

#### NEW SECTION

**WAC 434-55-066 MISCELLANEOUS CHARGES—SPECIAL SERVICE FEES.** (1) Dishonored Checks. If a person, corporation or other submitting entity has attempted to pay any fee due to the Secretary of State by means of a check, and the check is dishonored by the financial institution when presented, the Secretary of State will impose a seven-dollar reprocessing fee, payable to the Secretary of State.

In the event a valid replacement check and dishonor charge is not received in the Office of the Secretary of State within the time prescribed by its accounting division, the transaction covered by the dishonored check will be cancelled and all other late filing fees and penalties will be instituted.

(2) Error in Document – Resubmission Fees. If a person or limited partnership submits a limited partnership document for filing to the Office of the Secretary of State and the document must be returned to

sender for correction of one or more of the errors identified below, a resubmission fee of three dollars to cover postage and handling will be assessed by the Secretary of State when the documents are returned to sender. Reasons for document rejection which will trigger a resubmission fee are:

(a) Submission of limited partnership document(s) lacking required signature(s), required duplicate copies, information required by the limited partnership statute for the form of the filing, or required supportive documents.

(b) Submission of limited partnership filings without proper document filing fees (WAC 434-55-060) attached.

**WSR 82-18-083**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
[Filed September 1, 1982]

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 general assistance, amending chapter 388-37 WAC.

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

David A. Hogan, Director  
Division of Administration  
Department of Social and Health Services  
Mailstop OB 33-C  
Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact William B. Pope, Chief, Office of Administrative Regulations, at State Office Building #2, 12th and Franklin, Olympia, Phone (206) 753-7015, by September 22, 1982. The meeting site is in a location which is barrier free;

that the agency will at 10:00 a.m., Wednesday, October 6, 1982, in the General Administration Building Auditorium, Olympia, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 13, 1982.

The authority under which these rules are proposed is RCW 74.08.090.

The specific statute these rules are intended to implement is Title 74 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 6, 1982.

Dated: September 1, 1982

By: David A. Hogan  
Director, Division of Administration

#### STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Re: Amending WAC 388-37-010 through 388-37-050.

Purpose of the Rule Change: To provide more objective criteria for determining incapacity and sanctions for failure to use available treatment.

The Reason(s) these Rules are Necessary: To assure the incapacity of recipient of general assistance recipients.

Statutory Authority: RCW 74.04.005(6).

Summary of Rule Changes: Requires documentation of incapacity based on clinical signs and laboratory findings; specifies who can provide medical information; and requires utilization of treatment to overcome the incapacity and establishes sanctions for failure to do so.

Persons Responsible: Barbara Lamberth, Program Manager, Division of Income Assistance, 753-3340, OB-31C.

These rules are not necessary because of federal law, federal court decisions or state court decisions.

#### AMENDATORY SECTION (Amending Order 1681, filed 7/17/81)

WAC 388-37-010 CONTINUING GENERAL ASSISTANCE—EXCLUSIONS. (1) Continuing general assistance is a state financed program which provides for the needs of some persons who are not eligible for a federal aid grant; except as provided in WAC 388-37-010(2) and whose need is expected to continue for more than a sixty day period, except as provided in WAC 388-37-030(3)(d).

(2) Continuing general assistance cannot be granted to a person eligible for or receiving AFDC or to a person eligible for or whose needs are being met by supplemental security income with the following exceptions:

(a) An applicant who appears to be eligible for SSI may receive continuing general assistance payments until the date of receipt of the initial SSI payment provided that:

- (i) The applicant applies;
- (ii) The applicant assigns the initial SSI payment to DSHS up to the amount of the GAU provided to the applicant pending approval of the SSI application;
- (iii) The applicant meets all other general assistance eligibility requirements.

(b) When determining the amount of the initial SSI payment, do not include any advance payment or payment based upon presumptive disability or presumptive blindness. These payments are not considered SSI benefit payments for interim assistance purposes.

(c) If the amount of the initial SSI payment recovered by DSHS does not meet the amount paid as GAU, the balance must be treated as an overpayment.

If the SSI benefit is less than the GAU payment standard because the SSI is based on a different living arrangement than that authorized under the GAU program, the difference will not be considered an overpayment, provided the applicant has appealed the SSI determination and lost the final appeal.

~~((e))~~ (d) An AFDC parent in need of intensive treatment (thirty days or less) in an approved alcoholic treatment facility may be granted continuing general assistance for the cost of treatment. This payment is made through the vendor billing procedure.

~~((f))~~ (e) Effective March 31, 1981, an SSI recipient whose SSI check has been lost, stolen, missent or otherwise delayed, provided that the recipient agrees in writing to repay the amount of GA-U assistance issued, and the applicant meets all other GA-U eligibility requirements.

(3) Continuing general assistance cannot be granted to a recipient of supplemental security income when he is subject to any sanction for failure to comply with SSI eligibility requirements.

(4) When an SSI check is lost in the mail system, issuance of GA-U will be held in abeyance for ten working days from the first of the month in which the check was issued to allow the warrant to be returned or delivered. If the recipient has an emergent need, the ten-day period may be waived by the CSO administrator.

#### AMENDATORY SECTION (Amending Order 1661, filed 6/3/81)

WAC 388-37-032 CONTINUING GENERAL ASSISTANCE—DETERMINATION OF INCAPACITY. (1) Eligibility due to incapacity shall be determined by ~~((an))~~ a CSO incapacity review team in accordance with the criteria in WAC 388-37-035.

(2) The incapacity review team shall:

(a) ~~((Beginning May 15, 1981,))~~ Consider medical and other related evidence of the incapacitating condition and make a decision confirming or denying the existence of eligibility due to incapacity within forty-five days of the date of application, except in circumstances beyond the control of the agency such as failure or delay in securing necessary information or documentation on the part of the applicant, the examining physician or other source of documentation.

(b) Request additional information when necessary.

(c) Determine probable duration of incapacity. The probable duration shall be related to the prognosis for the condition as predicted by the medical evidence but shall not exceed twelve months without a re-determination of incapacity.

(d) Recommend available medical treatment which has been prescribed by competent medical authority; either by the person providing medical evidence or the medical consultant, and the treatment outcome can reasonably be expected to render the client able to work.

~~(3) ((Beginning May 15, 1981,))~~ Eligibility cannot be established if an applicant ~~((or recipient))~~ fails to cooperate in obtaining information documenting incapacity. Continued failure to so cooperate during the ten-day period following the mailing of a letter to the applicant's ~~((or recipient's))~~ last known address specifically citing the required cooperation shall be grounds for denial of the application for ~~((or termination of,))~~ assistance (see WAC 388-38-265).

(4) Cost of necessary medical reports to determine incapacity shall be paid by the department. Payment for such reports shall not be made to DSHS agencies.

#### AMENDATORY SECTION (Amending Order 1819, filed 6/2/82)

WAC 388-37-035 INCAPACITY—DETERMINATION OF INCAPACITY. (1) The term "incapacity" refers to the existence of a physiological, emotional and/or mental impairment which renders the person incapable of gainful employment.

(a) Such incapacity must be verified by medical evidence as specified in WAC 388-37-035(2).

(b) The person must be substantially prevented by reason of the impairment from engaging in a useful occupation. Reasons for unemployment other than incapacity, such as individual employer preferences, business and economic conditions, social handicaps, etc., are not factors to be considered in determining his inability to obtain and continue in employment.

(2) The source of evidence for physiological incapacity will be a written report from a physician ~~((or chiropractor,))~~ for a mental incapacity, the source may be a report from a psychiatrist ~~((or,))~~ clinical psychologist, or mental health professional. Supplemental medical evidence may be obtained from ~~((other))~~ a nurse practitioner, physician's assistant, or DSHS institutions and agencies from which the individual is receiving or has received services. Such reports must include a diagnosis and prognosis for the incapacitating condition and the effect of the condition on the individual's ability to function.

(3) The determination of incapacity will be made on the facts of each case. This requires evaluation of the severity of the impairment and its effect on the individual, and consideration of the individual's abilities, so that it can be determined whether there remains a capacity to engage in a useful occupation.

~~((4))~~ Incapacity due to mental disorders shall be determined on the basis of actual and specific impairment of faculties necessary for the person to be able to engage in gainful employment. The fact that an individual may be receiving treatment for a mental health problem is not in itself evidence that incapacity exists.

(5) Such incapacity will be determined on the basis of evidence that the individual:

(a) Is unable to exercise judgment and make decisions necessary to obtain and maintain employment;

(b) Is unable to sustain an adequate attention span;

(c) Manifests bizarre or inappropriate behavior patterns beyond his capability to control;

(d) Does not have the degree of physical and motor control required to sustain employment;

(e) Does not have perception and memory to the degree necessary to obtain and sustain employment;

(f) Is unable to follow directions or to learn to the degree necessary to obtain and sustain employment;

(g) Is under medication which impairs functioning;

(h) Any one or a combination of the conditions in subdivisions (a) through (g) may be sufficient to establish incapacity.

(6) Incapacity will be considered to be established without an incapacity review team decision when the person:

- (a) Deleted;
- (b) Has been determined to be eligible for any benefits based on social security administration disability criteria;
- (c) Is eligible for services from the division of developmental disabilities;
- (7) Incapacity will be considered established for a period of sixty days without an incapacity review team decision when the person is being released from inpatient psychiatric treatment.
- (8) Incapacity due to alcoholism will be considered to be established when an individual is admitted as a resident into intensive or long-term treatment at an alcoholism treatment center or recovery house services as defined in WAC 275-19-020.

(9) Incapacity due to abuse of drugs other than alcohol will be considered to be established for a designated period when an individual is admitted as a resident into a certified residential drug treatment program, or certified detoxification program or is accepted into a certified methadone (or approved substitute) maintenance program.

(a) In accordance with the above criteria, incapacity will be considered to be established for the following maximum periods of time:

- (i) Detoxification—thirty days;
- (ii) Maintenance—sixty days;
- (iii) Residential treatment—sixty days;
- (b) Assistance shall not be continued beyond the initial period of time described in subdivision (9)(a) of this section without an incapacity review team decision.

(10) If the person claiming incapacity due to alcoholism or drug abuse does not meet the criteria in subsections (8) or (9) of this section, incapacity will be determined by evidence that:

(a) Pathological or demonstrable organic damage has resulted from chronic alcoholism or drug abuse, or

(b) The individual, as a result of the addiction, has his judgment so impaired that he is incapable of realizing and making a rational decision with respect to his need for treatment and constitutes a danger to himself, to any other person, or to property.

(11) Individuals who are found to be incapacitated due to alcoholism or drug abuse must be participating in an approved alcoholism or certified drug treatment program.

(12) An individual who refuses to accept and follow through on available treatment when such treatment is recommended shall not be eligible.

(13) The use of drugs or alcohol of itself is not evidence that an incapacitating condition exists.)

#### NEW SECTION

WAC 388-37-036 INCAPACITY—FUNCTIONAL, MENTAL DISORDERS. Incapacity due to mental disorders shall be determined on the basis of demonstrable clinical signs and laboratory findings, which provide evidence of significant impairment of ability to work. Impairment of ability to work is reflected in restriction of daily activities and/or constriction of interests and/or impaired ability to care for self and/or impaired ability to relate to others. In addition, one of the following clinical signs or laboratory findings must be present:

(1) The individual with organic brain syndrome demonstrates deterioration in intellectual functioning, manifested by one or more of the following clinical signs:

- (a) Marked memory defect for recent events; or
- (b) Impoverished, slowed, perseverative thinking, with confusion or disorientation; or

(c) Labile, shallow, or coarse affect.

(2) The individual with functional psychotic disorder manifests one or more of the following clinical signs:

- (a) Depression (or elation); or
- (b) Agitation; or
- (c) Psychomotor disturbances; or
- (d) Hallucinations or delusions; or
- (e) Autistic or other regressive behavior; or
- (f) Inappropriateness of affect; or
- (g) Illogical association of ideas.

(3) The individual with functional nonpsychotic disorder (including addictive dependence on alcohol or drugs) manifests one or more of the following clinical signs:

- (a) Demonstrable and persistent structural changes mediated through psychophysiological channels (e.g., duodenal ulcer); or
- (b) Recurrent and persistent periods of anxiety, with tension, apprehension, and interference with concentration and memory; or
- (c) Persistent depressive affect with insomnia, loss of weight, and suicidal preoccupation; or

(d) Persistent phobic or obsessive ruminations with inappropriate, bizarre, or disruptive behavior; or

(e) Persistent compulsive, ritualistic behavior; or

(f) Persistent functional disturbance of vision, speech, hearing, or use of a limb with demonstrable structural or trophic changes; or

(g) Persistent, deeply ingrained, maladaptive patterns of behavior manifested by either:

(i) Seclusiveness or autistic thinking; or

(ii) Pathologically inappropriate suspiciousness or hostility.

(4) The individual with mental retardation manifests significant limitations in mental and social functioning.

#### AMENDATORY SECTION (Amending Order 1661, filed 6/3/81)

WAC 388-37-037 CONTINUING GENERAL ASSISTANCE—REFUSAL TO ACCEPT AVAILABLE AND RECOMMENDED MEDICAL TREATMENT. (1) A continuing general assistance applicant or recipient who refuses without good cause to accept available medical treatment, which can reasonably be expected to render him able to work shall be ineligible. The decision that the client has refused treatment without good cause is based on the best objective judgment of the CSO incapacity review team, confirmed by the medical consultant.

(2) "Available medical treatment" shall mean and include medical, surgical, or mental health services, or any combination thereof.

(3) "Reasonably be expected to render him able to work" shall mean that in the opinion of the person providing medical evidence or the medical consultant, the recommended treatment will restore or substantially improve the individual's ability to work for pay in a regular and predictable manner.

(4) For the purposes of this section, an applicant or recipient has good cause to refuse recommended medical treatment when (according to the best objective judgment of the CSO review team, confirmed by the CSO administrator and the medical consultant,) such refusal is based upon one or more of the following conditions:

(a) The individual is genuinely fearful of undergoing recommended treatment. Such fear may appear to be unrealistic or irrational; however, fear exists in such a degree that treatment would be adversely affected (:);

(b) The individual could lose a faculty, or the remaining use of faculty he now has, and refuses to accept the risk;

(c) Because of his definitely stated religious scruples, the individual will not accept recommended medical treatment.

(5) The first refusal to follow through with treatment without good cause shall result in a one month penalty period of ineligibility; the second, in two months; and the third, and subsequent, in three months.

#### NEW SECTION

WAC 388-37-038 INCAPACITY—INCAPACITY REVIEW TEAM DECISION. (1) Incapacity will be considered to be established without an incapacity review team decision when the person:

(a) Has been determined to be eligible for any benefits based on social security administration disability criteria;

(b) Is eligible for services from the division of developmental disabilities.

(2) Incapacity will be considered established for a period of sixty days without an incapacity review team decision when the person is being released from inpatient psychiatric treatment.

(3) Incapacity due to alcoholism will be considered to be established when an individual is admitted as a resident into intensive or long-term treatment at an alcoholism treatment center or recovery house services as defined in WAC 275-19-020.

(4) Incapacity due to abuse of drugs other than alcohol will be considered to be established for a designated period when an individual is admitted as a resident into a certified residential drug treatment program, or certified detoxification program or is accepted into a certified methadone (or approved substitute) maintenance program.

(a) In accordance with the above criteria, incapacity will be considered to be established for the following maximum periods of time:

(i) Detoxification—thirty days.

(ii) Maintenance—sixty days.

(iii) Residential treatment—sixty days.

(b) Assistance shall not be continued beyond the initial period of time described in subdivision (4)(a) of this section without an incapacity review team decision.

(5) Individuals who are found to be incapacitated due to alcoholism or drug abuse must be participating in an approved alcoholism or certified drug treatment program.

(6) An individual who refuses to accept and follow through on available treatment when such treatment is recommended shall not be eligible. The first refusal to follow through with treatment shall result in a one month penalty period of ineligibility; the second, in two months; and the third, and subsequent, in three months.

AMENDATORY SECTION (Amending Order 1661, filed 6/3/81)

WAC 388-37-040 CONTINUING GENERAL ASSISTANCE—STANDARDS FOR REQUIREMENTS—AUTHORIZATION. (1) The rules and procedures for payment of federal aid grants shall apply to continuing general assistance except that vendor payments may be made when payment by warrant is not possible or practical.

(2)(a) When incapacity is established a continuing grant shall be authorized to continue for the probable duration of the incapacity. The recipient shall be notified of the termination date at the time the grant is opened.

(b) ~~((Beginning May 15, 1981;))~~ If more than forty-five days are required to determine incapacity, and if incapacity is determined to have existed on the date of application, assistance shall be granted effective the forty-fifth day after application, per WAC 388-33-115.

A continuing grant shall not be authorized until incapacity is established by the CSO incapacity review team.

(3) Continuing assistance shall not be authorized following the termination date specified in subsection (2) of this section until continuing incapacity has been redetermined by the CSO incapacity review team.

~~(4) ((If assistance is terminated because the redetermination of incapacity is delayed for reasons beyond the recipient's control, and continuing incapacity is subsequently redetermined, assistance shall be authorized effective the day following the date of termination.))~~ If a recipient is terminated due to lack or insufficiency of medical evidence to establish incapacity, he/she shall be reinstated the day following the date of termination, if all the following conditions are met:

(a) The lack or insufficiency of medical evidence is not due to failure of the recipient to cooperate in gathering said evidence; and

(b) Additional medical evidence is provided subsequent to the termination, which establishes that the recipient has been, and continues to be, incapacitated since the date of termination; and

(c) The additional medical evidence substantiates incapacity as specified in WAC 388-37-010(1) and 388-37-035.

AMENDATORY SECTION (Amending Order 1102, filed 3/2/76)

WAC 388-37-050 CONTINUING GENERAL ASSISTANCE—REDETERMINATION OF ELIGIBILITY. (1) Continuing general assistance recipients shall have their continued financial eligibility for such assistance redetermined at least once every six months of continuous receipt of assistance.

(2) When an unemployable recipient of general assistance becomes employable, his eligibility ceases.

(3) Whenever a general assistance recipient becomes eligible for AFDC or SSI benefits, he becomes ineligible for continuing general assistance.

(4) Acceptance of available medical treatment. WAC 388-37-037 applies to a recipient as well as to an applicant.

(5) Recipients of continuing general assistance shall be screened to determine appropriateness of referral for vocational rehabilitation services and SSI eligibility determination. A recipient who has been referred and refuses ~~((without good cause))~~ to utilize such services shall be ineligible. The first refusal to utilize vocational rehabilitation or SSI eligibility determination services shall result in a one month penalty period of ineligibility; the second, in two months; and the third, and subsequent, in three months.

## 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
- REMOV = Removal of rule pursuant to RCW 34.04.050(5)
- RES = Restoration of section to previous form
- REVIEW = Review of previously adopted rule

**Suffixes:**

- P = Proposed action
- C = Continuance of previous proposal
- 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 #	AMD	WSR #	WAC #	AMD	WSR #	WAC #	AMD	WSR #
1-12-005	AMD-P	82-11-091	1-13-130	AMD	82-13-099	12-18-020	NEW-P	82-18-044
1-12-005	AMD	82-13-099	1-13-190	AMD-P	82-11-091	12-18-030	NEW-E	82-18-025
1-12-010	AMD-P	82-11-091	1-13-190	AMD	82-13-099	12-18-030	NEW-P	82-18-044
1-12-010	AMD	82-13-099	1-13-210	AMD-P	82-11-091	12-18-040	NEW-E	82-18-025
1-12-020	AMD-P	82-11-091	1-13-210	AMD	82-13-099	12-18-040	NEW-P	82-18-044
1-12-020	AMD	82-13-099	1-13-220	REP-P	82-11-091	12-18-050	NEW-E	82-18-025
1-12-030	AMD-P	82-11-091	1-13-220	REP	82-13-099	12-18-050	NEW-P	82-18-044
1-12-030	AMD	82-13-099	1-13-910	AMD-P	82-11-091	16-54-071	AMD-E	82-18-023
1-12-032	AMD-P	82-11-091	1-13-910	AMD	82-13-099	16-54-082	AMD	82-03-019
1-12-032	AMD	82-13-099	1-13-930	AMD-P	82-11-091	16-54-082	AMD-E	82-10-036
1-12-033	AMD-P	82-11-091	1-13-930	AMD	82-13-099	16-54-082	AMD-E	82-16-050
1-12-033	AMD	82-13-099	1-13-940	AMD-P	82-11-091	16-96-130	AMD	82-04-001
1-12-034	AMD-P	82-11-091	1-13-940	AMD	82-13-099	16-96-130	AMD-P	82-07-090
1-12-034	AMD	82-13-099	1-13-950	AMD-P	82-11-091	16-96-130	AMD-E	82-10-037
1-12-050	AMD-P	82-11-091	1-13-950	AMD	82-13-099	16-96-130	AMD	82-10-038
1-12-050	AMD	82-13-099	4-20-150	AMD-P	82-07-041	16-101	NEW-C	82-12-042
1-12-080	AMD-P	82-11-091	4-20-150	AMD	82-14-052	16-101-715	NEW-P	82-08-072
1-12-080	AMD	82-13-099	10-01-010	NEW-E	82-14-036	16-101-715	NEW	82-14-014
1-12-090	AMD-P	82-11-091	10-01-020	NEW-E	82-14-036	16-101-720	NEW-P	82-08-072
1-12-090	AMD	82-13-099	10-04-010	NEW-E	82-16-085	16-101-720	NEW	82-14-014
1-12-130	AMD-P	82-11-091	10-04-020	NEW-P	82-16-085	16-101-725	NEW-P	82-08-072
1-12-130	AMD	82-13-099	10-04-030	NEW-P	82-16-085	16-101-725	NEW	82-14-014
1-12-190	AMD-P	82-11-091	10-04-040	NEW-P	82-16-085	16-101-730	NEW-P	82-08-072
1-12-190	AMD	82-13-099	10-04-050	NEW-P	82-16-085	16-101-730	NEW	82-14-014
1-12-210	AMD-P	82-11-091	10-04-060	NEW-P	82-16-085	16-101-735	NEW-P	82-08-072
1-12-210	AMD	82-13-099	10-04-070	NEW-P	82-16-085	16-101-735	NEW	82-14-014
1-12-910	AMD-P	82-11-091	10-04-080	NEW-P	82-16-085	16-101-740	NEW-P	82-08-072
1-12-910	AMD	82-13-099	10-04-090	NEW-P	82-16-085	16-101-740	NEW	82-14-014
1-12-930	AMD-P	82-11-091	10-08-010	NEW-P	82-16-085	16-230-170	AMD-P	82-12-058
1-12-930	AMD	82-13-099	10-08-020	NEW-P	82-16-085	16-230-170	AMD	82-14-081
1-12-940	AMD-P	82-11-091	10-08-030	NEW-P	82-16-085	16-232-300	NEW-P	82-05-053
1-12-940	AMD	82-13-099	10-08-040	NEW-P	82-16-085	16-232-300	NEW	82-08-030
1-12-950	AMD-P	82-11-091	10-08-050	NEW-P	82-16-085	16-232-305	NEW-P	82-05-053
1-12-950	AMD	82-13-099	10-08-060	NEW-P	82-16-085	16-232-305	NEW	82-08-030
1-13-005	AMD-P	82-11-091	10-08-080	NEW-P	82-16-085	16-232-310	NEW-P	82-05-053
1-13-005	AMD	82-13-099	10-08-090	NEW-P	82-16-085	16-232-310	NEW	82-08-030
1-13-010	AMD-P	82-11-091	10-08-110	NEW-P	82-16-085	16-232-315	NEW-P	82-05-053
1-13-010	AMD	82-13-099	10-08-120	NEW-P	82-16-085	16-232-315	NEW	82-08-030
1-13-020	AMD-P	82-11-091	10-08-130	NEW-P	82-16-085	16-232-320	NEW-P	82-05-053
1-13-020	AMD	82-13-099	10-08-140	NEW-P	82-16-085	16-232-320	NEW	82-08-030
1-13-030	AMD-P	82-11-091	10-08-150	NEW-P	82-16-085	16-300-020	AMD-P	82-04-080
1-13-030	AMD	82-13-099	10-08-160	NEW-P	82-16-085	16-300-020	AMD	82-08-031
1-13-032	AMD-P	82-11-091	10-08-170	NEW-P	82-16-085	16-304-040	AMD-P	82-04-081
1-13-032	AMD	82-13-099	10-08-180	NEW-P	82-16-085	16-304-040	AMD	82-08-032
1-13-033	AMD-P	82-11-091	10-08-190	NEW-P	82-16-085	16-304-050	AMD-P	82-04-081
1-13-033	AMD	82-13-099	10-08-200	NEW-P	82-16-085	16-304-050	AMD	82-08-032
1-13-034	AMD-P	82-11-091	10-08-210	NEW-P	82-16-085	16-304-110	AMD-P	82-07-089
1-13-034	AMD	82-13-099	10-08-220	NEW-P	82-16-085	16-304-110	AMD	82-10-067
1-13-050	AMD-P	82-11-091	10-12-010	NEW-P	82-16-085	16-304-130	AMD-P	82-07-089
1-13-050	AMD	82-13-099	10-12-020	NEW-P	82-16-085	16-304-130	AMD	82-10-067
1-13-090	AMD-P	82-11-091	12-18-001	NEW-E	82-18-025	16-316-0011	REP-P	82-04-082
1-13-090	AMD	82-13-099	12-18-001	NEW-P	82-18-044	16-316-0011	REP	82-08-033
1-13-120	AMD-P	82-11-091	12-18-010	NEW-E	82-18-025	16-316-0016	REP-P	82-04-082
1-13-120	AMD	82-13-099	12-18-010	NEW-P	82-18-044	16-316-0016	REP	82-08-033
1-13-130	AMD-P	82-11-091	12-18-020	NEW-E	82-18-025	16-316-0019	REP-P	82-04-082

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
16-316-0019	REP	82-08-033	16-536-010	AMD	82-15-020	51-10	AMD-P	82-02-082
16-316-0020	REP-P	82-04-082	16-536-020	AMD-P	82-05-050	51-10	AMD-C	82-04-063
16-316-0020	REP	82-08-033	16-536-020	AMD	82-15-020	67-14-010	NEW-P	82-13-101
16-316-0021	REP-P	82-04-082	16-536-040	AMD-P	82-05-050	67-14-010	NEW	82-16-095
16-316-0021	REP	82-08-033	16-536-040	AMD	82-15-020	67-14-020	NEW-P	82-13-101
16-316-0022	REP-P	82-04-082	16-620-210	AMD	82-04-001	67-14-020	NEW	82-16-095
16-316-0022	REP	82-08-033	16-620-255	REP	82-04-001	67-14-030	NEW-P	82-13-101
16-316-0025	REP-P	82-04-082	16-620-280	AMD	82-04-001	67-14-030	NEW	82-16-095
16-316-0025	REP	82-08-033	16-620-290	AMD	82-04-001	67-14-040	NEW-P	82-13-101
16-316-0026	REP-P	82-04-082	16-620-300	AMD	82-04-001	67-14-040	NEW	82-16-095
16-316-0026	REP	82-08-033	16-620-310	REP	82-04-001	67-14-050	NEW-P	82-13-101
16-316-0027	REP-P	82-04-082	16-620-340	AMD	82-04-001	67-14-050	NEW	82-16-095
16-316-0027	REP	82-08-033	16-620-360	REP	82-04-001	67-14-060	NEW-C	82-04-054
16-316-0029	REP-P	82-04-082	16-750-010	AMD-P	82-03-037	67-14-060	NEW-P	82-13-101
16-316-0029	REP	82-08-033	16-750-010	AMD	82-06-045	67-14-060	NEW	82-16-095
16-316-0037	REP-P	82-04-082	24-12-010	AMD-P	82-13-051	67-14-070	NEW-P	82-13-101
16-316-0037	REP	82-08-033	24-12-010	AMD-W	82-13-075	67-14-070	NEW	82-16-095
16-316-0038	REP-P	82-04-082	24-12-010	AMD-P	82-13-076	67-14-080	NEW-P	82-13-101
16-316-0038	REP	82-08-033	24-12-010	AMD-W	82-14-078	67-14-080	NEW	82-16-095
16-316-004	REP-P	82-04-082	24-12-010	AMD-P	82-14-079	67-14-090	NEW-P	82-13-101
16-316-004	REP	82-08-033	24-12-010	AMD-P	82-18-017	67-14-090	NEW	82-16-095
16-316-0043	REP-P	82-04-082	24-12-011	NEW-P	82-13-083	67-14-110	NEW-P	82-13-101
16-316-0043	REP	82-08-033	24-12-011	NEW-C	82-14-080	67-14-110	NEW	82-16-095
16-316-0044	REP-P	82-04-082	24-12-011	NEW-E	82-15-033	67-14-120	NEW-P	82-13-101
16-316-0044	REP	82-08-033	24-12-011	NEW	82-17-036	67-14-120	NEW	82-16-095
16-316-0045	REP-P	82-04-082	34-02-010	NEW-P	82-10-051	67-14-130	NEW-P	82-13-101
16-316-0045	REP	82-08-033	34-02-010	NEW-C	82-15-043	67-14-130	NEW	82-16-095
16-316-0053	REP-P	82-04-082	34-02-020	NEW-P	82-10-051	67-14-140	NEW-P	82-13-101
16-316-0053	REP	82-08-033	34-02-020	NEW-C	82-15-043	67-14-140	NEW	82-16-095
16-316-0058	REP-P	82-04-082	34-02-030	NEW-P	82-10-051	67-14-150	NEW-P	82-13-101
16-316-0058	REP	82-08-033	34-02-030	NEW-C	82-15-043	67-14-150	NEW	82-16-095
16-316-0059	REP-P	82-04-082	34-02-040	NEW-P	82-10-051	67-14-160	NEW-P	82-13-101
16-316-0059	REP	82-08-033	34-02-040	NEW-C	82-15-043	67-14-160	NEW	82-16-095
16-316-006	REP-P	82-04-082	34-04-010	NEW-P	82-10-051	67-14-170	NEW-P	82-13-101
16-316-006	REP	82-08-033	34-04-010	NEW-C	82-15-043	67-14-170	NEW	82-16-095
16-316-0062	REP-P	82-04-082	34-04-020	NEW-P	82-10-051	67-14-180	NEW-P	82-13-101
16-316-0062	REP	82-08-033	34-04-020	NEW-C	82-15-043	67-14-180	NEW	82-16-095
16-316-0065	REP-P	82-04-082	34-04-030	NEW-P	82-10-051	67-15-010	RECOD-P	82-13-108
16-316-0065	REP	82-08-033	34-04-030	NEW-C	82-15-043	67-15-010	RECOD	82-16-096
16-316-0081	REP-P	82-04-082	34-04-040	NEW-P	82-10-051	67-20-005	NEW-P	82-13-108
16-316-0081	REP	82-08-033	34-04-040	NEW-C	82-15-043	67-20-005	NEW	82-16-096
16-316-0086	REP-P	82-04-082	34-04-050	NEW-P	82-10-051	67-20-010	NEW-P	82-13-108
16-316-0086	REP	82-08-033	34-04-050	NEW-C	82-15-043	67-20-010	NEW	82-16-096
16-316-0096	REP-P	82-04-082	34-04-060	NEW-P	82-10-051	67-20-015	NEW-P	82-13-108
16-316-0096	REP	82-08-033	34-04-060	NEW-C	82-15-043	67-20-015	NEW	82-16-096
16-316-160	AMD-P	82-04-082	34-04-070	NEW-P	82-10-051	67-20-020	NEW-P	82-13-108
16-316-160	AMD	82-08-033	34-04-070	NEW-C	82-15-043	67-20-020	NEW	82-16-096
16-316-165	AMD-P	82-04-082	34-04-080	NEW-P	82-10-051	67-20-025	NEW-P	82-13-108
16-316-165	AMD	82-08-033	34-04-080	NEW-C	82-15-043	67-20-025	NEW	82-16-096
16-316-214	NEW-P	82-04-082	34-04-090	NEW-P	82-10-051	67-20-030	NEW-P	82-13-108
16-316-214	NEW	82-08-033	34-04-090	NEW-C	82-15-043	67-20-030	NEW	82-16-096
16-316-270	AMD-P	82-04-082	34-04-100	NEW-P	82-10-051	67-20-050	NEW-P	82-13-108
16-316-270	AMD	82-08-033	34-04-100	NEW-C	82-15-043	67-20-050	NEW	82-16-096
16-316-370	AMD-P	82-04-082	34-04-110	NEW-P	82-10-051	67-20-055	NEW-P	82-13-108
16-316-370	AMD	82-08-033	34-04-110	NEW-C	82-15-043	67-20-055	NEW	82-16-096
16-316-620	AMD-P	82-04-082	34-04-120	NEW-P	82-10-051	67-20-060	NEW-P	82-13-108
16-316-620	AMD	82-08-033	34-04-120	NEW-C	82-15-043	67-20-060	NEW	82-16-096
16-316-727	NEW-P	82-05-013	48-20-010	NEW-P	82-11-096	67-20-070	NEW-P	82-13-108
16-316-727	NEW	82-08-034	48-20-010	NEW	82-14-023	67-20-070	NEW	82-16-096
16-316-790	AMD-P	82-04-082	48-20-020	NEW-P	82-11-096	67-20-075	NEW-P	82-13-108
16-316-790	AMD	82-08-033	48-20-020	NEW	82-14-023	67-20-075	NEW	82-16-096
16-316-800	AMD-P	82-04-082	48-20-030	NEW-P	82-11-096	67-20-077	NEW-P	82-13-108
16-316-800	AMD	82-08-033	48-20-030	NEW	82-14-023	67-20-077	NEW	82-16-096
16-316-810	AMD-P	82-04-082	48-20-040	NEW-P	82-11-096	67-20-080	NEW-P	82-13-108
16-316-810	AMD	82-08-033	48-20-040	NEW	82-14-023	67-20-080	NEW	82-16-096
16-316-815	NEW-P	82-04-082	48-20-050	NEW-P	82-11-096	67-20-085	NEW-P	82-13-108
16-316-815	NEW	82-08-033	48-20-050	NEW	82-14-023	67-20-085	NEW	82-16-096
16-316-820	AMD-P	82-04-082	48-20-060	NEW-P	82-11-096	67-20-090	NEW-P	82-13-108
16-316-820	AMD	82-08-033	48-20-060	NEW	82-14-023	67-20-090	NEW	82-16-096
16-316-830	AMD-P	82-04-082	48-20-070	NEW-P	82-11-096	67-20-095	NEW-P	82-13-108
16-316-830	AMD	82-08-033	48-20-070	NEW	82-14-023	67-20-095	NEW	82-16-096
16-400-150	AMD-E	82-09-006	48-20-080	NEW-P	82-11-096	67-20-100	NEW-P	82-13-108
16-461-010	AMD-E	82-09-007	48-20-080	NEW	82-14-023	67-20-100	NEW	82-16-096
16-528-040	AMD-C	82-10-004	48-20-090	NEW-P	82-11-096	67-20-105	NEW-P	82-13-108
16-528-040	AMD-C	82-10-065	48-20-090	NEW	82-14-023	67-20-105	NEW	82-16-096
16-528-040	AMD	82-11-002	48-20-100	NEW-P	82-11-096	67-20-110	NEW-P	82-13-108
16-536-010	AMD-P	82-05-050	48-20-100	NEW	82-14-023	67-20-110	NEW	82-16-096

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
67-20-120	NEW-P	82-13-108	67-20-448	RECOD	82-16-096	67-30-310	REP	82-16-096
67-20-120	NEW	82-16-096	67-20-452	NEW-P	82-13-108	67-30-320	NEW	82-06-022
67-20-180	NEW-E	82-10-026	67-20-452	NEW	82-16-096	67-30-320	REP-P	82-13-108
67-20-180	NEW-P	82-13-108	67-20-500	NEW-P	82-13-108	67-30-320	REP	82-16-096
67-20-180	NEW	82-16-096	67-20-500	NEW	82-16-096	67-40-010	NEW-P	82-13-098
67-20-185	NEW-E	82-10-026	67-20-505	NEW-P	82-13-108	67-40-010	NEW	82-16-097
67-20-185	NEW-P	82-13-108	67-20-505	NEW	82-16-096	67-40-015	NEW-P	82-13-098
67-20-185	NEW	82-16-096	67-20-510	NEW-P	82-13-108	67-40-015	NEW	82-16-097
67-20-190	NEW-E	82-10-026	67-20-510	NEW	82-16-096	67-40-016	NEW-P	82-13-098
67-20-190	NEW-P	82-13-108	67-20-525	NEW-P	82-13-108	67-40-016	NEW	82-16-097
67-20-190	NEW	82-16-096	67-20-525	NEW	82-16-096	67-40-020	NEW-P	82-13-098
67-20-200	NEW-E	82-10-026	67-20-530	NEW-P	82-13-108	67-40-020	NEW	82-16-097
67-20-200	NEW-P	82-13-108	67-20-530	NEW	82-16-096	67-40-025	NEW-P	82-13-098
67-20-200	NEW	82-16-096	67-20-540	NEW-P	82-13-108	67-40-025	NEW	82-16-097
67-20-255	NEW-P	82-13-108	67-20-540	NEW	82-16-096	67-40-050	NEW-P	82-13-098
67-20-255	NEW	82-16-096	67-20-545	NEW-P	82-13-108	67-40-050	NEW	82-16-097
67-20-260	NEW-P	82-13-108	67-20-545	NEW	82-16-096	67-40-060	NEW-P	82-13-098
67-20-260	NEW	82-16-096	67-20-550	NEW-P	82-13-108	67-40-060	NEW	82-16-097
67-20-270	NEW-P	82-13-108	67-20-550	NEW	82-16-096	67-40-070	NEW-P	82-13-098
67-20-270	NEW	82-16-096	67-20-560	NEW-P	82-13-108	67-40-070	NEW	82-16-097
67-20-275	NEW-P	82-13-108	67-20-560	NEW	82-16-096	67-40-090	NEW-P	82-13-098
67-20-275	NEW	82-16-096	67-20-570	NEW-P	82-13-108	67-40-090	NEW	82-16-097
67-20-280	NEW-P	82-13-108	67-20-570	NEW	82-16-096	67-40-440	NEW-E	82-10-026
67-20-280	NEW	82-16-096	67-20-590	NEW-P	82-13-108	67-40-440	NEW-P	82-13-098
67-20-281	NEW-P	82-13-108	67-20-590	NEW	82-16-096	67-40-440	NEW	82-16-097
67-20-281	NEW	82-16-096	67-30-005	NEW	82-06-022	67-50-010	NEW-P	82-13-103
67-20-300	NEW-P	82-13-108	67-30-005	REP-P	82-13-108	67-50-010	NEW	82-16-098
67-20-300	NEW	82-16-096	67-30-005	REP	82-16-096	67-50-020	NEW-P	82-13-103
67-20-325	NEW-P	82-13-108	67-30-010	NEW-P	82-06-039	67-50-020	NEW	82-16-098
67-20-325	NEW	82-16-096	67-30-040	NEW-C	82-04-053	67-50-030	NEW-P	82-13-103
67-20-326	RECOD-P	82-13-108	67-30-050	NEW-P	82-06-039	67-50-030	NEW	82-16-098
67-20-326	RECOD	82-16-096	67-30-050	NEW	82-10-025	67-50-035	NEW-P	82-13-103
67-20-350	NEW-P	82-13-108	67-30-050	AM/DE-P	82-13-108	67-50-035	NEW	82-16-098
67-20-350	NEW	82-16-096	67-30-050	AM/DE	82-16-096	67-50-040	NEW-P	82-13-103
67-20-380	RECOD-P	82-13-108	67-30-060	NEW-P	82-06-039	67-50-040	NEW	82-16-098
67-20-380	RECOD	82-16-096	67-30-070	NEW-P	82-06-039	67-50-050	NEW-P	82-13-103
67-20-384	RECOD-P	82-13-108	67-30-070	NEW	82-10-025	67-50-050	NEW	82-16-098
67-20-384	RECOD	82-16-096	67-30-070	AM/DE-P	82-13-108	67-50-060	NEW-P	82-13-103
67-20-385	NEW-E	82-10-026	67-30-070	AM/DE	82-16-096	67-50-060	NEW	82-16-098
67-20-385	NEW-P	82-13-108	67-30-080	NEW	82-06-022	82-10-010	NEW-P	82-17-043
67-20-385	NEW	82-16-096	67-30-080	AM/DE-P	82-13-108	82-10-020	NEW-P	82-17-043
67-20-388	RECOD-P	82-13-108	67-30-080	AM/DE	82-16-096	82-10-030	NEW-P	82-17-043
67-20-388	RECOD	82-16-096	67-30-090	NEW	82-06-022	82-20-010	NEW-P	82-02-074
67-20-390	NEW-P	82-13-108	67-30-090	AM/DE-P	82-13-108	82-20-010	NEW	82-05-030
67-20-390	NEW	82-16-096	67-30-090	AM/DE	82-16-096	82-20-020	NEW-P	82-02-074
67-20-392	NEW-P	82-13-108	67-30-100	NEW	82-06-022	82-20-020	NEW	82-05-030
67-20-392	NEW	82-16-096	67-30-100	AM/DE-P	82-13-108	82-20-030	NEW-P	82-02-074
67-20-394	NEW-P	82-13-108	67-30-100	AM/DE	82-16-096	82-20-030	NEW	82-05-030
67-20-394	NEW	82-16-096	67-30-120	NEW	82-06-022	82-20-040	NEW-P	82-02-074
67-20-395	NEW-E	82-10-026	67-30-120	AM/DE-P	82-13-108	82-20-040	NEW	82-05-030
67-20-395	NEW-P	82-13-108	67-30-120	AM/DE	82-16-096	82-20-050	NEW-P	82-02-074
67-20-395	NEW	82-16-096	67-30-125	NEW	82-06-022	82-20-050	NEW	82-05-030
67-20-396	NEW-P	82-13-108	67-30-125	AM/DE-P	82-13-108	82-20-060	NEW-P	82-02-074
67-20-396	NEW	82-16-096	67-30-125	AM/DE	82-16-096	82-20-060	NEW	82-05-030
67-20-400	NEW-P	82-13-108	67-30-130	NEW-P	82-06-039	82-20-070	NEW-P	82-02-074
67-20-400	NEW	82-16-096	67-30-130	NEW	82-10-025	82-20-070	NEW	82-05-030
67-20-404	RECOD-P	82-13-108	67-30-130	AM/DE-P	82-13-108	82-50-010	NEW-E	82-18-049
67-20-404	RECOD	82-16-096	67-30-130	AM/DE	82-16-096	82-50-010	NEW-P	82-18-051
67-20-408	RECOD-P	82-13-108	67-30-150	NEW	82-06-022	82-50-020	NEW-E	82-18-049
67-20-408	RECOD	82-16-096	67-30-150	AM/DE-P	82-13-108	82-50-020	NEW-P	82-18-051
67-20-412	RECOD-P	82-13-108	67-30-150	AM/DE	82-16-096	82-50-030	NEW-E	82-18-049
67-20-412	RECOD	82-16-096	67-30-170	NEW-P	82-06-039	82-50-030	NEW-P	82-18-051
67-20-416	RECOD-P	82-13-108	67-30-170	NEW	82-10-025	82-50-040	NEW-E	82-18-049
67-20-416	RECOD	82-16-096	67-30-170	AM/DE-P	82-13-108	82-50-040	NEW-P	82-18-051
67-20-420	RECOD-P	82-13-108	67-30-170	AM/DE	82-16-096	106-116-042	AMD-P	82-16-071
67-20-420	RECOD	82-16-096	67-30-180	NEW	82-06-022	106-116-042	AMD-E	82-16-072
67-20-428	RECOD-P	82-13-108	67-30-180	AM/DE-P	82-13-108	106-116-042	AMD-P	82-18-040
67-20-428	RECOD	82-16-096	67-30-180	AM/DE	82-16-096	106-116-103	AMD-P	82-16-071
67-20-432	NEW-P	82-13-108	67-30-185	NEW	82-06-022	106-116-103	AMD-E	82-16-072
67-20-432	NEW	82-16-096	67-30-185	AM/DE-P	82-13-108	106-116-103	AMD-P	82-18-040
67-20-440	RECOD-P	82-13-108	67-30-185	AM/DE	82-16-096	106-116-201	AMD-P	82-16-071
67-20-440	RECOD	82-16-096	67-30-210	NEW-P	82-06-039	106-116-201	AMD-E	82-16-072
67-20-444	NEW-P	82-13-108	67-30-210	NEW	82-10-025	106-116-201	AMD-P	82-18-040
67-20-444	NEW	82-16-096	67-30-210	AM/DE-P	82-13-108	106-116-203	AMD-P	82-16-071
67-20-446	NEW-P	82-13-108	67-30-210	AM/DE	82-16-096	106-116-203	AMD-E	82-16-072
67-20-446	NEW	82-16-096	67-30-310	NEW	82-06-022	106-116-203	AMD-P	82-18-040
67-20-448	RECOD-P	82-13-108	67-30-310	REP-P	82-13-108	106-116-213	AMD-P	82-16-071

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
106-116-213	AMD-E	82-16-072	118-03-190	AMD-E	82-11-046	132B-128-100	AMD-W	82-13-052
106-116-213	AMD-P	82-18-040	118-03-190	AMD-P	82-12-055	132B-128-100	AMD-P	82-13-053
106-116-310	AMD-P	82-16-071	118-03-190	AMD	82-15-007	132E-129-001	REP-E	82-17-055
106-116-310	AMD-E	82-16-072	118-03-195	NEW-E	82-05-004	132E-130-010	NEW-P	82-14-076
106-116-310	AMD-P	82-18-040	118-03-195	NEW-E	82-10-047	132E-130-010	NEW-E	82-14-077
106-116-403	AMD-P	82-16-071	118-03-200	NEW-E	82-07-059	132E-130-010	NEW	82-18-068
106-116-403	AMD-E	82-16-072	118-03-210	AMD-E	82-11-046	132E-130-020	NEW-P	82-14-076
106-116-403	AMD-P	82-18-040	118-03-210	AMD-P	82-12-055	132E-130-020	NEW-E	82-14-077
106-116-404	AMD-P	82-16-071	118-03-210	AMD	82-15-007	132E-130-020	NEW	82-18-068
106-116-404	AMD-E	82-16-072	118-03-215	NEW-E	82-05-004	132E-130-030	NEW-P	82-14-076
106-116-404	AMD-P	82-18-040	118-03-215	NEW-E	82-10-047	132E-130-030	NEW-E	82-14-077
106-116-514	AMD-P	82-16-071	118-03-220	NEW-E	82-07-059	132E-130-030	NEW	82-18-068
106-116-514	AMD-E	82-16-072	118-03-230	AMD-E	82-11-046	132E-130-040	NEW-P	82-14-076
106-116-514	AMD-P	82-18-040	118-03-230	AMD-P	82-12-055	132E-130-040	NEW-E	82-14-077
106-116-601	AMD-P	82-16-071	118-03-230	AMD	82-15-007	132E-130-040	NEW	82-18-068
106-116-601	AMD-E	82-16-072	118-03-235	NEW-E	82-05-004	132H-105-040	AMD-P	82-05-040
106-116-601	AMD-P	82-18-040	118-03-235	NEW-E	82-10-047	132H-105-040	AMD	82-09-025
106-116-603	AMD-P	82-16-071	118-03-240	NEW-E	82-07-059	132H-116-350	AMD	82-04-005
106-116-603	AMD-E	82-16-072	118-03-250	AMD-E	82-11-046	132H-116-370	AMD	82-04-005
106-116-603	AMD-P	82-18-040	118-03-250	AMD-P	82-12-055	132H-116-480	AMD	82-04-005
106-156-055	AMD-E	82-18-039	118-03-250	AMD	82-15-007	132H-116-490	AMD	82-04-005
106-156-055	AMD-P	82-18-040	118-03-255	NEW-E	82-05-004	132H-116-500	AMD	82-04-005
118-03	REP-E	82-08-015	118-03-255	NEW-E	82-10-047	132H-116-550	AMD	82-04-005
118-03-010	AMD-E	82-11-046	118-03-260	NEW-E	82-07-059	132H-116-580	AMD	82-04-005
118-03-010	AMD-P	82-12-055	118-03-270	AMD-E	82-11-046	132H-116-590	AMD	82-04-005
118-03-010	AMD	82-15-007	118-03-270	AMD-P	82-12-055	132H-116-610	AMD	82-04-005
118-03-015	NEW-E	82-05-004	118-03-270	AMD	82-15-007	132H-116-620	AMD	82-04-005
118-03-015	NEW-E	82-10-047	118-03-275	NEW-E	82-05-004	132H-116-720	AMD	82-04-005
118-03-020	NEW-E	82-07-059	118-03-275	NEW-E	82-10-047	132H-116-740	AMD	82-04-005
118-03-030	AMD-E	82-11-046	118-03-280	NEW-E	82-07-059	132H-116-780	AMD	82-04-005
118-03-030	AMD-P	82-12-055	118-03-290	AMD-E	82-11-046	132H-116-780	AMD-P	82-07-071
118-03-030	AMD	82-15-007	118-03-290	AMD-P	82-12-055	132H-116-780	AMD	82-11-038
118-03-035	NEW-E	82-05-004	118-03-290	AMD	82-15-007	132H-116-810	AMD	82-04-005
118-03-035	NEW-E	82-10-047	118-03-295	NEW-E	82-05-004	132H-120-060	AMD-P	82-07-072
118-03-040	NEW-E	82-07-059	118-03-295	NEW-E	82-10-047	132H-120-060	AMD	82-11-037
118-03-050	AMD-E	82-11-046	118-03-300	NEW-E	82-07-059	132H-140-010	AMD-E	82-07-029
118-03-050	AMD-P	82-12-055	118-03-310	AMD-E	82-11-046	132H-140-010	AMD-P	82-07-070
118-03-050	AMD	82-15-007	118-03-310	AMD-P	82-12-055	132H-140-010	AMD	82-11-039
118-03-055	NEW-E	82-05-004	118-03-310	AMD	82-15-007	132H-140-020	AMD-E	82-07-029
118-03-055	NEW-E	82-10-047	118-03-315	NEW-E	82-05-004	132H-140-020	AMD-P	82-07-070
118-03-060	NEW-E	82-07-059	118-03-315	NEW-E	82-10-047	132H-140-020	AMD	82-11-039
118-03-070	AMD-E	82-11-046	118-03-320	NEW-E	82-07-059	132H-140-040	AMD-E	82-07-029
118-03-070	AMD-P	82-12-055	118-03-335	NEW-E	82-05-004	132H-140-040	AMD-P	82-07-070
118-03-070	AMD	82-15-007	118-03-335	NEW-E	82-10-047	132H-140-040	AMD	82-11-039
118-03-075	NEW-E	82-05-004	118-03-340	NEW-E	82-07-059	132H-140-050	AMD-E	82-07-029
118-03-075	NEW-E	82-10-047	130-16-010	NEW	82-04-022	132H-140-050	AMD-P	82-07-070
118-03-080	NEW-E	82-07-059	130-16-020	NEW	82-04-022	132H-140-050	AMD	82-11-039
118-03-090	AMD-E	82-11-046	130-16-030	NEW	82-04-022	132H-140-060	AMD-E	82-07-029
118-03-090	AMD-P	82-12-055	130-16-040	NEW	82-04-022	132H-140-060	AMD-P	82-07-070
118-03-090	AMD	82-15-007	130-16-050	NEW	82-04-022	132H-140-060	AMD	82-11-039
118-03-095	NEW-E	82-05-004	130-16-060	NEW	82-04-022	132H-140-070	NEW-E	82-07-029
118-03-095	NEW-E	82-10-047	130-16-070	NEW	82-04-022	132H-140-070	NEW-P	82-07-070
118-03-100	NEW-E	82-07-059	130-16-080	NEW	82-04-022	132H-140-070	NEW	82-11-039
118-03-110	AMD-E	82-11-046	130-16-090	NEW	82-04-022	132H-140-080	NEW-E	82-07-029
118-03-110	AMD-P	82-12-055	131-16	AMD-C	82-05-031	132H-140-080	NEW-P	82-07-070
118-03-110	AMD	82-15-007	131-16	AMD-C	82-07-081	132H-140-080	NEW	82-11-039
118-03-115	NEW-E	82-05-004	131-16	AMD-C	82-08-071	132H-140-090	NEW-E	82-07-029
118-03-115	NEW-E	82-10-047	131-16-011	AMD	82-11-014	132H-140-090	NEW-P	82-07-070
118-03-120	NEW-E	82-07-059	131-16-015	AMD	82-11-014	132H-140-090	NEW	82-11-039
118-03-130	AMD-E	82-11-046	131-16-061	AMD	82-11-014	132H-140-100	NEW-E	82-07-029
118-03-130	AMD-P	82-12-055	131-28-021	AMD-E	82-11-015	132H-140-100	NEW-P	82-07-070
118-03-130	AMD	82-15-007	131-28-021	AMD-P	82-16-081	132H-140-100	NEW	82-11-039
118-03-135	NEW-E	82-05-004	131-28-025	AMD-E	82-11-015	132H-140-110	NEW-E	82-07-029
118-03-135	NEW-E	82-10-047	131-28-025	AMD-P	82-16-081	132H-140-110	NEW-P	82-07-070
118-03-140	NEW-E	82-07-059	131-28-026	AMD-P	82-07-073	132H-140-110	NEW	82-11-039
118-03-150	AMD-E	82-11-046	131-28-026	AMD-E	82-11-015	132H-160-492	NEW-P	82-12-045
118-03-150	AMD-P	82-12-055	131-28-026	AMD	82-11-035	132H-160-492	NEW-E	82-15-017
118-03-150	AMD	82-15-007	131-28-026	AMD-P	82-16-081	132H-160-492	NEW-C	82-15-034
118-03-155	NEW-E	82-05-004	131-28-030	AMD-E	82-11-015	132N-156-010	REP	82-07-031
118-03-155	NEW-E	82-10-047	131-28-030	AMD-P	82-16-081	132N-156-010	REP-E	82-07-032
118-03-160	NEW-E	82-07-059	131-28-040	AMD-E	82-11-015	132N-156-015	NEW	82-07-031
118-03-170	AMD-E	82-11-046	131-28-040	AMD-P	82-16-081	132N-156-015	NEW-E	82-07-032
118-03-170	AMD-P	82-12-055	131-28-045	AMD-E	82-11-015	132N-156-025	NEW	82-07-031
118-03-170	AMD	82-15-007	131-28-045	AMD-P	82-16-081	132N-156-025	NEW-E	82-07-032
118-03-175	NEW-E	82-05-004	131-28-050	REP-E	82-11-015	132N-156-030	REP	82-07-031
118-03-175	NEW-E	82-10-047	131-28-050	REP-P	82-16-081	132N-156-030	REP-E	82-07-032
118-03-180	NEW-E	82-07-059	132B-128-100	AMD-P	82-12-039	132N-156-035	NEW	82-07-031



Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
132N-156-035	NEW-E	82-07-032	132R-128-030	REP-P	82-08-043	132S-12-200	REP-P	82-16-016
132N-156-040	REP	82-07-031	132R-128-040	REP-P	82-08-043	132S-12-210	REP-P	82-16-016
132N-156-040	REP-E	82-07-032	132R-128-050	REP-P	82-08-043	132S-12-220	REP-P	82-16-016
132N-156-045	NEW	82-07-031	132R-128-060	REP-P	82-08-043	132S-14-010	REP-P	82-16-016
132N-156-045	NEW-E	82-07-032	132R-128-070	REP-P	82-08-043	132S-14-020	REP-P	82-16-016
132N-156-050	REP	82-07-031	132R-128-080	REP-P	82-08-043	132S-16-010	REP-P	82-16-016
132N-156-050	REP-E	82-07-032	132R-128-090	REP-P	82-08-043	132S-16-020	REP-P	82-16-016
132N-156-055	NEW	82-07-031	132R-128-100	REP-P	82-08-043	132S-16-030	REP-P	82-16-016
132N-156-055	NEW-E	82-07-032	132R-128-110	REP-P	82-08-043	132S-16-050	REP-P	82-16-016
132N-156-060	REP	82-07-031	132R-128-120	REP-P	82-08-043	132S-16-052	REP-P	82-16-016
132N-156-060	REP-E	82-07-032	132R-128-121	REP-P	82-08-043	132S-16-060	REP-P	82-16-016
132N-156-065	NEW	82-07-031	132R-128-122	REP-P	82-08-043	132S-16-070	REP-P	82-16-016
132N-156-065	NEW-E	82-07-032	132R-128-130	REP-P	82-08-043	132S-16-081	REP-P	82-16-016
132N-156-070	REP	82-07-031	132R-130-010	NEW-P	82-09-040	132S-16-082	REP-P	82-16-016
132N-156-070	REP-E	82-07-032	132R-130-010	NEW	82-14-075	132S-16-083	REP-P	82-16-016
132N-156-075	NEW	82-07-031	132R-180-010	REP-P	82-08-043	132S-16-0831	REP-P	82-16-016
132N-156-075	NEW-E	82-07-032	132R-180-020	REP-P	82-08-043	132S-16-084	REP-P	82-16-016
132N-156-080	REP	82-07-031	132R-180-030	REP-P	82-08-043	132S-16-090	REP-P	82-16-016
132N-156-080	REP-E	82-07-032	132R-180-040	REP-P	82-08-043	132S-16-100	REP-P	82-16-016
132N-156-085	NEW	82-07-031	132R-180-050	REP-P	82-08-043	132S-16-110	REP-P	82-16-016
132N-156-085	NEW-E	82-07-032	132R-180-060	REP-P	82-08-043	132S-16-120	REP-P	82-16-016
132N-156-090	REP	82-07-031	132R-180-070	REP-P	82-08-043	132S-16-130	REP-P	82-16-016
132N-156-090	REP-E	82-07-032	132R-180-080	REP-P	82-08-043	132S-16-131	REP-P	82-16-016
132N-156-095	NEW	82-07-031	132R-180-090	REP-P	82-08-043	132S-16-132	REP-P	82-16-016
132N-156-095	NEW-E	82-07-032	132S	AMD-C	82-17-017	132S-16-133	REP-P	82-16-016
132N-156-100	REP	82-07-031	132S-04-010	REP-P	82-16-016	132S-16-134	REP-P	82-16-016
132N-156-100	REP-E	82-07-032	132S-08-010	REP-P	82-16-016	132S-16-135	REP-P	82-16-016
132N-156-105	NEW	82-07-031	132S-08-020	REP-P	82-16-016	132S-16-136	REP-P	82-16-016
132N-156-105	NEW-E	82-07-032	132S-08-035	REP-P	82-16-016	132S-16-140	REP-P	82-16-016
132N-156-110	REP	82-07-031	132S-08-040	REP-P	82-16-016	132S-16-150	REP-P	82-16-016
132N-156-110	REP-E	82-07-032	132S-08-050	REP-P	82-16-016	132S-16-160	REP-P	82-16-016
132N-156-115	NEW	82-07-031	132S-08-060	REP-P	82-16-016	132S-16-170	REP-P	82-16-016
132N-156-115	NEW-E	82-07-032	132S-08-070	REP-P	82-16-016	132S-16-180	REP-P	82-16-016
132N-156-120	REP	82-07-031	132S-08-080	REP-P	82-16-016	132S-16-190	REP-P	82-16-016
132N-156-120	REP-E	82-07-032	132S-08-090	REP-P	82-16-016	132S-16-200	REP-P	82-16-016
132N-156-125	NEW	82-07-031	132S-08-100	REP-P	82-16-016	132S-16-210	REP-P	82-16-016
132N-156-125	NEW-E	82-07-032	132S-08-110	REP-P	82-16-016	132S-16-220	REP-P	82-16-016
132N-156-130	REP	82-07-031	132S-10-015	REP-P	82-16-016	132S-16-230	REP-P	82-16-016
132N-156-130	REP-E	82-07-032	132S-10-016	NEW-P	82-16-016	132S-16-240	REP-P	82-16-016
132N-156-135	NEW	82-07-031	132S-10-020	NEW-P	82-16-016	132S-16-250	REP-P	82-16-016
132N-156-135	NEW-E	82-07-032	132S-10-021	NEW-P	82-16-016	132S-16-260	REP-P	82-16-016
132N-156-140	REP	82-07-031	132S-10-022	NEW-P	82-16-016	132S-16-270	REP-P	82-16-016
132N-156-140	REP-E	82-07-032	132S-10-023	NEW-P	82-16-016	132S-16-280	REP-P	82-16-016
132N-156-145	NEW	82-07-031	132S-10-024	NEW-P	82-16-016	132S-16-290	REP-P	82-16-016
132N-156-145	NEW-E	82-07-032	132S-10-025	NEW-P	82-16-016	132S-16-300	REP-P	82-16-016
132N-156-150	REP	82-07-031	132S-10-026	NEW-P	82-16-016	132S-16-310	REP-P	82-16-016
132N-156-150	REP-E	82-07-032	132S-10-027	NEW-P	82-16-016	132S-16-320	REP-P	82-16-016
132N-156-155	NEW	82-07-031	132S-10-028	NEW-P	82-16-016	132S-16-330	REP-P	82-16-016
132N-156-155	NEW-E	82-07-032	132S-10-029	NEW-P	82-16-016	132S-16-340	REP-P	82-16-016
132N-156-160	REP	82-07-031	132S-11-010	REP-P	82-16-016	132S-16-350	REP-P	82-16-016
132N-156-160	REP-E	82-07-032	132S-11-020	REP-P	82-16-016	132S-16-360	REP-P	82-16-016
132N-156-165	NEW	82-07-031	132S-11-030	REP-P	82-16-016	132S-16-370	REP-P	82-16-016
132N-156-165	NEW-E	82-07-032	132S-11-040	REP-P	82-16-016	132S-16-380	REP-P	82-16-016
132N-156-170	REP	82-07-031	132S-11-050	REP-P	82-16-016	132S-16-390	REP-P	82-16-016
132N-156-170	REP-E	82-07-032	132S-11-060	REP-P	82-16-016	132S-16-400	REP-P	82-16-016
132N-156-175	NEW	82-07-031	132S-11-070	REP-P	82-16-016	132S-16-410	REP-P	82-16-016
132N-156-175	NEW-E	82-07-032	132S-11-080	REP-P	82-16-016	132S-16-420	REP-P	82-16-016
132N-156-180	REP	82-07-031	132S-12-010	REP-P	82-16-016	132S-16-430	REP-P	82-16-016
132N-156-180	REP-E	82-07-032	132S-12-020	REP-P	82-16-016	132S-16-440	REP-P	82-16-016
132N-156-185	NEW	82-07-031	132S-12-030	REP-P	82-16-016	132S-16-445	REP-P	82-16-016
132N-156-185	NEW-E	82-07-032	132S-12-040	REP-P	82-16-016	132S-16-450	REP-P	82-16-016
132N-156-190	REP	82-07-031	132S-12-050	REP-P	82-16-016	132S-16-455	REP-P	82-16-016
132N-156-190	REP-E	82-07-032	132S-12-055	REP-P	82-16-016	132S-16-460	REP-P	82-16-016
132N-156-195	NEW	82-07-031	132S-12-060	REP-P	82-16-016	132S-16-470	REP-P	82-16-016
132N-156-195	NEW-E	82-07-032	132S-12-070	REP-P	82-16-016	132S-16-480	REP-P	82-16-016
132N-156-200	REP	82-07-031	132S-12-080	REP-P	82-16-016	132S-16-490	REP-P	82-16-016
132N-156-200	REP-E	82-07-032	132S-12-090	REP-P	82-16-016	132S-16-500	REP-P	82-16-016
132N-156-205	NEW	82-07-031	132S-12-100	REP-P	82-16-016	132S-16-510	REP-P	82-16-016
132N-156-205	NEW-E	82-07-032	132S-12-110	REP-P	82-16-016	132S-16-520	REP-P	82-16-016
132N-156-210	REP	82-07-031	132S-12-120	REP-P	82-16-016	132S-16-530	REP-P	82-16-016
132N-156-210	REP-E	82-07-032	132S-12-130	REP-P	82-16-016	132S-16-540	REP-P	82-16-016
132Q-89-010	NEW-P	82-08-018	132S-12-140	REP-P	82-16-016	132S-16-550	REP-P	82-16-016
132Q-89-010	NEW-C	82-11-064	132S-12-150	REP-P	82-16-016	132S-16-560	REP-P	82-16-016
132Q-89-010	NEW-C	82-13-063	132S-12-160	REP-P	82-16-016	132S-16-570	REP-P	82-16-016
132Q-89-010	NEW	82-15-048	132S-12-170	REP-P	82-16-016	132S-16-580	REP-P	82-16-016
132R-128-010	REP-P	82-08-043	132S-12-180	REP-P	82-16-016	132S-16-590	REP-P	82-16-016
132R-128-020	REP-P	82-08-043	132S-12-190	REP-P	82-16-016	132S-16-600	REP-P	82-16-016



### Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
132S-116-180	REP-P	82-16-016	132S-175-020	REP-P	82-16-016	132Y-136-212	NEW	82-04-018
132S-116-190	REP-P	82-16-016	132S-175-030	REP-P	82-16-016	132Y-136-216	NEW	82-04-018
132S-116-200	REP-P	82-16-016	132S-175-040	REP-P	82-16-016	132Y-136-220	NEW	82-04-018
132S-116-210	REP-P	82-16-016	132S-180-010	REP-P	82-16-016	132Y-136-224	NEW	82-04-018
132S-116-220	REP-P	82-16-016	132S-180-020	REP-P	82-16-016	132Y-136-228	NEW	82-04-018
132S-116-230	REP-P	82-16-016	132S-180-030	REP-P	82-16-016	132Y-136-236	NEW	82-04-018
132S-116-240	REP-P	82-16-016	132S-180-040	REP-P	82-16-016	132Y-136-304	NEW	82-04-018
132S-116-250	REP-P	82-16-016	132S-185-010	REP-P	82-16-016	132Y-136-401	NEW	82-04-018
132S-116-260	REP-P	82-16-016	132S-185-020	REP-P	82-16-016	132Y-136-404	NEW	82-04-018
132S-116-270	REP-P	82-16-016	132S-185-030	REP-P	82-16-016	132Y-136-501	NEW	82-04-018
132S-116-280	REP-P	82-16-016	132S-185-040	REP-P	82-16-016	132Y-136-540	NEW	82-04-018
132S-122-010	REP-P	82-16-016	132S-185-050	REP-P	82-16-016	132Y-140-001	NEW-P	82-16-075
132S-122-020	REP-P	82-16-016	132S-187-010	REP-P	82-16-016	132Y-140-101	NEW-P	82-16-075
132S-124-010	REP-P	82-16-016	132S-187-015	REP-P	82-16-016	132Y-140-104	NEW-P	82-16-075
132S-124-020	REP-P	82-16-016	132S-190-010	REP-P	82-16-016	132Y-140-108	NEW-P	82-16-075
132S-124-030	REP-P	82-16-016	132S-190-020	REP-P	82-16-016	132Y-140-112	NEW-P	82-16-075
132S-125-010	REP-P	82-16-016	132S-190-030	REP-P	82-16-016	132Y-140-116	NEW-P	82-16-075
132S-136-010	REP-P	82-16-016	132S-190-040	REP-P	82-16-016	137-04-010	NEW	82-04-023
132S-136-020	REP-P	82-16-016	132S-190-050	REP-P	82-16-016	137-04-015	NEW	82-04-023
132S-136-200	REP-P	82-16-016	132S-190-060	REP-P	82-16-016	137-04-020	NEW	82-04-023
132S-136-210	REP-P	82-16-016	132S-195-010	REP-P	82-16-016	137-04-030	NEW	82-04-023
132S-136-220	REP-P	82-16-016	132S-197-010	REP-P	82-16-016	137-08-010	NEW	82-04-023
132S-136-230	REP-P	82-16-016	132S-197-012	REP-P	82-16-016	137-08-020	NEW	82-04-023
132S-136-240	REP-P	82-16-016	132T-05-020	AMD-P	82-02-046	137-08-060	NEW	82-04-023
132S-136-250	REP-P	82-16-016	132T-05-020	AMD	82-07-011	137-08-070	NEW	82-04-023
132S-136-260	REP-P	82-16-016	132T-05-030	AMD-P	82-02-046	137-08-080	NEW	82-04-023
132S-136-270	REP-P	82-16-016	132T-05-030	AMD	82-07-011	137-08-090	NEW	82-04-023
132S-136-280	REP-P	82-16-016	132T-05-040	AMD-P	82-02-046	137-08-100	NEW	82-04-023
132S-136-290	REP-P	82-16-016	132T-05-040	AMD	82-07-011	137-08-110	NEW	82-04-023
132S-136-300	REP-P	82-16-016	132T-05-050	AMD-P	82-02-046	137-08-120	NEW	82-04-023
132S-136-310	REP-P	82-16-016	132T-05-050	AMD	82-07-011	137-08-130	NEW	82-04-023
132S-137-400	REP-P	82-16-016	132T-05-060	AMD-P	82-02-046	137-08-140	NEW	82-04-023
132S-137-410	REP-P	82-16-016	132T-05-060	AMD	82-07-011	137-08-150	NEW	82-04-023
132S-137-420	REP-P	82-16-016	132T-05-070	NEW-P	82-02-046	137-08-160	NEW	82-04-023
132S-138-010	REP-P	82-16-016	132T-05-070	NEW	82-07-011	137-08-170	NEW	82-04-023
132S-138-020	REP-P	82-16-016	132T-06-010	AMD	82-07-033	137-08-180	NEW	82-04-023
132S-138-030	REP-P	82-16-016	132T-06-020	AMD	82-07-033	137-56-005	NEW-P	82-04-059
132S-139-600	REP-P	82-16-016	132T-06-040	AMD	82-07-033	137-56-005	NEW	82-08-055
132S-140-010	REP-P	82-16-016	132T-06-050	AMD	82-07-033	137-56-010	NEW-P	82-04-059
132S-140-020	REP-P	82-16-016	132T-06-060	AMD	82-07-033	137-56-010	NEW	82-08-055
132S-140-030	REP-P	82-16-016	132T-06-070	REP	82-07-033	137-56-020	NEW-P	82-04-059
132S-140-040	REP-P	82-16-016	132T-06-075	NEW	82-07-033	137-56-020	NEW	82-08-055
132S-140-050	REP-P	82-16-016	132T-06-080	REP	82-07-033	137-56-030	NEW-P	82-04-059
132S-142-010	REP-P	82-16-016	132T-06-085	NEW	82-07-033	137-56-030	NEW	82-08-055
132S-142-020	REP-P	82-16-016	132T-06-090	REP	82-07-033	137-56-040	NEW-P	82-04-059
132S-142-030	REP-P	82-16-016	132T-06-095	NEW	82-07-033	137-56-040	NEW	82-08-055
132S-142-040	REP-P	82-16-016	132T-104-040	AMD-P	82-06-024	137-56-050	NEW-P	82-04-059
132S-152-010	REP-P	82-16-016	132T-104-040	AMD	82-12-056	137-56-050	NEW	82-08-055
132S-152-015	REP-P	82-16-016	132T-104-070	AMD-P	82-06-024	137-56-060	NEW-P	82-04-059
132S-152-020	REP-P	82-16-016	132T-104-070	AMD	82-12-056	137-56-060	NEW	82-08-055
132S-152-030	REP-P	82-16-016	132T-104-080	AMD-P	82-06-024	137-56-070	NEW-P	82-04-059
132S-152-040	REP-P	82-16-016	132T-104-080	AMD	82-12-056	137-56-070	NEW	82-08-055
132S-152-050	REP-P	82-16-016	132T-104-110	AMD-P	82-06-024	137-56-070	NEW	82-08-055
132S-152-060	REP-P	82-16-016	132T-104-110	AMD	82-12-056	137-56-080	NEW-P	82-04-059
132S-165-010	REP-P	82-16-016	132T-104-110	AMD	82-12-056	137-56-080	NEW	82-08-055
132S-165-020	REP-P	82-16-016	132T-104-120	AMD-P	82-06-024	137-56-090	NEW-P	82-04-059
132S-165-010	REP-P	82-16-016	132T-104-120	AMD	82-12-056	137-56-090	NEW	82-08-055
132S-168-010	REP-P	82-16-016	132T-104-130	AMD-P	82-06-024	137-56-100	NEW-P	82-04-059
132S-168-020	REP-P	82-16-016	132T-104-130	AMD	82-12-056	137-56-100	NEW	82-08-055
132S-168-030	REP-P	82-16-016	132T-104-210	AMD-P	82-06-024	137-56-100	NEW	82-08-055
132S-168-040	REP-P	82-16-016	132T-104-210	AMD	82-12-056	137-56-120	NEW-P	82-04-059
132S-168-050	REP-P	82-16-016	132T-104-240	AMD-P	82-06-024	137-56-120	NEW	82-08-055
132S-168-060	REP-P	82-16-016	132T-104-240	AMD	82-12-056	137-56-140	NEW-P	82-04-059
132S-168-070	REP-P	82-16-016	132T-104-260	AMD-P	82-06-024	137-56-140	NEW	82-08-055
132S-168-080	REP-P	82-16-016	132T-104-260	AMD	82-12-056	137-56-150	NEW-P	82-04-059
132S-168-090	REP-P	82-16-016	132T-104-265	NEW-P	82-06-024	137-56-150	NEW	82-08-055
132S-168-100	REP-P	82-16-016	132T-104-265	NEW	82-12-056	137-56-160	NEW-P	82-04-059
132S-168-110	REP-P	82-16-016	132T-104-270	AMD-P	82-06-024	137-56-160	NEW	82-08-055
132S-168-120	REP-P	82-16-016	132T-104-270	AMD	82-12-056	137-56-170	NEW-P	82-04-059
132S-170-010	REP-P	82-16-016	132T-104-280	AMD-P	82-06-024	137-56-170	NEW	82-08-055
132S-170-020	REP-P	82-16-016	132T-104-280	AMD	82-12-056	137-56-180	NEW-P	82-04-059
132S-170-030	REP-P	82-16-016	132Y-125-004	NEW-P	82-05-039	137-56-180	NEW	82-08-055
132S-172-010	REP-P	82-16-016	132Y-125-004	NEW	82-10-013	137-56-190	NEW-P	82-04-059
132S-172-020	REP-P	82-16-016	132Y-136-001	NEW	82-04-018	137-56-190	NEW	82-08-055
132S-173-010	REP-P	82-16-016	132Y-136-101	NEW	82-04-018	137-56-200	NEW-P	82-04-059
132S-173-020	REP-P	82-16-016	132Y-136-201	NEW	82-04-018	137-56-200	NEW	82-08-055
132S-173-030	REP-P	82-16-016	132Y-136-204	NEW	82-04-018	137-56-210	NEW-P	82-04-059
132S-175-010	REP-P	82-16-016	132Y-136-208	NEW	82-04-018	137-56-210	NEW	82-08-055
						137-56-220	NEW-P	82-04-059

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
137-56-220	NEW	82-08-055	137-60-110	NEW-E	82-03-016	139-36-031	NEW-P	82-04-066
137-56-230	NEW-P	82-04-059	137-60-110	NEW	82-07-006	139-36-031	NEW	82-07-052
137-56-230	NEW	82-08-055	137-60-120	NEW-P	82-03-015	139-36-032	NEW-P	82-04-066
137-56-240	NEW-P	82-04-059	137-60-120	NEW-E	82-03-016	139-36-032	NEW	82-07-052
137-56-240	NEW	82-08-055	137-60-120	NEW	82-07-006	139-36-033	NEW-P	82-04-066
137-56-250	NEW-P	82-04-059	137-60-130	NEW-P	82-03-015	139-36-033	NEW	82-07-052
137-56-250	NEW	82-08-055	137-60-130	NEW-E	82-03-016	139-36-034	NEW-P	82-04-066
137-56-260	NEW-P	82-04-059	137-60-130	NEW	82-07-006	139-36-034	NEW	82-07-052
137-56-260	NEW	82-08-055	137-60-140	NEW-P	82-03-015	139-36-040	NEW-P	82-04-066
137-56-270	NEW-P	82-04-059	137-60-140	NEW-E	82-03-016	139-36-040	NEW	82-07-052
137-56-270	NEW	82-08-055	137-60-140	NEW	82-07-006	139-36-041	NEW-P	82-04-066
137-57-005	NEW-P	82-04-059	137-65-010	NEW-P	82-14-031	139-36-041	NEW	82-07-052
137-57-005	NEW	82-08-055	137-65-010	NEW-E	82-14-034	139-36-050	NEW-P	82-04-066
137-57-010	NEW-P	82-04-059	137-65-010	NEW-W	82-18-043	139-36-050	NEW	82-07-052
137-57-010	NEW	82-08-055	137-65-020	NEW-P	82-14-031	139-36-051	NEW-P	82-04-066
137-57-020	NEW-P	82-04-059	137-65-020	NEW-E	82-14-034	139-36-051	NEW	82-07-052
137-57-020	NEW	82-08-055	137-65-020	NEW-W	82-18-043	139-36-060	NEW-P	82-04-066
137-57-030	NEW-P	82-04-059	137-65-030	NEW-P	82-14-031	139-36-060	NEW	82-07-052
137-57-030	NEW	82-08-055	137-65-030	NEW-E	82-14-034	139-36-061	NEW-P	82-04-066
137-57-040	NEW-P	82-04-059	137-65-030	NEW-W	82-18-043	139-36-061	NEW	82-07-052
137-57-040	NEW	82-08-055	137-65-040	NEW-P	82-14-031	139-50-010	NEW-P	82-03-047
137-57-050	NEW-P	82-04-059	137-65-040	NEW-E	82-14-034	139-50-010	NEW	82-07-053
137-57-050	NEW	82-08-055	137-65-040	NEW-W	82-18-043	139-50-020	NEW-P	82-17-001
137-57-060	NEW-P	82-04-059	137-65-050	NEW-P	82-14-031	154	NEW-C	82-12-027
137-57-060	NEW	82-08-055	137-65-050	NEW-E	82-14-034	154-01	NEW-C	82-08-054
137-57-070	NEW-P	82-04-059	137-65-050	NEW-W	82-18-043	154-01-010	NEW-E	82-04-017
137-57-070	NEW	82-08-055	137-65-060	NEW-P	82-14-031	154-01-010	NEW-E	82-10-005
137-57-080	NEW-P	82-04-059	137-65-060	NEW-E	82-14-034	154-01-010	NEW	82-13-043
137-57-080	NEW	82-08-055	137-65-060	NEW-W	82-18-043	154-04	NEW-C	82-08-054
137-58-010	NEW-P	82-03-013	137-65-070	NEW-P	82-14-031	154-04-010	NEW-E	82-04-017
137-58-010	NEW-E	82-03-014	137-65-070	NEW-E	82-14-034	154-04-010	NEW-E	81-10-005
137-58-010	NEW	82-07-067	137-65-070	NEW-W	82-18-043	154-04-010	NEW	82-13-043
137-58-020	NEW-P	82-03-013	137-65-080	NEW-P	82-14-031	154-04-020	NEW-E	82-04-017
137-58-020	NEW-E	82-03-014	137-65-080	NEW-E	82-14-034	154-04-020	NEW-E	81-10-005
137-58-020	NEW	82-07-067	137-65-080	NEW-W	82-18-043	154-04-020	NEW	82-13-043
137-58-030	NEW-P	82-03-013	137-70-010	NEW-P	82-14-030	154-04-030	NEW-E	82-04-017
137-58-030	NEW-E	82-03-014	137-70-010	NEW-E	82-14-033	154-04-030	NEW-E	81-10-005
137-58-030	NEW	82-07-067	137-70-010	NEW	82-17-044	154-04-030	NEW	82-13-043
137-58-040	NEW-P	82-03-013	137-70-020	NEW-P	82-14-030	154-04-040	NEW-E	82-04-017
137-58-040	NEW-E	82-03-014	137-70-020	NEW-E	82-14-033	154-04-040	NEW-E	81-10-005
137-58-040	NEW	82-07-067	137-70-020	NEW	82-17-044	154-04-040	NEW	82-13-043
137-60	NEW-P	82-03-015	137-70-030	NEW-P	82-14-030	154-04-050	NEW-E	82-04-017
137-60	NEW-E	82-03-016	137-70-030	NEW-E	82-14-033	154-04-050	NEW-E	81-10-005
137-60-010	NEW-P	82-03-015	137-70-030	NEW	82-17-044	154-04-050	NEW	82-13-043
137-60-010	NEW-E	82-03-016	137-70-040	NEW-P	82-14-030	154-04-060	NEW-E	81-10-005
137-60-010	NEW	82-07-006	137-70-040	NEW-E	82-14-033	154-04-060	NEW-E	82-04-017
137-60-020	NEW-P	82-03-015	137-70-040	NEW	82-17-044	154-04-060	NEW	82-13-043
137-60-020	NEW-E	82-03-016	137-70-050	NEW-P	82-14-030	154-04-070	NEW-E	82-04-017
137-60-020	NEW	82-07-006	137-70-050	NEW-E	82-14-033	154-04-070	NEW-E	81-10-005
137-60-030	NEW-P	82-03-015	137-70-050	NEW	82-17-044	154-04-070	NEW	82-13-043
137-60-030	NEW-E	82-03-016	137-70-060	NEW-P	82-14-030	154-04-080	NEW-E	82-04-017
137-60-030	NEW	82-07-006	137-70-060	NEW-E	82-14-033	154-04-080	NEW-E	81-10-005
137-60-040	NEW-P	82-03-015	137-70-060	NEW	82-17-044	154-04-080	NEW	82-13-043
137-60-040	NEW-E	82-03-016	137-70-070	NEW-P	82-14-030	154-04-090	NEW-E	82-04-017
137-60-040	NEW	82-07-006	137-70-070	NEW-E	82-14-033	154-04-090	NEW-E	81-10-005
137-60-045	NEW-P	82-03-015	137-70-070	NEW	82-17-044	154-04-090	NEW	82-13-043
137-60-045	NEW-E	82-03-016	137-70-080	NEW-P	82-14-030	154-04-100	NEW-E	82-04-017
137-60-045	NEW	82-07-006	137-70-080	NEW-E	82-14-033	154-04-100	NEW-E	81-10-005
137-60-050	NEW-P	82-03-015	137-70-080	NEW	82-17-044	154-04-100	NEW	82-13-043
137-60-050	NEW-E	82-03-016	137-80-010	NEW-P	82-14-032	154-04-110	NEW-E	82-04-017
137-60-050	NEW	82-07-006	137-80-010	NEW	82-18-042	154-04-110	NEW-E	81-10-005
137-60-060	NEW-P	82-03-015	137-80-020	NEW-P	82-14-032	154-04-110	NEW	82-13-043
137-60-060	NEW-E	82-03-016	137-80-020	NEW	82-18-042	154-08	NEW-C	82-08-054
137-60-060	NEW	82-07-006	137-80-030	NEW-P	82-14-032	154-08-010	NEW-E	82-04-017
137-60-070	NEW-P	82-03-015	137-80-030	NEW	82-18-042	154-08-010	NEW-E	82-10-005
137-60-070	NEW-E	82-03-016	137-80-040	NEW-P	82-14-032	154-08-010	NEW	82-13-043
137-60-070	NEW	82-07-006	137-80-040	NEW	82-18-042	154-08-020	NEW-E	82-04-017
137-60-080	NEW-P	82-03-015	137-80-050	NEW-P	82-14-032	154-08-020	NEW-E	82-10-005
137-60-080	NEW-E	82-03-016	137-80-050	NEW	82-18-042	154-08-020	NEW	82-13-043
137-60-080	NEW	82-07-006	137-80-060	NEW-P	82-14-032	154-08-030	NEW-E	82-04-017
137-60-090	NEW-P	82-03-015	137-80-060	NEW	82-18-042	154-08-030	NEW-E	82-10-005
137-60-090	NEW-E	82-03-016	139-36-010	REP-P	82-04-065	154-08-030	NEW	82-13-043
137-60-090	NEW	82-07-006	139-36-010	REP	82-07-051	154-08-040	NEW-E	82-04-017
137-60-100	NEW-P	82-03-015	139-36-020	NEW-P	82-04-066	154-08-040	NEW-E	82-10-005
137-60-100	NEW-E	82-03-016	139-36-020	NEW	82-07-052	154-08-040	NEW	82-13-043
137-60-100	NEW	82-07-006	139-36-030	NEW-P	82-04-066	154-08-050	NEW-E	82-04-017
137-60-110	NEW-P	82-03-015	139-36-030	NEW	82-07-052	154-08-050	NEW-E	82-10-005

**Table of WAC Sections Affected**

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
154-08-050	NEW	82-13-043	154-48-010	NEW-E	82-04-017	162-26-130	NEW-P	82-12-053
154-12	NEW-C	82-08-054	154-48-010	NEW-E	82-10-005	162-26-130	NEW-C	82-16-070
154-12-010	NEW-E	82-04-017	154-48-010	NEW	82-13-043	162-38-010	NEW-P	82-12-053
154-12-010	NEW-E	82-10-005	154-52	NEW-C	82-08-054	162-38-010	NEW-C	82-16-070
154-12-010	NEW	82-13-043	154-52-010	NEW-E	82-04-017	162-38-020	NEW-P	82-12-053
154-12-020	NEW-E	82-04-017	154-52-010	NEW-E	82-10-005	162-38-020	NEW-C	82-16-070
154-12-020	NEW-E	82-10-005	154-52-010	NEW	82-13-043	162-38-030	NEW-P	82-12-053
154-12-020	NEW	82-13-043	154-56	NEW-C	82-08-054	162-38-030	NEW-C	82-16-070
154-12-030	NEW-E	82-04-017	154-56-010	NEW-E	82-04-017	162-38-035	NEW-P	82-12-053
154-12-030	NEW-E	82-10-005	154-56-010	NEW-E	82-10-005	162-38-035	NEW-C	82-16-070
154-12-030	NEW	82-13-043	154-56-010	NEW	82-13-043	162-38-040	NEW-P	82-12-053
154-12-040	NEW-E	82-04-017	154-56-010	NEW-C	82-08-054	162-38-040	NEW-C	82-16-070
154-12-040	NEW-E	82-10-005	154-60-010	NEW-E	82-04-017	162-38-050	NEW-P	82-12-053
154-12-040	NEW	82-13-043	154-60-010	NEW-E	82-10-005	162-38-050	NEW-C	82-16-070
154-12-050	NEW-E	82-04-017	154-60-010	NEW	82-13-043	162-38-060	NEW-P	82-12-053
154-12-050	NEW-E	82-10-005	154-64	NEW-C	82-08-054	162-38-060	NEW-C	82-16-070
154-12-050	NEW	82-13-043	154-64-010	NEW-E	82-04-017	162-38-070	NEW-P	82-12-053
154-12-060	NEW-E	82-04-017	154-64-010	NEW-E	82-10-005	162-38-070	NEW-C	82-16-070
154-12-060	NEW-E	82-10-005	154-64-010	NEW	82-13-043	162-38-070	NEW-P	82-12-053
154-12-060	NEW	82-13-043	154-64-010	NEW-E	82-04-017	162-38-080	NEW-P	82-12-053
154-12-070	NEW-E	82-04-017	154-64-020	NEW-E	82-10-005	162-38-080	NEW-C	82-16-070
154-12-070	NEW-E	82-10-005	154-64-020	NEW-E	82-10-005	162-38-090	NEW-P	82-12-053
154-12-070	NEW	82-13-043	154-64-020	NEW	82-13-043	162-38-090	NEW-C	82-16-070
154-12-080	NEW-E	82-04-017	154-64-030	NEW-E	82-04-017	162-38-100	NEW-P	82-12-053
154-12-080	NEW-E	82-10-005	154-64-030	NEW-E	82-10-005	162-38-100	NEW-C	82-16-070
154-12-080	NEW-E	82-10-005	154-64-030	NEW	82-13-043	162-38-110	NEW-P	82-12-053
154-12-080	NEW	82-13-043	154-64-040	NEW-E	82-04-017	162-38-110	NEW-C	82-16-070
154-12-090	NEW-E	82-04-017	154-64-040	NEW-E	82-10-005	162-38-120	NEW-P	82-12-053
154-12-090	NEW-E	82-10-005	154-64-040	NEW	82-13-043	162-38-120	NEW-C	82-16-070
154-12-090	NEW	82-13-043	154-64-050	NEW-E	82-04-017	167-04-010	REP-P	82-07-084
154-12-100	NEW-E	82-04-017	154-64-050	NEW-E	82-10-005	167-04-030	REP-P	82-07-084
154-12-100	NEW-E	82-10-005	154-64-050	NEW	82-13-043	167-04-050	REP-P	82-07-084
154-12-100	NEW	82-13-043	154-64-060	NEW-E	82-04-017	167-06-010	REP-P	82-07-084
154-12-110	NEW-E	82-04-017	154-64-060	NEW-E	82-10-005	167-06-020	REP-P	82-07-084
154-12-110	NEW-E	82-10-005	154-64-060	NEW	82-13-043	167-08-010	REP-P	82-07-084
154-12-110	NEW	82-13-043	154-68	NEW-C	82-08-054	172-114-040	AMD-P	82-16-052
154-16	NEW-C	82-08-054	154-68-010	NEW-E	82-04-017	172-116-010	AMD	82-07-038
154-16-010	NEW-E	82-04-017	154-68-010	NEW-E	82-10-005	172-116-015	NEW	82-07-038
154-16-010	NEW-E	82-10-005	154-68-010	NEW	82-13-043	172-116-020	AMD	82-07-038
154-16-010	NEW	82-13-043	154-68-020	NEW-E	82-04-017	172-116-030	AMD	82-07-038
154-16-020	NEW-E	82-04-017	154-68-020	NEW-E	82-10-005	172-116-040	AMD	82-07-038
154-16-020	NEW-E	82-10-005	154-68-020	NEW	82-13-043	172-116-050	AMD	82-07-038
154-16-020	NEW	82-13-043	162-06-010	NEW-P	82-12-053	172-116-060	AMD	82-07-038
154-20	NEW-C	82-08-054	162-06-010	NEW-C	82-16-070	172-116-080	AMD	82-07-038
154-20-010	NEW-E	82-04-017	162-06-030	NEW-P	82-12-053	172-116-090	AMD	82-07-038
154-20-010	NEW-E	82-10-005	162-06-030	NEW-C	82-16-070	172-116-100	REP	82-07-038
154-20-010	NEW	82-13-043	162-16-160	NEW-P	82-08-070	172-116-110	AMD	82-07-038
154-20-020	NEW-E	82-04-017	162-16-160	NEW-C	82-12-023	172-116-120	REP	82-07-038
154-20-020	NEW-E	82-10-005	162-16-160	NEW-C	82-16-082	172-116-130	AMD	82-07-038
154-20-020	NEW	82-13-043	162-16-170	NEW-P	82-08-070	172-116-140	AMD	82-07-038
154-24	NEW-C	82-08-054	162-16-170	NEW-C	82-12-023	172-116-150	AMD	82-07-038
154-24-010	NEW-E	82-04-017	162-16-170	NEW-C	82-16-082	172-116-160	AMD	82-07-038
154-24-010	NEW-E	82-10-005	162-26-010	NEW-P	82-12-053	172-116-170	AMD	82-07-038
154-24-010	NEW	82-13-043	162-26-010	NEW-C	82-16-070	172-116-175	AMD	82-07-038
154-28	NEW-C	82-08-054	162-26-020	NEW-P	82-12-053	172-116-185	REP	82-07-038
154-28-010	NEW-E	82-04-017	162-26-020	NEW-C	82-16-070	172-116-190	AMD	82-07-038
154-28-010	NEW-E	82-10-005	162-26-030	NEW-P	82-12-053	172-116-200	AMD	82-07-038
154-28-010	NEW	82-13-043	162-26-030	NEW-C	82-16-070	172-116-210	AMD	82-07-038
154-32	NEW-C	82-08-054	162-26-035	NEW-P	82-12-053	172-116-220	AMD	82-07-038
154-32-010	NEW-E	82-04-017	162-26-035	NEW-C	82-16-070	172-116-230	AMD	82-07-038
154-32-010	NEW-E	82-10-005	162-26-040	NEW-P	82-12-053	172-116-240	AMD	82-07-038
154-32-010	NEW	82-13-043	162-26-040	NEW-C	82-16-070	172-116-250	AMD	82-07-038
154-32-020	NEW-E	82-04-017	162-26-050	NEW-P	82-12-053	172-116-260	AMD	82-07-038
154-32-020	NEW-E	82-10-005	162-26-050	NEW-C	82-16-070	172-116-270	AMD	82-07-038
154-32-020	NEW	82-13-043	162-26-060	NEW-P	82-12-053	172-116-280	AMD	82-07-038
154-36	NEW-C	82-08-054	162-26-060	NEW-C	82-16-070	172-116-300	AMD	82-07-038
154-36-010	NEW-E	82-04-017	162-26-070	NEW-P	82-12-053	172-116-310	AMD	82-07-038
154-36-010	NEW-E	82-10-005	162-26-070	NEW-C	82-16-070	172-116-315	AMD	82-07-038
154-36-010	NEW	82-13-043	162-26-080	NEW-P	82-12-053	172-116-320	AMD	82-07-038
154-40	NEW-C	82-08-054	162-26-080	NEW-C	82-16-070	172-116-330	AMD	82-07-038
154-40-010	NEW-E	82-04-017	162-26-090	NEW-P	82-12-053	172-116-340	AMD	82-07-038
154-40-010	NEW-E	82-10-005	162-26-090	NEW-C	82-16-070	172-116-345	NEW	82-07-038
154-40-010	NEW	82-13-043	162-26-100	NEW-P	82-12-053	172-168-010	AMD	82-07-064
154-44	NEW-C	82-08-054	162-26-100	NEW-C	82-16-070	172-168-020	AMD	82-07-064
154-44-010	NEW-E	82-04-017	162-26-110	NEW-P	82-12-053	172-168-060	AMD	82-07-064
154-44-010	NEW-E	82-10-005	162-26-110	NEW-C	82-16-070	172-168-070	AMD	82-07-064
154-44-010	NEW	82-13-043	162-26-120	NEW-P	82-12-053	172-168-080	AMD	82-07-064
154-48	NEW-C	82-08-054	162-26-120	NEW-C	82-16-070	172-168-090	AMD	82-07-064

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
172-168-100	AMD	82-07-064	173-128A-020	NEW-P	82-10-074	173-130A-120	NEW	82-16-103
172-168-110	AMD	82-07-064	173-128A-020	NEW	82-14-041	173-130A-130	NEW-P	82-10-073
172-168-120	AMD	82-07-064	173-128A-030	NEW-P	82-10-074	173-130A-130	NEW	82-16-103
172-168-130	AMD	82-07-064	173-128A-030	NEW	82-14-041	173-130A-140	NEW-P	82-10-073
172-180-020	AMD-E	82-15-047	173-128A-040	NEW-P	82-10-074	173-130A-140	NEW	82-16-103
172-180-020	AMD-P	82-16-051	173-128A-040	NEW	82-14-041	173-130A-150	NEW-P	82-10-073
173-03-030	AMD-P	82-13-107	173-128A-050	NEW-P	82-10-074	173-130A-150	NEW	82-16-103
173-03-060	AMD-P	82-13-107	173-128A-050	NEW	82-14-041	173-130A-160	NEW-P	82-10-073
173-14-090	AMD-E	82-16-056	173-130	REP-C	82-14-040	173-130A-160	NEW	82-16-103
173-14-115	AMD-E	82-16-056	173-130-010	REP-P	82-10-073	173-130A-170	NEW-P	82-10-073
173-19-160	AMD	82-05-017	173-130-010	REP	82-16-103	173-130A-170	NEW	82-16-103
173-19-160	AMD-P	82-08-075	173-130-020	REP-P	82-10-073	173-130A-180	NEW-P	82-10-073
173-19-160	AMD	82-11-105	173-130-020	REP	82-16-103	173-130A-180	NEW	82-16-103
173-19-2102	AMD-P	82-13-106	173-130-030	REP-P	82-10-073	173-130A-190	NEW-P	82-10-073
173-19-2102	AMD	82-17-046	173-130-030	REP	82-16-103	173-130A-190	NEW	82-16-103
173-19-240	AMD-P	82-13-106	173-130-040	REP-P	82-10-073	173-130A-200	NEW-P	82-10-073
173-19-240	AMD	82-17-047	173-130-040	REP	82-16-103	173-130A-200	NEW	82-16-103
173-19-250	AMD	82-05-018	173-130-050	REP-P	82-10-073	173-130A-210	NEW-P	82-10-073
173-19-2521	AMD	82-02-079	173-130-050	REP	82-16-103	173-130A-210	NEW	82-16-103
173-19-2524	AMD-P	82-08-075	173-130-060	REP-P	82-10-073	173-130A-220	NEW	82-16-103
173-19-2524	AMD	82-11-106	173-130-060	REP	82-16-103	173-201-010	AMD-P	82-06-056
173-19-2601	AMD-C	82-02-076	173-130-070	REP-P	82-10-073	173-201-010	AMD	82-12-078
173-19-2601	AMD	82-03-042	173-130-070	REP	82-16-103	173-201-020	REP-P	82-06-056
173-19-2601	AMD-P	82-03-043	173-130-080	REP-P	82-10-073	173-201-020	REP	82-12-078
173-19-2601	AMD	82-07-003	173-130-080	REP	82-16-103	173-201-025	AMD-P	82-06-056
173-19-2901	AMD-P	82-13-106	173-130-090	REP-P	82-10-073	173-201-025	AMD	82-12-078
173-19-2901	AMD	82-17-048	173-130-090	REP	82-16-103	173-201-035	AMD-P	82-06-056
173-19-2902	AMD	82-02-078	173-130-100	REP-P	82-10-073	173-201-035	AMD	82-12-078
173-19-310	AMD-P	82-10-075	173-130-100	REP	82-16-103	173-201-045	AMD-P	82-06-056
173-19-310	AMD	82-14-017	173-130-110	REP-P	82-10-073	173-201-045	AMD	82-12-078
173-19-3208	AMD-P	82-13-106	173-130-110	REP	82-16-103	173-201-050	REP-P	82-06-056
173-19-3208	AMD	82-17-049	173-130-120	REP-P	82-10-073	173-201-050	REP	82-12-078
173-19-330	AMD-C	82-05-015	173-130-120	REP	82-16-103	173-201-070	AMD-P	82-06-056
173-19-330	AMD-C	82-06-012	173-130-130	REP-P	82-10-073	173-201-070	AMD	82-12-078
173-19-330	AMD	82-07-045	173-130-130	REP	82-16-103	173-201-080	AMD-P	82-06-056
173-19-3514	AMD-P	82-05-056	173-130-140	REP-P	82-10-073	173-201-080	AMD	82-12-078
173-19-3514	AMD	82-10-002	173-130-140	REP	82-16-103	173-201-085	AMD-P	82-06-056
173-19-370	AMD-P	82-10-076	173-130-150	REP-P	82-10-073	173-201-085	AMD	82-12-078
173-19-370	AMD-C	82-14-088	173-130-150	REP	82-16-103	173-201-090	AMD-P	82-06-056
173-19-370	AMD	82-18-027	173-130-155	REP-P	82-10-073	173-201-090	AMD	82-12-078
173-19-3704	AMD-P	82-10-076	173-130-155	REP	82-16-103	173-201-120	AMD-P	82-06-056
173-19-3704	AMD	82-14-089	173-130-160	REP-P	82-10-073	173-201-120	AMD	82-12-078
173-19-390	AMD-P	82-10-075	173-130-160	REP	82-16-103	173-201-140	REP-P	82-06-056
173-19-390	AMD	82-14-018	173-130-170	REP-P	82-10-073	173-201-140	REP	82-12-078
173-19-3910	AMD-C	82-05-016	173-130-170	REP	82-16-103	173-202-020	AMD-P	82-18-069
173-19-3910	AMD	82-06-013	173-130-180	REP-P	82-10-073	173-230-010	AMD-P	82-05-055
173-19-420	AMD-P	82-03-043	173-130-180	REP	82-16-103	173-230-010	AMD	82-09-056
173-19-420	AMD	82-07-004	173-130-190	REP-P	82-10-073	173-230-020	AMD-P	82-05-055
173-19-4202	AMD	82-02-080	173-130-190	REP	82-16-103	173-230-020	AMD	82-09-056
173-19-4203	AMD-P	82-16-104	173-130-195	REP-P	82-10-073	173-230-040	AMD-P	82-05-055
173-19-4206	AMD	82-02-081	173-130-195	REP	82-16-103	173-230-040	AMD	82-09-056
173-19-450	AMD	82-02-077	173-130-200	REP-P	82-10-073	173-230-050	AMD-P	82-05-055
173-19-450	AMD-P	82-03-043	173-130-200	REP	82-16-103	173-230-050	AMD	82-09-056
173-19-450	AMD	82-07-005	173-130A	NEW-C	82-14-040	173-230-060	REP-P	82-05-055
173-19-4502	AMD-P	82-05-056	173-130A-010	NEW-P	82-10-073	173-230-060	REP	82-09-056
173-19-4502	AMD	82-10-001	173-130A-010	NEW	82-16-103	173-230-061	NEW-P	82-05-055
173-20-520	AMD-P	82-07-099	173-130A-020	NEW-P	82-10-073	173-230-061	NEW	82-09-056
173-20-520	AMD-P	82-11-102	173-130A-020	NEW	82-16-103	173-230-070	AMD-P	82-05-055
173-80-010	NEW	82-05-011	173-130A-030	NEW-P	82-10-073	173-230-070	AMD	82-09-056
173-80-020	NEW	82-05-011	173-130A-030	NEW	82-16-103	173-230-080	AMD-P	82-05-055
173-80-030	NEW	82-05-011	173-130A-040	NEW-P	82-10-073	173-230-080	AMD	82-09-056
173-80-040	NEW	82-05-011	173-130A-040	NEW	82-16-103	173-230-100	AMD-P	82-05-055
173-80-050	NEW	82-05-011	173-130A-050	NEW-P	82-10-073	173-230-100	AMD	82-09-056
173-80-060	NEW	82-05-011	173-130A-050	NEW	82-16-103	173-230-110	AMD-P	82-05-055
173-80-070	NEW	82-05-011	173-130A-060	NEW-P	82-10-073	173-230-110	AMD	82-09-056
173-128-010	REP-P	82-10-074	173-130A-060	NEW	82-16-103	173-302	REP-C	82-04-046
173-128-010	REP	82-14-041	173-130A-070	NEW-P	82-10-073	173-302-010	REP	82-05-023
173-128-020	REP-P	82-10-074	173-130A-070	NEW	82-16-103	173-302-020	REP	82-05-023
173-128-020	REP	82-14-041	173-130A-080	NEW-P	82-10-073	173-302-030	REP	82-05-023
173-128-030	REP-P	82-10-074	173-130A-080	NEW	82-16-103	173-302-040	REP	82-05-023
173-128-030	REP	82-14-041	173-130A-090	NEW-P	82-10-073	173-302-050	REP	82-05-023
173-128-040	REP-P	82-10-074	173-130A-090	NEW	82-16-103	173-302-060	REP	82-05-023
173-128-040	REP	82-14-041	173-130A-100	NEW-P	82-10-073	173-302-070	REP	82-05-023
173-128-050	REP-P	82-10-074	173-130A-100	NEW	82-16-103	173-302-080	REP	82-05-023
173-128-050	REP	82-14-041	173-130A-110	NEW-P	82-10-073	173-302-090	REP	82-05-023
173-128A-010	NEW-P	82-10-074	173-130A-110	NEW	82-16-103	173-302-100	REP	82-05-023
173-128A-010	NEW	82-14-041	173-130A-120	NEW-P	82-10-073	173-302-110	REP	82-05-023



Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
174-116-091	NEW-P	82-18-079	194-10-040	AMD	82-17-030	204-56-040	REP-P	82-06-041
174-116-092	NEW-P	82-18-079	194-10-050	AMD-P	82-13-044	204-56-040	REP	82-11-040
174-116-115	REP-P	82-18-079	194-10-050	AMD	82-17-030	204-56-045	NEW-P	82-06-041
174-116-119	NEW-P	82-18-079	194-10-060	AMD-P	82-13-044	204-56-045	NEW	82-11-040
174-116-121	NEW-P	82-18-079	194-10-060	AMD	82-17-030	204-56-050	REP-P	82-06-041
174-116-122	NEW-P	82-18-079	194-10-090	AMD-P	82-13-044	204-56-050	REP	82-11-040
174-116-123	NEW-P	82-18-079	194-10-090	AMD	82-17-030	204-56-055	NEW-P	82-06-041
174-116-124	NEW-P	82-18-079	194-10-100	AMD-P	82-13-044	204-56-055	NEW	82-11-040
174-116-125	AMD-P	82-18-079	194-10-100	AMD	82-17-030	204-56-065	NEW-P	82-06-041
174-116-126	NEW-P	82-18-079	194-10-120	AMD-P	82-13-044	204-56-065	NEW	82-11-040
174-116-127	NEW-P	82-18-079	194-10-120	AMD	82-17-030	204-56-075	NEW-P	82-06-041
174-116-128	NEW-P	82-18-079	194-10-130	AMD-P	82-13-044	204-56-075	NEW	82-11-040
174-116-135	REP-P	82-18-079	194-10-130	AMD	82-17-030	204-56-085	NEW-P	82-06-041
174-116-140	REP-P	82-18-079	194-10-140	AMD-P	82-13-044	204-56-085	NEW	82-11-040
174-116-150	REP-P	82-18-079	194-10-140	AMD	82-17-030	204-56-99001	NEW-P	82-06-041
174-116-180	AMD-P	82-18-079	194-12-010	AMD-P	82-13-044	204-56-99001	NEW	82-11-040
174-116-200	NEW-P	82-18-079	194-12-010	AMD	82-17-030	204-56-99002	NEW-P	82-06-041
174-116-210	NEW-P	82-18-079	194-12-060	AMD-P	82-13-044	204-56-99002	NEW	82-11-040
174-116-220	NEW-P	82-18-079	194-12-060	AMD	82-17-030	204-56-99003	NEW-P	82-06-041
174-116-250	NEW-P	82-18-079	194-12-070	AMD-P	82-13-044	204-56-99003	NEW	82-11-040
174-116-260	NEW-P	82-18-079	194-12-070	AMD	82-17-030	204-56-99004	NEW-P	82-06-041
174-116-270	NEW-P	82-18-079	194-12-080	AMD-P	82-13-044	204-56-99004	NEW	82-11-040
180-16-150	REP-P	82-15-036	194-12-080	AMD	82-17-030	204-56-99005	NEW-P	82-06-041
180-16-160	REP-P	82-15-037	194-16-010	NEW-E	82-07-087	204-56-99005	NEW	82-11-040
180-40-200	AMD-P	82-16-055	194-16-010	NEW-P	82-07-088	204-56-99006	NEW-P	82-06-041
180-55-125	AMD	82-04-002	194-16-010	NEW	82-11-005	204-56-99006	NEW	82-11-040
180-56-230	AMD	82-04-003	194-16-020	NEW-E	82-07-087	204-56-99007	NEW-P	82-06-041
180-90-130	AMD	82-04-004	194-16-020	NEW-P	82-07-088	204-56-99007	NEW	82-11-040
180-90-140	AMD	82-04-004	194-16-020	NEW	82-11-005	204-56-99008	NEW-P	82-06-041
180-90-160	AMD	82-04-004	194-16-030	NEW-E	82-07-087	204-56-99008	NEW	82-11-040
180-100-010	REP-P	82-15-038	194-16-030	NEW-P	82-07-088	204-56-99009	NEW-P	82-06-041
192-12-015	NEW-P	82-13-058	194-16-030	NEW	82-11-005	204-56-99009	NEW	82-11-040
192-12-015	NEW-E	82-15-003	194-16-040	NEW-E	82-07-087	204-56-99010	NEW-P	82-06-041
192-12-015	NEW	82-17-052	194-16-040	NEW-P	82-07-088	204-56-99010	NEW	82-11-040
192-12-017	NEW-P	82-13-058	194-16-040	NEW	82-11-005	204-56-99011	NEW-P	82-06-041
192-12-017	NEW-E	82-15-003	194-16-050	NEW-E	82-07-087	204-56-99011	NEW	82-11-040
192-12-017	NEW	82-17-052	194-16-050	NEW-P	82-07-088	204-56-99012	NEW-P	82-06-041
192-16-009	AMD-P	82-13-058	194-16-050	NEW	82-11-005	204-56-99012	NEW	82-11-040
192-16-009	AMD-E	82-15-003	194-16-060	NEW-E	82-07-087	204-56-99013	NEW-P	82-06-041
192-16-009	AMD	82-17-052	194-16-060	NEW-P	82-07-088	204-56-99013	NEW	82-11-040
192-16-016	NEW-P	82-13-058	194-16-060	NEW	82-11-005	204-70	AMD-C	82-16-046
192-16-016	NEW-E	82-13-059	194-16-070	NEW-E	82-07-087	204-70-040	AMD-E	82-04-047
192-16-016	NEW	82-17-052	194-16-070	NEW-P	82-07-088	204-70-040	AMD-E	82-11-041
192-16-019	AMD-P	82-13-058	194-16-070	NEW	82-11-005	204-70-040	AMD-P	82-11-042
192-16-019	AMD-E	82-15-003	204-10-080	AMD-P	82-11-050	204-70-040	AMD-E	82-16-048
192-16-019	AMD	82-17-052	204-10-080	AMD	82-16-049	204-70-100	AMD-E	82-04-047
192-16-036	AMD-P	82-13-058	204-22-010	NEW-P	82-11-051	204-70-100	AMD-E	82-11-041
192-16-036	AMD-E	82-13-059	204-22-010	NEW	82-16-047	204-70-100	AMD-P	82-11-042
192-16-036	AMD	82-17-052	204-22-020	NEW-P	82-11-051	204-70-100	AMD-E	82-16-048
192-16-040	AMD-P	82-13-058	204-22-020	NEW	82-16-047	204-70-110	NEW-E	82-11-041
192-16-040	AMD-E	82-13-059	204-22-030	NEW-P	82-11-051	204-70-110	NEW-P	82-11-042
192-16-040	AMD	82-17-052	204-22-030	NEW	82-16-047	204-70-110	NEW-E	82-16-048
192-16-042	AMD-P	82-13-058	204-22-040	NEW-P	82-11-051	204-70-120	AMD-E	82-04-047
192-16-042	AMD-E	82-13-059	204-22-040	NEW	82-16-047	204-70-120	REP-E	82-11-041
192-16-042	AMD	82-17-052	204-22-050	NEW-P	82-11-051	204-70-120	REP-P	82-11-042
192-16-045	AMD-P	82-13-058	204-22-050	NEW	82-16-047	204-70-120	REP-E	82-16-048
192-16-045	AMD-E	82-13-059	204-24	AMD-C	82-06-040	204-88-010	NEW-E	82-11-043
192-16-045	AMD	82-17-052	204-24-020	AMD-P	82-12-003	204-88-010	NEW-P	82-11-044
192-16-047	AMD-P	82-13-058	204-24-020	AMD	82-16-047	204-88-010	NEW	82-16-047
192-16-047	AMD-E	82-13-059	204-24-040	AMD-E	82-04-048	204-88-020	NEW-E	82-11-043
192-16-047	AMD	82-17-052	204-24-040	AMD-P	82-04-049	204-88-020	NEW-P	82-11-044
192-16-050	NEW-P	82-09-063	204-24-040	AMD	82-11-045	204-88-020	NEW	82-16-047
192-16-050	NEW-E	82-09-064	204-24-050	AMD-E	82-04-048	204-88-030	NEW-E	82-11-043
192-16-050	NEW-C	82-13-056	204-24-050	AMD-P	82-04-049	204-88-030	NEW-P	82-11-044
192-16-050	NEW	82-13-057	204-24-050	AMD	82-11-045	204-88-030	NEW	82-16-047
192-16-051	NEW-P	82-13-058	204-56-010	REP-P	82-06-041	204-88-040	NEW-E	82-11-043
192-16-051	NEW-E	82-13-059	204-56-010	REP	82-11-040	204-88-040	NEW-P	82-11-044
192-16-051	NEW	82-17-052	204-56-015	NEW-P	82-06-041	204-88-040	NEW	82-16-047
192-16-055	NEW-P	82-13-058	204-56-015	NEW	82-11-040	204-88-050	NEW-E	82-11-043
192-16-055	NEW-E	82-13-059	204-56-020	REP-P	82-06-041	204-88-050	NEW-P	82-11-044
192-16-055	NEW	82-17-052	204-56-020	REP	82-11-040	204-88-050	NEW	82-16-047
192-18-050	AMD-E	82-03-054	204-56-025	NEW-P	82-06-041	204-88-060	NEW-E	82-11-043
194-10-020	AMD-P	82-13-044	204-56-025	NEW	82-11-040	204-88-060	NEW-P	82-11-044
194-10-020	AMD	82-17-030	204-56-030	REP-P	82-06-041	204-88-070	NEW	82-16-047
194-10-030	AMD-P	82-13-044	204-56-030	REP	82-11-040	204-88-070	NEW-E	82-11-043
194-10-030	AMD	82-17-030	204-56-035	NEW-P	82-06-041	204-88-070	NEW-P	82-11-044
194-10-040	AMD-P	82-13-044	204-56-035	NEW	82-11-040	204-88-070	NEW	82-16-047









Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
212-17-900	NEW-E	82-18-020	220-16-145	AMD	82-14-056	220-28-086N0A	NEW-E	82-11-059
212-26-001	NEW-P	82-07-075	220-16-257	AMD-P	82-02-097	220-28-086N0A	REP-E	82-12-009
212-26-001	NEW	82-11-029	220-16-257	AMD-C	82-06-023	220-28-086N0B	NEW-E	82-12-009
212-26-005	NEW-P	82-07-075	220-16-257	AMD-C	82-07-044	220-28-086N0B	REP-E	82-12-047
212-26-005	NEW	82-11-029	220-16-257	AMD	82-07-047	220-28-086N0C	NEW-E	82-12-047
212-26-010	NEW-P	82-07-075	220-16-315	AMD	82-03-045	220-28-086N0C	REP-E	82-13-007
212-26-010	NEW	82-11-029	220-16-315	AMD-P	82-10-077	220-28-086N0D	NEW-E	82-13-007
212-26-015	NEW-P	82-07-075	220-16-315	AMD-C	82-13-085	220-28-201	NEW-E	82-09-029
212-26-015	NEW	82-11-029	220-16-315	AMD	82-14-056	220-28-201	REP-E	82-12-051
212-26-020	NEW-P	82-07-075	220-16-340	AMD-P	82-02-097	220-28-202	NEW-E	82-12-051
212-26-020	NEW	82-11-029	220-16-340	AMD-C	82-06-023	220-28-202	REP-E	82-13-061
212-26-025	NEW-P	82-07-075	220-16-340	AMD-C	82-07-044	220-28-203	NEW-E	82-13-061
212-26-025	NEW	82-11-029	220-16-340	AMD	82-07-047	220-28-203	REP-E	82-14-054
212-26-030	NEW-P	82-07-075	220-20-010	AMD-P	82-02-097	220-28-204	NEW-E	82-14-054
212-26-030	NEW	82-11-029	220-20-010	AMD-C	82-06-023	220-28-204	REP-E	82-15-030
212-26-035	NEW-P	82-07-075	220-20-010	AMD-C	82-07-044	220-28-205	NEW-E	82-15-030
212-26-035	NEW	82-11-029	220-20-010	AMD	82-07-047	220-28-205	REP-E	82-15-066
212-26-040	NEW-P	82-07-075	220-20-010	AMD-P	82-12-079	220-28-206	NEW-E	82-15-066
212-26-040	NEW	82-11-029	220-20-010	AMD-C	82-15-015	220-28-206	REP-E	82-16-010
212-26-045	NEW-P	82-07-075	220-20-010	AMD	82-15-040	220-28-207	NEW-E	82-16-010
212-26-045	NEW	82-11-029	220-20-01000G	NEW-E	82-08-005	220-28-207	REP-E	82-16-066
212-26-050	NEW-P	82-07-075	220-20-01000G	NEW-E	82-11-075	220-28-208	NEW-E	82-16-066
212-26-050	NEW	82-11-029	220-20-01000H	NEW-E	82-16-005	220-28-208	REP-E	82-17-014
212-26-055	NEW-P	82-07-075	220-20-019	NEW-P	82-12-080	220-28-209	NEW-E	82-17-014
212-26-055	NEW	82-11-029	220-20-019	NEW-C	82-16-018	220-28-209	REP-E	82-17-042
212-26-060	NEW-P	82-07-075	220-20-019	NEW	82-17-040	220-28-210	NEW-E	82-17-042
212-26-060	NEW	82-11-029	220-20-021	NEW-P	82-12-080	220-28-210	REP-E	82-18-012
212-26-065	NEW-P	82-07-075	220-20-021	NEW-C	82-16-018	220-28-211	NEW-E	82-18-012
212-26-065	NEW	82-11-029	220-20-021	NEW	82-17-040	220-32-022	AMD-P	82-17-011
212-26-070	NEW-P	82-07-075	220-20-02100A	NEW-E	82-07-082	220-32-02200E	REP-E	82-03-027
212-26-070	NEW	82-11-029	220-20-02100B	NEW-E	82-16-043	220-32-02200F	NEW-E	82-03-027
212-26-075	NEW-P	82-07-075	220-20-039	NEW-E	82-06-059	220-32-02200F	REP-E	82-09-044
212-26-075	NEW	82-11-029	220-20-039	NEW-P	82-12-080	220-32-02200G	NEW-E	82-09-044
212-26-080	NEW-P	82-07-075	220-20-039	NEW-C	82-16-018	220-32-02200H	NEW-E	82-16-042
212-26-080	NEW	82-11-029	220-20-039	NEW	82-17-040	220-32-03000E	NEW-E	82-04-039
212-26-085	NEW-P	82-07-075	220-22-020	AMD-P	82-10-078	220-32-03600M	NEW-E	82-06-014
212-26-085	NEW	82-11-029	220-22-020	AMD-C	82-13-041	220-32-040	AMD-P	82-17-011
212-26-090	NEW-P	82-07-075	220-22-020	AMD	82-13-048	220-32-0400M	REP-E	82-03-027
212-26-090	NEW	82-11-029	220-22-02000A	NEW-E	82-14-001	220-32-04000N	NEW-E	82-03-027
212-26-095	NEW-P	82-07-075	220-22-030	AMD-P	82-12-079	220-32-04000N	REP-E	82-09-044
212-26-095	NEW	82-11-029	220-22-030	AMD-C	82-15-015	220-32-04000O	NEW-E	82-09-044
212-26-100	NEW-P	82-07-075	220-22-030	AMD	82-15-040	220-32-04000P	NEW-E	82-16-042
212-26-100	NEW	82-11-029	220-22-03000A	NEW-E	82-16-005	220-32-04100E	NEW-E	82-10-008
212-26-105	NEW-P	82-07-075	220-22-410	AMD-P	82-10-071	220-32-04100E	REP-E	82-13-047
212-26-105	NEW	82-11-029	220-22-410	AMD-C	82-13-085	220-32-04100F	NEW-E	82-13-047
212-32-045	AMD-P	82-09-001	220-22-410	AMD	82-14-056	220-32-05100R	NEW-E	82-04-039
212-32-045	AMD	82-13-025	220-24-0200Q	NEW-E	82-15-032	220-32-055	AMD-P	82-12-080
212-36	AMD-W	82-08-044	220-24-0200Q	REP-E	82-16-054	220-32-055	AMD-C	82-16-018
212-52-012	AMD-P	82-07-017	220-24-02000M	NEW-E	82-13-017	220-32-055	AMD	82-17-040
212-52-012	AMD	82-11-030	220-24-02000M	REP-E	82-15-032	220-32-05500F	NEW-E	82-11-012
220-12-010	AMD-P	82-02-097	220-24-02000N	NEW-E	82-14-091	220-32-05500F	REP-E	82-11-076
220-12-010	AMD-C	82-06-023	220-24-02000N	REP-E	82-15-005	220-32-05500G	NEW-E	82-11-076
220-12-010	AMD-C	82-07-044	220-24-02000P	NEW-E	82-15-005	220-32-057	AMD-P	82-17-011
220-12-010	AMD	82-07-047	220-24-02000P	REP-E	82-16-054	220-32-05700K	REP-E	82-03-027
220-16-015	AMD-P	82-10-077	220-24-02000R	NEW-E	82-16-054	220-32-05700L	NEW-E	82-03-027
220-16-015	AMD-C	82-13-085	220-24-02000R	REP-E	82-17-012	220-32-05700L	REP-E	82-09-044
220-16-015	AMD	82-14-056	220-24-02000S	NEW-E	82-17-012	220-32-05700M	NEW-E	82-09-044
220-16-055	AMD-P	82-09-082	220-28-003G0F	NEW-E	82-15-049	220-32-05700N	NEW-E	82-16-042
220-16-055	AMD	82-13-040	220-28-003G0F	REP-E	82-16-026	220-32-05900C	NEW-E	82-10-039
220-16-070	REP-P	82-10-077	220-28-072B0A	NEW-E	82-07-020	220-36-021	AMD-P	82-10-078
220-16-070	REP-C	82-13-085	220-28-072B0A	REP-E	82-13-008	220-36-021	AMD-C	82-13-041
220-16-070	REP	82-14-056	220-28-072B0B	NEW-E	82-13-008	220-36-021	AMD	82-13-048
220-16-090	AMD-P	82-10-077	220-28-072B0B	REP-E	82-13-013	220-36-022	AMD-P	82-10-078
220-16-090	AMD-C	82-13-085	220-28-072B0C	NEW-E	82-13-013	220-36-022	AMD-C	82-13-041
220-16-090	AMD	82-14-056	220-28-072B0C	REP-E	82-14-024	220-36-022	AMD	82-13-048
220-16-126	NEW-P	82-10-077	220-28-072B0D	NEW-E	82-14-024	220-36-024	AMD-P	82-10-078
220-16-126	NEW-C	82-13-085	220-28-072B0D	REP-E	82-18-014	220-36-024	AMD-C	82-13-041
220-16-126	NEW	82-14-056	220-28-072B0E	NEW-E	82-18-014	220-36-024	AMD	82-13-048
220-16-130	REP-P	82-10-077	220-28-073E0A	NEW-E	82-12-015	220-40-021	AMD-P	82-10-078
220-16-130	REP-C	82-13-085	220-28-073E0A	REP-E	82-16-009	220-40-021	AMD-C	82-13-041
220-16-130	REP	82-14-056	220-28-073E0B	NEW-E	82-16-009	220-40-021	AMD	82-13-048
220-16-132	NEW	82-03-045	220-28-073E0B	REP-E	82-16-053	220-40-022	AMD-P	82-10-078
220-16-132	REP-P	82-10-077	220-28-073E0C	NEW-E	82-16-053	220-40-022	AMD-C	82-13-041
220-16-132	REP-C	82-13-085	220-28-073E0C	REP-E	82-18-014	220-40-022	AMD	82-13-048
220-16-132	REP	82-14-056	220-28-073G0A	NEW-E	82-14-013	220-40-02200R	NEW-E	82-14-082
220-16-145	AMD-P	82-10-077	220-28-073G0A	REP-E	82-16-026	220-40-024	AMD-P	82-10-078
220-16-145	AMD-C	82-13-085	220-28-073G0A	REP-E	82-17-063	220-40-024	AMD-C	82-13-041

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
220-40-024	AMD	82-13-048	220-48-029	NEW-P	82-10-077	220-52-054	AMD	82-03-045
220-44-02000A	NEW-E	82-10-040	220-48-029	NEW-C	82-13-085	220-52-069	AMD	82-03-045
220-44-030	AMD	82-03-045	220-48-029	NEW	82-14-056	220-52-075	AMD	82-03-045
220-44-030	AMD-P	82-10-077	220-48-031	NEW-P	82-10-077	220-56	AMD-C	82-06-023
220-44-030	AMD-C	82-13-085	220-48-031	NEW-C	82-13-085	220-56-100	AMD-P	82-09-082
220-44-030	AMD	82-14-056	220-48-031	NEW	82-14-056	220-56-100	AMD	82-13-040
220-44-040	AMD-P	82-10-077	220-48-032	NEW-P	82-10-077	220-56-105	AMD-P	82-09-082
220-44-040	AMD-C	82-13-085	220-48-032	NEW-C	82-13-085	220-56-105	AMD	82-13-040
220-44-040	AMD	82-14-056	220-48-032	NEW	82-14-056	220-56-10500A	NEW-E	82-13-060
220-44-04000F	NEW-E	82-08-008	220-48-041	NEW-P	82-10-077	220-56-110	AMD-P	82-02-097
220-44-04000G	NEW-E	82-15-041	220-48-041	NEW-C	82-13-085	220-56-110	AMD-C	82-06-023
220-47-307	AMD-P	82-12-079	220-48-041	NEW	82-14-056	220-56-110	AMD-C	82-07-044
220-47-307	AMD-C	82-15-015	220-48-042	NEW-P	82-10-077	220-56-112	NEW-P	82-02-097
220-47-307	AMD	82-15-040	220-48-042	NEW-C	82-13-085	220-56-112	NEW-C	82-06-023
220-47-311	AMD-P	82-12-079	220-48-042	NEW	82-14-056	220-56-112	NEW-C	82-07-044
220-47-311	AMD-C	82-15-015	220-48-051	NEW-P	82-10-077	220-56-112	NEW	82-07-047
220-47-311	AMD	82-15-040	220-48-051	NEW-C	82-13-085	220-56-11200A	NEW-E	82-08-005
220-47-312	AMD-P	82-12-079	220-48-051	NEW	82-14-056	220-56-115	AMD-P	82-02-097
220-47-312	AMD-C	82-15-015	220-48-052	NEW-P	82-10-077	220-56-115	AMD-C	82-06-023
220-47-312	AMD	82-15-040	220-48-052	NEW-C	82-13-085	220-56-115	AMD-C	82-07-044
220-47-313	AMD-P	82-12-079	220-48-052	NEW	82-14-056	220-56-115	AMD	82-07-047
220-47-313	AMD-C	82-15-015	220-48-061	NEW-P	82-10-077	220-56-115	AMD-P	82-09-082
220-47-313	AMD	82-15-040	220-48-061	NEW-C	82-13-085	220-56-115	AMD	82-13-040
220-47-411	AMD-P	82-12-079	220-48-061	NEW	82-14-056	220-56-11500A	NEW-E	82-09-027
220-47-411	AMD-C	82-15-015	220-48-062	NEW-P	82-10-077	220-56-11500A	REP-E	82-13-060
220-47-411	AMD	82-15-040	220-48-062	NEW-C	82-13-085	220-56-11500B	NEW-E	82-13-060
220-47-412	AMD-P	82-12-079	220-48-062	NEW	82-14-056	220-56-116	NEW-P	82-09-082
220-47-412	AMD-C	82-15-015	220-48-071	NEW-P	82-10-077	220-56-116	NEW	82-13-040
220-47-412	AMD	82-15-040	220-48-071	NEW-C	82-13-085	220-56-11600A	NEW-E	82-09-027
220-47-413	AMD-P	82-12-079	220-48-071	NEW	82-14-056	220-56-117	NEW-P	82-02-097
220-47-413	AMD-C	82-15-015	220-48-080	REP-P	82-10-077	220-56-117	NEW-C	82-06-023
220-47-413	AMD	82-15-040	220-48-080	REP-C	82-13-085	220-56-117	NEW-C	82-07-044
220-47-414	AMD-P	82-12-079	220-48-080	REP	82-14-056	220-56-117	NEW	82-07-047
220-47-414	AMD-C	82-15-015	220-48-090	REP-P	82-10-077	220-56-128	AMD-P	82-02-097
220-47-414	AMD	82-15-040	220-48-090	REP-C	82-13-085	220-56-128	AMD-C	82-06-023
220-47-50300A	NEW-E	82-18-080	220-48-090	REP	82-14-056	220-56-128	AMD-C	82-07-044
220-47-700	NEW-E	82-09-028	220-48-09001	REP-P	82-10-077	220-56-128	AMD	82-07-047
220-47-701	NEW-E	82-15-042	220-48-09001	REP-C	82-13-085	220-56-12800A	NEW-E	82-08-005
220-47-701	REP-E	82-16-011	220-48-09001	REP	82-14-056	220-56-12800A	REP-E	82-13-060
220-47-702	NEW-E	82-16-011	220-48-091	REP-P	82-10-077	220-56-131	AMD-P	82-02-097
220-47-702	REP-E	82-16-067	220-48-091	REP-C	82-13-085	220-56-131	AMD-C	82-06-023
220-47-703	NEW-E	82-16-067	220-48-091	REP	82-14-056	220-56-131	AMD-C	82-07-044
220-47-703	REP-E	82-17-015	220-48-092	REP-P	82-10-077	220-56-131	AMD	82-07-047
220-47-704	NEW-E	82-17-015	220-48-092	REP-C	82-13-085	220-56-135	REP-P	82-02-097
220-47-704	REP-E	82-17-041	220-48-092	REP	82-14-056	220-56-135	REP-C	82-06-023
220-47-705	NEW-E	82-17-041	220-48-095	REP-P	82-10-077	220-56-135	REP-C	82-07-044
220-47-705	REP-E	82-18-013	220-48-095	REP-C	82-13-085	220-56-135	REP	82-07-047
220-47-706	NEW-E	82-18-013	220-48-095	REP	82-14-056	220-56-135	REP-E	82-08-024
220-47-706	REP-E	82-18-045	220-48-096	REP-P	82-10-077	220-56-145	AMD-P	82-09-082
220-47-707	NEW-E	82-18-045	220-48-096	REP-C	82-13-085	220-56-145	AMD	82-13-040
220-48-001	NEW-P	82-10-077	220-48-096	REP	82-14-056	220-56-14500A	NEW-E	82-08-006
220-48-001	NEW-C	82-13-085	220-48-098	REP-P	82-10-077	220-56-14500A	REP-E	82-14-003
220-48-001	NEW	82-14-056	220-48-098	REP-C	82-13-085	220-56-14500B	NEW-E	82-14-003
220-48-005	NEW-P	82-10-077	220-48-098	REP	82-14-056	220-56-180	AMD-P	82-02-097
220-48-005	NEW-C	82-13-085	220-48-100	REP-P	82-10-077	220-56-180	AMD-C	82-06-023
220-48-005	NEW	82-14-056	220-48-100	REP-C	82-13-085	220-56-180	AMD-C	82-07-044
220-48-005	NEW-P	82-10-077	220-48-100	REP	82-14-056	220-56-180	AMD	82-07-047
220-48-011	NEW-C	82-13-085	220-48-09000C	NEW-E	82-08-047	220-56-180	AMD-P	82-09-082
220-48-011	NEW	82-14-056	220-48-09800A	NEW-E	82-08-025	220-56-180	AMD	82-13-040
220-48-015	NEW-P	82-10-077	220-49-02000A	NEW-E	82-02-063	220-56-18000E	NEW-E	82-06-044
220-48-015	NEW-C	82-13-085	220-49-02000A	REP-E	82-02-067	220-56-18000F	NEW-E	82-08-005
220-48-015	NEW	82-14-056	220-49-02000B	NEW-E	82-02-067	220-56-18000G	NEW-E	82-09-027
220-48-017	NEW-P	82-10-077	220-49-02000B	REP-E	82-03-010	220-56-18000H	NEW-E	82-13-012
220-48-017	NEW-C	82-13-085	220-49-02000F	NEW-E	82-04-021	220-56-190	AMD-P	82-02-097
220-48-017	NEW	82-14-056	220-49-02000F	REP-E	82-10-010	220-56-190	AMD-C	82-06-023
220-48-019	NEW-P	82-10-077	220-49-02000G	NEW-E	82-04-027	220-56-190	AMD-C	82-07-044
220-48-019	NEW-C	82-13-085	220-49-02000G	REP-E	82-10-010	220-56-190	AMD	82-07-047
220-48-019	NEW	82-14-056	220-49-02000H	NEW-E	82-10-010	220-56-190	AMD-P	82-09-082
220-48-025	NEW-P	82-10-077	220-49-02000H	REP-E	82-10-022	220-56-190	AMD	82-13-040
220-48-025	NEW-C	82-13-085	220-49-02000I	NEW-E	82-10-022	220-56-19000G	NEW-E	82-07-012
220-48-025	NEW	82-14-056	220-49-02000I	REP-E	82-10-041	220-56-19000G	REP-E	82-09-027
220-48-026	NEW-P	82-10-077	220-49-02000J	NEW-E	82-10-041	220-56-19000H	NEW-E	82-08-005
220-48-026	NEW-C	82-13-085	220-52-050	AMD	82-03-045	220-56-19000H	REP-E	82-13-060
220-48-026	NEW	82-14-056	220-52-053	AMD	82-03-045	220-56-19000I	NEW-E	82-09-027
220-48-028	NEW-P	82-10-077	220-52-05300J	NEW-E	82-04-011	220-56-19000J	NEW-E	82-13-012
220-48-028	NEW-C	82-13-085	220-52-05300J	NEW-E	82-10-012	220-56-19000J	REP-E	82-17-013
220-48-028	NEW	82-14-056	220-52-05300L	NEW-E	82-11-013	220-56-19000K	NEW-E	82-16-008

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
220-56-19000K	REP-E	82-17-013	220-56-380	AMD-C	82-02-097	220-57-19000T	REP-E	82-18-052
220-56-19000L	NEW-E	82-16-076	220-56-380	AMD-C	82-06-023	220-57-195	AMD-P	82-09-082
220-56-19000L	REP-E	82-18-032	220-56-380	AMD-C	82-07-044	220-57-195	AMD	82-13-040
220-56-19000M	NEW-E	82-17-013	220-56-380	AMD	82-07-047	220-57-205	AMD-P	82-09-082
220-56-19000M	REP-E	82-18-005	220-56-380	AMD-P	82-09-082	220-57-205	AMD	82-13-040
220-56-19000N	NEW-E	82-18-005	220-56-380	AMD-P	82-12-016	220-57-210	AMD-P	82-09-082
220-56-19000N	REP-E	82-18-011	220-56-380	AMD	82-13-040	220-57-210	AMD	82-13-040
220-56-19000P	NEW-E	82-18-011	220-56-38000A	NEW-E	82-08-024	220-57-215	AMD-P	82-09-082
220-56-19000P	REP-E	82-18-032	220-56-38000A	REP-E	82-13-060	220-57-215	AMD	82-13-040
220-56-19000Q	NEW-E	82-18-032	220-56-390	AMD-C	82-02-097	220-57-220	AMD-P	82-02-097
220-56-192	NEW-P	82-02-097	220-56-390	AMD-C	82-06-023	220-57-220	AMD-C	82-06-023
220-56-192	NEW-C	82-06-023	220-56-390	AMD-C	82-07-044	220-57-220	AMD-C	82-07-044
220-56-192	NEW-C	82-07-044	220-56-390	AMD	82-07-047	220-57-220	AMD	82-07-047
220-56-195	AMD-P	82-09-082	220-57-001	AMD-P	82-02-097	220-57-22000A	NEW-E	82-17-060
220-56-195	AMD	82-13-040	220-57-001	AMD-C	82-06-023	220-57-225	AMD-P	82-09-082
220-56-19500A	NEW-E	82-09-027	220-57-001	AMD-C	82-07-044	220-57-225	AMD	82-13-040
220-56-205	AMD-P	82-02-097	220-57-001	AMD	82-07-047	220-57-240	AMD-P	82-09-082
220-56-205	AMD-C	82-06-023	220-57-00100A	NEW-E	82-08-005	220-57-240	AMD	82-13-040
220-56-205	AMD-C	82-07-044	220-57-00100A	REP-E	82-13-060	220-57-255	AMD-P	82-02-097
220-56-205	AMD	82-07-047	220-57-120	AMD-P	82-02-097	220-57-255	AMD-C	82-06-023
220-56-22500A	NEW-E	82-08-029	220-57-120	AMD-C	82-06-023	220-57-255	AMD-C	82-07-044
220-56-22500A	REP-E	82-14-002	220-57-120	AMD-C	82-07-044	220-57-255	AMD	82-07-047
220-56-22500B	NEW-E	82-14-002	220-57-120	AMD	82-07-047	220-57-25500B	NEW-E	82-07-008
220-56-250	AMD-P	82-02-097	220-57-130	AMD-P	82-02-097	220-57-260	AMD-P	82-02-097
220-56-250	AMD-C	82-06-023	220-57-130	AMD-C	82-06-023	220-57-260	AMD-C	82-06-023
220-56-250	AMD-C	82-07-044	220-57-130	AMD-C	82-07-044	220-57-260	AMD-C	82-07-044
220-56-250	AMD	82-07-047	220-57-130	AMD	82-07-047	220-57-260	AMD	82-07-047
220-56-25000A	NEW-E	82-08-024	220-57-135	AMD-P	82-02-097	220-57-265	AMD-P	82-09-082
220-56-25000A	REP-E	82-13-060	220-57-135	AMD-C	82-06-023	220-57-265	AMD	82-13-040
220-56-260	REP-P	82-09-082	220-57-135	AMD-C	82-07-044	220-57-270	AMD-P	82-02-097
220-56-260	REP	82-13-040	220-57-135	AMD	82-07-047	220-57-270	AMD-C	82-06-023
220-56-260	REP-E	82-13-060	220-57-137	AMD-P	82-09-082	220-57-270	AMD-C	82-07-044
220-56-285	AMD-P	82-09-082	220-57-137	AMD	82-13-040	220-57-270	AMD	82-07-047
220-56-285	AMD	82-13-040	220-57-138	AMD-P	82-09-082	220-57-27000J	NEW-E	82-14-035
220-56-28500B	NEW-E	82-10-009	220-57-138	AMD	82-13-040	220-57-27000J	REP-E	82-16-044
220-56-28500B	REP-E	82-13-060	220-57-140	AMD-P	82-02-097	220-47-27000K	NEW-E	82-16-044
220-56-28500C	NEW-E	82-13-060	220-57-140	AMD-C	82-06-023	220-57-275	AMD-P	82-09-082
220-56-290	AMD-P	82-02-097	220-57-140	AMD-C	82-07-044	220-57-275	AMD	82-13-040
220-56-290	AMD-C	82-06-023	220-57-140	AMD	82-07-047	220-57-280	AMD-P	82-02-097
220-56-290	AMD-C	82-07-044	220-57-14000B	NEW-E	82-07-008	220-57-280	AMD-C	82-06-023
220-56-290	AMD	82-07-047	220-57-150	AMD-P	82-09-082	220-57-280	AMD-C	82-07-044
220-56-29000A	NEW-E	82-08-005	220-57-150	AMD	82-13-040	220-57-280	AMD	82-07-047
220-56-29000A	REP-E	82-13-060	220-57-155	AMD-P	82-02-097	220-57-285	AMD-P	82-02-097
220-56-300	AMD-P	82-09-082	220-57-155	AMD-C	82-06-023	220-57-285	AMD-C	82-06-023
220-56-300	AMD	82-13-040	220-57-155	AMD-C	82-07-044	220-57-285	AMD-C	82-07-044
220-56-30000A	NEW-E	82-07-008	220-57-155	AMD	82-07-047	220-57-285	AMD	82-07-047
220-56-310	AMD-P	82-02-097	220-57-160	AMD-P	82-02-097	220-57-285	AMD-P	82-09-082
220-56-310	AMD-C	82-06-023	220-57-160	AMD-C	82-06-023	220-57-285	AMD-P	82-12-016
220-56-310	AMD-C	82-07-044	220-57-160	AMD-C	82-07-044	220-57-285	AMD	82-13-040
220-56-310	AMD	82-07-047	220-57-160	AMD	82-07-047	220-57-29000C	NEW-E	82-13-024
220-56-31000A	NEW-E	82-08-024	220-57-160	AMD-P	82-09-082	220-57-300	AMD-P	82-02-097
220-56-31000A	REP-E	82-13-060	220-57-160	AMD-P	82-12-016	220-57-300	AMD-C	82-06-023
220-56-31000C	NEW-E	82-09-081	220-57-160	AMD	82-13-040	220-57-300	AMD-C	82-07-044
220-56-31000D	NEW-E	82-17-062	220-57-16000R	NEW-E	82-04-062	220-57-300	AMD	82-07-047
220-56-320	AMD-P	82-02-097	220-57-16000R	REP-E	82-08-005	220-57-310	AMD-P	82-02-097
220-56-320	AMD-C	82-06-023	220-57-16000S	NEW-E	82-07-008	220-57-310	AMD-C	82-06-023
220-56-320	AMD-C	82-07-044	220-57-16000T	NEW-E	82-08-005	220-57-310	AMD-C	82-07-044
220-56-320	AMD	82-07-047	220-57-16000T	REP-E	82-13-060	220-57-310	AMD	82-07-047
220-56-32000A	NEW-E	82-11-013	220-57-16000U	NEW-E	82-18-052	220-57-315	AMD-P	82-02-097
220-56-32500C	NEW-E	82-10-012	220-57-16000V	NEW-E	82-18-052	220-57-315	AMD-C	82-06-023
220-56-32500C	REP-E	82-11-013	220-57-175	AMD-P	82-02-097	220-57-315	AMD-C	82-07-044
220-56-32500D	NEW-E	82-11-013	220-57-175	AMD-C	82-06-023	220-57-315	AMD	82-07-047
220-56-340	AMD-P	82-02-097	220-57-175	AMD-C	82-07-044	220-57-315	AMD-P	82-12-016
220-56-340	AMD-C	82-06-023	220-57-175	AMD	82-07-047	220-57-315	AMD	82-14-090
220-56-340	AMD-C	82-07-044	220-57-175	AMD-P	82-09-082	220-57-31500D	NEW-E	82-07-008
220-56-340	AMD	82-07-047	220-57-175	AMD	82-13-040	220-57-32000B	NEW-E	82-18-052
220-56-360	AMD-P	82-02-097	220-57-17500I	NEW-E	82-07-008	220-57-325	AMD-P	82-09-082
220-56-360	AMD-C	82-06-023	220-57-17500J	NEW-E	82-08-029	220-57-325	AMD	82-13-040
220-56-360	AMD-C	82-07-044	220-57-17500J	REP-E	82-14-002	220-57-326	NEW-P	82-09-082
220-56-360	AMD	82-07-047	220-57-17500K	NEW-E	82-14-002	220-57-326	NEW	82-13-040
220-56-36000C	NEW-E	82-04-012	220-57-180	AMD-P	82-09-082	220-57-330	AMD-P	82-09-082
220-56-36000D	NEW-E	82-10-007	220-57-180	AMD	82-13-040	220-57-330	AMD	82-13-040
220-56-36000E	NEW-E	82-11-060	220-57-185	AMD-P	82-09-082	220-57-345	AMD-P	82-09-082
220-56-372	AMD-P	82-02-097	220-57-185	AMD	82-13-040	220-57-345	AMD	82-13-040
220-56-372	AMD-C	82-06-023	220-57-190	AMD-P	82-09-082	220-57-350	AMD-P	82-09-082
220-56-372	AMD-C	82-07-044	220-57-190	AMD	82-13-040	220-57-350	AMD	82-13-040
220-56-372	AMD	82-07-047	220-57-19000T	NEW-E	82-18-021	220-57-370	AMD-P	82-09-082

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
220-57-370	AMD	82-13-040	220-57-525	AMD-C	82-06-023	220-95-021	NEW-P	82-16-101
220-57-375	AMD-P	82-09-082	220-57-525	AMD-C	82-07-044	220-95-02100A	NEW-E	82-11-027
220-57-375	AMD	82-13-040	220-57-525	AMD	82-07-047	220-95-02100B	NEW-E	82-17-029
220-57-380	AMD-P	82-02-097	220-57-525	AMD-P	82-12-016	220-95-026	NEW-P	82-16-101
220-57-380	AMD-C	82-06-023	220-57-525	AMD	82-14-090	220-95-02600A	NEW-E	82-11-027
220-57-380	AMD-C	82-07-044	220-57A-012	AMD-P	82-02-097	220-95-02600B	NEW-E	82-17-029
220-57-380	AMD	82-07-047	220-57A-012	AMD-C	82-06-023	220-95-030	REP-E	82-11-027
220-57-385	AMD-P	82-02-097	220-57A-012	AMD-C	82-07-044	220-95-030	REP-P	82-16-101
220-57-385	AMD-C	82-06-023	220-57A-012	AMD	82-07-047	220-95-030	REP-E	82-17-029
220-57-385	AMD-C	82-07-044	220-57A-030	AMD-P	82-09-082	220-95-031	NEW-P	82-16-101
220-57-385	AMD	82-07-047	220-57A-030	AMD	82-13-040	220-95-03100A	NEW-E	82-11-027
220-57-390	AMD-P	82-02-097	220-57A-040	AMD-P	82-02-097	220-95-03100B	NEW-E	82-17-029
220-57-390	AMD-C	82-06-023	220-57A-040	AMD-C	82-06-023	220-95-040	REP-E	82-11-027
220-57-390	AMD-C	82-07-044	220-57A-040	AMD-C	82-07-044	220-95-040	REP-P	82-16-101
220-57-390	AMD	82-07-047	220-57A-040	AMD	82-07-047	220-95-040	REP-E	82-17-029
220-57-405	AMD-P	82-02-097	220-57A-065	AMD-P	82-02-097	220-95-045	REP-E	82-11-027
220-57-405	AMD-C	82-06-023	220-57A-065	AMD-C	82-06-023	220-95-045	REP-P	82-16-101
220-57-405	AMD-C	82-07-044	220-57A-065	AMD-C	82-07-044	220-95-045	REP-E	82-17-029
220-57-405	AMD	82-07-047	220-57A-065	AMD	82-07-047	220-95-050	REP-E	82-11-027
220-57-410	AMD-P	82-09-082	220-57A-06500A	NEW-E	82-08-005	220-95-050	REP-P	82-16-101
220-57-410	AMD	82-13-040	220-57A-06500A	REP-E	82-13-060	220-95-050	REP-E	82-17-029
220-57-415	AMD-P	82-02-097	220-57A-082	NEW-P	82-02-097	220-95-055	REP-E	82-11-027
220-57-415	AMD-C	82-06-023	220-57A-082	NEW-C	82-06-023	220-95-055	REP-P	82-16-101
220-57-415	AMD-C	82-07-044	220-57A-082	NEW-C	82-07-044	220-95-055	REP-E	82-17-029
220-57-415	AMD	82-07-047	220-57A-082	NEW	82-07-047	222	AMD-C	82-03-044
220-57-420	AMD-P	82-09-082	220-57A-08200A	NEW-E	82-08-005	222	AMD-C	82-09-046
220-57-420	AMD	82-13-040	220-57A-08200A	REP-E	82-13-060	222	AMD-C	82-12-054
220-57-425	AMD-P	82-02-097	220-57A-112	NEW-P	82-02-097	222-12-090	AMD	82-16-077
220-57-425	AMD-C	82-06-023	220-57A-112	NEW-C	82-06-023	222-16-010	AMD	82-16-077
220-57-425	AMD-C	82-07-044	220-57A-112	NEW-C	82-07-044	222-16-050	AMD	82-16-077
220-57-425	AMD	82-07-047	220-57A-112	NEW	82-07-047	222-20-010	AMD-P	82-10-052
220-57-42500D	NEW-E	82-08-005	220-57A-120	AMD-P	82-02-097	222-20-010	AMD-C	82-15-002
220-57-427	NEW-P	82-02-097	220-57A-120	AMD-C	82-06-023	222-20-010	AMD-P	82-15-061
220-57-427	NEW-C	82-06-023	220-57A-120	AMD-C	82-07-044	222-20-010	AMD-W	82-16-015
220-57-427	NEW	82-07-047	220-57A-120	AMD	82-07-047	222-20-010	AMD	82-16-077
220-57-427	NEW	82-07-047	220-57A-145	AMD-P	82-09-082	222-20-010	AMD	82-18-053
220-57-430	AMD-P	82-09-082	220-57A-145	AMD	82-13-040	222-20-020	AMD	82-16-077
220-57-430	AMD	82-13-040	220-57A-152	AMD-P	82-02-097	222-20-100	NEW	82-16-077
220-57-435	AMD-P	82-09-082	220-57A-152	AMD-C	82-06-023	222-20-110	NEW	82-16-077
220-57-435	AMD	82-13-040	220-57A-152	AMD-C	82-07-044	222-24-010	AMD	82-16-077
220-57-450	AMD-P	82-09-082	220-57A-152	AMD	82-07-047	222-24-020	AMD	82-16-077
220-57-450	AMD	82-13-040	220-57A-175	AMD-P	82-09-082	222-24-025	NEW	82-16-077
220-57-455	AMD-P	82-09-082	220-57A-175	AMD	82-13-040	222-24-030	AMD	82-16-077
220-57-455	AMD	82-13-040	220-57A-17500F	NEW-E	82-15-031	222-24-035	NEW	82-16-077
220-57-460	AMD-P	82-02-097	220-57A-180	AMD-P	82-09-082	222-24-040	AMD	82-16-077
220-57-460	AMD-C	82-06-023	220-57A-180	AMD	82-13-040	222-24-050	AMD	82-16-077
220-57-460	AMD-C	82-07-044	220-57A-190	AMD-P	82-02-097	222-30-010	AMD	82-16-077
220-57-460	AMD	82-07-047	220-57A-190	AMD-C	82-06-023	222-30-040	AMD	82-16-077
220-57-465	AMD-P	82-09-082	220-57A-190	AMD-C	82-07-044	222-30-050	AMD	82-16-077
220-57-465	AMD	82-13-040	220-57A-190	AMD	82-07-047	222-30-060	AMD	82-16-077
220-57-470	AMD-P	82-09-082	220-69-240	AMD-P	82-12-080	222-30-070	AMD	82-16-077
220-57-470	AMD	82-13-040	220-69-240	AMD-C	82-16-018	222-30-090	AMD	82-16-077
220-57-475	AMD-P	82-09-082	220-69-240	AMD	82-17-040	222-30-100	AMD	82-16-077
220-57-475	AMD	82-13-040	220-69-24000E	NEW-E	82-03-002	222-34-010	AMD	82-16-077
220-57-480	AMD-P	82-02-097	220-69-24000F	NEW-E	82-11-036	222-34-020	AMD	82-16-077
220-57-480	AMD-C	82-06-023	220-69-24000G	NEW-E	82-17-061	222-34-030	AMD	82-16-077
220-57-480	AMD-C	82-07-044	220-69-280	AMD-P	82-12-080	222-34-040	AMD	82-16-077
220-57-480	AMD	82-07-047	220-69-280	AMD-C	82-16-018	222-38-010	AMD	82-16-077
220-57-48000C	NEW-E	82-07-008	220-69-280	AMD	82-17-040	222-38-020	AMD	82-16-077
220-57-490	AMD-P	82-09-082	220-95-010	REP-E	82-11-027	222-50-020	AMD	82-16-077
220-57-490	AMD	82-13-040	220-95-010	REP-P	82-16-101	222-50-060	AMD	82-16-077
220-57-500	AMD-P	82-09-082	220-95-010	REP-E	82-17-029	223-08-005	AMD-P	82-06-058
220-57-500	AMD	82-13-040	220-95-011	NEW-P	82-16-101	223-08-005	AMD	82-09-024
220-57-505	AMD-P	82-02-097	220-95-01100A	NEW-E	82-11-027	223-08-010	AMD-P	82-06-058
220-57-505	AMD-C	82-06-023	220-95-01100B	NEW-E	82-17-029	223-08-010	AMD	82-09-024
220-57-505	AMD-C	82-07-044	220-95-015	REP-E	82-11-027	223-08-015	AMD-P	82-06-058
220-57-505	AMD	82-07-047	220-95-015	REP-P	82-16-101	223-08-015	AMD	82-09-024
220-57-50500G	NEW-E	82-09-005	220-95-015	REP-E	82-17-029	223-08-020	AMD-P	82-06-058
220-57-515	AMD-P	82-02-097	220-95-016	REP-P	82-16-101	223-08-020	AMD	82-09-024
220-57-515	AMD-C	82-06-023	220-95-01600A	NEW-E	82-11-027	223-08-020	AMD-P	82-18-046
220-57-515	AMD-C	82-07-044	220-95-01600B	NEW-E	82-17-029	223-08-025	REP-P	82-06-058
220-57-515	AMD	82-07-047	220-95-017	REP-E	82-11-027	223-08-025	REP	82-09-024
220-57-520	AMD-P	82-02-097	220-95-017	REP-P	82-16-101	223-08-030	AMD-P	82-06-058
220-57-520	AMD-C	82-06-023	220-95-017	REP-E	82-17-029	223-08-030	AMD	82-09-024
220-57-520	AMD-C	82-07-044	220-95-020	REP-E	82-11-027	223-08-035	AMD-P	82-06-058
220-57-520	AMD	82-07-047	220-95-020	REP-P	82-16-101	223-08-035	AMD	82-09-024
220-57-525	AMD-P	82-02-097	220-95-020	REP-E	82-17-029	223-08-040	AMD-P	82-06-058

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
223-08-040	AMD	82-09-024	223-12-130	AMD	82-09-024	232-12-187	AMD	82-04-034
223-08-055	AMD-P	82-06-058	223-12-140	AMD-P	82-06-058	232-12-244	AMD	82-04-034
223-08-055	AMD	82-09-024	223-12-140	AMD	82-09-024	232-12-247	AMD	82-04-034
223-08-065	AMD-P	82-06-058	230-04-050	AMD	82-04-009	232-12-271	AMD	82-04-034
223-08-065	AMD	82-09-024	230-04-060	AMD-P	82-12-076	232-12-274	AMD	82-04-034
223-08-070	AMD-P	82-06-058	230-04-060	AMD-E	82-15-008	232-12-281	REP	82-04-034
223-08-070	AMD	82-09-024	230-04-060	AMD	82-15-009	232-12-809	NEW-P	82-08-066
223-08-075	AMD-P	82-06-058	230-04-065	AMD-P	82-12-076	232-12-809	NEW	82-11-099
223-08-075	AMD	82-09-024	230-04-065	AMD-E	82-15-008	232-12-813	NEW	82-04-034
223-08-080	AMD-P	82-06-058	230-04-065	AMD	82-15-009	232-16-020	REP-P	82-12-065
223-08-080	AMD	82-09-024	230-04-200	AMD-P	82-12-076	232-16-020	REP	82-16-014
223-08-085	AMD-P	82-06-058	230-04-200	AMD-E	82-15-008	232-16-090	REP-P	82-12-065
223-08-085	AMD	82-09-024	230-04-200	AMD	82-15-009	232-16-090	REP	82-16-014
223-08-095	AMD-P	82-06-058	230-04-200	AMD-P	82-18-019	232-16-190	REP-P	82-12-065
223-08-095	AMD	82-09-024	230-08-010	AMD	82-03-033	232-16-220	REP-P	82-12-065
223-08-105	AMD-P	82-06-058	230-08-090	AMD-P	82-04-085	232-16-220	REP	82-16-014
223-08-105	AMD	82-09-024	230-08-090	AMD-C	82-07-040	232-16-260	REP-P	82-12-065
223-08-110	AMD-P	82-06-058	230-08-090	AMD	82-11-028	232-16-289	NEW-P	82-17-054
223-08-110	AMD	82-09-024	230-08-100	AMD-P	82-04-016	232-16-350	REP-P	82-12-065
223-08-120	AMD-P	82-06-058	230-08-100	AMD-P	82-04-085	232-16-390	REP-P	82-12-065
223-08-120	AMD	82-09-024	230-08-100	AMD-C	82-07-040	232-23-60404	NEW-E	82-05-010
223-08-125	AMD-P	82-06-058	230-08-130	AMD	82-04-010	232-28-103	REP-P	82-12-065
223-08-125	AMD	82-09-024	230-20-220	AMD	82-03-033	232-28-103	REP	82-16-013
223-08-130	AMD-P	82-06-058	230-20-605	NEW-P	82-10-003	232-28-105	NEW-P	82-12-065
223-08-145	REP-P	82-06-058	230-20-605	NEW	82-13-054	232-28-105	NEW	82-16-013
223-08-145	REP	82-09-024	230-25-030	AMD-P	82-12-076	232-28-204	REP-P	82-08-066
223-08-147	NEW-P	82-06-058	230-25-030	AMD-E	82-15-008	232-28-204	REP	82-15-013
223-08-147	NEW	82-09-024	230-25-030	AMD	82-15-009	232-28-205	NEW-P	82-08-066
223-08-150	AMD-P	82-06-058	230-30-065	NEW-P	82-10-003	232-28-205	NEW	82-15-013
223-08-150	AMD	82-09-024	230-30-065	NEW	82-13-054	232-28-304	REP-P	82-08-066
223-08-160	AMD-P	82-06-058	230-30-070	AMD	82-03-033	232-28-304	REP	82-15-013
223-08-160	AMD	82-09-024	230-30-075	AMD	82-06-007	232-28-404	REP-P	82-15-068
223-08-165	AMD-P	82-06-058	230-40-020	AMD-P	82-18-019	232-28-405	NEW-P	82-15-068
223-08-165	AMD	82-09-024	230-40-030	AMD-P	82-18-019	232-28-40501	NEW-E	82-12-064
223-08-175	AMD-P	82-06-058	230-40-030	AMD-P	82-18-072	232-28-40501	NEW-E	82-16-012
223-08-175	AMD	82-09-024	230-40-050	AMD-P	82-04-085	232-28-504	REP-P	82-12-065
223-08-177	NEW-P	82-06-058	230-40-050	AMD-C	82-07-040	232-28-504	REP	82-18-030
223-08-177	NEW	82-09-024	230-40-050	AMD	82-11-028	232-28-505	NEW-P	82-12-065
223-08-180	AMD-P	82-06-058	230-40-120	AMD	82-04-010	232-28-505	NEW	82-18-030
223-08-180	AMD	82-09-024	230-40-120	AMD-P	82-18-019	232-28-60304	REP-E	82-02-051
223-08-190	AMD-P	82-06-058	230-40-315	NEW	82-06-007	232-28-60304	REP-P	82-06-048
223-08-190	AMD	82-09-024	230-40-400	AMD	82-04-010	232-28-60304	REP	82-09-015
223-08-195	AMD-P	82-06-058	230-60-045	AMD-P	82-08-050	232-28-60315	REP-E	82-02-049
223-08-195	AMD	82-09-024	230-60-045	AMD	82-13-070	232-28-60317	REP-E	82-03-017
223-08-200	AMD-P	82-06-058	232-12-007	AMD-P	82-15-068	232-28-604	REP-P	82-15-068
223-08-200	AMD	82-09-024	232-12-011	AMD-P	82-15-068	232-28-60401	NEW-E	82-02-049
223-08-205	AMD-P	82-06-058	232-12-014	AMD-P	82-15-068	232-28-60402	NEW-E	82-02-050
223-08-205	AMD	82-09-024	232-12-021	AMD	82-04-034	232-28-60403	NEW-E	82-03-017
223-08-220	AMD-P	82-06-058	232-12-027	AMD-P	82-15-068	232-28-60403	REP-P	82-06-048
223-08-220	AMD	82-09-024	232-12-037	AMD	82-04-034	232-28-60405	NEW-P	82-06-048
223-08-230	REP-P	82-06-058	232-12-041	AMD	82-04-034	232-28-60405	NEW-E	82-09-026
223-08-230	REP	82-09-024	232-12-047	AMD	82-04-034	232-28-60405	NEW	82-10-014
223-08-235	AMD-P	82-06-058	232-12-047	AMD-P	82-15-068	232-28-60405	NEW-E	82-15-010
223-08-235	AMD	82-09-024	232-12-057	AMD	82-04-034	232-28-60405	REP-P	82-17-054
223-08-245	AMD-P	82-06-058	232-12-064	AMD	82-04-034	232-28-60406	NEW-P	82-06-048
223-08-245	AMD	82-09-024	232-12-071	AMD	82-04-034	232-28-60406	NEW	82-09-014
223-08-250	AMD-P	82-06-058	232-12-081	AMD-P	82-12-065	232-28-60406	NEW	82-10-015
223-08-250	AMD	82-09-024	232-12-081	AMD	82-15-014	232-28-60406	REP-E	82-11-097
223-08-260	AMD-P	82-06-058	232-12-084	AMD-P	82-17-054	232-28-60406	REP-E	82-15-012
223-08-260	AMD	82-09-024	232-12-099	NEW-P	82-08-066	232-28-60406	REP-P	82-15-068
223-08-265	AMD-P	82-06-058	232-12-099	NEW	82-11-099	232-28-60407	NEW-E	82-08-010
223-08-265	AMD	82-09-024	232-12-101	AMD	82-04-034	232-28-60408	NEW-E	82-08-012
223-12-020	AMD-P	82-06-058	232-12-104	AMD	82-04-034	232-28-60409	NEW-E	82-09-012
223-12-020	AMD	82-09-024	232-12-107	AMD	82-04-034	232-28-60410	NEW-E	82-09-013
223-12-030	AMD-P	82-06-058	232-12-111	REP	82-04-034	232-28-60410	NEW-E	82-12-012
223-12-030	AMD	82-09-024	232-12-114	AMD	82-04-034	232-28-60411	NEW-E	82-09-032
223-12-050	AMD-P	82-06-058	232-12-117	AMD	82-04-034	232-28-60412	NEW-E	82-11-003
223-12-050	AMD	82-09-024	232-12-121	AMD	82-04-034	232-28-60413	NEW-E	82-11-097
223-12-070	AMD-P	82-06-058	232-12-124	AMD	82-04-034	232-28-60413	NEW-E	82-15-012
223-12-070	AMD	82-09-024	232-12-127	AMD	82-04-034	232-28-60414	NEW-E	82-15-011
223-12-100	AMD-P	82-06-058	232-12-131	AMD	82-04-034	232-28-60415	NEW-P	82-15-068
223-12-100	AMD	82-09-024	232-12-151	AMD	82-04-034	232-28-60415	NEW	82-18-056
223-12-110	AMD-P	82-06-058	232-12-157	AMD-P	82-17-054	232-28-60416	NEW-P	82-15-068
223-12-110	AMD	82-09-024	232-12-167	AMD	82-04-034	232-28-60417	NEW-E	82-18-055
223-12-120	AMD-P	82-06-058	232-12-167	AMD-P	82-08-066	232-28-605	NEW-P	82-15-068
223-12-120	AMD	82-09-024	232-12-177	AMD	82-04-034	232-28-703	REP	82-05-032
223-12-130	AMD-P	82-06-058	232-12-181	AMD	82-04-034	232-28-704	NEW	82-05-032



**Table of WAC Sections Affected**

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
232-28-803	REP-P	82-06-048	248-17-120	AMD-P	82-16-093
232-28-803	REP	82-11-098	248-17-135	NEW	82-04-041
232-28-804	NEW-P	82-06-048	248-17-190	AMD-P	82-16-093
232-28-804	NEW	82-11-098	248-17-210	REP	82-04-041
232-32-134	REP-E	82-03-017	248-17-211	NEW	82-04-041
232-32-135	NEW-E	82-02-066	248-17-212	NEW	82-04-041
232-32-135	REP-E	82-03-017	248-17-213	NEW	82-04-041
232-32-136	NEW-E	82-03-001	248-17-213	AMD-P	82-16-093
232-32-136	REP-E	82-03-017	248-17-214	NEW	82-04-041
232-32-137	NEW-E	82-03-007	248-17-215	NEW	82-04-041
232-32-137	REP-E	82-03-017	248-17-216	NEW	82-04-041
232-32-138	NEW-E	82-03-017	248-17-220	AMD-P	82-16-093
232-32-139	NEW-E	82-03-018	248-18-025	REP-P	82-02-062
232-32-140	NEW-E	82-03-035	248-18-025	REP-E	82-03-011
232-32-141	NEW-E	82-04-026	248-18-025	AMD-P	82-06-060
232-32-142	NEW-E	82-04-043	248-18-025	AMD-E	82-07-023
232-32-143	NEW-E	82-05-009	248-18-025	AMD-C	82-09-054
232-32-144	NEW-E	82-06-030	248-18-025	AMD-C	82-11-082
232-32-145	NEW-E	82-08-011	248-18-025	AMD-E	82-13-073
247-02-050	AMD-E	82-09-002	248-18-025	AMD	82-13-084
247-02-050	AMD-P	82-16-006	248-18-539	NEW-P	82-02-061
248-14	AMD-C	82-17-002	248-18-539	NEW	82-06-031
248-14-001	AMD-P	82-13-037	248-19-330	AMD-E	82-15-039
248-14-001	AMD	82-18-065	248-19-330	AMD-P	82-16-084
248-14-065	AMD-P	82-02-053	248-19-340	AMD-E	82-15-039
248-14-065	AMD-E	82-02-057	248-19-340	AMD-P	82-16-084
248-14-065	AMD	82-06-005	248-19-350	AMD-E	82-15-039
248-14-065	AMD-P	82-13-036	248-19-350	AMD-P	82-16-084
248-14-065	AMD-E	82-14-071	248-19-480	AMD-E	82-15-039
248-14-065	AMD	82-17-008	248-19-480	AMD-P	82-16-084
248-14-115	REP-P	82-13-037	248-25-001	NEW-E	82-06-016
248-14-115	REP	82-18-065	248-25-001	NEW-P	82-06-018
248-14-230	AMD-P	82-13-037	248-25-001	NEW-P	82-12-006
248-14-230	AMD	82-18-065	248-25-001	NEW-E	82-12-007
248-14-235	AMD-P	82-13-037	248-25-001	NEW	82-17-009
248-14-235	AMD	82-18-065	248-25-002	NEW-E	82-06-016
248-14-240	AMD-P	82-13-037	248-25-002	NEW-P	82-06-018
248-14-240	AMD	82-18-065	248-25-002	NEW-P	82-12-006
248-14-245	AMD-P	82-13-037	248-25-002	NEW-E	82-12-007
248-14-245	AMD	82-18-065	248-25-002	NEW	82-17-009
248-14-247	AMD-P	82-13-037	248-25-010	NEW-E	82-06-016
248-14-247	AMD	82-18-065	248-25-010	NEW-P	82-06-018
248-14-250	AMD-P	82-13-037	248-25-010	NEW-P	82-12-006
248-14-250	AMD	82-18-065	248-25-010	NEW-E	82-12-007
248-14-260	AMD-P	82-03-038	248-25-010	NEW	82-17-009
248-14-260	AMD-E	82-03-039	248-25-015	NEW-P	82-12-006
248-14-260	AMD	82-07-025	248-25-015	NEW-E	82-12-007
248-14-260	AMD-P	82-13-037	248-25-015	NEW	82-17-009
248-14-260	AMD	82-18-065	248-25-020	NEW-E	82-06-016
248-14-264	AMD-P	82-13-037	248-25-020	NEW-P	82-06-018
248-14-264	AMD	82-18-065	248-25-020	NEW-P	82-12-006
248-14-270	AMD-P	82-13-037	248-25-020	NEW-E	82-12-007
248-14-270	AMD	82-18-065	248-25-020	NEW	82-17-009
248-14-285	AMD-P	82-13-037	248-25-030	NEW-E	82-06-016
248-14-285	AMD	82-18-065	248-25-030	NEW-P	82-06-018
248-14-401	REP-P	82-13-037	248-25-030	NEW-P	82-12-006
248-14-401	REP	82-18-065	248-25-030	NEW-E	82-12-007
248-14-510	AMD-P	82-13-037	248-25-030	NEW	82-17-009
248-14-510	AMD	82-18-065	248-25-040	NEW-E	82-06-016
248-14-520	AMD-P	82-13-037	248-25-040	NEW-P	82-06-018
248-14-520	AMD	82-18-065	248-25-040	NEW-P	82-12-006
248-14-530	AMD-P	82-13-037	248-25-040	NEW-E	82-12-007
248-14-530	AMD	82-18-065	248-25-040	NEW	82-17-009
248-14-540	AMD-P	82-13-037	248-25-050	NEW-E	82-06-016
248-14-540	AMD	82-18-065	248-25-050	NEW-P	82-06-018
248-14-550	AMD-P	82-13-037	248-25-050	NEW-P	82-12-006
248-14-550	AMD	82-18-065	248-25-050	NEW-E	82-12-007
248-14-560	AMD-P	82-13-037	248-25-050	NEW	82-17-009
248-14-560	AMD	82-18-065	248-25-060	NEW-E	82-06-016
248-17-010	AMD	82-04-041	248-25-060	NEW-P	82-06-018
248-17-020	AMD	82-04-041	248-25-060	NEW-P	82-12-006
248-17-020	AMD-P	82-16-093	248-25-060	NEW-E	82-12-007
248-17-030	AMD	82-04-041	248-25-060	NEW	82-17-009
248-17-040	AMD	82-04-041	248-25-070	NEW-E	82-06-016
248-17-050	AMD	82-04-041	248-25-070	NEW-P	82-06-018
248-17-080	AMD-P	82-16-093	248-25-070	NEW-P	82-12-006
248-17-110	AMD-P	82-16-093	248-25-070	NEW-E	82-12-007
248-25-070	NEW	82-17-009	248-25-070	NEW-E	82-17-009
248-25-100	NEW-P	82-12-006	248-25-100	NEW-E	82-12-036
248-25-100	NEW-E	82-12-007	248-25-100	NEW-E	82-15-006
248-25-100	NEW	82-17-009	248-25-100	NEW-E	82-15-006
248-25-120	NEW-P	82-15-110	248-25-120	NEW-E	82-15-062
248-25-120	NEW-E	82-15-110	248-25-120	NEW-E	82-15-062
248-25-120	NEW-E	82-15-110	248-25-120	NEW-E	82-15-062
248-25-120	NEW	82-15-110	248-25-120	NEW-E	82-15-062
248-29-050	AMD-P	82-02-091	248-29-050	NEW-E	82-15-062
248-29-050	AMD	82-06-011	248-29-050	NEW-E	82-15-062
248-30-110	AMD-P	82-16-083	248-30-110	NEW-E	82-15-062
248-55	AMD-C	82-12-030	248-55	NEW-E	82-15-062
248-55-100	REP-E	82-08-079	248-55-100	NEW-E	82-15-062
248-55-100	REP-P	82-08-082	248-55-100	NEW-E	82-15-062
248-55-100	REP	82-13-009	248-55-100	NEW-E	82-15-062
248-55-110	AMD-E	82-08-079	248-55-110	NEW-E	82-15-062
248-55-110	AMD-P	82-08-082	248-55-110	NEW-E	82-15-062
248-55-110	AMD	82-13-009	248-55-110	NEW-E	82-15-062
248-64-220	AMD-P	82-02-092	248-64-220	NEW-E	82-15-062
248-64-220	AMD	82-07-015	248-64-220	NEW-E	82-15-062
248-64-260	AMD-P	82-02-092	248-64-260	NEW-E	82-15-062
248-64-260	AMD	82-07-015	248-64-260	NEW-E	82-15-062
248-64-270	AMD-P	82-02-092	248-64-270	NEW-E	82-15-062
248-64-270	AMD	82-07-015	248-64-270	NEW-E	82-15-062
248-64-280	AMD-P	82-02-092	248-64-280	NEW-E	82-15-062
248-64-280	AMD	82-07-015	248-64-280	NEW-E	82-15-062
248-64-300	AMD-P	82-02-092	248-64-300	NEW-E	82-15-062
248-64-300	AMD	82-07-015	248-64-300	NEW-E	82-15-062
248-64-310	AMD-P	82-02-092	248-64-310	NEW-E	82-15-062
248-64-310	AMD	82-07-015	248-64-310	NEW-E	82-15-062
248-64-330	AMD-P	82-02-092	248-64-330	NEW-E	82-15-062
248-64-330	AMD	82-07-015	248-64-330	NEW-E	82-15-062
250-18-010	NEW-E	82-12-036	250-18-010	NEW-E	82-15-062
250-18-010	NEW-E	82-15-006	250-18-010	NEW-E	82-15-062
250-18-010	NEW-P	82-15-062	250-18-010	NEW-E	82-15-062
250-18-015	NEW-E	82-12-036	250-18-015	NEW-E	82-15-062
250-18-015	NEW-E	82-15-006	250-18-015	NEW-E	82-15-062
250-18-015	NEW-E	82-15-062	250-18-015	NEW-E	82-15-062
250-18-020	NEW-E	82-12-036	250-18-020	NEW-E	82-15-062
250-18-020	NEW-E	82-15-006	250-18-020	NEW-E	82-15-062
250-18-020	NEW-P	82-15-062	250-18-020	NEW-E	82-15-062
250-18-025	NEW-E	82-12-036	250-18-025	NEW-E	82-15-062
250-18-025	NEW-E	82-15-006	250-18-025	NEW-E	82-15-062
250-18-025	NEW-E	82-15-062	250-18-025	NEW-E	82-15-062
250-18-025	NEW-P	82-15-062	250-18-025	NEW-E	82-15-062
250-18-030	NEW-E	82-12-036	250-18-030	NEW-E	82-15-062
250-18-030	NEW-E	82-15-006	250-18-030	NEW-E	82-15-062
250-18-030	NEW-P	82-15-062	250-18-030	NEW-E	82-15-062
250-18-030	NEW-E	82-15-062	250-18-030	NEW-E	82-15-062
250-18-035	NEW-E	82-12-036	250-18-035	NEW-E	82-15-062
250-18-035	NEW-E	82-15-006	250-18-035	NEW-E	82-15-062
250-18-035	NEW-P	82-15-062	250-18-035	NEW-E	82-15-062
250-18-040	NEW-E	82-12-036	250-18-040	NEW-E	82-15-062
250-18-040	NEW-E	82-15-006	250-18-040	NEW-E	82-15-062
250-18-040	NEW-P	82-15-062	250-18-040	NEW-E	82-15-062
250-18-045	NEW-E	82-12-036	250-18-045	NEW-E	82-15-062
250-18-045	NEW-E	82-15-006	250-18-045	NEW-E	82-15-062
250-18-045	NEW-P	82-15-062	250-18-045	NEW-E	82-15-062
250-18-050	NEW-E	82-12-036	250-18-050	NEW-E	82-15-062
250-18-050	NEW-E	82-15-006	250-18-050	NEW-E	82-15-062
250-18-050	NEW-P	82-15-062	250-18-050	NEW-E	82-15-062
250-18-055	NEW-E	82-12-036	250-18-055	NEW-E	82-15-062
250-18-055	NEW-E	82-15-006	250-18-055	NEW-E	82-15-062
250-18-060	NEW-E	82-15-062	250-18-060	NEW-E	82-15-062
250-18-060	NEW-E	82-12-036	250-18-060	NEW-E	82-15-062
250-18-060	NEW-E	82-15-006	250-18-060	NEW-E	82-15-062
250-18-060	NEW-P	82-15-062	250-18-060	NEW-E	82-15-062
250-20-011	AMD-P	82-11-088	250-20-011	AMD-P	82-11-088
250-20-011	AMD	82-15-058	250-20-011	AMD	82-11-088
250-20-011	AMD-P	82-11-088	250-20-011	AMD	82-11-088
250-20-021	AMD	82-15-058	250-20-021	AMD	82-11-088
250-20-031	AMD-P	82-11-088	250-20-031	AMD	82-11-088
250-20-041	AMD	82-15-058	250-20-041	AMD	82-11-088
250-28-030	AMD-P	82-11-085	250-28-030	AMD-P	82-11-085
250-28-030	AMD	82-15-057	250-28-030	AMD	82-11-085
250-32-020	AMD-P	82-11-086	250-32-020	AMD-P	82-11-086

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
250-32-030	AMD-P	82-11-086	251-04-020	AMD	82-16-002	251-22-091	NEW-P	82-12-057
250-32-040	AMD-P	82-11-086	251-04-040	AMD	82-04-069	251-22-091	NEW-E	82-14-055
250-32-040	AMD	82-15-055	251-04-040	AMD-P	82-12-057	251-22-091	NEW-E	82-16-024
250-32-050	AMD-P	82-11-086	251-04-040	AMD-E	82-14-083	251-22-091	NEW-P	82-16-030
250-32-060	AMD-P	82-11-086	251-04-040	AMD	82-16-002	251-22-111	AMD-P	82-06-047
250-32-060	AMD	82-15-055	251-04-040	AMD-P	82-18-058	251-22-111	AMD	82-10-006
250-32-070	AMD-P	82-11-086	251-04-050	AMD-P	82-12-057	251-22-200	AMD-P	82-12-057
250-32-070	AMD	82-15-055	251-04-050	AMD-E	82-14-083	251-22-200	AMD-E	82-14-083
250-36-020	REP-P	82-11-087	251-04-050	AMD	82-16-002	251-22-200	AMD	82-16-002
250-36-020	REP	82-15-056	251-04-070	AMD-P	82-12-057	260-12-200	AMD-P	82-03-052
250-36-030	REP-P	82-11-087	251-04-070	AMD-E	82-14-083	260-12-200	AMD	82-07-016
250-36-030	REP	82-15-056	251-04-070	AMD	82-16-002	260-20-035	NEW-P	82-15-022
250-36-040	REP-P	82-11-087	251-06-010	AMD-P	82-12-057	260-20-035	NEW	82-18-050
250-36-040	REP	82-15-056	251-06-010	AMD-E	82-14-083	260-28-050	AMD-E	82-09-008
250-36-050	REP-P	82-11-087	251-06-010	AMD	82-16-002	260-28-050	AMD-P	82-11-078
250-36-050	REP	82-15-056	251-06-070	AMD	82-04-069	260-28-050	AMD	82-14-012
250-36-060	REP-P	82-11-087	251-06-080	AMD-P	82-12-057	260-32-110	AMD-P	82-03-052
250-36-060	REP	82-15-056	251-06-090	NEW-P	82-12-057	260-32-110	AMD-C	82-06-055
250-36-070	REP-P	82-11-087	251-06-090	NEW-E	82-14-083	260-32-420	NEW-P	82-06-033
250-36-070	REP	82-15-056	251-06-090	NEW	82-16-002	260-32-420	NEW	82-09-016
250-36-080	REP-P	82-11-087	251-09-015	NEW-P	82-06-047	260-36-020	AMD-E	82-09-008
250-36-080	REP	82-15-056	251-10-030	AMD-P	82-04-068	260-36-020	AMD-P	82-11-078
250-40-030	AMD-P	82-11-089	251-10-030	AMD-C	82-06-026	260-36-020	AMD	82-14-012
250-40-030	AMD	82-15-054	251-10-030	AMD	82-07-074	260-36-030	AMD-E	82-09-008
250-40-050	AMD-P	82-11-089	251-10-031	NEW-P	82-12-057	260-36-030	AMD-P	82-11-078
250-40-050	AMD	82-15-054	251-10-031	NEW-E	82-14-083	260-36-030	AMD	82-14-012
250-44	AMD-P	82-11-072	251-10-031	NEW	82-16-002	260-36-040	AMD-E	82-09-008
250-44	AMD-E	82-12-002	251-10-035	AMD-P	82-12-057	260-36-040	AMD-P	82-11-078
250-44	AMD	82-15-018	251-10-035	AMD-P	82-16-030	260-36-040	AMD	82-14-012
250-44-010	AMD-P	82-11-072	251-10-045	AMD-P	82-12-057	260-36-090	AMD-E	82-09-008
250-44-010	AMD-E	82-12-002	251-10-045	AMD-E	82-14-083	260-36-090	AMD-P	82-11-078
250-44-010	AMD	82-15-018	251-10-045	AMD	82-16-002	260-36-090	AMD	82-14-012
250-44-020	AMD-P	82-11-072	251-10-055	AMD-P	82-16-030	260-44-060	AMD-P	82-05-044
250-44-020	AMD-E	82-12-002	251-10-060	AMD-P	82-12-057	260-44-060	AMD-C	82-06-032
250-44-020	AMD	82-15-018	251-10-060	AMD-E	82-14-083	260-44-120	AMD-P	82-06-033
250-44-030	AMD-P	82-11-072	251-10-060	AMD	82-16-002	260-70-021	AMD	82-03-053
250-44-030	AMD-E	82-12-002	251-10-110	AMD-P	82-06-047	260-70-040	AMD-P	82-03-052
250-44-030	AMD	82-15-018	251-10-110	AMD	82-10-006	260-70-040	AMD	82-07-016
250-44-040	AMD-P	82-11-072	251-10-140	AMD-P	82-12-057	260-70-100	AMD	82-03-053
250-44-040	AMD-E	82-12-002	251-10-140	AMD-E	82-14-055	260-70-200	AMD-P	82-05-044
250-44-040	AMD	82-15-018	251-10-140	AMD	82-16-002	260-70-200	AMD-C	82-06-032
250-44-050	AMD-P	82-11-072	251-12-080	AMD-P	82-06-047	260-70-200	AMD	82-09-016
250-44-050	AMD-E	82-12-002	251-12-080	AMD	82-10-006	260-70-290	NEW-P	82-05-044
250-44-050	AMD	82-15-018	251-14-030	AMD-P	82-06-047	260-70-290	AMD-C	82-06-032
250-44-090	AMD-P	82-11-072	251-14-030	AMD	82-10-006	260-70-290	NEW	82-09-016
250-44-090	AMD-E	82-12-002	251-14-040	AMD-P	82-06-047	260-70-300	NEW-P	82-06-033
250-44-090	AMD	82-15-018	251-14-040	AMD	82-10-006	260-70-300	NEW	82-09-016
250-44-110	AMD-P	82-11-072	251-14-058	AMD-P	82-12-057	260-88-010	AMD-P	82-03-052
250-44-110	AMD-E	82-12-002	251-14-058	AMD-E	82-14-083	260-88-010	AMD-C	82-06-055
250-44-110	AMD	82-15-018	251-14-058	AMD	82-16-002	260-88-010	AMD	82-09-016
250-44-120	AMD-P	82-11-072	251-18-240	AMD-P	82-12-057	260-88-020	NEW-P	82-03-052
250-44-120	AMD-E	82-12-002	251-18-240	AMD-E	82-14-083	260-88-020	NEW-C	82-06-055
250-44-120	AMD	82-15-018	251-18-240	AMD	82-16-002	260-997	REP-P	82-05-044
250-44-130	AMD-P	82-11-072	251-18-250	AMD-P	82-12-057	260-997	REP-C	82-06-032
250-44-130	AMD-E	82-12-002	251-18-250	AMD-E	82-14-083	260-997	REP	82-09-016
250-44-130	AMD	82-15-018	251-18-250	AMD	82-16-002	263-12-015	AMD	82-03-031
250-44-140	AMD-P	82-11-072	251-18-260	AMD-P	82-12-057	263-12-016	AMD	82-03-031
250-44-140	AMD-E	82-12-002	251-18-260	AMD-E	82-14-083	263-12-020	AMD	82-03-031
250-44-140	AMD	82-15-018	251-18-260	AMD	82-16-002	263-12-045	AMD	82-03-031
250-44-150	AMD-P	82-11-072	251-18-265	AMD-P	82-12-057	263-12-050	AMD	82-03-031
250-44-150	AMD-E	82-12-002	251-18-265	AMD-E	82-14-083	263-12-053	AMD	82-03-031
250-44-150	AMD	82-15-018	251-18-265	AMD	82-16-002	263-12-056	AMD	82-03-031
250-44-160	AMD-P	82-11-072	251-18-280	AMD-P	82-12-057	263-12-060	AMD	82-03-031
250-44-160	AMD-E	82-12-002	251-18-280	AMD-E	82-14-083	263-12-065	AMD	82-03-031
250-44-160	AMD	82-15-018	251-18-280	AMD	82-16-002	263-12-090	AMD	82-03-031
250-44-180	AMD-P	82-11-072	251-18-320	AMD-P	82-12-057	263-12-093	AMD	82-03-031
250-44-180	AMD-E	82-12-002	251-18-320	AMD-E	82-14-083	263-12-095	AMD	82-03-031
250-44-180	AMD	82-15-018	251-18-320	AMD	82-16-002	263-12-100	AMD	82-03-031
250-44-200	AMD-P	82-11-072	251-18-330	AMD-P	82-12-057	263-12-115	AMD	82-03-031
250-44-200	AMD-E	82-12-002	251-18-340	AMD-P	82-12-057	263-12-120	AMD	82-03-031
250-44-200	AMD	82-15-018	251-18-340	AMD-E	82-14-083	263-12-125	AMD	82-03-031
250-44-210	AMD-P	82-11-072	251-18-340	AMD	82-16-002	263-12-145	AMD	82-03-031
250-44-210	AMD-E	82-12-002	251-18-350	AMD	82-04-069	263-12-165	AMD	82-03-031
250-44-210	AMD	82-15-018	251-22-090	AMD-P	82-12-057	263-12-175	AMD	82-03-031
251-04-020	AMD	82-04-069	251-22-090	AMD-E	82-14-055	275-16-030	AMD-E	82-14-068
251-04-020	AMD-P	82-12-057	251-22-090	AMD-E	82-16-023	275-16-030	AMD-P	82-14-072
251-04-020	AMD-E	82-14-083	251-22-090	AMD-P	82-16-030	275-16-030	AMD	82-17-070

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
275-20-030	AMD-P 82-17-026	275-38-050	NEW-E 82-10-032	275-38-610	NEW-E 82-10-032
275-25-520	AMD-P 82-02-054	275-38-050	NEW 82-16-080	275-38-610	NEW 82-16-080
275-25-520	AMD-E 82-02-056	275-38-055	NEW-P 82-09-071	275-38-615	NEW-P 82-09-071
275-25-520	AMD 82-06-034	275-38-055	NEW-E 82-10-032	275-38-615	NEW-E 82-10-032
275-25-527	NEW-P 82-02-054	275-38-055	NEW 82-16-080	275-38-615	NEW 82-16-080
275-25-527	NEW-E 82-02-056	275-38-060	NEW-P 82-09-071	275-38-620	NEW-P 82-09-071
275-25-527	NEW 82-06-034	275-38-060	NEW-E 82-10-032	275-38-620	NEW-E 82-10-032
275-27-230	AMD-P 82-02-054	275-38-060	NEW 82-16-080	275-38-620	NEW 82-16-080
275-27-230	AMD-E 82-02-056	275-38-065	NEW-P 82-09-071	275-38-625	NEW-P 82-09-071
275-27-230	AMD 82-06-034	275-38-065	NEW-E 82-10-032	275-38-625	NEW-E 82-10-032
275-27-600	REP-P 82-02-054	275-38-065	NEW 82-16-080	275-38-625	NEW 82-16-080
275-27-600	REP-E 82-02-056	275-38-075	NEW-P 82-09-071	275-38-630	NEW-P 82-09-071
275-27-600	REP 82-06-034	275-38-075	NEW-E 82-10-032	275-38-630	NEW-E 82-10-032
275-27-605	REP-P 82-02-054	275-38-075	NEW 82-16-080	275-38-630	NEW 82-16-080
275-27-605	REP-E 82-02-056	275-38-080	NEW-P 82-09-071	275-38-635	NEW-P 82-09-071
275-27-605	REP 82-06-034	275-38-080	NEW-E 82-10-032	275-38-635	NEW-E 82-10-032
275-27-610	REP-P 82-02-054	275-38-080	NEW 82-16-080	275-38-635	NEW 82-16-080
275-27-610	REP-E 82-02-056	275-38-510	NEW-P 82-09-071	275-38-640	NEW-P 82-09-071
275-27-610	REP 82-06-034	275-38-510	NEW-E 82-10-032	275-38-640	NEW-E 82-10-032
275-27-615	REP-P 82-02-054	275-38-510	NEW 82-16-080	275-38-640	NEW 82-16-080
275-27-615	REP-E 82-02-056	275-38-515	NEW-P 82-09-071	275-38-642	NEW-P 82-09-071
275-27-615	REP 82-06-034	275-38-515	NEW-E 82-10-032	275-38-642	NEW-E 82-10-032
275-27-620	REP-P 82-02-054	275-38-515	NEW 82-16-080	275-38-642	NEW 82-16-080
275-27-620	REP-E 82-02-056	275-38-520	NEW-P 82-09-071	275-38-642	NEW-P 82-09-071
275-27-620	REP 82-06-034	275-38-520	NEW-E 82-10-032	275-38-643	NEW-P 82-09-071
275-27-630	REP-P 82-02-054	275-38-520	NEW 82-16-080	275-38-643	NEW-E 82-10-032
275-27-630	REP-E 82-02-056	275-38-525	NEW-P 82-09-071	275-38-645	NEW-P 82-09-071
275-27-630	REP 82-06-034	275-38-525	NEW-E 82-10-032	275-38-645	NEW-E 82-10-032
275-27-635	REP-P 82-02-054	275-38-525	NEW 82-16-080	275-38-645	NEW 82-16-080
275-27-635	REP-E 82-02-056	275-38-530	NEW-P 82-09-071	275-38-650	NEW-P 82-09-071
275-27-635	REP 82-06-034	275-38-530	NEW-E 82-10-032	275-38-650	NEW-E 82-10-032
275-27-640	REP-P 82-02-054	275-38-530	NEW 82-16-080	275-38-650	NEW 82-16-080
275-27-640	REP-E 82-02-056	275-38-535	NEW-P 82-09-071	275-38-655	NEW-P 82-09-071
275-27-640	REP 82-06-034	275-38-535	NEW-E 82-10-032	275-38-655	NEW-E 82-10-032
275-27-660	REP-P 82-02-054	275-38-535	NEW 82-16-080	275-38-660	NEW-P 82-09-071
275-27-660	REP-E 82-02-056	275-38-540	NEW-P 82-09-071	275-38-660	NEW-E 82-10-032
275-27-660	REP 82-06-034	275-38-540	NEW-E 82-10-032	275-38-660	NEW 82-16-080
275-27-665	REP-P 82-02-054	275-38-540	NEW 82-16-080	275-38-665	NEW-P 82-09-071
275-27-665	REP-E 82-02-056	275-38-545	NEW-P 82-09-071	275-38-665	NEW-E 82-10-032
275-27-665	REP 82-06-034	275-38-545	NEW-E 82-10-032	275-38-665	NEW 82-16-080
275-27-680	REP-P 82-02-054	275-38-545	NEW 82-16-080	275-38-667	NEW-P 82-09-071
275-27-680	REP-E 82-02-056	275-38-550	NEW-P 82-09-071	275-38-667	NEW-E 82-10-032
275-27-680	REP 82-06-034	275-38-550	NEW-E 82-10-032	275-38-667	NEW 82-16-080
275-27-685	REP-P 82-02-054	275-38-550	NEW 82-16-080	275-38-670	NEW-P 82-09-071
275-27-685	REP-E 82-02-056	275-38-555	NEW-P 82-09-071	275-38-670	NEW-E 82-10-032
275-27-685	REP 82-06-034	275-38-555	NEW-E 82-10-032	275-38-670	NEW 82-16-080
275-38-001	NEW-P 82-09-071	275-38-555	NEW 82-16-080	275-38-675	NEW-P 82-09-071
275-38-001	NEW-E 82-10-032	275-38-560	NEW-P 82-09-071	275-38-675	NEW-E 82-10-032
275-38-001	NEW 82-16-080	275-38-560	NEW-E 82-10-032	275-38-675	NEW 82-16-080
275-38-005	NEW-P 82-09-071	275-38-560	NEW 82-16-080	275-38-678	NEW-P 82-09-071
275-38-005	NEW-E 82-10-032	275-38-565	NEW-P 82-09-071	275-38-678	NEW-E 82-10-032
275-38-005	NEW 82-16-080	275-38-565	NEW-E 82-10-032	275-38-678	NEW 82-16-080
275-38-007	NEW-P 82-09-071	275-38-565	NEW 82-16-080	275-38-680	NEW-P 82-09-071
275-38-007	NEW-E 82-10-032	275-38-570	NEW-P 82-09-071	275-38-680	NEW-E 82-10-032
275-38-007	NEW 82-16-080	275-38-570	NEW-E 82-10-032	275-38-680	NEW 82-16-080
275-38-015	NEW-P 82-09-071	275-38-570	NEW 82-16-080	275-38-685	NEW-P 82-09-071
275-38-015	NEW-E 82-10-032	275-38-575	NEW-P 82-09-071	275-38-685	NEW-E 82-10-032
275-38-015	NEW 82-16-080	275-38-575	NEW-E 82-10-032	275-38-685	NEW 82-16-080
275-38-020	NEW-P 82-09-071	275-38-575	NEW 82-16-080	275-38-690	NEW-P 82-09-071
275-38-020	NEW-E 82-10-032	275-38-580	NEW-P 82-09-071	275-38-690	NEW-E 82-10-032
275-38-020	NEW 82-16-080	275-38-580	NEW-E 82-10-032	275-38-690	NEW 82-16-080
275-38-025	NEW-P 82-09-071	275-38-585	NEW-P 82-09-071	275-38-695	NEW-P 82-09-071
275-38-025	NEW-E 82-10-032	275-38-585	NEW-E 82-10-032	275-38-695	NEW-E 82-10-032
275-38-025	NEW 82-16-080	275-38-585	NEW 82-16-080	275-38-695	NEW 82-16-080
275-38-030	NEW-P 82-09-071	275-38-590	NEW-P 82-09-071	275-38-700	NEW-P 82-09-071
275-38-030	NEW-E 82-10-032	275-38-590	NEW-E 82-10-032	275-38-700	NEW-E 82-10-032
275-38-030	NEW 82-16-080	275-38-590	NEW 82-16-080	275-38-700	NEW 82-16-080
275-38-035	NEW-P 82-09-071	275-38-595	NEW-P 82-09-071	275-38-705	NEW-P 82-09-071
275-38-035	NEW-E 82-10-032	275-38-595	NEW-E 82-10-032	275-38-705	NEW-E 82-10-032
275-38-035	NEW 82-16-080	275-38-595	NEW 82-16-080	275-38-705	NEW 82-16-080
275-38-040	NEW-P 82-09-071	275-38-600	NEW-P 82-09-071	275-38-715	NEW-P 82-09-071
275-38-040	NEW-E 82-10-032	275-38-600	NEW-E 82-10-032	275-38-715	NEW-E 82-10-032
275-38-040	NEW 82-16-080	275-38-600	NEW 82-16-080	275-38-715	NEW 82-16-080
275-38-045	NEW-P 82-09-071	275-38-605	NEW-P 82-09-071	275-38-720	NEW-P 82-09-071
275-38-045	NEW-E 82-10-032	275-38-605	NEW-E 82-10-032	275-38-720	NEW-E 82-10-032
275-38-045	NEW 82-16-080	275-38-605	NEW 82-16-080	275-38-720	NEW 82-16-080
275-38-050	NEW-P 82-09-071	275-38-610	NEW-P 82-09-071	275-38-725	NEW-P 82-09-071

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
275-38-725	NEW-E	82-10-032	275-38-855	NEW	82-16-080	275-55-041	REP	82-07-024
275-38-725	NEW	82-16-080	275-38-860	NEW-P	82-09-071	275-55-050	AMD	82-07-024
275-38-730	NEW-P	82-09-071	275-38-860	NEW-E	82-10-032	275-55-060	AMD	82-07-024
275-38-730	NEW-E	82-10-032	275-38-860	NEW	82-16-080	275-55-061	REP	82-07-024
275-38-730	NEW	82-16-080	275-38-865	NEW-P	82-09-071	275-55-070	REP	82-07-024
275-38-735	NEW-P	82-09-071	275-38-865	NEW-E	82-10-032	275-55-071	NEW	82-07-024
275-38-735	NEW-E	82-10-032	275-38-865	NEW	82-16-080	275-55-080	REP	82-07-024
275-38-735	NEW	82-16-080	275-38-870	NEW-P	82-09-071	275-55-081	NEW	82-07-024
275-38-740	NEW-P	82-09-071	275-38-870	NEW-E	82-10-032	275-55-090	AMD	82-07-024
275-38-740	NEW-E	82-10-032	275-38-870	NEW	82-16-080	275-55-100	REP	82-07-024
275-38-740	NEW	82-16-080	275-38-875	NEW-P	82-09-071	275-55-110	AMD	82-07-024
275-38-745	NEW-P	82-09-071	275-38-875	NEW-E	82-10-032	275-55-120	REP	82-07-024
275-38-745	NEW-E	82-10-032	275-38-875	NEW	82-16-080	275-55-121	NEW	82-07-024
275-38-745	NEW	82-16-080	275-38-880	NEW-P	82-09-071	275-55-130	REP	82-07-024
275-38-750	NEW-P	82-09-071	275-38-880	NEW-E	82-10-032	275-55-131	NEW	82-07-024
275-38-750	NEW-E	82-10-032	275-38-885	NEW	82-16-080	275-55-140	REP	82-07-024
275-38-750	NEW	82-16-080	275-38-885	NEW-P	82-09-071	275-55-141	NEW	82-07-024
275-38-760	NEW-P	82-09-071	275-38-885	NEW-E	82-10-032	275-55-150	REP	82-07-024
275-38-760	NEW-E	82-10-032	275-38-885	NEW	82-16-080	275-55-151	NEW	82-07-024
275-38-760	NEW	82-16-080	275-38-895	NEW-P	82-09-071	275-55-160	REP	82-07-024
275-38-765	NEW-P	82-09-071	275-38-895	NEW-E	82-10-032	275-55-161	NEW	82-07-024
275-38-765	NEW-E	82-10-032	275-38-895	NEW	82-16-080	275-55-170	REP	82-07-024
275-38-765	NEW	82-16-080	275-38-900	NEW-P	82-09-071	275-55-171	NEW	82-07-024
275-38-770	NEW-P	82-09-071	275-38-900	NEW-E	82-10-032	275-55-180	REP	82-07-024
275-38-770	NEW-E	82-10-032	275-38-900	NEW	82-16-080	275-55-181	NEW	82-07-024
275-38-770	NEW	82-16-080	275-38-905	NEW-P	82-09-071	275-55-190	REP	82-07-024
275-38-775	NEW-P	82-09-071	275-38-905	NEW-E	82-10-032	275-55-191	NEW	82-07-024
275-38-775	NEW-E	82-10-032	275-38-905	NEW	82-16-080	275-55-200	REP	82-07-024
275-38-775	NEW	82-16-080	275-38-910	NEW-P	82-09-071	275-55-201	NEW	82-07-024
275-38-780	NEW-P	82-09-071	275-38-910	NEW-E	82-10-032	275-55-210	REP	82-07-024
275-38-780	NEW-E	82-10-032	275-38-910	NEW	82-16-080	275-55-211	NEW	82-07-024
275-38-780	NEW	82-16-080	275-38-915	NEW-P	82-09-071	275-55-220	REP	82-07-024
275-38-785	NEW-P	82-09-071	275-38-915	NEW-E	82-10-032	275-55-230	REP	82-07-024
275-38-785	NEW-E	82-10-032	275-38-915	NEW	82-16-080	275-55-231	NEW	82-07-024
275-38-785	NEW	82-16-080	275-38-920	NEW-P	82-09-071	275-55-240	REP	82-07-024
275-38-790	NEW-P	82-09-071	275-38-920	NEW-E	82-10-032	275-55-241	NEW	82-07-024
275-38-790	NEW-E	82-10-032	275-38-920	NEW	82-16-080	275-55-250	REP	82-07-024
275-38-790	NEW	82-16-080	275-38-925	NEW-P	82-09-071	275-55-260	REP	82-07-024
275-38-795	NEW-P	82-09-071	275-38-925	NEW-E	82-10-032	275-55-261	NEW	82-07-024
275-38-795	NEW-E	82-10-032	275-38-925	NEW	82-16-080	275-55-263	NEW	82-07-024
275-38-795	NEW	82-16-080	275-38-930	NEW-P	82-09-071	275-55-270	REP	82-07-024
275-38-800	NEW-P	82-09-071	275-38-930	NEW-E	82-10-032	275-55-271	NEW	82-07-024
275-38-800	NEW-E	82-10-032	275-38-930	NEW	82-16-080	275-55-280	REP	82-07-024
275-38-800	NEW	82-16-080	275-38-935	NEW-P	82-09-071	275-55-281	NEW	82-07-024
275-38-805	NEW-P	82-09-071	275-38-935	NEW-E	82-10-032	275-55-282	REP	82-07-024
275-38-805	NEW-E	82-10-032	275-38-935	NEW	82-16-080	275-55-284	REP	82-07-024
275-38-805	NEW	82-16-080	275-38-940	NEW-P	82-09-071	275-55-286	REP	82-07-024
275-38-810	NEW-P	82-09-071	275-38-940	NEW-E	82-10-032	275-55-288	REP	82-07-024
275-38-810	NEW-E	82-10-032	275-38-940	NEW	82-16-080	275-55-290	REP	82-07-024
275-38-810	NEW	82-16-080	275-38-945	NEW-P	82-09-071	275-55-291	NEW	82-07-024
275-38-812	NEW-P	82-09-071	275-38-945	NEW-E	82-10-032	275-55-293	NEW	82-07-024
275-38-812	NEW-E	82-10-032	275-38-945	NEW	82-16-080	275-55-295	NEW	82-07-024
275-38-812	NEW	82-16-080	275-38-950	NEW-P	82-09-071	275-55-297	NEW	82-07-024
275-38-815	NEW-P	82-09-071	275-38-950	NEW-E	82-10-032	275-55-301	NEW	82-07-024
275-38-815	NEW-E	82-10-032	275-38-950	NEW	82-16-080	275-55-331	NEW	82-07-024
275-38-815	NEW	82-16-080	275-38-955	NEW-P	82-09-071	275-55-341	NEW	82-07-024
275-38-820	NEW-P	82-09-071	275-38-955	NEW-E	82-10-032	275-55-351	NEW	82-07-024
275-38-820	NEW-E	82-10-032	275-38-955	NEW	82-16-080	275-55-361	NEW	82-07-024
275-38-820	NEW	82-16-080	275-38-960	NEW-P	82-09-071	275-55-363	NEW	82-07-024
275-38-830	NEW-P	82-09-071	275-38-960	NEW-E	82-10-032	275-55-365	NEW	82-07-024
275-38-830	NEW-E	82-10-032	275-38-960	NEW	82-16-080	275-55-367	NEW	82-07-024
275-38-830	NEW	82-16-080	275-40-010	REP	82-04-023	275-55-371	NEW	82-07-024
275-38-835	NEW-P	82-09-071	275-40-020	REP	82-04-023	275-56-005	NEW-E	82-18-067
275-38-835	NEW-E	82-10-032	275-40-030	REP	82-04-023	275-56-010	NEW-E	82-18-067
275-38-835	NEW	82-16-080	275-40-040	REP	82-04-023	275-56-020	NEW-E	82-18-067
275-38-840	NEW-P	82-09-071	275-40-050	REP	82-04-023	275-56-025	NEW-E	82-18-067
275-38-840	NEW-E	82-10-032	275-40-060	REP	82-04-023	275-56-030	NEW-E	82-18-067
275-38-840	NEW	82-16-080	275-40-070	REP	82-04-023	275-56-035	NEW-E	82-18-067
275-38-845	NEW-P	82-09-071	275-52-010	REP	82-04-023	275-56-040	NEW-E	82-18-067
275-38-845	NEW-E	82-10-032	275-52-015	REP	82-04-023	275-56-050	NEW-E	82-18-067
275-38-845	NEW	82-16-080	275-52-020	REP	82-04-023	275-56-055	NEW-E	82-18-067
275-38-850	NEW-P	82-09-071	275-55	AMD-C	82-05-024	275-56-060	NEW-E	82-18-067
275-38-850	NEW-E	82-10-032	275-55-010	AMD	82-07-024	275-56-065	NEW-E	82-18-067
275-38-850	NEW	82-16-080	275-55-020	AMD	82-07-024	275-56-070	NEW-E	82-18-067
275-38-855	NEW-P	82-09-071	275-55-021	NEW	82-07-024	275-56-075	NEW-E	82-18-067
275-38-855	NEW-E	82-10-032	275-55-030	AMD	82-07-024	275-56-080	NEW-E	82-18-067
275-38-855	NEW-E	82-14-069	275-55-040	AMD	82-07-024	275-56-085	NEW-E	82-18-067



Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
284-17-110	REP	82-10-016	296-17-911	AMD	82-05-019	296-24-17039	REP	82-13-045
284-17-120	NEW-P	82-07-056	296-17-913	AMD	82-05-019	296-24-17041	REP-P	82-08-004
284-17-120	NEW	82-10-016	296-17-914	AMD	82-05-019	296-24-17041	REP	82-13-045
284-17-210	AMD-P	82-07-056	296-17-915	AMD	82-05-019	296-24-17043	REP-P	82-08-004
284-17-210	AMD	82-10-016	296-17-917	AMD	82-05-019	296-24-17043	REP	82-13-045
284-17-310	AMD-P	82-07-056	296-17-919	AMD	82-05-019	296-24-17045	REP-P	82-08-004
284-17-310	AMD	82-10-016	296-17-91901	AMD	82-05-019	296-24-17045	REP	82-13-045
284-24-010	REP-P	82-02-059	296-17-91902	AMD	82-05-019	296-24-17047	REP-P	82-08-004
284-24-010	REP	82-06-036	296-24-12005	AMD-P	82-08-004	296-24-17047	REP	82-13-045
284-24-015	NEW-P	82-02-059	296-24-12005	AMD	82-13-045	296-24-33001	AMD-P	82-02-065
284-24-015	NEW	82-06-036	296-24-12009	AMD-P	82-02-065	296-24-33001	AMD	82-08-026
284-24-020	REP-P	82-02-059	296-24-12009	AMD	82-08-026	296-24-950	REP-E	82-12-018
284-24-020	REP	82-06-036	296-24-130	REP-P	82-02-065	296-24-955	REP-P	82-02-065
284-24-030	REP-P	82-02-059	296-24-130	REP	82-08-026	296-24-955	REP	82-08-026
284-24-030	REP	82-06-036	296-24-13001	REP-P	82-02-065	296-24-956	NEW-P	82-02-065
284-24-035	REP-P	82-02-059	296-24-13001	REP	82-08-026	296-24-956	NEW	82-08-026
284-24-035	REP	82-06-036	296-24-13003	REP-P	82-02-065	296-24-95601	NEW-P	82-02-065
284-24-040	REP-P	82-02-059	296-24-13003	REP	82-08-026	296-24-95601	NEW	82-08-026
284-24-040	REP	82-06-036	296-24-13003	REP-P	82-02-065	296-24-95603	NEW-P	82-02-065
284-24-050	REP-P	82-02-059	296-24-13005	REP	82-08-026	296-24-95603	NEW	82-08-026
284-24-050	REP	82-06-036	296-24-13005	REP-P	82-02-065	296-24-95605	NEW-P	82-02-065
284-24-060	NEW-P	82-02-059	296-24-13007	REP	82-08-026	296-24-95605	NEW	82-08-026
284-24-060	NEW	82-06-036	296-24-13007	REP-P	82-02-065	296-24-95605	NEW-P	82-02-065
284-24-070	NEW-P	82-02-059	296-24-13009	REP	82-08-026	296-24-95607	NEW-P	82-02-065
284-24-070	NEW	82-06-036	296-24-13009	REP	82-08-026	296-24-95607	NEW	82-08-026
284-24-080	NEW-P	82-02-059	296-24-13011	REP-P	82-02-065	296-24-95609	NEW-P	82-02-065
284-24-080	NEW	82-06-036	296-24-13011	REP	82-08-026	296-24-95609	NEW	82-08-026
284-44-180	REP-P	82-09-030	296-24-13013	REP-P	82-02-065	296-24-95611	NEW-P	82-02-065
284-44-180	REP	82-12-032	296-24-13013	REP	82-08-026	296-24-95611	NEW	82-08-026
284-50-380	AMD-P	82-09-030	296-24-13501	AMD-P	82-08-004	296-24-95613	NEW-P	82-02-065
284-50-380	AMD	82-12-032	296-24-14007	AMD-P	82-08-004	296-24-95613	NEW	82-08-026
284-55-010	AMD-P	82-09-030	296-24-14007	AMD	82-13-045	296-24-95615	NEW-P	82-02-065
284-55-010	AMD	82-12-032	296-24-16503	AMD-P	82-08-004	296-24-95615	NEW	82-08-026
284-55-035	NEW-P	82-09-030	296-24-16503	AMD	82-13-045	296-24-95617	NEW-P	82-02-065
284-55-035	NEW	82-12-032	296-24-16539	AMD-P	82-08-004	296-24-95617	NEW	82-08-026
284-55-040	AMD-P	82-09-030	296-24-16539	AMD	82-13-045	296-24-95699	NEW-P	82-02-065
284-55-040	AMD	82-12-032	296-24-170	REP-P	82-08-004	296-24-95699	NEW	82-08-026
284-55-045	NEW-P	82-09-030	296-24-170	REP	82-13-045	296-24-960	AMD-P	82-08-004
284-55-045	NEW	82-12-032	296-24-17001	REP-P	82-08-004	296-24-960	AMD	82-13-045
284-55-065	NEW-P	82-09-030	296-24-17001	REP	82-13-045	296-32-250	AMD-P	82-08-004
284-55-065	NEW	82-12-032	296-24-17003	REP-P	82-08-004	296-32-250	AMD	82-13-045
284-55-067	NEW-P	82-09-030	296-24-17003	REP	82-13-045	296-45-65043	AMD-P	82-02-065
284-55-067	NEW	82-12-032	296-24-17005	REP-P	82-08-004	296-45-65043	AMD-E	82-07-013
284-55-110	AMD-P	82-09-030	296-24-17005	REP	82-13-045	296-45-65043	AMD	82-08-026
284-55-110	AMD	82-12-032	296-24-17007	REP-P	82-08-004	296-45-66007	AMD-E	82-07-001
289-12-030	AMD-E	82-05-042	296-24-17007	REP	82-13-045	296-45-66007	AMD-P	82-08-004
289-12-030	AMD-P	82-05-046	296-24-17009	REP-P	82-08-004	296-45-66007	AMD	82-13-045
289-12-030	AMD	82-08-051	296-24-17009	REP	82-08-004	296-46-493	AMD-P	82-08-003
289-12-030	AMD-P	82-16-092	296-24-17011	REP-P	82-13-045	296-46-493	AMD-C	82-11-057
289-12-035	NEW-E	82-08-052	296-24-17011	REP	82-13-045	296-46-493	AMD	82-18-036
289-12-035	NEW-P	82-08-068	296-24-17013	REP-P	82-08-004	296-46-910	AMD-P	82-08-003
289-12-035	NEW	82-11-069	296-24-17013	REP	82-13-045	296-46-910	AMD-E	82-08-035
289-13-070	AMD-E	82-08-053	296-24-17015	REP-P	82-08-004	296-46-910	AMD-C	82-11-057
289-13-070	AMD-P	82-08-069	296-24-17015	REP	82-13-045	296-46-910	AMD-E	82-14-029
289-13-070	AMD	82-11-071	296-24-17017	REP-P	82-08-004	296-46-910	AMD	82-18-036
289-15-225	NEW-P	82-05-045	296-24-17017	REP	82-13-045	296-48	REP-C	82-02-052
289-15-225	NEW-C	82-08-067	296-24-17019	REP-P	82-08-004	296-48-005	REP-P	82-05-006
289-15-225	NEW	82-11-070	296-24-17019	REP	82-13-045	296-48-005	REP	82-09-053
289-20-205	AMD	82-04-088	296-24-17021	REP-P	82-08-004	296-48-010	REP-P	82-05-006
289-20-210	AMD	82-04-088	296-24-17021	REP	82-13-045	296-48-010	REP	82-09-053
296-04-015	AMD-P	82-18-048	296-24-17023	REP-P	82-08-004	296-48-020	REP-P	82-05-006
296-04-500	NEW-P	82-18-048	296-24-17023	REP	82-13-045	296-48-020	REP	82-09-053
296-04-501	NEW-P	82-18-048	296-24-17025	REP-P	82-08-004	296-48-051	REP-P	82-05-006
296-04-502	NEW-P	82-18-048	296-24-17025	REP	82-13-045	296-48-051	REP	82-09-053
296-04-503	NEW-P	82-18-048	296-24-17027	REP-P	82-08-004	296-48-600	REP-P	82-05-006
296-04-504	NEW-P	82-18-048	296-24-17027	REP	82-08-004	296-48-600	REP	82-09-053
296-04-505	NEW-P	82-18-048	296-24-17029	REP-P	82-13-045	296-48-602	REP-P	82-05-006
296-04-506	NEW-P	82-18-048	296-24-17029	REP	82-08-004	296-48-602	REP	82-09-053
296-06-120	AMD-P	82-11-047	296-24-17031	REP-P	82-13-045	296-48-604	REP-P	82-05-006
296-06-120	AMD	82-18-026	296-24-17031	REP	82-08-004	296-48-604	REP	82-09-053
296-15-025	NEW-P	82-04-040	296-24-17033	REP-P	82-13-045	296-48-605	REP-P	82-05-006
296-15-025	NEW	82-07-019	296-24-17033	REP	82-08-004	296-48-605	REP	82-09-053
296-15-070	AMD-P	82-09-067	296-24-17035	REP-P	82-13-045	296-48-610	REP-P	82-05-006
296-15-070	AMD	82-12-035	296-24-17035	REP	82-08-004	296-48-610	REP	82-09-053
296-17-351	AMD-P	82-07-022	296-24-17037	REP-P	82-13-045	296-48-615	REP-P	82-05-006
296-17-351	AMD	82-10-034	296-24-17037	REP	82-08-004	296-48-615	REP	82-09-053
296-17-910	AMD	82-05-019	296-24-17037	REP	82-13-045	296-48-620	REP-P	82-05-006
			296-24-17039	REP-P	82-08-004	296-48-620	REP	82-09-053

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
296-48-625	REP-P	82-05-006	296-48A-001	REP-P	82-05-006	296-48B-19002	REP	82-04-060
296-48-625	REP	82-09-053	296-48A-001	REP	82-09-053	296-48B-19003	REP	82-04-060
296-48-630	REP-P	82-05-006	296-48A-200	REP-P	82-05-006	296-48B-19004	REP	82-04-060
296-48-630	REP	82-09-053	296-48A-200	REP	82-09-053	296-48B-19005	REP	82-04-060
296-48-635	REP-P	82-05-006	296-48A-400	REP-P	82-05-006	296-48B-193	REP	82-04-060
296-48-635	REP	82-09-053	296-48A-400	REP	82-09-053	296-48B-196	REP	82-04-060
296-48-636	REP-P	82-05-006	296-48A-405	REP-P	82-05-006	296-48B-200	REP	82-04-060
296-48-636	REP	82-09-053	296-48A-405	REP	82-09-053	296-48B-210	REP	82-04-060
296-48-640	REP-P	82-05-006	296-48A-410	REP-P	82-05-006	296-48B-215	REP	82-04-060
296-48-640	REP	82-09-053	296-48A-410	REP	82-09-053	296-48B-220	REP	82-04-060
296-48-645	REP-P	82-05-006	296-48A-600	REP-P	82-05-006	296-48B-225	REP	82-04-060
296-48-645	REP	82-09-053	296-48A-600	REP	82-09-053	296-48B-230	REP	82-04-060
296-48-701	REP-P	82-05-006	296-48A-605	REP-P	82-05-006	296-48B-235	REP	82-04-060
296-48-701	REP	82-09-053	296-48A-605	REP	82-09-053	296-48B-245	REP	82-04-060
296-48-702	REP-P	82-05-006	296-48A-610	REP-P	82-05-006	296-48B-250	REP	82-04-060
296-48-702	REP	82-09-053	296-48A-610	REP	82-09-053	296-48B-255	REP	82-04-060
296-48-703	REP-P	82-05-006	296-48A-615	REP-P	82-05-006	296-48B-260	REP	82-04-060
296-48-703	REP	82-09-053	296-48A-615	REP	82-09-053	296-48B-265	REP	82-04-060
296-48-704	REP-P	82-05-006	296-48A-700	REP-P	82-05-006	296-48B-270	REP	82-04-060
296-48-704	REP	82-09-053	296-48A-700	REP	82-09-053	296-48B-275	REP	82-04-060
296-48-706	REP-P	82-05-006	296-48A-750	REP-P	82-05-006	296-48B-280	REP	82-04-060
296-48-706	REP	82-09-053	296-48A-750	REP	82-09-053	296-48B-285	REP	82-04-060
296-48-710	REP-P	82-05-006	296-48A-755	REP-P	82-05-006	296-48B-290	REP	82-04-060
296-48-710	REP	82-09-053	296-48A-755	REP	82-09-053	296-48B-295	REP	82-04-060
296-48-715	REP-P	82-05-006	296-48A-770	REP-P	82-05-006	296-48B-400	REP	82-04-060
296-48-715	REP	82-09-053	296-48A-770	REP	82-09-053	296-48B-405	REP	82-04-060
296-48-720	REP-P	82-05-006	296-48A-780	REP-P	82-05-006	296-48B-410	REP	82-04-060
296-48-720	REP	82-09-053	296-48A-780	REP	82-09-053	296-48B-415	REP	82-04-060
296-48-725	REP-P	82-05-006	296-48A-800	REP-P	82-05-006	296-48B-420	REP	82-04-060
296-48-725	REP	82-09-053	296-48A-800	REP	82-09-053	296-48B-425	REP	82-04-060
296-48-730	REP-P	82-05-006	296-48A-990	REP-P	82-05-006	296-48B-430	REP	82-04-060
296-48-730	REP	82-09-053	296-48A-990	REP	82-09-053	296-48B-435	REP	82-04-060
296-48-735	REP-P	82-05-006	296-48B	REP-C	82-02-052	296-48B-440	REP	82-04-060
296-48-735	REP	82-09-053	296-48B-001	REP	82-04-060	296-48B-445	REP	82-04-060
296-48-740	REP-P	82-05-006	296-48B-002	REP	82-04-060	296-48B-450	REP	82-04-060
296-48-740	REP	82-09-053	296-48B-005	REP	82-04-060	296-48B-455	REP	82-04-060
296-48-745	REP-P	82-05-006	296-48B-006	REP	82-04-060	296-48B-460	REP	82-04-060
296-48-745	REP	82-09-053	296-48B-009	REP	82-04-060	296-48B-465	REP	82-04-060
296-48-750	REP-P	82-05-006	296-48B-010	REP	82-04-060	296-48B-467	REP	82-04-060
296-48-750	REP	82-09-053	296-48B-015	REP	82-04-060	296-48B-468	REP	82-04-060
296-48-755	REP-P	82-05-006	296-48B-020	REP	82-04-060	296-48B-469	REP	82-04-060
296-48-755	REP	82-09-053	296-48B-025	REP	82-04-060	296-48B-46901	REP	82-04-060
296-48-760	REP-P	82-05-006	296-48B-030	REP	82-04-060	296-48B-470	REP	82-04-060
296-48-760	REP	82-09-053	296-48B-032	REP	82-04-060	296-48B-475	REP	82-04-060
296-48-761	REP-P	82-05-006	296-48B-035	REP	82-04-060	296-48B-480	REP	82-04-060
296-48-761	REP	82-09-053	296-48B-040	REP	82-04-060	296-48B-485	REP	82-04-060
296-48-765	REP-P	82-05-006	296-48B-050	REP	82-04-060	296-48B-490	REP	82-04-060
296-48-765	REP	82-09-053	296-48B-055	REP	82-04-060	296-48B-500	REP	82-04-060
296-48-770	REP-P	82-05-006	296-48B-060	REP	82-04-060	296-48B-505	REP	82-04-060
296-48-770	REP	82-09-053	296-48B-065	REP	82-04-060	296-48B-510	REP	82-04-060
296-48-775	REP-P	82-05-006	296-48B-068	REP	82-04-060	296-48B-515	REP	82-04-060
296-48-775	REP	82-09-053	296-48B-070	REP	82-04-060	296-48B-520	REP	82-04-060
296-48-776	REP-P	82-05-006	296-48B-075	REP	82-04-060	296-48B-525	REP	82-04-060
296-48-776	REP	82-09-053	296-48B-080	REP	82-04-060	296-48B-530	REP	82-04-060
296-48-780	REP-P	82-05-006	296-48B-085	REP	82-04-060	296-48B-535	REP	82-04-060
296-48-780	REP	82-09-053	296-48B-090	REP	82-04-060	296-48B-540	REP	82-04-060
296-48-781	REP-P	82-05-006	296-48B-095	REP	82-04-060	296-48B-550	REP	82-04-060
296-48-781	REP	82-09-053	296-48B-100	REP	82-04-060	296-48B-555	REP	82-04-060
296-48-782	REP-P	82-05-006	296-48B-105	REP	82-04-060	296-48B-560	REP	82-04-060
296-48-782	REP	82-09-053	296-48B-115	REP	82-04-060	296-48B-565	REP	82-04-060
296-48-785	REP-P	82-05-006	296-48B-120	REP	82-04-060	296-48B-570	REP	82-04-060
296-48-785	REP	82-09-053	296-48B-125	REP	82-04-060	296-48B-575	REP	82-04-060
296-48-790	REP-P	82-05-006	296-48B-140	REP	82-04-060	296-48B-580	REP	82-04-060
296-48-790	REP	82-09-053	296-48B-142	REP	82-04-060	296-48B-585	REP	82-04-060
296-48-795	REP-P	82-05-006	296-48B-143	REP	82-04-060	296-48B-590	REP	82-04-060
296-48-795	REP	82-09-053	296-48B-145	REP	82-04-060	296-48B-595	REP	82-04-060
296-48-800	AMD-E	82-04-014	296-48B-150	REP	82-04-060	296-48B-598	REP	82-04-060
296-48-800	REP-P	82-05-006	296-48B-160	REP	82-04-060	296-48B-600	REP	82-04-060
296-48-800	AMD-E	82-09-031	296-48B-165	REP	82-04-060	296-48B-610	REP	82-04-060
296-48-800	REP	82-09-053	296-48B-175	REP	82-04-060	296-48B-615	REP	82-04-060
296-48-825	REP-P	82-05-006	296-48B-177	REP	82-04-060	296-48B-620	REP	82-04-060
296-48-825	REP	82-09-053	296-48B-178	REP	82-04-060	296-48B-675	REP	82-04-060
296-48-830	REP-P	82-05-006	296-48B-179	REP	82-04-060	296-48B-680	REP	82-04-060
296-48-830	REP	82-09-053	296-48B-180	REP	82-04-060	296-48B-685	REP	82-04-060
296-48-890	REP-P	82-05-006	296-48B-185	REP	82-04-060	296-48B-690	REP	82-04-060
296-48-890	REP	82-09-053	296-48B-190	REP	82-04-060	296-48B-695	REP	82-04-060
296-48A	REP-C	82-02-052	296-48B-19001	REP	82-04-060	296-48B-720	REP	82-04-060

### Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
296-48B-725	REP	82-04-060	296-79-050	AMD-P	82-08-004	296-127-040	NEW-E	82-14-028
296-48B-730	REP	82-04-060	296-79-050	AMD	82-13-045	296-127-040	NEW	82-18-041
296-48B-735	REP	82-04-060	296-81-002	REP-P	82-07-079	296-127-045	NEW-P	82-14-027
296-48B-740	REP	82-04-060	296-81-002	REP	82-12-005	296-127-045	NEW-E	82-14-028
296-48B-800	REP	82-04-060	296-81-003	REP-P	82-07-079	296-127-045	NEW	82-18-041
296-48B-805	REP	82-04-060	296-81-003	REP	82-12-005	296-127-060	NEW-P	82-14-027
296-48B-810	REP	82-04-060	296-81-005	AMD-P	82-07-079	296-127-060	NEW-E	82-14-028
296-48B-815	REP	82-04-060	296-81-005	AMD	82-12-005	296-127-060	NEW	82-18-041
296-48B-820	REP	82-04-060	296-81-006	AMD-P	82-07-079	296-127-061	NEW-P	82-14-027
296-48B-825	REP	82-04-060	296-81-006	AMD	82-12-005	296-127-061	NEW-E	82-14-028
296-48B-830	REP	82-04-060	296-81-007	AMD-P	82-07-079	296-127-061	NEW	82-18-041
296-48B-835	REP	82-04-060	296-81-007	AMD	82-12-005	296-127-062	NEW-P	82-14-027
296-52-043	AMD-P	82-02-065	296-81-008	AMD-P	82-07-079	296-127-062	NEW-E	82-14-028
296-52-043	AMD-E	82-07-013	296-81-008	AMD	82-12-005	296-127-062	NEW	82-18-041
296-52-043	AMD	82-08-026	296-81-260	AMD-P	82-07-079	296-150	NEW-C	82-02-052
296-52-090	AMD-P	82-02-065	296-81-260	AMD	82-12-005	296-150-005	NEW-W	82-04-015
296-52-090	AMD-E	82-07-013	296-81-990	NEW-P	82-07-079	296-150-010	NEW-W	82-04-015
296-52-090	AMD	82-08-026	296-81-990	NEW	82-12-005	296-150-015	NEW-W	82-04-015
296-54-507	AMD-E	82-13-046	296-86-010	AMD-P	82-07-079	296-150-020	NEW-W	82-04-015
296-54-543	AMD-P	82-08-004	296-86-010	AMD	82-12-005	296-150-025	NEW-W	82-04-015
296-62-07101	AMD-P	82-02-065	296-86-020	AMD-P	82-07-079	296-150-030	NEW-W	82-04-015
296-62-07101	AMD	82-08-026	296-86-020	AMD	82-12-005	296-150-035	NEW-W	82-04-015
296-62-07107	AMD	82-03-023	296-86-030	AMD-P	82-07-079	296-150-040	NEW-W	82-04-015
296-62-07109	AMD	82-03-023	296-86-030	AMD	82-12-005	296-150-045	NEW-W	82-04-015
296-62-07109	AMD-P	82-08-004	296-86-040	AMD-P	82-07-079	296-150-050	NEW-W	82-04-015
296-62-07109	AMD	82-13-045	296-86-040	AMD	82-12-005	296-150-055	NEW-W	82-04-015
296-62-07115	AMD-P	82-02-065	296-86-060	AMD-P	82-07-079	296-150-060	NEW-W	82-04-015
296-62-07115	AMD	82-08-026	296-86-060	AMD	82-12-005	296-150-065	NEW-W	82-04-015
296-62-07302	AMD-P	82-08-004	296-86-070	AMD-P	82-07-079	296-150-070	NEW-W	82-04-015
296-62-07302	AMD	82-13-045	296-86-070	AMD	82-12-005	296-150-075	NEW-W	82-04-015
296-62-07314	AMD-E	82-12-019	296-86-075	AMD-P	82-07-079	296-150-080	NEW-W	82-04-015
296-62-07329	AMD-P	82-08-004	296-86-075	AMD	82-12-005	296-150-085	NEW-W	82-04-015
296-62-07349	AM/DE-P	82-08-004	296-86-080	AMD-P	82-07-079	296-150-090	NEW-W	82-04-015
296-62-07349	AM/DE	82-13-045	296-86-080	AMD	82-12-005	296-150-095	NEW-W	82-04-015
296-62-07501	AMD	82-03-023	296-104-200	AMD	82-05-003	296-150-100	NEW-W	82-04-015
296-62-07515	AMD-P	82-08-004	296-116-075	NEW-P	82-06-054	296-150-105	NEW-W	82-04-015
296-62-07515	AMD	82-13-045	296-116-075	NEW-C	82-09-060	296-150-110	NEW-W	82-04-015
296-62-07521	RECOD-P	82-08-004	296-116-080	NEW	82-15-026	296-150-115	NEW-W	82-04-015
296-62-07521	RECOD	82-13-045	296-116-080	AMD-P	82-06-054	296-150-120	NEW-W	82-04-015
296-62-09003	AMD-P	82-08-004	296-116-080	AMD-C	82-09-060	296-150-125	NEW-W	82-04-015
296-62-09003	AMD	82-13-045	296-116-080	AMD-C	82-13-062	296-150-130	NEW-W	82-04-015
296-62-09011	AMD	82-03-023	296-116-080	AMD	82-15-028	296-150-135	NEW-W	82-04-015
296-62-09015	NEW	82-03-023	296-116-085	AMD-P	82-10-049	296-150-140	NEW-W	82-04-015
296-62-09017	NEW	82-03-023	296-116-085	AMD	82-13-087	296-150-145	NEW-W	82-04-015
296-62-09019	NEW	82-03-023	296-116-185	AMD-P	82-02-068	296-150-150	NEW-W	82-04-015
296-62-09021	NEW	82-03-023	296-116-185	AMD-C	82-05-035	296-150-155	NEW-W	82-04-015
296-62-09023	NEW	82-03-023	296-116-185	AMD	82-08-016	296-150-160	NEW-W	82-04-015
296-62-09025	NEW	82-03-023	296-116-185	AMD-E	82-08-017	296-150-165	NEW-W	82-04-015
296-62-09029	NEW	82-03-023	296-116-205	AMD-P	82-10-049	296-150-170	NEW-W	82-04-015
296-62-09031	NEW	82-03-023	296-116-205	AMD	82-13-087	296-150-175	NEW-W	82-04-015
296-62-09031	AMD-P	82-08-004	296-116-300	AMD-P	82-08-062	296-150-180	NEW-W	82-04-015
296-62-09031	AMD	82-13-045	296-116-300	AMD-C	82-11-048	296-150-190	NEW-W	82-04-015
296-62-09033	NEW	82-03-023	296-116-300	AMD-C	82-12-020	296-150A	NEW-C	82-02-052
296-62-09033	AMD-P	82-08-004	296-116-300	AMD-C	82-12-033	296-150A	NEW-C	82-11-083
296-62-09033	AMD	82-13-045	296-116-300	AMD-E	82-13-064	296-150A-005	NEW-P	82-05-007
296-62-09035	NEW	82-03-023	296-116-320	AMD	82-13-065	296-150A-005	NEW	82-12-004
296-62-09037	NEW	82-03-023	296-116-320	AMD-P	82-10-049	296-150A-010	REP-P	82-05-007
296-62-09039	NEW	82-03-023	296-116-320	AMD	82-13-087	296-150A-010	REP	82-12-004
296-62-09041	NEW	82-03-023	296-127-010	NEW-P	82-14-027	296-150A-011	NEW-P	82-05-007
296-62-09043	NEW	82-03-023	296-127-010	NEW-E	82-14-028	296-150A-011	NEW	82-12-004
296-62-09045	NEW	82-03-023	296-127-011	NEW	82-18-041	296-150A-015	REP-P	82-05-007
296-62-09047	NEW	82-03-023	296-127-011	NEW-P	82-14-027	296-150A-015	REP	82-12-004
296-62-09049	NEW	82-03-023	296-127-011	NEW-E	82-14-028	296-150A-016	NEW-P	82-05-007
296-62-09051	NEW	82-03-023	296-127-017	NEW	82-18-041	296-150A-016	NEW	82-12-004
296-62-09051	AMD-P	82-08-004	296-127-017	NEW-P	82-14-027	296-150A-020	REP-P	82-05-007
296-62-09051	AMD	82-13-045	296-127-017	NEW-E	82-14-028	296-150A-020	REP	82-12-004
296-62-09053	NEW	82-03-023	296-127-020	NEW	82-18-041	296-150A-021	NEW-P	82-05-007
296-62-14515	AMD-P	82-08-004	296-127-020	NEW-P	82-14-027	296-150A-021	NEW	82-12-004
296-62-14515	AMD	82-13-045	296-127-020	NEW-E	82-14-028	296-150A-024	NEW-P	82-05-007
296-62-14525	AMD	82-03-023	296-127-020	NEW	82-18-041	296-150A-024	NEW	82-12-004
296-62-14533	AMD	82-03-023	296-127-021	NEW-P	82-14-027	296-150A-025	REP-P	82-05-007
296-78-71023	AMD-P	82-08-004	296-127-021	NEW-E	82-14-028	296-150A-025	REP	82-12-004
296-78-71023	AMD	82-13-045	296-127-021	NEW	82-18-041	296-150A-026	REP-P	82-05-007
296-79-020	AMD-P	82-08-004	296-127-021	NEW-P	82-14-027	296-150A-026	REP	82-12-004
296-79-020	AMD	82-13-045	296-127-030	NEW-E	82-14-028	296-150A-027	REP-P	82-05-007
			296-127-030	NEW	82-18-041	296-150A-027	REP	82-12-004
			296-127-040	NEW-P	82-14-027	296-150A-030	NEW-P	82-05-007





Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
296-150B-110	NEW-P	82-05-006	296-150B-463	NEW	82-04-060	296-150B-723	NEW	82-04-060
296-150B-110	NEW	82-09-053	296-150B-467	NEW	82-04-060	296-150B-727	NEW	82-04-060
296-150B-115	NEW-P	82-05-006	296-150B-470	NEW	82-04-060	296-150B-730	NEW	82-04-060
296-150B-115	NEW	82-09-053	296-150B-473	NEW	82-04-060	296-150B-733	NEW	82-04-060
296-150B-120	NEW-P	82-05-006	296-150B-477	NEW	82-04-060	296-150B-737	NEW	82-04-060
296-150B-120	NEW	82-09-053	296-150B-480	NEW	82-04-060	296-150B-740	NEW	82-04-060
296-150B-125	NEW-P	82-05-006	296-150B-483	NEW	82-04-060	296-150B-743	NEW	82-04-060
296-150B-125	NEW	82-09-053	296-150B-487	NEW	82-04-060	296-150B-747	NEW	82-04-060
296-150B-130	NEW-P	82-05-006	296-150B-490	NEW	82-04-060	296-150B-750	NEW	82-04-060
296-150B-130	NEW	82-09-053	296-150B-497	NEW	82-04-060	296-150B-753	NEW	82-04-060
296-150B-135	NEW-P	82-05-006	296-150B-500	NEW	82-04-060	296-150B-757	NEW	82-04-060
296-150B-135	NEW	82-09-053	296-150B-503	NEW	82-04-060	296-150B-760	NEW	82-04-060
296-150B-140	NEW-P	82-05-006	296-150B-507	NEW	82-04-060	296-150B-763	NEW	82-04-060
296-150B-140	NEW	82-09-053	296-150B-510	NEW	82-04-060	296-150B-767	NEW	82-04-060
296-150B-145	NEW-P	82-05-006	296-150B-513	NEW	82-04-060	296-150B-770	NEW	82-04-060
296-150B-145	NEW	82-09-053	296-150B-517	NEW	82-04-060	296-150B-773	NEW	82-04-060
296-150B-150	NEW-P	82-05-006	296-150B-520	NEW	82-04-060	296-150B-777	NEW	82-04-060
296-150B-150	NEW	82-09-053	296-150B-523	NEW	82-04-060	296-150B-780	NEW	82-04-060
296-150B-155	NEW-P	82-05-006	296-150B-527	NEW	82-04-060	296-150B-783	NEW	82-04-060
296-150B-155	NEW	82-09-053	296-150B-530	NEW	82-04-060	296-150B-787	NEW	82-04-060
296-150B-160	NEW-P	82-05-006	296-150B-533	NEW	82-04-060	296-150B-790	NEW	82-04-060
296-150B-160	NEW	82-09-053	296-150B-537	NEW	82-04-060	296-150B-793	NEW	82-04-060
296-150B-165	NEW-P	82-05-006	296-150B-540	NEW	82-04-060	296-150B-797	NEW	82-04-060
296-150B-165	NEW	82-09-053	296-150B-543	NEW	82-04-060	296-150B-800	NEW	82-04-060
296-150B-170	NEW-P	82-05-006	296-150B-547	NEW	82-04-060	296-150B-803	NEW	82-04-060
296-150B-175	NEW-P	82-05-006	296-150B-550	NEW	82-04-060	296-150B-807	NEW	82-04-060
296-150B-175	NEW	82-09-053	296-150B-553	NEW	82-04-060	296-150B-810	NEW	82-04-060
296-150B-180	NEW-P	82-05-006	296-150B-557	NEW	82-04-060	296-150B-813	NEW	82-04-060
296-150B-180	NEW	82-09-053	296-150B-560	NEW	82-04-060	296-150B-817	NEW	82-04-060
296-150B-200	NEW-P	82-05-006	296-150B-563	NEW	82-04-060	296-150B-820	NEW	82-04-060
296-150B-200	NEW-P	82-06-021	296-150B-567	NEW	82-04-060	296-150B-950	NEW	82-04-060
296-150B-200	NEW	82-09-059	296-150B-570	NEW	82-04-060	296-150B-990	NEW-P	82-05-006
296-150B-205	NEW-P	82-06-021	296-150B-573	NEW	82-04-060	296-150B-990	NEW-P	82-08-002
296-150B-205	NEW	82-09-059	296-150B-577	NEW	82-04-060	296-150B-990	NEW	82-09-053
296-150B-210	NEW-P	82-06-021	296-150B-580	NEW	82-04-060	296-150B-990	AMD	82-12-040
296-150B-210	NEW	82-09-059	296-150B-583	NEW	82-04-060	296-155-485	AMD-P	82-02-065
296-150B-215	NEW-P	82-06-021	296-150B-587	NEW	82-04-060	296-155-485	AMD-E	82-07-013
296-150B-215	NEW	82-09-059	296-150B-590	NEW	82-04-060	296-155-485	AMD	82-08-026
296-150B-220	NEW-P	82-06-021	296-150B-593	NEW	82-04-060	296-155-48501	REP-P	82-02-065
296-150B-220	NEW	82-09-059	296-150B-597	NEW	82-04-060	296-155-48501	REP	82-08-026
296-150B-225	NEW-P	82-06-021	296-150B-600	NEW	82-04-060	296-155-48502	REP-P	82-02-065
296-150B-225	NEW	82-09-059	296-150B-603	NEW	82-04-060	296-155-48502	REP	82-08-026
296-150B-230	NEW-P	82-06-021	296-150B-607	NEW	82-04-060	296-155-66501	AMD-P	82-08-004
296-150B-230	NEW	82-09-059	296-150B-610	NEW	82-04-060	296-155-66501	AMD	82-13-045
296-150B-235	NEW-P	82-06-021	296-150B-613	NEW	82-04-060	296-200-050	AMD-P	82-11-047
296-150B-235	NEW	82-09-059	296-150B-617	NEW	82-04-060	296-200-050	AMD	82-18-026
296-150B-240	NEW-P	82-06-021	296-150B-620	NEW	82-04-060	296-200-900	AMD-P	82-11-047
296-150B-240	NEW	82-09-059	296-150B-623	NEW	82-04-060	296-200-900	AMD	82-18-026
296-150B-245	NEW-P	82-06-021	296-150B-627	NEW	82-04-060	296-306-200	AMD-P	82-02-065
296-150B-245	NEW	82-09-059	296-150B-630	NEW	82-04-060	296-306-200	AMD-E	82-07-013
296-150B-250	NEW-P	82-06-021	296-150B-633	NEW	82-04-060	296-306-200	AMD	82-08-026
296-150B-250	NEW	82-09-059	296-150B-637	NEW	82-04-060	296-306-200	AMD-E	82-10-071
296-150B-255	NEW-P	82-06-021	296-150B-640	NEW	82-04-060	296-350-080	AMD-P	82-08-004
296-150B-255	NEW	82-09-059	296-150B-643	NEW	82-04-060	296-350-080	AMD	82-13-045
296-150B-300	NEW	82-04-060	296-150B-647	NEW	82-04-060	296-350-095	NEW-P	82-10-072
296-150B-305	NEW	82-04-060	296-150B-650	NEW	82-04-060	296-350-095	NEW	82-13-045
296-150B-310	NEW	82-04-060	296-150B-653	NEW	82-04-060	296-350-35055	AMD-P	82-08-004
296-150B-315	NEW	82-04-060	296-150B-657	NEW	82-04-060	296-350-35055	AMD	82-13-045
296-150B-400	NEW	82-04-060	296-150B-660	NEW	82-04-060	296-350-400	AMD-P	82-08-004
296-150B-403	NEW	82-04-060	296-150B-663	NEW	82-04-060	296-350-400	AMD	82-13-045
296-150B-407	NEW	82-04-060	296-150B-667	NEW	82-04-060	296-360-030	AMD-P	82-08-004
296-150B-410	NEW	82-04-060	296-150B-670	NEW	82-04-060	296-360-030	AMD	82-13-045
296-150B-413	NEW	82-04-060	296-150B-673	NEW	82-04-060	296-401-010	AMD-P	82-08-003
296-150B-417	NEW	82-04-060	296-150B-677	NEW	82-04-060	296-401-010	AMD-C	82-11-057
296-150B-420	NEW	82-04-060	296-150B-680	NEW	82-04-060	296-401-010	AMD	82-18-036
296-150B-423	NEW	82-04-060	296-150B-683	NEW	82-04-060	308-11-300	NEW-E	82-13-023
296-150B-427	NEW	82-04-060	296-150B-687	NEW	82-04-060	308-11-310	NEW-E	82-13-023
296-150B-430	NEW	82-04-060	296-150B-690	NEW	82-04-060	308-16-440	NEW-P	82-05-049
296-150B-433	NEW	82-04-060	296-150B-693	NEW	82-04-060	308-16-440	NEW	82-08-064
296-150B-437	NEW	82-04-060	296-150B-697	NEW	82-04-060	308-16-450	NEW-P	82-05-049
296-150B-440	NEW	82-04-060	296-150B-700	NEW	82-04-060	308-16-450	NEW	82-08-064
296-150B-443	NEW	82-04-060	296-150B-703	NEW	82-04-060	308-16-460	NEW-P	82-05-049
296-150B-447	NEW	82-04-060	296-150B-707	NEW	82-04-060	308-16-460	NEW	82-08-064
296-150B-450	NEW	82-04-060	296-150B-710	NEW	82-04-060	308-16-470	NEW-P	82-05-049
296-150B-453	NEW	82-04-060	296-150B-713	NEW	82-04-060	308-16-470	NEW	82-08-064
296-150B-457	NEW	82-04-060	296-150B-717	NEW	82-04-060	308-24-300	AMD-P	82-17-059
296-150B-460	NEW	82-04-060	296-150B-720	NEW	82-04-060	308-24-310	REP-P	82-17-059

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
308-24-320	AMD-P	82-17-059	308-39-120	AMD	82-16-087	308-104-058	NEW	82-03-046
308-24-330	AMD-P	82-17-059	308-40-020	AMD	82-04-024	308-104-100	AMD	82-03-046
308-24-340	AMD-P	82-17-059	308-40-101	AMD	82-04-024	308-104-150	NEW	82-03-046
308-24-345	NEW-P	82-17-059	308-40-102	AMD	82-04-024	308-104-160	NEW	82-03-046
308-24-370	AMD-P	82-17-059	308-40-103	NEW	82-04-024	308-104-160	AMD-P	82-08-076
308-24-384	AMD-P	82-17-059	308-40-104	NEW	82-04-024	308-104-170	NEW	82-03-046
308-24-395	NEW-P	82-17-059	308-40-105	AMD	82-04-024	308-104-180	NEW	82-03-046
308-24-510	NEW-P	82-05-048	308-40-110	AMD	82-04-024	308-115-010	REP-P	82-12-073
308-24-510	NEW	82-08-063	308-52-135	AMD	82-03-022	308-115-010	REP-P	82-17-034
308-24-520	NEW-P	82-05-048	308-52-140	AMD	82-03-022	308-115-020	REP-P	82-12-073
308-24-520	NEW	82-08-063	308-52-201	AMD	82-03-022	308-115-020	REP-P	82-17-034
308-24-530	NEW-P	82-05-048	308-53-080	AMD-P	82-08-048	308-115-030	REP-P	82-12-073
308-24-530	NEW	82-08-063	308-53-080	AMD	82-12-077	308-115-030	REP-P	82-17-034
308-24-540	NEW-P	82-05-048	308-53-085	NEW-P	82-08-048	308-115-040	REP-P	82-12-073
308-24-540	NEW	82-08-063	308-53-085	NEW	82-12-077	308-115-040	REP-P	82-17-034
308-25-010	NEW-P	82-02-093	308-53-151	NEW-P	82-08-048	308-115-050	NEW-P	82-12-073
308-25-010	NEW	82-06-043	308-53-151	NEW	82-12-077	308-115-050	NEW-P	82-17-034
308-25-010	AMD-P	82-08-077	308-54-130	AMD-P	82-16-089	308-115-060	NEW-P	82-12-073
308-25-010	AMD	82-11-068	308-54-130	AMD-P	82-16-089	308-115-060	NEW-P	82-17-034
308-25-020	NEW-P	82-02-093	308-61-010	AMD-P	82-09-079	308-115-070	NEW-P	82-12-073
308-25-020	NEW	82-06-043	308-61-010	AMD	82-12-037	308-115-070	NEW-P	82-17-034
308-25-020	AMD-P	82-08-077	308-61-030	AMD-P	82-09-079	308-115-080	NEW-P	82-12-073
308-25-020	AMD	82-11-068	308-61-030	AMD	82-12-037	308-115-080	NEW-P	82-17-034
308-25-030	NEW-P	82-02-093	308-61-100	AMD-P	82-09-079	308-115-090	NEW-P	82-12-073
308-25-030	NEW	82-06-043	308-61-100	AMD	82-12-037	308-115-090	NEW-P	82-17-034
308-25-030	AMD-P	82-08-077	308-61-110	AMD-P	82-09-079	308-115-100	NEW-P	82-12-073
308-25-030	AMD	82-11-068	308-61-110	AMD	82-12-037	308-115-100	NEW-P	82-17-034
308-25-040	NEW-P	82-02-093	308-61-120	AMD-P	82-09-079	308-115-110	NEW-P	82-12-073
308-25-040	NEW	82-06-043	308-61-120	AMD	82-12-037	308-115-110	NEW-P	82-17-034
308-25-040	AMD-P	82-08-077	308-61-130	AMD-P	82-09-079	308-115-120	NEW-P	82-12-073
308-25-040	AMD	82-11-068	308-61-130	AMD	82-12-037	308-115-120	NEW-P	82-17-034
308-25-050	NEW-P	82-02-093	308-61-200	AMD-P	82-09-080	308-115-130	NEW-P	82-12-073
308-25-050	NEW	82-06-043	308-61-200	AMD	82-12-038	308-115-130	NEW-P	82-17-034
308-25-060	NEW-P	82-02-093	308-61-210	AMD-P	82-09-080	308-115-140	NEW-P	82-12-073
308-25-060	NEW	82-06-043	308-61-210	AMD	82-12-038	308-115-140	NEW-P	82-17-034
308-25-070	NEW-P	82-02-093	308-61-220	AMD-P	82-09-080	308-115-150	NEW-P	82-12-073
308-25-070	NEW	82-06-043	308-61-220	AMD	82-12-038	308-115-150	NEW-P	82-17-034
308-26-017	NEW-P	82-08-049	308-61-240	AMD-P	82-09-080	308-115-160	NEW-P	82-12-073
308-26-017	NEW	82-11-056	308-61-240	AMD	82-12-038	308-115-160	NEW-P	82-17-034
308-26-020	AMD-P	82-16-088	308-61-260	AMD-P	82-09-080	308-115-170	NEW-P	82-12-073
308-34-010	NEW-P	82-05-052	308-61-260	AMD	82-12-038	308-115-170	NEW-P	82-17-034
308-34-010	NEW	82-09-043	308-61-270	AMD-P	82-09-080	308-115-180	NEW-P	82-12-073
308-34-020	NEW-P	82-05-052	308-61-270	AMD	82-12-038	308-115-180	NEW-P	82-17-034
308-34-020	NEW	82-09-043	308-61-320	AMD-P	82-09-080	308-115-190	NEW-P	82-12-073
308-34-030	NEW-P	82-05-052	308-61-320	AMD	82-12-038	308-115-190	NEW-P	82-17-034
308-34-030	NEW	82-09-043	308-61-400	AMD-P	82-09-080	308-115-200	NEW-P	82-12-073
308-34-040	NEW-P	82-05-052	308-61-400	AMD	82-12-038	308-115-200	NEW-P	82-17-034
308-34-040	NEW	82-09-043	308-61-420	AMD-P	82-09-080	308-115-210	NEW-P	82-12-073
308-34-050	NEW-P	82-05-052	308-61-420	AMD	82-12-038	308-115-210	NEW-P	82-17-034
308-34-050	NEW	82-09-043	308-78-010	AMD-P	82-17-050	308-115-220	NEW-P	82-12-073
308-34-060	NEW-P	82-05-052	308-78-020	AMD-P	82-17-050	308-115-230	NEW-P	82-17-034
308-34-060	NEW	82-09-043	308-78-030	AMD-P	82-17-050	308-115-240	NEW-P	82-12-073
308-34-070	NEW-P	82-05-052	308-78-040	AMD-P	82-17-050	308-115-240	NEW-P	82-17-034
308-34-070	NEW	82-09-043	308-78-045	NEW-P	82-17-050	308-115-400	NEW-P	82-12-073
308-34-080	NEW-P	82-05-052	308-78-050	AMD-P	82-17-050	308-115-400	NEW-P	82-17-034
308-34-080	NEW	82-09-043	308-78-060	AMD-P	82-17-050	308-120-162	AMD-P	82-18-078
308-36-020	REP-P	82-04-008	308-78-070	AMD-P	82-17-050	308-120-163	AMD-P	82-18-078
308-36-020	REP	82-07-094	308-78-080	AMD-P	82-17-050	308-120-164	AMD-P	82-18-078
308-36-030	REP-P	82-04-008	308-100-010	AMD	82-03-046	308-120-165	AMD-P	82-18-078
308-36-030	REP	82-07-094	308-100-020	AMD	82-03-046	308-120-166	AMD-P	82-18-078
308-36-040	REP-P	82-04-008	308-100-030	AMD-P	82-10-048	308-120-300	AMD-P	82-18-078
308-36-040	REP	82-07-094	308-100-050	AMD	82-03-046	308-120-310	REP-P	82-18-078
308-36-050	REP-P	82-04-008	308-100-060	AMD	82-03-046	308-120-315	NEW-P	82-18-078
308-36-050	REP	82-07-094	308-100-070	REP	82-03-046	308-120-320	REP-P	82-18-078
308-36-060	REP-P	82-04-008	308-102-012	AMD	82-03-046	308-120-325	NEW-P	82-18-078
308-36-060	REP	82-07-094	308-102-013	REP	82-03-046	308-120-330	REP-P	82-18-078
308-36-065	REP-P	82-04-008	308-102-210	AMD	82-03-046	308-120-335	NEW-P	82-18-078
308-36-065	REP	82-07-094	308-102-260	AMD	82-03-046	308-120-340	REP-P	82-18-078
308-36-070	REP-P	82-04-008	308-102-290	AMD	82-03-046	308-120-345	NEW-P	82-18-078
308-36-070	REP	82-07-094	308-102-295	NEW-E	82-07-002	308-120-350	REP-P	82-18-078
308-36-080	REP-P	82-04-008	308-102-295	NEW-P	82-08-076	308-120-355	NEW-P	82-18-078
308-36-080	REP	82-07-094	308-104-015	NEW	82-03-046	308-120-360	NEW-P	82-18-078
308-37-110	AMD-P	82-04-087	308-104-020	REP	82-03-046	308-120-365	NEW-P	82-18-078
308-37-110	AMD	82-07-043	308-104-025	NEW	82-03-046	308-120-400	AMD-P	82-18-078
308-39-110	AMD-P	82-12-075	308-104-030	REP	82-03-046	308-120-410	AMD-P	82-18-078
308-39-110	AMD	82-16-087	308-104-040	AMD	82-03-046	308-120-420	AMD-P	82-18-078
308-39-120	AMD-P	82-12-075	308-104-050	AMD	82-03-046	308-120-430	AMD-P	82-18-078

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
308-120-440	AMD-P	82-18-078	308-138B-160	NEW-P	82-12-074	314-18-040	NEW-P	82-13-019
308-120-450	AMD-P	82-18-078	308-138B-160	NEW	82-17-005	314-18-040	NEW	82-16-100
308-122-220	AMD-P	82-09-078	308-138B-170	NEW-P	82-12-074	314-18-050	NEW-P	82-13-019
308-122-220	AMD	82-18-073	308-138B-170	NEW	82-17-005	314-18-050	NEW	82-16-100
308-124-005	AMD-P	82-13-035	308-400-010	NEW	82-05-014	314-18-060	NEW-P	82-13-019
308-124-005	AMD	82-17-039	308-400-020	NEW	82-05-014	314-18-060	NEW	82-16-100
308-124A-040	AMD-P	82-13-035	308-400-030	NEW	82-05-014	314-18-070	NEW-P	82-13-019
308-124A-040	AMD	82-17-039	308-400-040	NEW	82-05-014	314-18-070	NEW	82-16-100
308-124B-010	AMD-P	82-13-035	308-400-040	AMD-P	82-08-075A	314-18-080	NEW-P	82-13-019
308-124B-010	AMD	82-17-039	308-400-040	AMD	82-13-030	314-18-080	NEW	82-16-100
308-124B-140	NEW-P	82-13-035	308-400-040	AMD-E	82-14-059	314-18-090	NEW-P	82-13-019
308-124B-140	NEW	82-17-039	308-400-042	NEW-P	82-04-084	314-18-090	NEW	82-16-100
308-124C-020	AMD-P	82-13-035	308-400-042	NEW	82-08-021	314-18-100	NEW-P	82-13-019
308-124C-020	AMD	82-17-039	308-400-044	NEW	82-05-014	314-18-100	NEW	82-16-100
308-124C-030	AMD-P	82-13-035	308-400-046	NEW	82-05-014	314-20-025	NEW-P	82-14-086
308-124C-030	AMD	82-17-039	308-400-048	NEW	82-05-014	314-20-025	NEW-C	82-17-032
308-124C-050	NEW-P	82-13-035	308-400-048	AMD-P	82-08-075A	314-20-025	NEW-C	82-18-029
308-124D-010	AMD-P	82-13-035	308-400-048	AMD	82-13-030	314-20-070	AMD-P	82-13-020
308-124D-010	AMD	82-17-039	308-400-048	AMD-E	82-14-059	314-20-070	AMD	82-17-022
308-124D-015	NEW-P	82-05-051	308-400-050	NEW	82-05-014	314-20-100	AMD-P	82-10-068
308-124D-100	AMD-P	82-13-035	308-400-052	NEW-P	82-08-075A	314-20-100	AMD-C	82-13-104
308-124D-100	AMD	82-17-039	308-400-052	NEW	82-13-030	314-20-100	AMD	82-16-069
308-124E-010	REP-P	82-13-035	308-400-053	NEW-E	82-10-043	314-20-105	AMD-P	82-10-068
308-124E-010	REP	82-17-039	308-400-054	NEW-P	82-08-075A	314-20-105	AMD-C	82-13-104
308-124E-011	NEW-P	82-13-035	308-400-054	NEW	82-13-030	314-20-105	AMD	82-16-069
308-124E-011	NEW	82-17-039	308-400-054	NEW-E	82-14-059	314-24-120	AMD	82-04-035
308-124F-030	AMD-P	82-13-035	308-400-056	NEW-P	82-08-075A	314-24-190	AMD-P	82-10-068
308-124F-030	AMD	82-17-039	308-400-056	NEW	82-13-030	314-24-190	AMD-C	82-13-104
308-124H-020	AMD-P	82-13-035	308-400-056	NEW-E	82-14-059	314-24-190	AMD	82-16-069
308-124H-020	AMD	82-17-039	308-400-058	NEW-P	82-08-075A	314-24-200	AMD-P	82-10-068
308-124H-030	AMD-P	82-13-035	308-400-058	NEW	82-13-030	314-24-200	AMD-C	82-13-104
308-124H-030	AMD	82-17-039	308-400-058	NEW-E	82-14-059	314-24-200	AMD	82-16-069
308-124H-055	AMD-P	82-13-035	308-400-060	NEW	82-05-014	314-24-210	AMD-P	82-13-020
308-124H-060	AMD-P	82-13-035	308-400-060	AMD-P	82-08-075A	314-24-210	AMD	82-17-022
308-124H-060	AMD	82-17-039	308-400-060	AMD	82-13-030	314-27-010	AMD-P	82-13-020
308-138	AMD-P	82-12-074	308-400-060	AMD-E	82-14-059	314-27-010	AMD	82-17-022
308-138	AMD	82-17-005	308-400-062	NEW-P	82-08-075A	314-38-010	NEW-P	82-10-070
308-138-010	REP-P	82-12-074	308-400-062	NEW	82-13-030	314-38-010	NEW	82-13-068
308-138-010	REP	82-17-005	308-400-062	NEW-E	82-14-059	314-40-010	AMD-P	82-10-069
308-138-020	REP-P	82-12-074	308-400-063	NEW-E	82-10-043	314-40-010	AMD	82-13-069
308-138-020	REP	82-17-005	308-400-063	NEW-E	82-05-014	314-40-040	AMD	82-04-028
308-138-025	REP-P	82-12-074	308-400-070	NEW	82-05-014	314-44-005	AMD	82-04-029
308-138-025	REP	82-17-005	308-400-070	AMD-P	82-08-075A	314-52-005	AMD-P	82-13-018
308-138-100	REP-P	82-12-074	308-400-070	AMD	82-13-030	314-52-005	AMD-C	82-16-045
308-138-100	REP	82-17-005	308-400-070	AMD-E	82-14-059	314-52-005	AMD	82-17-031
308-138-110	REP-P	82-12-074	308-400-080	NEW	82-05-014	314-52-005	AMD	82-13-018
308-138-110	REP	82-17-005	308-400-090	NEW	82-05-014	314-52-010	AMD-P	82-13-018
308-138-120	REP-P	82-12-074	308-400-090	REP-P	82-08-075A	314-52-010	AMD-C	82-16-045
308-138-120	REP	82-17-005	308-400-090	REP	82-13-030	314-52-010	AMD	82-17-031
308-138-130	REP-P	82-12-074	308-400-090	REP-E	82-14-059	314-52-015	AMD-P	82-13-018
308-138-130	REP	82-17-005	308-400-092	NEW-P	82-08-075A	314-52-015	AMD-C	82-16-045
308-138-140	REP-P	82-12-074	308-400-092	NEW	82-13-030	314-52-015	AMD	82-17-031
308-138-140	REP	82-17-005	308-400-092	NEW-E	82-14-059	314-52-020	AMD-P	82-13-018
308-138-150	REP-P	82-12-074	308-400-951	NEW-E	82-14-059	314-52-020	AMD-C	82-16-045
308-138-150	REP	82-17-005	314-12-010	AMD	82-04-031	314-52-020	AMD	82-17-031
308-138-160	REP-P	82-12-074	314-12-033	NEW-P	82-11-004	314-52-030	AMD-P	82-13-018
308-138-160	REP	82-17-005	314-12-033	NEW	82-13-105	314-52-030	AMD-C	82-16-045
308-138-170	REP-P	82-12-074	314-12-035	NEW	82-04-032	314-52-030	AMD	82-17-031
308-138-170	REP	82-17-005	314-12-040	AMD-P	82-07-046	314-52-040	AMD-P	82-13-018
308-138-330	NEW-P	82-12-074	314-12-040	AMD	82-10-020	314-52-040	AMD-C	82-16-045
308-138-330	NEW	82-17-005	314-16-110	AMD-P	82-13-020	314-52-040	AMD	82-17-031
308-138A-020	NEW-P	82-12-074	314-16-110	AMD	82-17-022	314-52-060	REP-P	82-13-018
308-138A-020	NEW	82-17-005	314-16-125	AMD-P	82-13-021	314-52-060	REP-C	82-16-045
308-138A-025	NEW-P	82-12-074	314-16-160	AMD-P	82-13-020	314-52-060	REP	82-17-031
308-138A-025	NEW	82-17-005	314-16-160	AMD	82-17-022	314-52-070	AMD-P	82-13-018
308-138B-100	NEW-P	82-12-074	314-16-195	NEW-P	82-10-069	314-52-070	AMD-C	82-16-045
308-138B-100	NEW	82-17-005	314-16-195	NEW	82-13-069	314-52-070	AMD	82-17-031
308-138B-110	NEW-P	82-12-074	314-16-200	AMD-P	82-06-046	314-52-080	AMD-P	82-13-018
308-138B-110	NEW	82-17-005	314-16-200	AMD-W	82-07-009	314-52-080	AMD-C	82-16-045
308-138B-120	NEW-P	82-12-074	314-16-200	AMD-P	82-07-014	314-52-080	AMD	82-17-031
308-138B-120	NEW	82-17-005	314-16-200	AMD	82-10-019	314-52-085	NEW-P	82-13-018
308-138B-130	NEW-P	82-12-074	314-18-010	NEW-P	82-13-019	314-52-085	NEW-C	82-16-045
308-138B-130	NEW	82-17-005	314-18-010	NEW	82-16-100	314-52-085	NEW	82-17-031
308-138B-140	NEW-P	82-12-074	314-18-020	NEW-P	82-13-019	314-52-090	AMD-P	82-13-018
308-138B-140	NEW	82-17-005	314-18-020	NEW	82-16-100	314-52-090	AMD-C	82-16-045
308-138B-150	NEW-P	82-12-074	314-18-030	NEW-P	82-13-019	314-52-090	AMD	82-17-031
308-138B-150	NEW	82-17-005	314-18-030	NEW-P	82-13-028	314-52-110	AMD-P	82-13-018
				NEW	82-16-100	314-52-110	AMD-C	82-16-045

**Table of WAC Sections Affected**

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
314-52-110	AMD	82-17-031	315-02-210	NEW-P	82-18-075	315-06-120	NEW-E	82-17-053
314-52-111	REP-P	82-13-018	315-02-220	NEW-E	82-17-053	315-06-120	NEW-P	82-18-074
314-52-111	REP-C	82-16-045	315-02-220	NEW-P	82-18-075	315-06-120	NEW-P	82-18-077
314-52-111	REP	82-17-031	315-04-010	NEW-E	82-17-053	315-06-130	NEW-E	82-17-053
314-52-112	REP-P	82-13-018	315-04-010	NEW-P	82-18-076	315-06-130	NEW-P	82-18-074
314-52-112	REP-C	82-16-045	315-04-020	NEW-E	82-17-053	315-06-130	NEW-P	82-18-077
314-52-112	REP	82-17-031	315-04-020	NEW-P	82-18-076	315-06-140	NEW-E	82-17-053
314-52-113	AMD-P	82-13-018	315-04-030	NEW-E	82-17-053	315-06-140	NEW-P	82-18-077
314-52-113	AMD-C	82-16-045	315-04-030	NEW-P	82-18-074	315-06-150	NEW-E	82-17-053
314-52-113	AMD	82-17-031	315-04-030	NEW-P	82-18-076	315-06-150	NEW-P	82-18-077
314-52-115	AMD-P	82-13-018	315-04-040	NEW-E	82-17-053	315-06-160	NEW-E	82-17-053
314-52-115	AMD-C	82-16-045	315-04-040	NEW-P	82-18-076	315-06-160	NEW-P	82-18-077
314-52-115	AMD	82-17-031	315-04-050	NEW-E	82-17-053	315-06-170	NEW-E	82-17-053
314-52-120	REP-P	82-13-018	315-04-050	NEW-P	82-18-076	315-06-170	NEW-P	82-18-077
314-52-120	REP-C	82-16-045	315-04-060	NEW-E	82-17-053	315-06-180	NEW-E	82-17-053
314-52-120	REP	82-17-031	315-04-060	NEW-P	82-18-076	315-06-180	NEW-P	82-18-077
314-60-030	AMD	82-04-030	315-04-070	NEW-E	82-17-053	315-06-190	NEW-E	82-17-053
314-60-040	AMD	82-04-030	315-04-070	NEW-P	82-18-076	315-06-190	NEW-P	82-18-077
314-60-040	AMD-P	82-07-095	315-04-080	NEW-E	82-17-053	315-06-200	NEW-E	82-17-053
314-60-040	AMD	82-10-021	315-04-080	NEW-P	82-18-076	315-06-200	NEW-P	82-18-077
314-60-150	REP	82-04-030	315-04-090	NEW-E	82-17-053	315-06-210	NEW-E	82-17-053
314-60-900	REP	82-04-030	315-04-090	NEW-P	82-18-074	315-06-210	NEW-P	82-18-077
314-60-901	REP	82-04-030	315-04-090	NEW-P	82-18-076	315-10-010	NEW-E	82-17-053
314-60-902	REP	82-04-030	315-04-100	NEW-E	82-17-053	315-10-010	NEW-P	82-18-075
314-60-903	REP	82-04-030	315-04-100	NEW-P	82-18-074	315-10-020	NEW-E	82-17-053
314-60-904	REP	82-04-030	315-04-100	NEW-P	82-18-076	315-10-020	NEW-P	82-18-075
314-60-905	REP	82-04-030	315-04-110	NEW-E	82-17-053	315-10-030	NEW-E	82-17-053
314-60-906	REP	82-04-030	315-04-110	NEW-P	82-18-076	315-10-030	NEW-P	82-18-075
314-60-907	REP	82-04-030	315-04-120	NEW-E	82-17-053	315-10-040	NEW-E	82-17-053
314-64-030	AMD	82-04-035	315-04-120	NEW-P	82-18-074	315-10-040	NEW-P	82-18-075
314-64-040	AMD	82-04-035	315-04-120	NEW-P	82-18-076	315-10-050	NEW-E	82-17-053
314-64-050	AMD	82-04-035	315-04-130	NEW-E	82-17-053	315-10-050	NEW-P	82-18-075
314-64-080	AMD	82-04-035	315-04-130	NEW-P	82-18-076	332-24-090	AMD-E	82-07-021
314-70-010	AMD-P	82-13-020	315-04-140	NEW-E	82-17-053	332-24-090	AMD-E	82-09-017
314-70-010	NEW	82-17-022	315-04-140	NEW-P	82-18-076	332-24-090	AMD-E	82-11-033
314-70-020	AMD-P	82-13-020	315-04-150	NEW-E	82-17-053	332-26-020	NEW-E	82-14-060
314-70-020	NEW	82-17-022	315-04-150	NEW-P	82-18-076	332-26-040	NEW-E	82-14-060
314-70-030	AMD-P	82-13-020	315-04-160	NEW-E	82-17-053	332-26-050	NEW-E	82-14-060
314-70-030	NEW	82-17-022	315-04-160	NEW-P	82-18-076	332-26-080	NEW-E	82-09-058
314-70-040	AMD-P	82-13-020	315-04-170	NEW-E	82-17-053	332-26-081	NEW-E	82-11-033
314-70-040	NEW	82-17-022	315-04-170	NEW-P	82-18-076	332-26-082	NEW-E	82-18-022
315-02-010	NEW-E	82-17-053	315-04-180	NEW-E	82-17-053	332-26-083	NEW-E	82-18-028
315-02-010	NEW-P	82-18-075	315-04-180	NEW-P	82-18-074	332-26-083	AMD-E	82-18-035
315-02-020	NEW-P	82-18-074	315-04-180	NEW-P	82-18-076	332-140-010	NEW-E	82-10-050
315-02-030	NEW-E	82-17-053	315-04-190	NEW-E	82-17-053	332-140-010	NEW-P	82-11-090
315-02-030	NEW-P	82-18-075	315-04-190	NEW-P	82-18-076	332-140-010	AMD-E	82-14-057
315-02-040	NEW-E	82-17-053	315-04-200	NEW-E	82-17-053	332-140-010	NEW	82-14-058
315-02-040	NEW-P	82-18-075	315-04-200	NEW-P	82-18-074	332-140-020	NEW-E	82-10-050
315-02-050	NEW-E	82-17-053	315-04-200	NEW-P	82-18-076	332-140-020	NEW-P	82-11-090
315-02-050	NEW-P	82-18-075	315-04-210	NEW-E	82-17-053	332-140-020	NEW	82-14-058
315-02-060	NEW-E	82-17-053	315-04-210	NEW-P	82-18-076	332-140-030	NEW-E	82-10-050
315-02-060	NEW-P	82-18-075	315-06-010	NEW-E	82-17-053	332-140-030	NEW-P	82-11-090
315-02-070	NEW-E	82-17-053	315-06-010	NEW-P	82-18-077	332-140-030	NEW	82-14-058
315-02-070	NEW-P	82-18-075	315-06-020	NEW-E	82-17-053	332-140-040	NEW-E	82-10-050
315-02-100	NEW-E	82-17-053	315-06-020	NEW-P	82-18-074	332-140-040	NEW-P	82-11-090
315-02-100	NEW-P	82-18-075	315-06-020	NEW-P	82-18-077	332-140-040	AMD-E	82-14-057
315-02-110	NEW-E	82-17-053	315-06-030	NEW-E	82-17-053	332-140-040	NEW	82-14-058
315-02-110	NEW-P	82-18-075	315-06-030	NEW-P	82-18-077	332-140-050	NEW-E	82-10-050
315-02-120	NEW-E	82-17-053	315-06-040	NEW-E	82-17-053	332-140-050	NEW-P	82-11-090
315-02-120	NEW-P	82-18-075	315-06-040	NEW-P	82-18-077	332-140-050	NEW	82-14-058
315-02-130	NEW-E	82-17-053	315-06-050	NEW-E	82-17-053	332-140-060	NEW-E	82-10-050
315-02-130	NEW-P	82-18-075	315-06-050	NEW-P	82-18-074	332-140-060	NEW-P	82-11-090
315-02-140	NEW-E	82-17-053	315-06-050	NEW-P	82-18-077	332-140-060	AMD-E	82-14-057
315-02-140	NEW-P	82-18-075	315-06-060	NEW-E	82-17-053	332-140-060	NEW	82-14-058
315-02-150	NEW-E	82-17-053	315-06-060	NEW-P	82-18-074	332-140-070	NEW-E	82-10-050
315-02-150	NEW-P	82-18-075	315-06-060	NEW-P	82-18-077	332-140-070	NEW-P	82-11-090
315-02-160	NEW-E	82-17-053	315-06-070	NEW-E	82-17-053	332-140-070	NEW	82-14-058
315-02-160	NEW-P	82-18-075	315-06-070	NEW-P	82-18-077	332-140-090	NEW-E	82-10-050
315-02-170	NEW-E	82-17-053	315-06-080	NEW-E	82-17-053	332-140-090	NEW-P	82-11-090
315-02-170	NEW-P	82-18-075	315-06-080	NEW-P	82-18-074	332-140-090	NEW	82-14-058
315-02-180	NEW-E	82-17-053	315-06-080	NEW-P	82-18-077	332-140-100	NEW-E	82-10-050
315-02-180	NEW-P	82-18-075	315-06-090	NEW-E	82-17-053	332-140-100	NEW-P	82-11-090
315-02-190	NEW-E	82-17-053	315-06-090	NEW-P	82-18-077	332-140-100	NEW	82-14-058
315-02-190	NEW-P	82-18-075	315-06-100	NEW-E	82-17-053	332-150-010	NEW-P	82-11-081
315-02-200	NEW-E	82-17-053	315-06-100	NEW-P	82-18-077	332-150-010	NEW	82-14-042
315-02-200	NEW-P	82-18-075	315-06-110	NEW-E	82-17-053	332-150-020	NEW-P	82-11-081
315-02-210	NEW-E	82-17-053	315-06-110	NEW-P	82-18-077	332-150-020	NEW	82-14-042

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
332-150-030	NEW-P	82-11-081	344-12-131	NEW	82-12-052	352-32-250	AMD-P	82-04-055
332-150-030	NEW	82-14-042	344-12-133	NEW-P	82-03-051	352-32-250	AMD	82-09-035
332-150-040	NEW-P	82-11-081	344-12-133	NEW	82-12-052	352-32-250	AMD-P	82-12-059
332-150-040	NEW	82-14-042	344-12-135	REP-P	82-03-051	352-32-250	AMD	82-15-059
332-150-050	NEW	82-14-042	344-12-135	REP	82-12-052	352-32-255	NEW-P	82-04-055
344-12	AMD-C	82-09-003	344-12-140	AMD-P	82-03-051	352-32-255	NEW	82-09-035
344-12-001	AMD-P	82-03-051	344-12-140	AMD	82-12-052	352-32-270	NEW-P	82-16-078
344-12-001	AMD	82-12-052	344-12-145	NEW-P	82-03-051	352-32-280	AMD-P	82-04-055
344-12-010	AMD-P	82-03-051	344-12-145	NEW	82-12-052	352-32-280	AMD	82-09-035
344-12-010	AMD	82-12-052	344-12-150	NEW-P	82-03-051	352-32-285	AMD-P	82-04-055
344-12-015	AMD-P	82-03-051	344-12-150	NEW	82-12-052	352-32-285	AMD	82-09-035
344-12-015	AMD	82-12-052	344-12-155	NEW-P	82-03-051	356-06-010	AMD-P	82-04-025
344-12-020	AMD-P	82-03-051	344-12-155	NEW	82-12-052	356-06-010	AMD	82-03-030
344-12-020	AMD	82-12-052	344-12-200	NEW-P	82-03-051	356-06-010	AMD-E	82-03-032
344-12-025	AMD-P	82-03-051	344-12-200	NEW	82-12-052	356-06-010	AMD-P	82-06-029
344-12-025	AMD	82-12-052	344-12-205	NEW-P	82-03-051	356-06-010	AMD-C	82-07-034
344-12-030	AMD-P	82-03-051	344-12-205	NEW	82-12-052	356-06-010	AMD-C	82-09-020
344-12-030	AMD	82-12-052	344-12-210	NEW-P	82-03-051	356-06-010	AMD-E	82-09-021
344-12-035	AMD-P	82-03-051	344-12-210	NEW	82-12-052	356-06-010	AMD	82-09-022
344-12-035	AMD	82-12-052	344-12-215	NEW-P	82-03-051	356-06-010	AMD-E	82-15-004
344-12-040	AMD-P	82-03-051	344-12-215	NEW	82-12-052	356-06-010	AMD-P	82-15-073
344-12-040	AMD	82-12-052	344-12-225	NEW-P	82-03-051	356-06-010	AMD-P	82-16-091
344-12-045	NEW-P	82-03-051	344-12-225	NEW	82-12-052	356-06-055	AMD-E	82-15-004
344-12-045	NEW	82-12-052	344-12-230	NEW-P	82-03-051	356-06-055	AMD-P	82-15-073
344-12-050	AMD-P	82-03-051	344-12-230	NEW	82-12-052	356-06-055	AMD-P	82-18-059
344-12-050	AMD	82-12-052	344-12-235	NEW-P	82-03-051	356-06-080	AMD-P	82-15-073
344-12-055	AMD-P	82-03-051	344-12-235	NEW	82-12-052	356-07-030	AMD-P	82-04-025
344-12-055	AMD	82-12-052	344-12-245	NEW-P	82-03-051	356-07-030	AMD-C	82-07-034
344-12-060	AMD-P	82-03-051	344-12-245	NEW	82-12-052	356-07-030	AMD	82-09-022
344-12-060	AMD	82-12-052	344-12-250	NEW-P	82-03-051	356-10-050	AMD-C	82-03-029
344-12-063	NEW-P	82-03-051	344-12-250	NEW	82-12-052	356-10-050	AMD-C	82-05-033
344-12-063	NEW	82-12-052	344-12-255	NEW-P	82-03-051	356-10-050	AMD-C	82-07-034
344-12-065	AMD-P	82-03-051	344-12-255	NEW	82-12-052	356-10-060	REP-C	82-03-029
344-12-065	AMD	82-12-052	344-12-260	NEW-P	82-03-051	356-14-090	AMD-P	82-08-019
344-12-070	AMD-P	82-03-051	344-12-260	NEW	82-12-052	356-14-090	AMD	82-11-061
344-12-070	AMD	82-12-052	344-12-262	NEW-P	82-03-051	356-15-020	AMD	82-05-034
344-12-075	AMD-P	82-03-051	344-12-262	NEW	82-12-052	356-15-020	AMD	82-06-009
344-12-075	AMD	82-12-052	344-12-265	NEW-P	82-03-051	356-15-080	AMD-P	82-18-059
344-12-078	NEW-P	82-03-051	344-12-265	NEW	82-12-052	356-18-060	AMD-E	82-15-046
344-12-078	NEW	82-12-052	344-12-270	NEW-P	82-03-051	356-18-060	AMD-P	82-16-091
344-12-080	AMD-P	82-03-051	344-12-270	NEW	82-12-052	356-18-100	AMD-P	82-10-042
344-12-080	AMD	82-12-052	344-12-275	NEW-P	82-03-051	356-18-100	AMD-E	82-14-039
344-12-085	REP-P	82-03-051	344-12-275	NEW	82-12-052	356-18-100	AMD-E	82-15-046
344-12-085	REP	82-12-052	344-12-280	NEW-P	82-03-051	356-18-100	AMD-P	82-16-091
344-12-087	NEW-P	82-03-051	344-12-280	NEW	82-12-052	356-22-120	AMD-E	82-15-004
344-12-087	NEW	82-12-052	344-12-290	NEW-P	82-03-051	356-22-120	AMD-P	82-15-073
344-12-090	REP-P	82-03-051	344-12-290	NEW	82-12-052	356-26-020	AMD-P	82-15-073
344-12-090	REP	82-12-052	344-12-295	NEW-P	82-03-051	356-26-030	AMD-P	82-10-042
344-12-092	NEW-P	82-03-051	344-12-295	NEW	82-12-052	356-26-030	AMD-E	82-15-004
344-12-092	NEW	82-12-052	352-04-010	AMD-P	82-04-033	356-26-030	AMD-P	82-15-073
344-12-095	AMD-P	82-03-051	352-04-010	AMD	82-07-077	356-26-030	AMD-P	82-18-059
344-12-095	AMD	82-12-052	352-04-030	REP-P	82-04-057	356-26-040	AMD-E	82-15-004
344-12-098	NEW-P	82-03-051	352-04-030	REP	82-07-078	356-26-040	AMD-P	82-15-073
344-12-098	NEW	82-12-052	352-12-005	NEW-P	82-04-058	356-26-060	AMD-E	82-15-004
344-12-100	REP-P	82-03-051	352-12-005	NEW	82-08-027	356-26-060	AMD-P	82-15-073
344-12-100	REP	82-12-052	352-12-010	AMD-P	82-04-058	356-30-007	NEW-E	82-15-046
344-12-102	NEW-P	82-03-051	352-12-010	AMD	82-08-027	356-30-007	NEW-P	82-16-091
344-12-102	NEW	82-12-052	352-12-020	NEW-P	82-04-058	356-30-011	NEW-E	82-15-046
344-12-105	REP-P	82-03-051	352-12-020	NEW	82-08-027	356-30-045	REP-E	82-15-004
344-12-105	REP	82-12-052	352-12-020	REP-P	82-08-065	356-30-045	REP-P	82-15-073
344-12-107	NEW-P	82-03-051	352-12-030	NEW-P	82-04-058	356-30-050	AMD-P	82-15-073
344-12-107	NEW	82-12-052	352-12-030	NEW	82-08-027	356-30-160	AMD-E	82-15-004
344-12-110	REP-P	82-03-051	352-12-030	REP-P	82-08-065	356-30-160	AMD-P	82-15-073
344-12-110	REP	82-12-052	352-12-040	NEW-P	82-04-058	356-30-190	AMD-P	82-15-073
344-12-112	NEW-P	82-03-051	352-12-040	NEW	82-08-027	356-30-200	AMD-P	82-15-073
344-12-112	NEW	82-12-052	352-12-040	REP-P	82-08-065	356-30-230	AMD-P	82-15-073
344-12-115	REP-P	82-03-051	352-12-050	NEW-P	82-04-058	356-30-260	AMD-E	82-15-004
344-12-115	REP	82-12-052	352-12-050	NEW	82-08-027	356-30-260	AMD-P	82-15-073
344-12-116	NEW-P	82-03-051	352-12-050	REP-P	82-08-065	356-30-280	AMD	82-03-030
344-12-116	NEW	82-12-052	352-32-020	REP-P	82-02-069	356-30-280	AMD-E	82-15-004
344-12-120	REP-P	82-03-051	352-32-020	REP	82-07-076	356-30-280	AMD-P	82-15-073
344-12-120	REP	82-12-052	352-32-030	AMD-P	82-04-055	356-30-290	AMD	82-03-030
344-12-125	AMD-P	82-03-051	352-32-030	AMD	82-09-035	356-30-300	AMD-E	82-15-004
344-12-125	AMD	82-12-052	352-32-045	AMD-P	82-04-055	356-30-300	AMD-P	82-15-073
344-12-130	REP-P	82-03-051	352-32-045	AMD	82-09-035	356-30-305	NEW-E	82-15-004
344-12-130	REP	82-12-052	352-32-060	AMD-P	82-08-057	356-30-305	NEW-P	82-15-073
344-12-131	NEW-P	82-03-051	352-32-060	AMD	82-12-008	356-30-330	AMD-E	82-15-004

**Table of WAC Sections Affected**

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
356-30-330	AMD-E 82-15-046	360-18-020	AMD-E 82-09-055	388-24-108	AMD 82-13-080
356-30-330	AMD-P 82-15-073	360-18-020	AMD-P 82-09-077	388-24-125	AMD-P 82-05-036
356-30-330	AMD-P 82-16-091	360-18-020	AMD 82-12-041	388-24-125	AMD 82-08-038
356-30-330	AMD-P 82-18-059	360-21-010	NEW-P 82-02-094	388-24-270	AMD-E 82-07-057
356-30-335	NEW-E 82-03-032	360-21-010	NEW 82-06-042	388-24-270	AMD-P 82-07-069
356-30-335	NEW-P 82-04-025	360-21-020	NEW-P 82-02-094	388-24-270	AMD 82-11-001
356-30-335	NEW-C 82-07-034	360-21-020	NEW 82-06-042	388-28-392	AMD-E 82-09-018
356-30-335	NEW-E 82-09-021	360-21-030	NEW-P 82-02-094	388-28-392	AMD-P 82-09-019
356-30-335	NEW 82-09-022	360-21-030	NEW 82-06-042	388-28-392	AMD 82-12-066
356-34-010	AMD-P 82-06-029	360-21-040	NEW-P 82-02-094	388-28-430	AMD-P 82-06-015
356-34-010	AMD-W 82-09-023	360-21-040	NEW 82-06-042	388-28-430	AMD-E 82-06-019
356-34-011	NEW-P 82-16-091	360-21-050	NEW-P 82-02-094	388-28-430	AMD 82-09-034
356-34-020	AMD-P 82-06-029	360-21-050	NEW 82-06-042	388-28-430	AMD-P 82-11-073
356-34-020	AMD-W 82-09-023	360-21-060	NEW-P 82-02-094	388-28-430	AMD-E 82-11-074
356-34-113	AMD-P 82-12-034	360-21-060	NEW 82-06-042	388-28-430	AMD 82-14-049
356-34-113	AMD-C 82-15-045	360-21-070	NEW-P 82-02-094	388-28-455	AMD-P 82-15-052
356-34-115	NEW-P 82-06-029	360-21-070	NEW 82-06-042	388-28-455	AMD 82-18-063
356-34-115	NEW-W 82-09-023	360-21-080	NEW-P 82-02-094	388-28-474	AMD-P 82-07-027
356-34-115	NEW-P 82-12-034	360-21-080	NEW 82-06-042	388-28-474	AMD-E 82-08-040
356-34-115	NEW-C 82-15-045	360-21-090	NEW-P 82-02-094	388-28-474	AMD 82-10-059
356-34-116	NEW-P 82-06-029	360-21-090	NEW 82-06-042	388-28-480	AMD-P 82-06-015
356-34-116	NEW-W 82-09-023	360-21-100	NEW-P 82-02-094	388-28-480	AMD-E 82-06-019
356-34-117	NEW-P 82-06-029	360-32-055	AMD-P 82-02-094	388-28-480	AMD 82-09-034
356-34-117	NEW-W 82-09-023	360-32-055	AMD 82-06-042	388-28-482	AMD-P 82-06-015
356-34-117	NEW-P 82-12-034	360-32-060	NEW-P 82-11-084	388-28-482	AMD-E 82-06-019
356-34-117	NEW-P 82-15-073	360-32-060	NEW-C 82-14-073	388-28-482	AMD 82-09-034
356-34-118	NEW-P 82-06-029	360-32-060	NEW-C 82-16-086	388-28-484	AMD-P 82-06-015
356-34-118	NEW-W 82-09-023	360-36-020	AMD-P 82-11-084	388-28-484	AMD-E 82-06-019
356-34-118	NEW-P 82-12-034	360-36-020	REP-P 82-11-084	388-28-484	AMD 82-09-034
356-34-118	NEW-C 82-15-045	360-36-020	AMD-C 82-14-073	388-28-535	AMD-P 82-10-058
356-34-119	NEW-P 82-06-029	360-36-020	REP-C 82-14-073	388-28-535	AMD 82-13-082
356-34-119	NEW-W 82-09-023	360-36-020	AMD-C 82-16-086	388-28-570	AMD-P 82-06-015
356-34-119	NEW-P 82-12-034	360-36-020	REP-C 82-16-086	388-28-570	AMD-E 82-06-019
356-34-119	NEW-C 82-15-045	365-40-031	REP 82-07-066	388-28-570	AMD 82-09-034
356-35-010	AMD-P 82-06-029	365-40-051	AMD 82-07-066	388-28-570	AMD-P 82-16-079
356-35-010	AMD 82-09-022	365-40-061	AMD 82-07-066	388-28-575	AMD-P 82-08-060
356-42-055	NEW-P 82-12-034	365-40-071	AMD 82-07-066	388-28-575	AMD 82-11-094
356-42-055	NEW-P 82-15-073	381	NEW 82-08-001	388-28-578	AMD-E 82-13-003
356-42-080	AMD-P 82-12-034	381	NEW 82-17-018	388-28-578	AMD-P 82-13-004
356-42-080	AMD-C 82-15-045	388-08-435	NEW-P 82-03-050	388-28-578	AMD 82-17-003
356-42-082	NEW-P 82-12-034	388-08-435	NEW-C 82-06-049	388-28-590	AMD-P 82-16-079
356-42-082	NEW-C 82-15-045	388-11-150	AMD-P 82-14-010	388-29-100	AMD-E 82-07-057
356-42-083	NEW-P 82-12-034	388-11-150	AMD-E 82-14-011	388-29-100	AMD-P 82-07-069
356-42-083	NEW-P 82-15-073	388-11-150	AMD 82-17-068	388-29-100	AMD 82-11-001
356-42-084	NEW-P 82-12-034	388-15-110	AMD-P 82-08-036	388-29-100	AMD-P 82-14-009
356-42-084	NEW-C 82-15-045	388-15-110	AMD 82-11-095	388-29-100	AMD-E 82-14-064
356-42-084	NEW-P 82-15-073	388-15-170	AMD-P 82-11-031	388-29-100	AMD 82-17-066
356-42-085	NEW-P 82-12-034	388-15-170	AMD 82-14-048	388-29-110	AMD-E 82-07-057
356-42-085	NEW-C 82-15-045	388-15-172	REP-E 82-04-052	388-29-110	AMD-P 82-07-069
356-42-086	NEW-P 82-12-034	388-15-172	REP 82-04-074	388-29-110	AMD 82-11-001
356-42-086	NEW-C 82-15-045	388-15-173	NEW-P 82-11-016	388-29-112	AMD-E 82-07-057
356-42-088	NEW-P 82-12-034	388-15-173	NEW-E 82-11-017	388-29-112	AMD-P 82-07-069
356-42-088	NEW-C 82-15-045	388-15-173	NEW 82-14-046	388-29-112	AMD 82-11-001
356-42-089	NEW-P 82-12-034	388-15-562	AMD-P 82-07-054	388-29-135	AMD-P 82-14-009
356-42-089	NEW-C 82-15-045	388-15-562	AMD 82-10-064	388-29-135	AMD-E 82-14-064
356-42-090	AMD-P 82-12-034	388-15-568	AMD-P 82-07-054	388-29-135	AMD 82-17-066
356-42-090	AMD-C 82-15-045	388-15-568	AMD 82-10-064	388-29-160	AMD-P 82-14-009
356-42-100	AMD-P 82-12-034	388-24-040	AMD-P 82-06-015	388-29-160	AMD-E 82-14-064
356-42-100	AMD-P 82-15-073	388-24-040	AMD-E 82-06-019	388-29-160	AMD 82-17-066
356-46-060	AMD-P 82-18-059	388-24-040	AMD 82-09-034	388-29-200	AMD-P 82-14-009
356-46-130	REP-P 82-15-073	388-24-040	AMD-P 82-13-077	388-29-200	AMD-E 82-14-064
358-20-040	AMD-P 82-11-077	388-24-040	AMD 82-17-007	388-29-200	AMD 82-17-066
358-20-040	AMD 82-14-007	388-24-042	AMD-P 82-06-015	388-29-220	AMD-P 82-14-009
358-20-040	AMD 82-16-027	388-24-042	AMD-E 82-06-019	388-29-220	AMD-E 82-14-064
358-20-050	AMD-P 82-11-077	388-24-042	AMD 82-09-034	388-29-220	AMD 82-17-066
358-20-050	AMD 82-14-007	388-24-044	NEW-E 82-07-080	388-29-260	AMD-P 82-14-009
358-30-220	NEW-P 82-11-077	388-24-044	NEW-P 82-07-091	388-29-260	AMD-E 82-14-064
358-30-220	NEW 82-14-007	388-24-044	NEW 82-10-060	388-29-260	AMD 82-17-066
360-13-065	REP-P 82-02-094	388-24-044	AMD-P 82-14-044	388-29-270	AMD-P 82-16-063
360-13-065	REP 82-06-042	388-24-044	AMD-E 82-15-029	388-29-270	AMD 82-18-061
360-16-110	REP-P 82-04-086	388-24-044	AMD 82-17-067	388-29-280	AMD-P 82-14-009
360-16-110	REP-C 82-07-098	388-24-070	AMD-E 82-08-058	388-29-280	AMD-E 82-14-064
360-16-110	REP 82-12-024	388-24-070	AMD-P 82-08-059	388-29-280	AMD 82-17-066
360-17-010	AMD-P 82-09-077	388-24-070	AMD 82-11-093	388-29-295	AMD-P 82-13-055
360-17-010	AMD 82-12-041	388-24-107	AMD-P 82-03-040	388-29-295	AMD-E 82-14-063
360-17-020	AMD-P 82-09-077	388-24-107	AMD 82-07-026	388-29-295	AMD 82-17-004
360-17-020	AMD 82-12-041	388-24-108	AMD-P 82-10-011	388-33-055	AMD-P 82-06-015

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
388-33-055	AMD-E	82-06-019	388-54-645	AMD	82-06-002	388-73-142	AMD-P	82-15-053
388-33-055	AMD	82-09-034	388-54-660	AMD-E	82-08-041	388-73-144	AMD-P	82-15-053
388-33-120	AMD-P	82-06-015	388-54-660	AMD-P	82-08-042	388-73-146	AMD-P	82-15-053
388-33-120	AMD-E	82-06-019	388-54-660	AMD	82-11-092	388-73-304	AMD-P	82-15-053
388-33-120	AMD	82-09-034	388-54-665	AMD-E	82-08-041	388-73-310	AMD-P	82-15-053
388-33-135	AMD-P	82-06-015	388-54-665	AMD-P	82-08-042	388-73-504	AMD-P	82-15-053
388-33-135	AMD-E	82-06-019	388-54-665	AMD	82-11-092	388-73-604	AMD-P	82-15-053
388-33-135	AMD	82-09-034	388-54-685	AMD-E	82-08-041	388-73-708	AMD-P	82-15-053
388-33-140	AMD-P	82-13-102	388-54-685	AMD-P	82-08-042	388-73-714	AMD-P	82-15-053
388-33-140	AMD	82-16-065	388-54-685	AMD	82-11-092	388-80-005	AMD-E	82-02-058
388-33-140	AMD-P	82-18-081	388-54-695	AMD-P	82-02-055	388-80-005	AMD-P	82-02-064
388-33-165	AMD-P	82-11-053	388-54-695	AMD	82-06-004	388-80-005	AMD	82-06-003
388-33-165	AMD	82-14-047	388-54-695	AMD-E	82-08-041	388-80-005	AMD-P	82-07-096
388-33-355	AMD-P	82-06-015	388-54-695	AMD-P	82-08-042	388-80-005	AMD	82-10-062
388-33-355	AMD-E	82-06-019	388-54-695	AMD	82-11-092	388-81-030	AMD-P	82-14-045
388-33-355	AMD	82-09-034	388-54-730	AMD-P	82-12-046	388-81-030	AMD-E	82-14-066
388-33-377	AMD-P	82-05-043	388-54-730	AMD-E	82-14-062	388-81-030	AMD	82-17-072
388-33-377	AMD	82-08-037	388-54-730	AMD	82-15-027	388-81-052	NEW-P	82-03-020
388-33-382	AMD-P	82-05-043	388-54-735	AMD-P	82-02-055	388-81-052	NEW	82-10-017
388-33-382	AMD	82-08-037	388-54-735	AMD	82-06-004	388-82-010	AMD-E	82-02-058
388-33-387	NEW	82-04-077	388-54-735	AMD-E	82-08-041	388-82-010	AMD-P	82-02-064
388-33-389	NEW	82-04-077	388-54-735	AMD-P	82-08-042	388-82-010	AMD	82-06-003
388-33-577	REP-P	82-13-102	388-54-735	AMD	82-11-092	388-82-010	AMD-P	82-18-034
388-33-577	REP	82-16-065	388-54-737	NEW-E	82-08-041	388-83-130	AMD-P	82-07-096
388-33-595	AMD-P	82-13-102	388-54-737	NEW-P	82-08-042	388-83-130	AMD	82-10-062
388-33-595	AMD	82-16-065	388-54-737	NEW	82-11-092	388-83-135	AMD-P	82-07-096
388-37-010	AMD-P	82-18-083	388-54-790	AMD-P	82-02-070	388-83-135	AMD	82-10-062
388-37-032	AMD-P	82-18-083	388-54-790	AMD-E	82-02-071	388-83-140	AMD-P	82-07-096
388-37-035	AMD-P	82-09-049	388-54-790	AMD	82-06-002	388-83-140	AMD	82-10-062
388-37-035	AMD-E	82-10-031	388-54-800	AMD-P	82-02-070	388-84-120	AMD-P	82-14-045
388-37-035	AMD	82-12-067	388-54-800	AMD-E	82-02-071	388-84-120	AMD-E	82-14-066
388-37-035	AMD-P	82-18-083	388-54-800	AMD	82-06-002	388-84-120	AMD	82-17-072
388-37-036	NEW-P	82-18-083	388-54-820	AMD-P	82-03-021	388-86-005	AMD-P	82-07-096
388-37-037	AMD-P	82-18-083	388-54-820	AMD	82-06-051	388-86-005	AMD	82-10-062
388-37-038	NEW-P	82-18-083	388-55-010	AMD-P	82-07-030	388-86-008	AMD-P	82-14-008
388-37-040	AMD-P	82-18-083	388-55-010	AMD-E	82-07-055	388-86-008	AMD-E	82-14-065
388-37-050	AMD-P	82-18-083	388-55-010	AMD	82-10-061	388-86-008	AMD	82-17-069
388-37-055	NEW-P	82-13-005	388-57-057	AMD-P	82-10-057	388-86-045	AMD-P	82-18-034
388-37-060	AMD	82-04-076	388-57-057	AMD-E	82-10-063	388-86-098	AMD-P	82-07-096
388-38-110	AMD-P	82-03-040	388-57-057	AMD	82-13-081	388-86-098	AMD	82-10-062
388-38-110	AMD	82-07-026	388-57-064	AMD	82-05-005	388-86-100	AMD-P	82-14-045
388-40-010	AMD-P	82-17-025	388-57-095	NEW-P	82-03-040	388-86-100	AMD-E	82-14-066
388-42-150	AMD-P	82-03-025	388-57-095	NEW	82-07-026	388-86-100	AMD	82-17-072
388-42-150	AMD-E	82-03-026	388-57-097	NEW-P	82-07-097	388-86-120	AMD-P	82-15-051
388-42-150	AMD	82-06-050	388-57-097	NEW	82-11-018	388-86-120	AMD-E	82-15-064
388-44-010	AMD	82-04-072	388-59-010	AMD-P	82-03-024	388-86-120	AMD	82-18-062
388-44-010	AMD-P	82-11-054	388-59-010	AMD	82-06-052	388-87-005	AMD-P	82-07-096
388-44-010	AMD-E	82-11-055	388-70-013	AMD-E	82-02-072	388-87-005	AMD	82-10-062
388-44-020	AMD-P	82-11-054	388-70-013	AMD-P	82-02-073	388-87-065	AMD-P	82-18-034
388-44-020	AMD-E	82-11-055	388-70-013	AMD	82-06-001	388-87-070	AMD-E	82-15-065
388-44-035	AMD	82-04-072	388-70-013	AMD-P	82-12-048	388-87-070	AMD-P	82-15-071
388-44-035	AMD-P	82-11-054	388-70-013	AMD-E	82-13-042	388-87-070	AMD	82-18-066
388-44-035	AMD-E	82-11-055	388-70-013	AMD	82-16-064	388-88	AMD-C	82-17-006
388-44-050	AMD	82-04-072	388-70-024	AMD	82-04-070	388-88-001	AMD-P	82-13-038
388-44-110	AMD	82-04-072	388-70-024	AMD-P	82-12-048	388-88-001	AMD	82-18-064
388-44-110	AMD-P	82-11-054	388-70-024	AMD-E	82-13-042	388-88-007	REP-P	82-13-038
388-44-110	AMD-E	82-11-055	388-70-024	AMD	82-16-064	388-88-007	REP	82-18-064
388-44-115	AMD	82-04-072	388-73-014	AMD-P	82-15-053	388-88-010	AMD-P	82-13-038
388-44-115	AMD-P	82-11-054	388-73-01950	NEW-P	82-15-053	388-88-010	AMD	82-18-064
388-44-115	AMD-E	82-11-055	388-73-020	AMD-P	82-15-053	388-88-045	REP-P	82-13-038
388-44-125	AMD	82-04-072	388-73-024	AMD-P	82-15-053	388-88-045	REP	82-18-064
388-44-125	AMD-P	82-11-054	388-73-042	AMD-P	82-15-053	388-88-050	AMD-P	82-13-038
388-44-125	AMD-E	82-11-055	388-73-050	AMD-P	82-15-053	388-88-050	AMD	82-18-064
388-44-127	AMD	82-04-072	388-73-058	AMD-P	82-15-053	388-88-051	REP-P	82-13-038
388-44-127	AMD-P	82-11-054	388-73-060	AMD-P	82-15-053	388-88-051	REP	82-18-064
388-44-127	AMD-E	82-11-055	388-73-062	AMD-P	82-15-053	388-88-065	REP-P	82-13-038
388-44-130	AMD	82-04-072	388-73-068	AMD-P	82-15-053	388-88-065	REP	82-18-064
388-44-140	AMD	82-04-072	388-73-070	AMD-P	82-15-053	388-88-075	AMD-P	82-13-038
388-44-145	AMD	82-04-072	388-73-076	AMD-P	82-15-053	388-88-075	AMD	82-18-064
388-44-145	AMD-P	82-11-054	388-73-102	AMD-P	82-15-053	388-88-080	AMD-P	82-13-038
388-44-145	AMD-E	82-11-055	388-73-103	NEW-P	82-15-053	388-88-080	AMD	82-18-064
388-44-150	AMD	82-04-072	388-73-108	AMD-P	82-15-053	388-88-081	AMD-P	82-13-038
388-44-150	AMD-P	82-11-054	388-73-118	AMD-P	82-15-053	388-88-081	AMD	82-18-064
388-44-150	AMD-E	82-11-055	388-73-132	AMD-P	82-15-053	388-88-082	AMD-P	82-13-038
388-44-250	AMD	82-04-072	388-73-134	AMD-P	82-15-053	388-88-082	AMD	82-18-064
388-54-645	AMD-P	82-02-070	388-73-136	AMD-P	82-15-053	388-88-083	AMD-P	82-13-038
388-54-645	AMD-E	82-02-071	388-73-140	AMD-P	82-15-053	388-88-083	AMD	82-18-064



### Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
388-88-086	REP-P	82-13-038	388-99-020	AMD-P	82-14-045	390-20-013	NEW	82-14-016
388-88-086	REP	82-18-064	388-99-020	AMD-E	82-14-066	390-20-020	AMD-P	82-17-038
388-88-088	REP-P	82-13-038	388-99-020	AMD	82-17-072	390-20-107	NEW-P	82-11-024
388-88-088	REP	82-18-064	388-99-035	AMD-P	82-03-020	390-20-107	NEW	82-14-016
388-88-100	AMD-P	82-13-038	388-99-035	AMD-P	82-07-096	390-20-110	AMD-P	82-17-038
388-88-100	AMD	82-18-064	388-99-035	AMD	82-10-017	390-20-140	AMD-P	82-11-024
388-88-101	AMD-P	82-13-038	388-99-035	AMD	82-10-062	390-20-140	AMD	82-14-016
388-88-101	AMD	82-18-064	388-99-035	AMD	82-11-034	390-37-300	REP-P	82-11-024
388-88-102	AMD-P	82-13-038	388-99-055	AMD-P	82-11-066	390-37-300	REP	82-14-016
388-88-102	AMD	82-18-064	388-99-055	AMD	82-14-050	390-37-305	REP-P	82-11-024
388-88-115	AMD-P	82-13-038	388-100-010	AMD-P	82-14-045	390-37-305	REP	82-14-016
388-88-115	AMD	82-18-064	388-100-010	AMD-E	82-14-066	390-37-312	REP-P	82-11-024
388-88-117	REP-P	82-13-038	388-100-010	AMD	82-17-072	390-37-312	REP	82-14-016
388-88-117	REP	82-18-064	388-100-025	AMD-P	82-07-096	390-37-320	REP-P	82-11-024
388-88-119	NEW-P	82-13-038	388-100-025	AMD	82-10-062	390-37-320	REP	82-14-016
388-88-119	NEW	82-18-064	388-100-025	AMD-P	82-14-045	392-105-003	AMD-P	82-16-033
388-92-005	AMD-P	82-07-096	388-100-025	AMD-E	82-14-066	392-105-003	AMD-E	82-16-040
388-92-005	AMD	82-10-062	388-100-025	AMD	82-17-072	392-109-040	AMD-P	82-13-032
388-92-015	AMD-P	82-18-034	388-100-030	AMD-E	82-10-033	392-109-040	AMD	82-16-037
388-92-025	AMD-P	82-07-096	388-100-030	AMD-P	82-10-048	392-109-065	AMD-P	82-13-032
388-92-025	AMD	82-10-062	388-100-030	AMD	82-13-079	392-109-065	AMD	82-16-037
388-92-025	AMD-P	82-18-034	388-100-030	AMD-P	82-15-063	392-109-072	NEW-P	82-13-032
388-92-043	NEW-P	82-03-020	388-100-030	AMD-C	82-18-060	392-109-072	NEW	82-16-037
388-92-043	NEW	82-10-017	388-100-035	AMD	82-04-071	392-123-047	NEW-P	82-16-094
388-92-045	AMD-P	82-07-096	388-100-035	AMD-P	82-14-045	392-123-049	NEW-P	82-16-094
388-92-045	AMD	82-10-062	388-100-035	AMD-E	82-14-066	392-123-051	REP-P	82-16-094
388-96-010	AMD-P	82-17-056	388-100-035	AMD	82-17-072	392-123-140	AMD-P	82-16-094
388-96-020	AMD-P	82-17-056	388-320-220	AMD-P	82-03-050	392-129-010	AMD-P	82-13-034
388-96-023	AMD-P	82-17-056	388-320-220	AMD-C	82-06-049	392-129-010	AMD	82-16-039
388-96-032	AMD-P	82-17-056	390-05-300	NEW-E	82-11-025	392-136-005	AMD-P	82-13-031
388-96-108	NEW-P	82-17-056	390-05-300	NEW-P	82-11-080	392-136-005	AMD	82-16-036
388-96-110	AMD-E	82-06-027	390-05-300	NEW-C	82-14-070	392-136-020	AMD-P	82-13-033
388-96-110	AMD-P	82-06-028	390-05-300	NEW	82-16-032	392-136-020	AMD	82-16-038
388-96-110	AMD	82-09-033	390-05-305	NEW-E	82-11-025	392-137-055	AMD-P	82-16-034
388-96-113	AMD-P	82-07-042	390-05-305	NEW-P	82-11-080	392-137-055	AMD-E	82-16-041
388-96-113	AMD	82-11-065	390-05-305	NEW-C	82-14-070	392-137-060	AMD-P	82-16-034
388-96-122	AMD-P	82-07-042	390-05-305	NEW	82-16-032	392-137-060	AMD-E	82-16-041
388-96-122	AMD	82-11-065	390-12-010	AMD	82-05-001	392-139-005	AMD-P	82-05-026
388-96-369	AMD-P	82-17-056	390-14-030	AMD	82-05-001	392-139-005	AMD	82-07-085
388-96-375	AMD-P	82-17-056	390-14-030	AMD-P	82-14-084	392-139-021	AMD-P	82-02-089
388-96-384	AMD-P	82-17-056	390-14-030	AMD	82-18-031	392-139-021	AMD-E	82-02-090
388-96-505	AMD-P	82-17-056	390-16-011	AMD-P	82-07-093	392-139-021	AMD	82-05-025
388-96-553	AMD-P	82-07-042	390-16-011	AMD	82-11-026	392-140	AMD-C	82-07-028
388-96-553	AMD	82-11-065	390-16-031	AMD-P	82-07-093	392-140-010	AMD-E	82-04-050
388-96-585	AMD-P	82-07-042	390-16-031	AMD	82-11-026	392-140-010	AMD-P	82-04-061
388-96-585	AMD	82-11-065	390-16-035	REP-P	82-11-024	392-140-010	AMD	82-07-058
388-96-585	AMD-P	82-17-056	390-16-035	REP	82-14-016	392-140-011	AMD-E	82-04-050
388-96-704	AMD-P	82-17-056	390-16-036	AMD-P	82-07-093	392-140-011	AMD-P	82-04-061
388-96-707	AMD-P	82-17-056	390-16-036	AMD	82-11-026	392-140-011	AMD	82-07-058
388-96-719	AMD	82-04-073	390-16-037	NEW	82-05-001	392-140-014	AMD-E	82-04-050
388-96-719	AMD-E	82-09-050	390-16-041	AMD-P	82-07-093	392-140-014	AMD-P	82-04-061
388-96-719	AMD-P	82-09-051	390-16-041	AMD	82-11-026	392-140-014	AMD	82-07-058
388-96-719	AMD	82-12-068	390-16-050	AMD-P	82-07-093	392-140-014	AMD-E	82-04-050
388-96-719	AMD-P	82-14-061	390-16-050	AMD	82-11-026	392-140-015	AMD-P	82-04-061
388-96-719	AMD-E	82-14-067	390-16-055	AMD-P	82-11-024	392-140-015	AMD	82-07-058
388-96-719	AMD	82-17-071	390-16-055	AMD	82-14-016	392-140-016	AMD-E	82-04-050
388-96-720	NEW-P	82-07-042	390-16-060	AMD-P	82-07-093	392-140-016	AMD-P	82-04-061
388-96-720	NEW	82-11-065	390-16-060	AMD	82-11-026	392-140-016	AMD	82-07-058
388-96-722	AMD-P	82-07-042	390-16-062	REP-P	82-11-024	392-140-018	AMD-E	82-04-050
388-96-722	AMD	82-11-065	390-16-062	REP	82-14-016	392-140-018	AMD-P	82-04-061
388-96-722	AMD	82-13-050	390-16-115	AMD-P	82-11-024	392-140-018	AMD	82-07-058
388-96-735	AMD-P	82-07-042	390-16-115	AMD	82-14-016	392-140-019	AMD-E	82-04-050
388-96-735	AMD	82-11-065	390-16-150	AMD-P	82-11-024	392-140-019	AMD-P	82-04-061
388-96-743	AMD-P	82-17-056	390-16-150	AMD	82-14-016	392-140-019	AMD	82-07-058
388-96-763	AMD-P	82-17-056	390-16-155	AMD-P	82-11-024	392-140-020	AMD-E	82-04-050
388-96-769	AMD-P	82-07-042	390-16-155	AMD	82-14-016	392-140-020	AMD-P	82-04-061
388-96-769	AMD	82-11-065	390-16-206	AMD-P	82-11-024	392-140-020	AMD	82-07-058
388-96-804	AMD-E	82-17-010	390-16-206	AMD-C	82-14-014A	392-163-005	REP-P	82-16-035
388-96-804	AMD-P	82-17-020	390-16-206	AMD-C	82-16-031	392-163-010	REP-P	82-16-035
388-96-807	AMD-P	82-17-056	390-16-207	AMD-P	82-11-024	392-163-015	REP-P	82-16-035
388-96-901	AMD-P	82-17-056	390-16-207	AMD	82-14-016	392-163-020	REP-P	82-16-035
388-96-902	NEW-P	82-07-042	390-16-230	AMD-P	82-11-024	392-163-025	REP-P	82-16-035
388-96-902	NEW	82-11-065	390-16-230	AMD	82-14-016	392-163-030	REP-P	82-16-035
388-96-904	AMD-P	82-17-056	390-16-300	REP-P	82-11-024	392-163-035	REP-P	82-16-035
388-99-020	AMD-P	82-07-096	390-16-300	REP	82-14-016	392-163-040	REP-P	82-16-035
388-99-020	AMD-E	82-08-039	390-20-0101	AMD-P	82-17-038	392-163-045	REP-P	82-16-035
388-99-020	AMD	82-10-062	390-20-013	NEW-P	82-11-024	392-163-050	REP-P	82-16-035

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
392-163-055	REP-P	82-16-035	419-24-030	REP-P	82-09-075	434-50-020	NEW-E	82-14-053
392-163-060	REP-P	82-16-035	419-24-030	REP	82-13-015	434-50-020	NEW	82-16-059
392-163-065	REP-P	82-16-035	419-32-010	REP-P	82-09-075	434-50-025	NEW-P	82-12-072
392-163-070	REP-P	82-16-035	419-32-010	REP	82-13-015	434-50-025	NEW-E	82-14-053
392-163-075	REP-P	82-16-035	419-32-020	REP-P	82-09-075	434-50-025	NEW	82-16-059
392-163-080	REP-P	82-16-035	419-32-020	REP	82-13-015	434-50-030	NEW-P	82-12-072
392-163-085	REP-P	82-16-035	419-32-030	REP-P	82-09-075	434-50-030	NEW-E	82-14-053
392-164-005	REP-P	82-16-035	419-32-030	REP	82-13-015	434-50-030	NEW	82-16-059
392-164-010	REP-P	82-16-035	419-32-040	REP-P	82-09-075	434-50-035	NEW-P	82-12-072
392-164-015	REP-P	82-16-035	419-32-040	REP	82-13-015	434-50-035	NEW-E	82-14-053
392-164-020	REP-P	82-16-035	419-32-050	REP-P	82-09-075	434-50-035	NEW	82-16-059
392-164-025	REP-P	82-16-035	419-32-050	REP	82-13-015	434-50-040	NEW-P	82-12-072
392-164-030	REP-P	82-16-035	419-32-060	REP-P	82-09-075	434-50-040	NEW-E	82-14-053
392-164-035	REP-P	82-16-035	419-32-060	REP	82-13-015	434-50-040	NEW	82-16-059
392-164-040	REP-P	82-16-035	419-48-010	REP-P	82-09-076	434-50-045	NEW-P	82-12-072
392-164-045	REP-P	82-16-035	419-48-010	REP	82-13-016	434-50-045	NEW-E	82-14-053
392-164-050	REP-P	82-16-035	419-48-020	REP-P	82-09-076	434-50-045	NEW	82-16-059
392-164-055	REP-P	82-16-035	419-48-020	REP	82-13-016	434-50-050	NEW-P	82-12-072
392-164-060	REP-P	82-16-035	419-48-030	REP-P	82-09-076	434-50-050	NEW-E	82-14-053
392-164-065	REP-P	82-16-035	419-48-030	REP	82-13-016	434-50-050	NEW	82-16-059
392-164-070	REP-P	82-16-035	419-48-040	REP-P	82-09-076	434-50-055	NEW-P	82-12-072
392-164-075	REP-P	82-16-035	419-48-040	REP	82-13-016	434-50-055	NEW-E	82-14-053
392-164-080	REP-P	82-16-035	419-48-051	REP-P	82-09-076	434-50-055	NEW	82-16-059
392-164-085	REP-P	82-16-035	419-48-051	REP	82-13-016	434-50-900	NEW-E	82-14-053
392-164-090	REP-P	82-16-035	419-48-052	REP-P	82-09-076	434-55-010	NEW-P	82-18-082
392-164-095	REP-P	82-16-035	419-48-052	REP	82-13-016	434-55-015	NEW-P	82-18-082
392-168-005	REP-P	82-16-035	419-48-053	REP-P	82-09-076	434-55-016	NEW-P	82-18-082
392-168-010	REP-P	82-16-035	419-48-053	REP	82-13-016	434-55-020	NEW-P	82-18-082
392-168-015	REP-P	82-16-035	419-48-054	REP-P	82-09-076	434-55-030	NEW-P	82-18-082
392-168-020	REP-P	82-16-035	419-48-054	REP	82-13-016	434-55-035	NEW-P	82-18-082
392-168-025	REP-P	82-16-035	419-48-055	REP-P	82-09-076	434-55-040	NEW-P	82-18-082
392-168-030	REP-P	82-16-035	419-48-055	REP	82-13-016	434-55-050	NEW-P	82-18-082
392-168-035	REP-P	82-16-035	419-48-060	REP-P	82-09-076	434-55-055	NEW-P	82-18-082
392-168-040	REP-P	82-16-035	419-48-060	REP	82-13-016	434-55-060	NEW-P	82-18-082
392-168-045	REP-P	82-16-035	419-48-070	REP-P	82-09-076	434-55-065	NEW-P	82-18-082
392-168-050	REP-P	82-16-035	419-48-070	REP	82-13-016	434-55-066	NEW-P	82-18-082
392-168-055	REP-P	82-16-035	419-48-080	REP-P	82-09-076	434-91-010	NEW-P	82-09-061
392-168-060	REP-P	82-16-035	419-48-080	REP	82-13-016	434-91-010	NEW	82-12-022
419-14-010	REP-E	82-09-047	419-48-090	REP-P	82-09-076	434-91-020	NEW-P	82-09-061
419-14-010	REP-P	82-09-075	419-48-090	REP	82-13-016	434-91-020	NEW	82-12-022
419-14-010	REP	82-13-015	419-48-100	REP-P	82-09-076	434-91-030	NEW-P	82-09-061
419-14-020	NEW-E	82-09-047	419-48-100	REP	82-13-016	434-91-030	NEW	82-12-022
419-14-020	NEW-P	82-09-075	419-48-110	REP-P	82-09-076	434-91-040	NEW-P	82-09-061
419-14-020	NEW	82-13-015	419-48-110	REP	82-13-016	434-91-040	NEW	82-12-022
419-14-030	NEW-E	82-09-047	419-48-120	REP-P	82-09-076	434-91-050	NEW-P	82-09-061
419-14-030	NEW-P	82-09-075	419-48-120	REP	82-13-016	434-91-050	NEW	82-12-022
419-14-030	NEW	82-13-015	419-48-130	REP-P	82-09-076	434-91-060	NEW-P	82-09-061
419-14-040	NEW-E	82-09-047	419-48-130	REP	82-13-016	434-91-060	NEW	82-12-022
419-14-040	NEW-P	82-09-075	419-48-140	REP-P	82-09-076	434-91-070	NEW-P	82-09-061
419-14-040	NEW	82-13-015	419-48-140	REP	82-13-016	434-91-070	NEW	82-12-022
419-14-050	NEW-E	82-09-047	419-48-150	REP-P	82-09-076	434-91-080	NEW-P	82-09-061
419-14-050	NEW-P	82-09-075	419-48-150	REP	82-13-016	434-91-080	NEW	82-12-022
419-14-050	NEW	82-13-015	419-52-010	NEW-E	82-02-075	434-91-090	NEW-P	82-09-061
419-14-060	NEW-E	82-09-047	419-52-010	NEW-P	82-04-044	434-91-090	NEW	82-12-022
419-14-060	NEW-P	82-09-075	419-52-010	NEW	82-08-023	434-91-100	NEW-P	82-09-061
419-14-060	NEW	82-13-015	419-52-020	NEW-E	82-02-075	434-91-100	NEW	82-12-022
419-14-070	NEW-E	82-09-047	419-52-020	NEW-P	82-04-044	434-91-110	NEW-P	82-09-061
419-14-070	NEW-P	82-09-075	419-52-020	NEW	82-08-023	434-91-110	NEW	82-12-022
419-14-070	NEW	82-13-015	419-52-030	NEW-E	82-02-075	434-91-120	NEW-P	82-09-061
419-14-080	NEW-E	82-11-019	419-52-030	NEW-P	82-04-044	434-91-120	NEW	82-12-022
419-14-080	NEW-P	82-15-001	419-52-030	NEW	82-08-023	434-91-130	NEW-P	82-09-061
419-18-010	REP-E	82-09-048	434-16-010	REP	82-05-014	434-91-130	NEW	82-12-022
419-18-010	REP-P	82-09-076	434-16-020	REP	82-05-014	434-91-140	NEW-P	82-09-061
419-18-010	REP	82-13-016	434-16-030	REP	82-05-014	434-91-140	NEW	82-12-022
419-18-020	NEW-E	82-09-048	434-16-040	REP	82-05-014	434-91-150	NEW-P	82-09-061
419-18-020	NEW-P	82-09-076	434-16-050	REP	82-05-014	434-91-150	NEW	82-12-022
419-18-020	NEW	82-13-016	434-16-060	REP	82-05-014	434-91-160	NEW-P	82-09-061
419-18-030	NEW-E	82-09-048	434-16-070	REP	82-05-014	434-91-160	NEW	82-12-022
419-18-030	NEW-P	82-09-076	434-16-080	REP	82-05-014	434-91-170	NEW	82-12-022
419-18-030	NEW	82-13-016	434-16-090	REP	82-05-014	440-44	NEW-C	82-12-028
419-18-040	NEW-E	82-09-048	434-50-010	NEW-P	82-12-072	440-44-001	NEW-E	82-08-078
419-18-040	NEW-P	82-09-076	434-50-010	NEW-E	82-14-053	440-44-001	NEW-P	82-08-080
419-18-040	NEW	82-13-016	434-50-010	NEW	82-16-059	440-44-001	NEW	82-13-011
419-18-040	NEW	82-13-016	434-50-015	NEW-P	82-12-072	440-44-002	NEW-E	82-08-078
419-24-010	REP	82-13-015	434-50-015	NEW-E	82-14-053	440-44-002	NEW-P	82-08-080
419-24-020	REP-P	82-09-075	434-50-015	NEW	82-16-059	440-44-002	NEW	82-13-011
419-24-020	REP	82-13-015	434-50-020	NEW-P	82-12-072	440-44-010	NEW-E	82-08-078

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
440-44-010	NEW-P	82-08-080	458-14-075	AMD-P	82-15-069	458-40-18677	AMD-P	82-16-058
440-44-010	NEW	82-13-011	458-14-080	AMD-P	82-15-069	458-40-18678	NEW-P	82-10-055
440-44-015	NEW-E	82-08-078	458-14-086	AMD-P	82-15-069	458-40-18678	NEW	82-14-037
440-44-015	NEW-P	82-08-080	458-14-090	AMD-E	82-15-023	458-40-18678	NEW-E	82-14-038
440-44-015	NEW	82-13-011	458-14-090	AMD-P	82-15-069	458-40-19000	AMD-P	82-10-055
440-44-020	NEW-E	82-08-078	458-14-091	AMD-E	82-15-023	458-40-19000	AMD	82-14-037
440-44-020	NEW-P	82-08-080	458-14-091	AMD-P	82-15-069	458-40-19000	AMD-E	82-14-038
440-44-020	NEW	82-13-011	458-14-092	NEW-P	82-15-069	458-40-19001	AMD-P	82-10-055
440-44-023	NEW-E	82-08-078	458-14-100	AMD-P	82-15-069	458-40-19001	AMD	82-14-037
440-44-023	NEW-P	82-08-080	458-14-110	AMD-P	82-15-069	458-40-19001	AMD-E	82-14-038
440-44-023	NEW	82-13-011	458-14-120	AMD-E	82-15-023	458-40-19002	AMD-P	82-10-055
440-44-025	NEW-E	82-08-078	458-14-120	AMD-P	82-15-069	458-40-19002	AMD	82-14-037
440-44-025	NEW-P	82-08-080	458-14-122	AMD-P	82-15-069	458-40-19002	AMD-E	82-14-038
440-44-025	NEW	82-13-011	458-14-125	AMD-P	82-15-069	458-40-19003	AMD-P	82-10-055
440-44-026	NEW-P	82-13-078	458-14-135	AMD-P	82-15-069	458-40-19003	AMD	82-14-037
440-44-026	NEW	82-17-033	458-19-550	AMD	82-06-006	458-40-19003	AMD-E	82-14-038
440-44-030	NEW-E	82-08-078	458-20-103	AMD-E	82-06-037	458-40-19004	AMD-P	82-10-055
440-44-030	NEW-P	82-08-080	458-20-103	AMD-P	82-09-073	458-40-19004	AMD	82-14-037
440-44-030	NEW	82-13-011	458-20-103	AMD	82-12-021	458-40-19004	AMD-E	82-14-038
440-44-035	NEW-E	82-08-078	458-20-119	AMD-E	82-10-029	458-40-19300	AMD-P	82-04-067
440-44-035	NEW-P	82-08-080	458-20-119	AMD-P	82-13-091	458-40-19300	AMD	82-07-086
440-44-035	NEW	82-13-011	458-20-119	AMD-E	82-16-025	458-53-070	AMD-P	82-05-029
440-44-040	NEW-E	82-08-078	458-20-119	AMD	82-16-061	458-53-070	AMD	82-08-061
440-44-040	NEW-P	82-08-080	458-20-179	AMD-E	82-16-062	458-53-100	AMD-P	82-05-029
440-44-040	NEW	82-13-011	458-20-179	AMD-P	82-16-099	458-53-100	AMD	82-08-061
440-44-045	NEW-E	82-08-078	458-20-179	AMD-C	82-17-073	458-53-150	AMD-P	82-05-029
440-44-045	NEW-P	82-08-080	458-20-237	AMD-P	82-03-049	458-53-150	AMD	82-08-061
440-44-045	NEW	82-13-011	458-20-237	AMD	82-06-020	458-60-002	REP-P	82-09-074
440-44-050	NEW-E	82-08-078	458-20-237	AMD-E	82-10-030	458-60-002	REP	82-15-070
440-44-050	NEW-P	82-08-080	458-20-237	AMD-P	82-13-090	458-60-010	REP-P	82-09-074
440-44-050	NEW	82-13-011	458-20-237	AMD-E	82-16-025	458-60-010	REP	82-15-070
440-44-055	NEW-E	82-08-078	458-20-237	AMD	82-16-061	458-60-020	REP-P	82-09-074
440-44-055	NEW-P	82-08-080	458-20-244	AMD-E	82-10-028	458-60-020	REP	82-15-070
440-44-055	NEW	82-13-011	458-20-244	AMD-P	82-13-092	458-60-030	REP-P	82-09-074
440-44-055	REP-P	82-13-039	458-20-244	AMD-E	82-16-025	458-60-030	REP	82-15-070
440-44-055	REP	82-17-021	458-20-244	AMD	82-16-061	458-60-040	REP-P	82-09-074
440-44-057	NEW-P	82-13-039	458-24	AMD-E	82-15-024	458-60-040	REP	82-15-070
440-44-057	NEW	82-17-021	458-24-020	AMD-E	82-15-024	458-60-045	REP-P	82-09-074
440-44-065	NEW-E	82-08-078	458-24-020	AMD-P	82-16-060	458-60-045	REP	82-15-070
440-44-065	NEW-P	82-08-080	458-24-030	AMD-E	82-15-024	458-60-045	REP-P	82-09-074
440-44-065	NEW	82-13-011	458-24-030	AMD-P	82-16-060	458-60-046	REP	82-15-070
440-44-070	NEW-E	82-08-078	458-24-050	AMD-E	82-15-024	458-60-048	REP-P	82-09-074
440-44-070	NEW-P	82-08-080	458-24-050	AMD-P	82-16-060	458-60-048	REP	82-15-070
440-44-070	NEW	82-13-011	458-24-060	AMD-E	82-15-024	458-61-010	NEW-P	82-09-074
440-44-075	NEW-E	82-08-078	458-24-060	AMD-P	82-16-060	458-61-010	NEW	82-15-070
440-44-075	NEW-P	82-08-080	458-24-070	NEW-E	82-15-024	458-61-020	NEW-P	82-09-074
440-44-075	NEW	82-13-011	458-24-070	NEW-P	82-16-060	458-61-020	NEW	82-15-070
440-44-080	NEW-E	82-08-078	458-40-18600	AMD-P	82-10-055	458-61-030	NEW-P	82-09-074
440-44-080	NEW-P	82-08-080	458-40-18600	AMD	82-14-037	458-61-030	NEW	82-15-070
440-44-080	NEW	82-13-011	458-40-18600	AMD-E	82-14-038	458-61-040	NEW-P	82-09-074
440-44-085	NEW-P	82-08-081	458-40-18670	NEW-P	82-10-055	458-61-040	NEW	82-15-070
440-44-085	NEW-C	82-12-029	458-40-18670	NEW	82-14-037	458-61-050	NEW-P	82-09-074
440-44-085	NEW	82-13-010	458-40-18670	NEW-E	82-14-038	458-61-050	NEW	82-15-070
446-20-280	NEW-E	82-18-006	458-40-18670	AMD-E	82-16-057	458-61-060	NEW-P	82-09-074
446-20-280	NEW-P	82-18-007	458-40-18670	AMD-P	82-16-058	458-61-060	NEW	82-15-070
446-20-290	NEW-E	82-18-006	458-40-18671	NEW-P	82-10-055	458-61-070	NEW-P	82-09-074
446-20-290	NEW-P	82-18-007	458-40-18671	NEW	82-14-037	458-61-070	NEW	82-15-070
446-20-300	NEW-E	82-18-006	458-40-18671	NEW-E	82-14-038	458-61-080	NEW-P	82-09-074
446-20-300	NEW-P	82-18-007	458-40-18672	NEW-P	82-10-055	458-61-080	NEW	82-15-070
446-20-310	NEW-E	82-18-006	458-40-18672	NEW	82-14-037	458-61-090	NEW-P	82-09-074
446-20-310	NEW-P	82-18-007	458-40-18672	NEW-E	82-14-038	458-61-090	NEW	82-15-070
446-40-070	AMD-P	82-17-023	458-40-18673	NEW-P	82-10-055	458-61-100	NEW-P	82-09-074
446-40-070	AMD-E	82-17-024	458-40-18673	NEW	82-14-037	458-61-100	NEW	82-15-070
446-40-100	AMD-P	82-17-023	458-40-18673	NEW-E	82-14-038	458-61-110	NEW-P	82-09-074
446-40-100	AMD-E	82-17-024	458-40-18674	NEW-P	82-10-055	458-61-110	NEW	82-15-070
446-40-110	AMD-P	82-17-023	458-40-18674	NEW	82-14-037	458-61-120	NEW-P	82-09-074
446-40-110	AMD-E	82-17-024	458-40-18674	NEW-E	82-14-038	458-61-120	NEW	82-15-070
446-50-080	AMD-E	82-04-037	458-40-18675	NEW-P	82-10-055	458-61-130	NEW-P	82-09-074
446-50-080	AMD-P	82-04-038	458-40-18675	NEW	82-14-037	458-61-130	NEW	82-15-070
446-50-080	AMD	82-07-100	458-40-18675	NEW-E	82-14-038	458-61-140	NEW-P	82-09-074
458-12-342	NEW-E	82-15-023	458-40-18676	NEW-P	82-10-055	458-61-140	NEW	82-15-070
458-14-045	NEW-E	82-15-023	458-40-18676	NEW	82-14-037	458-61-200	NEW-P	82-09-074
458-14-045	NEW-P	82-15-069	458-40-18676	NEW-E	82-14-038	458-61-200	NEW	82-15-070
458-14-050	AMD-P	82-15-069	458-40-18677	NEW-P	82-10-055	458-61-210	NEW-P	82-09-074
458-14-051	REP-P	82-15-069	458-40-18677	NEW	82-14-037	458-61-210	NEW	82-15-070
458-14-052	NEW-P	82-15-069	458-40-18677	NEW-E	82-14-038	458-61-220	NEW-P	82-09-074
458-14-070	AMD-P	82-15-069	458-40-18677	AMD-E	82-16-057	458-61-220	NEW	82-15-070

### Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
458-61-230	NEW-P	82-09-074	458-61-620	NEW	82-15-070	460-46A-020	NEW-P	82-12-070
458-61-230	NEW	82-15-070	458-61-630	NEW-P	82-09-074	460-46A-025	NEW-P	82-12-070
458-61-240	NEW-P	82-09-074	458-61-630	NEW	82-15-070	460-46A-030	NEW-P	82-12-070
458-61-240	NEW	82-15-070	458-61-640	NEW-P	82-09-074	460-46A-040	NEW-P	82-12-070
458-61-250	NEW-P	82-09-074	458-61-640	NEW	82-15-070	460-46A-050	NEW-P	82-12-070
458-61-250	NEW	82-15-070	458-61-650	NEW-P	82-09-074	460-46A-060	NEW-P	82-12-070
458-61-260	NEW-P	82-09-074	458-61-650	NEW	82-15-070	460-46A-070	NEW-P	82-12-070
458-61-270	NEW-P	82-09-074	458-61-660	NEW-P	82-09-074	460-46A-080	NEW-P	82-12-070
458-61-270	NEW	82-15-070	458-61-660	NEW	82-15-070	460-46A-085	NEW-P	82-12-070
458-61-280	NEW-P	82-09-074	458-61-670	NEW-P	82-09-074	460-46A-090	NEW-P	82-12-070
458-61-280	NEW	82-15-070	458-61-670	NEW	82-15-070	460-46A-095	NEW-P	82-12-070
458-61-290	NEW-P	82-09-074	458-61-680	NEW-P	82-09-074	460-46A-100	NEW-P	82-12-070
458-61-290	NEW	82-15-070	458-61-680	NEW	82-15-070	460-46A-105	NEW-P	82-12-070
458-61-300	NEW-P	82-09-074	460-16A-108	NEW-P	82-12-071	460-46A-110	NEW-P	82-12-070
458-61-300	NEW	82-15-070	460-16A-108	NEW-C	82-17-057	460-46A-120	NEW-P	82-12-070
458-61-310	NEW-P	82-09-074	460-33A-010	NEW-P	82-16-007	460-46A-145	NEW-P	82-12-070
458-61-310	NEW	82-15-070	460-33A-015	NEW-P	82-16-007	460-46A-150	NEW-P	82-12-070
458-61-320	NEW-P	82-09-074	460-33A-020	NEW-P	82-16-007	460-46A-155	NEW-P	82-12-070
458-61-320	NEW	82-15-070	460-33A-025	NEW-P	82-16-007	460-46A-160	NEW-P	82-12-070
458-61-330	NEW-P	82-09-074	460-33A-030	NEW-P	82-16-007	460-46A-165	NEW-P	82-12-070
458-61-330	NEW	82-15-070	460-33A-035	NEW-P	82-16-007	463-30-020	AMD-E	82-04-036
458-61-340	NEW-P	82-09-074	460-33A-040	NEW-P	82-16-007	463-30-020	AMD-P	82-04-056
458-61-340	NEW	82-15-070	460-33A-045	NEW-P	82-16-007	463-30-020	AMD	82-10-027
458-61-350	NEW-P	82-09-074	460-33A-050	NEW-P	82-16-007	463-30-030	AMD-E	82-04-036
458-61-350	NEW	82-15-070	460-33A-055	NEW-P	82-16-007	463-30-030	AMD-P	82-04-056
458-61-360	NEW-P	82-09-074	460-33A-060	NEW-P	82-16-007	463-30-030	AMD	82-10-027
458-61-360	NEW	82-15-070	460-33A-065	NEW-P	82-16-007	463-30-040	AMD-E	82-04-036
458-61-370	NEW-P	82-09-074	460-33A-070	NEW-P	82-16-007	463-30-040	AMD-P	82-04-056
458-61-370	NEW	82-15-070	460-33A-075	NEW-P	82-16-007	463-30-040	REP	82-10-027
458-61-380	NEW-P	82-09-074	460-33A-080	NEW-P	82-16-007	463-30-320	AMD-E	82-04-036
458-61-380	NEW	82-15-070	460-33A-085	NEW-P	82-16-007	463-30-320	AMD-P	82-04-056
458-61-390	NEW-P	82-09-074	460-33A-090	NEW-P	82-16-007	463-30-320	AMD	82-10-027
458-61-390	NEW	82-15-070	460-33A-100	NEW-P	82-16-007	463-39-115	AMD-P	82-11-067
458-61-400	NEW-P	82-09-074	460-33A-105	NEW-P	82-16-007	463-39-115	AMD	82-14-051
458-61-400	NEW	82-15-070	460-33A-110	NEW-P	82-16-007	468-38-010	AMD-P	82-14-092
458-61-410	NEW-P	82-09-074	460-42A-080	AMD-P	82-14-022	468-38-010	AMD	82-18-010
458-61-410	NEW	82-15-070	460-42A-080	AMD	82-18-037	468-38-020	AMD-P	82-14-092
458-61-420	NEW-P	82-09-074	460-42A-081	NEW-P	82-14-022	468-38-020	AMD	82-18-010
458-61-420	NEW	82-15-070	460-42A-081	NEW	82-18-037	468-38-030	AMD-P	82-14-092
458-61-430	NEW-P	82-09-074	460-44A-010	REP-P	82-12-025	468-38-030	AMD	82-18-010
458-61-430	NEW	82-15-070	460-44A-010	REP-E	82-12-026	468-38-040	AMD-P	82-14-092
458-61-440	NEW-P	82-09-074	460-44A-010	RES-E	82-13-097	468-38-040	AMD	82-18-010
458-61-440	NEW	82-15-070	460-44A-010	REP-E	82-18-018	468-38-050	AMD-P	82-14-092
458-61-450	NEW-P	82-09-074	460-44A-020	REP-P	82-12-025	468-38-050	AMD	82-18-010
458-61-450	NEW	82-15-070	460-44A-020	REP-E	82-12-026	468-38-060	AMD-P	82-14-092
458-61-460	NEW-P	82-09-074	460-44A-020	RES-E	82-13-097	468-38-060	AMD	82-18-010
458-61-460	NEW	82-15-070	460-44A-020	REP-E	82-18-018	468-38-070	AMD-P	82-14-092
458-61-470	NEW-P	82-09-074	460-44A-030	REP-P	82-12-025	468-38-070	AMD	82-18-010
458-61-470	NEW	82-15-070	460-44A-030	REP-E	82-12-026	468-38-080	AMD-P	82-14-092
458-61-480	NEW-P	82-09-074	460-44A-030	RES-E	82-13-097	468-38-080	AMD	82-18-010
458-61-480	NEW	82-15-070	460-44A-030	REP-E	82-18-018	468-38-090	AMD-P	82-14-092
458-61-490	NEW-P	82-09-074	460-44A-041	REP-P	82-12-025	468-38-090	AMD	82-18-010
458-61-490	NEW	82-15-070	460-44A-041	REP-E	82-12-026	468-38-100	AMD-P	82-14-092
458-61-500	NEW-P	82-09-074	460-44A-041	RES-E	82-13-097	468-38-100	AMD	82-18-010
458-61-500	NEW	82-15-070	460-44A-041	REP-E	82-18-018	468-38-110	AMD-P	82-14-092
458-61-510	NEW-P	82-09-074	460-44A-045	REP-P	82-12-025	468-38-110	AMD	82-18-010
458-61-510	NEW	82-15-070	460-44A-045	REP-E	82-12-026	468-38-120	AMD-P	82-14-092
458-61-520	NEW-P	82-09-074	460-44A-045	RES-E	82-13-097	468-38-120	AMD	82-18-010
458-61-520	NEW	82-15-070	460-44A-045	REP-E	82-18-018	468-38-130	AMD-P	82-14-092
458-61-530	NEW-P	82-09-074	460-44A-500	NEW-P	82-12-025	468-38-130	AMD	82-18-010
458-61-530	NEW	82-15-070	460-44A-500	NEW-E	82-12-026	468-38-140	AMD-P	82-14-092
458-61-540	NEW-P	82-09-074	460-44A-500	AMD-E	82-13-097	468-38-140	AMD	82-18-010
458-61-540	NEW	82-15-070	460-44A-500	AMD-E	82-18-018	468-38-150	AMD-P	82-14-092
458-61-550	NEW-P	82-09-074	460-44A-501	NEW-P	82-12-025	468-38-150	AMD	82-18-010
458-61-550	NEW	82-15-070	460-44A-501	NEW-E	82-12-026	468-38-160	AMD-P	82-14-092
458-61-560	NEW-P	82-09-074	460-44A-501	AMD-E	82-18-018	468-38-160	AMD	82-18-010
458-61-560	NEW	82-15-070	460-44A-502	NEW-P	82-12-025	468-38-170	AMD-P	82-14-092
458-61-570	NEW-P	82-09-074	460-44A-502	NEW-E	82-12-026	468-38-170	AMD	82-18-010
458-61-570	NEW	82-15-070	460-44A-502	AMD-E	82-18-018	468-38-180	AMD-P	82-14-092
458-61-580	NEW-P	82-09-074	460-44A-503	NEW-P	82-12-025	468-38-180	AMD	82-18-010
458-61-590	NEW-P	82-09-074	460-44A-503	NEW-E	82-12-026	468-38-190	AMD-P	82-14-092
458-61-590	NEW	82-15-070	460-44A-503	AMD-E	82-18-018	468-38-190	AMD	82-18-010
458-61-600	NEW-P	82-09-074	460-44A-506	NEW-P	82-12-025	468-38-200	AMD-P	82-14-092
458-61-600	NEW	82-15-070	460-44A-506	NEW-E	82-12-026	468-38-200	AMD	82-18-010
458-61-610	NEW-P	82-09-074	460-46A	AMD-E	82-18-018	468-38-210	AMD-P	82-14-092
458-61-610	NEW	82-15-070	460-46A	NEW-C	82-17-058	468-38-210	AMD	82-18-010
458-61-620	NEW-P	82-09-074	460-46A-010	NEW-P	82-12-070	468-38-220	AMD-P	82-14-092

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
468-38-220	AMD	82-18-010	468-300-070	NEW-P	82-14-021	504-16-120	REP-P	82-17-045
468-38-230	AMD-P	82-14-092	468-300-070	NEW	82-18-009	504-16-140	REP-P	82-17-045
468-38-230	AMD	82-18-010	468-300-410	NEW-P	82-14-020	504-16-150	REP-P	82-17-045
468-38-235	NEW-P	82-14-092	468-300-410	NEW-C	82-17-074	504-16-160	REP-P	82-17-045
468-38-235	NEW	82-18-010	478-116-600	AMD-P	82-10-056	504-16-170	REP-P	82-17-045
468-38-240	AMD-P	82-14-092	478-116-600	AMD	82-13-100	504-17-010	NEW-P	82-17-045
468-38-240	AMD	82-18-010	478-136-010	AMD-P	82-09-039	504-17-020	NEW-P	82-17-045
468-38-250	AMD-P	82-14-092	478-136-010	AMD	82-16-001	504-17-030	NEW-P	82-17-045
468-38-250	AMD	82-18-010	478-136-012	NEW-P	82-09-039	504-17-040	NEW-P	82-17-045
468-38-260	AMD-P	82-14-092	478-136-015	NEW-P	82-09-039	504-17-050	NEW-P	82-17-045
468-38-260	AMD	82-18-010	478-136-015	NEW	82-16-001	504-17-060	NEW-P	82-17-045
468-38-270	AMD-P	82-14-092	478-136-015	NEW	82-16-001	504-17-070	NEW-P	82-17-045
468-38-270	AMD	82-18-010	478-136-020	REP-P	82-09-039	504-17-080	NEW-P	82-17-045
468-38-280	AMD-P	82-14-092	478-136-020	REP	82-16-001	504-17-090	NEW-P	82-17-045
468-38-280	AMD	82-18-010	478-136-025	NEW-P	82-09-039	504-17-100	NEW-P	82-17-045
468-38-290	AMD-P	82-14-092	478-136-025	NEW	82-16-001	504-17-110	NEW-P	82-17-045
468-38-290	AMD	82-18-010	478-136-030	AMD-P	82-09-039	504-17-120	NEW-P	82-17-045
468-38-300	AMD-P	82-14-092	478-136-030	AMD	82-16-001	504-17-130	NEW-P	82-17-045
468-38-300	AMD	82-18-010	478-136-040	AMD-P	82-09-039	504-17-140	NEW-P	82-17-045
468-38-310	AMD-P	82-14-092	478-136-040	AMD	82-16-001	504-17-150	NEW-P	82-17-045
468-38-310	AMD	82-18-010	478-136-050	REP-P	82-09-039	504-17-160	NEW-P	82-17-045
468-38-320	AMD-P	82-14-092	478-136-050	REP	82-16-001	504-17-170	NEW-P	82-17-045
468-38-320	AMD	82-18-010	478-136-060	NEW-P	82-09-039	504-17-180	NEW-P	82-17-045
468-38-330	AMD-P	82-14-092	478-136-060	NEW	82-16-001	504-17-190	NEW-P	82-17-045
468-38-330	AMD	82-18-010	480-12-031	AMD-P	82-13-066	504-17-200	NEW-P	82-17-045
468-38-340	AMD-P	82-14-092	480-12-031	AMD	82-16-029	504-17-210	NEW-P	82-17-045
468-38-340	AMD	82-18-010	480-12-033	AMD-P	82-09-038	504-17-220	NEW-P	82-17-045
468-38-350	AMD-P	82-14-092	480-12-033	AMD	82-12-060	504-17-230	NEW-P	82-17-045
468-38-350	AMD	82-18-010	480-12-081	NEW-P	82-13-066	504-17-240	NEW-P	82-17-045
468-38-360	AMD-P	82-14-092	480-12-081	NEW	82-16-029	504-17-250	NEW-P	82-17-045
468-38-360	AMD	82-18-010	480-12-082	NEW-P	82-13-066	504-17-900	NEW-P	82-17-045
468-38-370	AMD-P	82-14-092	480-12-082	NEW	82-16-029	504-17-910	NEW-P	82-17-045
468-38-370	AMD	82-18-010	480-12-096	REP-P	82-13-066	504-17-930	NEW-P	82-17-045
468-38-380	REP-P	82-14-092	480-12-096	REP	82-16-029	516-20	REP-P	82-05-038
468-38-380	REP	82-18-010	480-12-110	AMD-P	82-09-037	516-20	REP	82-11-063
468-38-390	AMD-P	82-14-092	480-12-110	AMD	82-12-062	516-20-005	REP-P	82-05-038
468-38-390	AMD	82-18-010	480-12-195	AMD-E	82-02-083	516-20-005	REP	82-11-063
468-38-400	AMD-P	82-14-092	480-12-195	AMD-P	82-02-086	516-20-010	REP-P	82-05-038
468-38-400	AMD	82-18-010	480-12-195	AMD	82-05-022	516-20-010	REP	82-11-063
468-38-410	AMD-P	82-14-092	480-12-195	AMD-E	82-09-041	516-20-011	REP-P	82-05-038
468-38-410	AMD	82-18-010	480-12-195	AMD-P	82-09-042	516-20-011	REP	82-11-063
468-38-420	AMD-P	82-14-092	480-12-195	AMD	82-12-061	516-20-015	REP-P	82-05-038
468-38-420	AMD	82-18-010	480-12-210	AMD-P	82-14-085	516-20-015	REP	82-11-063
468-38-430	AMD-P	82-14-092	480-12-210	AMD-C	82-17-035	516-20-020	REP-P	82-05-038
468-38-430	AMD	82-18-010	480-12-210	AMD-W	82-18-038	516-20-020	REP	82-11-063
468-38-440	AMD-P	82-14-092	480-12-350	AMD-P	82-09-036	516-20-030	REP-P	82-05-038
468-38-440	AMD	82-18-010	480-12-350	AMD	82-12-063	516-20-030	REP	82-11-063
468-38-450	REP-P	82-14-092	480-62-090	AMD-E	82-02-085	516-20-040	REP-P	82-05-038
468-38-450	REP	82-18-010	480-62-090	AMD-P	82-02-088	516-20-040	REP	82-11-063
468-38-460	REP-P	82-14-092	480-62-090	AMD	82-05-020	516-20-050	REP-P	82-05-038
468-38-460	REP	82-18-010	480-70-150	AMD-P	82-10-018	516-20-050	REP	82-11-063
468-62-010	REP-P	82-09-057	480-70-150	AMD	82-13-089	516-20-071	REP-P	82-05-038
468-62-010	REP	82-13-014	480-70-400	AMD-E	82-02-084	516-20-071	REP	82-11-063
468-62-020	REP-P	82-09-057	480-70-400	AMD-P	82-02-087	516-20-120	REP-P	82-05-038
468-62-020	REP	82-13-014	480-70-400	AMD	82-05-021	516-20-120	REP	82-11-063
468-62-030	REP-P	82-09-057	480-80-125	AMD-P	82-05-047	516-20-137	REP-P	82-05-038
468-62-030	REP	82-13-014	480-80-125	AMD-C	82-07-092	516-20-137	REP	82-11-063
468-62-040	REP-P	82-09-057	480-80-125	AMD-C	82-10-066	516-20-140	REP-P	82-05-038
468-62-040	REP	82-13-014	480-80-125	AMD-C	82-13-067	516-20-140	REP	82-11-063
468-62-050	REP-P	82-09-057	480-80-125	AMD	82-13-088	516-20-150	REP-P	82-05-038
468-62-050	REP	82-13-014	490-03-010	AMD-P	82-09-066	516-20-150	REP	82-11-063
468-62-060	REP-P	82-09-057	490-03-010	AMD-W	82-12-017	516-20-152	REP-P	82-05-038
468-62-060	REP	82-13-014	490-03-010	AMD-P	82-13-093	516-20-152	REP	82-11-063
468-300-010	AMD-P	82-04-045	490-28A-003	NEW-P	82-13-093	516-20-156	REP-P	82-05-038
468-300-010	AMD	82-07-063	490-28A-011	NEW-P	82-09-066	516-20-156	REP	82-11-063
468-300-020	AMD-P	82-04-045	490-28A-011	NEW-W	82-12-017	516-20-160	REP-P	82-05-038
468-300-020	AMD	82-07-063	490-36A-040	NEW-P	82-09-066	516-20-160	REP	82-11-063
468-300-030	AMD-P	82-04-045	490-36A-040	NEW-W	82-12-017	516-20-165	REP-P	82-05-038
468-300-030	AMD	82-07-063	490-36A-040	NEW-P	82-13-093	516-20-165	REP	82-11-063
468-300-030	AMD-P	82-14-021	490-500-180	AMD	82-04-078	516-20-170	REP-P	82-05-038
468-300-030	AMD	82-18-009	490-500-190	AMD	82-04-078	516-20-170	REP	82-11-063
468-300-040	AMD-P	82-04-045	490-500-520	AMD	82-04-075	516-20-172	REP-P	82-05-038
468-300-040	AMD	82-07-063	490-500-570	AMD-P	82-09-072	516-20-172	REP	82-11-063
468-300-040	AMD-P	82-14-021	490-500-570	AMD	82-12-069	516-20-175	REP-P	82-05-038
468-300-040	AMD	82-18-009	504-16-100	REP-P	82-17-045	516-20-175	REP	82-11-063
468-300-050	REP-P	82-04-045	504-16-110	REP-P	82-17-045	516-20-180	REP-P	82-05-038
468-300-050	REP	82-07-063	504-16-115	REP-P	82-17-045	516-20-180	REP	82-11-063

## Table of WAC Sections Affected

WAC #		WSR #
516-20-181	REP-P	82-05-038
516-20-181	REP	82-11-063
516-20-182	REP-P	82-05-038
516-20-182	REP	82-11-063
516-20-185	REP-P	82-05-038
516-20-185	REP	82-11-063
516-20-190	REP-P	82-05-038
516-20-190	REP	82-11-063
516-20-195	REP-P	82-05-038
516-20-195	REP	82-11-063
516-20-200	REP-P	82-05-038
516-20-200	REP	82-11-063
516-20-210	REP-P	82-05-038
516-20-210	REP	82-11-063
516-20-215	REP-P	82-05-038
516-20-215	REP	82-11-063
516-22-005	NEW-P	82-05-038
516-22-005	NEW	82-11-063
516-22-010	NEW-P	82-05-038
516-22-010	NEW	82-11-063
516-22-015	NEW-P	82-05-038
516-22-015	NEW	82-11-063
516-22-020	NEW-P	82-05-038
516-22-020	NEW	82-11-063
516-22-025	NEW-P	82-05-038
516-22-025	NEW	82-11-063
516-22-030	NEW-P	82-05-038
516-22-030	NEW	82-11-063
516-22-100	NEW-P	82-05-038
516-22-100	NEW	82-11-063
516-22-120	NEW-P	82-05-038
516-22-120	NEW	82-11-063
516-22-124	NEW-P	82-05-038
516-22-124	NEW	82-11-063
516-22-130	NEW-P	82-05-038
516-22-130	NEW	82-11-063
516-22-134	NEW-P	82-05-038
516-22-134	NEW	82-11-063
516-22-138	NEW-P	82-05-038
516-22-138	NEW	82-11-063
516-22-142	NEW-P	82-05-038
516-22-142	NEW	82-11-063
516-22-146	NEW-P	82-05-038
516-22-146	NEW	82-11-063
516-22-150	NEW-P	82-05-038
516-22-150	NEW	82-11-063
516-22-200	NEW-P	82-05-038
516-22-200	NEW	82-11-063
516-22-210	NEW-P	82-05-038
516-22-210	NEW	82-11-063
516-22-250	NEW-P	82-05-038
516-22-250	NEW	82-11-063

## Subject/Agency Index

<b>ACCOUNTANCY, BOARD OF</b>		<b>AGRICULTURE, DEPARTMENT OF—cont.</b>	
Continuing education		Wheat, assessment rate	82-10-004
publications credit	82-07-041		82-10-065
	82-14-052		82-11-002
Examination, certified public accountants		<b>AVIATION</b>	
fees	82-01-063	Aircraft fuel tax; license	82-17-050
<b>ADMINISTRATIVE HEARINGS, OFFICE OF</b>		Pilot registration	82-18-025
Agency organization	82-16-085		82-18-044
Hearings		<b>ALCOHOLISM</b>	
procedural rules, contested cases	82-16-085	Congregate care	
procedural rules, presiding officers	82-14-036	rehabilitative services	82-01-057
Records, public access	82-16-085		82-02-029
Schools			82-04-076
inter-district student transfer hearings	82-13-072		82-17-025
<b>ADOPTION</b>		Detoxification	
Support	82-02-023	Involuntary Treatment Act, exemption from	
		medical assistance deductible	82-01-004
<b>ADULT CORRECTIONS (See also CORRECTIONS, DEPARTMENT OF)</b>		<b>APPLE ADVERTISING COMMISSION</b>	
Institutional industries	82-04-023	Apple grower eligibility certificate, mail ballot	82-13-083
	82-14-032		82-14-080
	82-18-042		82-15-033
Political subdivisions			82-17-036
criminal justice costs, reimbursement	82-14-030	Assessment	82-13-051
	82-14-033		82-13-075
	82-17-044		82-13-076
Prisoners			82-14-078
furloughs	82-03-015		82-14-079
	82-03-016		82-18-017
Probation and parole		<b>ARCHAEOLOGY AND HISTORIC PRESERVATION</b>	
felons, supervision fee	82-14-031	Historic sites advisory council	82-17-028
	82-14-034		
	82-16-074	<b>ASIAN-AMERICAN AFFAIRS COMMISSION</b>	
	82-18-043	Organization, operations, procedures	82-10-051
			82-15-043
		Public meeting notice	82-02-044
<b>AGRICULTURE, DEPARTMENT OF</b>		<b>ATTORNEY GENERAL'S OPINIONS</b>	
Asparagus		Abortions	82-18-003
inspection, shipment	82-09-006	Counties	
	82-09-007	county clerk, filing fees	82-16-073
Brucellosis		personnel systems	82-13-074
testing, imported animals	82-03-019	Crime victim compensation	82-15-060
	82-10-036	Elected officials	
	82-16-050	service retirement allowance computation	82-07-010
Cattle		Filing fees, judgment creditors	82-16-073
brand inspection fees	82-07-090	Health care contractors,	
	82-10-037	dispensing optician coverage	82-10-023
	82-10-038	Higher education personnel board,	
Desiccants, defoliant		cost of transcript on appeal	82-07-050
aerial application	82-12-058	Jail commission	
	82-14-081	withholding of funds	
Dry peas, lentils		for local jail improvements	82-05-037
assessments	82-05-050	Judgment creditor, filing fee	82-16-073
	82-15-020	Justice of the peace	82-16-022
dry pea and lentil board	82-15-020	Juveniles	
Herbicides		offenders, diversion procedures	82-14-006
Kittitas county	82-05-053	Law enforcement personnel training, standards	82-18-047
	82-08-030	Legislature, responsibility for art works	
Horses		in legislative buildings	82-04-007
brand inspection, certificate fees	82-04-001	Liquor stores, sales of confiscated liquor	82-10-054
importation entry test	82-18-023	Municipalities,	
Milk, aseptically processed	82-08-072	state electrical code application	82-04-006
	82-12-042	Police judge	82-16-022
	82-14-014	Port districts	
Noxious weed control board		election of additional commissioners	82-13-049
proposed list	82-03-037		82-17-065
	82-06-045	Probation services	82-16-074
Seeds		Prosecutor's office, counties	82-15-072
annual inspection assessments,		Public employees	
effective dates	82-07-089	payment for accrued vacation leave	82-10-024
	82-10-067	retirement system liability	
certification	82-04-082	for added pension costs	82-12-044
	82-08-033		82-14-043
chick pea standards	82-05-013	Public utility districts	
	82-08-034	contractual liability for WPPSS funding	82-09-045
noxious weeds, restricted	82-04-080	voting rights,	
	82-08-031	taxation of city within district	82-09-068
testing fees	82-04-081	Real estate agents, practice of law	82-03-005
	82-08-032		

## Subject/Agency Index

### ATTORNEY GENERAL'S OPINIONS—cont.

Schools	
employee sick leave reimbursement	82-03-041
inter-district student transfer hearings	82-13-072
Smoke detectors,	
installation in certain dwellings	82-02-048
Social and health services, department of	
tax deferred annuities for employees	82-05-012
State patrol, promotion of	
minority and female officers	82-01-096
Taxation	
investment tax deferrals	82-06-010
Traffic infraction	82-18-001
	81-18-002
Venue	
motor vehicle offense	82-04-051
WPPSS	82-18-000

### ATTORNEYS

Prosecutor's office counties	
parttime	82-15-072
Real estate agents, practice of law	82-03-005
Supervising, investigative fee	82-14-004

### AUDITOR

Local audit costs appeal	82-11-096
	82-14-023

### BANKS

Supervisor	
examinations, costs of	82-02-037

### BARBERS

Schools, guidelines	82-01-062
	82-05-049

### BELLEVUE COMMUNITY COLLEGE

Board of trustees	
agenda format	82-05-040
	82-09-025
Facilities usage, fees	82-07-029
	82-07-070
	82-11-038
	82-11-039
Fees and financial aid	82-15-017
	82-15-034
Pet policy	82-07-029
	82-07-070
	82-11-039
Public meeting notice	
1982 schedule	82-01-030
Registration	82-15-017
	82-15-034
Student grievance appeals	82-07-072
	82-11-037
Traffic and parking regulations	82-04-005
	82-07-071
	82-11-038
	82-12-045
	82-15-017
	82-15-034
Withdrawal from course	

### BICYCLES

Use on limited access highways	82-01-029
--------------------------------	-----------

### BIG BEND COMMUNITY COLLEGE (DISTRICT 18)

Reduction-in-force policies	82-08-043
Tenure	82-08-043
	82-09-040
	82-14-075

### BLAINE

Shoreline management	82-05-056
	82-10-001

### BLIND, COMMISSION FOR THE

Child and family services	82-13-103
	82-16-098
Operations and procedures, organization	82-13-101
	82-16-095
Physical and informational access	82-13-108
	82-16-096

### BLIND, COMMISSION FOR THE—cont.

Prevention of blindness program	82-13-098
	82-16-097
Records and information	
public access	82-04-054
	82-13-101
	82-16-095
State institutions, cost	82-17-026
Students, financial aid	82-15-055
Vocational rehabilitation services	82-06-022
	82-06-039
	82-10-025
	82-13-108
	82-16-096
economic need	82-04-053
	82-10-026
physical and mental restoration	82-10-026

### BOILER RULES, BOARD OF

1981 summer and winter addenda	82-05-003
--------------------------------	-----------

### BONDS

Barber schools	82-01-062
Cosmetology schools	82-01-061
Drilling permits,	
amount increased, release provisions	82-01-006
Health care facilities authority	
issuance authority	82-01-043
	82-09-002
Workers' compensation	
employers bonds, cancellation	82-07-022
	82-10-034

### BREMERTON, CITY OF

Shoreline management	82-02-076
	82-03-042
	82-03-043
	82-07-003

### BUILDING CODE ADVISORY COUNCIL

Barrier-free facilities	82-02-082
	82-04-063

### CENTRALIA

Shoreline management	82-13-106
	82-17-048

### CENTRALIA COLLEGE (See also COMMUNITY COLLEGE DISTRICT 12)

### CENTRAL WASHINGTON UNIVERSITY

Firearms	82-18-039
	82-18-040
	82-16-071
Parking and traffic regulation	82-16-072
	82-18-040
	82-13-096
Public meeting notice	

### CHEHALIS, CITY OF

Shoreline management	82-02-078
----------------------	-----------

### CHELAN COUNTY

Fire hazard, area closure	82-09-058
---------------------------	-----------

### CHILDREN

Adoption	
support	82-02-023
Age, for determining medical assistance eligibility	82-18-034
Aid to families with dependent children	
see SOCIAL AND HEALTH SERVICES	
Birth centers	
tuberculin skin test	82-02-091
	82-06-011

Blind, commission for the	
child and family services	82-13-103
	82-16-098
	82-17-026

state institution, costs	
Day care services	
eligibility based on income	82-01-070
family day care home, licensing	82-15-053
	82-13-078
	82-17-033



## Subject/Agency Index

<b>CHILDREN—cont.</b>		<b>CIVIL SERVICE—cont.</b>	
parent participation	82-11-016 82-11-017 82-14-046	separation	82-06-047 82-10-006
payment for if on advisory board eliminated	82-11-031 82-14-048	sick leave	82-06-047 82-10-006
WIN registrants in paid employment		temporary employees	82-02-011 82-04-069
day care eliminated	82-10-057 82-10-063 82-13-081	work direction, premium pay	82-02-011
Developmentally disabled, see DEVELOPMENTALLY DISABLED		State	
Family reconciliation services		appeals, general provisions	82-01-052 82-01-053 82-11-077 82-14-007
supportive counseling services, eliminated	82-01-040	definitions	82-01-027 82-03-030 82-03-032 82-06-029 82-09-020
Foster care		disability	
generally	82-15-053	appeals	82-09-022
group care		hearings	82-06-029 82-09-023
payment restrictions	82-12-048 82-13-042 82-01-068 82-02-030 82-04-070	incumbents, reallocation upward	82-01-027 82-03-029 82-05-033 82-07-034 82-01-027
time limitation	82-02-072 82-02-073 82-06-001 82-07-066	leave without pay	82-02-013 82-03-032 82-04-025 82-07-034 82-09-021 82-09-022
Head start programs, funding		reduction in force,	
Juveniles		voluntary leave without pay	82-02-013 82-03-032 82-04-025 82-07-034 82-09-021 82-09-022
offenders, diversion procedures	82-14-006	register designation	82-10-042
Social services, ESSO, repealed	82-01-042	salary, reemployment	82-08-019
Unemployment compensation, diversion to satisfy		seniority	82-02-013 82-04-025 82-07-034 82-09-021 82-09-022
child support obligations	82-09-063 82-09-064	transfer	
<b>CITIES AND TOWNS</b>		between agencies	82-01-027 82-03-029
Electrical installations,		probationary period	82-01-027 82-03-030
state electrical code application	82-04-006	vacation leave, accrued	
Jails		disposition	82-10-042
health data collection, advisory	82-01-110 82-04-088 82-05-045 82-08-067	work period designations	82-02-019 82-05-034 82-06-009
maximum capacities		<b>CLARK COLLEGE</b>	
overcrowding,		Parking and traffic regulations	82-02-038 82-07-031 82-07-032 82-03-004
determination of maximum capacity	82-01-091	Public meeting notice	
physical plant standards		<b>CODE REVISER</b>	
fire safety	82-05-042 82-05-046 82-08-051 82-08-052 82-08-068	Filing rules and notices	82-11-091 82-13-099
review of noncomplying plans		Rule purpose statements	82-11-091 82-13-099
state funding		Small business economic impact statement	82-11-091 82-13-099
construction and remodeling projects	82-01-090 82-08-053 82-08-069	<b>COLLEGES AND UNIVERSITIES</b>	
costs covered		Allocation appeals	82-04-069
criminal justice costs, reimbursement	82-17-044	Annual leave	82-12-057
withholding of funds	82-05-037	Certification	82-12-057
Justice of the peace	82-16-022	Collective bargaining	
Police judge	82-16-022	bargaining unit determination	82-06-047 82-10-006
Public utility districts,		representative certification	82-06-047 82-10-006 82-12-057
taxation, voting rights	82-09-068	Exemptions	82-12-057
<b>CIVIL SERVICE</b>		Higher education personnel board,	
Colleges and universities		cost of transcript on appeal	82-07-050
allocation appeals	82-04-069		
annual leave	82-12-057		
certification	82-12-057		
collective bargaining			
bargaining unit determination	82-06-047 82-10-006		
representative certification	82-06-047 82-10-006		
cost of transcript on appeal	82-07-050		
exemptions	82-12-057		
layoffs	82-04-068 82-07-074 82-12-057		
reorganization guidelines	82-06-026		
probationary periods, trial service periods	82-12-057		

**Subject/Agency Index**

**COLLEGES AND UNIVERSITIES—cont.**

Layoffs 82-04-068  
 82-07-074  
 82-12-057  
 reorganization guidelines 82-06-026  
 Probationary period, trial service periods 82-12-057  
 Separation 82-06-047  
 82-10-006  
 Sick leave 82-06-047  
 82-10-006  
 Temporary employees 82-02-011  
 82-04-069  
 Work direction, premium pay 82-02-011  
 Work study 82-11-089  
 82-15-054

**COLUMBIA BASIN COLLEGE**

Facilities 82-16-016  
 82-17-017  
 Faculty 82-16-016  
 82-17-017  
 Practice and procedures 82-16-016  
 82-17-017  
 Public records 82-16-016  
 82-17-017  
 Reduction in force 82-16-016  
 82-17-017  
 Staff 82-16-016  
 82-17-017  
 Student policies 82-16-016  
 82-17-017

**COMMERCE AND ECONOMIC DEVELOPMENT, DEPARTMENT OF**

Forest products market development, committee on, established by governor 82-11-023  
 High technology training and advancement, committee on, established by governor 82-11-022  
 Industrial development facilities 82-01-089  
 82-04-022  
 Tourism development council, established by governor 82-11-021

**COMMUNITY COLLEGES, STATE BOARD OF EDUCATION FOR (See also individual community colleges)**

Annual leave 82-16-023  
 cash payment 82-16-024  
 separation  
 Board  
 public meeting notice 82-01-054  
 1982 schedule 82-14-026  
 Pension benefits, calculation 82-05-031  
 82-07-081  
 82-08-071  
 82-11-014  
 Tuition and fees 82-11-015  
 generally 82-16-081  
 ungraded courses 82-07-073  
 82-11-035  
 waivers 82-16-081  
 Work study 82-15-054

**COMMUNITY COLLEGE DISTRICT V (See also EVERETT COMMUNITY COLLEGE; EDMONDS COMMUNITY COLLEGE)**

Reduction in force 82-17-055

**COMMUNITY COLLEGE DISTRICT 12**

Board  
 public meeting notice 82-01-059  
 82-07-049  
 82-08-046  
 82-10-044  
 82-12-043  
 82-15-025

**COMMUNITY COLLEGE DISTRICT 17 (See also SPOKANE COMMUNITY COLLEGE**

**and SPOKANE FALLS COMMUNITY COLLEGE)**

**COMMUNITY COLLEGE DISTRICT 18 (See BIG BEND COMMUNITY COLLEGE)**

**CONSERVATION COMMISSION**  
 Public meeting notice 82-08-074

**CONTRACTORS**  
 Registration 82-11-047

**CORPORATIONS**  
 Filing procedures, special fees 82-12-072  
 82-14-053

**CORRECTIONS, DEPARTMENT OF**  
 Department established 82-04-023  
 Furloughs 82-03-015  
 82-03-016  
 82-07-006  
 82-04-023  
 82-14-032  
 82-18-042  
 82-04-023

Institutional industries  
 Jail inspections  
 Probation and parole  
 felons, supervision fee 82-14-031  
 82-14-034  
 82-16-074  
 82-18-043  
 82-04-023

Public records, disclosure  
 Reimbursement, criminal justice costs, political subdivisions 82-14-030  
 82-14-033  
 82-17-044  
 82-03-013  
 82-03-014  
 82-07-067  
 82-04-059  
 82-08-055

State environmental policy, implementation  
 Work/training release facilities

**COSMETOLOGISTS (See LICENSES/LICENSING, DEPARTMENT OF)**

**COUNTIES**  
 Board of equalization 82-15-069  
 County clerk, filing fees 82-16-073  
 Developmentally disabled, services authorized 82-02-054  
 82-02-056  
 82-06-034

Jails  
 health data collection, advisory 82-01-110  
 82-04-088  
 82-05-045  
 82-08-067  
 maximum capacities

overcrowding, determination of maximum capacity 82-01-091  
 physical plant standards 82-05-042  
 fire safety 82-05-046  
 82-08-051  
 review of noncomplying plans 82-08-052  
 82-08-068

state funding  
 construction and remodeling projects 82-01-090  
 costs covered 82-08-053  
 82-08-069  
 criminal justice costs, reimbursement 82-14-030  
 82-14-033  
 82-17-044  
 82-05-037  
 82-11-081  
 82-14-042

withholding of funds  
 Maps, plats, recording fees 82-13-074  
 82-16-074  
 82-15-072  
 82-15-070  
 82-02-005  
 82-02-006  
 82-06-006

Personnel systems  
 Probation services  
 Prosecutor's office  
 Real estate excise tax  
 State levy, apportionment

## Subject/Agency Index

<b>COWLITZ COUNTY</b>		<b>EASTERN WASHINGTON UNIVERSITY</b>	
Shoreline management	82-01-085	Associated students of EWU	
	82-05-017	constitution	82-16-052
	82-08-075	Delegation of appointing authority	82-15-047
	82-11-105		82-16-051
<b>CREDIT UNIONS</b>		Library policies	82-01-084
Examinations, costs	82-09-048		82-07-064
	82-09-076	Parking regulations	82-01-083
	82-13-016		82-07-038
<b>CRIMINAL JUSTICE TRAINING COMMISSION</b>		<b>ECOLOGICAL COMMISSION</b>	
Correctional training standards		Public meeting notice	82-05-054
and education board, standards	82-04-065		82-11-101
	82-07-051	<b>ECOLOGY, DEPARTMENT OF</b>	
Law enforcement personnel training standards	82-18-047	Air pollution	82-11-067
Training			82-11-103
corrections personnel	82-04-066		82-14-051
	82-07-052		82-16-019
fire marshals	82-03-047		82-16-020
	82-07-053		82-16-021
Police dog handlers	82-17-001	Aluminum plants	82-11-103
			82-16-019
<b>CRIMES</b>			82-16-020
Crime victim compensation	82-15-060	Beverage containers, detachable pull tabs	82-18-070
Criminal records, employer access	82-18-006	Dangerous waste regulations, established	82-01-024
	82-18-007		82-01-047
Probation services	82-16-074		82-04-046
			82-05-023
<b>DATA PROCESSING AUTHORITY</b>		Emission standards, volatile organic compounds	82-11-104
Public meeting notice	82-01-013		82-16-021
	82-01-039	Federal permits exempting substantial	
<b>DEAF</b>		development permit	82-16-056
State institutions, cost	82-17-026	Forest practices, water quality	82-18-069
<b>DEFERRED COMPENSATION, COMMITTEE FOR</b>		Hazardous waste regulations, repealed	82-01-024
Plan			82-01-047
established	82-08-054		82-04-046
	82-10-005		82-05-023
	82-12-027	Instream resources protection program	82-14-087
	82-13-043		82-18-071
implementation	82-04-017	Motor vehicle emission inspection	82-02-027
			82-02-028
<b>DENTAL DISCIPLINARY BOARD</b>		Odessa ground-water	
Anesthesia, administration of	82-12-075	subarea management policy	82-10-073
	82-16-087		82-10-074
Dental hygienists, authority	82-02-026		82-14-040
Patient records	82-04-087		82-14-041
	82-07-043		82-16-103
<b>DENTAL EXAMINERS, BOARD OF</b>		Public records, access	82-13-107
Examinations	82-04-008	Shoreline management	
	82-04-024	Blaine	82-05-056
	82-07-094		82-10-001
Prescriptions, record retention	82-04-024	Bremerton	82-02-076
			82-03-042
<b>DEVELOPMENTALLY DISABLED</b>			82-03-043
County services	82-02-054		82-07-003
	82-02-056		82-13-106
	82-06-034	Centralia	82-17-048
State institutions, cost	82-17-026		82-02-078
		Chehalis, city of	82-01-085
<b>DISCRIMINATION</b>		Cowlitz county	82-05-017
Employee, distinguished from independent contractor	82-08-070		82-08-075
	82-12-023		82-11-105
	82-16-082		82-01-049
Handicapped persons		Ferndale, city of	82-13-106
public accommodations,		Jefferson county	82-17-047
real estate transactions	82-12-053		82-01-085
State patrol, promotion of		King county	82-05-018
minority and female officers	82-01-096		82-01-087
		Kitsap county	82-02-080
<b>DRUGS</b>		Lacey	82-10-076
Legend		La Conner	82-14-089
ephedrine	82-02-094		82-10-075
Nonprescription drugs,		Mason county	82-14-017
schedule V controlled substances	82-11-084		82-01-086
	82-14-073	Monroe	82-05-016
	82-16-086		82-06-013
Wholesalers		Moses Lake	82-13-106
licenses	82-02-094		82-17-046
	82-06-042		

## Subject/Agency Index

### ECOLOGY, DEPARTMENT OF—cont.

Olympia 82-16-104  
 Pacific county 82-01-085  
 82-05-015  
 82-06-012  
 82-07-045  
 82-11-102  
 Redmond, city of 82-01-048  
 Seattle 82-02-079  
 Skagit county 82-10-076  
 82-14-088  
 82-18-027  
 Skating Lake 82-07-099  
 Snohomish county 82-10-075  
 82-14-018  
 Tacoma 82-05-056  
 82-10-002  
 Thurston county 82-03-043  
 82-07-004  
 Tonasket 82-13-106  
 82-17-049  
 Tukwila 82-08-075  
 Whatcom county 82-01-088  
 82-02-077  
 82-03-043  
 82-07-005  
 82-02-081  
 Yelm 82-16-056  
 Substantial development permit 82-05-055  
 Wastewater treatment plants 82-09-056  
 operator certification  
 Water pollution abatement, 82-05-011  
 Referendum 39 funds  
 Water quality standards 82-06-056  
 82-12-078  
 82-18-069  
 82-18-071  
 Wenatchee river basin  
 Workshops  
 water quality, air quality,  
 hazardous waste program 82-06-057

### EDMONDS COMMUNITY COLLEGE (See also COM- MUNITY COLLEGE DISTRICT V)

Facilities scheduling and use 82-04-018  
 Probation 82-16-075  
 Public meeting notice 82-01-060  
 Reduction-in-force 82-17-055  
 Student discipline 82-05-039  
 82-10-013  
 Tenure  
 faculty dismissal 82-16-075

### EDUCATION, STATE BOARD OF

Civil defense 82-15-038  
 Federal funds 82-15-036  
 Members 82-13-032  
 Nursery school operation 82-15-037  
 Physical education,  
 minimum requirements deleted 82-04-002  
 Private schools  
 certificate of compliance,  
 notarization requirement eliminated 82-04-004  
 Public meeting notice 82-07-068  
 82-12-011  
 82-13-006  
 82-04-003  
 Secondary programs, minimum credit offerings 82-16-055  
 Students, rights of

### ELECTIONS

Bond measures  
 major energy projects 82-09-061  
 82-12-022  
 Disclosure  
 campaign expenditures, reporting of purpose 82-05-001  
 82-11-024  
 82-14-014A  
 82-14-016

### ELECTIONS—cont.

campaign financing reporting forms 82-02-007  
 forms 82-07-093  
 lobbyist reporting 82-11-024  
 82-14-014A  
 82-14-016  
 Port districts  
 additional commissioners 82-13-049  
**EMERGENCY MEDICAL SERVICES**  
 Ambulances 82-04-041  
 82-16-093  
 82-16-093  
 Emergency medical technicians  
**EMERGENCY SERVICES, DEPARTMENT OF**  
 Mt. St. Helens closure 82-05-004  
 82-07-059  
 82-08-015  
 82-10-047  
 82-11-046  
 82-12-055  
 82-15-007  
 82-17-019  
 Mt. St. Helens, emergency declared  
**EMPLOYMENT SECURITY DEPARTMENT**  
 Benefits, diversion to satisfy  
 child support obligations 82-09-063  
 82-09-064  
 82-13-056  
 82-13-057  
 82-17-052  
 Discharge and suspension  
 Employees, distinguished from  
 independent contractors 82-08-070  
 82-12-023  
 82-16-082  
 Employment and training council  
 public meeting notice 82-09-065  
 82-13-058  
 Interpretive regulations  
 82-13-059  
 82-15-003  
 82-17-052  
 82-17-052  
 Leaving work voluntarily  
 Limits on transacting business  
 with friends, relatives, coworkers 82-03-054  
 82-13-058  
 82-13-059  
 1982 law implementation  
 82-15-003  
 82-17-052  
 82-17-052  
 unemployment compensation coverage  
 Use of shop facilities  
**ENERGY**  
 Low-income home energy assistance program  
 allowance 82-01-050  
 Major public energy projects,  
 special elections 82-09-061  
 Public utility districts  
 contractual liability for WPPSS funding 82-09-045  
 voting rights,  
 taxation of city within district 82-09-068  
 Radioactive materials  
 license fees 82-13-039  
 82-17-021  
 82-13-026  
 DSHS authority to impose  
**ENERGY FACILITY SITE EVALUATION COUNCIL**  
 Legal officers 82-04-036  
 82-04-056  
 82-10-027  
 Standards of performance 82-11-067  
 82-14-051  
**ENERGY OFFICE**  
 Organization, public records policy 82-13-044  
 82-17-030  
 82-17-030  
 Public disclosure  
 Radioactive waste management facilities  
 perpetual care and maintenance, fees 82-07-087  
 82-07-088  
 82-11-005  
 82-17-030  
**SEPA**

## Subject/Agency Index

<b>ENGINEERS AND LAND SURVEYORS</b>			
Board of registration licensing	82-01-064		
<b>ENVIRONMENTAL HEARINGS OFFICE</b>			
Public meeting notice	82-03-034		
<b>EQUIPMENT, COMMISSION ON</b>			
Emergency vehicle lighting	82-11-043 82-11-044 82-16-047		
Sound measurement program	82-06-041 82-11-040		
Tire chains	82-11-051 82-12-003 82-16-047		
Traction devices	82-04-048 82-04-049 82-06-040 82-11-045 82-16-047		
Vehicle connecting devices	82-04-047 82-11-041 82-11-042 82-16-046 82-16-048		
Warning devices	82-11-050 82-16-049		
<b>EVERETT COMMUNITY COLLEGE (See also COM- MUNITY COLLEGE DISTRICT V)</b>			
Public meeting notice	82-01-077		
Reduction-in-force policy	82-14-076 82-14-077 82-17-055 82-18-068		
<b>EVERGREEN STATE COLLEGE, THE</b>			
Board of trustees meeting time	82-06-008 82-09-009 82-10-035 82-16-028		
Decision making participation by staff, faculty, and students	82-16-102		
Parking and traffic	82-18-079		
<b>EXECUTIVE ORDERS (See GOVERNOR, OFFICE OF THE)</b>			
<b>EXPLOSIVES</b>			
Handling, storage, transportation	82-01-023		
<b>FARMS</b>			
Apples			
advertising assessments	82-13-051 82-13-075 82-13-076 82-14-078 82-14-079		
grower eligibility certificate	82-13-083 82-14-080		
Asparagus			
inspection fees	82-09-006		
shipment	82-09-007		
Brucellosis			
testing, imported animals	82-03-019 82-10-036		
Cattle			
brand inspection fees	82-07-090 82-10-037 82-10-038		
Desiccants, defoliants			
aerial application	82-12-058 82-14-081		
Dry peas, lentils			
assessments	82-05-050		
Horses, brand inspection, certificate	82-04-001		
Seeds			
<b>FARMS—cont.</b>			
annual inspection assessments, effective dates		82-07-089 82-10-067 82-04-082 82-08-033 82-05-013 82-08-034 82-04-081 82-08-032 82-04-080 82-08-031	
certification and standards		82-10-004 82-10-065 82-11-002	
chick pea standards			
fees, testing			
noxious weeds, restricted			
Wheat, assessment rate			
<b>FERRIES (See TRANSPORTATION, DEPARTMENT OF)</b>			
<b>FERNDALE, CITY OF</b>			
Shoreline management		82-01-049	
<b>FINANCIAL INSTITUTIONS</b>			
Banking, supervisor of examinations, costs of		82-02-037	
Credit unions			
examinations, costs		82-09-048 82-09-076 82-13-016	
Savings and loans associations			
examinations, costs		82-09-047 82-09-075 82-13-015 82-09-047 82-09-075 82-13-015 82-09-047 82-09-075 82-13-015	
fees			
loans to directors, officers, employees			
merger or acquisition of troubled associations		82-02-075 82-04-044 82-08-023	
<b>FINANCIAL MANAGEMENT, OFFICE OF</b>			
Cash flow estimation and management		82-17-043	
Electronic deposit of state salaries and benefits		82-02-074 82-05-030 82-18-049 82-18-051	
Pay date			
<b>FIRE</b>			
Closed season, 1982		82-09-017 82-11-033	
postponement for industrial requirements		82-12-001 82-12-013 82-13-001 82-13-002 82-17-037 82-18-020 82-18-033	
Fireworks		82-14-060 82-18-022 82-18-028 82-18-035 82-03-047 82-07-053	
Forest fire danger, area closure			
Marshals, training			
Protection standards			
boarding houses		82-08-044 82-07-075 82-11-029 82-09-001 82-13-025 82-07-017 82-11-030	
hospice care centers			
nursing homes			
transient accommodations			
Smoke detectors, installation in certain dwellings		82-02-048	
Winter burning permit extended		82-11-033	

## Subject/Agency Index

### FIRE MARSHAL (See INSURANCE COMMISSIONER/FIRE MAR- SHAL)

### FISHERIES, DEPARTMENT OF

Buy-Back regulations 82-11-027  
82-16-101  
82-17-029

Commercial fishing  
bottomfish  
coastal, Puget Sound fisheries 82-10-077  
82-13-085  
82-14-056  
Pacific ocean perch quota 82-01-095  
82-08-008  
82-15-041  
82-06-014  
82-12-080  
82-16-018  
82-17-040  
closed areas, river mouths  
documentation, origin of fish 82-12-080  
82-16-018  
82-17-040  
fish receiving tickets, series J and K 82-12-080  
82-16-018  
82-17-040  
gear testing restrictions 82-12-079  
82-15-015  
82-15-040  
82-16-005  
82-03-002  
82-11-036  
82-12-080  
82-16-018  
82-17-061  
82-08-047  
82-02-063  
82-02-067  
82-03-010  
82-04-021  
82-04-027  
82-10-010  
82-10-022  
82-10-041

geoduck 82-03-002  
82-11-036  
82-12-080  
82-16-018  
82-17-061  
82-08-047  
82-02-063  
82-02-067  
82-03-010  
82-04-021  
82-04-027  
82-10-010  
82-10-022  
82-10-041

hake  
herring, closed area 82-01-014  
82-07-020  
82-13-013  
82-14-024  
82-18-014  
82-16-009  
82-16-053  
82-01-010  
82-01-025  
82-01-092  
82-02-039  
82-09-029  
82-12-051  
82-13-061  
82-15-030  
82-15-066  
82-16-010  
82-16-066  
82-17-014  
82-17-042  
82-18-012  
82-15-049  
82-16-010  
82-16-066  
82-11-012  
82-17-040  
82-11-027  
82-16-101  
82-17-029  
82-08-025

Indians  
Chehalis river 82-01-014  
82-07-020  
82-13-013  
82-14-024  
82-18-014  
82-16-009  
82-16-053  
82-01-010  
82-01-025  
82-01-092  
82-02-039  
82-09-029  
82-12-051  
82-13-061  
82-15-030  
82-15-066  
82-16-010  
82-16-066  
82-17-014  
82-17-042  
82-18-012  
82-15-049  
82-16-010  
82-16-066  
82-11-012  
82-17-040  
82-11-027  
82-16-101  
82-17-029  
82-08-025

Quillayute treaty share  
restrictions, general 82-15-049  
82-16-010  
82-16-066  
82-11-012  
82-17-040  
82-11-027  
82-16-101  
82-17-029  
82-08-025

license Buy-Back 82-11-027  
82-16-101  
82-17-029  
82-08-025

lingcod, seasons 82-08-025

live fish  
import and transfer 82-06-059  
82-12-080  
82-16-018  
82-17-040

net mesh measurement

### FISHERIES, DEPARTMENT OF—cont.

shrimp trawls 82-03-045  
origin of fish 82-12-080  
82-16-018

salmon  
area 2G 82-14-001  
Chehalis river, closed areas 82-01-014  
82-07-020  
82-13-013  
82-14-024  
82-18-014  
82-04-039  
82-12-079  
82-15-015  
82-16-011  
82-16-067  
Grays Harbor 82-10-078  
82-14-001  
closed area 82-01-014  
Hoh river, closure 82-12-015  
82-14-035  
82-16-009  
82-16-053  
82-14-091  
82-15-032  
82-16-054  
82-17-012

Pacific ocean 82-16-053  
82-14-091  
82-15-032  
82-16-054  
82-17-012

Puget Sound  
all-citizen fishery 82-09-028  
82-15-042  
82-16-011  
82-16-067  
82-17-015  
82-17-041  
82-18-013  
82-18-045  
82-10-077  
82-13-085  
82-14-056  
82-01-010  
82-01-025  
82-01-092  
82-02-039  
82-09-029  
82-12-051  
82-13-061  
82-14-054  
82-15-030  
82-15-066  
82-12-079  
82-14-056  
82-15-015  
82-15-040  
82-16-005  
82-16-011  
82-16-067  
82-10-040  
82-01-010  
82-01-025  
82-02-039  
82-09-029  
82-12-051  
82-15-030  
82-15-066  
82-16-010  
82-16-066  
82-17-014  
82-17-042  
82-18-012  
82-15-049  
82-16-010  
82-16-066  
82-11-012  
82-17-040  
82-11-027  
82-16-101  
82-17-029  
82-08-025

bottom fish fisheries 82-10-077  
82-13-085  
82-14-056  
82-01-010  
82-01-025  
82-01-092  
82-02-039  
82-09-029  
82-12-051  
82-13-061  
82-14-054  
82-15-030  
82-15-066  
82-12-079  
82-14-056  
82-15-015  
82-15-040  
82-16-005  
82-16-011  
82-16-067  
82-10-040  
82-01-010  
82-01-025  
82-02-039  
82-09-029  
82-12-051  
82-15-030  
82-15-066  
82-16-010  
82-16-066  
82-17-014  
82-17-042  
82-18-012  
82-15-049  
82-16-010  
82-16-066  
82-11-012  
82-17-040  
82-11-027  
82-16-101  
82-17-029  
82-08-025

fishery restrictions 82-01-010  
82-01-025  
82-01-092  
82-02-039  
82-09-029  
82-12-051  
82-13-061  
82-14-054  
82-15-030  
82-15-066  
82-12-079  
82-14-056  
82-15-015  
82-15-040  
82-16-005  
82-16-011  
82-16-067  
82-10-040  
82-01-010  
82-01-025  
82-02-039  
82-09-029  
82-12-051  
82-15-030  
82-15-066  
82-16-010  
82-16-066  
82-17-014  
82-17-042  
82-18-012  
82-12-079  
82-15-015  
82-15-040  
82-14-013  
82-16-026  
82-17-063

management and catch reporting areas 82-12-079  
82-14-056  
82-15-015  
82-15-040  
82-16-005  
82-16-011  
82-16-067  
82-10-040  
82-01-010  
82-01-025  
82-02-039  
82-09-029  
82-12-051  
82-15-030  
82-15-066  
82-16-010  
82-16-066  
82-17-014  
82-17-042  
82-18-012  
82-12-079  
82-15-015  
82-15-040  
82-14-013  
82-16-026  
82-17-063

purse seine gear areas, seasons 82-12-079  
82-15-015  
82-15-040  
82-14-013  
82-16-026  
82-17-063

Queets river, closed area 82-14-013  
82-16-026  
82-17-063

## Subject/Agency Index

### FISHERIES, DEPARTMENT OF—cont.

Quillayute river	82-15-049
	82-16-026
troll fishery	82-13-017
	82-14-091
	82-15-005
	82-15-032
	82-16-054
	82-17-012
	82-18-080
Willapa harbor	82-10-078
	82-13-041
	82-13-048
	82-14-001
	82-14-082
Yakima river	82-11-059
	82-13-007
sampling data	82-11-075
sexual products	82-16-018
	82-17-040
shad, seasons and areas	82-10-008
	82-13-047
shellfish	
geoducks, catch reporting requirements	82-03-002
	82-11-036
	82-12-080
	82-16-018
	82-17-060
Hood Canal	82-11-013
scallops	82-03-045
shrimp	82-01-082
	82-03-045
	82-04-011
	82-10-012
	82-11-013
smelt, weekly period	82-01-094
sturgeon	
Columbia river compact	82-17-011
gear	82-01-093
	82-03-027
	82-09-044
	82-16-042
	82-17-011
notification of commercially caught sturgeon	82-16-043
sale of commercially caught sturgeon	82-16-043
	82-17-040
sale, personal use, egg sales	82-07-082
	82-12-080
	82-16-018
	82-17-040
season	82-16-042
	82-17-011
tag recovery	82-11-075
vessel Buy-Back	82-11-027
	82-16-101
	82-17-029
wholesale dealers	
reporting requirements	82-12-080
	82-16-018
Personal—use fishing	
angling, lawful and unlawful acts	82-13-060
fishery regulations	82-02-097
	82-06-023
	82-07-044
	82-07-047
	82-08-005
	82-09-082
	82-12-016
	82-13-040
	82-18-052
food fish	
Columbia river	
Vernita bridge—Hanford power line	82-04-062
Hoh river, special bag limit	82-14-035
Icicle river, closure	82-13-024
possession in unlawful condition	82-14-003

### FISHERIES, DEPARTMENT OF—cont.

Hoh river	82-16-044
lingcod, areas and seasons	82-08-024
oysters, areas and seasons	82-08-024
razor clams	
areas and seasons	82-02-021
	82-04-012
	82-10-007
Pacific ocean beaches	82-01-104
	82-11-060
salmon	
angling hours	82-08-029
bag limit	82-06-044
	82-09-027
	82-13-012
	82-14-035
	82-16-008
	82-16-076
	82-17-013
Chehalis river	82-07-008
	82-14-024
Columbia river	82-18-021
	82-18-052
	82-18-057
Cowlitz river	82-07-008
	82-08-029
	82-14-002
Duwamish river	82-17-060
gear	82-09-027
Green river (Cowlitz county)	82-07-008
Hoh river, special bag limit	82-14-035
	82-16-044
Klickitat river	82-07-008
	82-14-090
Lake Washington	82-15-031
Lewis river	82-18-052
Little White Salmon river (Drano Lake)	82-09-005
mutilation	82-08-006
Puget Sound bag limit	82-01-003
	82-07-012
saltwater seasons and bag limits	82-13-012
	82-16-008
	82-16-076
	82-17-013
	82-18-005
	82-18-011
	82-18-032
Toutle river	82-07-008
Wynoochee river	82-14-090
Yakima river	82-11-059
	82-13-007
sampling data	82-11-075
shad, areas and seasons	82-10-009
	82-13-060
shellfish	
possession in unlawful condition	82-14-003
possession limits	82-08-024
	82-09-081
	82-17-062
pots, Hood Canal	82-11-013
shrimp season, Hood Canal	82-10-012
	82-11-013
squid, permissible fishing methods	82-01-002
sturgeon	
areas and seasons	82-10-009
	82-13-060
Bonneville Dam area	82-07-008
Wenatchee river, river mouth definition	82-13-060
Subsistence fishing	
Columbia river salmon management	
and catch reporting areas closed	82-11-012
	82-17-040
Klickitat river	82-10-039
Wanapum Indians	82-12-080
	82-16-018
	82-17-040

**Subject/Agency Index**

<b>FISHERIES, DEPARTMENT OF—cont.</b>		<b>GAMBLING COMMISSION (See also LOTTERY COMMISSION)—cont.</b>	
Yakima river	82-12-009	oversight, operator or employee on premises	82-04-010
	82-12-047	players, tables, number limited	82-18-019
Tag recovery	82-13-007		82-18-072
Vessel Buy-Back	82-11-075	wager limits	82-04-010
	82-11-027		82-18-019
<b>FISHING (See GAME, DEPARTMENT OF)</b>		Charitable and nonprofit organizations	
<b>FOREST FIRE ADVISORY BOARD</b>		qualifications	82-04-009
Public meeting notice	82-03-055	Copying	82-08-050
			82-13-070
<b>FOREST PRACTICES APPEALS BOARD</b>		Licenses	
Practice and procedure	82-06-058	applications	82-12-076
	82-09-024		82-15-008
	82-18-046		82-15-009
<b>FOREST PRACTICES BOARD</b>		fees, fund raising events	82-18-019
Environmental protection,		Political contributions	82-12-076
conduct of forest practices	82-03-044	included in quarterly activity report	
	82-09-046	reporting requirement	82-04-016
	82-12-054		82-01-065
	82-16-077		82-04-085
			82-07-040
Rights of way applications,			82-11-028
landowner signature requirements	82-10-052	Public meeting notice	82-06-053
	82-15-002	Pull tabs	
	82-15-061	price posting	82-10-003
Utility rights of way	82-18-053		82-13-054
	82-18-069	prizes	82-02-025
			82-03-033
<b>FORESTS</b>		quarterly activity reports	82-06-007
Forest excise tax		records	82-04-010
public lands	82-16-057	Punchboards	82-03-033
	82-16-058	price posting	82-10-003
Forest Products Industry Recovery Act,			82-13-054
implementation	82-10-050	prizes	82-01-065
	82-11-090		82-03-033
	82-14-057	quarterly activity reports	82-04-010
	82-14-058	records, retention	82-03-033
Logging operations		Records, monthly	82-01-065
standing defective trees	82-13-046		82-03-033
Small harvester option	82-16-057		
	82-16-058		
Timber tax			
harvest on public land	82-16-057		
	82-16-058		
log scaling and grading	82-14-037	<b>GAME, DEPARTMENT OF</b>	
	82-14-038	Commission	
	82-16-057	public meeting notice	82-03-012
private forest land grades	82-04-067	Fishing	
	82-07-086	Bogachiel	82-08-012
	82-02-034	Burke lake	82-18-056
stumpage value	82-02-035	Calawah	82-08-012
	82-10-055	check stations, inspections	82-15-014
	82-14-037	contest rules	82-08-066
	82-14-038	Cowlitz, certain lakes	82-09-026
	82-16-058		82-10-014
			82-15-010
<b>FORT STEILACOOM COMMUNITY COLLEGE</b>		Deep lake	82-17-054
Public meeting notice	82-07-007	Elwah river, season extension	82-18-055
1982 schedule	82-01-018	endangered species	82-08-010
		Grant county, season extension	82-15-068
<b>GAMBLING COMMISSION (See also LOTTERY COMMISSION)</b>			82-15-011
Amusement games			82-15-068
types authorized	82-10-003	Island county, season extension	82-15-011
	82-13-054	Lake Lenore area closure	82-11-003
Bingo		Mt. St. Helens closure	82-05-010
managers	82-01-065		82-06-048
	82-03-033		82-09-014
Card rooms			82-10-015
daily records	82-02-025		82-15-012
	82-04-085		82-15-068
	82-07-040	Okanogan county, season extension	82-15-011
	82-11-028		82-15-068
fees	82-02-025	Pierce county, season extension	82-15-011
	82-04-085		82-15-068
	82-07-040	protected wildlife	82-15-068
	82-11-028	Quillayute	82-08-012
food, drink sales	82-02-025	season closures	82-06-048
	82-06-007	season extension	82-15-011
			82-15-068



## Subject/Agency Index

<b>GAME, DEPARTMENT OF—cont.</b>		<b>GAME, DEPARTMENT OF—cont.</b>	
Skamania county, certain lakes	82-09-026	Trapping	
	82-10-014	Mt. St. Helens closure	82-05-010
	82-15-010		82-06-048
	82-17-054		82-09-014
Soleduck	82-08-012		82-10-015
Spokane county, season extension	82-15-068		82-15-012
steelhead		seasons and regulations	82-15-068
Amber lake, emergency season opening	82-02-050	unlawful firearms	82-18-030
areas closed to treaty Indians	82-02-066	wild animals classification	82-15-068
	82-03-001		82-15-068
	82-03-007	<b>GAS, OIL and CONSERVATION BONDS</b>	
	82-03-018	Bonds	82-01-006
	82-03-035		
	82-04-026	<b>GENERAL ADMINISTRATION, DEPARTMENT OF</b>	
	82-04-043	Banking, supervisor of	
	82-05-009	examinations, costs of	82-02-037
	82-06-030	Credit unions	
	82-08-011	examinations, costs	82-09-048
Cowlitz river, open areas	82-09-013		82-09-076
	82-12-012		82-13-016
gill nets, purse seine, closures	82-01-011	Legislative building,	
	82-03-017	responsibility for art works	82-04-007
Hoko river, closure	82-02-040	Savings and loan associations	
Lake Lenore area closure	82-11-003	examinations, costs	82-09-047
Little White Salmon river (Drano Lake),			82-09-075
open areas	82-09-032		82-13-015
punchcard	82-17-054	fees	82-09-047
Snake river, open season	82-02-049		82-09-075
	82-18-055		82-13-015
Wind river, closed areas	82-09-012	loans to directors, officers, employees	82-09-047
Yakima river	82-11-059		82-09-075
Thurston county, season extension	82-15-068		82-13-015
treaty Indian gear identification	82-08-066	merger or	
	82-11-099	acquisition of troubled associations	82-02-075
			82-04-044
Wind river system,	82-02-051		82-08-023
selective fishery regulations	82-06-048		
	82-09-015	<b>GOVERNOR, OFFICE OF THE</b>	
		Allotment reductions	82-15-050
Game farm		Education program	
Auburn	82-16-014	consolidation advisory committee	82-01-055
Colville	82-16-014	Employment reduction program	82-01-097
Kennewick	82-16-014	Expenditure reduction program	82-01-098
licenses	82-15-068	hiring freeze	82-09-070
Hunting		Forest products market development,	
birds		committee on	82-11-023
pheasant and quail season, early closure	82-02-001	General fund allotment reduction	82-09-069
season	82-15-068		82-13-086
snow geese, early season closure	82-01-045		82-15-050
upland bird		High technology training	
migratory game bird	82-16-013	and advancement, committee on	82-11-022
punch card season limit on pheasants	82-12-064	Historic sites advisory council	82-17-028
	82-16-012	Housing financing, Federal Mortgage	
check stations, inspections	82-15-014	Subsidy Bond Tax Act, implementation	82-01-028
contest rules	82-08-066	Intergovernmental relations,	
early hunting seasons, fall opening dates		advisory commission on	82-11-100
1982	82-05-032	Legislature	
endangered species	82-15-068	extraordinary session	82-07-035
game management units,		extension	82-07-062
area legal descriptions	82-08-066		82-08-014
	82-15-013	second extraordinary session	82-14-005
mountain goat, sheep, moose seasons	82-06-048	Mt. St. Helens closure	82-05-008
	82-11-098		82-06-038
Mt. St. Helens closure	82-05-010		82-07-065
	82-06-048		82-08-013
	82-09-014		82-11-046
	82-10-015		82-11-049
	82-11-097	Mt. St. Helens, state of emergency	82-17-019
	82-15-012	Nuclear waste management	82-17-051
protected wildlife	82-15-068	Student loan guaranty association	82-17-027
Quincy lake game reserve	82-17-054	Tourism development council	82-11-021
regulations	82-04-034	Whatcom county, flooding, emergency declared	82-05-002
seasons, game bag limits	82-08-066		
	82-12-065		
	82-15-013	<b>GRAYS HARBOR COLLEGE</b>	
	82-15-068	Tenure and dismissal policy	82-12-039
	82-17-054		82-13-052
Seasons, may be altered			82-13-053

## Subject/Agency Index

<b>GREEN RIVER COMMUNITY COLLEGE</b>		<b>HEALTH, BOARD OF—cont.</b>	
Public meeting notice	82-02-009	building regulation update	82-02-092 82-07-015
<b>HANDICAPPED</b>		<b>HEALTH CARE FACILITIES AUTHORITY</b>	
Barrier-free facilities	82-02-082 82-04-063	Bonds, issuance authority	82-01-043 82-09-001 82-16-006
Blind		<b>HEALTH CARE SERVICE CONTRACTORS</b>	
child and family services	82-13-103	Dispensing optician services, coverage	82-10-023
physical and informational access	82-13-108	Registered nurses, payments for services	82-02-004
prevention of blindness program	82-06-022		
vocational rehabilitation services	82-06-039 82-10-025 82-13-108 82-04-053 82-10-026 82-10-026	<b>HIGHER EDUCATION PERSONNEL BOARD</b>	
economic need		Allocation appeals	82-04-069
physical and mental restoration		Annual leave	82-12-057 82-14-055 82-16-002 82-16-023 82-16-024 82-16-030 82-12-057 82-16-002
Developmentally disabled		Certification	
county services	82-02-054 82-02-056 82-06-034	Collective bargaining	
Discrimination		bargaining unit determination	82-06-047 82-10-006 82-06-047 82-10-006
public accommodations,		representative certification	82-10-006
real estate transactions	82-12-053	Cost of transcript on appeal	82-07-050
<b>HAZARDOUS MATERIALS</b>		Exemptions	82-12-057 82-14-083 82-16-002 82-04-068 82-07-074 82-12-057 82-14-055 82-14-083 82-16-002 82-18-058 82-06-026 82-12-057 82-14-083 82-16-002
Dangerous waste regulations, established	82-01-024 82-01-047 82-04-046 82-05-023 82-01-024 82-01-047 82-04-046 82-05-023 82-17-051	reorganization guidelines	82-06-026
Hazardous waste regulations, repealed		Probationary periods, trial service periods	82-12-057 82-14-083 82-16-002
Nuclear waste management		Separation	82-06-047 82-10-006 82-14-055 82-14-083
Radioactive materials		Sick leave	82-06-047 82-10-006
license fees	82-13-039 82-17-021 82-13-026	Temporary employees	82-02-011 82-04-069 82-02-011
DSHS authority to impose	82-02-085	Work direction, premium pay	
Railroads	82-02-088 82-05-020 82-04-037 82-04-038 82-07-100 82-02-083 82-02-086 82-05-022 82-09-041 82-09-042 82-02-084 82-02-087 82-05-021	<b>HIGHLINE COMMUNITY COLLEGE</b>	
Transportation of		Public meeting notice	82-02-017 82-18-024
common and contract carriers		<b>HIGHWAYS</b>	
garbage and/or refuse collection companies		Bicycles	
		use on limited access highways	82-01-029
		Illumination	82-09-057 82-13-014
<b>HEALTH, BOARD OF</b>		<b>HISTORIC SITES ADVISORY COUNCIL</b>	
Abortions	82-18-003	Established	82-17-028
Childbirth centers		<b>HORSE RACING COMMISSION</b>	
tuberculin skin tests	82-02-091 82-06-011	Appeals	82-03-052 82-06-055 82-09-016 82-09-008 82-11-078 82-14-012 82-03-052 82-07-016
Hospitals		Fees	
certificate of need	82-15-039 82-16-084 82-02-062 82-03-011 82-06-060 82-07-023 82-09-054 82-11-082 82-13-073 82-13-084 82-16-083 82-02-061 82-06-031 82-02-095	Horses, testing	
required approval for occupancy		Jockeys	
Kidney centers		agents	82-06-033 82-09-016 82-06-033 82-03-053
Pediatric nursing units		weights	
Public meeting notice		Medication	
Residential treatment and rehabilitation			
facilities, psychiatrically impaired adults	82-06-016 82-06-018		
Schools			

## Subject/Agency Index

<b>HORSE RACING COMMISSION—cont.</b>		<b>INDIANS</b>	
Nonparimutuel wagering	82-15-022	Fishing gear, identification	82-08-066
	82-18-050		82-11-099
Protective helmets	82-03-052	Salmon	
	82-05-044	Chehalis river, closed areas	82-01-014
	82-06-032		82-07-020
	82-06-055		82-13-013
Races, number per day	82-03-052		82-14-024
	82-07-016		82-18-014
Receiving barn	82-05-044	Columbia river salmon management	
	82-06-032	and catch reporting areas	82-11-012
	82-06-033	Grays Harbor, closed areas	82-01-014
	82-09-016	Hoh river, closure	82-12-015
			82-16-009
Veterinarian			82-16-053
bandage removal	82-05-044		82-01-010
	82-06-032	Puget Sound commercial fishing restrictions	82-01-025
	82-09-016		82-01-092
			82-02-039
<b>HOSPICE CARE CENTERS</b>			82-09-029
Fire protection	82-01-075		82-12-051
	82-11-029		82-13-061
			82-15-030
<b>HOSPITAL COMMISSION</b>			82-15-066
Public meeting notice	82-07-061		82-16-010
	82-08-056		82-16-066
	82-10-046		82-17-014
	82-12-014		82-17-042
	82-13-022		82-18-012
	82-14-074		82-14-013
	82-17-016		82-16-010
	82-18-015	Queets river, closed areas	82-16-066
			82-15-049
<b>HOSPITALS</b>		Quillayute river	82-11-059
Abortions	82-18-003	Yakima river	82-13-007
Mental illness			
schedule of charges	82-14-068	Steelhead	
	82-14-072	closed areas	82-02-066
Occupancy, approval requirement	82-02-062		82-03-001
	82-03-011		82-03-007
	82-06-060		82-03-018
	82-07-023		82-03-035
	82-09-054		82-04-026
	82-11-082		82-04-043
	82-13-073		82-05-009
	82-13-084		82-06-030
Pediatric nursing units	82-02-061		82-08-011
	82-06-031		82-02-040
Pharmacy standards	82-04-086	Hoko river, closure	
	82-07-098	Subsistence fishing	
	82-12-024	Columbia river	82-11-012
application to state facilities	82-09-077	Klickitat river	82-10-039
	82-12-041	Wanapum Indians	82-12-080
		Yakima river	82-12-009
			82-12-047
<b>HOUSING</b>		<b>INDUSTRIAL INSURANCE</b>	
Financing, Federal Mortgage		Appeals board	
Subsidy Bond Tax Act, implementation	82-01-028	practice and procedure	82-03-031
		Bonds, cancellation	82-07-022
<b>HUMAN RIGHTS COMMISSION</b>			82-10-034
Employees, distinguished from independent contractors	82-08-070	Settlement agreements, contents	82-10-072
			82-13-045
	82-12-023		
	82-16-082	<b>INSTITUTIONS</b>	
Handicap discrimination		Adult correctional	
public accommodations,		furloughs	82-03-015
real estate transactions	82-12-053		82-03-016
	82-16-070		82-07-006
Public meeting notice	82-01-099	Mental illness, retardation	
	82-04-019	accounting and reimbursement system	82-09-071
	82-06-017		82-10-032
	82-06-035	voluntary admission, involuntary commitment	82-05-024
	82-08-028	Political subdivisions	
	82-08-073	criminal justice costs, reimbursement	82-14-030
	82-16-003		82-14-033
	82-17-064		82-17-044
Rules of general application	82-12-053		
	82-16-070	Probation and parole	
		felons, supervision fee	82-14-031
			82-14-034
<b>HUNTING (See GAME, DEPARTMENT OF)</b>			

**Subject/Agency Index**

**INSURANCE COMMISSIONER/STATE FIRE MARSHAL**

Agents, solicitors, adjusters  
licensing examination, continuing education 82-07-056  
82-10-016

Examining bureau, submission of documents 82-02-024  
Filing requirements 82-02-059  
82-06-036  
82-18-054

Fire protection standards  
boarding houses 82-08-044  
hospice care centers 82-07-075  
82-11-029  
nursing homes 82-09-001  
82-13-025  
transient accommodations 82-07-017  
Fireworks 82-12-001  
82-12-013  
82-13-001  
82-13-002  
82-17-037  
82-18-020  
82-18-033

Health care service contractors  
registered nurses, payments for services 82-02-004  
Medicare supplemental policies  
disclosure requirements,  
standards, procedures, forms 82-01-016  
82-09-030  
82-12-032  
82-02-059  
82-06-036

Statistical plans, adoption 82-06-036

**JAIL COMMISSION**

Detention, correctional facilities  
maximum capacity 82-05-045  
82-08-067  
82-11-070

Funding  
construction and remodeling projects 82-01-090  
costs covered 82-08-053  
82-08-069  
82-11-071

local jail improvements,  
withholding of funds 82-05-037  
Health data collection, advisory 82-01-110  
82-04-088

Overcrowding,  
determination of maximum capacity 82-01-091  
Physical plant standards  
amendments 82-16-092  
fire safety 82-05-042  
82-05-046  
82-08-051  
82-08-052  
82-08-068  
82-11-069

**JEFFERSON COUNTY**

Shoreline management 82-13-106  
82-17-047

**KING COUNTY**

Shoreline management 82-01-085  
82-05-018

**KITSAP COUNTY**

Shoreline management 82-01-087

**KITTITAS COUNTY**

Herbicides 82-05-053  
82-08-030

**LABOR AND INDUSTRIES, DEPARTMENT OF**

Apprenticeship registration 82-18-048  
Boiler and pressure vessel code 82-05-003  
Commercial coaches 82-02-014  
82-02-020  
82-02-052  
82-04-015

**LABOR AND INDUSTRIES, DEPARTMENT OF**  
—cont.

82-04-060  
82-05-006  
82-09-053  
82-11-047  
82-18-026  
82-12-018

Contractor registration 82-07-079  
82-12-005

Electrical code, application  
Elevators, dumbwaiters,  
escalators, moving walks 82-02-014  
82-02-052  
82-04-015  
82-05-006  
82-09-053

Factory-assembled structures  
standards 82-05-007  
82-11-083  
82-12-004

Factory-built housing  
and commercial structures 82-08-003  
82-08-035  
82-11-057  
82-14-029  
82-18-036

Fees  
electrical installations 82-04-014  
82-08-002  
82-09-031  
82-12-040  
82-01-007  
82-01-044  
82-02-003  
82-02-065  
82-03-023  
82-08-004  
82-08-026  
82-13-045  
82-01-044  
82-03-023

mobile homes, commercial coaches,  
factory-assembled structures,  
recreational vehicles 82-06-021  
82-09-059  
82-02-014  
82-02-052  
82-04-015  
82-04-060  
82-05-006  
82-09-053  
82-02-014  
82-02-052  
82-04-015  
82-04-060  
82-05-006  
82-09-053

General safety and health 82-07-001  
82-08-004  
82-13-045  
82-02-065  
82-08-026  
82-02-065  
82-07-013  
82-08-026  
82-13-046  
82-02-065  
82-08-026  
82-12-019

Hearing conservation program 82-07-001  
82-08-004  
82-13-045  
82-02-065  
82-08-026  
82-02-065  
82-07-013  
82-08-026  
82-13-046  
82-02-065  
82-08-026  
82-12-019

Hearing conservation program 82-07-001  
82-08-004  
82-13-045  
82-02-065  
82-08-026  
82-02-065  
82-07-013  
82-08-026  
82-13-046  
82-02-065  
82-08-026  
82-12-019

Mobile homes  
installation 82-07-001  
82-08-004  
82-13-045  
82-02-065  
82-08-026  
82-02-065  
82-07-013  
82-08-026  
82-13-046  
82-02-065  
82-08-026  
82-12-019

standards 82-07-001  
82-08-004  
82-13-045  
82-02-065  
82-08-026  
82-02-065  
82-07-013  
82-08-026  
82-13-046  
82-02-065  
82-08-026  
82-12-019

Recreational vehicles 82-07-001  
82-08-004  
82-13-045  
82-02-065  
82-08-026  
82-02-065  
82-07-013  
82-08-026  
82-13-046  
82-02-065  
82-08-026  
82-12-019

Safety  
aerial manlift equipment 82-07-001  
82-08-004  
82-13-045  
82-02-065  
82-08-026  
82-02-065  
82-07-013  
82-08-026  
82-13-046  
82-02-065  
82-08-026  
82-12-019

agriculture 82-07-001  
82-08-004  
82-13-045  
82-02-065  
82-08-026  
82-02-065  
82-07-013  
82-08-026  
82-13-046  
82-02-065  
82-08-026  
82-12-019

construction work 82-07-001  
82-08-004  
82-13-045  
82-02-065  
82-08-026  
82-02-065  
82-07-013  
82-08-026  
82-13-046  
82-02-065  
82-08-026  
82-12-019

electrical workers 82-07-001  
82-08-004  
82-13-045  
82-02-065  
82-08-026  
82-02-065  
82-07-013  
82-08-026  
82-13-046  
82-02-065  
82-08-026  
82-12-019

explosives, blasting agents 82-07-001  
82-08-004  
82-13-045  
82-02-065  
82-08-026  
82-02-065  
82-07-013  
82-08-026  
82-13-046  
82-02-065  
82-08-026  
82-12-019

logging operations  
occupational health 82-07-001  
82-08-004  
82-13-045  
82-02-065  
82-08-026  
82-02-065  
82-07-013  
82-08-026  
82-13-046  
82-02-065  
82-08-026  
82-12-019

medical surveillance 82-07-001  
82-08-004  
82-13-045  
82-02-065  
82-08-026  
82-02-065  
82-07-013  
82-08-026  
82-13-046  
82-02-065  
82-08-026  
82-12-019

## Subject/Agency Index

### LABOR AND INDUSTRIES, DEPARTMENT OF

—cont.  
 scaffolding 82-01-023  
 82-07-013  
 tractors, roll-over protective structures 82-01-023  
 82-07-013  
 82-10-071  
 82-18-048  
 Training and apprenticeships  
 Wages  
 public work contracts 82-14-027  
 82-14-028  
 82-18-041  
 Workers' compensation  
 bonds, cancellation 82-07-022  
 82-10-034  
 retrospective rating plans 82-01-100  
 82-05-019  
 self-insurers  
 joint ventures 82-04-040  
 82-07-019  
 processing of claims 82-09-067  
 82-12-035  
 82-10-072  
 82-13-045

### LABOR PRACTICES

Employees, distinguished from independent contractor 82-16-082

### LACEY, CITY OF

Shoreline management 82-02-080

### LA CONNER

Shoreline management 82-10-076  
 82-14-089

### LEGISLATIVE BUDGET COMMITTEE

Public meeting notice 82-05-041

### LIBRARY COMMISSION

Public meeting notice 82-04-083  
 82-12-010  
 82-15-019

### LIBRARY NETWORK COMPUTER SERVICES COUNCIL

Public meeting notice 82-04-083

### LIBRARY NETWORK EXECUTIVE COUNCIL

Public meeting notice 82-09-052

### LICENSES/LICENSING, DEPARTMENT OF

Administrators, nursing homes 82-16-089  
 Aircraft fuel tax; license 82-17-050  
 Auctioneers  
 licensing fees 82-13-023  
 Barbers  
 schools, guidelines 82-01-062  
 82-05-049  
 82-08-064  
 82-15-024  
 Cigarettes 82-15-024  
 Cosmetologists  
 schools, guidelines 82-01-061  
 82-05-048  
 82-08-063  
 82-17-059  
 Dental hygienists  
 examination and licensing 82-02-093  
 82-06-043  
 82-08-077  
 82-11-068  
 Dispensing opticians  
 examination 82-08-049  
 82-11-056  
 82-16-088  
 Drivers  
 habitual offenders  
 formal hearings 82-07-002  
 82-08-076  
 stay of revocation 82-03-046  
 license suspension rules 82-03-046  
 licensing, procedural rules 82-03-046

### LICENSES/LICENSING, DEPARTMENT OF—cont.

nonmoving violations 82-08-076  
 Drugless therapeutics 82-05-052  
 82-09-043  
 Insurance agents, solicitors, adjusters 82-07-056  
 82-10-016  
 82-12-073  
 82-17-034  
 82-15-007  
 82-16-089  
 Mt. St. Helens entry permits  
 Nursing home administrators  
 Real estate brokers  
 general licensing requirements 82-13-035  
 82-17-039  
 listing agreements, statement of negotiability of compensation 82-05-051  
 Real estate commission  
 public meeting notice 82-02-043  
 Reciprocity commission  
 public meeting notice 82-01-072  
 Securities  
 cheap and promotional shares, inapplicability of restrictions on amounts 82-12-071  
 82-17-057  
 82-02-033  
 82-12-025  
 82-12-026  
 82-13-097  
 82-14-022  
 82-18-018  
 82-18-037  
 82-12-070  
 82-13-071  
 82-17-058  
 examination and registration exempt transactions  
 limited offering exemption  
 real property mortgages 82-16-007  
 property sales contracts 82-16-007  
 trust deeds 82-16-007  
 Uniform commercial code  
 fees, amendment 82-08-075A  
 82-14-059  
 82-01-020  
 82-04-084  
 82-05-014  
 82-08-021  
 82-08-075A  
 82-10-043  
 82-13-030  
 82-14-059  
 82-09-079  
 82-12-037  
 82-09-080  
 82-12-038  
 Vehicle salvage, registered disposers  
 Wreckers, hulk haulers, scrap processors  
 LIQUOR CONTROL BOARD  
 Advertising practices 82-13-018  
 82-16-045  
 82-17-031  
 Agent's licenses 82-01-106  
 82-04-029  
 Beer  
 alcoholic content, labeling required 82-14-086  
 82-17-032  
 82-18-029  
 82-13-020  
 82-17-022  
 82-10-068  
 82-13-104  
 82-16-069  
 Chemical analysis 82-01-081  
 82-04-035  
 Confiscated liquor, sales of, purchase of 82-10-054  
 82-17-022  
 Discontinuance of business 82-07-046  
 82-10-020  
 General licensing requirements 82-13-019  
 82-16-100

## Subject/Agency Index

### LIQUOR CONTROL BOARD—cont.

Guest and courtesy cards	82-01-074
Information, submission of, oath required	82-04-028 82-01-021 82-01-107 82-01-108 82-04-032
Licensees, misrepresentation of fact	82-01-105 82-01-109 82-04-031
Limited partnerships	82-11-004 82-13-105
Operations and procedure	82-01-075 82-04-030 82-07-095 82-10-021
Permits	
banquets	82-13-019 82-13-028
liquor consumption on unlicensed premises	82-16-100 82-10-070 82-13-068 82-01-046
Public meeting notice	
Retail licenses	
class CCI	82-17-022
class E, F, EF	82-06-046 82-07-009 82-07-014 82-10-019 82-17-022
class H	82-10-069
class H restricted	82-13-069
Samples	82-01-081 82-04-035
Suggestive, lewd, obscene conduct	82-13-021
Wine	
importers	82-01-051 82-04-035
price posting, filing	82-10-068 82-13-104 82-16-069 82-17-022
return by retailer	82-17-022
<b>LIVESTOCK</b>	
Brucellosis	
testing, imported animals	82-03-019 82-10-036
Cattle	
brand inspection fees	82-07-090 82-10-037 82-10-038
Horses	
brand inspection, certificate fees	82-04-001
<b>LOTTERY COMMISSION</b>	
Accounts and depositories	82-18-077
Agents	82-18-074 82-18-076 82-18-077 82-18-075 82-17-053
Definitions	82-18-077
Established, general provisions	82-18-077
Games authorized	82-18-075
Instant games	82-18-075
Law enforcement	82-18-077
Licenses	
application	82-18-074
denial	82-18-074
eligibility	82-18-074 82-18-076
fees	82-18-076
provisional	82-18-075 82-18-076
renewal	82-18-074
special	82-18-075 82-18-076
transferability	82-18-074 82-18-076
Meetings	82-18-074
Probability of winning	82-18-077

### LOTTERY COMMISSION—cont.

Prohibited	82-18-077
Purchasers obligation	82-18-077
Slot machines, certain, prohibited	82-18-077
Tickets	
authorization to sell	82-18-074
location of sale	82-18-074
price	82-18-077
prizes	82-18-074
stolen, mutilated	82-18-074 82-18-077
<b>MASON COUNTY</b>	
Shoreline management	82-10-075 82-14-017
<b>MEDICAL DISCIPLINARY BOARD</b>	
Members' elections	82-01-066
<b>MEDICAL EXAMINERS, BOARD OF</b>	
Physician assistants	
prescriptive authority	82-03-022
supervision	82-03-022
<b>MENTAL HEALTH ILLNESS</b>	
Community mental health	82-18-067
Hospitalization	
schedule of charges	82-14-068 82-14-072
<b>MENTAL ILLNESS, RETARDATION</b>	
Adult residential treatment facilities, private treatment homes	82-12-006 82-12-007
Institutions for mentally retarded	
accounting and reimbursement system	82-09-071 82-10-032 82-16-080
Residential treatment and rehabilitation facilities, psychiatrically impaired adults	82-06-016 82-06-018
Voluntary admission, involuntary commitment	82-05-024 82-07-024
<b>MEXICAN-AMERICAN AFFAIRS COMMISSION</b>	
Public meeting notice	82-02-060
<b>MIDWIFERY</b>	
Licensing	82-12-073 82-17-034
<b>MILITARY DEPARTMENT</b>	
Mt. St. Helens	82-17-019
<b>MOBILE HOMES</b>	
Fees	82-04-014 82-08-002 82-09-031 82-12-040
Installation	82-06-021 82-09-059
Standards	82-02-014 82-02-052 82-04-015 82-04-060 82-05-006 82-09-053
<b>MONROE, CITY OF</b>	
Shoreline management	82-01-086 82-05-016 82-06-013
<b>MOSES LAKE</b>	
Shoreline management	82-13-106 82-17-046
<b>MOTOR VEHICLES</b>	
Commercial coaches	
fees	82-04-014 82-08-002 82-09-031 82-12-040

## Subject/Agency Index

<b>MOTOR VEHICLES—cont.</b>		<b>NATURAL RESOURCES, DEPARTMENT OF</b>	
standards	82-02-014	(See also <b>FORESTS</b> )—cont.	
	82-02-020	Winter burning rules	
	82-02-052	extension	82-07-021
	82-04-015		82-09-017
	82-04-060	<b>NONPROFIT ORGANIZATIONS</b>	
	82-05-006	Gambling license qualifications	82-04-009
Emergency vehicle lighting	82-09-053	<b>NOXIOUS WEED CONTROL BOARD</b>	
	82-11-043	Proposed list	82-03-037
Emission inspection	82-11-044		82-06-045
	82-02-027	<b>NUCLEAR MATERIALS</b>	
	82-02-028	(See <b>HAZARDOUS MATERIALS</b> )	
Recreational vehicles		<b>NURSING, BOARD OF</b>	
standards	82-02-014	Documents of authority	82-01-012
	82-02-052	Examinations	82-18-078
	82-04-015	Licensing	82-18-078
	82-04-060		
	82-05-006	<b>NURSING HOMES</b>	
	82-09-053	Accounting and reimbursement system	82-07-042
Salvage, registered disposers	82-09-079		82-11-065
	82-12-037	annual cost reports,	82-13-050
Sound measurement program	82-06-041	proposed settlement inclusion	82-17-056
	82-11-040		82-06-027
Tire chains	82-11-051	medicaid reimbursement	82-06-028
	82-12-003	inflation adjustment rate	82-09-033
Traffic infractions	82-18-001		82-01-102
	82-18-002	Administrators, continuing education	82-04-073
Vehicle connecting devices	82-11-041	Billing procedures	82-16-089
	82-11-042		82-17-010
Vehicle size and weight regulations	82-14-092	Care	82-13-038
Warning devices	82-11-050	Fire protection standards	82-17-006
Wreckers, hulk haulers, scrap processors	82-09-080	Licensing	82-18-064
	82-12-038		82-09-001
		fees	82-13-025
			82-02-053
<b>MT. ST. HELENS</b>		Nursing services	82-02-057
Closure	82-05-004		82-06-005
	82-05-008	Rate determination	82-13-037
	82-06-038		82-14-071
	82-07-059		82-17-002
	82-07-065		82-18-065
	82-08-013		82-08-081
	82-08-015		82-12-029
	82-10-047		82-13-010
	82-11-046		82-13-036
	82-11-049		82-17-008
	82-12-055		82-03-038
hunting, fishing, and trapping	82-05-010		82-03-039
	82-06-048		82-07-025
	82-09-014		82-17-006
	82-10-015		82-02-031
	82-11-097		82-09-050
	82-15-012		82-09-051
	82-15-068		82-12-068
Emergency declared	82-17-019		82-14-061
Entry permits	82-15-007		82-14-067
			82-14-069
<b>NATURAL RESOURCES, DEPARTMENT OF</b>			82-17-071
(See also <b>FORESTS</b> )		<b>OIL AND GAS</b>	
Board		Air pollution	82-11-103
public meeting notice	82-03-006		82-16-019
Fees for recording plats, maps, etc.	82-11-081	Conservation committee	
	82-14-042	drilling permits	
		bond, amount increased, release provisions	82-01-006
Fires		Laws	
Chelan county closure	82-09-058	implementation, administration, enforcement	82-03-051
closed season, 1982	82-09-017		82-09-003
	82-14-060		82-12-052
Olympic peninsula	82-18-022	Volatile organic compounds	82-16-021
	82-18-028		
	82-18-035	<b>OLYMPIA</b>	
Forest fire advisory board		Shoreline master program	82-16-104
public meeting notice	82-03-055		
Forest practices right of way applications,			
landowner signature requirements	82-10-052		
Forest Products Industry Recovery Act,			
implementation	82-10-050		
	82-14-057		
	82-14-058		
	82-16-015		
Maps, plats, etc. fees for recording	82-11-081		

## Subject/Agency Index

<b>OLYMPIA TECHNICAL COMMUNITY COLLEGE</b> (See also COMMUNITY COLLEGE DISTRICT 12)		<b>PERSONNEL, DEPARTMENT OF—cont.</b> 1982 law implementation, public employees, civil service revisions	82-15-004
<b>OLYMPIC COLLEGE</b>		Branch offices	82-04-025
Reduction in staff, faculty	82-01-008	Classified/exempt	82-15-072
<b>OPTOMETRY, BOARD OF</b>			82-18-059
Examinations, continuing education		Definitions	82-01-027
credit	82-08-048		82-03-030
	82-12-077		82-03-032
<b>OSTEOPATHIC MEDICINE AND SURGERY, BOARD OF</b>			82-06-029
License reinstatement	82-12-074		82-09-020
Physicians' assistants	82-12-074	Disability	82-15-072
acupuncture assistants	82-12-074	appeals	82-09-022
prescriptions	82-12-074	Examinations	82-15-072
	82-17-005	Hearings	82-06-029
<b>OUTDOOR RECREATION, INTERAGENCY COMMITTEE FOR</b>			82-09-023
Public meeting notice	82-04-079	Incumbents, reallocation upward	82-01-027
	82-09-004		82-03-029
	82-14-015		82-05-033
<b>PACIFIC COUNTY</b>			82-07-034
Shoreline management	82-01-085	Leave without pay	82-01-027
	82-05-015	Reduction-in-force	
	82-06-012	procedure	82-15-046
	82-07-045		82-16-091
	82-11-102	reasons	82-18-059
<b>PARKS AND RECREATION COMMISSION</b>		voluntary leave without pay	82-02-013
Duties of chairman and conduct of meetings	82-04-033		82-03-032
	82-07-077		82-04-025
Electrical hookup fees		Register	82-07-034
senior citizen pass holders	82-12-059	designation	82-09-021
	82-15-059		82-09-022
Employees, police powers	82-02-069		82-10-042
	82-07-076		82-15-072
Land acquisition procedure	82-04-057	name removal	82-18-059
	82-07-078	Salary, reemployment	82-15-072
Marine park areas	82-04-058		82-08-019
	82-08-027	Seniority	82-11-061
	82-08-065		82-02-013
Public meeting notice	82-02-045		82-04-025
	82-16-004		82-07-034
Sno-Park permits	82-16-078	Sick leave	82-09-021
State park areas			82-09-022
pets	82-08-057		82-15-046
	82-12-008	Standby provisions and compensation	82-16-091
public use, fees	82-04-055	Transfer	82-18-059
	82-09-035	between agencies	82-01-027
Winter recreational area			82-03-030
parking permit fee	82-16-078	probationary period	82-01-027
<b>PENINSULA COLLEGE</b>			82-03-030
Public meeting notice	82-13-029	Tuition reimbursement	82-01-038
<b>PERMITS</b>		Unfair labor practice hearing	82-15-045
Drilling operations		Vacation leave, accrued	
bond amounts increased, release provisions	82-01-006	disposition	82-10-042
<b>PERSONNEL APPEALS BOARD</b>			82-14-039
Appeals, procedures			82-15-046
general provisions, procedure implemented	82-01-052	Work period designations	82-16-091
	82-01-054		82-02-019
	82-11-077		82-05-034
	82-14-007		82-06-009
	82-16-027	<b>PHARMACY, BOARD OF</b>	
superior court	82-11-077	Drugs, schedule V controlled substances	82-11-084
	82-14-007		82-14-073
<b>PERSONNEL, DEPARTMENT OF</b>			82-16-086
Agencies—personnel records	82-18-059	Fees	
Authority, delegation of	82-16-091	pharmacist licenses	82-09-055
Board			82-09-077
powers and duties	82-15-072	Hospital pharmacy standards	82-12-041
procedures	82-12-034		82-04-086
	82-15-045	application to state facilities	82-07-098
public meeting notice	82-02-002		82-12-024
		Legend drugs	82-09-077
			82-12-041



## Subject/Agency Index

<b>PHARMACY, BOARD OF—cont.</b>		<b>POSTSECONDARY EDUCATION, COUNCIL FOR</b>	
ephedrine	82-02-095	Displaced homemakers	82-11-072
Licenses			82-12-002
wholesalers	82-02-094		82-15-018
	82-06-042	Financial aid	
Nonprescription drugs,		blind students	82-11-086
schedule V controlled substances	82-11-084		82-15-055
	82-14-073	children, deceased or incapacitated veterans	82-11-087
	82-16-086		82-15-056
	82-17-021	eligibility	82-11-088
Radioactive materials			82-15-058
<b>PHYSICIAN ASSISTANT</b>		Residency	82-11-088
Osteopathic medicine	82-12-074		82-12-036
acupuncture assistants	82-12-074		82-15-006
Prescriptive authority	82-03-022		82-15-062
	82-12-074	Western interstate commission for	
	82-03-022	higher education student exchange program	82-11-085
<b>PILOTAGE COMMISSIONERS, BOARD OF</b>			82-15-057
Pilotage associations, name change	82-10-049	Work study	82-11-089
	82-13-087		82-15-054
Pilots		<b>PRESCRIPTIONS</b>	
applicant qualifications	82-06-054	Physician assistants	82-03-022
	82-09-060		82-12-074
	82-13-062	<b>PRISON TERMS AND PAROLES, BOARD OF</b>	
	82-15-026	Policies, procedures, guidelines	82-08-001
licensing	82-06-054	Public disclosure	82-17-018
	82-09-060	<b>PROFESSIONAL ENGINEERS AND LAND SURVEY-</b>	
	82-15-028	<b>ORS</b>	
Tariffs		Licenses	82-01-064
Grays Harbor	82-02-008	<b>PSYCHOLOGY, EXAMINING BOARD OF</b>	
	82-02-068	Written examination, passing score	82-09-078
	82-05-035		82-18-073
	82-08-016	<b>PUBLIC ASSISTANCE</b>	
	82-08-017	(See <b>SOCIAL AND HEALTH SERVICES</b> )	
Puget Sound	82-08-062	<b>PUBLIC DISCLOSURE COMMISSION</b>	
	82-11-048	Campaign expenditures,	
	82-12-020	reporting of purpose	82-05-001
	82-12-033		82-11-024
	82-13-064		82-14-014A
	82-13-065		82-14-016
<b>PLANNING AND COMMUNITY AFFAIRS AGENCY</b>			82-16-031
Building code advisory council			82-02-007
barrier-free facilities	82-02-082	Campaign financing reporting forms	
	82-04-063	Enforcement procedures	
Drug abuse prevention office, repealer	82-07-084	demand for information, subpoena	82-02-007
Head start programs, funding	82-07-066	Forms	82-07-093
Public meeting notice	82-04-064		82-11-025
	82-07-083		82-11-026
	82-15-067		82-14-070
			82-16-032
<b>POLLUTION</b>		Late filings	
Air	82-11-067	disclosure	82-11-080
	82-11-103		82-16-032
	82-14-051	review	82-11-024
	82-16-019		82-14-014A
	82-16-020		82-14-016
Beverage containers	82-18-070		82-16-031
Dangerous waste regulations, established	82-01-024	waiver criteria	82-02-007
	82-01-047		82-11-024
	82-04-046		82-14-014A
Hazardous waste regulations, repealed	82-01-024		82-14-016
	82-01-047		82-16-031
	82-04-046	Lobbyist reporting/registration	82-11-024
	82-02-027		82-14-014A
	82-02-028		82-14-016
Motor vehicle emission inspection	82-16-021		82-16-031
	82-05-011		82-17-038
Volatile organic compounds	82-06-056	Mini campaign financing	82-11-024
Water pollution abatement, Ref. 39 funds	82-12-078		82-14-014A
Water quality standards			82-14-016
			82-16-031
<b>POLLUTION CONTROL HEARINGS BOARD</b>		Public officials	
Public meeting notice	82-03-034	compensation from lobbyists	82-17-038
<b>PORT DISTRICTS</b>		Public meeting notice	82-03-009
Elections		Public records	
additional commissioners	82-13-049		
	82-17-065		

## Subject/Agency Index

<b>PUBLIC DISCLOSURE COMMISSION—cont.</b>		<b>RETIREMENT AND PENSIONS—cont.</b>	
copying costs	82-14-084	pension benefits, calculation	82-05-031
	82-18-031		82-07-081
microfiche	82-01-073		82-08-071
	82-05-001		82-11-014
Suspension of reporting requirements	82-11-025	Deferred compensation plan, state employees	82-04-017
	82-11-080		82-08-054
	82-14-070		82-10-005
	82-16-032		82-12-027
			82-13-043
<b>PUBLIC LANDS</b>		Elected officials	
Closed season for		service retirement allowance computation	82-07-010
industrial requirements postponed	82-11-033	Higher education	
Forest Products Industry Recovery Act, implementation	82-10-050	annual leave	82-16-023
	82-11-090		82-16-024
Winter burning permits extended	82-11-033		82-16-030
		layoffs	82-16-030
<b>PUBLIC RECORDS</b>		separation	82-16-030
Copying costs	82-14-084	Public employees	
microfiche	82-01-073	liability for added pension costs	82-12-044
	82-05-001		82-14-043
	82-05-001		
Corrections, department of	82-04-023	<b>REVENUE, DEPARTMENT OF</b>	
Ecology, department of	82-13-107	Cigarettes, sales under cost	82-15-024
Energy office	82-13-044		82-16-060
		County boards of equalization	82-15-069
<b>PUBLIC UTILITY DISTRICTS</b>		Food products, tax application	82-10-027
Contractual liability for WPPSS funding	82-09-045		82-13-092
McCleary, separate electrical system	82-09-068		82-16-024
Public utility tax	82-16-062		82-16-061
	82-16-099		
	82-17-073	Forest excise tax	
Voting rights		public land	82-16-057
taxation of city within district	82-09-068		82-16-058
		Indicated real property ratio-computation	82-05-029
<b>PULL TABS</b>			82-08-061
Price posting	82-10-003	Meals, sales of	82-10-029
	82-13-054		82-13-091
Prizes	82-02-025		82-16-024
	82-03-033		82-16-061
	82-06-007	Property tax assessment	82-15-023
Quarterly activity reports	82-04-010	Public utility tax	82-16-062
Records	82-01-065		82-16-099
	82-03-033		82-17-073
		Real estate excise tax	82-09-074
<b>PUNCHBOARDS</b>			82-15-070
Price posting	82-10-003	Retail sales tax collection schedules	82-01-005
	82-13-054		82-02-012
Prizes	82-01-065		82-03-049
	82-03-033		82-06-020
Quarterly activity reports	82-04-010		82-10-030
Records, monthly	82-01-065		82-13-090
	82-03-033		82-16-024
			82-16-061
<b>RADIOACTIVE MATERIALS (See HAZARDOUS MATERIALS)</b>		Sales	
<b>REAL ESTATE</b>		time and place	82-06-037
Agents, practice of law	82-03-005	gift certificates	82-09-073
Broker licensing	82-13-035		82-12-021
	82-17-039	Small harvester option	82-16-057
Commission meeting	82-02-043		82-16-058
County board of equalization	82-15-069	State levy, apportionment between counties	82-02-005
Handicap discrimination	82-16-070		82-02-006
Excise tax	82-09-074		82-06-006
	82-15-070	Timber tax	
Listing agreements, statement of negotiability of compensation	82-05-051	harvest on public land	82-16-057
Real property securities	82-16-007		82-16-058
		private forest land grades	82-04-067
			82-07-086
<b>RECIPROCITY COMMISSION</b>		stumpage value	82-02-034
Public meeting notice			82-02-035
1982 schedule	82-01-072		82-10-055
			82-14-037
<b>REDMOND, CITY OF</b>			82-14-038
Shoreline management program	82-01-048		82-16-058
		<b>RULE-MAKING</b>	
<b>RETIREMENT AND PENSIONS</b>		Filing	82-11-091
Community colleges			82-13-099
		Rule purpose statements	82-11-091
			82-13-099

## Subject/Agency Index

<b>RULE-MAKING—cont.</b>			
Small business economic impact statement	82-11-091	<b>SAVINGS AND LOAN ASSOCIATIONS—cont.</b>	
	82-13-099	Merger or	
<b>SAFETY</b>		acquisition of troubled associations	82-02-075
Aerial manlift equipment	82-07-001		82-04-044
	82-08-004		82-08-023
	82-13-045	<b>SCHOOLS</b>	
Agriculture	82-02-065	Barbers	82-01-062
	82-08-026		82-05-049
Construction work	82-02-065		82-08-064
	82-08-026	Blind students	
Electrical code, application	82-12-018	financial aid	82-15-055
Electrical workers	82-02-065	Building regulation update	82-02-092
	82-07-013		82-07-015
	82-08-026	Cosmetologists	82-01-061
Elevators, dumbwaiters,			82-05-048
escalators, moving walks	82-07-079		82-08-063
	82-12-005	Drugless, licensing	82-05-052
Explosives	82-01-023		82-09-043
	82-02-065	Education program consolidation	82-01-055
	82-07-013	Emergency closures	
	82-08-026	vacation day	82-13-034
Fireworks	82-12-001	Employees	
	82-12-013	sick leave reimbursement	82-03-041
	82-13-001		82-13-031
	82-13-002		82-13-033
General health and safety	82-01-007	Excess levies, limits	82-02-089
	82-01-044		82-02-090
	82-02-003		82-05-025
	82-02-065		82-05-026
	82-03-023		82-07-085
	82-08-004	General fund allotment reductions	82-13-086
	82-08-026	Midwifery	82-12-073
	82-13-045		82-17-034
Logging operations	82-13-046	Physical education,	
Occupational health	82-02-065	minimum requirement deleted	82-04-002
	82-08-026	Private	
medical surveillance	82-12-019	certificate of compliance,	
Scaffolding	82-01-023	notarization requirement eliminated	82-04-004
	82-07-013	Salary-compensation lid,	
Tractors, roll-over protective structures	82-01-023	compliance determination	82-04-050
	82-07-013		82-04-061
	82-10-071		82-07-028
Traffic safety commission			82-07-058
meetings	82-01-015	Secondary programs, minimum credit offerings	82-04-003
	82-02-010	Student loan guaranty association	82-17-027
	82-07-039	Student transfer hearings, conduct of	82-13-072
	82-10-045		
	82-15-044	<b>SEATTLE</b>	
<b>SALARIES, WAGES</b>		Shoreline management	82-02-079
Schools		<b>SEATTLE COMMUNITY COLLEGE DISTRICT</b>	
compensation lid compliance determination	82-04-050	Public meeting notice	82-02-018
	82-04-061		82-02-036
	82-07-028		82-04-020
	82-07-058		82-06-025
State			82-07-037
compensation for accrued vacation leave	82-10-024		82-08-022
deferred compensation plan	82-04-017		82-12-050
	82-08-054		82-13-095
electronic deposit	82-02-074		82-15-021
	82-05-030		82-16-017
<b>SAVINGS AND LOAN ASSOCIATIONS</b>		<b>SECRETARY OF STATE</b>	
Examinations, costs	82-09-047	Corporations division	
	82-09-075	filing procedures, special fees	82-12-072
	82-13-015		82-14-053
Fees	82-09-047		82-16-059
	82-09-075	Limited partnership filings	82-18-082
	82-11-019	Special elections,	
	82-13-015	major public energy projects	82-09-061
License	82-11-019		82-12-022
	82-15-001	<b>SECURITIES</b>	
Loans to directors, officers, employees	82-09-047	Cheap and promotional shares,	
	82-09-075	inapplicability of restrictions on amounts	82-12-071
	82-13-015		82-17-057
		Examinations and registration	82-02-033

## Subject/Agency Index

<b>SECURITIES—cont.</b>		<b>SHORELINE MANAGEMENT—cont.</b>	
Exempt transactions	82-12-025	Seattle	82-02-079
	82-12-026	Skagit county	82-10-076
	82-13-097		82-14-088
Limited offering exemption	82-14-022	Skating Lake	82-07-099
	82-12-070	Snohomish county	82-10-075
	82-13-071		82-14-018
Real property	82-17-058	Tacoma	82-05-056
	82-16-007		82-10-002
<b>SENIOR CITIZENS</b>		Thurston county	82-03-043
Medicare supplemental insurance policies	82-01-017		82-07-004
disclosure requirements,		Tonasket	82-13-106
standards, procedures, forms	82-01-016	Tukwila	82-08-075
	82-09-030		82-11-106
	82-12-032	Whatcom county	82-01-088
State parks			82-02-077
electric hookup fees	82-12-059		82-03-043
	82-11-059	Yelm	82-07-005
			82-02-081
<b>SENTENCING GUIDELINES COMMISSION</b>		<b>SHORELINES HEARINGS BOARD</b>	
Public meeting notice	82-05-028	Public meeting notice	82-03-034
	82-09-010		
<b>SHELLFISH</b>		<b>SKAGIT COUNTY</b>	
Gear, Hood Canal	82-11-013	Shoreline management	82-10-076
Geoducks, catch reporting requirements	82-03-002		82-14-088
	82-11-036	<b>SKAGIT VALLEY COLLEGE</b>	
Oysters, areas and seasons	82-08-024	Public meeting notice	82-01-026
Possession			82-01-053
limits	82-08-024		82-11-079
	82-09-081		82-14-025
unlawful condition	82-14-003	<b>SKATING LAKE</b>	
Razor clams		Shoreline management	82-07-099
areas and seasons	82-02-021		
	82-04-012	<b>SNOHOMISH COUNTY</b>	
	82-10-007	Shoreline management	82-10-075
Pacific ocean beaches	82-01-104		82-14-018
	82-11-060	<b>SOCIAL AND HEALTH SERVICES, DEPARTMENT</b>	
Shrimp	82-01-082	<b>OF</b>	
	82-03-045	Adoption	
	82-04-011	support	82-02-023
Hood Canal	82-11-013	Adult residential treatment facilities	82-17-009
Squid, permissible fishing methods	82-01-002	Aid to families with dependent children	
		(See Public assistance this topic)	
<b>SHORELINE COMMUNITY COLLEGE</b>		Alcoholism	
Public meeting notice	82-01-078	congregate care, rehabilitative services	82-01-057
			82-02-029
<b>SHORELINE MANAGEMENT</b>			82-04-076
Blaine	82-05-056		82-17-025
	82-10-001	detoxification eligibility	
Bremerton	82-02-076	Involuntary Treatment Act,	
	82-03-042	need requirements and deductible	82-01-004
	82-03-043	Ambulances	82-04-041
	82-07-003		82-16-093
Centralia	82-13-106	Community mental health	82-18-067
Chehalis	82-02-078	Congregate care	
Cowlitz county	82-01-085	eligible persons	82-07-054
	82-05-017		82-10-064
	82-08-075	Day care	
	82-11-105	family home, generally	82-15-053
Ferndale, city of	82-01-049	family home licensing fee	82-13-078
Jefferson county	82-13-106		82-17-033
King county	82-01-085	parent participation	82-01-070
	82-05-018		82-11-016
Kitsap county	82-01-087		82-11-017
Lacey	82-02-080		82-14-046
La Conner	82-10-076	payment for if on advisory board eliminated	82-11-031
Mason county	82-10-075		82-14-048
	82-14-017	work incentive program payment limitation	82-10-057
Monroe	82-01-086		82-10-063
	82-05-016		82-13-081
	82-06-013	Developmentally disabled,	
Moses Lake	82-13-106	county services authorized	82-02-054
Pacific county	82-01-085		82-02-056
	82-05-015		82-06-034
	82-06-012	Emergency medical technicians	82-16-093
	82-07-045	Employees, tax deferred annuities	82-05-012
	82-11-102	Energy assistance, low income home	82-01-050
Redmond, city of	82-01-048		

## Subject/Agency Index

### SOCIAL AND HEALTH SERVICES, DEPARTMENT

OF—cont.	
Exempt property	82-07-027 82-08-040 82-10-059 82-11-073 82-11-074 82-14-049 82-15-052 82-18-063
Family reconciliation services	
supportive counseling services, eliminated	82-01-040
Foster care	
generally	82-15-053
group care	
payment restrictions	82-12-048 82-13-042 82-01-068 82-02-030 82-04-070 82-16-064
time limitation	82-02-072 82-02-073 82-06-001 82-16-064
payment, effective date	
placement authorization	
Hospital care	
payment	82-15-065 82-15-071
Hospitals	
certificates of need	82-16-084
Kidney centers	82-16-083
License fees, generally	82-08-078 82-08-080 82-12-028 82-13-011 82-07-096 82-10-062 82-11-034 82-15-051 82-15-064 82-18-062
Medical assistance	
eligibility	82-01-001 82-01-019 82-02-058 82-02-064 82-06-003 82-14-045 82-17-072 82-18-034 82-01-067 82-18-034 82-15-065 82-15-071 82-18-066
grievance procedures	
home health agencies, certification	
hospital care	
Involuntary Treatment Act,	
need requirements and deductible	82-01-004
limited casualty program	82-11-066 82-14-050 82-14-066 82-15-063 82-18-060 82-15-065 82-15-071
deductible	
hospital care	
medically indigent	
deductible	82-10-033 82-10-048 82-13-079
scope of care	82-04-071 82-14-066
medically needy in own home	82-08-039 82-14-066
medicare limits, other services available	82-18-034
overpayment, repayment, underpayment	82-01-071 82-01-103 82-11-054 82-11-055

### SOCIAL AND HEALTH SERVICES, DEPARTMENT

OF—cont.	
patient overutilization	82-01-001 82-14-008 82-14-065 82-01-001
patient transportation	82-02-022 82-17-069 82-14-066 82-14-066 82-01-001 82-15-051 82-15-064 82-18-034
pregnancy	
prosthetic devices	
scope and content of care	
spouses, ineligibility of one, other ineligible	82-18-034
Mental illness	
community mental health	82-18-067
hospitalization	
schedule of charges	82-14-068 82-14-072 82-17-070
Mental illness, retardation	
adult residential treatment facilities,	
private treatment homes	82-12-006 82-12-007 82-17-009
institutions for mentally retarded	
accounting and reimbursement system	82-09-071 82-10-032 82-16-080 82-05-024 82-07-024
voluntary admission, involuntary commitment	
Nursing homes (See NURSING HOMES)	
Public assistance	
aid to families with dependent children	
alien sponsorship	82-01-009 82-16-079 82-01-009
child care expenses	
consolidated emergency assistance program,	
grant standards	82-07-057 82-07-069 82-11-001 82-01-051 82-11-031 82-14-048 82-08-058 82-08-059 82-11-093 82-01-009 82-06-015 82-06-019 82-09-034 82-14-064 82-16-079 82-17-007 82-16-063 82-10-057 82-10-063 82-13-081 82-18-061 82-01-041 82-01-101 82-05-005 82-05-036 82-08-038 82-06-015 82-06-019 82-09-034 82-16-065 82-07-057 82-07-069 82-11-001 82-14-009 82-14-047 82-17-066 82-01-009 82-13-077 82-17-007
day care services	
payment for if on advisory board eliminated	
deprivation of parental support	
eligibility	
emergent situations	
work incentive program payment limitation	
employment training, refusal of	
enrollment in Indian boarding school	
grant or vendor payment	
grant standards	
strikers	
students over 18	

## Subject/Agency Index

### SOCIAL AND HEALTH SERVICES, DEPARTMENT

OF—cont.

support rights assignment	82-10-011
	82-13-080
exclusion of child from assistance unit	82-10-058
	82-13-082
exempt property	
generally	82-11-073
	82-11-074
	82-14-049
insurance proceeds use	82-07-027
real property	82-15-052
hearing	82-11-053
	82-14-047
income	82-01-009
	82-16-079
disregards	82-08-060
	82-11-094
failure to report	82-16-079
intensive applicant	
employment services project	82-03-040
	82-07-026
lost or stolen cash proceeds, replacement	82-13-102
monthly reporting	82-07-080
	82-07-091
	82-10-060
	82-14-044
	82-15-029
	82-17-068
one time payment for persons added to grant	82-13-102
	82-16-065
overpayment, repayment, underpayment	82-01-071
	82-01-103
	82-11-054
	82-11-055
assistance from other agencies	82-13-003
	82-13-004
	82-17-003
categorically needy, definition	82-01-019
community, separate, joint property	
labor and industries compensation, lien	82-09-018
	82-09-019
	82-12-066
community work experience program	82-07-097
	82-11-018
continuing general assistance	82-01-009
eligibility	82-06-015
	82-06-019
	82-14-064
	82-14-066
	82-16-079
grant or vendor payment	82-06-015
	82-06-019
	82-09-034
grant standards	82-07-057
	82-07-069
	82-11-001
	82-14-009
	82-17-066
income	82-01-009
disregards	82-08-060
	82-11-094
failure to report	82-16-079
medical assistance, scope	
7 day rule	82-15-051
	82-15-064
day care	
family home, generally	82-15-053
family home licensing fee	82-13-078
	82-17-033
participation	82-01-070
	82-04-052
	82-04-074
	82-11-016
	82-11-017
exempt property	

### SOCIAL AND HEALTH SERVICES, DEPARTMENT

OF—cont.

generally	82-11-073
	82-11-074
	82-14-049
real property	82-15-052
replacement of	82-07-027
	82-08-040
	82-10-059
fair hearings	
continuation of benefits pending	82-03-021
	82-06-051
disclosure of investigative	
and intelligence files	82-03-050
	82-06-049
vocational rehabilitation	82-09-072
exception to policy request, notification	82-01-067
	82-04-077
food stamps	
eligibility	82-08-041
	82-08-042
	82-11-092
income	82-02-055
	82-06-004
	82-08-041
	82-08-042
	82-11-092
	82-12-046
	82-14-062
	82-15-027
replacement	82-02-070
	82-02-071
	82-06-002
resources, exempt	82-08-041
	82-08-042
	82-11-092
funeral costs	82-03-025
	82-03-026
	82-06-050
	82-11-073
exempt property	
general assistance	
hearing	82-11-053
incapacity	82-09-049
	82-10-031
	82-12-067
	82-18-083
lost or stolen cash proceeds, replacement	82-13-102
mandatory monthly reports	82-13-005
one-time payment for	
persons added to grant	82-13-102
	82-16-065
grievance procedures	82-01-067
	82-04-077
income assistance	82-18-081
overpayment	82-05-043
	82-08-037
	82-11-054
	82-11-055
repayment	82-01-071
	82-01-103
	82-04-072
	82-11-054
	82-11-055
refugee assistance	82-01-009
	82-01-051
	82-02-032
	82-07-030
	82-07-055
	82-07-080
	82-07-091
	82-10-060
	82-10-061
	82-13-102
	82-16-065
resource access services	82-08-036
	82-11-095
resources	

## Subject/Agency Index

### SOCIAL AND HEALTH SERVICES, DEPARTMENT

### STATE—cont.

OF—cont.		appeals	82-09-022
financial need	82-11-074	employment reduction program	82-01-097
transfer, receipt		hearings	82-06-029
without adequate consideration	82-01-022		82-09-023
	82-03-020	incumbents, reallocation upwards	82-01-027
SSI standards	82-10-017		82-03-029
	82-13-055		82-05-033
	82-14-063		82-07-034
	82-17-004	leave without pay	82-01-027
state supplementary payments		pay date	82-18-049
definitions	82-03-024		82-18-051
	82-06-052	reduction—in-force	
support enforcement		voluntary leave without pay	82-02-013
agreed settlement provisions	82-14-010		82-03-032
	82-14-011		82-04-025
	82-17-068		82-07-034
work incentive program			82-09-021
day care services limitation	82-10-057		82-09-022
	82-10-063	register designation	82-10-042
	82-13-081	retirement system liability	
Public meeting notice	82-08-007	for added pension costs	82-12-044
Radioactive materials		salary, reemployment	82-08-019
license fees	82-13-026		82-11-061
	82-13-039	seniority	82-02-013
	82-17-021		82-04-025
authority to impose	82-13-026		82-07-034
Refugee assistance (see public assistance)			82-09-021
Social services			82-09-022
ESSO, recipients under 21, repealed	82-01-042	social and health services, department of	
Vocational rehabilitation		tax deferred annuities	82-05-012
economic need, determination	82-01-036	transfer	
	82-01-037	between agencies	82-01-027
	82-04-078		82-03-030
fair hearings	82-09-072	probationary period	82-01-027
	82-12-069		82-03-030
reimbursement,		tuition reimbursement	82-01-038
accreditation expenses, deleted	82-01-069	vacation leave, accrued	
	82-04-075	disposition	82-10-042
Waterworks operator certification	82-08-079	work period designations	82-02-019
	82-08-082		82-05-034
	82-12-030		82-06-009
	82-13-009	Expenditure reduction program	82-01-098
		hiring freeze	82-09-070
		General fund allotment reduction	82-09-069
			82-13-086
SPOKANE COMMUNITY COLLEGE (DISTRICT NO. 17)		Legislature	
Collective bargaining	82-15-048	art works in legislative building	82-04-007
Faculty		extraordinary session	82-07-035
tenure, contract nonrenewal, dismissal	82-01-035	extension	82-07-062
Liquor consumption	82-01-032		82-08-014
Public meeting notice		second extraordinary session	82-14-005
1982 schedule	82-01-031	Levy, apportionment between counties	82-02-005
Student conduct and discipline	82-01-033		82-02-006
	82-01-034		82-06-006
Tenure	82-08-018		
	82-11-064	Salaries	
	82-13-063	electronic deposit	82-02-074
	82-15-048		82-05-030
		pay date	82-18-049
STATE		STATE EMPLOYEES INSURANCE BOARD	
Elected officials		Public meeting notice	82-12-049
service retirement allowance computation	82-07-010	STATE PATROL	
Employees		Criminal records, employer access	82-18-006
appeals, procedure	82-01-052		82-18-007
	82-01-053	Disability retirements	82-17-023
	82-11-077		82-17-024
	82-14-007	Hazardous materials transportation	82-04-037
compensation for accrued vacation leave	82-10-024		82-04-038
deferred compensation plan	82-04-017		82-07-100
	82-08-054	Promotion of minority and female officers	82-01-096
	82-10-005		
	82-12-027	STUDENT LOAN GUARANTY ASSOCIATION	
	82-13-043	Expanded	82-17-027
definitions	82-01-027	STUDENTS	
	82-03-030	AFDC eligibility	82-13-077
	82-03-032	Bellevue community college	
	82-06-029		
	82-09-020		
disability			

## Subject/Agency Index

<b>STUDENTS—cont.</b>		<b>SUPREME COURT—cont.</b>	
grievance appeals	82-07-072 82-11-037	Supervising attorneys, investigation fee	82-14-004
Edmonds community college discipline	82-05-039 82-10-013	Withdrawal	82-11-010
Exchange program, Western interstate compact on	82-11-085	<b>TACOMA</b>	
Financial aid		Shoreline management	82-05-056 82-10-002
blind students	82-11-086 82-15-055	<b>TARIFFS</b>	
children of deceased or disabled veterans	82-11-087 82-15-056	Pilotage	
eligibility	82-11-088 82-15-058	Grays Harbor	82-02-008 82-02-068 82-05-035 82-08-016 82-08-017 82-08-062 82-11-048 82-12-020 82-12-033 82-13-064 82-13-065
Inter-district transfer hearings, conduct of	82-13-072	Puget Sound	
Loans, guaranty association	82-17-027		
Residency	82-11-088 82-15-062	<b>TAXATION</b>	
Walla Walla community college constitution, by-laws	82-06-024 82-12-056	Aircraft fuel	82-17-050
Western Washington University rights and responsibilities	82-05-038 82-11-063	Food products	82-10-028 82-13-092 82-05-029 82-08-061 82-06-010 82-10-029 82-13-091 82-09-074
Work study	82-11-089 82-15-054	Indicated real property ratio-computation	
Yakima valley college rights and responsibilities	82-01-079	Investment tax deferrals	
<b>SUPERINTENDENT OF PUBLIC INSTRUCTION</b>		Meals, sales of	
Definitions	82-16-039	Real estate excise tax	
Education, state board of members	82-13-032 82-16-037	Retail sales tax collection schedules	82-01-005 82-02-012 82-03-049 82-06-020 82-10-030 82-13-090
Education program consolidation advisory committee	82-01-055	Sales	
Elementary and Secondary Education Act	82-16-035	time and place	82-06-037
Emergency school closures		gift certificates	82-09-073 82-12-021
vacation day	82-13-034	School districts	
Excess levies, limits	82-02-089 82-02-090 82-05-025 82-05-026 82-07-085	excess levies, limits	82-02-089 82-02-090 82-05-025 82-05-026 82-07-085
Federal programs	82-16-035	State levy, apportionment between counties	82-02-005 82-02-006 82-06-006
Finance, nonresident attendance	82-16-034 82-16-041 82-16-035	Timber	
Grants management		private forest land grades	82-04-067 82-07-086 82-02-034 82-02-035 82-10-055
Inter-district student transfer hearings, conduct of	82-13-072	stumpage value	
Nonresident attendance	82-16-034 82-16-041	<b>TENURE</b>	
Organization description, public records purpose	82-16-033 82-16-040	Big Bend community college	82-08-043 82-09-040 82-14-075
Salary-compensation lid, compliance determination	82-04-050 82-04-061 82-07-028 82-07-058	Edmonds community college	82-16-075
School district budgeting	82-16-094	Grays Harbor college	82-12-039 82-13-052 82-13-053 82-01-035 82-08-018 82-11-064 82-13-063 82-15-048 82-02-015 82-02-041 82-07-033
Sick leave	82-13-031 82-13-033 82-16-036 82-16-038	Spokane community college district 17	
State general fund allotment reductions	82-13-086		
Vacation day, defined	82-16-039	Walla Walla community college	
<b>SUPERIOR COURT</b>			
Crime			
Crime victim's compensation	82-15-060		
<b>SUPREME COURT</b>		<b>THURSTON COUNTY</b>	
Continuing legal education	82-11-008	Shoreline management	82-03-043 82-07-004
Judges, discipline rules	82-11-007 82-13-027		
Legal fees	82-11-011		
Oath of attorney	82-11-009		
Rule-making procedures	82-07-018		



## Subject/Agency Index

<b>TONASKET</b>		<b>UTILITIES AND TRANSPORTATION</b>	
Shoreline management	82-13-106 82-17-049	<b>COMMISSION—cont.</b>	
<b>TRAFFIC SAFETY COMMISSION</b>		hazardous materials	82-02-083 82-02-086 82-05-022 82-09-041 82-09-042 82-12-061 82-09-036 82-12-063 82-14-085 82-17-035 82-18-038 82-09-037 82-12-062 82-09-038 82-12-060 82-14-092
Public meeting notice	82-01-015 82-02-010 82-07-039 82-10-045 82-15-044	insurance coverage	
<b>TRANSPORTATION, DEPARTMENT OF</b>		leasing restrictions	
Aeronautics		route combinations	
pilot registration	82-18-025 82-18-044	temporary permits	
Bicycles		vehicle size and weight regulations	
use on limited access highways	82-01-029	Garbage and/or refuse collection companies	
Commission		certification applications, protests	82-10-018 82-13-089 82-02-084 82-02-087 82-05-021 82-16-062
public meeting notice	82-03-036 82-11-058	hazardous materials	
Ferries		Public utility tax	
toll schedule	82-04-045 82-07-063 82-14-021 82-18-009	Railroads	
Highways		hazardous materials	82-02-085 82-02-088 82-05-020
illumination	82-09-057 82-13-014	Rate increases	
Hood Canal bridge, toll schedule	82-14-020 82-17-074	notice to customers	82-05-047 82-07-092 82-10-066 82-13-067 82-13-088
Vehicle size and weight regulations	82-14-092 82-18-010	<b>VOCATIONAL EDUCATION, ADVISORY COUNCIL</b>	
<b>TRAPPING (See GAME, DEPARTMENT OF)</b>		<b>ON</b>	
<b>TUITION</b>		Public meeting notice	82-02-047 82-04-013 82-07-060 82-11-032 82-18-016
Community colleges		<b>VOCATIONAL EDUCATION, COMMISSION FOR</b>	
generally	82-11-015	Local annual applications	82-09-066 82-13-093 82-09-066 82-13-093 82-02-042 82-02-096 82-03-028 82-04-042 82-11-006 82-12-031 82-13-094 82-16-090
ungraded courses	82-07-073 82-11-035	Nondiscrimination policy	
Reimbursement, state employees	82-01-038	Public meeting notice	
<b>TUKWILA</b>		Standards	
Shoreline management	82-08-075 82-11-106	trainers	82-09-066 82-12-017 82-13-093
<b>UNIFORM COMMERCIAL CODE</b>		<b>VOCATIONAL REHABILITATION, DIVISION OF</b>	
Fees, amendment	82-08-075A 82-14-059	Blind	82-04-053 82-06-022 82-06-039 82-10-025 82-10-026 82-13-108 82-16-096 82-01-036 82-01-037 82-09-072 82-12-069 82-01-069 82-04-075
Filing and forms	82-01-020 82-04-084 82-05-014 82-08-021 82-08-075A 82-10-043 82-13-030 82-14-059	Economic need, determination	
<b>UNIVERSITY OF WASHINGTON</b>		Fair hearings	
Facilities use	82-09-039 82-16-001	Reimbursement, accreditation expenses, deleted	
Fees		<b>VOLUNTEER FIREMEN, BOARD FOR</b>	
parking	82-10-056 82-13-100	Public meeting notice	82-05-027 82-07-048
Meeting schedules, availability			
at visitors information center	82-01-056		
Public meeting notice	82-03-048 82-08-009 82-11-020		
<b>URBAN ARTERIAL BOARD</b>			
Public meeting notice	82-03-003 82-08-045 82-10-053		
<b>UTILITIES AND TRANSPORTATION COMMISSION</b>			
Common and contract carriers			
commercial zones and terminal areas	82-13-066 82-16-029		

## Subject/Agency Index

<b>WALLA WALLA COMMUNITY COLLEGE</b>	
Associated students	
constitution, by-laws	82-06-024
	82-12-056
Faculty qualifications	82-02-046
	82-07-011
Tenure	82-02-015
	82-02-041
	82-07-033
<b>WASHINGTON STATE UNIVERSITY</b>	
Parking and traffic	82-17-045
Public meeting notice	82-01-058
	82-03-008
<b>WATER</b>	
Forest practices	82-18-069
Odessa ground-water subarea	
management policy	82-10-073
	82-10-074
	82-14-040
	82-14-041
Pollution abatement, Referendum 39 funds	82-05-011
Quality standards	82-06-056
	82-12-078
Wenatchee river basin	82-18-071
<b>WENATCHEE VALLEY COLLEGE</b>	
Parking	82-01-080
Public meeting notice	82-01-076
<b>WESTERN WASHINGTON UNIVERSITY</b>	
Public meeting notice	82-02-016
	82-07-036
	82-08-020
	82-09-062
	82-14-019
	82-15-016
	82-16-068
	82-18-003
Student rights and responsibilities	82-05-038
	82-11-063
<b>WHATCOM COMMUNITY COLLEGE</b>	
Public meeting notice	82-09-011
	82-11-052
	82-15-035
<b>WHATCOM COUNTY</b>	
Flooding, emergency declared	82-05-002
Shoreline management	82-01-088
	82-02-077
	82-03-043
	82-07-005
<b>WORKERS' COMPENSATION</b>	
Bonds, cancellation	82-07-022
	82-10-034
Retrospective rating plans	82-01-100
	82-05-019
Self-insurers	
joint ventures	82-04-040
	82-07-019
processing of claims	82-09-067
	82-12-035
Settlement agreements	82-10-072
	82-13-045
<b>YAKIMA VALLEY COLLEGE</b>	
Public meeting notice	82-01-076
Student rights and responsibilities	82-01-079
<b>YELM</b>	
Shoreline management	82-02-081