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OLYMPIA, WASHINGTON

ISSUE 83-22



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CITATION

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

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

DENNIS W. COOPER
Code Reviser

WASHINGTON STATE REGISTER

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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.

1983 - 1984

DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue No.	Closing Dates ¹			Distribution Date	First Agency Action Date ³
	Non-OTS & 30 p. or more	Non-OTS & 11 to 29 p.	OTS ² or 10 p. max. Non-OTS		
For Inclusion in—	File no later than—			Count 20 days from—	For hearing/adoption on or after
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
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84-11	Apr 25	May 9	May 23	Jun 6	Jun 26
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*Dates adjusted to accomodate July 4th holiday on normal distribution and closing date. See WAC 1-12-030(5)(c) and 1-13-030(5)(c).

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

²A 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.

³No 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 83-22-001
BOARD OF PRISON
TERMS AND PAROLES
 [Filed October 20, 1983]

Reviser's note: The following material has not been adopted under the Administrative Procedure Act, chapter 34.04 RCW, but has been filed in the office of the code reviser and is published in the Register exactly as filed.

BOARD OF PRISON TERMS AND PAROLES

Rule 6.340 **CONTINUANCES** Any party to a parole revocation hearing, or their counsel, who desires a continuance shall, immediately upon receipt of Notice of Hearing, or as soon thereafter as circumstances requiring such continuance come to his knowledge, notify the Board and the other parties, or their counsel, in writing, stating in detail the reasons why such continuance is necessary. Requests for continuances shall arrive at the Board offices in Olympia not less than 72 hours prior to the scheduled hearing. The Board or Member thereof, in passing upon a request for continuance, shall consider whether such request was promptly and timely made for good cause and whether the parolee will be substantially prejudiced in the presentation of his or her defense. During a parole revocation hearing, if it appears in the public interest or in the interest of justice that further testimony or argument should be received, the member or members conducting the hearing may, in their discretion or upon motion of counsel, continue the hearing and fix a date for the introduction of additional evidence or presentation or argument. Such oral notice shall constitute the final notice of such continued hearing.

Adopted: July 26, 1982
 Effective: August 3, 1982

WSR 83-22-002
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Order 2041—Filed October 20, 1983]

I, David A. Hogan, director of the Division of Administration and Personnel, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Food stamps—Verification of eligibility, amending WAC 388-54-630.

This action is taken pursuant to Notice No. WSR 83-18-046 filed with the code reviser on September 2, 1983. 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 74.04.510 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 October 19, 1983.

By David A. Hogan, Director
 Division of Administration and Personnel

AMENDATORY SECTION (Amending Order 1956, filed 4/6/83)

WAC 388-54-630 APPLICATION AND PARTICIPATION—VERIFICATION. ~~((+) Mandatory verifications shall include:~~

~~(a) Gross nonexempt income. Where verification is not possible because either the person or organization providing the income has failed to cooperate or is unavailable, the department shall determine the amount to be used for certification purposes based on the best available information.~~

~~(b) Alien status. The department shall verify the alien status of those household members identified as aliens on the application by the use of INS documents, court orders or other appropriate documentations in possession of the household member. The following applies:~~

~~(i) The alien may contact INS to obtain the necessary verification.~~

~~(ii) If the alien does not wish to contact INS, the household shall be given the option of withdrawing the application or participating without the alien member.~~

~~(iii) If an alien is unable to provide INS documents, the department has no responsibility to offer to contact INS on the alien's behalf. The department's responsibility exists only when the alien has an INS document that does not clearly establish eligible or ineligible alien status. The department shall not contact INS to obtain information about the alien's correct status without the alien's written consent.~~

~~(iv) While awaiting acceptable verification, the alien whose status is questionable shall be ineligible. The income and resources of the ineligible alien shall be treated in the same manner as a disqualified individual as found in WAC 388-54-830.~~

~~(c) A Social Security number (SSN) for each household member (effective February 1, 1983):~~

~~(i) Certification shall be delayed for the verification of SSNs.~~

~~(ii) A verified SSN shall be reverified only if the SSN or the identity of the individual becomes questionable.~~

~~(iii) If verification of SSN is not completed, the household shall provide proof of application from SSADO.~~

~~(iv) If verification is not completed, only the individual whose SSN is not verified shall be disqualified if he or she is unable to show "good cause" for failure to acquire or apply for the SSN. (Sec WAC 388-54-687.)~~

~~(d) Identity. The department shall verify the identity of the person making the application. When an authorized representative applies for a household, the identity~~

of the authorized representative and the head of household shall be verified:

(e) ~~Residency. The residency requirements in WAC 388-54-685 shall be verified except in unusual cases (such as migrant households or households newly arrived in the area) where verification of residency cannot reasonably be accomplished.~~

(f) ~~Continuing shelter expenses. Shelter costs, other than utilities, shall be verified if allowing the expense could potentially result in a deduction. Verification will be on a one-time basis unless the household has moved, reported an increase in cost which would affect the level of the deduction (only the changed cost shall be verified) or unless questionable.~~

(g) ~~Utility expenses. The department shall verify utility expenses:~~

(i) ~~If the household is entitled to the utility standard (heating or cooling costs shall be verified on a one-time basis unless the household has moved, changed its utilities or the information is questionable); or~~

(ii) ~~If the household wishes to claim expenses in excess of the utility standard and the expense would actually result in a deduction.~~

(iii) ~~Utility expenses claimed for an unoccupied home will be the actual expenses incurred.~~

(2) ~~If a deductible expense which a household is entitled to claim (shelter cost, utilities, medical) cannot be verified within thirty days of the date of application, the department shall determine the household's eligibility and benefit level without providing a deduction of the claimed but unverified expense.~~

(3) ~~The following need not be verified unless inconsistent with other information on the application, previous applications or other documented information known to the department:~~

(a) ~~Resource information or the exempt status of income.~~

(b) ~~Nonfinancial information such as household composition, deductible expenses, liquid resources and loans; and citizenship.~~

~~If it is necessary to verify a loan, a simple statement signed by both parties to the loan shall be sufficient.~~

(4) ~~The following sources of verification shall be used:~~

(a) ~~Documentary evidence shall be the primary source of verification. Documentary evidence consists of a written confirmation of a household's circumstances. Whenever documentary evidence cannot be obtained, the department shall use alternate sources of verifications such as:~~

(i) ~~Collateral contacts. A collateral contact is a verbal confirmation of a household's circumstances by a person outside of the household. This contact may be made either in person or over the phone with any individual who can provide an accurate third-party verification of the household's statements.~~

(ii) ~~Home visits shall be made only if documentary evidence cannot be obtained and the visit is scheduled in advance with the household.~~

(b) ~~Documentation shall be in sufficient detail to permit a reviewer to determine the reasonableness and accuracy of the determination.~~

~~(5) The household has primary responsibility for providing documentary evidence to support its income statements and to resolve any questionable information. If it would be difficult or impossible for the household to obtain the documentary evidence in a timely manner, the department shall offer assistance in obtaining this evidence. Designation of a collateral contact is also the responsibility of the household.~~

~~(6) At recertification, a change in income or source of income, medical expenses or actual utility expenses claimed, in an amount over twenty-five dollars, shall be verified:~~

(a) ~~All other changes shall be subject to the same verification procedures as apply at initial certification.~~

(b) ~~Unchanged information shall not be verified unless questionable:)) (1) Sources of verification shall be:~~

(a) ~~Documentary evidence. Documentary evidence consists of a written confirmation of a household's circumstances and shall be the primary source of verification. Whenever documentary evidence cannot be obtained, the department shall use alternate sources of verifications, such as collateral contacts or home visits.~~

(b) ~~Collateral contacts. A collateral contact is a verbal contact confirmation of a household's circumstances by a person outside the household. A collateral contact is the secondary source of verification (except for household size and citizenship).~~

(c) ~~Home visits. Home visits shall be scheduled in advance with the household. See WAC 388-54-620(4).~~

(2) The household has primary responsibility for providing documentary evidence. If it would be difficult or impossible for the household to obtain the documentary evidence in a timely manner, the department shall offer assistance in obtaining this evidence. Designation of a collateral contact is the responsibility of the household; however, the CSO may designate a collateral contact if collateral contact designated by the client is not acceptable.

(3) Mandatory verifications shall include:

(a) Identity of the person making the application. When an authorized representative applies for a household, the identity of the authorized representative and the head of household shall be verified.

(b) Residency; except in unusual cases where verification of residency cannot reasonably be accomplished.

(c) Social Security Number (SSN) for each household member. If verification is not completed, only the individual whose SSN is not verified shall be disqualified if he or she is unable to show "good cause" for failure to acquire the SSN (see WAC 388-54-687).

(d) Resources.

(e) Loans.

(f) Gross nonexempt income. Gross nonexempt income shall be verified for all households prior to certification (except expedited service households).

(g) Continuing shelter expenses, other than utilities, if allowing the expense could potentially result in a deduction. Verification will be on a one-time basis unless the household has moved, reported an increase in cost which would affect the level of the deduction, or unless questionable.

(h) Utility expenses.

(i) If the household is entitled to the utility standard, heating and/or cooling costs shall be verified on a one-time basis unless the household has moved, changed its utilities, or the information is questionable.

(ii) If the household wishes to claim expenses in excess of the utility standard and the expense would actually result in a deduction, excess utility costs shall be verified.

(i) Medical care costs. Verify medical expenses that will result in a deduction including the amount of reimbursement. If reimbursement cannot be verified, certify without allowing the expense.

(j) Dependent care cost. Verify actual costs of care of a child or other dependent when necessary for a household member to seek, accept, or continue employment or training.

(k) Household size. Verify the number of individuals within a food stamp household who reside in a domicile.

(l) Household composition. Verify the number of people who customarily purchase and prepare meals together.

(4) Verification of questionable information. Verify all other factors of eligibility prior to certification if the factors are questionable and affect a household's eligibility or benefit level. Questionable factors shall include but not be limited to:

(a) Citizenship. When a household's statement that one or more of its members are U.S. citizens is questionable, the household shall be asked to provide verification.

(b) Alien status. When a household identifies that a member is not a citizen, verification of alien status is required.

(i) The alien not providing documentation of status shall be ineligible.

(ii) The household is responsible for providing documentation of alien status. The department shall not contact INS to obtain information about the alien's correct status without the alien's written consent.

(iii) The household shall be given the option of withdrawing the application or participating without the alien member.

(iv) The income and resources of the ineligible alien shall be treated in the same manner as a disqualified individual as found in WAC 388-54-830.

(5) Verification at reapplication. At reapplication, a change in income or source of income, medical expenses, or actual utility expenses claimed in an amount over twenty-five dollars must be verified.

(a) All other changes may be reverified at recertification.

(b) Verifications shall be subject to the same verification procedures as apply during initial verification.

(6) For cases subject to food stamp monthly reporting, the department shall verify on a monthly basis:

(a) Gross nonexempt income;

(b) Utility expenses which exceed the standard;

(c) All other questionable information;

(d) Alien status if changed.

WSR 83-22-003
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
 [Filed October 20, 1983]

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 WAC 296-81-007 national elevator code adopted; 296-81-340 handrails; 296-81-360 hall lantern; and 296-81-991 civil penalties. WAC 296-81-007 is amended to adopt the American National Standards Institute (ANSI) A17.1a-1982 supplement to the ANSI A17.1 code. The supplement will cover all elevators, dumbwaiters, escalators, and moving walks installed on or after March 1, 1984. WAC 296-81-340 is amended to specify when the ends of handrails in an elevator car must be turned toward the wall of the car. WAC 296-81-360 is amended to delete the requirement of using the colors white and red to indicate whether an elevator will be proceeding up or down. New WAC 296-81-991 is added to set penalties for violations of the conveyance law, chapter 70.87 RCW, or of any rule adopted under that law. Chapter 70.87 RCW was amended in the 1983 legislative session by SSB 3052 (chapter 123, Laws of 1983). The amendment authorizes the department to assess administrative penalties of up to \$500.00 for violations of the law; the penalties must be set by rule;

that the agency will at 9:00 a.m., Wednesday, December 7, 1983, in Conference Room A, First Floor, 300 West Harrison, Seattle, WA 98119, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on January 6, 1984.

The authority under which these rules are proposed is chapter 70.87 RCW (sections 18 and 19, chapter 123, Laws of 1983).

The specific statute these rules are intended to implement is chapter 70.87 RCW (sections 18 and 19, chapter 123, Laws of 1983).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 7, 1983.

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 department reserves the right to modify the text of these proposed rules before the hearing or in response to written or oral comments received before or during the hearing. The department may need to change the date for hearing or adoption on short notice. To ascertain that the 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:

William T. O'Hara
 Chief Elevator Inspector
 Building and Construction Safety
 Inspection Services
 300 West Harrison
 Room 508

Seattle, WA 98119
(206) 281-5578

Dated: October 19, 1983
By: Sam Kinville
Director

STATEMENT OF PURPOSE

Title and Number of Rule Sections: WAC 296-81-007 National elevator code adopted; 296-81-340 Handrails; 296-81-360 Hall lanterns; and 296-81-991 Civil penalties.

Statutory Authority: Chapter 70.87 RCW (sections 18 and 19, chapter 123, Laws of 1983).

Specific Statute the Rules are Intended to Implement: Chapter 70.87 RCW (sections 18 and 19, chapter 123, Laws of 1983).

Summary of the Rules: WAC 296-81-007 is amended to adopt the American National Standards Institute (ANSI) A17.1a-1982 supplement to the ANSI A17.1 code. The supplement will cover all elevators, dumbwaiters, escalators, and moving walks installed on or after March 1, 1984. WAC 296-81-340 is amended to specify when the ends of handrails in an elevator car must be turned toward the wall of the car. WAC 296-81-360 is amended to delete the requirement of using the colors white and red to indicate whether an elevator will be proceeding up or down. New WAC 296-81-991 is added to set penalties for violations for the conveyance law, chapter 70.87 RCW, or of any rule adopted under that law. Chapter 70.87 RCW was amended in the 1983 legislative session by SSB 3052 (chapter 123, Laws of 1983). The amendment authorizes the department to assess administrative penalties of up to \$500.00 for violations of the law; the penalties must be set by rule.

Reasons Supporting the Rules: WAC 296-81-007 is amended to ensure that the standards required for elevators, dumbwaiters, escalators, and moving walks in this state are equal to those in other states, and to ensure the best safety for the citizens of Washington. WAC 296-81-340 and 296-81-360 are amended to remove obsolete and unnecessary requirements. The penalties set by WAC 296-81-991 will help the department enforce the conveyance law, chapter 70.87 RCW.

The Agency Officer Responsible for the Drafting, Implementation and Enforcement of the Rule: William T. O'Hara, 300 West Harrison, Room 508, Seattle, WA 98119, (206) 281-5578.

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: The 1982 supplement to ANSI A17.1 should not markedly affect the cost of installing elevators, dumbwaiters, escalators, and moving walks. The amendments to WAC 296-81-340 and 296-81-360 may lessen costs in some instances.

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: A copy of ANSI

A17.1a-1982 supplement may be obtained from the American Society of Mechanical Engineers at United Engineering Center, 345 East 47th Street, New York, NY 10017.

A small business impact statement is not required because these rule changes have no adverse fiscal impact, and because any fiscal impact will affect all business equally.

AMENDATORY SECTION (Amending Order 82-18, filed May 20, 1982)

WAC 296-81-007 NATIONAL ELEVATOR CODE ADOPTED. (1) The American National Standard Safety Code for Elevators, Dumbwaiters, Escalators and Moving Walks, American National Standards Institute A17.1, as amended or revised through ~~((the year))~~ 1971, ~~((are))~~ is hereby adopted as the standards for compliance in this state for elevators, dumbwaiter, escalators, and moving walks installed from February 25, 1972, through June 30, 1982.

(2) The American National Standard Safety Code for Elevators, Dumbwaiters, Escalators, and Moving Walks, ANSI A17.1, 1981 edition, is hereby adopted as the standard for elevators, dumbwaiters, escalators, and moving walks installed on or after July 1, 1982. This 1981 edition of ANSI A17.1 is supplemented by the ANSI A17.1a - 1982 supplement for elevators, dumbwaiters, escalators, and moving walks installed on or after March 1, 1984.

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 80-26, filed December 10, 1980)

WAC 296-81-340 HANDRAILS. A handrail shall be provided on all walls of the car that are not used for normal exits. There shall be a space of ~~((+1/2))~~ one and one-half inches between the wall and the rail. The rail shall be at a nominal height of ~~((35))~~ thirty-five inches from the floor. The hand grip portion of handrails shall be not less than ~~((+1/4))~~ one and one-quarter inches ~~no((r))~~ more than ~~((2))~~ two inches in width ~~((and))~~, shall be basically oval or round in cross-section, and shall have smooth surfaces with no sharp corners ~~((; with handrail ends returned to the wall))~~ Handrails that approach each other or a blank car wall in the interior corners of the car need not be returned to the wall. If the end of the handrail presents an abrupt end on the closing jamb wall to persons entering a car that has a single-slide or two-speed entrance, the handrail end shall be returned to the wall.

AMENDATORY SECTION (Amending Order 80-26, filed December 10, 1980)

WAC 296-81-360 HALL LANTERN. A visual and audible signal shall be provided at each hoistway entrance, indicating to the prospective passenger ~~((;))~~ the car answering the call and its direction of travel.

The visual signal for each direction ~~((shall be direction indicators; white to indicate "UP" and red to indicate "DOWN" and))~~ shall be ~~((a minimum of (2 1/2)))~~ at least two and one-half inches in size and visible from the ~~((proximity))~~ vicinity of the hall call button. The audible signal shall sound once ~~((+))~~ for the UP direction and twice ~~((2))~~ for the DOWN direction.

The centerline of the fixture shall be located ~~((a minimum of (6)))~~ at least six feet from the floor.

The use of in-car lanterns conforming to the above and located in the jamb ~~((shall be))~~ is acceptable.

NEW SECTION

WAC 296-81-991 CIVIL PENALTIES. An owner or operator of a conveyance that violates a provision of chapter 70.87 RCW, or of the rules adopted under that chapter, is liable for a civil penalty based on the following schedule.

- (1) Construction of a conveyance without a permit:
 - First offense \$150.00
 - Second offense \$300.00

Each additional offense	\$500.00
(2) Installation of a conveyance without a permit:	
First offense	\$150.00
Second offense	\$300.00
Each additional offense	\$500.00
(3) Relocation of a conveyance without a permit:	
First offense	\$150.00
Second offense	\$300.00
Each additional offense	\$500.00
(4) Alteration of a conveyance without a permit:	
First offense	\$150.00
Second offense	\$300.00
Each additional offense	\$500.00
(5) Operation of a conveyance for which the Department has issued a red tag or has revoked or suspended an operating permit	\$500.00
(6) Failure to comply with a correction notice:	
Within 90 days	\$100.00
Within 91-180 days	\$250.00
Within 181-270 days	\$400.00
Within 271-360 days	\$500.00

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 83-22-004
ADOPTED RULES
DEPARTMENT OF REVENUE
 [Order PT 83-6—Filed October 20, 1983]

I, Donald R. Burrows, director of revenue, do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

New	WAC 458-12-326	Revaluation—Definitions.
New	WAC 458-12-327	Revaluation—Valuation criteria—Methods.
New	WAC 458-12-342	New construction—Assessment.
New	WAC 458-12-343	New construction—Reports.
Amd	WAC 458-12-335	Revaluation process by county assessor.
Amd	WAC 458-12-336	Assessor's revaluation plan.
Amd	WAC 458-12-337	Revaluation process—Reports.
Amd	WAC 458-12-339	Revaluation process—Valuation procedure—Uniformity within cyclical period.

This action is taken pursuant to Notice No. WSR 83-18-057 filed with the code reviser on September 6, 1983. 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 84.41.090 which directs that the Department of Revenue has authority to implement the provisions of chapter 84.41 RCW.

This rule is promulgated under the general rule-making authority of the Department of Revenue as authorized in RCW 84.08.010.

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 October 20, 1983.

By Trevor W. Thompson
Assistant Director

NEW SECTION

WAC 458-12-326 REVALUATION—DEFINITIONS. Unless the context clearly indicates otherwise, the following definitions shall apply to WAC 458-12-327 through 458-12-339.

(1) "Appropriate statistical data" shall be the data required to adjust real property values in the intervals between physical inspection and appraisal. It shall include but not be limited to real property market trends and new building costs.

(2) "Physical inspection" shall mean an exterior observation of the property to check against the property improvement record to determine any change in the physical characteristics that would affect value.

NEW SECTION

WAC 458-12-327 REVALUATION—VALUATION CRITERIA—METHODS. (1) When changes in the physical characteristics of a property are discovered, the assessor's records shall be corrected to reflect the changes. The property shall then be valued according to WAC 458-12-301 and 458-12-305 and placed on the current year's assessment rolls. All real property in the county shall be physically appraised in accordance with WAC 458-12-301, 458-12-305 and 458-12-326 through 458-12-339.

(2) Statistical updating shall be accomplished in the following manner.

(a) The value shall be adjusted using current sales data;

(b) The subject property is to be compared to properties that have sold within comparable areas;

(c) Properties shall be valued or adjusted based upon the following uses.

- (i) Single family residential
- (ii) Residential 2 - 4 units
- (iii) Residential multiple units (5 or more)
- (iv) Residential hotels, condominiums
- (v) Hotels/motels
- (vi) Vacation homes and cabins
- (vii) Retail
- (viii) Warehouse
- (ix) Office and professional services
- (x) Commercial other than listed
- (xi) Manufacturing
- (xii) Agricultural
- (xiii) Further subclasses may be included as needed.

(3) The valuation or adjustment of values shall be accomplished through the use of one or more of the following methods.

- (a) Multiple or linear regression
- (b) Sales ratios
- (c) Physical appraisal, or
- (d) Any other accepted appraisal method.

AMENDATORY SECTION (Amending Order 73-5, filed 8/13/73)

WAC 458-12-335 REVALUATION PROCESS BY COUNTY ASSESSOR. Each county assessor shall

maintain an active and systematic program of revaluation on a continuous basis and shall establish and maintain a schedule which will result in revaluation of all taxable real property within the county at least once every four years. Those counties on a revaluation plan that provides for a physical inspection on a five or six year cycle shall adjust the valuation of such property annually during the interval years. The adjustments are to be made based on appropriate statistical data. The valuation, appraisal or adjustment of value shall be placed on the current assessment roll for taxes payable the following year (RCW 84.41.030).

The county assessor shall submit ~~((a revaluation plan))~~ to the department of revenue on or before ~~((September 1, 1973. A revaluation plan shall also be submitted on or before September 1 of the year prior to the beginning of each))~~ March 1st of the year beginning a new revaluation cycle a new ((four year)) revaluation ((cycle)) plan.

~~((In those counties where a four year cyclical revaluation plan is in operation on or before the September 1, 1973 filing date as provided above, that plan shall be submitted to the department of revenue for approval.~~

~~All other counties shall submit a revaluation plan that will result in revaluation of all taxable real property in the county in accordance with RCW 84.41.030.))~~

As a part of the annual progress report as provided in WAC 458-12-337, the assessor shall update the original revaluation plan and submit additions or corrections to the plan. Substantive deviations from the original revaluation plan must be approved by the department of revenue.

AMENDATORY SECTION (Amending Order 73-5, filed 8/13/73)

WAC 458-12-336 ASSESSOR'S REVALUATION PLAN. (1) In order to proceed systematically in accomplishing revaluation, the assessor shall prepare a schedule showing the workload distribution in the county and the manner in which appraisers will be assigned to complete the revaluation ~~((at least once every four years))~~ cycle. ((P.T.B. 232, 6-8-55))

~~In most instances it may be desirable to divide the county into suitable subdivisions recognizing taxing district boundaries for orderly completion of the program. (AGO 53-55 No. 117))~~

The revaluation plan must be sufficiently detailed to show that the assessor can successfully complete the revaluation program and contain among other items the following:

- ~~((1))~~ (a) Comprehensive analysis of numbers of properties to be appraised by revaluation area;
- ~~((2))~~ (b) Specific geographical revaluation areas, taxing districts, or parcels;
- ~~((3))~~ (c) Appraisal workload and number of personnel required;
- ~~((4))~~ (d) Available staff;
- ~~((5))~~ (e) Required additional staff;
- ~~((6))~~ (f) Contract work or special assistance;
- ~~((7))~~ (g) Equipment, supplies, space.

When the parcel method is used for establishing revaluation areas, the property records shall be permanently coded as to which year or phase of the revaluation cycle the property will be physically inspected. The revaluation plan shall be reviewed by the department of revenue. If the revaluation plan is not approved by the department, the county assessor shall, with the assistance of the department of revenue, develop a revaluation plan that will comply with the provisions of RCW 84.41.030.

(2) In order to show that all real property will be valued according to law, the plan shall also include:

- (a) The method of valuation; and
- (b) A statement that all property will be valued at one hundred percent of its true and fair value unless specifically provided otherwise by law (RCW 84.40.030).

AMENDATORY SECTION (Amending Order 73-5, filed 8/13/73)

WAC 458-12-337 REVALUATION PROCESS—REPORTS. ~~((A progress report shall be filed with the department of revenue showing the progress of the revaluation plan for the period of July 1 through December 31. Such report shall be filed prior to April 15.))~~

The annual progress report as required in RCW 84.41.130 shall be filed prior to October 15 and shall be for the period related to the January 1 assessment date of that year ~~((which shall cover fiscal year July 1 to June 30)).~~

The assessor shall require work reports of his employees, or of contractors, which shall be the basis of the progress reports.

The department of revenue shall supply the forms for the required reports.

AMENDATORY SECTION (Amending Order 73-5, filed 8/13/73)

WAC 458-12-339 REVALUATION PROCESS—VALUATION PROCEDURE—UNIFORMITY WITHIN CYCLICAL PERIOD. All appraisals made as part of the revaluation program shall reflect current market value which shall be determined in accordance with WAC 458-12-301 and 458-12-305.

All real property being valued shall be physically inspected at least once every four years in order to provide adequate data from which to make accurate valuations: PROVIDED, That if the county has a department of revenue approved plan that requires annual valuation adjustments of all properties each year, the physical inspections shall be made at least once each revaluation cycle, as approved, in a uniform and cyclical manner.

~~((During the interval between each physical inspection.))~~ Any county on less than a five year revaluation cycle may adjust the valuation of real property ((may be adjusted)) to current true and fair value using appropriate statistical data during intervals between physical inspections. (RCW 84.41.040)

When records have been developed on every parcel of property, showing sufficient data on which to base accurate valuation, the process of periodic physical inspection

will serve to insure ~~((a))~~ (1) that all taxable property is listed, and ~~((b))~~ (2) that data on each parcel is kept reasonably up-to-date, for comparison with data on similar property which have sold, and ~~((c))~~ (3) that the property has been observed as a whole including its environmental elements ~~((amentities))~~ amenities to the extent necessary to arrive at an estimate of current market value.

Manuals and procedures prescribed or approved by the department of revenue in accordance with WAC 458-12-305 shall be used in all appraisals. (P.T.B. 231, 6-7-55; AGO 57-58, 1-8-57)

In complying with the mandate of RCW 84.41.030 and Dore vs. Kinnear 79 Wn.2d 755, a substantially equal amount of taxable property must be revalued and placed upon the assessment roll in each year of the cyclical process in order to comply with the equal protection requirements of the state and federal constitutions and the uniformity of taxation clauses of the state constitution.

Cyclical revaluation on a value or workload basis can be considered where severe administration problems are evident on a strictly parcel count basis.

NEW SECTION

WAC 458-12-342 NEW CONSTRUCTION—ASSESSMENT. (1) New construction covered under the provisions of RCW 36.21.040 through 36.21.080 shall be assessed at its true and fair value as of July 31st each year regardless of its percentage of completion.

(2) The assessor is authorized to place new construction on the assessment rolls up to August 31st each year and shall notify the owner of the value of any new construction that has been assessed. The notice shall advise the owner that he has thirty days to appeal the valuation to the county board of equalization as provided for in WAC 458-14-120.

NEW SECTION

WAC 458-12-343 NEW CONSTRUCTION—REPORTS. The county assessor is authorized to require property owners to submit pertinent data respecting the cost and characteristics of any improvements on their property (RCW 84.41.041). When requiring owners to report costs associated with new construction, the assessor shall use forms prescribed or approved by the department of revenue, which forms shall require the total investment in the improvements as of the new construction assessment date, the percentage of completion of the major components of the improvements, and the estimated total cost of the project.

The reporting forms may be sent to the owners of any property upon which a building permit has been issued prior to the new construction assessment date.

The owner shall return the reporting form to the assessor, properly filled out, within thirty days of receipt.

WSR 83-22-005
PROPOSED RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)
[Filed October 20, 1983]

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 356-06-010 Definitions (scheduling plan).
Amd WAC 356-07-020 Definitions.
Amd WAC 356-46-060 Agencies—Personnel records;

that the agency will at 10:00 a.m., Thursday, December 8, 1983, in the Personnel Board Hearings 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 these rules are intended to implement is chapter 40.14 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 6, 1983.

Dated: October 19, 1983

By: Leonard Nord
Secretary

STATEMENT OF PURPOSE

Amend WAC 356-06-010.

Title: Definitions (scheduling plan).

Purpose: Defines terms and words used throughout Title 356 WAC.

Statutory Authority: RCW 41.06.150.

Summary and Reasons: The addition of the definition for "scheduling plan" would clarify a term proposed in an amendment to WAC 356-15-020 (filed 9/30/83; WSR 83-20-060); defines a series of schedules through which incumbents move in an established position.

Responsibility for Drafting: Gail Salisbury, Department of Personnel, 600 South Franklin, MS: FE-11, Olympia, WA 98504, Phone: 753-5383; Implementation and Enforcement: Department of Personnel.

Proposed by: Department of Personnel, governmental agency.

Amend WAC 356-07-020.

Title: Definitions.

Purpose: To advise all state agencies of the definitions of "public records" and "writings."

Statutory Authority: RCW 41.06.150.

Specific Statute: Chapter 40.14 RCW.

Summary and Reasons: Proposed amendment would inform agencies that disposal of public records and writings requires the authority of the State Records Committee.

Responsibility for Drafting: D. R. Ellenwood, Secretary of State/Division of Archives, Archives Building, MS: EA-11, Olympia, WA 98504, Phone: 753-2731;

Implementation: All state agencies; and Enforcement: Division of Archives.

Proposed by: Office of the Secretary of State, Division of Archives, governmental agency.

Amend WAC 356-46-060.

Title: Agencies—Personnel records.

Purpose: Outlines the manner in which agencies maintain employee personnel records.

Statutory Authority: RCW 41.06.150.

Specific Statute: Chapter 40.14 RCW.

Summary and Reasons: Proposed change would let agencies know that every individual record does not need to be kept in an employee's personnel record file throughout his/her service career; the records kept would depend upon the employee's current assignment.

Responsibility for Drafting: D. R. Ellenwood, Secretary of State/Division of Archives, Archives Building, MS: EA-11, Olympia, WA 98504, Phone: 753-2731; Implementation: All state agencies; and Enforcement: Division of Archives.

Proposed by: Office of the Secretary of State, Division of Archives, governmental agency.

AMENDATORY SECTION (Amending Order 179, filed 12/22/82)

WAC 356-06-010 DEFINITIONS. The following definitions apply throughout these rules unless the context clearly indicates another meaning:

ACTING APPOINTMENT – An appointment of limited duration made from within the classified service to a supervisory or managerial position.

ADMINISTRATIVE PERSONNEL – Employees who regularly exercise discretion and independent judgment in the performance of: (1) Work related directly to management policy; or (2) work providing direct assistance to executive or administrative personnel.

AGENCY – An office, department, board, commission, or other separate unit or division, however designated, of the state government and all personnel thereof. It includes any unit of state government established by law, the executive officer or members of which are either elected or appointed, upon which the statutes confer powers and impose duties in connection with operations of either a governmental or proprietary nature.

AGRICULTURAL PERSONNEL – Employees performing work which includes farming and all its branches, including cultivating the soil, or growing or harvesting crops, or raising livestock, bees, fur-bearing animals, or poultry; or doing any practices performed by a farmer or on a farm as an incident to or in conjunction with such farming operations.

ALLIED REGISTER – A register for a class for which the duties and minimum or desirable qualifications are equivalent to or above those for another class.

ALLOCATION – The assignment of a position to a job classification.

ANNIVERSARY DATE – Original entry date into state service as adjusted by leave without pay or break in service.

APPOINTING AUTHORITY – A person or group of persons lawfully authorized to make appointments.

BARGAINING UNIT – The group of employees in positions determined by the personnel board to constitute a unit appropriate for collective bargaining purposes under these rules.

BASIC SALARY RANGE – The dollar amount of the step of the salary range to which the employee is entitled, before any deduction, and exclusive of additional compensation of any kind.

BOARD – The state personnel board.

BUMPING – The replacement of an incumbent by another employee subject to reduction in force, who has greater seniority.

CAREER PLANNING – A programmed process designed to assist employee career growth through job experience, training and/or continuing education.

CERTIFICATION – Providing an agency with the appropriate number of names of candidates who have passed the examination for a given class and are eligible to be considered for vacancies.

CLASS – Identification of a position, or a group of positions, sufficiently similar in duties so that the same requirements of training, experience, or skill and the same title, examination, and salary range may be applied.

CLASSIFIED SERVICE – All positions and employees in the state service subject to the provisions of chapter 41.06 RCW and these rules.

COLLECTIVE BARGAINING OR COLLECTIVE NEGOTIATION – The performance of the mutual obligation of the appointing authority, or designee, and the certified exclusive representative of a bargaining unit to meet in an attempt to reach an agreement on all personnel matters over which the appointing authority may lawfully exercise discretion.

COMPENSATORY TIME – Time off in lieu of cash payment for overtime.

COMPETITIVE SERVICE – All positions in the classified service for which a competitive examination is required as a condition precedent to appointment.

DATE OF ELECTION – The date of election is the date the director of personnel certifies the results of the election.

DEMOTION – A change of a permanent employee from a position in one class to a position in another class having a lower maximum salary.

DESIRABLE QUALIFICATIONS – The levels of education and/or experience deemed desirable or preferable for admission to the examination in lieu of fixed minimum qualifications.

DIRECTOR – The director of the department of personnel.

DISABILITY – An employee's bodily inability to perform adequately the essential duties of the job class. (For purposes of WAC 356-35-010, this definition shall not include maternity.)

DISMISSAL – The termination of employment of a permanent employee (for cause) or of a probationary employee as specified in these rules.

EDUCATION LEAVE OF ABSENCE – An authorized leave of absence for educational purposes.

ELEVATION – Restoring an employee to the higher classification, with permanent status, which was held prior to being granted a demotion.

ELIGIBLE – An applicant whose name is on a register.

EMERGENCY APPOINTMENT – An appointment, for emergency reasons, not to exceed 60 calendar days.

EMPLOYEE – Any person employed under the jurisdiction of these rules.

EMPLOYEE ORGANIZATION – Any organization having the authority, as specified in WAC 356-42-010, to represent state employees on personnel matters.

EXECUTIVE PERSONNEL (As used in chapter 15 of these rules) – Employees who customarily and regularly exercise discretionary powers in directing and controlling program operations of an agency or division or customarily recognized subdivision thereof and personnel who are responsible for (1) hiring or firing or making substantial recommendation for same and (2) directing the work of and (3) regulating the working hours of two or more employees.

EXEMPT POSITION – Any position designated as exempt from the application of these rules as specified in WAC 356-06-020.

EXIT LEAVE – The paid hours of nonworking time taken by an employee who is not eligible to receive a lump sum cash payment for accrued vacation leave. Exit leave is taken following the last designated work day prior to an employee's resignation, dismissal, or separation due to reduction in force or disability and continuing until all the employee's accrued vacation leave is exhausted.

FULL TIME EMPLOYMENT – Regularly scheduled employment requiring an average of 40 hours of work per week. However, for certification from a register, work between 32 – 40 hours per week shall be considered full time.

HANDICAPPED – Persons with physical, mental or sensory impairments that would impede that individual in obtaining and maintaining permanent employment and promotional opportunities. The impairments must be material rather than slight; static and permanent in that they are seldom fully corrected by medical replacement, therapy or surgical means.

HOLIDAYS – Paid nonwork days for state employees as established by RCW 1.16.050.

HOUSED PERSONNEL – Employees whose duties require that they reside at the place of their employment or who otherwise spend a substantial portion of their work time subject to call and not engaged in the performance of active duties.

HUMAN RESOURCE DEVELOPMENT – The function of achieving agency goals by changing or enhancing employees' knowledges, skills, attitudes and behaviors.

INTERMITTENT EMPLOYMENT – Employment without any understanding of continuity, fitting no particular pattern and performed for no more than a total of (nine months) 1560 hours during any consecutive 12-month period.

INTERVENING SALARY STEPS – All increment steps in a salary range, except the lowest and highest.

LAW ENFORCEMENT PERSONNEL – Employees empowered by statute to enforce laws designed to maintain public peace and order, protect life and property, and detect and prevent crimes. Employees in these positions must have the power of arrest, and have been trained in rules of evidence, laws of arrest, search and seizure and legal rights of citizens.

MINIMUM QUALIFICATIONS – The training, experience, and other qualifications established for a given class and required of an applicant for admission to the examination for that class.

NONCOMPETITIVE POSITIONS – Positions designated by the board as not requiring a competitive examination.

ORIENTATION – An introduction to the organization and to tasks, jobs, procedures and other activities new to the employee.

OVERTIME – Work authorized and performed in accordance with WAC 356-15-030.

PART TIME EMPLOYMENT – Work of less than 40 hours per week. However, for certification from registers, work of less than 32 hours per week shall be considered part time.

PERIODIC INCREMENT DATE – The date established in accordance with the merit system rule on which an employee is entitled to a salary increase within a salary schedule range as prescribed in the merit system rules.

PERMANENT EMPLOYEE – An employee who has successfully completed a probationary period and has had no break in service.

PERSONNEL RECORD – Such information having pertinence to the employment of an employee and which is retained in a specific location as required by WAC 356-46-060(2)A.

POSITION – A group of duties and responsibilities normally assigned to an employee. Such position may be filled or vacant, full-time or part-time, seasonal, temporary or permanent.

PREMIUM PAYMENT – Wage payment over and above the basic salary rate authorized by the board for extraordinary conditions of employment.

PROBATIONARY PERIOD – The trial period of employment following certification and appointment to, or reemployment in, the classified service and continuing for 6 to 12 months as determined under the provisions of WAC 356-30-260.

PROFESSIONAL PERSONNEL – Employees performing work which requires consistent exercise of independent judgment and is in a specialized field requiring advanced knowledge normally gained through achieving a baccalaureate degree but which may be gained through equivalent experience.

PROJECT EMPLOYMENT – A program designated by the director of personnel as "project employment," that is separately financed by a grant, federal funds, or by state funds, or by a combination of funds to provide training or employment opportunities or expertise or additional employees to carry out a specific project or goal and which, either because of the nature of the project, funding requirements, or potential harmful impact on employment opportunities for regular civil service employees, cannot be facilitated through the regular civil service system. Such a program may last upward to two years and beyond, but has an end in sight.

PROMOTION – A change of an employee from a position in one class to a position in a class having a higher maximum salary.

PROVISIONAL APPOINTMENT – An appointment to a position pending the establishment of a register for that class.

REDUCTION IN FORCE – A separation resulting from a lack of funds, lack of work, good faith reorganization for efficiency purposes, or from there being fewer positions than the employees entitled to the positions because of exercising their rights to return to the classified service. When a reduction in force occurs, it is a separation from service without cause on the part of the employee.

REDUCTION – Placement of an employee's salary at a lower step within the range as a result of a disciplinary action.

REEMPLOYMENT – An appointment, made from the reemployment register, of a former employee who had permanent status.

REGISTER – A list of eligible names established for employment or reemployment in a class.

REINSTATEMENT – Return of an employee to full employment rights by board action following appeal hearing.

RESIGNATION – A voluntary separation from employment.

REVERSION – Voluntary or involuntary movement of an employee during a six-month trial service period to the class which was held prior to the current trial service appointment.

SALARY RANGE – A sequence of minimum, intervening, and maximum dollar amounts designated by the board as the monthly compensation for a class.

SCHEDULING PLAN – A series of schedules, approved for specific positions by the director of personnel or the personnel board, through which schedules the incumbents move in an established position.

SEASONAL EMPLOYMENT – Work that is cyclic in nature beginning and ending at approximately the same time every year and lasting for no more than nine months.

SENIORITY – A measure of the last period of unbroken time served in positions in the classified service under the jurisdiction of the state personnel board. Service in positions brought under the jurisdiction of the state personnel board by statute is counted as though it had previously been under the jurisdiction of the state personnel board. Leaves of absence granted by agencies and separations due to reduction in force are not considered a break in service. Time spent on leaves of absence without pay is not credited unless it is for educational leaves, or statutes require it be credited; or it is taken at the specific request of an agency so employees may perform work specifically related to state work. Time spent off the state payroll due to reduction in force will be credited for that period of time the employee is eligible to be placed on the reduction in force register. Leaves without pay granted to directly or indirectly reduce the possible effect of reduction in force will be credited in accordance with WAC 356-18-140 and 356-18-220. Leaves of absence without pay granted to employees who are drawing worker's compensation because of injury or illness while employed by the state will be credited. Time spent in exempt appointments listed in RCW 41.06.070 will be credited and the service will not be regarded as broken when employees return from exempt service in accordance to RCW 41.06.070(22), WAC 356-06-055 and 356-30-330. Time spent under the jurisdiction of the higher education personnel board will be added when the employee comes under the jurisdiction of the state personnel board through the provisions of WAC 356-06-055(6). The length of active military service of a veteran, not to exceed five years, shall be added to the state service for such veteran or his widow.

SERIES – A group of classes of positions to which the same kind of work is assigned but which is at different levels of difficulty and responsibility.

SUPERVISOR – Any employee assigned responsibility by management to participate in all the following functions with respect to their subordinate employees: (1) Selection of staff, (2) training and development, (3) planning and assignment of work, (4) evaluation of performance, and (5) corrective action. Participation in these functions must not be of a merely routine nature but requires the exercise of individual judgment.

SUSPENSION – An enforced absence without pay for disciplinary purposes.

TANDEM EMPLOYMENT – Any position filled by more than one employee as voluntarily agreed between management and employee(s) who jointly fulfill the responsibilities and duties of the position(s).

TEMPORARY EMPLOYMENT – Single or multiple periods of employment during the absence of a permanent employee on leave; or for work done at a workload peak and normally lasting for less than nine months and having an end in sight.

TERMINATION – Separation from employment for reasons beyond the control of the employee.

TRAINING – An organized learning process designed to provide needed changes in the skills, knowledges, attitudes or behaviors of employees.

TRANSFER – The change of an employee from one to another classified position having the same salary range number.

TRIAL SERVICE PERIOD – A six-month trial period of employment of a permanent employee beginning with the effective date of the promotion or demotion or appointment from the promotional register.

TUITION REIMBURSEMENT – A full or partial reimbursement to eligible employees by the employing agency for tuition paid to attend approved courses.

UNDERFILL – The filling of a position with an employee in a lower related class in the absence of an adequate eligible register for the classification.

UNION SHOP – A form of union security that requires that all employees within a bargaining unit become members of the certified bargaining representative within 30 calendar days of the union shop election or 30 calendar days from an employee's date of hire, whichever is later.

UNION SHOP FEE – The union shop fee, sometimes known as a representation fee, is the fee paid by an employee to a union shop representative in lieu of holding membership in that union. An employee who has been certified for nonmembership status because of bona fide religious tenets of a church or religious body of which the employee is a member, shall pay a fee equivalent to the regular monthly dues of the union shop representative minus any included monthly premiums for union sponsored insurance programs.

UNION SHOP REPRESENTATIVE – A union shop representative is an employee organization that is certified as exclusive bargaining representative for a bargaining unit and which has also been certified as union shop representative by the director of personnel. To be certified as union shop representative, a majority of all employees in the bargaining unit must vote in favor of having the petitioning employee organization as their union representative.

VETERAN – For the purpose of granting preference during layoffs and subsequent reemployment, any person who has one or more years of active military service in any branch of the armed forces of the United States or who has less than one year's service and is discharged with a disability incurred in the line of duty or is discharged at the convenience of the government and who, upon termination of such service, has received an honorable discharge, a discharge for physical reasons with an honorable record, or a release from active military service with evidence of service other than that for which an undesirable, bad conduct, or dishonorable discharge is given: PROVIDED, That the person has not voluntarily retired with 20 or more years of active military service and has military retirement pay in excess of \$500 per month.

VETERAN'S WIDOW – For the purpose of granting preference during layoffs and subsequent reemployment, the unmarried wife of a deceased veteran as defined in WAC 356-06-010 except that such veteran's one-year minimum length of active military service shall be disregarded.

VOLUNTEER EXPERIENCE – Work experience for which no salary was received, which may be credited toward meeting the minimum qualifications for a classification: Provided such experience is equivalent to and not prohibited by the minimum qualifications of the classification. Volunteer experience for which academic credit was granted may be used to satisfy either the educational or the experience requirements of a class, but may not be used for both.

WORK DAY – A 24-hour period beginning at a time determined by the appointing authority. For scheduled standard work period positions the work day begins at the scheduled starting time of the employee.

WORK PERIOD DESIGNATION – Identification of each classification's and position's criteria for hours of work as defined in WAC 356-15-020 and qualifications for premium pay as defined in chapter 356-15 WAC.

WORK SCHEDULE – A series of workshifts and work days within the workweek.

WORKSHIFT – Scheduled working hours within the workday.

WORKWEEK – A regular recurring period of 168 hours beginning at a time determined by the appointing authority and continuing for seven consecutive 24-hour periods. For scheduled standard work period positions the workweek begins at the scheduled starting time of the first shift of the employee's uniform shifts.

Y-RATE – A salary amount which either exceeds the maximum step for the salary range of an employee's class or a salary amount that falls between the steps of a salary range of an employee's class.

AMENDATORY SECTION (Amending Order 60, filed 12/13/73)

WAC 356-07-020 DEFINITIONS. (1) "Public record" includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics.

(2) "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds; or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums and other documents.

(3) Both "public records" and "writings" as described in subsections (1) and (2) of this section are the property of the state of Washington and, in accordance with chapter 40.14 RCW, require the authority of the state records committee before their disposal may be accomplished.

AMENDATORY SECTION (Amending Order 177, filed 10/26/82)

WAC 356-46-060 AGENCIES—PERSONNEL RECORDS.

(1) Each agency shall maintain a record of each employee showing the name, title, position held, organizational assignment, salary, changes of employment status, attendance, leaves, and such other information as may be necessary for the administration of regulations. Personnel records shall be open to the inspection of the personnel board and, depending on the functional requirement of each individual record, shall accompany the employee throughout his/her service career.

(2) Agencies shall publish policies pertaining to the retention and confidentiality of personnel records in accordance with these rules and chapter 40.14 RCW which are consistent with 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.

(c) Employees and/or their representatives may review 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 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 accordance with policies established in chapter 40.14 RCW 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 personnel records and retained by the agency in accordance with policies established 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 in accordance with policies established 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 83-22-006

PROPOSED RULES

DEPARTMENT OF CORRECTIONS

[Filed October 21, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Corrections intends to adopt, amend, or repeal rules concerning Criminal justice reimbursement costs—Adult, amending chapter 137-70 WAC.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on December 6, 1983.

The authority under which these rules are proposed is RCW 72.72.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 6, 1983.

Correspondence regarding this notice and attached rule should be sent to:

Robert W. Sampson, Administrator
Office of Contracts and Regulations
Division of Management and Budget
Mailstop FN-61
(206) 753-5770

Dated: October 20, 1983

By: Robert E. Trimble
for Amos E. Reed
Secretary

STATEMENT OF PURPOSE

Title and Number of Rule: Amending chapter 137-70 WAC, Criminal justice reimbursement costs—Adult.

Statutory Authority: RCW 72.72.040.

Summary and Purpose of Rule Change: Amendment is necessary to allow reimbursement of criminal justice costs incurred by counties, cities, or towns since July 1, 1983. The period updates the maximum reimbursement costs for period of July 1, 1983, to June 30, 1985.

Agency Personnel Responsible for Drafting and Adoption: Robert W. Sampson, Administrator, Office of Contracts and Regulations, Division of Management and Budget, Mailstop FN-61, (206) 753-5770; Implementation and Enforcement: Robert E. Trimble, Deputy Secretary, Department of Corrections, Mailstop FN-61, (206) 753-1508.

No other person or organization other than the Department of Corrections is proposing this rule.

This rule is not necessary to comply with a federal law or a federal or state court decision.

This rule does not have an impact on small businesses.

AMENDATORY SECTION (Amending Order 82-10, filed 8/16/82)

WAC 137-70-040 REIMBURSABLE IMPACTS/RATES. (1) Reimbursement shall be restricted to fully documented law enforcement, prosecutorial, judicial and jail facility costs, as defined herein, ~~((in accordance with))~~ at the actual costs of the submitting jurisdiction, not to exceed the following rates:

(a) Law enforcement costs are costs incurred by any political subdivision in apprehending escapees, in investigating crimes committed by state institutional inmates including pretrial investigations within or outside the institution, or in providing security for inmates outside the jail facility. These costs are reimbursable at the following rates:

(i) ~~(\$14.51 per hour from the effective date of this chapter through June 30, 1982:))~~ \$17.48 per hour for the period July 1, 1983, through June 30, 1984.

(ii) ~~\$(16.60)~~ 18.39 per hour for the period July 1, ~~((1982))~~ 1984, through June 30, ~~((1983))~~ 1985.

(b) If an escape or investigation results in the filing of a criminal complaint, the impacted political subdivision shall be entitled to attorney costs associated with the prosecution and/or defense of the filed action. These costs are reimbursable at the following maximum rates:

(i) ~~\$(36.00)~~ 41.79 per hour from ~~((the effective date of this chapter))~~ July 1, 1983, through June 30, ~~((1982))~~ 1984.

(ii) ~~\$(39.69)~~ 43.96 per hour from July 1, ~~((1982))~~ 1984, through June 30, ~~((1983))~~ 1985.

(c) Reimbursement for judicial costs incurred as a result of the filing of a criminal complaint shall be limited to judges, court reporters, transcript typing or preparation, witness fees and jury fees. These costs are reimbursable at the following maximum rates:

(i) Judges - ~~\$(36.00)~~ 38.95 per hour from ~~((the effective date of this chapter until))~~ July 1, 1983, through June 30, ~~((1982))~~ 1984, and ~~\$(36.99)~~ 40.98 per hour for the period July 1, ~~((1982))~~ 1984, through June 30, ~~((1983))~~ 1985. These costs shall include the services of court clerks and bailiffs.

(ii) Court reporters - ~~\$(15.00)~~ 17.52 per hour from ~~((the effective date of this chapter))~~ July 1, 1983, through June 30, ~~((1982))~~ 1984, and ~~\$(16.64)~~ 18.43 per hour for the period July 1, ~~((1982))~~ 1984, through June 30, ~~((1983))~~ 1985.

(iii) Transcript typing services - ~~\$(3.00)~~ 3.49 per page from ~~((the effective date of this chapter))~~ July 1, 1983, through June 30, ~~((1982))~~ 1984, and ~~\$(3.31)~~ 3.67 per page for the period July 1, ~~((1982))~~ 1984, through June 30, ~~((1983))~~ 1985.

(iv) Expert witnesses - ~~\$(50.60)~~ 58.65 per hour from ~~((the effective date of this chapter to))~~ July 1, 1983, through June 30, ~~((1982))~~ 1984, and ~~\$(55.70)~~ 61.70 per hour for the period July 1, ~~((1982))~~ 1984, through June 30, ~~((1983))~~ 1985.

(v) Witness fees/nonexpert - jury fees - reimbursable at the rate established by the local governmental legislative authority up to a maximum of ~~\$(25.00)~~ 26.33 per day for the period July 1, 1983, through June 30, 1984, and \$27.70 for the period July 1, 1984, through June 30, 1985.

(d) Jail facility costs resulting from the escape or criminal complaint shall be reimbursed at the following maximum rate: ~~\$(7.00)~~ 7.37 per inmate day from ~~((the effective date of this chapter))~~ July 1, 1983, through June 30, ~~((1983))~~ 1984 and \$7.75 for the period July 1, 1984, through June 30, 1985.

(e) Coroner - Where an inmate dies as a result of criminal activity of another inmate, coroner costs incurred by a local jurisdiction may be reimbursed up to a maximum amount established by the committee as reasonable.

(f) Medical costs - Where an inmate is in the custody of a local jurisdiction as a result of a crime committed while incarcerated in a state institution, extraordinary medical costs, beyond the routine medical services of the jail, may be reimbursed at the discretion of the committee. Counties, cities, and towns shall notify the department prior to incurring expenses for extraordinary medical expenses, where practicable, to allow the department an opportunity to provide the necessary medical care directly.

WSR 83-22-007

EMERGENCY RULES

DEPARTMENT OF CORRECTIONS

[Order 83-12—Filed October 21, 1983]

I, Amos E. Reed, director of the Department of Corrections, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Criminal justice reimbursement costs—Adult, amending chapter 137-70 WAC.

I, Amos E. Reed, Secretary, 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 amendment of this rule is necessary to allow reimbursement of criminal justice costs incurred by counties, cities, or towns since July 1, 1983. The period updates the maximum reimbursement costs for period of July 1, 1983, to June 30, 1985.

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

This rule is promulgated pursuant to RCW 72.72.040 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 October 20, 1983.

By Robert E. Trimble
for Amos E. Reed
Secretary

AMENDATORY SECTION (Amending Order 82-10, filed 8/16/82)

WAC 137-70-040 REIMBURSABLE IMPACTS/RATES. (1) Reimbursement shall be restricted to fully documented law enforcement, prosecutorial, judicial and jail facility costs, as defined herein, ~~((in accordance with))~~ at the actual costs of the submitting jurisdiction, not to exceed the following rates:

(a) Law enforcement costs are costs incurred by any political subdivision in apprehending escapees, in investigating crimes committed by state institutional inmates including pretrial investigations within or outside the institution, or in providing security for inmates outside the jail facility. These costs are reimbursable at the following rates:

(i) ~~(\$14.51 per hour from the effective date of this chapter through June 30, 1982.))~~ \$17.48 per hour for the period July 1, 1983, through June 30, 1984.

(ii) ~~\$(16.60) 18.39 per hour for the period July 1, (1982) 1984, through June 30, (1983) 1985.~~

(b) If an escape or investigation results in the filing of a criminal complaint, the impacted political subdivision shall be entitled to attorney costs associated with the prosecution and/or defense of the filed action. These costs are reimbursable at the following maximum rates:

(i) ~~\$(36.00) 41.79 per hour from ((the effective date of this chapter)) July 1, 1983, through June 30, (1982) 1984.~~

(ii) ~~\$(39.69) 43.96 per hour from July 1, (1982) 1984, through June 30, (1983) 1985.~~

(c) Reimbursement for judicial costs incurred as a result of the filing of a criminal complaint shall be limited to judges, court reporters, transcript typing or preparation, witness fees and jury fees. These costs are reimbursable at the following maximum rates:

(i) Judges - ~~\$(36.00) 38.95 per hour from ((the effective date of this chapter until)) July 1, 1983, through June 30, (1982) 1984, and \$(36.99) 40.98 per hour for the period July 1, (1982) 1984, through June 30, (1983) 1985.~~ These costs shall include the services of court clerks and bailiffs.

(ii) Court reporters - ~~\$(15.00) 17.52 per hour from ((the effective date of this chapter)) July 1, 1983, through June 30, (1982) 1984, and \$(16.64) 18.43 per hour for the period July 1, (1982) 1984, through June 30, (1983) 1985.~~

(iii) Transcript typing services - ~~\$(3.00) 3.49 per page from ((the effective date of this chapter)) July 1, 1983, through June 30, (1982) 1984, and \$(3.31) 3.67 per page for the period July 1, (1982) 1984, through June 30, (1983) 1985.~~

(iv) Expert witnesses - ~~\$(50.60) 58.65 per hour from ((the effective date of this chapter to)) July 1, 1983, through June 30, (1982) 1984, and \$(55.70) 61.70 per hour for the period July 1, (1982) 1984, through June 30, (1983) 1985.~~

(v) Witness fees/nonexpert - jury fees - reimbursable at the rate established by the local governmental legislative authority up to a maximum of ~~\$(25.00) 26.33 per day for the period July 1, 1983, through June 30, 1984, and \$27.70 for the period July 1, 1984, through June 30, 1985.~~

(d) Jail facility costs resulting from the escape or criminal complaint shall be reimbursed at the following maximum rate: ~~\$(7.00) 7.37 per inmate day from ((the effective date of this chapter)) July 1, 1983, through June 30, (1983) 1984 and \$7.75 for the period July 1, 1984, through June 30, 1985.~~

(e) Coroner - Where an inmate dies as a result of criminal activity of another inmate, coroner costs incurred by a local jurisdiction may be reimbursed up to a maximum amount established by the committee as reasonable.

(f) Medical costs - Where an inmate is in the custody of a local jurisdiction as a result of a crime committed while incarcerated in a state institution, extraordinary medical costs, beyond the routine medical services of the jail, may be reimbursed at the discretion of the committee. Counties, cities, and towns shall notify the department prior to incurring expenses for extraordinary medical expenses, where practicable, to allow the department an opportunity to provide the necessary medical care directly.

WSR 83-22-008
PROPOSED RULES
STATE EMPLOYEES
INSURANCE BOARD
[Filed October 21, 1983]

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

Amd	WAC 182-08-160	Group coverage when not in pay status.
Amd	WAC 182-08-120	Employer contribution.
Rep	WAC 182-12-170	State contribution for Medicare for actively employed;

that the agency will at 9:00 a.m., Friday, October 28, 1983, in the Department of Transportation Materials Lab Building, Tumwater, 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 41.05 RCW.

The specific statute these rules are intended to implement is RCW 41.05.080 and 41.05.050.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 25, 1983.

This notice is connected to and continues the matter in Notice No. WSR 83-18-065 filed with the code reviser's office on September 7, 1983.

Dated: October 21, 1983
By: C. H. Shay
Group Insurance Analyst

WSR 83-22-009
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Institutions)
[Filed October 21, 1983]

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 Voluntary admission—Involuntary commitment, treatment and/or evaluation of mentally ill persons, amending chapter 275-55 WAC.

It is the intention of the secretary to adopt these rules on an emergency basis on or about November 7, 1983; that the agency will at 10:00 a.m., Wednesday, December 28, 1983, in the General Administration Building Auditorium, 11th and Columbia, 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 January 4, 1984.

The authority under which these rules are proposed is RCW 71.05.560.

The specific statute these rules are intended to implement is chapter 71.05 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 28, 1983.

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

David A. Hogan, Director
Division of Administration and Personnel
Department of Social and Health Services
Mailstop OB 14
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 December 14, 1983. The meeting site is in a location which is barrier free.

Dated: October 19, 1983
By: David A. Hogan, Director
Division of Administration and Personnel

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Re: Amending WAC 275-55-020, 275-55-161, 275-55-263, 275-55-271, 275-55-281, 275-55-291, 275-55-293, 275-55-331 and 275-55-371.

Purpose of Rule Change: To minimize requirements for emergency component on allowing existing community mental health service agencies to continue to provide emergency services for involuntary clients; rural communities lack facilities, personnel and fiscal resources to provide emergency services as required by WAC 275-55-263 and 275-55-281.

The Reasons These Amended Rules are Necessary: To allow all counties to preserve public health and safety by providing emergency services for involuntary clients with existing resources, and maintain emergency services cost at present budget level.

Statutory Authority: RCW 34.04.030.

Summary of the Rule Change: Existing sections of chapter 275-55 WAC restricts utilization of established community mental health emergency services, and requires an emergency component be established within a medical facility at an increased cost to the state. Rural area mental health service agencies neither have available medical facilities or funding to meet the requirements for an emergency component as required by chapter 275-55 WAC.

Other proposed changes are required for clarity, or to modify or eliminate time frames which have been determined inappropriate.

Person or Persons Responsible for Drafting, Implementation and Enforcement of the Rule: Henry Tomes, Ph.D., Assistant Director, Mental Health Division, Phone: 753-1409, Mailstop: OB-33F.

These rules are not necessary as a result of federal law, federal court decision, or state court decision.

These amendments will not have an economic impact upon small businesses.

AMENDATORY SECTION (Amending Order 1775, filed 3/11/82)

WAC 275-55-020 **DEFINITIONS.** (1) "Department" means the department of social and health services of the state of Washington.

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

(3) "Director" means the director of the mental health division of the department of social and health services or his or her designee.

(4) "Superintendent" means the superintendent of a state hospital or his or her designee.

(5) "Chapter" means chapter 275-55 WAC.

(6) "County-designated mental health professional" means a person appointed by the county to perform the duties specified in chapters 71.05(;) and 72.23 RCW, and

(a) Who meets the educational and/or experience requirements as specified in WAC 275-55-020(33)(a), (b), (c), or

(b) Where exception has been granted by the director pursuant to WAC 275-55-020(33)(d).

(7) "Professional person in charge" as used in chapters 71.05(;) and 72.23 RCW, and these rules, unless otherwise defined, means the mental health professional having chief clinical responsibility for the mental health evaluation and treatment unit within the agency, or his or her designee who must also be a mental health professional.

(8) "Available physician or other professional person" as used in RCW 71.05.090 means either a licensed physician or a mental health professional as defined in subsection (33) of this section.

(9) "Agency" means a public or private agency as specified in RCW 71.05.020(6) and (7), respectively.

(10) "Rule" means a rule within these rules and regulations.

(11) "Facility" means an evaluation and treatment facility.

(12) "Component" means any one of the three evaluation and treatment services required to be provided within an evaluation and treatment program as specified by RCW 71.05.020(16) and WAC 275-55-020(14)(a) and (b), and required to be certified as specified by WAC 275-55-020(13)(b).

(13) "Evaluation and treatment facility" means a public or private agency providing one or more components in compliance with the following:

(a) The agency shall be under contract or written agreement with an evaluation and treatment program pursuant to WAC 275-55-261. Exceptions to this rule are specified in WAC 275-55-020(13)(c).

(b) Each component of the agency shall be certified by the department pursuant to WAC 275-55-261(3) and (6), and 275-55-263. Exceptions to this rule are specified in WAC 275-55-020(13)(c). Certification is required for any component serving involuntary patients. Certification of a component shall not preclude such component from also serving voluntary patients. A certified component shall comply with all rules and regulations of this chapter and with chapter 71-05 RCW as applicable to both involuntary and voluntary patients.

(c) Exceptions:

(i) Any agency operating a component serving voluntary patients exclusively will not require certification of such component nor require being under contract to an evaluation and treatment program.

(ii) A physically separate and separately operated portion of a state hospital may be designated as an evaluation and treatment facility.

(iii) A facility which is part of, or operated by, the department or any federal agency will not require certification of the facility's component or components nor require being under contract to an evaluation and treatment program.

(14) "Evaluation and treatment program" means a coordinated system of evaluation and treatment services administered by an agency or a county pursuant to RCW 71.05.020(16) and WAC 275-55-261, and is provided to involuntary patients and to persons voluntarily seeking treatment for a mental disorder.

(a) Such evaluation and treatment services shall include at least all three of, but are not limited to, the following components:

(i) Outpatient.

(ii) Emergency.

(iii) Short-term inpatient.

(b) Such evaluation and treatment services shall be provided by an evaluation and treatment facility or facilities.

(15) "Medical evaluation" means an evaluation performed by a licensed physician including both a mental status and physical examination.

(16) "Patient" means a person admitted to an agency, facility, or component, voluntarily or involuntarily, for observation, evaluation, care, and/or treatment for a mental disorder.

(17) "Mental disorder" means any organic, mental, or emotional impairment having substantial adverse effects on an individual's cognitive or volitional functions(~~(-classified in accordance with the current diagnostic and statistical manual of the American psychiatric association)~~).

(18) "Involuntary patient" means a person who, as a result of a mental disorder, presents a likelihood of serious harm (RCW 71.05.020(3)) or is gravely disabled (RCW 71.05.020(1)), and is initially detained and/or court-committed for evaluation and treatment.

(19) "Detention" means a person being held in a facility involuntarily pursuant to applicable sections of chapter 71.05 RCW, and the person not being permitted willful physical movement beyond the facility without express prior permission.

(20) "Initial detention" means the first seventy-two hour period, or part thereof, or involuntary evaluation and treatment required by a petition for initial detention, emergency detention, or supplementary petition for initial detention.

(21) "Seventy-two hour period" shall be computed to:

(a) Start on the time and date the inpatient or outpatient component of the evaluation and treatment facility provisionally accepts the person to be detained as specified in RCW 71.05.170, and

(b) Exclude Saturdays, Sundays, and holidays.

(22) Deleted.

(23) "Admission" means acceptance of a person as an inpatient or outpatient by the facility.

(24) "Discharge" means release of a patient from a component or from a facility.

(25) "Transfer," unless otherwise defined, means a move of the patient by a facility between treatment services or components of the facility, or between facilities, and may or may not include a discharge from the transferring service, component, or facility.

(26) "Release from commitment" means legal termination of the order of commitment.

(27) "Early release" means release of the involuntary patient from the order of commitment prior to the original expiration date of the commitment order.

(28) "Conditional release" means a transfer of the involuntary patient from inpatient to outpatient treatment pursuant to conditions specified for the patient by the transferring facility or component. The involuntary patient remains under order of commitment.

(29) "Shock treatment" means electroconvulsive therapy.

(30) Whenever used in this chapter, the masculine shall include the feminine and the singular shall include the plural.

(31) "County" means a county, or a combination((s)) of counties jointly agreeing to provide or cause to be provided the services required by this section.

(32) "Coordinator" means county mental health coordinator, and is the person appointed by the county to supervise and/or otherwise coordinate the community mental health program services of a county.

(33) "Mental health professional" means a person regularly involved in mental health evaluation and treatment, and qualifying as one of the following:

(a) A psychiatrist, psychologist, psychiatric nurse, or social worker.

(b) A person with a masters degree or further advanced degree in counseling or one of the social sciences from an accredited college or university. Such person shall have, in addition, at least two years of experience in direct treatment of mentally ill or emotionally disturbed persons, such experience gained under the supervision of a mental health professional.

(c) A licensed physician permitted to practice medicine or osteopathy in the state of Washington.

(d) A person otherwise qualified to perform the duties of a mental health professional but does not meet the requirements listed in subsection (33)(a), (b), or (c) of this section, where an exception to such requirements has been granted by the director upon submission of a written request by the county involved, such request to document the following:

(i) The extent to which the county has made an effort to provide and has the capability of providing a mental health professional;

(ii) The amount and type of employment experience the applicant possesses. Such an applicant shall have had at least three years' experience in the direct treatment of mentally ill or emotionally disturbed persons, such experience gained under the supervision of a mental health professional, as defined under subsection (33)(a), (b), or (c) of this section;

(iii) The overall needs of the mental health program in the particular county involved; and

(iv) Such factors as shall be brought to the attention of the director by the county involved.

(34) "Psychiatrist" means a physician licensed to practice medicine in the state of Washington having, in addition, completed three years of graduate training in psychiatry in a program approved by the American medical association or the American osteopathic association.

(35) "Psychologist" means persons defined as such in RCW 71.05.020(14).

(36) "Social worker" means persons defined as such in RCW 71.05.020(15).

(37) "Psychiatric nurse" means a registered nurse having had, in addition, at least two years' experience in the direct treatment of mentally ill or emotionally disturbed persons, such experience gained under the supervision of a mental health professional as defined in subsection (33)(a), (b), or (c) of this section.

~~((38) "Psychiatric nurse clinician" means a registered nurse;))~~

~~(38) "Psychiatric nurse clinician" means a registered nurse having ((a)) a masters ((degree or further advanced degree from an accredited college or university and whose graduate specialization was in psychiatric nursing.)) degree or further advanced degree from an accredited college or university and whose graduate specialization was in psychiatric nursing.~~

AMENDATORY SECTION (Amending Order 1775, filed 3/11/82)

WAC 275-55-161 TREATMENT PRIOR TO HEARINGS—INVOLUNTARY PATIENT. Any involuntary patient may refuse all but emergency lifesaving treatment beginning twenty-four hours prior

to any hearing. On admission to the facility such patient shall be informed of his or her right to refuse all treatment except lifesaving treatment during such twenty-four hour period and shall again be so informed (~~(within one hour)~~) prior to the twenty-four hour period before court hearing. The patient shall be asked if he or she wishes to decline treatment during such twenty-four hour period, and the answer shall be in writing and signed where possible. Compliance with this procedure shall be documented in the patient's clinical record. This section does not preclude use of physical restraints and/or seclusion to protect against injury to the patient or others. (Reference RCW 71.05.200)

AMENDATORY SECTION (Amending Order 1775, filed 3/11/82)

WAC 275-55-263 CERTIFICATION STANDARDS FOR EVALUATION AND TREATMENT ((COMPONENTS)) PROGRAM. (1) The following general requirements shall apply to any agency desiring certification (~~(of)~~) as a component or components (~~(in order to become an)~~) of the evaluation and treatment (~~(facility)~~) program:

(a) The spectrum of evaluation and treatment services provided by the agency shall include at least one of the following (~~(components)~~):

- (i) Outpatient.
- (ii) Emergency.
- (iii) Short-term inpatient.

(b) The agency may directly provide one or more of the components specified in subsection (1)(a) of this section, or may indirectly provide one or more through contractual arrangement or agreements with other agencies. Such arrangements shall be set forth in WAC 275-55-261(1).

(c) One or more of the components specified in subsection (1)(a) of this section may be provided to persons under the age of eighteen only when the providing agency is in compliance with the provisions of WAC 275-55-331.

(d) The agency shall maintain a written statement describing the organizational structure, objectives, and the philosophy of the therapeutic program, such statement to include contractual affiliates (if any).

(e) The agency shall document and otherwise ensure that:

- (i) Care for patients is provided in a therapeutic environment.
- (ii) Patient rights as described in WAC 275-55-211 and 275-55-241 are incorporated into this environment.
- (iii) The use of the least restrictive treatment alternative is considered for each patient and such consideration is documented in each patient's clinical record.
- (iv) Continuity of care, coordination, and integration of services is provided.

(v) Immediate transfer from the outpatient component to the inpatient or emergency component of the agency or of the evaluation and treatment program is provided for a patient when a change in the patient's condition necessitates such transfer. In the case of the involuntary patient, such transfer shall be made pursuant to RCW 71.05.340(3). Patients within any component can and will be transferred without unreasonable delay to any other component, and the patient's necessary clinical information will be made available to persons responsible for the patient's treatment within any other component. (Reference RCW 71.05.390) In the event of a referral, the original agency will maintain responsibility for follow-up of the patient until such time as the receiving agency may assume primary service responsibility.

(vi) Referral services and assistance in obtaining supportive services appropriate to treatment including, but not limited to, (~~(casework)~~) community support services, vocational rehabilitation, and legal services, are provided to each patient.

(f) The agency desiring certification of the agency's component or components shall make application for such certification pursuant to WAC 275-55-261(3).

(2) In addition to the requirements specified for each in WAC 275-55-271, 275-55-281, and 275-55-291, the following general requirements shall apply to all facilities:

(a) Admissions. Admission to the inpatient component shall not be denied except under the following circumstances:

(i) There is a determination the person does not present a likelihood of serious harm, or an imminent likelihood of serious harm, or the person is not gravely disabled, and does not require inpatient care. Reference RCW 71.05.190 for necessary action in this case.

(ii) The person requires specialized medical care and support services of a type not provided by the facility.

(iii) A greater degree of control is required than can be provided by the facility.

(iv) No treatment space is available and is so documented.

(v) A less restrictive alternative provided by another facility is more appropriate and available.

(vi) For situations arising pursuant to subsection (2)(a)(ii) through (iv) of this section, the county-designated mental health professional shall make arrangements for the most appropriate placement (~~(elsewhere)~~) available.

(b) Admission evaluations. Within twenty-four hours of (~~(first admission for persons under)~~) initial detention, (~~(twenty-four hours)~~) to include Saturday, Sunday, and holidays, evaluations shall be conducted to determine the nature of the disorder, the treatment necessary, and whether or not detention is required. Such evaluations shall include at least a:

- (i) Medical evaluation by a licensed physician.
- (ii) Psychosocial evaluation by a mental health professional.
- (c) Treatment plan and clinical record. All components shall:

(i) Maintain, for each patient, a plan of treatment, and a plan for discharge including a plan for follow-up where appropriate. Such treatment and discharge plans shall be entered in the patient's clinical record and shall be revised periodically as appropriate.

(ii) Maintain, for each patient, a clinical record containing sufficient information to justify the diagnosis, delineate the individual treatment plan, and document the course of treatment. The responsibility of the agency is to safeguard the record against loss, defacement, tampering, or use by unauthorized persons.

(d) Treatment. (~~(All components)~~) The evaluation and treatment program shall:

(i) Have (~~(immediately)~~) available (~~(at all times)~~), as needed, professional personnel including, but not limited to, a licensed physician and a mental health professional skilled in crisis intervention.

(ii) Ensure each patient has access to necessary medical treatment and support services, and access to emergency life-sustaining treatment and medication.

(iii) Have psychiatric consultation available to other physicians or mental health professionals when treatment is not provided by or under the supervision of a psychiatrist.

(e) Use of restraints and seclusion. The use of medication, physical restraints, or locked seclusion rooms in response to assaultive, self-destructive, or unruly patient behavior shall occur only to the extent necessary to ensure the safety of patients and staff, and subject to the following conditions:

(i) In the event of an emergency use of restraints or seclusion, a licensed physician must be immediately notified and shall authorize the restraints or seclusion.

(ii) No patient may be restrained or secluded for a period in excess of four hours without having been examined by a mental health professional. Such patient must be directly observed every thirty minutes, and the observation recorded in the patient's clinical record.

(iii) If restraint or seclusion exceeds twenty-four hours, patient shall be examined by a licensed physician. The facts determined by his or her examination and any resultant decision to continue restraint or seclusion over twenty-four hours shall be recorded in the patient's clinical record over the signature of the authorizing physician. This procedure must be repeated for each subsequent twenty-four hour period of restraint or seclusion.

(f) Periodic evaluation. Each involuntary patient shall be evaluated periodically for release from commitment, and such evaluation will be documented in each involuntary patient's clinical record.

(g) Training. All components shall develop an inservice training plan, and provide regular training to all personnel having responsibility for any aspect of patient care. Documentation of the type and amount of training received by staff members shall be maintained. Such training shall include information about:

- (i) The availability and utilization of less restrictive alternatives.
- (ii) Approved methods of patient care.
- (iii) Managing assaultive and/or self-destructive behavior.

(iv) Related services, including, but not limited to, transportation, law enforcement, courts, prosecutors, caseworkers, family support systems, advocacy, pharmacotherapy, and hospitals.

(v) The provisions and requirements of this chapter and chapter 71.05 RCW, and standards and guidelines promulgated by the department.

(vi) Other appropriate subject matter.

(h) Administration. All components shall:

(i) Maintain ~~((and prominently post))~~ written procedures for managing assaultive and/or self-destructive patient behavior, and assure staff has access to and are familiar with these procedures.

(ii) Maintain adequate fiscal accounting records.

(iii) Prepare and submit such reports as are required by the secretary.

(iv) Maintain a procedure for collection of fees and third-party payments.

(3) Whenever a component is also subject to licensure under other federal or state statutes or regulations, the more limiting or more specific standard shall apply.

AMENDATORY SECTION (Amending Order 1775, filed 3/11/82)

WAC 275-55-271 OUTPATIENT COMPONENT. (1) The outpatient component is defined as a setting where ~~((an array of))~~ evaluation and treatment services ~~((s))~~ are provided on a regular basis to patients not in residence in the component. These services are intended to stabilize, sustain, and facilitate recovery of the individual within his or her ~~((environment, and may include such))~~ living setting. Services ~~((as))~~ may include, but are not limited to, day treatment ~~((or))~~ and community support services provided directly by a licensed physician licensed pursuant to chapter 18.57 or 18.71 RCW, a psychologist licensed pursuant to chapter 18.83, a psychiatric nurse licensed pursuant to chapter 18.88 RCW, or by an agency ~~((certified as a component of the program))~~ licensed pursuant to chapter 71.24 RCW and chapter 275-56 WAC.

(2) In addition to the general requirements stated in WAC 275-55-263(2), the following requirements shall apply to all outpatient components:

(a) ~~((Outpatient services shall be available at least eight hours per day, five days per week.~~

~~((b))~~ Such component shall provide a therapeutic program including, but not limited to, generally accepted treatment modalities such as:

(i) Individual.

(ii) Group.

(iii) Family/marital.

(iv) Pharmacotherapy.

~~((c))~~ (b) Such component shall provide treatment to each patient under the supervision of a mental health professional.

~~((d))~~ (c) Each patient must be seen at least weekly by assigned staff during the period of involuntary treatment. A mental health professional must review each outpatient case at least weekly to ensure updating of the treatment plan and such review must be recorded in the patient's clinical record. The frequency of patient contact and case review may be modified if in the opinion of a mental health professional such is warranted and the reasons for so doing are recorded in the patient's clinical record.

~~((e))~~ (d) Such component must have access to consultation by a psychiatrist or a physician with at least one year's experience in the direct treatment of mentally ill or emotionally disturbed persons, such access to be a minimum of one hour per week for each forty hours of direct client services provided by nonmedical staff.

~~((f))~~ (e) Such component shall include medical consultation with the involuntary patient to assess and prescribe psychotropic medication to meet the needs of the patient. Such consultation shall occur at least weekly during the fourteen-day period, and monthly during the ninety-day period and the one hundred and eighty-day period of involuntary treatment unless determined otherwise by the attending physician and the reasons for so doing are recorded in the patient's clinical record.

~~((g))~~ (f) Whenever possible, medication should be made available to the patient at a reduced rate through a state medication purchase contract, or through the state hospital pharmacy.

AMENDATORY SECTION (Amending Order 1775, filed 3/11/82)

WAC 275-55-281 EMERGENCY COMPONENT. (1) The emergency component is defined as a hospital emergency room or ~~((equivalent))~~ another setting where ~~((immediate))~~ prompt therapeutic intervention occurs. The term "emergency" refers to a set of circumstances (physiological, psychological, and/or social) posing an imminent threat to the safety and/or well-being of the patient or others.

(2) In addition to the general requirements stated in WAC 275-55-263(2), the following requirements shall apply to all emergency components:

(a) Such component shall have the ability to respond ~~((immediate-ly))~~ promptly to individual crisis situations, and to ~~((admit patients on a twenty-four hour per day, seven days per week basis, or to))~~ arrange for ~~((such))~~ admission to an inpatient component on a twenty-four hour per day, seven day per week basis.

(b) Such component shall have the capability to detain persons dangerous to self, dangerous to others, or gravely disabled ~~((; and shall provide or have access to at least one seclusion room meeting the requirements of WAC 248-18-530(5)(a) now or as hereafter amended))~~.

(c) Such component shall have immediate access to life support systems and ~~((personnel))~~ emergency medical services. A mental health professional and/or licensed physician shall be available for consultation and communication with the patient and the component staff on a twenty-four hour per day, seven day((s)) per week basis.

AMENDATORY SECTION (Amending Order 1775, filed 3/11/82)

WAC 275-55-291 SHORT-TERM INPATIENT COMPONENT. (1) The inpatient component is a hospital or residential setting where an array of treatment services is provided on a twenty-four hour per day basis for patients on seventy-two hour detentions or fourteen-day commitments.

(2) In addition to the general requirements stated in WAC 275-55-263(2), the following requirements shall apply to all inpatient components:

(a) The inpatient component shall meet the ~~((structural))~~ standards required for state licensing as a psychiatric hospital, general medical hospital, ~~((community mental health center including an inpatient program))~~ skilled nursing facility, intermediate care facility, residential treatment facility, or ~~((boarding))~~ foster home.

(b) Such component shall have the capability to admit the patient on a twenty-four hour per day, seven day((s)) per week basis.

(c) Such component shall have the capability to detain persons dangerous to self, others, or gravely disabled, and shall provide or have access to at least one seclusion room meeting the requirements of WAC 248-18-530(5)(a) now or as hereafter amended.

(d) Such component shall provide a therapeutic program including, but not limited to, generally accepted treatment modalities such as:

(i) Individual.

(ii) Group.

(iii) Family/marital.

(iv) Pharmacotherapy.

(v) Therapeutic community.

(e) Such component shall provide treatment to each patient under the supervision of the professional person in charge.

(f) A mental health professional must have contact with each involuntary patient daily for the purpose of observation, evaluation, and the provision of continuity of treatment.

(g) Such component shall have access to a mental health professional and a licensed physician for consultation and communication with the patient and the component staff on a twenty-four hour per day, seven day((s)) per week basis.

(h) Such component shall periodically evaluate each involuntary patient for conditional release, and such evaluation shall be documented in each involuntary patient's clinical record.

~~((3) The director may exempt a nonhospital residential facility providing inpatient involuntary treatment from any of the requirements of this section, inappropriate to that type of facility, as well as from selected requirements in WAC 275-55-263(2).))~~

AMENDATORY SECTION (Amending Order 1775, filed 3/11/82)

WAC 275-55-293 CERTIFICATION PROCEDURE—WAIVERS—PROVISIONAL CERTIFICATION—RENEWAL OF CERTIFICATION. (1) In order to certify an agency's component or components, the department shall:

(a) Receive a formal request from the county-designated administrator of the evaluation and treatment program; and

(b) Conduct a site visit of the component or components including an inspection and examination of any records, procedures, materials, areas, programs, staff, and patients necessary to determine compliance with WAC 275-55-263, and the appropriate sections of WAC 275-55-271 through ~~((275-55-291))~~ 275-55-331.

(2) The department shall issue full certification to a component only if the component is in full compliance with the applicable sections of this chapter.

(3) Variances from ~~((full compliance))~~ a rule may be granted by the department in the form of a waiver, pursuant to the provisions of WAC 275-55-371.

(4) Provisional certification may be granted by the director to a component or components which are in substantial compliance with the applicable sections of this chapter. Such provisional certification shall specify the number and type of deficiencies temporarily allowed and the length of provisional status.

(5) Renewal of certification is required at least every other year, and may require a complete site visit of the component or components as specified in subsection (1)(b) of this section.

AMENDATORY SECTION (Amending Order 1775, filed 3/11/82)

WAC 275-55-297 APPEAL PROCEDURE. (1) Any agency whose component or components have been denied certification, or have been decertified by the department may appeal such a decision. ~~((Reference WAC 275-55-371))~~

(2) Such appeal shall:

- (a) Be made in writing ~~((to the secretary))~~;
- (b) Specify the date of the decision being appealed;
- (c) Specify clearly the issue to be reviewed;
- (d) Be signed by, and include the address of the agency;
- (e) Be made within thirty days of notification of the decision being appealed.

(3) ~~((An administrative review and redetermination shall be provided by the department within thirty days of the submission of the appeal, with written confirmation of the findings and the reasons for the findings to be forwarded to the affected agency as soon as possible))~~ An appeal on decisions should be made in accordance with the Administrative Procedure Act, chapter 34.04 RCW.

AMENDATORY SECTION (Amending Order 1775, filed 3/11/82)

WAC 275-55-301 ALTERNATIVES TO INPATIENT TREATMENT. In considering all petitions for involuntary commitments to inpatient treatment as to whether the patient's presenting problem is appropriate for care and treatment, the professional person in charge of the inpatient component shall explore less restrictive alternatives, including possible outpatient or residential treatment, and shall consider possible better, or equal treatment elsewhere, preferably within the patient's home community.

AMENDATORY SECTION (Amending Order 1775, filed 3/11/82)

WAC 275-55-331 REQUIREMENTS FOR EVALUATION AND TREATMENT FACILITIES SERVING MINORS. (1) The requirements for certification of components of evaluation and treatment facilities admitting minors shall be as specified in WAC 275-55-263 and in other applicable sections of this chapter, and shall include, but are not limited to, the following:

(a) The admission evaluation specified in WAC 275-55-263(2)(b) shall include assessment of factors possibly contributing to the emotional dysfunctioning of the minor, such as family dynamics, environmental influences, or interactions with other significant persons.

(b) Family therapy shall be available, and shall be provided as needed.

(c) Treatment plans for minors shall include attention to the educational, developmental, legal, and other social service needs of minors, as appropriate.

(2) In general, adults and minors shall be provided services separate from one another, wherever possible. Joint use by adults and minors of a facility's inpatient services is permitted only if the minor's clinical record contains documentation that:

(a) The anticipated effects of such joint use on the minor have been considered by the professional staff, and

(b) A professional judgment has been made that such joint use will not be deleterious to the minor.

(3) No minor shall be placed on an adult inpatient unit unless ~~((documented))~~ no other alternative is available, or an emergency exists, and documentation has been made pursuant to subsection (2) of this section.

(4) Evaluation and treatment services provided to minors shall be provided by:

(a) A child mental health specialist (as defined by WAC 275-25-710(3)), or

(b) A mental health specialist (as defined by WAC 275-25-710(1)) directly supervised by a child mental health specialist, or

(c) A mental health specialist receiving at least one hour per week of clinical consultation from a child mental health specialist for each involuntarily detained minor provided direct client services during the week.

AMENDATORY SECTION (Amending Order 1775, filed 3/11/82)

WAC 275-55-371 EXCEPTIONS TO RULES—WAIVERS. Any person or agency subject to the provisions of this chapter may seek a waiver of any requirement of this chapter, as set forth in this section.

(1) The applicant shall file an application for a waiver with the director.

(2) Any application for a waiver from any person or agency shall state, in writing, the following:

(a) The name and address of the person or agency seeking the waiver;

(b) The specific section or subsection of this chapter sought to be waived, and the specific practice or procedure required by such section or subsection;

(c) An explanation of why a waiver of the section or subsection is necessary;

(d) The ~~((alternative practice or procedure))~~ variance the applicant proposes to follow in lieu of that required by the section or subsection;

(e) A plan and timetable for compliance with the section or subsection for which the waiver is sought; and

(f) Signed documentation from the ~~((local mental health coordinator))~~ county-designated administrator of the evaluation and treatment program indicating the proposed waiver has been reviewed and what degree of support has been extended.

(3) ~~((Upon receipt of an application for a waiver, the director shall appoint a review board comprised of three members professionally acquainted with this chapter. Membership distribution shall be as follows:~~

~~((a) One member shall be employed by the state;~~

~~((b) One member shall be employed by a county; and~~

~~((c) One member shall be a practitioner in the field of voluntary or involuntary treatment, or a lay person active in one such field.~~

~~((4) The review board shall meet and consider the strength of the application, taking into account the following:~~

~~((a) The number of practices, procedures or other requirements sought to be waived by the applicant;~~

~~((b) The degree of noncompliance being sought;~~

~~((c) Whether a waiver would run counter to the intent of chapter 71.05 RCW;~~

~~((d) Whether a waiver would violate any law; and~~

~~((e) Whether any similar applications have been granted or denied.~~

~~((5) At the conclusion of the review, the review board shall file a majority recommendation with the director, stating:~~

~~((a) Whether a waiver should be granted;~~

~~((b) If granted, why the waiver is necessary;~~

~~((c) If granted, whether the waiver should be subject to compliance with conditions set forth by the review board; and~~

~~((d) If granted, the suggested duration of the waiver. In no case shall the duration exceed one year.~~

~~((6) The review board may accompany the recommendation with an additional recommendation the section or subsection in question be modified through the ordinary procedures for modifying WAC.~~

~~((7) Upon receipt of the review board's recommendation,))~~ The director shall grant or deny the waiver in writing, and shall so notify the applicant. This notice shall be given the applicant within ~~((thirty))~~ sixty days of receipt of the original application by the director.

~~((a) If the waiver is granted, the notice shall include:~~

~~((i) The section or subsection waived;~~

~~((ii) Any conditions with which the applicant must comply;~~

~~((iii) The duration of the waiver, in no case to exceed one year from the date the waiver is granted;~~

~~((iv) The reason why the waiver is considered necessary.~~

~~((b) If the waiver is denied, the notice shall include reasons for the decision.~~

~~((8))~~ (4) Appeal of the denial of a waiver request ~~((may))~~ shall be made ~~((to the secretary, whose decision shall be final))~~ in accordance with the Administrative Procedure Act, chapter 34.04 RCW.

~~((9))~~ (5) Requirements prescribed by chapter ~~((71.06))~~ 71.05 RCW and other legislation are not subject to waiver by the director ~~((or the secretary)).~~

~~((10))~~ (6) A waiver granted by the director shall be attached to and become part of the county plan ~~((for that year)).~~

WSR 83-22-010
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 83-166—Filed October 21, 1983]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, 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 6, 6A, 7 and 7A provide protection for Fraser River chum. Restrictions in Area 7C and the Samish River provide secondary protection for natural coho and chum stocks. Restrictions in Area 6D and the Dungeness River provide protection for local pink stocks. Restrictions in other Strait of Juan de Fuca tributaries provide protection for local coho stocks. Restrictions in Areas 10C, 10D and the Cedar River are the least restrictive regulations that provide opportunity to harvest coho and protect Lake Washington sockeye. Restrictions in the Skagit River protect local pink stocks. Restrictions in Areas 6B and 9 protect the integrity of the South Sound, Hood Canal and Stillaguamish-Snohomish chum updates. Restrictions in Area 12C provide protection for chum salmon stocks returning to Hoodsport Hatchery.

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 October 21, 1983.

By Russell W. Cahill
for William R. Wilkerson
Director

NEW SECTION

WAC 220-28-330 PUGET SOUND COMMERCIAL FISHERY RESTRICTIONS. *Effective immediately 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 6, 6A, 7 and 7A – Effective until further notice, closed to all commercial fishing.

Areas 6B – Effective until further notice, closed to all commercial net fishing.

Area 6D in that portion within a 1,000-foot radius of the mouth of the Dungeness River and the Dungeness River – Effective until

further notice, closed to all commercial fishing.

Area 7C – Effective until further notice, closed to all commercial fishing in that portion easterly of a line from the fishing boundary marker on Samish Island to the flashing light near Whiskey Rock.

Area 9 – Closed to all commercial fishing.

Area 10C and Cedar River – Effective until further notice, closed to all commercial fishing.

Area 10D in that portion within 250 yards of the eastern and northern shores of Lake Sammamish between the Sammamish River and Issaquah Creek – Effective until further notice, closed to all commercial fishing.

**Area 12C – Effective October 23 through December 31, closed within 1,000 feet of the western shore between Hoodsport Marina Dock and the Glen Ayr Trailer Park.*

**Skagit river including all tributaries – Effective until further notice, closed to all commercial fishing upstream from Hamilton Boat Launch.*

Samish River – Effective until further notice, closed to all commercial fishing.

Hoko, East and West Twin, Clallam, Lyre, Sekiu, Sail and Pysht rivers, and Salt and Deep creeks – Effective until further notice, closed to all commercial fishing.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-28-329 PUGET SOUND COMMERCIAL FISHERY RESTRICTIONS (83-164)

WSR 83-22-011
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 83-167—Filed October 21, 1983]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, 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 and 7A provide protection for weak Canadian origin coho and chum stocks. Openings in Areas 7B, 8, 10, 11 and 12 provide opportunity to harvest non-Indian chum allocations. Extended opening of Area 6D necessary to harvest coho allocation. All other areas are closed to prevent overharvest.

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 October 21, 1983.

By Russell W. Cahill
for William R. Wilkerson
Director

NEW SECTION

WAC 220-47-818 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY. *Notwithstanding the provisions of Chapter 220-47 WAC, effective October 23, 1983 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, 6, 6A, 6C, 7, and 7A - Closed to all commercial fishing.

Area 6D - Closed except gill nets using 5-inch minimum mesh and purse seines using the 5-inch strip may fish 24 hours/day. That portion of Area 6D within a 1,000-foot radius of the mouth of the Dungeness River remains closed to all commercial fishing.

**Area 7B - Closed except gill nets using 6-inch minimum mesh may fish from 5:00 PM to 9:00 AM October 23 through the morning of October 24, and purse seines may fish from 5:00 aM to 9:00 PM October 24.*

**Areas 8, 10, 11, and 12 - Closed except gill nets using 6-inch minimum mesh may fish from 5:00 PM to 9:00 AM October 23 through the morning of October 24, and purse seines using the 5-inch strip may fish from 5:00 AM to 9:00 PM October 24.*

Partial area exclusions applicable to the Area 7B, 8, 10, 11 and 12 openings are described in WAC 220-47-307.

Areas 6B, 7C, 7D, 8A, 9, 9A, 10A, 10B, 10C, 10D, 10E, 11A, 12A, 12B, 12C, 12D, 13, 13A, 13B, and all freshwater areas - Closed.

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 section of the Washington Administrative Code is repealed effective October 23, 1983:

WAC 220-47-817 PUGET SOUND COMMERCIAL FISHERY RESTRICTIONS (83-157)

WSR 83-22-012

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 83-168—Filed October 22, 1983]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, 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 allow the harvest of chinook salmon with minimal coho impacts during freshet conditions.

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 October 22, 1983.

By Edward P. Manary
for William R. Wilkerson
Director

NEW SECTION

WAC 220-28-073H0B QUILLAYUTE RIVER *Effective 2 p.m. October 24, 1983, 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 Quillayute River or the tributaries of the Quillayute River.*

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-28-073H0A QUILLAYUTE RIVER.
(83-151)

WSR 83-22-013

ATTORNEY GENERAL OPINION

Cite as: AGO 1983 No. 22

[October 20, 1983]

OFFICES AND OFFICERS—STATE—DEPARTMENT OF LABOR AND INDUSTRIES—CRIMES—COST OF LIVING INCREASES UNDER CRIME VICTIMS' COMPENSATION LAW

Pursuant to RCW 7.68.070, the cost of living increases authorized in RCW 51.32.075 for recipients of workers' compensation are also applicable to eligible crime victims under the state Crime Victims' Compensation Act.

Requested by:

Honorable Sam Kinville
Director
Department of Labor and Industries
General Administration Building
Olympia, WA 98504

WSR 83-22-014
EMERGENCY RULES
BOARD OF
INDUSTRIAL INSURANCE APPEALS
[Order 14—Filed October 24, 1983]

Be it resolved by the Board of Industrial Insurance Appeals, acting at the Capital Center Building, 410 West 5th, Olympia, WA, that it does adopt the annexed rules relating to authority and procedure for fixing interest to be paid on unpaid industrial insurance awards where a worker or beneficiary prevails in a qualifying appeal pursuant to chapter 301, Laws of 1983.

We, the Board of Industrial Insurance Appeals, 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 in the opinion of the board members, the provisions of EHB 683 (chapter 301, Laws of 1983) are applicable to final dispositive orders entered on or after the effective date of that legislation, July 24, 1983. Emergency rules were filed on July 25, 1983, to permit the agency to implement the directive required by EHB 683. In the opinion of the board another ninety days is required to determine whether the provisions contained in the emergency rules should be made permanent.

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 Board of Industrial Insurance Appeals as authorized in RCW 51.52.020.

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 October 21, 1983.

By Michael L. Hall
Chairman

NEW SECTION

WAC 263-12-160 FINAL DECISIONS FAVORING WORKERS OR BENEFICIARIES—RETENTION OF JURISDICTION TO FIX INTEREST DUE. (1) *Qualifying appeals. A worker or beneficiary*

who prevails in his or her own appeal regarding a claim for temporary total disability or in any appeal by the employer shall be paid simple interest at the rate of twelve percent per annum on the unpaid amount of the award after deducting the amount of attorney's fees.

(2) *Retention of jurisdiction to enter order for payment of interest. In a qualifying appeal the board will retain jurisdiction after issuance of its final decision and order for the purpose of entering an order fixing the amount of interest to be paid by the party having the obligation to pay the amount of the award as a result of the final decision and order.*

(3) *Party obligated to pay award to transmit interest fixing information. In those cases where interest is to be paid pursuant to chapter 301, Laws of 1983, the department or self-insurer shall notify the board in writing of the amount of the award paid a result of the board's final decision and order, the date of payment of the award, and any other information necessary for the board to calculate and fix the interest to be paid on such award. In cases involving payment of temporary total disability the department or self-insurer shall notify the board of the monthly rate or rates at which payments are made and the periods to which the rate or rates apply.*

(4) *Attorneys to notify board of amount of fees. The attorney or attorneys of record for a worker or beneficiary in a qualifying appeal shall upon the request of the board provide a written statement indicating the dollar amount of fees charged to the worker or beneficiary for services rendered in obtaining or securing the award in qualifying appeals under chapter 301, Laws of 1983. Such statement shall be provided by a date specified in the board's request, but in no case later than thirty days from the date of payment by the department or self-insurer of the award paid as a result of the board's final decision and order. In the event that the attorney or attorneys of record do not provide the board with the requisite statement within the time specified, the amount of fees paid to the attorney or attorneys will be deemed to be equal to thirty percent of the award paid as a result of the board's final decision and order.*

(5) *Fixing of interest and entry of order. Upon receipt of all required information, interest will be calculated by the board at twelve percent per annum from the date of the department order granting the award in an appeal by the employer or the date of the department order denying payment of the award in a qualifying appeal by a worker or beneficiary. Thereafter, the board will enter an order fixing the amount of interest to be paid by the party having the obligation to pay the award as a result of the final decision and order.*

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 83-22-015
PROPOSED RULES
DEPARTMENT OF
NATURAL RESOURCES
 [Filed October 24, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Natural Resources intends to adopt, amend, or repeal rules concerning this notice proposes to establish rules for implementing a statewide system of voluntary registration of natural areas and dedication of natural area preserves. The rules set forth: The criteria for the selection of sites to be considered for registration; the method of landowner contact before site nomination; the nomination and approval process; the landowner agreement process; and the listing of a site on the register. The rules also set the requirements for the dedication of private and government owned lands into the natural area preserve system, including: The instrument of dedication and its term; or the requirements of a cooperative agreement between the Department of Natural Resources and a government landholder.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on December 6, 1983.

The authority under which these rules are proposed is RCW 79.70.030 and 79.70.090.

The specific statute these rules are intended to implement is chapter 79.70 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 6, 1983.

Dated: October 21, 1983

By: Brian J. Boyle
 Commissioner of Public Lands

STATEMENT OF PURPOSE

Title and Number of Rule Section(s) or Chapter(s): Adoption of new rules for the implementation of chapter 79.70 RCW, registration or dedication of natural areas and the establishment of the Washington register of natural area preserves.

Statutory Authority: RCW 79.70.030 and 79.70.090.

Specific Statutes that the Rule is Intended to Implement: Chapter 79.70 RCW.

Summary of the Rule(s): This notice proposes to establish rules for implementing a statewide system of voluntary registration of natural areas and dedication of natural area preserves. The rules set forth: The criteria for the selection of sites to be considered for registration; the method of landowner contact before site nomination; the nomination and approval process; the landowner agreement process; and the listing of a site on the register. The rules also set the requirements for the dedication of private and government owned lands into the natural area preserve system, including: The instrument of dedication and its term; or the requirements of a cooperative agreement between the Department of Natural Resources and a government landholder.

Reasons Supporting the Proposed Rule(s): RCW 79.70.030 and 79.70.090 state that the Department of

Natural Resources shall adopt rules and regulations regarding the registration and dedication of natural areas.

The Agency Personnel Responsible for Drafting: John R. Edwards, Assistant Manager, Recreation, Division of Private Forestry and Recreation, 120 Union Avenue Building, Room 109, EK-12, Olympia, Washington 98504, (206) 753-2400, and Mark Sheehan, Program Manager, Natural Heritage Program, Division of Private Forestry and Recreation, SE 3109, The Evergreen State College, Olympia, Washington 98504, (206) 753-2449; Implementation and Enforcement: Arden Olson, Manager, Division of Private Forestry and Recreation, 120 Union Avenue Building, Room 109, EK-12, Olympia, Washington 98504, (206) 753-5315.

Name of Person or Organization Whether Private, Public or Governmental, that is Proposing the Rule(s): Department of Natural Resources.

Agency Comments or Recommendations, if any, Regarding Statutory Language, Implementation, Enforcement and Fiscal Matters Pertaining to the Rule(s): These rules clarify and stress the voluntary nature of participation in the registry program.

These rules are not necessary to comply with federal law or a federal or state court decision.

Any Other Information that may be of Assistance in Identifying the Rules or Their Purpose: None.

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 or new rules.

NEW SECTION

WAC 332-60-010 AUTHORITY. This chapter is promulgated pursuant to the authority granted in RCW 79.70.030 and RCW 79.70.090

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 332-60-020 PURPOSE. The purpose of this chapter is to establish rules for implementing a statewide system of registration of natural areas and creation of natural area preserves.

NEW SECTION

WAC 332-60-030 INVALIDITY OF PART OF CHAPTER NOT TO AFFECT REMAINDER. If any provision of this chapter, or its application to any person or circumstance is held invalid, the remainder of the chapter, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION

WAC 332-60-040 COOPERATION WITH GOVERNMENT AGENCIES OR PRIVATE ENTITIES. The department may cooperate or contract with any federal, state or local government agency, private organization, or individual, to carry out the purpose of this chapter.

NEW SECTION

WAC 332-60-050 DEFINITIONS. (1) "Department" means the Department of Natural Resources.

(2) "Council" means the Natural Heritage Advisory Council as established in RCW 79.70.070.

(3) "Plan" means the State of Washington Natural Heritage Plan as established under RCW 79.70.030.

(4) "Natural heritage resource" means the plant community types, aquatic types, unique geologic types, and special plant and animal species and their critical habitat as defined in the plan.

(5) "Natural area" means a unit of land or water or both which contains a natural heritage resource, and which has been registered by the landowner and may be considered for dedication or commitment as a natural area preserve.

(6) "Natural area preserve" means a natural area which has been:

(a) dedicated under the provisions of RCW 79.70.090; or

(b) formally committed to protection by a cooperative agreement between a government landholder and the Department.

(7) "Registration" means a voluntary commitment by the landowner for protection of a specific natural heritage resource located on the landowner's land. No real property interest is transferred. Registration is memorialized by a certificate of registration issued by the Department.

(8) "Dedication" means the formal recognition and protection of a natural area for natural heritage conservation purposes accomplished by the voluntary transfer by a landowner to the Department of an interest in real property less than fee simple.

(9) "Register" means the Washington Register of Natural Area Preserves which lists the sites which have been formally registered, dedicated or formally protected by cooperative agreement, for natural area purposes.

(10) "Instrument of dedication" means a written document intended to convey an interest in real property, pursuant to chapter 64.04 RCW.

(11) "Landowner" means any individual, partnership, private, public, non-profit, or municipal corporation, city, municipal corporation, county, state agency, agency of the United States or any other governmental agency or entity, which exercises control over a natural heritage resource whether such control is based on legal or equitable title, or which manages or holds in trust land in Washington State.

(12) "Government landholder" means any city, municipal corporation, county, state agency, agency of the United States, or any other government agency which manages, owns, holds in trust or otherwise has jurisdiction over land in Washington State.

NATURAL AREAS - REGISTRATION

NEW SECTION

WAC 332-60-060 SITE CRITERIA FOR REGISTRATION. The criteria for identification for registration are set forth in the plan.

NEW SECTION

WAC 332-60-070 PROCEDURES FOR REGISTRATION OF NATURAL AREAS. (1) After a site has been identified, the Department or its designee shall notify the landowner, in writing, of the site's natural heritage resource and the site's eligibility for the Register.

(2) The Department or its designee must obtain from the landowner written permission to proceed with the site evaluation process.

(3) Once permission is granted by the landowner to proceed with the site evaluation process, the Department nominates the site to the Council.

(4) The Council shall review each site nomination and approve or reject registration of the site.

(5) The Department shall notify the landowner of the Council's determination and, for an approved site, offer the landowner the opportunity to voluntarily place the site on the Register.

(6) If the landowner agrees to register the site, the Department shall place the site on the Register and provide the landowner with a certificate of registration.

(7) The Department may offer voluntary management guidelines and may enter into a management agreement with the landowner of a registered natural area.

NEW SECTION

WAC 332-60-080 REMOVAL OF A NATURAL AREA FROM THE REGISTER. (1) The Department shall remove natural areas from the Register at any time:

(i) Upon written request by the landowner to the Department; or

(ii) If the Council determines that the site is no longer managed for the natural heritage resources present, or the site no longer meets the original criteria for selection.

(2) Landowners are to be notified in writing of removal of a natural area from the Register.

NATURAL AREA PRESERVE - DEDICATION

NEW SECTION

WAC 332-60-090 NATURAL AREA PRESERVE BY INSTRUMENT OF DEDICATION. Upon such terms as the Department and landowner agree, a registered natural area may be dedicated as a natural area preserve through the execution of an instrument of dedication in a form approved by the Council.

NEW SECTION

WAC 332-60-100 INSTRUMENT OF DEDICATION - FORM. The instrument of dedication shall be in accordance with the requirements of RCW 64.04.130. The instrument of dedication shall be substantially in the form required by law for the conveyance of any land or other real property.

NEW SECTION

WAC 332-60-110 INSTRUMENT OF DEDICATION - INTEREST CONVEYED. The instrument of dedication shall transfer a real property interest for the purpose of providing protection to a natural heritage resource. Interests which may be transferred include, but are not limited to: water, timber, grazing, development rights, rights to hunt, fish, drain or fill, access easements, or rights of way.

NEW SECTION

WAC 332-60-120 EFFECTIVE DATE OF DEDICATION. Dedication shall be effective upon the recording of the instrument of dedication in the real property records of the county or counties in which the natural area is located.

NEW SECTION

WAC 332-60-130 TERMINATION OF DEDICATION. A dedication shall not be terminable except as provided by the instrument of dedication.

NATURAL AREA PRESERVE - COOPERATIVE AGREEMENT

NEW SECTION

WAC 332-60-140 NATURAL AREA PRESERVE BY COOPERATIVE AGREEMENT. A government landholder of a registered natural area may commit the area as a natural area preserve by executing with the Department a cooperative agreement in a form approved by the Council and upon such terms as the Department and government landholder agree.

NEW SECTION

WAC 332-60-150 COOPERATIVE AGREEMENT. The cooperative agreement must include a description of the legal or administrative commitment by the government landholder to manage the land for the protection of a natural heritage resource.

NEW SECTION

WAC 332-60-160 TERMINATION OF NATURAL AREA PRESERVE BY COOPERATIVE AGREEMENT. The site may be removed from a natural area preserve status as provided by the cooperative agreement.

WSR 83-22-016

WITHDRAWAL OF PROPOSED RULES DEPARTMENT OF FISHERIES

[Filed October 24, 1983]

Pursuant to WAC 1-12-033, the Washington State Department of Fisheries withdraws the following chapters, sections and repealers filed for consideration of amendatory change in WSR 83-20-093: Chapter 220-16 WAC: Withdraw new section WAC 220-16-380 and

repeal of 220-16-040, 220-16-080, 220-16-120, 220-16-200, 220-16-205, 220-16-210, 220-16-211, 220-16-215, 220-16-220, 220-16-225, 220-16-230, 220-16-235, 220-16-275, 220-16-300 and 220-16-305; chapter 220-20 WAC: Withdraw 220-20-020 and both repealers; chapter 220-22 WAC: Withdraw all repealers; chapter 220-24 WAC: Withdraw all repealers; chapter 220-30 WAC: Withdraw the chapter; chapter 220-32 WAC: Withdraw 220-32-055 and all repealers; chapter 220-36 WAC: Withdraw 220-36-025 and all repealers; chapter 220-40 WAC: Withdraw all repealers; chapter 220-44 WAC: Withdraw all sections; chapter 220-47 WAC: Withdraw all repealers; chapter 220-52 WAC: Withdraw all sections and the repealer; chapter 220-55 WAC: Withdraw 220-55-065; chapter 220-60 WAC: Withdraw 220-60-070; chapter 220-74 WAC: Withdraw 220-74-022; chapter 220-76 WAC: Withdraw 220-76-010; chapter 220-85 WAC: Withdraw all sections; and chapter 220-95 WAC: Withdraw 220-95-026.

William R. Wilkerson
Director

WSR 83-22-017
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 83-169—Filed October 24, 1983]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, 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 harvestable numbers of chum salmon are available.

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 October 24, 1983.

By Frank Haw
for William R. Wilkerson
Director

NEW SECTION

WAC 220-36-02100K GRAYS HARBOR GILL NET SEASONS. Notwithstanding the provisions of WAC 220-36-021, WAC 220-36-022 and WAC 220-

36-024, it is unlawful to take, fish for and possess salmon taken for commercial purposes in Grays Harbor Salmon Management and Catch Reporting Areas 2A, 2B, 2C and 2D with gill net gear except from 8:00 a.m. to 8:00 p.m. October 28, 1983. Gill net gear is restricted to 5 inch minimum and 6 1/2 inch maximum mesh and restricted to 1500 feet maximum.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 220-36-02100I SALMON FISHING AREAS—GILL NET—SEASONS (83-144)

WAC 220-36-02100J GRAYS HARBOR GILL NET SEASONS (83-165)

WSR 83-22-018
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 83-170—Filed October 24, 1983]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, 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 harvestable numbers of coho and chum salmon are available.

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 October 24, 1983.

By Frank Haw
for William R. Wilkerson
Director

NEW SECTION

WAC 220-40-02100H WILLAPA HARBOR—GILL NET SEASONS. Notwithstanding the provisions of WAC 220-40-021 and WAC 220-40-022, it is unlawful to take, fish for or possess salmon for commercial purposes with gill net gear in the following Willapa Harbor fishing areas, except during the seasons provided for hereinafter in each respective fishing area:

Areas 2G, 2H and 2M

Open continuously 6:00 p.m. October 27 to 11:59 p.m. November 30, 1983.

Areas 2J and 2K

6:00 p.m. October 27 to 6:00 p.m. October 28, 6:00 p.m. October 30 to 6:00 p.m. October 31, 1983 and open continuously 6:00 p.m. November 1 to 11:59 p.m. November 30, 1983.

NEW SECTION

WAC 220-40-02400A WILLAPA HARBOR GILL NET GEAR. Notwithstanding the provisions of WAC 220-40-024, it is unlawful to take, fish for or possess salmon taken with gill net gear containing mesh smaller than the minimum or larger than the maximum size stretch measure shown during the indicated periods in Willapa Harbor Salmon Management and Catch Reporting Areas 2G, 2H, 2J, 2K and 2M.

Immediately through November 18, 1983: 5 inch minimum mesh to 6 1/2 inch maximum mesh.

November 19 through November 30, 1983: 7 1/2 inch minimum mesh.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-40-02100G WILLAPA HARBOR—GILL NET SEASONS. (83-161)

WSR 83-22-019

ADOPTED RULES

DEPARTMENT OF AGRICULTURE

[Order 1808—Filed October 25, 1983—Eff. December 1, 1983]

I, M. Keith Ellis, director of the Department of Agriculture, do promulgate and adopt at Olympia, Washington, the annexed rules relating to marketing order for Washington seed potatoes, chapter 16-520 WAC.

This action is taken pursuant to Notice No. WSR 83-15-052 filed with the code reviser on July 20, 1983. These rules shall take effect at a later date, such date being December 1, 1983.

This rule is promulgated pursuant to chapter 15.66 RCW which directs that the Department of Agriculture has authority to implement the provisions of chapter 15.66 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 October 21, 1983.

By M. Keith Ellis
Director

AMENDATORY SECTION (Marketing Order, Article II, effective 10/1/56)

WAC 16-520-020 SEED POTATO COMMISSION—STRUCTURE, POWERS, DUTIES, AND PROCEDURE. (1) Establishment and membership. A seed potato commission is hereby established to administer this marketing order which shall be composed of five members who shall be producers elected by the producers as provided in the act, and two members who shall be appointed by the elected producer members. In addition, the director shall be an ex officio member of the commission.

(2) Membership qualifications. Commission members shall be citizens and residents of this state, over the age of twenty-five years and producer members of the commission shall be producers of seed potatoes in the state of Washington. The qualifications of producer members of the commission as herein set forth must continue during their term of office. Members appointed by the elected producers shall be either seed potato producers, others active in matters relating to seed potatoes or persons not so related.

(3) Term of office; initial commission. The term of office of commission members shall be three years from the date of their election and until their successors are elected and qualified so that one-third of the terms will commence as nearly as practicable each year provided, however, that the initial members of the commission shall serve from the effective date of this marketing order in terms terminating as follows: Two producer members, being positions 1 and 2 shall be elected for one year terms terminating June 30, 1957; two producer members, being positions 3 and 4 shall be elected for 2 year terms terminating June 30, 1958; and one producer member, being position 5 shall be elected for a 3 year term terminating June 30, 1959.

The appointed members of the initial commission shall be elected by a majority of the elected commissioners at the first meeting of said commission. One appointed member being position 6, shall be appointed for a two year term expiring June 30, 1958, and one appointed member, being position 7, shall be appointed for a three year term, expiring June 30, 1959.

(4) Nomination and election of commission members.
(a) Not earlier than March 19 and not later than April 3 of each year, the director shall give notice by mail to all producers that a vacancy or vacancies will occur in the commission and call for nominations. Nominating petitions shall be signed by five persons qualified to vote for such candidates. Such notice shall state the final date for filing said petitions which shall be not earlier than April 7 and not later than April 12 of such year.

(b) The director shall submit ballots by mail to all producers in the district wherein the vacancy will occur not earlier than April 17 and not later than May 2 of each year. Ballots shall be returned not later than June 1 of such year. Such mailed ballot shall be conducted in a manner so that it shall be a secret ballot in accordance with rules and regulations to be promulgated by the director.

(c) With respect to the initial seed potato commission, the director shall call for nominations in the notice of his decision following the hearing designated in the act. The ballot specified herein shall be forwarded to the producers at the time the director's proposed marketing order is mailed to the producers for their referendum assent.

(d) Except with respect to the initial seed potato commission, the members of the commission not elected by the producers shall be elected by a majority of the commission within ninety days prior to the expiration of the term.

(5) Vacancies.

(a) To fill any vacancy occasioned by the failure to qualify of any person elected by the producers as a member of the commission, or in the event of the death, removal, resignation or disqualification of any member, the director shall call for nominations and conduct such election in the manner provided in subsection (4) of this section.

(b) To fill nonelective vacancies caused by other reasons than the expiration of the term, the new members shall be elected by the commission at its first meeting after the occurrence of the vacancy.

(6) Powers and duties of commission. The commission shall have the following powers and duties:

(a) To administer, enforce, direct and control the provisions of this marketing order and of the act relating thereto;

(b) To elect a chairman and such other officers as the commission may deem advisable; and to select subcommittees of commission members;

(c) To adopt, rescind, and amend rules and regulations reasonably necessary for the administration and operation of the commission and the enforcement of its duties under this marketing order;

(d) To employ and discharge at its discretion such administrators and additional personnel, attorneys, advertising and research agencies and other persons and firms that it may deem appropriate and pay compensation to the same;

(e) To acquire personal property and lease office space and other necessary real property and transfer and convey the same;

(f) To institute and maintain in its own name any and all legal actions, including actions by injunction, mandatory injunction or civil recovery, or proceedings before administrative tribunals or other governmental authorities necessary to carry out the provisions of the act and of this marketing order;

(g) To keep accurate records of all its receipts and disbursements, which records shall be open to inspection and audit by the department and other legal agencies of the state and make annual reports therefrom to the state auditor;

(h) To borrow money and incur indebtedness;

(i) To make necessary disbursements for routine operating expenses;

(j) To collect the assessments of producers as provided in this marketing order and to expend the same in accordance with and to effectuate the purposes of the act and this marketing order.

(k) To prepare a budget or budgets covering anticipated income and expenses to be incurred in carrying out the provisions of this marketing order during each fiscal year;

(1) To accept and receive gifts and grants and expend the same to effectuate the purposes of the act and this order;

(m) To exercise such other powers and perform such other duties as are necessary and proper to effectuate the purposes of the act and of this order.

(7) Procedure for commission.

(a) The commission may by resolution establish a headquarters which shall continue as such unless and until so changed by the commission, at which headquarters shall be kept the books, records and minutes of the commission meetings.

(b) The commission shall hold at least two regular meetings during each fiscal year with the time and date thereof to be fixed by the resolution of the commission.

(c) The commission may hold such special meetings as it may deem advisable and shall establish by resolution the time, place and manner of calling such special meetings with reasonable notice to the members, provided, however, that the notice of any special meeting may be waived by a waiver thereof signed by not less than a quorum of the membership.

(d) Any action taken by the commission shall require the majority vote of the members present provided a quorum is present.

(e) A quorum of the commission shall consist of at least ((five)) four members.

(f) No members of the commission shall receive any salary or other compensation from the commission, except that each member shall be paid a specified sum to be determined by resolution of the commission, which rate shall not exceed \$20.00 per day for each day spent in actual attendance at or traveling to and from meetings of the commission or on special assignments for the commission, together with subsistence and travel expense of the rate allowed by law to state employees.

(8) Limitation of liability of commission members and employees. Obligations incurred by the commission and any other liabilities or claims against the commission shall be enforced only against the assets of the commission in the same manner as if it were a corporation and no liability for the debts or actions of the commission shall exist against either the state of Washington or any subdivision or instrumentality thereof or against any other commission established pursuant to the act or the assets thereof or against any member officer, employee or agent of the commission in his individual capacity. The members of the commission, including employees thereof, shall not be held responsible individually in any way whatsoever to any person for errors in judgment, mistakes, or other acts, either of commission or omission, as principal, agent, person, or employee, except for their own individual acts of dishonesty or crime. No such person or employee shall be held responsible individually for any act or omission of any other member of the commission. The liability of the members of the commission shall be several and not joint and no member shall be liable for the default of any other member.

AMENDATORY SECTION (Marketing Order, Article IV, effective 10/1/56)

WAC 16-520-040 ASSESSMENTS AND ASSESSMENT FUNDS. (1) Assessments levied. (~~On and after the effective date of this order~~) Beginning December 1, 1983, there is hereby levied and there shall be collected by the commission, as provided in ((the act)) chapter 15.66 RCW, upon all seed potatoes grown in the state an annual assessment ((of one cent per hundredweight)) which shall be paid by the producer thereof upon each and every hundredweight of seed potatoes sold, processed, delivered for sale or processing by him or stored or delivered for storage when such storage or delivery for storage ((shall be)) is outside the boundaries of this state((; provided, however, that)). The assessment shall be three cents per hundredweight from December 1, 1983 until August 31, 1984. The assessment shall then be set by the seed potato commission at a regular meeting before July 15th of each year, to become effective from September 1st of the same year to August 31st of the following year. The assessment shall not be less than three cents or more than five cents per hundredweight. No assessment ((shall)) may be collected on the following:

(a) Seed potatoes of a producer's own production used by him on his own premises for seed, feed or personal consumption;

(b) Seed potatoes donated or shipped for relief or charitable purposes; or

(c) Sales on a producer's premises by a producer direct to a consumer of five hundred pounds or less of seed potatoes from a producer's own production.

No assessment levied or made collectable by the act under this order shall exceed three percent of the total market value of all such seed potatoes sold, processed or delivered for sale or processing by all producers of seed potatoes for the fiscal year to which the assessment applies.

(2) Collection of assessment.

(a) All assessments made and levied pursuant to the provisions of the act under this marketing order shall apply to the respective producer who shall be primarily liable therefore. To collect such assessments, the commission may require:

(i) Stamps to be known as "Washington seed potato commission stamps" to be purchased from the commission and fixed or attached to the containers, invoices, shipping documents, inspection certificates, releases or receiving receipts or tickets. Any such stamps shall be canceled immediately upon being attached or fixed and the date of such cancellation shall be placed thereon;

(ii) Handlers receiving seed potatoes from the producer, including warehousemen and processors, to collect producer assessments from producers whose production they handle and all monies so collected shall be paid to the commission on or before the twentieth day of the succeeding month for the previous month's collections. Each handler shall at such times as by rule and regulation required, file with the commission a return under oath on forms to be furnished by the commission, stating

the quantity of seed potatoes handled, processed, delivered and/or shipped during the period prescribed by the commission.

(iii) Payment of producer assessments before the seed potatoes are shipped off the farm or payments of assessments at different or later times and in such event, any person subject to the assessment shall give such adequate assurance or security for its payment as the commission shall require.

(b) The commission is authorized to make reasonable rules and regulations in accordance and conformity with the act and with this section to effectuate the collection of assessment. On or before the beginning of each marketing season, the commission shall give reasonable notice to all producers, handlers and other affected persons of the method or methods of collection to be used for that marketing season.

(c) No affected units of seed potatoes shall be transported, carried, shipped, sold, stored or otherwise handled or disposed of until every due and payable assessment herein provided for has been paid and the receipt issued or stamp canceled, but no liability hereunder shall attach to common carriers in the regular course of their business. When any seed potatoes for which exemption as provided in subsection (1) of this section is claimed are shipped either by railroad or truck, there shall be plainly noted on the bill of lading, shipping document, container or invoice, the reasons for such exemptions.

(d) Any producer or handler who fails to comply with the provisions of this section as herein provided shall be guilty of a violation of this order.

(3) Funds.

(a) Monies collected by the seed potato commission pursuant to the act and this marketing order as assessments shall be used by the commission only for the purposes of paying for the costs or expenses arising in connection with carrying out the purposes and provisions of the act and this marketing order.

(b) At the end of each fiscal year the commission shall credit each producer with any amount paid by such producer in excess of three percent of the total market value of all seed potatoes sold, processed, delivered for sale or processing or delivered for storage or stored when such storage or delivery for storage was outside the boundaries of this state during that period. Refund may be made only upon satisfactory proof given by the producer in accordance with reasonable rules and regulations prescribed by the director.

WSR 83-22-020

NOTICE OF PUBLIC MEETINGS

WHATCOM COMMUNITY COLLEGE

[Memorandum—October 21, 1983]

You are hereby notified that the October 27, 1983, meeting of the board of trustees of Whatcom Community College, District Number Twenty-One, has been cancelled.

WSR 83-22-021

ADOPTED RULES

URBAN ARTERIAL BOARD

[Order 83-01, Resolution Nos. 770, 771 and 772—Filed October 26, 1983]

Be it resolved by the Urban Arterial Board, acting at Olympia, Washington, that it does adopt the annexed rules relating to:

- Amd WAC 479-01-010 Organization of Urban Arterial Board.
- Amd WAC 479-01-020 Time and place of meetings.
- Amd WAC 479-01-030 Address of board.

This action is taken pursuant to Notice No. WSR 83-18-018 filed with the code reviser on August 30, 1983. 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 Urban Arterial Board as authorized in chapter 47.26 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 October 21, 1983.

By Robert A. Plaquet
Executive Secretary

EXHIBIT "A"

AMENDATORY SECTION (Amending Order 31 (part), filed 11/8/67)

WAC 479-01-010 ORGANIZATION OF URBAN ARTERIAL BOARD. The urban arterial board is a thirteen-member board, organized under the provisions of chapter 83, Laws of 1967 ex. sess. for the purpose of administering the urban arterial program created and financed under the provisions contained therein. Ten members of the board are appointed by the ((State Highway Commission)) secretary of transportation, with six being city officials and four being county officials. The chairman of the county road administration board and the county road administration engineer, created by RCW 36.78.030 and 36.78.060 respectively, are ex-officio members of the urban arterial board. The ((assistant director of highways for state aid)) state aid Engineer for the department of transportation is an ex-officio member and chairman of the urban arterial board.

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.

EXHIBIT "A"

AMENDATORY SECTION (Amending Order 279, filed 4/17/73)

WAC 479-01-020 TIME AND PLACE OF MEETINGS. Regular public meetings of the urban arterial board shall be held beginning on the third

((Thursday)) Friday of the first month of each calendar quarter or the ((first business day)) fourth Friday thereafter if that ((Thursday)) Friday is a holiday. Each such regular meeting shall be held at the offices of the urban arterial board in Olympia, Washington, and begin at the hour of 9:30 a.m.

Additional public meetings necessary to discharge business of the board shall be held beginning on the third ((Thursday)) Friday of each month at the offices of the urban arterial board in Olympia, Washington, and begin at the hour of 9:30 a.m. Further public meetings necessary to discharge business of the board may be called by the chairman at such time and place, within the state of Washington, as by him designated. Upon petition of three members of the board and pursuant to the provisions of the internal rules, the chairman shall call a meeting of the board at the offices of the board in Olympia.

EXHIBIT "A"

AMENDATORY SECTION (Amending Order 281, filed 11/8/67)

WAC 479-01-030 ADDRESS OF BOARD. Persons wishing to obtain information or to make submissions or requests of any kind shall address their correspondence to:

Chairman, Urban Arterial Board
((Highway Administration)) Transportation Building
Olympia, Washington 98504

WSR 83-22-022

PROPOSED RULES

DEPARTMENT OF SERVICES FOR THE BLIND

[Filed October 26, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Services for the Blind intends to adopt, amend, or repeal rules concerning Public records—Disclosure, adopting chapter 67-10 WAC, and repealing chapter 67-14 WAC;

that the agency will at 11:00 a.m., Wednesday, December 14, 1983, 3411 South Alaska Street, Seattle, WA 98118, 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 section 18, chapter 194, Laws of 1983.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 14, 1983.

Dated: October 26, 1983

By: Paul Dziedzic
Director

STATEMENT OF PURPOSE

Title: Describe the public disclosure information required by all state agencies.

Description of Purpose: To adopt regulations to inform the public regarding the structure of the department, where offices are located, where the public records officer resides, how and what agency records are available to the public, and the procedure to gain access to those records.

Statutory Authority: Chapter 194, Laws of 1983.

Summary of Rules: Describes the department's organizations, programs, and public records.

Reasons Supporting Proposed Actions: To comply with chapter 47.17 RCW relating to public records disclosure.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Paul Dzedzic, Director.

Person or Organization Proposing Rule: Department of Services for the Blind (921 Lakeridge Drive, Olympia, WA); a state governmental agency.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement or Fiscal Matters: The Department of Services for the Blind was reauthorized through the Sunset process during the 1983 legislative session. New legislation did not carry forward rules adopted by its predecessor, the Commission for the Blind. Therefore, these rules reestablish our public disclosure records.

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

Small Business Economic Impact: None.

Chapter 67-10 WAC PUBLIC RECORDS—DISCLOSURE

WAC

67-10-010	Purpose.
67-10-020	Description of organization of the department.
67-10-030	Location of established places.
67-10-040	Operations and procedures.
67-10-050	Public records available.
67-10-060	Public records officer.
67-10-070	Records index.
67-10-080	Office hours.
67-10-090	Requests for public records.
67-10-110	Copying fees.
67-10-120	Exemptions.
67-10-130	Review of denials of public records requests.
67-10-140	Protection of public records.
67-10-150	Consumer complaints and inquiries.
67-10-160	Adoption of forms.
67-10-170	Form 1—Request for Inspection of Records.
67-10-180	Form 2—Request for Photocopy of Record(s).

NEW SECTION

WAC 67-10-010 **PURPOSE.** The department of services for the blind is an agency of state government created by chapter 194, Laws of 1983. It shall hereafter in this chapter be referred to as the "department."

NEW SECTION

WAC 67-10-020 **DESCRIPTION OF ORGANIZATION OF THE DEPARTMENT.** (1) Central organization. The chief executive officer of the department is the director. The director shall be appointed by the governor, with the consent of the senate.

(2) Advisory council. The advisory council consists of at least six members of which a majority shall be blind. The members are appointed by the governor. Terms are for a period of three years. Advisory council members elect one of their members as chair for a term of one year.

(3) The department has two sections: Administrative services and field services which are each headed by an assistant director.

(4) Field organization. (a) The vocational rehabilitation program is operated statewide with two supervisors. (b) The business enterprise program is operated under one supervisor. (c) The agency operated Orientation and Training Center at 3411 S. Alaska St., Seattle is operated under one supervisor. (d) The state-wide child and family services program is operated under one supervisor. (e) The medical assistance program is operated under one supervisor.

NEW SECTION

WAC 67-10-030 **LOCATION OF ESTABLISHED PLACES.** Location of established places where information about the department may be obtained and department's public records inspected and copied.

(1) Olympia office. The office of the director and the administrative office of the department is located at 921 Lakeridge Drive #202, Olympia, WA 98504.

(2) Seattle office. The main office for field services is located at 3411 South Alaska St., Seattle, WA 98118.

(3) Field offices. (a) General information about the department may also be obtained at its service locations or major field offices at the following places: 921 Lakeridge Drive, Olympia, WA 98504; W. 55 Mission, Rm. 115, Spokane, WA 99201; 601 W. Evergreen, P.O. Box 751, Vancouver, WA 98666; Morris Bldg., 23 S. Wenatchee Ave., Wenatchee, WA 98801; 32 N. 3 St., Rm. 316, Yakima, WA 98901. (b) Information about medical assistance program, business enterprises for the blind, and child and family services can be obtained at the Seattle office, 3411 South Alaska St., Seattle, WA 98118.

NEW SECTION

WAC 67-10-040 **OPERATIONS AND PROCEDURES.** The general course and method of channeling and determining the operations of the two sections and the nature of requirements of all formal and informal procedures connected therewith are summarized in the following subsections:

(1) Administrative services. This section manages all personnel, training, budget, data processing, and properties management for the department. It prepares budgets and reports, collects funds, certifies and pays invoices. It is responsible for state and federal reports. It provides staff to the advisory council members. Many of the functions of the administrative services section are subject to Washington Administrative Code provisions as authorized by law to be adopted by other departments and enforced by the department.

(2) Field services. This section provides services to all of the department's clients and keeps records of these services.

(a) Vocational rehabilitation. This unit provides a wide array of services to individuals whose disability causes a substantial handicap to employment where there is a reasonable expectation that services will provide a benefit in terms of employability. The primary source of funds for this program is federal, and it is subject to federal regulation.

(b) Business enterprise program. This program assists in the development and maintenance of vending operations operated by blind individuals in public buildings. It is funded by a combination of state and federal funds and is subject to federal regulations. A restricted fund generated by vending machine revenue also funds business enterprise program activities.

(c) Medical assistance. This program provides medical services to restore vision or minimize vision loss through medical treatment. This program serves people who do not meet the eligibility criteria of the medical assistance eye care program operated by the department of social and health services. Medical eligibility for prescribed services is determined by the department. This program is state funded.

(d) Child and family services. This program serves blind children and their families. Caseworkers work directly with children and parents. In addition, school personnel and other service providers are assisted in working with blind children by consultation and training. This program is state funded.

(e) Orientation and training center. This program is operated at 3411 South Alaska St., Seattle, WA 98118. It provides training in alternative skills, personal adjustment, and assessment for full-time

blind students. Students live in a privately owned residential facility located nearby.

(f) Other programs. The department may establish such additional programs as the department deems necessary to carry out its legislative purpose.

NEW SECTION

WAC 67-10-050 PUBLIC RECORDS AVAILABLE. Public records are available for public inspection and copying pursuant to these rules except as otherwise provided by RCW 42.17.310 and these rules.

NEW SECTION

WAC 67-10-060 PUBLIC RECORDS OFFICER. The public records officer for the department shall be the assistant director of administrative services, as designated by the director, for all records maintained by the department whether located at the central office thereof at Olympia, Washington, or at such other offices throughout the state maintained by the department. The public records officer shall be located at such central office. The public records officer shall be responsible for implementation of this chapter regarding release of public records, coordinating the staff of the department in this regard, generally insuring compliance by the staff with the public records disclosure requirements of RCW 42.17.250 through 42.17.320, and maintaining the records index of the department as required.

NEW SECTION

WAC 67-10-070 RECORDS INDEX. The department has available to all persons a current index which provides identifying information as to public records received, issued, adopted or promulgated since its inception. The current index adopted by the department shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection.

NEW SECTION

WAC 67-10-080 OFFICE HOURS. Public records shall be available for inspection and copying during the customary office hours of the department. For purposes of this chapter, the customary office hours shall be from 8:00 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays.

NEW SECTION

WAC 67-10-090 REQUESTS FOR PUBLIC RECORDS. In accordance with requirements of RCW 42.17.250 through 42.17.320 that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records may be inspected or copied or copies of such records may be obtained, by members of the public, upon compliance with the following procedures:

(1) A request shall be made in writing upon a form prescribed by the department which shall be available at any office of the department during customary office hours. The request shall include the following information:

- (a) The name of the person requesting the records;
- (b) The time of day and calendar date on which the request was made;
- (c) The nature of the request;
- (d) If the matter requested is referenced within the current index maintained by the records officer, a reference to the requested record as it is described in such current index;
- (e) If the requested matter is not identifiable by reference to the current index, an appropriate description of the record requested.

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the public records officer or staff member to whom the request is made to assist the member of the public in appropriately identifying the public record requested.

NEW SECTION

WAC 67-10-110 COPYING FEES. No fee shall be charged for the inspection of public records. The department will charge a per-page fee for providing copies of public records. If copies of photographs are requested, a fee will be charged for the duplication of such photographs. If copies of taped or brailled material are requested, fees will be charged for the duplication of such materials. Copying fees will

be set at amounts equal to the actual costs to the department incident to such copying, including costs of materials, machinery, and personnel. The fees charged will be reviewed periodically to assure their accuracy, and shall be modified accordingly.

NEW SECTION

WAC 67-10-120 EXEMPTIONS. (1) The department reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 67-10-090 is exempt under the provisions of RCW 42.17.310 and/or such other laws as may be deemed applicable.

(2) In addition, pursuant to RCW 42.17.260 the department reserves the right to delete identifying details when it makes available or publishes any public record in any cases when there is reason to believe that disclosure of such details would be an invasion of personal privacy. The public records officer will fully justify such deletion in writing.

(3) All denials of requests for public records must be accompanied by a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld.

NEW SECTION

WAC 67-10-130 REVIEW OF DENIALS OF PUBLIC RECORDS REQUESTS. (1) Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement by the public records officer or other staff member which constituted, or accompanied the denial.

(2) Immediately after receiving a written request for review of a decision denying a public record, the public records officer or other staff member denying the request shall refer it to the director. The director shall immediately consider the matter and either affirm or reverse such denial or call a special meeting of the members of the staff necessary to properly consider the matter and/or request a legal review thereof by the assistant attorney general representing the department. In any case, the request shall be returned with a final decision, within five business days following the original denial.

(3) Administrative remedies shall not be considered exhausted until the director has returned the petition with a decision or until the close of the fifth business day following denial of inspection, whichever occurs first.

NEW SECTION

WAC 67-10-140 PROTECTION OF PUBLIC RECORDS. The public records officer shall to the extent practicable insure that records requested are not removed from the premises nor portions thereof removed by members of the public.

NEW SECTION

WAC 67-10-150 CONSUMER COMPLAINTS AND INQUIRIES. Unless a consumer complainant or inquirer specifically provides to the contrary, the public records officer or other members of the staff are authorized when deemed appropriate to forward a copy of the letter or other writings pertinent to the complaint or inquiry to the firm or person which is the subject of the complaint or to any firm or person who may provide assistance relative to the complaint or inquiry.

NEW SECTION

WAC 67-10-160 ADOPTION OF FORMS. The department hereby adopts for use by all persons requesting inspection and/or copies of records the forms attached hereto entitled "request for inspection of records" and "request for photocopy of records."

NEW SECTION

WAC 67-10-170 FORM 1—REQUEST FOR INSPECTION OF RECORDS.

Request Number _____

Date requested _____

Date provided

(For office use only)

WASHINGTON DEPARTMENT OF SERVICES FOR THE BLIND

Request for Inspection of Records

The information requested in Blocks 1 through 6 is not mandatory, however, the completion of these blocks will enable this office to expedite your request and contact you should the record you seek not be immediately available.

1. Name 4. Phone number
2. Address 5. Representing (if applicable)
3. Zip code 6. If urgent - date needed

Below please state what record(s) you wish to inspect and be as specific as possible. If you are uncertain as to the type or identification of specific record or records we will assist you.

I certify that the information requested from the above record(s) will not be part of a list of individuals to be used for commercial purposes.

Signed Date

NEW SECTION

WAC 67-10-180 FORM 2-REQUEST FOR PHOTOCOPY OF RECORD(S).

Request Number
Date Requested
Date Provided
(Office use only)

WASHINGTON DEPARTMENT OF SERVICES FOR THE BLIND

Request for Photocopy of Record(s)

1. Name 4. Phone number
2. Address 5. Representing (if applicable)
3. Zip code 6. If urgent - date needed

Please state below the pages of the documents or records you wish to have photocopied. A reasonable standard fee for each page or record will be charged for this service.

I wish the following page(s) of documents or records to be photocopied and made available for my possession, I agree to pay a reasonable standard charge for this service.

I certify that the photocopies of records received as listed above will not be part of a list of individuals to be used for commercial purposes.

Signed Date

Office use only

Number of pages copied @ per copy.
Total charge Amount paid

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- (1) WAC 67-14-010 PURPOSE.
(2) WAC 67-14-020 DESCRIPTION OF ORGANIZATION OF THE COMMISSION.
(3) WAC 67-14-030 LOCATION OF ESTABLISHED PLACES.
(4) WAC 67-14-040 OPERATIONS AND PROCEDURES.
(5) WAC 67-14-050 PUBLIC RECORDS AVAILABLE.
(6) WAC 67-14-060 PUBLIC RECORDS OFFICER.
(7) WAC 67-14-070 RECORDS INDEX.
(8) WAC 67-14-080 OFFICE HOURS.
(9) WAC 67-14-090 REQUESTS FOR PUBLIC RECORDS.
(10) WAC 67-14-110 COPYING FEES.
(11) WAC 67-14-120 EXEMPTIONS.
(12) WAC 67-14-130 REVIEW OF DENIALS OF PUBLIC RECORDS REQUESTS.
(13) WAC 67-14-140 PROTECTION OF PUBLIC RECORDS.
(14) WAC 67-14-150 CONSUMER COMPLAINTS AND INQUIRIES.
(15) WAC 67-14-160 ADOPTION OF FORMS.
(16) WAC 67-14-170 FORM 1-REQUEST FOR INSPECTION OF RECORDS.
(17) WAC 67-14-180 FORM 2-REQUEST FOR PHOTOCOPY OF RECORD(S).

WSR 83-22-023
PROPOSED RULES
DEPARTMENT OF SERVICES FOR THE BLIND
[Filed October 26, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Services for the Blind intends to adopt, amend, or repeal rules concerning physical and informational accountability, adopting chapter 67-16 WAC, and repealing chapter 67-15 WAC;

that the agency will at 11:00 a.m., Wednesday, December 14, 1983, 3411 South Alaska Street, Seattle, WA 98118, 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 section 18, chapter 194, Laws of 1983.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 14, 1983.

Dated: October 26, 1983
By: Paul Dziedzic
Director

STATEMENT OF PURPOSE

Title: Declares department programs are accessible and free from discrimination.

Description of Purpose: To adopt regulations ensuring department programs are accessible to all people.

Statutory Authority: Chapter 194, Laws of 1983.

Summary of Rules: Provides assurances that department programs and facilities are available to persons regardless of their handicapping condition.

Reasons for Supporting Proposed Actions: State plan for vocational rehabilitation requires the department to make these assurances.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Paul Dzedzic, Director.

Person or Organization Proposing Rule: Department of Services for the Blind (921 Lakeridge Drive, Olympia, WA); a state governmental agency.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement or Fiscal Matters: The Department of Services for the Blind was reauthorized through the Sunset process during the 1983 legislative session. New legislation did not carry forward rules adopted by its predecessor, the Commission for the Blind. Therefore, these new rules reestablish our nondiscrimination assurances.

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

Small Business Economic Impact: None.

Chapter 67-16 WAC
DEPARTMENT—GENERAL ADMINISTRATION

WAC
67-16-010 Physical and informational accessibility.

NEW SECTION

WAC 67-16-010 PHYSICAL AND INFORMATIONAL ACCESSIBILITY. (1) No otherwise qualified handicapped individual shall, solely by reason of handicap, be excluded from participation, be denied benefits of, or be subjected to discrimination under any department-provided program or activity.

(2) No handicapped person will be subjected to discrimination because department-provided facilities are inaccessible to or unusable by handicapped persons. Any construction or alteration to any present or future locations or facility, on behalf of or for the use of the department, will be readily accessible to and useable by handicapped persons.

(3) No person shall be denied access to department information, records or materials solely on the basis of his/her inability to utilize such information, records or materials in a customary manner.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 67-15-010 PHYSICAL AND INFORMATIONAL ACCESSIBILITY.

WSR 83-22-024
PROPOSED RULES
DEPARTMENT OF
SERVICES FOR THE BLIND
[Filed October 26, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Services for the Blind intends to adopt, amend, or repeal rules concerning vocational rehabilitation and services for blind persons, adopting chapter 67-25 WAC, and repealing chapter 67-20 WAC;

that the agency will at 11:00 a.m., Wednesday, December 14, 1983, 3411 South Alaska Street, Seattle, WA 98118, 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 section 18, chapter 194, Laws of 1983.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 14, 1983.

Dated: October 26, 1983
By: Paul Dzedzic
Director

STATEMENT OF PURPOSE

Title: Vocational rehabilitation services offered to blind citizens in the state of Washington.

Description of Purpose: Establishes the qualifications and requirements relating to the benefits and privileges provided by the vocational rehabilitation program.

Statutory Authority: Chapter 194, Laws of 1983.

Summary of Rules: Describes the vocational rehabilitation program from initial interview through termination of services, including evaluation, economic needs statements, individual written rehabilitation program, notification of client rights, services offered (training, maintenance, telecommunications, post employment, other goods and services) and administrative hearing and fair hearing ensuring clients rights.

Reasons Supporting Proposed Actions: Vocational rehabilitation services are authorized by federal statute and regulation. These rules substantially comply with comparable federal regulations.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Paul Dzedzic, Director.

Person or Organization Proposing Rule: Department of Services for the Blind (921 Lakeridge Drive, Olympia, WA); a state governmental agency.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement or Fiscal Matters: The Department of Services for the Blind was reauthorized through the Sunset process during the 1983 legislative session. New legislation did not carry forward rules adopted by its predecessor, the Commission for the Blind. Therefore, these rules reestablish our vocational rehabilitation program.

These rules are promulgated as a result of comparable federal laws and relates to a program which has been implemented for several years.

Small Business Economic Impact: None.

Chapter 67-25 WAC
VOCATIONAL REHABILITATION AND SERVICES FOR
BLIND PERSONS

WAC
67-25-005
67-25-010
67-25-015
67-25-020
67-25-025
67-25-030
67-25-050
67-25-055
67-25-060
67-25-070
67-25-075
67-25-077

Definitions.
Application for services.
Initial interview.
Preliminary diagnostic study.
Eligibility for services.
Eligibility for services—Criteria.
Certification for decision of eligibility or ineligibility.
Notice to applicant.
Criteria for the severely handicapped.
Extended evaluation.
Extended evaluation—Eligibility criteria.
Certification for extended evaluation to determine rehabilitation potential.

67-25-080	Extended evaluation—Program.
67-25-085	Extended evaluation—Services provided.
67-25-090	Extended evaluation—Services not provided.
67-25-095	Extended evaluation—Duration and scope of services.
67-25-100	Extended evaluation—Assessment.
67-25-105	Extended evaluation—Revision of program.
67-25-110	Extended evaluation—Termination.
67-25-120	Certification of termination of extended evaluation and notice.
67-25-180	Economic need.
67-25-185	Economic need—Financial statement required.
67-25-190	Economic need—Standards for determining.
67-25-200	Economic need—Notification of decision.
67-25-255	Thorough diagnostic study.
67-25-260	Vocational rehabilitation program—Individual written rehabilitation program.
67-25-270	Vocational rehabilitation program—Participation of client.
67-25-275	Vocational rehabilitation program—Annual review.
67-25-280	Vocational rehabilitation program—Termination.
67-25-281	Vocational rehabilitation program—Notification of rights.
67-25-300	Objective of vocational rehabilitation.
67-25-325	Services available from other agencies.
67-25-326	Services to civil employees of the United States.
67-25-350	Vocational rehabilitation services.
67-25-380	Vocational rehabilitation services—Counseling and guidance.
67-25-384	Vocational rehabilitation services—Physical and mental restoration services.
67-25-385	Vocational rehabilitation services—Physical and mental restoration.
67-25-388	Vocational rehabilitation services—Vocational and other training.
67-25-390	Vocational rehabilitation services—Training—College.
67-25-392	Vocational rehabilitation services provided—Training—Trade schools.
67-25-394	Vocational rehabilitation services provided—Training—Employment.
67-25-395	Vocational rehabilitation services—Training—College and trade school.
67-25-396	Vocational rehabilitation services—Training—Sheltered workshop.
67-25-400	Vocational rehabilitation services—Maintenance.
67-25-404	Vocational rehabilitation services—Transportation.
67-25-408	Vocational rehabilitation services—Services to family members.
67-25-412	Vocational rehabilitation services—Interpreter services for deaf persons.
67-25-416	Vocational rehabilitation services—Reader services.
67-25-420	Vocational rehabilitation services—Rehabilitation teaching services.
67-25-428	Vocational rehabilitation services—Orientation and mobility services.
67-25-432	Vocational rehabilitation services—Telecommunications.
67-25-440	Vocational rehabilitation services—Placement.
67-25-444	Vocational rehabilitation services—Post-employment services.
67-25-446	Vocational rehabilitation—Services to groups.
67-25-448	Vocational rehabilitation services—Occupational licenses, tools, equipment, initial stocks and supplies.
67-25-452	Vocational rehabilitation services provided—Other goods and services.
67-25-500	Purchase of services.
67-25-505	Purchase of services—Selection criteria—Schools.
67-25-510	Purchase of services—Selection criteria—Employment training facilities.
67-25-525	Termination of services for reason of ineligibility.
67-25-530	Termination of services for reasons other than ineligibility.
67-25-540	Completion of vocational rehabilitation program.
67-25-545	Notification of termination.
67-25-550	Confidential information—Disclosure.
67-25-560	Administrative review.

67-25-570	Fair hearing.
67-25-590	Client records.

NEW SECTION

WAC 67-25-005 DEFINITIONS. (1) "Accepted for services" shall mean that the department has determined that the applicant has been certified as eligible to receive vocational rehabilitation services.

(2) "Act" means the Rehabilitation Act of 1973 (29 U.S.C. chapter 16).

(3) "Applicant" shall mean an individual who has submitted to the department a letter or application requesting vocational rehabilitation services which:

(a) Has been signed by the individual, his/her parents or guardian or other representative; and

(b) Sets forth the name, address, age, sex, and nature of disability of the requesting individual and source of referral.

(4) "Blind or visually impaired" for purposes of this chapter is a physical disability defined as follows:

(a) Central visual acuity of 20/200 or less in the better eye with correcting lenses or a field defect in which the peripheral field has contracted to such an extent that the widest diameter of visual field subtends an angular distance of no greater than 20°; or

(b) Vision so defective as to prevent the performance of ordinary activities for which eyesight is essential; or

(c) An eye condition of a progressive nature which may lead to blindness.

(5) "Client" shall mean any handicapped individual:

(a) Who has applied for services from the department; and

(b) For whom services have not been denied or terminated by the department.

(6) "Department of services for the blind" shall mean the legal authority in its entirety:

(a) "Advisory council" shall mean the members appointed by the governor as the advisory body.

(b) "Department" shall mean the agency which carries out the operations of the Washington department of services for the blind.

(7) "Director," except when the context indicates otherwise, means the director of the department of services for the blind.

(8) "Eligible" or "eligibility," when used in relation to an individual's qualification for vocational rehabilitation services, refers to a certification that:

(a) The individual has blindness and may also have a physical or mental disability which for such individual constitutes or results in a substantial handicap to employment; and

(b) Vocational rehabilitation services may reasonably be expected to benefit the individual in terms of employability.

(9) "Employability" refers to a determination that the provision of vocational rehabilitation services is likely to enable an individual to enter or retain employment consistent with his/her capacities and abilities in the competitive labor market; the practice of a profession; self-employment; homemaking; farm or family work (including work for which payment is in kind rather than in cash); sheltered employment; homebound employment; or other gainful work.

(10) "Evaluation of rehabilitation potential" means, as appropriate, in each case:

(a) A preliminary diagnostic study to determine:

(i) That an individual has blindness and may also have a physical or mental disability which for such individual constitutes or results in a substantial handicap to employment; and

(ii) That vocational rehabilitation services may reasonably be expected to benefit the individual in terms of employability, and that the individual is eligible therefore for vocational rehabilitation services;

(b) A thorough diagnostic study consisting of a comprehensive evaluation of pertinent factors, which bear on the individual's handicap to employment and rehabilitation potential, and an appraisal of the individual's work behavior and ability to develop work patterns suitable for successful job performance in order to determine which vocational rehabilitation services may be of benefit to the individual in terms of employability;

(c) Any other goods or services provided for the purposes of ascertaining the nature of the handicap and whether it may reasonably be expected that the individual can benefit from vocational rehabilitation services in terms of employability;

(d) The provision of vocational rehabilitation services to an individual for a total period of extended evaluation not in excess of eighteen months for the purpose of determining whether such individual is a

handicapped individual for whom a vocational goal is feasible, including the initiation and continuing development of an individual written rehabilitation program, and a periodic assessment of the results of the provision of such services to ascertain whether an individual is an eligible individual for whom a vocational goal is feasible.

(11) "Family member" or "member of the family" means:

(a) Any relative by blood or marriage of a handicapped individual; and

(b) Other individuals living in the same household with whom the handicapped individual has a close interpersonal relationship.

(12) "Handicapped individual" means an individual:

(a) Who has a physical or mental disability which for such individual constitutes or results in a substantial handicap to employment; and

(b) Who is expected to benefit in terms of employability from the provision of vocational rehabilitation services, or for whom an extended evaluation of rehabilitation potential is necessary for the purpose of determining whether he might benefit in terms of employability from the provision of vocational rehabilitation services.

(13) "Medical consultant" shall mean a physician licensed pursuant to chapters 18.57 and 18.71 RCW employed by the department to provide consultation to rehabilitation counselors and rehabilitation teachers concerning the medical aspects of rehabilitation, usually reviewing and discussing medical problems of individual clients.

(14) "Ophthalmological consultant" shall mean a physician licensed pursuant to chapters 18.57 and 18.71 RCW specializing in diseases of the eye employed by the department to provide consultation to rehabilitation counselors and rehabilitation teachers regarding procedures and prognosis relating to eye conditions.

(15) "Physical and mental restoration services" means those services which are necessary to correct or substantially modify within a reasonable period of time a physical or mental condition which is stable or slowly progressive.

(16) "Physical or mental disability" means a physical or mental condition which materially limits, contributes to limiting or, if not corrected, will probably result in limiting an individual's activities or functioning. The term "physical disability" includes blindness and/or visual impairment.

(17) "Public safety officer" means a person serving the United States or a state or unit of general local government, with or without compensation, in any activity pertaining to:

(a) The enforcement of the criminal laws, including highway patrol, or the maintenance of civil peace by the national guard or the armed forces;

(b) A correctional program, facility, or institution where the activity is potentially dangerous because of contact with criminal suspects, defendants, prisoners, probationers, or parolees;

(c) A court having criminal or juvenile delinquent jurisdiction where the activity is potentially dangerous because of contact with criminal suspects, defendants, prisoners, probationers, or parolees;

(d) Firefighting, fire prevention, or emergency rescue missions.

(18) "Referral" is defined as any individual who applied or has been referred to a department office by letter, telephone, direct contact or by any other means for whom the minimum information has been furnished:

(a) Name and address;

(b) Disability;

(c) Age and sex;

(d) Date of referral; and

(e) Source of referral.

(19) "Rehabilitation facility" means a facility which is operated for the primary purpose of providing vocational rehabilitation services to handicapped individuals and which provides one or more of the following services for handicapped individuals:

(a) Vocational rehabilitation services which shall include under one management, medical, psychological, social, and vocational services;

(b) Testing, fitting, or training in the use of prosthetic and orthoptic devices;

(c) Prevocational conditioning or recreational therapy;

(d) Physical and occupational therapy;

(e) Speech and hearing therapy;

(f) Psychological and social services;

(g) Evaluation of rehabilitation potential;

(h) Personal and work adjustment;

(i) Orientation and mobility training and other adjustment services;

(j) Braille instruction;

(k) Evaluation or control of specific disabilities;

(l) Transitional or extended employment for those handicapped individuals who cannot be readily absorbed in the competitive labor market provided that all medical and related health services must be prescribed by, or under the formal supervision of, persons licensed to prescribe or supervise the provision of such services in the state.

(20) "Rehabilitation teacher" (RT) shall refer to an employee of the department who has responsibility to determine eligibility, and to develop and implement individual written rehabilitation programs leading to a vocational outcome of homemaker. The full range of vocational rehabilitation services may be provided or purchased as determined by the needs of the individual written rehabilitation program.

(21) "Substantial handicap to employment" means that a physical or mental disability (in light of attendant medical, psychological, vocational, educational, and other related factors) impedes an individual's occupational performance, by preventing his/her obtaining, retaining, or preparing for employment consistent with his/her capacities and abilities.

(22) "Vocational rehabilitation counselor" (VRC) shall refer to an employee of the department who has direct responsibility for providing, or supervising the provision of all vocational rehabilitation services to a client of the department.

(23) "Vocational rehabilitation services," shall mean any of the following:

(a) Any goods or services provided to a client that is likely to enable him/her to enter or retain employment consistent with his/her capacities and abilities in the competitive labor market.

(b) Any goods or services provided to a client for the purpose of extended evaluation to determine his/her rehabilitation potential.

(c) The establishment, construction, development, operation, and maintenance of workshops and rehabilitation facilities.

(d) The provision of any facilities and services which promise to contribute substantially to the rehabilitation of a group of individuals but which are not related directly to the rehabilitation program.

(24) "Workshop" means a rehabilitation facility, or that part of a rehabilitation facility, engaged in a production or service operation and which is operated for the primary purpose of providing gainful employment or professional services to the handicapped as an interim step in the rehabilitation process for those who cannot be readily absorbed in the competitive labor market or during such time as employment opportunities for them in the competitive labor market do not exist.

NEW SECTION

WAC 67-25-010 APPLICATION FOR SERVICES. (1) Any blind or visually impaired person may apply for vocational rehabilitation services, including persons who have previously applied for, have previously received, or have previously been denied such services.

(2) Any handicapped person seeking to obtain vocational rehabilitation services from the department shall submit a written application for services to the department.

(3) The written application for services shall be signed by the person requesting services or by his/her parent or guardian or other representative.

(4) The written application shall contain the following information:

(a) The applicant's name and address;

(b) The nature of the applicant's disability;

(c) The applicant's age and sex;

(d) The date of application;

(e) The name of the person or agency, if any, who has referred the applicant to the department.

(5) The department shall not provide vocational rehabilitation services to any person who has failed to submit a signed application in writing containing the above information.

NEW SECTION

WAC 67-25-015 INITIAL INTERVIEW. (1) An applicant for vocational rehabilitation services shall be interviewed personally by a vocational rehabilitation counselor or by a vocational rehabilitation teacher as soon as possible after application.

(2) At this initial interview the interviewer shall:

(a) Explain to the applicant the nature and operation of the vocational rehabilitation program as it relates to the applicant;

(b) Specifically inform the applicant of the right to appeal any decision made by the department with regard to his/her case through administrative appeal and fair hearing procedures; judicial review; review by the secretary of the federal office of education;

(c) Inform the applicant of his/her right of confidentiality of information possessed by the department; and

(d) Obtain any general information from the applicant which might be useful in determining his/her eligibility for vocational rehabilitation services.

NEW SECTION

WAC 67-25-020 PRELIMINARY DIAGNOSTIC STUDY. (1) A preliminary diagnostic study will be conducted to determine whether:

(a) The individual has a physical or mental disability which for such individual constitutes or results in a substantial handicap to employment; and

(b) Vocational rehabilitation services may reasonably be expected to benefit the individual in terms of employability, or whether an extended evaluation of rehabilitation potential is necessary to make such a determination.

(2) The preliminary diagnostic study will include such examinations and diagnostic studies as are necessary to determine eligibility:

(a) In all cases, will include an appraisal of the current general health status of the individual; and

(b) In all cases, will include an examination of the individual's eyes by an ophthalmologist, a physician skilled in the diseases of the eye or by a licensed optometrist.

(3) The department shall record in writing the results of each applicant's preliminary study.

NEW SECTION

WAC 67-25-025 ELIGIBILITY FOR SERVICES. (1) The department shall make an eligibility determination as to every applicant for vocational rehabilitation services. The determination of eligibility shall be made as soon as possible after application.

(2) The department shall base its eligibility determination on the results of the preliminary diagnostic study and extended evaluation, if any.

NEW SECTION

WAC 67-25-030 ELIGIBILITY FOR SERVICES—CRITERIA. (1) Eligibility shall be based only upon:

(a) The presence of a physical or mental disability which for the individual constitutes or results in a substantial handicap to employment; and

(b) A reasonable expectation that vocational rehabilitation services may benefit the individual in terms of employability.

(2) Persons found eligible shall have a primary disability of blindness or visual impairment. Persons for whom blindness or visual impairment is determined to be a secondary disability may be provided services at the discretion of the director or may be referred to other appropriate service providers or may be provided services through a coordinated plan with other service providers.

(3) Eligibility requirements will be provided by the department without regard to sex, race, age, creed, color, or national origin of the individual applying for service.

(4) No person or group of persons shall be found ineligible for services solely on the basis of type of disability.

(5) No person shall be found ineligible for services solely on the basis of age.

(6) No person shall be found ineligible for services based on residence requirement, durational or other.

NEW SECTION

WAC 67-25-050 CERTIFICATION FOR DECISION OF ELIGIBILITY OR INELIGIBILITY. (1) There will be a certification that the individual has met the basic eligibility requirements specified in eligibility criteria. The statement of eligibility will be dated and signed by the vocational rehabilitation counselor or rehabilitation teacher.

(2) Whenever it has been determined on the basis of clear evidence that an individual is ineligible for vocational rehabilitation services, there shall be a certification, dated and signed by the vocational rehabilitation counselor or rehabilitation teacher.

NEW SECTION

WAC 67-25-055 NOTICE TO APPLICANT. (1) The individual shall be notified in writing of the action taken on eligibility or ineligibility.

(2) He/she shall be informed of the department's procedure for administrative review, fair hearings, and judicial review if he/she is dissatisfied with the department's decision.

(3) If the applicant was determined to be ineligible for vocational rehabilitation services, the certification shall clearly specify how he/she failed to meet the criteria of eligibility.

(4) If the applicant was determined to be eligible for vocational rehabilitation services, the notice shall clearly specify the date of certification of eligibility.

(5) Decisions of ineligibility will be reviewed at least annually. The individual will be given a full opportunity to participate in the review and reconsideration of eligibility.

NEW SECTION

WAC 67-25-060 CRITERIA FOR THE SEVERELY HANDICAPPED. A severely handicapped individual is a handicapped individual:

(1) Who has a severe physical or mental disability which seriously limits his/her functional capacities (mobility, communication, self-care, self-direction, work tolerance or work skills) in terms of employability; and

(2) Whose vocational rehabilitation can be expected to require multiple vocational rehabilitation services over an extended period of time; and

(3) Who has one or more physical or mental disabilities resulting from amputation, arthritis, blindness, cancer, cerebral palsy, cystic fibrosis, deafness, heart disease, hemiplegia, hemophilia, respiratory or pulmonary dysfunction, mental retardation, mental illness, multiple sclerosis, muscular dystrophy, musculo-skeletal disorder, neurological disorders (including stroke and epilepsy), paraplegia, quadriplegia, and other spinal cord conditions, sickle cell anemia and end-stage renal disease, or other disability or combination of disabilities determined on the basis of an evaluation of rehabilitation potential to cause comparable substantial functional limitation.

NEW SECTION

WAC 67-25-070 EXTENDED EVALUATION. Extended evaluation is the process by which diagnostic and other vocational rehabilitation services are provided to an applicant for the limited purpose of facilitating the determination of his/her rehabilitation potential and eligibility. Extended evaluation is provided only when a determination of eligibility has not and can not be made within the usual eligibility determination procedure.

NEW SECTION

WAC 67-25-075 EXTENDED EVALUATION—ELIGIBILITY CRITERIA. Furnishing of vocational rehabilitation services under an extended evaluation to determine rehabilitation potential shall be based only upon:

(1) The presence of a physical or mental disability which for the individual constitutes or results in a substantial handicap to employment (physical disability includes a primary disability of blindness or visual impairment); and

(2) An inability to make a determination that vocational rehabilitation services might benefit the individual in terms of employability unless there is an extended evaluation to determine rehabilitation potential.

NEW SECTION

WAC 67-25-077 CERTIFICATION FOR EXTENDED EVALUATION TO DETERMINE REHABILITATION POTENTIAL. Prior to, and as a basis for providing an extended evaluation to determine rehabilitation potential, there will be a certification that the individual has met the eligibility requirements. The certified statement will be dated and signed by the vocational rehabilitation counselor or rehabilitation teacher.

NEW SECTION**WAC 67-25-080 EXTENDED EVALUATION—PROGRAM.**

(1) After certification for extended evaluation to determine rehabilitation potential, an individualized written rehabilitation program shall be developed jointly by the vocational rehabilitation counselor or rehabilitation teacher and the handicapped individual or, as appropriate, parent, guardian or other representative.

(2) A copy of the written program and any amendments thereto shall be provided to the handicapped individual or, as appropriate, parent, guardian or other representative.

(3) The program shall include the basis on which a determination of eligibility has been made that an extended evaluation of rehabilitation potential is necessary.

(4) The program shall specify the nature of the vocational rehabilitation services necessary to determine the client rehabilitation potential and shall specify the arrangements which shall be made to provide for and/or otherwise secure such necessary services.

(5) The projected rate for the initiation of each vocational rehabilitation service, the anticipated duration of each such service, and the time within which the objectives and goals for each individual might be achieved.

(6) The terms and conditions for the provision of vocational rehabilitation services including:

(a) Responsibilities of the handicapped individual in implementing the individualized written rehabilitation program;

(b) The extent of client participation in the cost of services based on the financial need of the client; and

(c) The extent to which the individual is eligible for similar benefits under any other program.

(7) An assurance that the handicapped individual has been informed of his/her rights and the means by which he/she may express and seek remedy for his/her dissatisfactions, including the opportunity for an administrative review of the department's action and fair hearings; and the opportunity for judicial review.

NEW SECTION

WAC 67-25-085 EXTENDED EVALUATION—SERVICES PROVIDED. The following vocational rehabilitation services will be available to individuals:

(1) Evaluation, including diagnostic and related services;

(2) Counseling and guidance;

(3) Physical and mental restoration services;

(4) Training, including personal and vocational adjustment, books, tools, and other training materials;

(5) Maintenance;

(6) Transportation;

(7) Services to members of a handicapped individual's family when such services are necessary to the adjustment of rehabilitation of the handicapped individual;

(8) Reader services for the blind;

(9) Interpreter services for the deaf;

(10) Telecommunications, sensory and other technological aids and devices; and

(11) Other goods and services including rehabilitation teaching and orientation and mobility which are necessary to determine the client's rehabilitation potential.

NEW SECTION

WAC 67-25-090 EXTENDED EVALUATION—SERVICES NOT PROVIDED. The following goods and services cannot be provided until decisions have been reached as to a client's specific employment objectives and, therefore, shall not be provided under an extended evaluation plan:

(1) Placement;

(2) Occupational tools and equipment or initial stocks and supplies;

(3) Business enterprises;

(4) Occupational licenses.

NEW SECTION

WAC 67-25-095 EXTENDED EVALUATION—DURATION AND SCOPE OF SERVICES. (1) Vocational rehabilitation services necessary for the determination of rehabilitation potential, including those provided within a thorough diagnostic study, may be provided to a handicapped individual for a total period not in excess of eighteen months.

(2) Other conditions:

(a) The extended evaluation period shall begin with the date of the certification for extended evaluation to determine rehabilitation potential. Only one period not in excess of eighteen months shall be permitted during the period that the case is open. If a case has been closed as a result of determination that the handicapped individual's needs have changed, such a case may be reopened and a subsequent evaluation of rehabilitation potential may be carried out, provided that the conditions in "basic conditions of extended evaluation to determine rehabilitation" are met.

(b) Vocational rehabilitation services authorized after the expiration of the extended evaluation period will be provided only if the certification of eligibility required has been executed by the vocational rehabilitation counselor or rehabilitation teacher.

NEW SECTION

WAC 67-25-100 EXTENDED EVALUATION—ASSESSMENT. A thorough assessment of the individual's progress will be made as frequently as necessary, but at least once in every ninety-day period during the period in which services are being provided under an extended evaluation of rehabilitation potential, including periodic reports from the institution, facility, or person providing the services, to determine the results of the provision of such services and to determine whether such individual may be determined to be eligible or ineligible.

NEW SECTION

WAC 67-25-105 EXTENDED EVALUATION—REVISION OF PROGRAM. A program of extended evaluation may be revised at any time and shall be revised as necessary if the needs of the client have changed or problems have arisen which have interrupted the provision of extended evaluation services.

NEW SECTION

WAC 67-25-110 EXTENDED EVALUATION—TERMINATION. (1) At any time prior to the expiration of an eighteen-month extended evaluation period, the extended evaluation for the determination of rehabilitation potential shall be terminated when:

(a) The individual is found eligible for vocational rehabilitation services since there is a reasonable assurance that he/she can be expected to benefit in terms of employability from vocational rehabilitation services; or

(b) The individual is found ineligible for any additional vocational rehabilitation services since it has been determined on the basis of clear evidence that he/she cannot be expected to benefit in terms of employability from vocational rehabilitation services.

(2) In such cases the procedures outlined in WAC 67-25-280 must be followed.

NEW SECTION

WAC 67-25-120 CERTIFICATION OF TERMINATION OF EXTENDED EVALUATION AND NOTICE. The certification of termination of extended evaluation and notice is applicable when the following is considered:

(1) Certification of eligibility for regular case services. Prior to, or simultaneously with acceptance of a handicapped individual for vocational rehabilitation services, there will be a certification that the individual has met the requirements specified. The certified statement will be dated and signed by the vocational rehabilitation counselor or rehabilitation teacher.

(2) Certification of ineligibility. When it has been determined beyond any reasonable doubt that an individual is ineligible for vocational rehabilitation services, there shall be a certification, dated and signed by the vocational rehabilitation counselor or rehabilitation teacher. Such certification of ineligibility will be made only after full participation with the individual or, as appropriate, his/her parent, guardian or other representative, or after affording a clear opportunity for such consultation.

NEW SECTION

WAC 67-25-180 ECONOMIC NEED. (1) The department shall provide the following services regardless of the economic need of the client receiving the services. However, when available, client insurance may be utilized to help defray the costs of services:

(a) Diagnostic and related services;

- (b) Counseling;
- (c) Training;
- (d) Placement.

(2) The following vocational rehabilitation services shall be provided by the department only if the client receiving the services is eligible for such services on the basis of economic need:

- (a) Transportation, except where provided in connection with diagnostic services;
- (b) Placement tools, equipment, and initial stocks and supplies;
- (c) Occupational licenses;
- (d) Maintenance, except where provided in connection with diagnostic services;
- (e) Other goods and services necessary for the client rehabilitation, including post-employment services necessary for the client's rehabilitation.

NEW SECTION

WAC 67-25-185 ECONOMIC NEED—FINANCIAL STATEMENT REQUIRED. An applicant accepted for vocational rehabilitation services or accepted for extended evaluation to determine rehabilitation potential shall be required to furnish the department with:

- (1) Such information in detail regarding his/her financial assets, income, debts, obligations, and expenses as may be necessary to enable the department to make a determination of his/her economic need;
- (2) A disclosure of insurance coverage which may apply to vocational rehabilitation services;
- (3) A signed statement indicating whether he/she is in need of financial assistance from the department to participate in those vocational rehabilitation services which are conditioned upon economic need.

NEW SECTION

WAC 67-25-190 ECONOMIC NEED—STANDARDS FOR DETERMINING. (1) A client shall be eligible on the basis of economic need to receive vocational rehabilitation services or extended evaluation services from the department when the total of his/her obligations, debts, and expenses is equal to or exceeds the total of his/her income and nonexempt assets or resources. When the value of his/her income and nonexempt assets is greater than the value of his/her obligations, debts, and expenses, the excess of the former over the latter shall be made available by the client for the payment of the cost of those services which are conditioned upon economic need.

(2) Determination of a client's economic need involves an evaluation of the income, assets, debts, obligations, and expenses of his/her entire family unit, including his/her dependents or, if the client is an unemancipated minor, his/her parents.

(3) The following shall be considered income for the purpose of determining the economic need of a client:

- (a) Wages paid to the client and to any dependent family members living in the home. For purposes of this section wages shall be equal to gross wages less deductions for income taxes, social security, taxes, retirement deductions, and other involuntary deductions;
 - (b) Contributions from relatives or others, in cash or in kind, on a regular and predictable basis;
 - (c) Net profit from roomers or boarders;
 - (d) Net profit from property rentals;
 - (e) Net profit from farm products;
 - (f) Net profit from business enterprises;
 - (g) Scholarship or fellowship funds;
 - (h) Income from public or private welfare agencies;
 - (i) Any other income received on a regular and predictable basis, including but not limited to alimony, dividends from stocks, annuity payment, unemployment compensation, insurance, pensions, etc.
- (4) The following types of property shall be considered exempt assets and may not be considered in determining the client's economic need:
- (a) The home occupied by the client or his/her family, including any contiguous real property. A house trailer is an exempt asset when it is being regularly occupied by the client or his/her family as the principle place of residence or when it will be so occupied in the predictable future;
 - (b) Household furniture, clothing, life insurance, and other personal effects;
 - (c) An automobile when one or more of the following conditions is met:

- (i) The client and his/her family have only one automobile, or
- (ii) All automobiles used by the family are for the purpose of transportation to work or school, or
- (iii) The automobile has been furnished in whole or in part to the client or to one of his/her dependents by the veteran's administration, or

(iv) The automobile is essential to the client's vocational rehabilitation objective;

(d) Vocational equipment and machinery owned by the client is an exempt asset if it is being used to provide part or all of the living expenses of the client and his/her dependents or if it may be so used after completion of the vocational rehabilitation plan;

(e) Livestock is an exempt asset to the extent that it produces income or otherwise helps the client to meet normal living requirements.

(5) All types of tangible and intangible property, including but not limited to real property, personal property, stocks, bonds, savings accounts, and checking accounts, which are not exempt under subsection (4) of this section shall constitute the client's nonexempt assets and shall be considered in determining the client's economic need. The value of a nonexempt asset shall be equal to its fair market value less any unpaid encumbrances of record. Any transfer of nonexempt property within six months of application for benefits under this chapter shall be presumed to have been made for the purpose of affecting eligibility of the client, and the value thereof shall nonetheless be included in determining such eligibility.

(6) The following obligations, debts, and expenses shall be deducted from the client's income and nonexempt assets in determining the client's economic need:

- (a) The client's actual shelter and living expenses;
- (b) Shelter and living expenses for the client's dependents;
- (c) Payments which the client is required to make under court order;
- (d) Outstanding taxes on earnings or personal or real property;
- (e) Insurance premium payments;
- (f) Contractual payments on real or personal property if such obligations were incurred prior to the client's application for vocational rehabilitation services.

NEW SECTION

WAC 67-25-200 ECONOMIC NEED—NOTIFICATION OF DECISION. When it is determined that the client shall be required to contribute financially to his/her rehabilitation, the department shall explain when, how, and for what services his/her funds will be used.

NEW SECTION

WAC 67-25-255 THOROUGH DIAGNOSTIC STUDY. (1) There will be a thorough diagnostic study which will determine the nature and scope of services needed by the individual, and which will consist of a comprehensive evaluation of pertinent medical, psychological, vocational, educational, and other related factors which bear on the individual's handicap to employment and rehabilitation needs.

(2) The thorough diagnostic study will be sufficient in each case to determine the vocational rehabilitation services which are needed to attain vocational goals of the handicapped individual, and that the findings of such study will be recorded in the individualized written rehabilitation program.

(3) The thorough evaluation shall include, to the extent necessary, an appraisal of the following factors:

- (a) Intelligence level;
 - (b) Educational achievements;
 - (c) Work experience;
 - (d) Ability to function in the community;
 - (e) Personal, vocational and social adjustment;
 - (f) Employment opportunities;
 - (g) Patterns of work behavior;
 - (h) Ability to acquire occupational skills;
 - (i) Capacity for successful job performance which may include trial job situations (simulated or real) to assess capabilities to perform adequately in a work environment.
- (4) The thorough evaluation shall include specialty medical examinations as required below whenever the individual is known to have the following conditions:
- (a) Blindness or visual impairment – ophthalmological or optometric evaluation;
 - (b) Hearing impairment or deafness – otological and audiological evaluation;
 - (c) Mental retardation – psychological evaluation;

- (d) Mental illness – psychological evaluation.

NEW SECTION

WAC 67-25-260 VOCATIONAL REHABILITATION PROGRAM—INDIVIDUAL WRITTEN REHABILITATION PROGRAM. The individualized written rehabilitation program shall place primary emphasis on the determination and achievement of a vocational goal, and as appropriate, shall include, but shall not necessarily be limited to statements concerning the following:

(1) The basis on which the determination of eligibility has been made;

(2) The long-range employment goals established with the individual and the intermediate rehabilitation objectives related to the attainment of such goals;

(3) The determination of the specific vocational rehabilitation services to be provided in order to achieve established employment goals and the terms and conditions for the provision of such services;

(4) The projected rate for the initiation of each vocational rehabilitation service, the anticipated duration of each such service and the time within which the objectives and goals for each individual might be achieved;

(5) The terms and conditions for the provision of vocational rehabilitation services including responsibilities of the handicapped individual in implementing the individualized written rehabilitation program:

(a) Extent of client participation in the cost of services based on the financial need of the client; and

(b) Extent to which the individual is eligible for similar benefits under any other programs.

(6) An assurance that the handicapped individual has been informed of his/her rights and the means by which he/she may express and seek remedy for his/her dissatisfactions, including the opportunity for an administrative review of action or fair hearings; judicial review; and review of the director's decision by the secretary of the federal office of education;

(7) The basis on which the individual has been determined to be rehabilitated; and

(8) Any plans for the provision of post-employment services after a suitable employment objective has been achieved and the basis on which such plans are developed.

(9) A copy of the written program, and any amendments thereto shall be provided to the handicapped individual, or, as appropriate, his/her parents, guardian or other representative.

NEW SECTION

WAC 67-25-270 VOCATIONAL REHABILITATION PROGRAM—PARTICIPATION OF CLIENT. The individualized written rehabilitation program shall be developed jointly by the vocational rehabilitation counselor or rehabilitation teacher and the handicapped individual or, as appropriate, his/her parent, guardian or other representative, and a copy of the written program, and any amendments thereto, shall be provided to the handicapped individual or, as appropriate, his/her parent, guardian or other representative.

NEW SECTION

WAC 67-25-275 VOCATIONAL REHABILITATION PROGRAM—ANNUAL REVIEW. The individualized written program shall be reviewed as often as necessary but at least on an annual basis at which time each handicapped individual, or, as appropriate, his/her parent, guardian or other representative will be afforded an opportunity to review such program and, if necessary, jointly redevelop its terms.

NEW SECTION

WAC 67-25-280 VOCATIONAL REHABILITATION PROGRAM—TERMINATION. When the services are terminated under a written program on the basis of a determination that a vocational goal cannot be achieved and the client is then no longer eligible, the following conditions and procedures will be made and carried out:

(1) Such decision shall be made only with full participation of such individuals or as appropriate, his/her parent, guardian, or other representative.

(2) The views of the individual or his/her representative concerning the decision shall be recorded in the individualized written program.

(3) The rationale for such decision must be thoroughly documented and included as a part or amendment to the written rehabilitation program.

(4) The client will be informed that his/her case will be reviewed within twelve months, offering the individual clear opportunity for full consultation and reconsideration of such decision of ineligibility. Subsequent reviews may be made only upon his/her request.

(5) If through physical restoration an individual's vision is restored so as to allow that individual to perform ordinary activities, further services will be limited to those included at the time in the client's individual written rehabilitation program.

(6) Consultation or annual review would not be scheduled if:

(a) There is a recorded statement by the individual indicating that he/she does not want to have further consideration;

(b) Individual is uncooperative and shows lack of interest;

(c) Individual is no longer in the state;

(d) Individual's whereabouts are unknown;

(e) Individual's medical condition is rapidly progressive or terminal;

(f) There are other compelling reasons that would make an annual review impractical.

NEW SECTION

WAC 67-25-281 VOCATIONAL REHABILITATION PROGRAM—NOTIFICATION OF RIGHTS. Upon termination the individual will be informed of his/her rights and the means by which he/she may express and seek remedy for his/her dissatisfactions, including the opportunity for an administrative review of the department's action; fair hearings; and judicial review.

NEW SECTION

WAC 67-25-300 OBJECTIVE OF VOCATIONAL REHABILITATION. The objective of vocational rehabilitation services is to enable an individual to enter or retain employment consistent with his/her capacities and abilities in the competitive labor market, the practice of a profession, self-employment, homemaking, farm or family work (including work for which payment is in kind rather than in cash); sheltered employment; homebound employment; or other gainful work. Vocational rehabilitation services will be limited to those necessary to fit the client for his/her vocational objective not only for the moment, but have suitable continuing employment in varying economic conditions. However, if a handicapped individual wishes to change occupations or to progress beyond industry accepted norms for competent entry level employment, the department has no obligation to provide further assistance.

NEW SECTION

WAC 67-25-325 SERVICES AVAILABLE FROM OTHER AGENCIES. The department's funds shall not be expended to purchase services for which a client is eligible from another agency which has primary responsibility for providing the needed service. In all cases, full consideration will be given to any similar benefits available to a handicapped individual on any other program.

NEW SECTION

WAC 67-25-326 SERVICES TO CIVIL EMPLOYEES OF THE UNITED STATES. The department will make vocational rehabilitation services available to civil employees of the United States Government who are disabled in the line of duty under the same conditions applied to other handicapped individuals.

NEW SECTION

WAC 67-25-350 VOCATIONAL REHABILITATION SERVICES. Each client accepted for services may be provided such rehabilitation services found by the diagnostic study to be necessary for the realization of his/her rehabilitation objective including but not limited to:

(1) Evaluation of rehabilitation potential;

(2) Counseling and guidance;

(3) Physical and mental restoration services;

(4) Vocational and other training services, including personal and vocational adjustment, books, tools, and other training materials;

(5) Maintenance;

(6) Transportation;

(7) Services to members of a handicapped individual's family when such services are necessary to the adjustment of rehabilitation of the handicapped individual;

(8) Reader services, note taking, rehabilitation teaching services, and orientation and mobility services for the blind;

(9) Interpreter services for the deaf and note-taking services for the blind;

(10) Telecommunications, sensory, and other technological aids and devices;

(11) Recruitment and training services to provide new employment opportunities and other appropriate public service employment;

(12) Placement in suitable employment;

(13) Post-employment services, necessary to assist handicapped individuals to maintain suitable employment;

(14) Occupational licenses, tools, equipment, initial stocks (including livestock), and supplies; and

(15) Other goods and services which can reasonable be expected to benefit a handicapped individual in terms of employability.

NEW SECTION

WAC 67-25-380 VOCATIONAL REHABILITATION SERVICES—COUNSELING AND GUIDANCE. Counseling and guidance is a necessary and key function of the vocational rehabilitation counselors and rehabilitation teachers in facilitating the development of the individual being served.

(1) Counseling and guidance services will be provided by the department as necessary to:

(a) Assist the individual to understand his/her capacities, aptitudes and interests.

(b) Assist the individual to understand his/her limitations and the health problems, personal problems and social problems which may be encountered during the course of and after completion of the rehabilitation process.

(c) Assist the client to select a suitable and realistic vocational goal.

(d) Assist the individual to understand the services available to him/her from the department and other community resources and to understand how such resources can best be obtained and utilized in his/her rehabilitation process.

(e) Assist the individual to adjust to situations encountered during the rehabilitation process. This may include but not be limited to control of anxieties concerning physical restoration, development of appropriate study and work habits, improvements in physical appearance, management of finances, preparation for job interviews and tests, and the establishment and maintenance of effective interpersonal relationships.

(f) Family members, relatives and friends of the individual to aid and assist in the rehabilitation process.

(g) Prospective employers to determine whether the individual has chosen a feasible and appropriate vocational goal.

(2) Counseling and guidance is an ongoing process and will continue, as necessary, throughout all stages of the client's rehabilitation process regardless of the type of services needed, locations of service providers, and length of time needed to complete the rehabilitation.

(3) Counseling and guidance will continue even though the client may be a student in the department's rehabilitation center.

(4) Counseling and guidance will be provided without regard to economic need.

NEW SECTION

WAC 67-25-384 VOCATIONAL REHABILITATION SERVICES—PHYSICAL AND MENTAL RESTORATION SERVICES. (1) Physical and mental restoration services will be provided to or arranged for a client under an individualized written rehabilitation program when, in the judgment of the vocational rehabilitation counselor and/or rehabilitation teacher, in consultation with the medical consultant, it can be determined that:

(a) The clinical status of the client is stable or slowly progressive, as evidenced in the diagnostic study; and

(b) Such services may be expected to eliminate or substantially reduce the handicapping condition in terms of employability within a reasonable period of time; or

(c) When such services will maintain or improve functional capabilities consistent with a client's vocational rehabilitation.

(2) Diagnostic and treatment services for clients with any diseases of the eye will be provided by or under the direction of a qualified ophthalmologist to assure that there is no eye disease or other eye condition which needs consideration.

(3) Authorized physical and mental restoration services may be provided by physicians, dentists, and other health-related professionals who are licensed in the state.

(4) The client has the option, when receiving physical and mental restoration services, to choose the physician or other health-related professional and the appropriate facilities from among those licensed in the state. These service providers and the facilities must be willing to accept reimbursement in accordance with the Washington state department of social and health services schedule of maximum allowances and program descriptions.

(5) For clients in extended evaluation, restorative services may be provided to stabilize or halt progression of a chronic illness for purposes of determining eligibility.

NEW SECTION

WAC 67-25-385 VOCATIONAL REHABILITATION SERVICES—PHYSICAL AND MENTAL RESTORATION. (1) Physical and mental restoration shall include all medical and related services including the following:

(a) Medical treatment including but not limited to therapeutic programs under medical supervision, necessary laboratory work, and necessary medication;

(b) Surgical treatment; surgery for cardiac or gynecological conditions shall be provided only if approved by the medical consultant;

(c) Psychiatric treatment only when the diagnostic study clearly indicates a favorable prognosis for relatively short-term therapy. A program of psychiatric treatment which will extend beyond twelve months must have the prior approval of the medical consultant;

(d) Dental treatment only when it will significantly increase employability or remove an established vocational handicap, or in emergency situations involving pain, acute infections, or injury. Examples of disabling dental conditions for which restorative services may be authorized include widespread ulceration of teeth, destruction of tooth structures, decay which seriously affects the individual's ability to eat, badly malformed or positioned teeth, or rejection of the individual from employment on the basis of his appearance. Restorative dental services will not be provided when the restoration will not directly affect employability;

(e) Nursing services;

(f) Hospital (either inpatient or outpatient care) and clinic services;

(g) Convalescent, nursing, or rest home care only when there is an expectation of a normal period of convalescence after which other appropriate services leading to the rehabilitation of the client may be initiated or resumed. Such care shall not be provided by the commission as a long-term process for conditions not expected to improve;

(h) Drugs and supplies;

(i) Prosthetic, orthoptic or other assistive devices essential to obtaining or retaining employment;

(j) Eyeglasses;

(k) Podiatry;

(l) Physical therapy; physical therapy shall consist of the employment of the physically beneficial properties of light, heat, cold, water, electricity, massage, manipulation, exercise, and mechanical devices as treatment of disease or injury;

(m) Occupational therapy; occupational therapy shall include all manual skills and recreational activities which provide specific active exercise for physical disabilities and shall include psychologic rehabilitation techniques;

(n) Medical or medically-related social work services;

(o) Medically directed speech or hearing therapy.

(2) Physical and mental restoration will be provided on an exception basis after exhausting all other resources.

(a) Clients needing physical restoration who appear to be eligible will be referred to the prevention of blindness program;

(b) Medical emergencies to prevent eminent loss of sight or prevent severe service interruption will be provided with the approval of the supervisor.

NEW SECTION

WAC 67-25-388 VOCATIONAL REHABILITATION SERVICES—VOCATIONAL AND OTHER TRAINING. (1) The department may provide, within budget constraints, any organized form of instruction which provides the knowledges and skills that are essential for performing the tasks involved in an occupation. Such knowledges and skills may be acquired through training in an institution, on the job, by correspondence, by tutors or through a combination of

these methods. Training may be given for any occupation, except as provided in subsection (5) of this section.

(2) The department will operate and maintain an orientation and training center for prevocational training for those clients for whom such training in the training center is determined to be appropriate.

(3) Training or training services in institutions of higher education (universities, colleges, community/junior colleges, vocational schools, technical institutes, or hospital schools of nursing) shall not be paid for with rehabilitation funds unless maximum efforts have been made by the department on the client's behalf to secure grant assistance in whole or in part from other sources to pay for such training or training services. A client must demonstrate application for, and denial of, other grants and scholarships.

(4) The department may provide, assist in providing, or cause to be provided books, tools and other training materials agreed upon in joint planning of the individualized written rehabilitation program between the counselor and the client. The amount of assistance provided on a quarterly or semester basis for students carrying a full academic load will be established by the director of the department, provided that exceptions can be made on a case-by-case basis. Students attending less than full time will have amount reduced proportionately.

(5) The Washington state constitution forbids the use of public funds to assist an individual in the pursuit of a career or degree in the theology or related areas.

(6) Clients may attend private institutions or out-of-state institutions of higher learning in pursuit of a vocational goal; however, the financial assistance available to any such individual is limited by that amount charged at the University of Washington or the actual cost, whichever is less.

(7) The department may provide, assist in providing, or cause to be provided financial assistance to clients in pursuit of post-graduate degrees when such degree is clearly necessary to achieve employment in a given field. However, financial assistance will not be provided to clients pursuing graduate programs only to enhance their employability or to achieve upward mobility.

(8) Training will be provided to the extent that it meets the criteria established by the client and the department in the client's individualized written rehabilitation program and meets the standards of the occupation the client intends to enter.

NEW SECTION

WAC 67-25-390 VOCATIONAL REHABILITATION SERVICES—TRAINING—COLLEGE. (1) College training may be provided when

(a) The nature of the client's disability is such as to require college training to place him/her on a reasonably competitive basis in a suitable occupation.

(b) The client's previous school record or other indications of achievement demonstrate an ability to successfully carry on and benefit from college training.

(c) Evaluation of the client's motivation, study habits, personality and character traits, or other relevant factors, indicates that it would be appropriate to provide him/her with college training even though he/she has otherwise failed to meet minimal intellectual or academic achievement standards.

(2) A client provided with college training services shall be required to meet established scholastic standards. If his/her grades fall below the standards required in the field of his/her choice, it may be necessary to select a new objective for college training through joint planning between the client and the vocational rehabilitation counselor or to modify or cancel that portion of the rehabilitation plan which involves college training. If college training is cancelled, the vocational rehabilitation counselor shall then counsel with the client about a vocational objective which does not require college training.

(3) No training or training services in institutions of higher education (universities, colleges, community/junior colleges) shall be paid for with funds under this part unless maximum efforts have been made to secure grant assistance in whole or in part from other sources to pay for such training or training services.

NEW SECTION

WAC 67-25-392 VOCATIONAL REHABILITATION SERVICES PROVIDED—TRAINING—TRADE SCHOOLS. Training may be provided in business, trade and vocational schools. Business, trade and vocational training facilities shall include but not be limited to beauty schools, barber colleges, business schools where secretarial,

accounting, and other office work skills are taught, schools for the training of licensed practical nurses, and trade schools teaching such skills as welding, draftsmanship, electrical engineering, radio repair, etc. Such facilities may be either publicly or privately owned and operated.

NEW SECTION

WAC 67-25-394 VOCATIONAL REHABILITATION SERVICES PROVIDED—TRAINING—EMPLOYMENT. (1) Employment training services may be provided to a client when necessary to attainment of the client's vocational goal. "Employment training services" shall mean a program of organized training by which a client is given the opportunity to learn an occupation under actual conditions of commercial, industrial, or other on-the-job employment.

(2) Employment training services shall be provided to an individual client only when the vocational rehabilitation counselor has established that the following conditions have been or will be met:

(a) The training program has been prepared and outlined in detail and in advance;

(b) The client's training will follow a definite schedule of specified operations, instructions, and practices which will insure well-rounded preparation for the client's selected occupation;

(c) A mutual understanding has been reached between the trainee—client, the trainer—employment training facility, and the vocational rehabilitation counselor as to the provisions of the client's employment training plan, including length of the training period, financial arrangements, and operations and skills to be learned;

(d) The employer will provide careful supervision of the client's work and will submit regular reports on the client's attendance and progress to the vocational rehabilitation counselor;

(e) The training program will meet any requirements for licensing in the trade or occupation which exists in the field or work in which the client is to be employed;

(f) It has been ascertained that the employment training program is acceptable to other employees of the training facility.

NEW SECTION

WAC 67-25-395 VOCATIONAL REHABILITATION SERVICES—TRAINING—COLLEGE AND TRADE SCHOOL. (1) No training or training services in institutions of higher education (universities, colleges, community/junior colleges) or trade or business schools shall be paid for with vocational rehabilitation funds unless the client has demonstrated application for, and denial of, other grants and scholarships.

(2) Tuition at institutions of higher education will be limited to the amount charged at the University of Washington or the actual cost, whichever is less.

(3) The amount of assistance for books and academic supplies provided on a quarterly or semester basis for students carrying a full academic load will be established by the director of the department, provided that exceptions can be made on a case-by-case basis. Students attending less than full time will have the amount authorized for books and supplies reduced proportionately.

NEW SECTION

WAC 67-25-396 VOCATIONAL REHABILITATION SERVICES—TRAINING—SHELTERED WORKSHOP. (1) The department may provide work adjustment services (employability training) to clients in a sheltered workshop environment. Work adjustment is appropriate where the client's disability is such as to limit his/her ability to participate in and take advantage of employment training facilities in the competitive labor market, and shall follow a vocational evaluation which will at the least include a measurement of productivity, behavior in interpersonal situations, work characteristics, and manipulative skills.

(2) The purpose of work adjustment services in sheltered workshops shall be to:

(a) Assist clients in understanding the meaning, value, and demands of work;

(b) Modify or develop attitudes, personal characteristics, and work behaviors;

(c) To develop functional capacities as required in order to assist clients toward their optimum level of vocational adjustment.

(3) Vocational adjustment in a sheltered workshop shall meet the following criteria:

(a) There shall be an individualized written program establishing immediate and long-range goals and objectives developed and monitored by a qualified staff person.

(b) The program will be in direct response to those problems defined in the evaluation process.

(c) Methods used to correct client problems and to develop acceptable work behaviors will be defined in writing and monitored and reported on at least monthly.

(d) All programs will be developed with the full knowledge and agreement of the vocational rehabilitation counselor or rehabilitation teacher and the client.

(e) Work adjustment services will always aim toward the eventual placement of the client into competitive employment.

(f) After September 30, 1984, work adjustment services will be undertaken only in state certificated rehabilitation facilities.

NEW SECTION

WAC 67-25-400 VOCATIONAL REHABILITATION SERVICES—MAINTENANCE. (1) Maintenance services include the client's basic living expenses, such as food, housing, clothing and health care needs, and other subsistence expenses which are essential to enable him/her to receive full benefit from other vocational rehabilitation services.

(2) Maintenance services may be provided to the extent necessary to enable a client to derive the full benefit of other vocational rehabilitation services.

(3) Maintenance may be provided at any time during the rehabilitation process, or following placement, until such time as the client has actually received remuneration for his employment, for a period not to exceed sixty days.

(4) Maintenance services provided in connection with diagnostic services shall be provided without regard to the economic need of the client. The provision of maintenance services in connection with any other type of service shall be conditioned on the economic need of the client.

NEW SECTION

WAC 67-25-404 VOCATIONAL REHABILITATION SERVICES—TRANSPORTATION. (1) The department will provide or cause to be provided, within budget constraints, necessary travel and related expenses required to transport clients, thereby enabling them to receive services necessary for the achievement of vocational rehabilitation objectives.

(2) Transportation may include:

(a) Fares or travel costs associated with using public or private conveyances.

(b) Food and/or lodging while in travel status.

(c) Attendants or escorts for clients and the attendants' or escorts' travel costs.

(d) Reimbursement for relocation and moving expenses when a satisfactory adjustment to a job has been made and job security has been established.

(3) Transportation, except as provided during diagnostic services, will be provided based on economic need.

NEW SECTION

WAC 67-25-408 VOCATIONAL REHABILITATION SERVICES—SERVICES TO FAMILY MEMBERS. (1) Services to family members may be provided to assist a client in successful completion of his/her extended evaluation program or vocational rehabilitation program and subsequent vocational adjustment.

(2) The services provided to family members may include any of the vocational rehabilitation services available to clients of the department. However, the services must be directly related to the vocational rehabilitation of the client. Family members of any age may be served. Services provided to family members must be documented and justified in ways consistent with department vocational rehabilitation case documentation procedures and vocational rehabilitation policies.

(3) Other resources and similar benefits available to the family member(s) who may be served under this section must be considered under the same rules and conditions as those of the client.

(4) When the service provided to a family member(s) no longer substantially contributes to a client's vocational rehabilitation program or extended evaluation program, it will be terminated.

NEW SECTION

WAC 67-25-412 VOCATIONAL REHABILITATION SERVICES—INTERPRETER SERVICES FOR DEAF PERSONS. The department will provide interpreter services for deaf persons needing this service in all stages of involvement with the department while a client or applicant, or during appeal of a contested decision by an employee of the department which directly affects the client or applicant.

NEW SECTION

WAC 67-25-416 VOCATIONAL REHABILITATION SERVICES—READER SERVICES. (1) The department will provide or cause to be provided reader services to those clients under an individualized written rehabilitation program who are engaging in vocational training in institutions of higher learning, business schools, technical or trade schools, and other types of training where significant amounts of reading are essential to the completion of the course and/or the advancement of the client's vocational objective. Reader services may also be provided for clients entering employment where substantial amounts of reading are necessary, but only as it relates to the initial stages of their employment.

(2) Reader services consist of oral reading to the blind individual of ink-print material which is not available through any of the usual, special, nonvisual methods of reading used by blind persons.

(3) Reader services may be provided, despite the availability of alternatives to ink-print, when the client's skills in using nonvisual methods are not sufficient to fulfill the blind client's immediate rehabilitation needs, progress, or initial adjustment in employment.

(4) The employment and rates of payment will be governed by the department's procedures for purchase of reader services. Ordinarily, readers will be paid no more than the national minimum wage; however, exceptions may be made under the department's procedures governing reader services.

(5) The department's vocational rehabilitation program will encourage clients to make the most efficient use of readers; both as a sound economic practice and for the purpose of having clients learn to make effective use of readers in future employment and/or training settings.

NEW SECTION

WAC 67-25-420 VOCATIONAL REHABILITATION SERVICES—REHABILITATION TEACHING SERVICES. (1) The department will provide or cause to be provided rehabilitation teaching services to clients by rehabilitation teachers in the employ of the department. Such services may be purchased by the department from vendors who meet standards for these services when they are not otherwise available to a client.

(2) Rehabilitation teaching services include specific and identifiable teaching methods that are used to assist blind individuals in acquiring skills in manual dexterity, communication, home orientation, home management and general self-management.

(3) Rehabilitation teaching services may be provided during all phases of the vocational rehabilitation process wherever there is a documented need for them for diagnostic purposes and under a client's individualized written rehabilitation program.

NEW SECTION

WAC 67-25-428 VOCATIONAL REHABILITATION SERVICES—ORIENTATION AND MOBILITY SERVICES. (1) The department will provide orientation and mobility services that are consistent with the client's individualized written rehabilitation program, so that any mobility problems encountered during training, seeking employment and/or post-employment are resolved.

(2) Orientation and mobility services shall include systematic and individualized assessment, instruction, and the dissemination of resources information which can enable blind persons to travel independently with optimum efficiency, safety, grace, and self-confidence.

(3) The department may provide or cause to be provided orientation and mobility services to individual clients through:

(a) Orientation and mobility specialists in the employ of the department;

(b) Independent orientation and mobility specialists whose qualifications are consistent with department standards;

(c) Orientation and mobility specialists in the employ of agencies for the blind whose qualifications are consistent with department standards;

(d) The department's field services offices by rehabilitation teachers in the client's home environment.

NEW SECTION

WAC 67-25-432 VOCATIONAL REHABILITATION SERVICES—TELECOMMUNICATIONS. (1) The provision of telecommunications, sensory or other technological aids and devices, individualized prescriptions and fittings must be performed by individuals licensed to fill such prescriptions and licensed to perform such fittings in accordance with state licensure laws, or be appropriately certified professionals. Aids and devices not requiring individual fittings must meet engineering and safety standards recognized by experts in the field.

(2) Telecommunications may be utilized when service delivery methods can be improved by the use of these devices. Cost benefit will be considered in the development of telecommunication services.

NEW SECTION

WAC 67-25-440 VOCATIONAL REHABILITATION SERVICES—PLACEMENT. (1) The department may provide or cause to be provided placement services to clients under an individualized written rehabilitation program. The department and clients will be mutually responsible in the endeavor to find and secure suitable employment. While the department will meet its responsibilities stated in this section, clients will be held responsible under their individualized written rehabilitation programs for actively and independently applying themselves in job-seeking efforts and self-placement.

(2) Placement services prepare a client for work and assist him/her in obtaining appropriate employment and may include the following range of activities:

(a) Organized and identifiable attempts to establish or improve the linkage of a client and a work situation.

(b) Sustained collaboration with the client in a variety of work-oriented activities culminating in the client's engagement in a job, including self-employment.

(c) Communicating and negotiating with a variety of employment resources in the community and other community resources regarding the employment of blind persons. This may or may not be on behalf of specific clients.

(d) Assisting the client in stabilizing himself/herself in a work setting to the point that the placement goal has been satisfactorily achieved.

(3) Placement services may be provided as follows:

(a) Vocational rehabilitation counselors will deliver placement services to clients as a primary function and the principal focus of their professional responsibilities and activities.

(b) A job training and placement counselor whose principle function will be to communicate and negotiate with a variety of community resources, especially employers, regarding the employment of blind persons will provide placement services. This function may or may not be on behalf of specific clients.

(c) Existing, noncost placement resources in the community such as the state department of employment security, projects with industry, and other entities shall be utilized whenever possible.

(d) In certain situations, placement services may be purchased when it is in the client's vocational interests, when the department's services are not otherwise available, or are offered by a vendor as part of a "package" involving placement as a service. The specific conditions under which placement services may be purchased are addressed in the department's procedures governing such purchase.

(4) Placement services will be terminated when the client has been provided vocational rehabilitation services in accordance with an individualized written rehabilitation program, and been determined to have maintained a suitable employment goal for at least sixty days.

(5) Suitable placement refers to a determination that the provision of vocational rehabilitation services has enabled a client to enter or retain employment consistent with client's capacities and abilities.

(6) Clients placed by the department in extended employment in rehabilitation facilities will have their statuses reviewed and reevaluated by the department at least annually. The department will make maximum efforts to place these individuals in competitive employment or training for competitive employment whenever feasible.

(7) Placement services will be provided without consideration of similar benefits except when the purchase of placement services is contemplated.

NEW SECTION

WAC 67-25-444 VOCATIONAL REHABILITATION SERVICES—POST-EMPLOYMENT SERVICES. (1) The department may provide such follow-up services to clients after placement as are necessary to insure that the placement is suitable and that the vocational rehabilitation of the individual has been achieved.

(2) The department may provide post-employment services to a client whose case has previously been terminated as "rehabilitated" when such services are necessary to overcome emergent or latent problems related to the original disability or handicap for which he/she was receiving services prior to termination.

(3) All follow-up and post-employment services provided will have the same requirements to meet the economic needs test as those services that require the needs test for a regular program of services.

NEW SECTION

WAC 67-25-446 VOCATIONAL REHABILITATION—SERVICES TO GROUPS. (1) Services to groups of handicapped persons may be provided when such services will result in a benefit to the individual members' vocational rehabilitation.

(2) Members of such groups must be eligible for vocational rehabilitation services.

(3) Special services to groups may include but are not limited to the production of brailled and recorded materials.

(4) These services may include removal of architectural barriers.

NEW SECTION

WAC 67-25-448 VOCATIONAL REHABILITATION SERVICES—OCCUPATIONAL LICENSES, TOOLS, EQUIPMENT, INITIAL STOCKS AND SUPPLIES. (1) The department may provide or cause to be provided, within budget constraints, initial stocks and supplies as required in the client's individualized written rehabilitation program.

(a) Occupational licenses will include any license, permit or other written authority required by a state, city, or other government unit to be obtained in order to enter an occupation or enter a small business.

(b) Occupational tools will include those customarily required for a worker to perform efficiently on the job and normally provided by workers in the same or similar trade or profession, and may also include specialized tools adapted to use for blind persons or any accompanying disabling condition the client may have. Any tools provided must be directly applicable and significantly useful in the employment or training of the client.

(c) Occupational equipment will include occupational fixtures normally found in places of business. These may consist of apparatuses, machinery, and appliances that are usually of a stationary nature during the time of utilization in a particular business trade or profession. However, self-powered vehicles may be provided under this section.

(d) Initial stocks will include the initial inventory of merchandise or goods necessary for a client entering self-employment. It may also include the initial purchase of livestock as a base stock and stocks of seed, fertilizer, fuel, etc., for farming or agricultural self-employment.

(e) Initial supplies will include expendable items necessary to enable the client to carry out the day-to-day operations and which are consumed on the premises in the course of the client's self-employment business.

(2) Occupational tools and equipment will be provided only when provision of such items becomes central to the effective training of a client for a specific occupation or trade and/or effective placement in and employment, self-employment, or post-employment setting where the items will be used.

(3) Initial stocks and supplies will be provided only when a client enters a self-employment business.

(4) The specific kinds of items and the particular methods by which they may be provided under this section are addressed in detail in the department's procedures governing their provision.

(5) The matters of accountability, legal title, insurance, maintenance and similar considerations with regard to occupational tools, equipment, initial stocks and supplies are addressed in detail in the department's procedures governing their provision.

(6) In the provision of items under this section, thorough consideration will be given to similar benefits and resources available to the client.

(7) Occupational licenses, tools, equipment, initial stocks, and supplies will be provided based on the clients' economic need.

NEW SECTION

WAC 67-25-452 VOCATIONAL REHABILITATION SERVICES PROVIDED—OTHER GOODS AND SERVICES. (1) Such other goods and services may be provided to the client as are essential to a determination of his/her rehabilitation potential, to his/her rehabilitation plan, or to render him/her fit to engage in a gainful occupation.

(2) The provision of other goods and services shall be conditioned upon the economic need of the client except when provided in connection with diagnostic services.

NEW SECTION

WAC 67-25-500 PURCHASE OF SERVICES. The department may purchase training from schools or sheltered workshops, or from business establishments which offer on-the-job training services.

NEW SECTION

WAC 67-25-505 PURCHASE OF SERVICES—SELECTION CRITERIA—SCHOOLS. (1) In determining whether a particular school is appropriate and acceptable as a training facility, the vocational rehabilitation counselor shall evaluate the curriculum, quality of training, and adequacy of total resources in relation to the client's needs. The vocational rehabilitation counselor may also consider such factors as the placement services, if any, offered by the facility, the convenience of the physical arrangements of the plant and their adaptability to the needs of the client, and the willingness of school authorities to adopt and make available such equipment as is necessary to aid the client in the most efficient pursuit of his training.

(2) The use of schools for training purposes shall generally be limited to those which are accredited, licensed, or approved either by a legal authority, or are recognized as adequate by the professional or trade group with which they are associated. The department shall attempt to utilize for training purposes those schools and other training facilities which provide the client with the credits, credentials, diplomas, or other certifications required by the profession or trade which is the goal of the client's rehabilitation program.

(3) Tax supported schools shall be used in preference to nontax supported schools whenever possible and appropriate in light of the vocational objective of the client in question.

(4) Prior to the use of a school as a training facility the vocational rehabilitation counselor shall advise the client involved about the status of the school in which the training program will be carried out. The client shall be made particularly aware of any limitation of job opportunities which might result from the use of a school or facility of limited or no accreditation.

NEW SECTION

WAC 67-25-510 PURCHASE OF SERVICES—SELECTION CRITERIA—EMPLOYMENT TRAINING FACILITIES. A business or industrial establishment which is to be utilized by the department for the provision of employment training services shall meet the following criteria:

(1) The facility has personnel qualified for instructional purposes by knowledge, skills, and personality;

(2) The facility has sufficiently diversified operations and adequate and suitable materials and equipment to insure a trainee thorough preparations and training within the scope and limits of his occupational objective;

(3) The training of clients is only incidental to the business activity of the facility, and in no case shall the major activity of the facility be the training of clients.

NEW SECTION

WAC 67-25-525 TERMINATION OF SERVICES FOR REASON OF INELIGIBILITY. (1) Services under a written program are to be terminated on the basis that a vocational goal cannot be achieved and the client is then no longer eligible.

(2) Whenever it has been determined based on clear evidence that an individual is ineligible for vocational rehabilitation services there shall be a certification, dated and signed by an appropriate staff member and placed in the individual's file.

NEW SECTION

WAC 67-25-530 TERMINATION OF SERVICES FOR REASONS OTHER THAN INELIGIBILITY. Vocational rehabilitation services shall be terminated when a client:

(1) Has died;

(2) Cannot be located by the department after reasonable efforts to do so;

(3) Has been institutionalized under circumstances which preclude the provision of services for a substantial or indefinite period of time;

(4) Has moved to another jurisdiction and the department has been unable either to continue provision of services or to refer the individual to an appropriate agency within the other jurisdiction;

(5) Removes himself/herself for consideration by declining to accept or utilize vocational rehabilitation services after all reasonable efforts have been expended to encourage participation.

NEW SECTION

WAC 67-25-540 COMPLETION OF VOCATIONAL REHABILITATION PROGRAM. Services shall be terminated on the basis of the completion of the client's vocational rehabilitation if:

(1) The program of rehabilitation services as set forth in the client's rehabilitation plan has, insofar as possible, been completed. Services may be terminated in spite of the failure to comply with this requirement only if the vocational rehabilitation counselor and the client have mutually decided that it is necessary and/or appropriate for the client to accept employment before completing the total plan of services set forth in his rehabilitation program; and

(2) Substantial rehabilitation services have been rendered to the client by the department. No client shall be terminated as rehabilitated unless the department has provided him/her with the following substantial services:

(a) Adequate and necessary guidance in developing an understanding of his/her capacities and limitations, his/her vocational potentialities, and the health, personal, and social problems related to his/her vocational adjustment;

(b) Assistance in understanding the services available from the department and other community resources and in obtaining and utilizing these services to achieve the best possible vocational adjustment;

(c) Counseling and assistance in adjusting to situations encountered during the rehabilitation process, such as control of anxieties concerning physical restoration, development of appropriate study and work habits, improving personal appearance, managing finances, and devising effective interpersonal relationships;

(d) Completion of alternative skills training.

(3) The client must have been, as a minimum, determined to have achieved a suitable employment objective which has been maintained for a period of time not less than sixty days. An occupation shall be considered suitable when, after a reasonable period of time has passed since placement, it has been confirmed that the following conditions have, insofar as possible, been met:

(a) The client and employer are mutually satisfied;

(b) The client is maintaining adequate interpersonal relationships and acceptable behavior in the employment environment;

(c) The occupation is consistent with the client's capacities, skills, and abilities;

(d) The employment and working conditions will not aggravate the client's disability, and his disability in the employment situation will not jeopardize the health or safety of himself/herself or others;

(e) The wage and working conditions conform to state and federal legal requirements;

(f) The employment is regular, reasonably permanent, and the client receives a wage commensurate with that paid other workers for similar work.

NEW SECTION

WAC 67-25-545 NOTIFICATION OF TERMINATION. The department shall provide written notification to every individual who has applied for services whenever any determination is made to terminate services to them. Such written notice shall specify in detail the reasons for the department's decision to terminate services and shall clearly inform the client of his/her right to an administrative review, a fair hearing on the decision, and judicial review.

NEW SECTION

WAC 67-25-550 CONFIDENTIAL INFORMATION—DISCLOSURE. (1) The term "confidential information" shall mean all information and records as to personal facts regarding any past or present clients of the department, given or made available to the department, its representatives, or its agents in the course of the administration of the vocational rehabilitation program, including, but not limited to, lists of clients' names and addresses, information with respect to clients' financial resources, records of the department's evaluations of factual information regarding a client, and all other information about a client, whether recorded or not recorded.

(2) The department shall disclose confidential information, whether directly or indirectly, only under the following circumstances:

(a) Where necessary to and directly connected with the administration of the vocational rehabilitation program; or

(b) Where required by order of a court of competent jurisdiction; or

(c) Where the client has given his/her informed consent in writing to such disclosure; or

(d) Where necessary for purposes of audit to determine compliance with standards and regulations.

(3) The department shall refuse to disclose confidential information even when disclosure has been expressly or impliedly requested by the client if the information in question has been provided to the department on the basis that it will not be disclosed to the client. Information so withheld shall be briefly identified and listed, and said list shall be provided to the client or his/her authorized representative. Such confidential information shall be provided to the client only under the following circumstances:

(a) Where the person or agency which provided the information has given the department express written authorization to release the information to the client; or

(b) Where, during the course of a fair hearing, the hearing officer has made a determination that the information in question is relevant and material to the issue under appeal and has ordered that said information be made available to the client.

(4) Confidential information may be disclosed or released to an employer in connection with the placement of a client. The department shall release to an employer only such confidential information regarding a client as is essential to his/her successful placement.

(5) Confidential information may be disclosed or released to welfare agencies or programs from which the client has requested services if:

(a) The client has requested services under circumstances from which his/her consent may be presumed;

(b) The welfare agencies or programs involved have adopted regulations which will assure that the confidential information disclosed will continue to be held confidential; and

(c) The welfare agency or program involved can assure that the confidential information disclosed shall be used only in connection with application for and receipt of services from such agency or program.

(6) Confidential information may be disclosed or released to organizations or individuals engaged in research if:

(a) The research is directly connected with the administration of the vocational rehabilitation program;

(b) The organization or individual has furnished satisfactory assurance that the confidential information will be used only in connection with the research purposes for which it is provided;

(c) The organization or individual furnishes satisfactory assurance that the final product of the research shall not reveal any information that might serve to identify any person about whom information has been obtained from the department without the written consent of the person involved and of the department.

(7) Upon written request, information shall be released to the client, or, as appropriate, his parent, guardian, or other representative in connection with any proceeding or action for benefits or damages, including any proceeding or action against any public agency: Provided,

(a) That only such information as is relevant to the needs of the client shall be released; and

(b) In the case of medical or psychological information, the knowledge of which may be harmful to the client, such information will be released to the parent, guardian, or other representative of the client by the department, or to the client by a physician or by a licensed or certified psychologist.

NEW SECTION

WAC 67-25-560 ADMINISTRATIVE REVIEW. (1) Any client who feels aggrieved by, or is otherwise dissatisfied with, any decision or

action by the department or its agents with regard to his/her vocational rehabilitation case may file a request with the department for, and shall thereupon receive, an administrative review and redetermination of that decision or action.

(2) A request for an administrative review may be made either verbally or in writing and may be filed in any office of the department. A verbal request shall promptly be reduced to writing.

(3) All requests for administrative review shall:

(a) Specify the date of the decision or action being appealed;

(b) Specify as precisely as possible the issue to be resolved by the administrative review;

(c) Set forth the address of the client or of his/her representative; and

(d) Be signed by the client or by his/her representative.

(4) A request for an administrative review must be made within sixty days after receiving notice from the department of the decision or action by the department which is the basis for the request for review.

(5) An administrative review and redetermination shall be provided by the director's designee, and shall be provided within thirty days after the submission of the request for review.

(6) Within fifteen days after the conclusion of the administrative review the designee shall certify his/her findings to the client in writing specifying in reasonable detail the reasons for his/her findings and informing the client of his/her right to request and receive a fair hearing if dissatisfied with those findings.

NEW SECTION

WAC 67-25-570 FAIR HEARING. (1) Any client dissatisfied with the finding of an administrative review may request from the department, and shall thereupon be granted, a fair hearing. A client who desires a fair hearing shall request such hearing within thirty days after receiving notice from the department of the finding of the administrative review.

(2) A request for fair hearing shall be sent to the Department of Services for the Blind at 921 Lakeridge Drive, Olympia, WA 98504, who will forward it to the office of administrative hearings.

(3) The administrative law judge will make a proposed decision to the director of the department of services for the blind who will make a final determination.

(4) The client will be notified in writing by the director within fifteen days of receipt of the administrative law judge's proposed decision.

(5) A client not satisfied with the decision of the director may request a review of the director's decision by the secretary of the federal education department on the individual written rehabilitation program.

NEW SECTION

WAC 67-25-590 CLIENT RECORDS. The department will maintain for each applicant for vocational rehabilitation services a case record which will include to the extent pertinent, the following information:

(1) Documentation as to the preliminary diagnostic study, supporting the determination of eligibility, or the determination that an extended evaluation of rehabilitation potential is necessary to make such determination;

(2) In the case of individuals who have applied for vocational rehabilitation services and have been determined to be ineligible, documentation as to the preliminary diagnostic study specifying the reasons for such determination;

(3) Data supporting any determination that the handicapped individual is a severely handicapped individual;

(4) Documentation as to periodic assessment of the individual during an extended evaluation of rehabilitation potential;

(5) An individualized written rehabilitation program as developed and any amendments to such program;

(6) In the event the physical and mental restoration services are provided documentation supporting the determination that the clinical status of the handicapped individual is stable or slowly progressive;

(7) Documentation supporting any decision to provide services to family members;

(8) Data relating to the participation by the handicapped individual in the cost of vocational rehabilitation services;

(9) Data relating to the eligibility of the individual for similar benefits under any other program;

(10) Documentation that the individual has been advised of the confidentiality of all information pertaining to his case and documentation

and other material pertinent to the release of any information concerning the handicapped individual on the basis of the written consent of the handicapped individual;

(11) Documentation as to the reason and justification for closing the case, including the employment status of the client, and if the individual is determined to be rehabilitated, the basis on which the employment was determined to be suitable;

(12) Documentation of any plans for the provision of post-employment objective has been achieved, the basis on which such plans were developed, and a description of the services provided and the outcomes achieved;

(13) Documentation as to any action and decision involving the handicapped individual's request for an administrative review of agency action; fair hearings; and judicial review; and

(14) In the case of an individual who has been provided vocational rehabilitation services under an individualized written program but who has been determined after the initiation of such services to be no longer capable of achieving a vocational goal, documentation of any reviews of such determination.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- | | |
|---|-------------------------------|
| (1) WAC 67-20-005 | DEFINITIONS. |
| (2) WAC 67-20-010 | APPLICATION FOR SERVICES. |
| (3) WAC 67-20-015 | INITIAL INTERVIEW. |
| (4) WAC 67-20-020 | PRELIMINARY DIAGNOSTIC STUDY. |
| (5) WAC 67-20-025 | ELIGIBILITY FOR SERVICES. |
| (6) WAC 67-20-030 | ELIGIBILITY FOR SERVICES— |
| CRITERIA. | |
| (7) WAC 67-20-050 | CERTIFICATION FOR DECISION OF |
| ELIGIBILITY OR INELIGIBILITY. | |
| (8) WAC 67-20-055 | NOTICE TO APPLICANT. |
| (9) WAC 67-20-060 | CRITERIA FOR THE SEVERELY |
| HANDICAPPED. | |
| (10) WAC 67-20-070 | EXTENDED EVALUATION. |
| (11) WAC 67-20-075 | EXTENDED EVALUATION—ELIGI- |
| BILITY CRITERIA. | |
| (12) WAC 67-20-077 | CERTIFICATION FOR EXTENDED |
| EVALUATION TO DETERMINE REHABILITATION | |
| POTENTIAL. | |
| (13) WAC 67-20-080 | EXTENDED EVALUATION— |
| PROGRAM. | |
| (14) WAC 67-20-085 | EXTENDED EVALUATION—SER- |
| VICES PROVIDED. | |
| (15) WAC 67-20-090 | EXTENDED EVALUATION—SER- |
| VICES NOT PROVIDED. | |
| (16) WAC 67-20-095 | EXTENDED EVALUATION—DURA- |
| TION AND SCOPE OF SERVICES. | |
| (17) WAC 67-20-100 | EXTENDED EVALUATION— |
| ASSESSMENT. | |
| (18) WAC 67-20-105 | EXTENDED EVALUATION—REVI- |
| SION OF PROGRAM. | |
| (19) WAC 67-20-110 | EXTENDED EVALUATION— |
| TERMINATION. | |
| (20) WAC 67-20-120 | CERTIFICATION OF TERMINATION |
| OF EXTENDED EVALUATION AND NOTICE. | |
| (21) WAC 67-20-180 | ECONOMIC NEED. |
| (22) WAC 67-20-185 | ECONOMIC NEED—FINANCIAL |
| STATEMENT REQUIRED. | |
| (23) WAC 67-20-190 | ECONOMIC NEED—STANDARDS |
| FOR DETERMINING. | |
| (24) WAC 67-20-200 | ECONOMIC NEED—NOTIFICATION |
| OF DECISION. | |
| (25) WAC 67-20-255 | THOROUGH DIAGNOSTIC STUDY. |
| (26) WAC 67-20-260 | VOCATIONAL REHABILITATION |
| PROGRAM—INDIVIDUAL WRITTEN REHABILITATION | |
| PROGRAM. | |
| (27) WAC 67-20-270 | VOCATIONAL REHABILITATION |
| PROGRAM—PARTICIPATION OF CLIENT. | |
| (28) WAC 67-20-275 | VOCATIONAL REHABILITATION |
| PROGRAM—ANNUAL REVIEW. | |
| (29) WAC 67-20-280 | VOCATIONAL REHABILITATION |
| PROGRAM—TERMINATION. | |
| (30) WAC 67-20-281 | VOCATIONAL REHABILITATION |
| PROGRAM—NOTIFICATION OF RIGHTS. | |
| (31) WAC 67-20-300 | OBJECTIVE OF VOCATIONAL |
| REHABILITATION. | |
| (32) WAC 67-20-325 | SERVICES AVAILABLE FROM OTH- |
| ER AGENCIES. | |
| (33) WAC 67-20-326 | SERVICES TO CIVIL EMPLOYEES |
| OF THE UNITED STATES. | |
| (34) WAC 67-20-350 | VOCATIONAL REHABILITATION |
| SERVICES. | |
| (35) WAC 67-20-380 | VOCATIONAL REHABILITATION |
| SERVICES—COUNSELING AND GUIDANCE. | |
| (36) WAC 67-20-384 | VOCATIONAL REHABILITATION |
| SERVICES—PHYSICAL AND MENTAL RESTORATION | |
| SERVICES. | |
| (37) WAC 67-20-385 | VOCATIONAL REHABILITATION |
| SERVICES—PHYSICAL AND MENTAL RESTORATION. | |
| (38) WAC 67-20-388 | VOCATIONAL REHABILITATION |
| SERVICES—VOCATIONAL AND OTHER TRAINING. | |
| (39) WAC 67-20-390 | VOCATIONAL REHABILITATION |
| SERVICES—TRAINING—COLLEGE. | |
| (40) WAC 67-20-392 | VOCATIONAL REHABILITATION |
| SERVICES PROVIDED—TRAINING—TRADE SCHOOLS. | |
| (41) WAC 67-20-394 | VOCATIONAL REHABILITATION |
| SERVICES PROVIDED—TRAINING—EMPLOYMENT. | |
| (42) WAC 67-20-395 | VOCATIONAL REHABILITATION |
| SERVICES—TRAINING—COLLEGE AND TRADE SCHOOL. | |
| (43) WAC 67-20-396 | VOCATIONAL REHABILITATION |
| SERVICES—TRAINING—SHELTERED WORKSHOP. | |
| (44) WAC 67-20-400 | VOCATIONAL REHABILITATION |
| SERVICES—MAINTENANCE. | |
| (45) WAC 67-20-404 | VOCATIONAL REHABILITATION |
| SERVICES—TRANSPORTATION. | |
| (46) WAC 67-20-408 | VOCATIONAL REHABILITATION |
| SERVICES—SERVICES TO FAMILY MEMBERS. | |
| (47) WAC 67-20-412 | VOCATIONAL REHABILITATION |
| SERVICES—INTERPRETER SERVICES FOR DEAF PERSONS. | |
| (48) WAC 67-20-416 | VOCATIONAL REHABILITATION |
| SERVICES—READER SERVICES. | |
| (49) WAC 67-20-420 | VOCATIONAL REHABILITATION |
| SERVICES—REHABILITATION TEACHING SERVICES. | |
| (50) WAC 67-20-428 | VOCATIONAL REHABILITATION |
| SERVICES—ORIENTATION AND MOBILITY SERVICES. | |
| (51) WAC 67-20-432 | VOCATIONAL REHABILITATION |
| SERVICES—TELECOMMUNICATIONS. | |
| (52) WAC 67-20-440 | VOCATIONAL REHABILITATION |
| SERVICES—PLACEMENT. | |
| (53) WAC 67-20-444 | VOCATIONAL REHABILITATION |
| SERVICES—POST-EMPLOYMENT SERVICES. | |
| (54) WAC 67-20-446 | VOCATIONAL REHABILITATION— |
| SERVICES TO GROUPS. | |
| (55) WAC 67-20-448 | VOCATIONAL REHABILITATION |
| SERVICES—OCCUPATIONAL LICENSES, TOOLS, EQUIP- | |
| MENT, INITIAL STOCKS AND SUPPLIES. | |
| (56) WAC 67-20-452 | VOCATIONAL REHABILITATION |
| SERVICES PROVIDED—OTHER GOODS AND SERVICES. | |
| (57) WAC 67-20-500 | PURCHASE OF SERVICES. |
| (58) WAC 67-20-505 | PURCHASE OF SERVICES—SELEC- |
| TION CRITERIA—SCHOOLS. | |
| (59) WAC 67-20-510 | PURCHASE OF SERVICES—SELEC- |
| TION CRITERIA—EMPLOYMENT TRAINING FACILITIES. | |
| (60) WAC 67-20-525 | TERMINATION OF SERVICES FOR |
| REASON OF INELIGIBILITY. | |
| (61) WAC 67-20-530 | TERMINATION OF SERVICES FOR |
| REASONS OTHER THAN INELIGIBILITY. | |
| (62) WAC 67-20-540 | COMPLETION OF VOCATIONAL RE- |
| HABILITATION PROGRAM. | |
| (63) WAC 67-20-545 | NOTIFICATION OF TERMINATION. |
| (64) WAC 67-20-550 | CONFIDENTIAL INFORMATION— |
| DISCLOSURE. | |
| (65) WAC 67-20-560 | ADMINISTRATIVE REVIEW. |
| (66) WAC 67-20-570 | FAIR HEARING. |
| (67) WAC 67-20-590 | CLIENT RECORDS. |

WSR 83-22-025
PROPOSED RULES
DEPARTMENT OF
SERVICES FOR THE BLIND
 [Filed October 26, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Services for the Blind intends to adopt, amend, or repeal rules concerning vending facility program for the blind, adopting chapter 67-35 WAC, and repealing chapter 67-32 WAC;

that the agency will at 11:00 a.m., Wednesday, December 14, 1983, 3411 South Alaska Street, Seattle, WA 98118, 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 section 18, chapter 194, Laws of 1983.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 14, 1983.

Dated: October 26, 1983

By: Paul Dziedzic
 Director

STATEMENT OF PURPOSE

Title: Describes the vending facility program which provides increased employment opportunities for blind citizens of the state through training and placement of blind persons in vending facilities located in federal, state and locally owned buildings.

Description of Purpose: To adopt regulations governing the vending facility program operated by the department.

Statutory Authority: Chapter 196, Laws of 1983.

Summary of Rules: Describes this vocational rehabilitation program for persons operating vending stands in public buildings. Includes description of licensee, selection process, blind vendor committee duties and responsibilities, income, revolving fund, departmental responsibilities, vendor responsibilities, supervision or termination of vendor licenses, and full evidentiary hearing regulations.

Reasons Supporting Proposed Actions: This program is authorized by the Federal Randolph Sheppard Act. These rules substantially comply with comparable federal regulations.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Paul Dziedzic, Director.

Person or Organization Proposing Rule: Department of Services for the Blind (921 Lakeridge Drive, Olympia, WA); a state governmental agency.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement or Fiscal Matters: The Department of Services for the Blind was reauthorized through the Sunset process during the 1983 legislative session. New legislation did not carry forward rules adopted by its predecessor, the Commission for the Blind. Therefore, these rules reestablish our vending facility for the blind program.

This rule is necessary as a result of the Federal Randolph Sheppard Act.

Small Business Economic Impact: The vending stands authorized by this chapter establish small business enterprises for blind individuals. This program has been in existence for several years.

Chapter 67-35 WAC VENDING FACILITY PROGRAM FOR THE BLIND

WAC	Description—Purpose.
67-35-010	Public information—How to apply.
67-35-020	Terms defined.
67-35-030	Eligibility.
67-35-040	Licensee an individual person—Not a corporate entity.
67-35-045	Licensee training.
67-35-050	Licensee—Former or current out-of-state.
67-35-055	Selecting a licensee or vendor to operate vending facility—Notice.
67-35-060	Selecting a licensee or vendor to operate vending facility—Procedure.
67-35-070	Selection of a licensee or vendor to operate a vending facility during a leave of absence of a vendor.
67-35-075	Licensee or vendor evaluation form—Explanation.
67-35-080	Assignment to a vending facility—Agreement.
67-35-090	Postemployment services.
67-35-100	Discrimination prohibited.
67-35-110	State committee of blind vendors—Election—Representation—Meetings.
67-35-120	Blind vendors committee—Purpose.
67-35-130	Vending machine income dispersed by department.
67-35-140	Federal vending machine income—Use as determined.
67-35-150	Business enterprises revolving fund.
67-35-160	Business enterprises revolving fund—Uses.
67-35-170	Access to program and financial information.
67-35-180	Department responsibility—Development of new vending facility locations.
67-35-190	Department responsibility—Architecture and construction.
67-35-200	Department responsibility—Initial equipment—Initial stock and supplies.
67-35-210	Title to initial equipment—Right to initial stock and cash.
67-35-220	Department responsibility—Maintained facility.
67-35-230	Department responsibility—Vendor-owned equipment.
67-35-240	Department responsibility—Advance training.
67-35-250	Department responsibility—Opening for business.
67-35-260	Department responsibility—Consultation.
67-35-270	Department responsibility—Inspection—Required contacts.
67-35-280	Department responsibility—Contact with property management.
67-35-290	Department responsibility—Negotiation with vending machine companies.
67-35-300	Public liability insurance.
67-35-310	Vendor responsibility—Independent—Not state employee.
67-35-320	Vendor responsibility—Applicable federal and state laws, rules and regulations.
67-35-330	Vendor responsibility—Vending facility management—Nondiscrimination.
67-35-340	Vendor responsibility—Maintaining equipment.
67-35-350	Vendor responsibility—Miscellaneous equipment—Initial stock and supplies—Minimum operating cash.
67-35-360	Vendor responsibility—Cooperate.
67-35-370	Vendor responsibility—Reports.
67-35-380	Vendor responsibility—Accounts payable.
67-35-390	Vendor responsibility—Employment of staff.
67-35-400	Vendor responsibility—Rebates.
67-35-410	Leave of absence for prolonged illness or physical incapacity.
67-35-415	

67-35-420	Termination of license—Termination of agreement for cause only.
67-35-425	Termination of vendor's agreement—Not affecting licensure.
67-35-430	License suspension prior to evidentiary hearing.
67-35-440	Suspension or termination of license—Other reasons.
67-35-450	Termination of license—Disuse.
67-35-460	Relicensing.
67-35-470	Administrative review.
67-35-480	Administrative review—Who—When—Where.
67-35-490	Full evidentiary hearing.
67-35-500	Full evidentiary hearing—Right to information.
67-35-510	Full evidentiary hearing—Transcript.
67-35-520	Full evidentiary hearing—Decision in writing.
67-35-525	Hearing officer—Certain purposes.
67-35-910	Agreement.

NEW SECTION

WAC 67-35-010 DESCRIPTION—PURPOSE. The vending facility program for the blind is a part of the vocational rehabilitation program for the blind. The purpose of the vending facility program is to provide increased employment opportunities for blind citizens of the state, and at the same time, provide a visible demonstration of the normal skills of blind persons. The Washington state department of services for the blind, vending facility program, provides training and placement of blind persons in vending facilities. The primary function of this program is to provide the opportunity for the blind person to become a successful, independent business person. This is accomplished through varied informative training programs, establishment and maintenance of vending facilities, continuous professional guidance and administrative support. By legislation, blind persons participating in the vending facility program are given preference in the operation of vending facilities on federal, state, county, municipal, and other local governmental property.

NEW SECTION

WAC 67-35-020 PUBLIC INFORMATION—HOW TO APPLY. The public may obtain additional information about the program, including how to apply for services by contacting the vending facility program supervisor at the Department of Services for the Blind, 921 Lakeridge Drive, #202, Olympia, WA 98504-0088, phone (206) 754-1224, toll-free 1-800-552-7103; or by contacting department of services for the blind offices located in several large cities of the state. An application for service under the vending facility program may be made to a vocational rehabilitation counselor located in any office of the department of services for the blind.

NEW SECTION

WAC 67-35-030 TERMS DEFINED. The terms defined in this section shall have the indicated meaning when used in this chapter.

(1) "Agreement" means that document issued by the department to a blind licensee assigning responsibility for the management of a designated vending facility in accordance with these rules and the terms and conditions of the permit or contract.

(2) "Blind" means visual acuity of no more than 20/200 in the better eye with correcting lenses; or if visual acuity is greater than 20/200, a limitation in the field of vision of the better eye so that its widest diameter subtends an angle of no greater than 20 degrees, as determined by an examination by a physician skilled in diseases of the eye, or an optometrist, whichever the person chooses.

(3) "Blind licensee" or "licensee" means a person licensed by the department to operate a vending facility in the vending facility program, but who is not assigned a vending facility.

(4) "Blind vendor" or "vendor" means a person licensed by the department to operate a vending facility in the vending facility program and who is assigned a vending facility.

(5) "Contract" means the negotiated terms and conditions between the manager controlling federal or other property and the department covering the operation of a vending facility on federal or other property.

(6) "Department" means the Washington department of services for the blind.

(7) "Equipment" means all appliances, utensils, counters, cupboards, storage devices, furniture and other furnishings used in the operation of the vending facility, to which the department retains title.

(8) "Federal property" means any building, land or other real property owned, leased or occupied by any department, agency or instrumentality of the United States including the department of defense and the United States postal service, or any other instrumentality wholly owned by the United States.

(9) "License" means a written instrument issued by the department to a blind person authorizing that person to operate a vending facility on federal or other property.

(10) "Management services" means supervision, inspection, quality control, consultation, accounting, regulating, in-service training, and other related services provided on a systematic basis to support and improve vending facilities operated by blind vendors. "Management services" does not include those services or costs which pertain to the ongoing operation of an individual facility after the initial establishment period.

(11) "Other property" means property which is not federal property.

(12) "Permit" means the official approval given the department by another department, agency or instrumentality in control of the maintenance, operation and protection of federal property, or a person in control of other property, whereby the department is authorized to establish a vending facility.

(13) "Public building" means any building owned by the state of Washington or any political subdivision thereof, and any space leased by the state of Washington or any political subdivision thereof in any privately-owned building and designated by the department as being appropriate for inclusion in the vending facility program: PROVIDED, HOWEVER, That any vending facility or vending machine under the jurisdiction and control of another established state or local board or authority responsible for its maintenance and operation, shall not be designated without the consent of such state or local board or authority.

(14) "Program" means the vending facility program, (also known as the business enterprises program) including all of the activities, obligations and relationships described in this chapter.

(15) "Set aside funds" means any income from vending machines on federal property received by the department and not paid to vendors as income under provision of 45 C.F.R., section 1369.32 (b), (c) and (d).

(16) "Vending facility" means cafeterias, snack bars, vending counters, vending carts, vending machines or any combination of the above, at which food, tobacco, refreshments or sundries are offered for sale, and which operate under the vending facility program. Vending facilities will be identified by the following classifications:

(a) "Cafeteria" means a food dispensing vending facility capable of merchandising a broad variety of prepared foods and beverages. Characteristically, the cafeteria has specialized equipment, a food preparation area, and booths and tables for seating. Vending machines may be part of a cafeteria.

(b) "Dry stand" means a vending facility which merchandises, among other things, tobacco, sundries and prepackaged food and refreshment items. Characteristically, the dry stand has no specialized equipment for refrigerating or heating foods or beverages, nor any food preparation area. Merchandise is consumed away from the dry stand. Vending machines may be a part of the dry stand.

(c) "Lunch counter" means a vending facility which merchandises, among other things, lines of refreshment and food items suitable for a light meal. Characteristically, the lunch counter has specialized equipment for the refrigerating, cooking or heating of foods and beverages, and has a limited food preparation area. Merchandise may be consumed at or away from the lunch counter. Vending machines may be part of the facility.

(d) "Snack bar" means a vending facility which merchandises, among other things, limited lines of refreshment and prepared food items. Characteristically, a snack bar has specialized equipment for refrigerating or heating foods and beverages but has no food preparation area. Merchandise may be consumed at or away from the snack bar. Vending machines may be a part of the facility.

(e) "Vending machine facility" means a vending facility comprised of coin or currency operated machines merchandising, among other things, a variety of food and refreshment items. The vendor is responsible for the management of the machines and usually performs such functions as loading and servicing the machines and other customer-related services. Characteristically, there is no provision for booth or table seating at such a facility.

(17) "Vending machine" means any coin-operated machine offering food, refreshments, tobacco or sundries for sale.

NEW SECTION

WAC 67-35-040 **ELIGIBILITY.** To be eligible to enter the training program to become a blind licensee, the applicant must meet the following requirements:

- (1) Blind as defined in WAC 67-35-030(2);
- (2) A citizen of the United States;
- (3) Determined eligible for vocational rehabilitation services under 45 C.F.R., sections 1361.34 and 1361.35;
- (4) Found by a vocational rehabilitation thorough diagnostic study to possess adequate alternative skills to the use of vision in reading, writing and independent travel;
- (5) Has successfully completed a work evaluation in vending facility management conducted in Seattle by the vending facility program staff.

NEW SECTION

WAC 67-35-045 **LICENSEE AN INDIVIDUAL PERSON—NOT A CORPORATE ENTITY.** The status of a licensee is a relationship between the department and an individual who is blind. A corporation cannot receive a license nor otherwise receive services and considerations under this chapter or other department programs. This rule will not affect the individual's right to establish a corporation for purposes other than services and considerations under this chapter or other department programs.

NEW SECTION

WAC 67-35-050 **LICENSEE TRAINING.** The department operates a training course for those who have met the requirements in WAC 67-35-040. In accepting persons into the training course, preference is given to those who are in need of work, otherwise persons are entered into the course according to the earliest application. The department maintains a course which includes training and experience with written criteria which the trainee must achieve. The training course is of undetermined length, and the time of completion depends upon the trainee's ability to meet the criteria set forth in the course. Upon successful completion of the course, the trainee receives a license and is eligible for benefits granted a licensee in this chapter.

NEW SECTION

WAC 67-35-055 **LICENSEE—FORMER OR CURRENT OUT-OF-STATE.** Any individual currently licensed in another state or who formerly held a license which was terminated in this program in the state of Washington may attempt, for a minimum two-week period, to demonstrate at a department operated training facility their knowledge and ability to manage a vending facility. If he/she is successful in this attempt, this trainee will be granted a license, will receive the minimum basic evaluation score of thirty-five points, and will be eligible for benefits granted a licensee in this chapter.

NEW SECTION

WAC 67-35-060 **SELECTING A LICENSEE OR VENDOR TO OPERATE VENDING FACILITY—NOTICE.** When a vending facility becomes available a "notice of available facility" is prepared by the vending facility program staff and sent to all licensees and vendors. The "notice of available facility" will contain sufficient information to enable licensees and vendors to determine if they are interested in applying to become the vendor in the available facility. A closing time and date for accepting applications is specified in the "notice", but in no event shall the closing time be less than ten business days from the date of mailing, unless the department declares an emergency requiring less than ten business days notice. Applications may be accepted in writing or by telephone. Lack of response from a licensee or vendor within the allotted time period will be considered to be a negative response. Applications are time and date stamped when they are received.

NEW SECTION

WAC 67-35-070 **SELECTING A LICENSEE OR VENDOR TO OPERATE VENDING FACILITY—PROCEDURE.** (1) To select a licensee or vendor to operate an available vending facility, a

basic evaluation score is computed for each licensee or vendor. The basic evaluation score will reflect an operator's level of competency as measured by the financial activities of the vending facility and compared to vending facilities which operations are more similar than dissimilar. To achieve relative ranking of vendor and licensee effectiveness, vending facilities have been grouped into ten classifications: Dry stands; snack bars under \$100,000 annual gross sales; snack bars over \$100,000 annual gross sales; lunch counters under \$100,000 annual gross sales; lunch counters over \$100,000 annual gross sales; cafeterias under \$100,000 annual gross sales; cafeterias from \$100,000 to \$200,000 annual gross sales; cafeterias over \$200,000 annual gross sales and/or those with limited income percentage; vending machines grouped to form a facility; and department training cafeteria. For each group of vending facilities, an average percent is calculated for each item used in the evaluation. Points are assigned to percentages which deviate from the average to reward superior management and to discourage overpricing and excess profiteering. One point for each year of experience in the vending facility program up to five years and .2 point for each year of experience in the vending facility program beyond five years is added to the basic evaluation score to obtain the final evaluation score. Each federal fiscal year the average percentage for the three items of evaluation will be calculated for each of the ten groups of vending facilities, and vendors shall be informed in writing of the average percentages and to which classification their vending location is assigned. Any vending facility which, as a result of modification, belongs in a different facility classification will be assigned to that classification and will use the average percentages applicable to that classification.

(2) The basic evaluation score for a vendor is determined by using three items reported on the vendor's quarterly report: Cost of merchandise sold; all other operating costs; and net profit. The vendor will separately report the value of any volunteer labor received which is essential to the operation of the facility; the cost of purchasing; leasing or renting equipment; and income received from any personnel training programs for the purpose of adjusting the category of "all other operating expenses." Income received from vending machines not managed or operated by the vendor shall not be considered in the evaluation process. Cost of merchandise sold, adjusted all other operating expenses, and adjusted net profit is determined and converted into a percentage of gross sales. The percentages in each category are converted to points, as shown in WAC 67-35-080, and the sum of the three separate scores becomes the basic evaluation score. The basic evaluation score for each of the most current two quarters will be averaged, and this average plus points earned by seniority becomes the evaluation score except that the quarter in which a licensee or operator assumes responsibility for a new or different location shall not be included in the two most current quarters used in determining an evaluation score.

(3) A trainee shall receive a basic evaluation score by the same method as set forth in subsection (2) of this section except that the period of basic evaluation shall include those months when a trainee is in certification training and is managing a vending facility under the training program of the department of services for the blind. The basic evaluation score shall be computed monthly, and adjustment factors are not used.

(4) The licensee or vendor applying for an available facility and having the highest evaluation score shall be designated the vendor of the available facility except as provided for in subsections (5) and (6) of this section.

(5) No vendor or licensee who has been designated to operate an available vending facility will within the next six months thereafter be designated to operate a subsequently available vending facility, unless such vendor(s) or licensee(s) is (are) the only applicant.

(6) The loss of any vending facility to the vending facility program for reasons beyond the control of the vendor assigned that facility, as determined by the staff of the vending facility program, shall permit assignment of the next available vending facility to that vendor without respect to other provisions of this section. Any vendor so assigned may make application for a subsequently available facility without respect to subsection (5) of this section.

(7) A licensee or vendor who has applied for a vending facility under WAC 67-35-060 may upon request receive a review of the correctness of the selection process from the director of the department or his/her designee. The review must be requested within ten calendar days of the completion of the selection process for which the licensee or vendor has applied. The director or his/her designee will inform the licensee or vendor of the review findings within ten days of the request.

NEW SECTION

WAC 67-35-075 SELECTION OF A LICENSEE OR VENDOR TO OPERATE A VENDING FACILITY DURING A LEAVE OF ABSENCE OF A VENDOR. When a vendor is granted a leave of absence in accordance with WAC 67-35-415, all licensees and vendors will be informed of the available location. The terms and conditions of the leave of absence and selection of the licensee or vendor will be in accordance with the selection processes utilized for the selection for any available location. A licensee or vendor assuming the responsibility for a location and entering into an agreement in accordance with WAC 67-35-090 of this chapter will, during a leave of absence of the assigned vendor, be entitled to the profits, or salary or profits, generated by the location in accordance with all contracts and agreements, and will be given thirty days notice prior to the termination of the leave of absence.

A licensee assuming responsibility for a location, who wishes to be considered for selection into an available location as a vendor, will retain his/her certification score until a score can be given based upon his/her performance in the location in the same way that all vendors achieve scores.

NEW SECTION

WAC 67-35-080 LICENSEE OR VENDOR EVALUATION FORM—EXPLANATION. A licensee or vendor may accumulate a maximum of 25 basic evaluation points for the item of "cost of merchandise sold"; a maximum of 20 basic evaluation points for the item of "adjusted all other operating costs"; and a maximum of 30 basic evaluation points for the item of "adjusted net profit" for a maximum basic evaluation score of 75 points.

(1) Dry stands

For the item of "cost of merchandise sold," the average percentage shall receive 20 points. For each .5% less than the average, 1 point shall be added, to a maximum of 5 additional points. For each .5% greater than the average, 1 point shall be deducted from 20 points, to a minimum score of zero.

For the item of "adjusted all other operating costs," the average percentage shall receive 15 points. For each .33% less than the average, 1 point shall be added, to a maximum of 5 additional points. For each .33% greater than the average, 1 point shall be deducted from 15 points, to a minimum score of zero.

For the item of "adjusted net profit," the average percentage shall receive 20 points. For each 1% greater than the average, 1 point shall be added, to a maximum of 10 additional points. For each percentage point beyond that necessary to earn 30 points, 1 point shall be deducted from 30 points. For each 1% less than the average, 1 point shall be deducted from 20 points, to a minimum score of zero.

(2) Snack bar under \$100,000 annual gross sales

For the item of "cost of merchandise sold," the average percentage shall receive 20 points. For each .5% less than the average, 1 point shall be added, to a maximum of 5 additional points. For each .5% greater than the average, 1 point shall be deducted from 20 points, to a minimum score of zero.

For the item of "adjusted all other operating costs," the average percentage shall receive 15 points. For each .5% less than the average, 1 point shall be added, to a maximum of 5 additional points. For each .5% above that percentage necessary to achieve maximum points, 1 point shall be deducted from 20 points. For each .5% greater than the average, 1 point shall be deducted from 15 points, to a minimum score of zero.

For the item of "adjusted net profit," the average percentage shall receive 20 points. For each 1% greater than the average, 1 point shall be added, to a maximum of 10 additional points. For each percentage point beyond that necessary to earn 30 points, 1 point shall be deducted from 30 points. For each 1% less than the average, 1 point shall be deducted from 20 points, to a minimum score of zero.

(3) Snack bar over \$100,000 annual gross sales

For the item of "cost of merchandise sold," the average percentage shall receive 20 points. For each 1% less than the average, 1 point shall be added, to a maximum of 5 additional points. For each 1% greater than the average, 1 point shall be deducted from 20 points, to a minimum score of zero.

For the item of "adjusted all other operating costs," the average percentage shall receive 15 points. For each 1% less than the average, 1 point shall be added, to a maximum of 5 additional points. For each 1% above that percentage necessary to achieve maximum points, 1

point shall be deducted from 20 points. For each 1% greater than the average, 1 point shall be deducted from 15 points, to a minimum score of zero.

For the item of "adjusted net profit," the average percentage shall receive 20 points. For each 1% greater than the average, 1 point shall be added, to a maximum of 10 additional points. For each percentage point beyond that necessary to earn 30 points, 1 point shall be deducted from 30 points. For each 1% less than the average, 1 point shall be deducted from 20 points, to a minimum score of zero.

(4) Lunch counter under \$100,000 annual gross sales

For the item of "cost of merchandise sold," the average percentage shall receive 20 points. For each .5% less than the average, 1 point shall be added, to a maximum of 5 additional points. For each .5% greater than the average, 1 point shall be deducted from 20 points, to a minimum of zero.

For the item of "adjusted all other operating costs," the average percentage shall receive 15 points. For each .5% less than the average, 1 point shall be added, to a maximum of 5 additional points. For each .5% above that percentage necessary to achieve maximum points, 1 point shall be deducted from 20 points. For each .5% greater than the average, 1 point shall be deducted from 15 points, to a minimum score of zero.

For the item of "adjusted net profit," the average percentage shall receive 20 points. For each 1% greater than the average, 1 point shall be added, to a maximum of 10 additional points. For each percentage point beyond that necessary to earn 30 points, 1 point shall be deducted from 30 points. For each 1% less than the average, 1 point shall be deducted from 20 points, to a minimum score of zero.

(5) Lunch counter over \$100,000 annual gross sales

For the item of "cost of merchandise sold," the average percentage shall receive 20 points. For each 1% less than the average, 1 point shall be added, to a maximum of 5 additional points. For each 1% greater than the average, 1 point shall be deducted from 20 points, to a minimum score of zero.

For the item of "adjusted all other operating costs," the average percentage shall receive 15 points. For each 1% less than the average, 1 point shall be added, to a maximum of 5 additional points. For each 1% above that percentage necessary to achieve maximum points, 1 point shall be deducted from 20 points. For each 1% greater than the average, 1 point shall be deducted from 15 points, to a minimum score of zero.

For the item of "adjusted net profit," the average percentage shall receive 20 points. For each 1% greater than the average, 1 point shall be added, to a maximum of 10 additional points. For each percentage point beyond that necessary to earn 30 points, 1 point shall be deducted from 30 points. For each 1% less than the average, 1 point shall be deducted from 20 points, to a minimum score of zero.

(6) Cafeteria under \$100,000 annual gross sales

For the item of "cost of merchandise sold," the average percentage shall receive 20 points. For each 1% less than the average, 1 point shall be added, to a maximum of 5 additional points. For each 1% greater than the average, 1 point shall be deducted from 20 points, to a minimum score of zero.

For the item of "adjusted all other operating costs," the average percentage shall receive 15 points. For each 1% less than the average, 1 point shall be added, to a maximum of 5 additional points. For each 1% above that percentage necessary to achieve maximum points, 1 point shall be deducted from 20 points. For each 1% greater than the average, 1 point shall be deducted from 15 points, to a minimum score of zero.

For the item of "adjusted net profit," the average percentage shall receive 20 points. For each 1% greater than the average, 1 point shall be added, to a maximum of 10 additional points. For each percentage point beyond that necessary to earn 30 points, 1 point shall be deducted from 30 points. For each 1% less than the average, 1 point shall be deducted from 20 points, to a minimum score of zero.

(7) Cafeteria from \$100,000 to \$200,000 annual gross sales

For the item of "cost of merchandise sold," the average percentage shall receive 20 points. For each 1% less than the average, 1 point shall be added, to a maximum of 5 additional points. For each 1% greater than the average, 1 point shall be deducted from 20 points, to a minimum score of zero.

For the item of "adjusted all other operating costs," the average percentage shall receive 15 points. For each .66% less than the average, 1 point shall be added, to a maximum of 5 additional points. For each .66% above that percentage necessary to achieve maximum points, 1 point shall be deducted from 20 points. For each .66% greater than the

average, 1 point shall be deducted from 15 points, to a minimum score of zero.

For the item of "adjusted net profit," the average percentage shall receive 20 points. For each 1% greater than the average, 1 point shall be added, to a maximum of 10 additional points. For each percentage point beyond that necessary to earn 30 points, 1 point shall be deducted from 30 points. For each 1% less than the average, 1 point shall be deducted from 20 points, to a minimum score of zero.

(8) Cafeterias over \$200,000 annual gross sales and/or those with limited income

For the item of "cost of merchandise sold," the average percentage shall receive 20 points. For each 1% less than the average, 1 point shall be added, to a maximum of 5 additional points. For each 1% greater than the average, 1 point shall be deducted from 20 points, to a minimum score of zero.

For the item of "adjusted all other operating costs," the average percentage shall receive 15 points. For each .5% less than the average, 1 point shall be added, to a maximum of 5 additional points. For each .5% above that percentage necessary to achieve maximum points, 1 point shall be deducted from 20 points. For each .5% greater than the average, 1 point shall be deducted from 15 points, to a minimum score of zero.

For the item of "adjusted net profit," the average percentage shall receive 20 points. For each .5% greater than the average, 1 point shall be added, to a maximum of 10 additional points. For each .5% beyond that necessary to earn 30 points, 1 point shall be deducted from 30 points. For each .5% less than the average, 1 point shall be deducted from 20 points, to a minimum score of zero.

(9) Vending machines grouped to form a facility

For the item of "cost of merchandise sold," the average percentage shall receive 20 points. For each .2% less than the average, 1 point shall be added, to a maximum of 5 additional points. For each .2% greater than the average, 1 point shall be deducted from 20 points, to a minimum score of zero.

For the item of "adjusted all other operating costs," the average percentage shall receive 15 points. For each .5% less than the average, 1 point shall be added, to a maximum of 5 additional points. For each .5% greater than the average, 1 point shall be deducted from 15 points, to a minimum score of zero.

For the item of "adjusted net profit," the average percentage shall receive 20 points. For each .33% greater than the average, 1 point shall be added, to a maximum of 10 additional points. For each .33% beyond that necessary to earn 30 points, 1 point shall be deducted from 30 points. For each .33% less than the average, 1 point shall be deducted from 20 points, to a minimum score of zero.

(10) Department training cafeteria

For the item of "cost of merchandise sold," the average percentage shall receive 20 points. For each .5% less than the average, 1 point shall be added, to a maximum of 5 additional points. For each .5% greater than the average, 1 point shall be deducted from 20 points, to a minimum of zero.

For the item of "all other operating costs," the average percentage shall receive 15 points. For each .33% less than the average, 1 point shall be added, to a maximum of 5 additional points. For each .33% above that percentage necessary to achieve maximum points, 1 point shall be deducted from 20 points. For each .33% greater than the average, 1 point shall be deducted from 15 points, to a minimum of zero.

For the item of "net profit," the average percentage shall receive 20 points. For each .5% greater than the average, 1 point shall be added, to a maximum of 10 additional points. For each .5% beyond that necessary to earn 30 points, 1 point shall be deducted from 30 points. For each .5% less than the average, 1 point shall be deducted from 20 points, to a minimum score of zero.

NEW SECTION

WAC 67-35-090 ASSIGNMENT TO A VENDING FACILITY—AGREEMENT. To execute the assignment of a licensee or vendor to a vending facility, the licensee or vendor shall enter into an agreement with the department which states the terms and conditions of the assignment to the specific vending facility. The department will provide each vendor with a copy of these rules which include the description of the arrangements for providing services. The department will take adequate steps to assure that each vendor understands the provisions of any permit, contract or agreement under which he/she operates as evidenced by the vendor's signed statement. An existing agreement between the department and a vendor is automatically terminated when the vendor signs a new agreement with the department.

NEW SECTION

WAC 67-35-100 POSTEMPLOYMENT SERVICES. A vendor shall be provided with such postemployment services as are necessary to assure that the maximum vocational potential of each blind vendor is achieved. The postemployment services will be provided by the vocational rehabilitation counselor. Postemployment services will be provided in accordance with 45 C.F.R., section 1361.40(a)(13).

NEW SECTION

WAC 67-35-110 DISCRIMINATION PROHIBITED. The department, through its staff or any other agency, through any contract, permit or agreement is prohibited from discriminating against any licensee or vendor on the basis of race, color, sex, national origin, creed or religion, physical or mental impairment, age, marital status or political affiliation.

NEW SECTION

WAC 67-35-120 STATE COMMITTEE OF BLIND VENDORS—ELECTION—REPRESENTATION—MEETINGS. The committee of blind vendors consists of seven vendors elected by vendors divided into three geographical areas. One committee vendor is elected by vendors in eastern Washington (east of the Cascade Mountains). Three committee vendors are elected by vendors in northwest Washington including Pierce county thru Whatcom county. Two committee vendors are elected by vendors in southwest Washington including Thurston county thru Clark county. One committee vendor is elected at large by all vendors on a state-wide basis.

(1) Members of the committee are elected for a two-year term and are elected during the month of January of each even-numbered year. Any vendor serving as a representative who chooses to transfer or promote to a vending facility outside the area that individual represents thereby relinquishes membership in the vendors committee. The vendors in an area having lost such representation shall elect a replacement for the remainder of that term. All vendors are entitled to vote in the election. The committee elects its own chairperson.

(NOTE: The vendors are urged to constitute the blind vendors committee so that it is representative of the various types of vending facilities including those established on federal and nonfederal property and those that are cafeterias, snack bars, dry stands, lunch counters and vending machine facilities.)

(2) There are two scheduled blind vendor committee meetings per year. Additional meetings can be called by the supervisor of the vending facility program or by the chairperson of the blind vendors committee.

(3) The department will conduct all elections and pay for all expenses in connection therewith and publish the results.

NEW SECTION

WAC 67-35-130 BLIND VENDORS COMMITTEE—PURPOSE. The blind vendors committee shall:

(1) Actively participate with the department in major administrative decisions and policy and program development decisions affecting the overall administration of the vending facility program;

(2) Receive and transmit to the department grievances at the request of vendors, and serve as the advocates for such vendors in connection with such grievances;

(3) Actively participate with the department in the development and administration of the department's system for the transfer and promotion of vendors;

(4) Actively participate with the department in the development of training and retraining programs for vendors;

(5) Sponsor, with the assistance of the department, meetings and instructional conferences for vendors.

NEW SECTION

WAC 67-35-140 VENDING MACHINE INCOME DISPERSED BY DEPARTMENT. Vending machine income from vending machines on federal property which has been received by the department pursuant to 45 C.F.R., section 1369.32 (b), (c) and (d) shall be paid to each blind vendor (if any) operating a vending facility on such federal property in an amount not to exceed the average income of all blind vendors in the state of Washington as determined

each fiscal year on the basis of each prior year's operation, or the average net income of all blind vendors in the United States, whichever is less.

(1) No vendor shall receive less vending machine income than he/she was receiving during the calendar year 1973 as a direct result of any limitation imposed on such income by this section.

(2) No limitation shall be imposed on income from vending machines combined to create a vending facility, when such facility is maintained, serviced or operated by a blind vendor.

(3) The department shall disperse vending machine income to vendors on at least a quarterly basis.

(4) Vending machine income from vending machines on federal property received by the department and not eligible for distribution to blind vendors under the provisions of this section shall be retained by the department.

(5) Vending machine income which is retained under subsection (4) of this section shall be used by the department for the establishment and maintenance of retirement or pension funds, for health insurance contributions, and for the provision of paid sick leave and vacation time, for vendors, if it is so determined by a majority vote of all vendors after the department has provided to each vendor information on all matters relevant to such purposes. Any vending machine income not necessary for such purposes shall be used by the department for the maintenance and replacement of equipment, the purchase of new equipment, management services, and assuring a fair minimum return to vendors.

NEW SECTION

WAC 67-35-150 FEDERAL VENDING MACHINE INCOME—USE AS DETERMINED. Vending machine income received by the department as described in WAC 67-35-140(4) shall be known as federal vending machine income. Federal vending machine income shall be used for the establishment and maintenance of retirement or pension funds, health insurance, the provision of paid sick leave and vacation time for vendors, the repair of vending facility equipment, the replacement of obsolete or worn-out vending facility equipment, the purchase of new or additional vending facility equipment in existing facilities, management services, and the costs necessary to the conduct of the state blind vendors committee.

(1) After the majority of all vendors have voted to utilize federal vending machine income for retirement or pension, health insurance, paid sick leave or paid vacations, the department may adopt procedures for implementing such plans.

(2) Vendors whose income from their vending facility is at the national average or above for all vendors as determined each federal fiscal year on the basis of each prior year's operation shall pay repair charges for each separate repair job on vending facility equipment of fifty dollars or ten percent of the cost of repair, whichever is greater. For purposes of this paragraph, repair or a repair job shall mean the cost associated with a single visit of a repair technician to a vending facility without respect to the amount of equipment being repaired, or multiple visits, and/or contact relative to the repair of a single item.

(3) Vendors whose income from their vending facility is below the national average of such income for all vendors as determined each federal fiscal year on the basis of each prior year's operation shall pay a voluntary amount for each separate repair job on vending facility equipment at their facility.

(4) The remainder of the charges for repair or maintenance of vending facility equipment described in subsections (2) and (3) of this section shall be paid for from set aside funds. If set aside funds are entirely depleted, the vendor shall pay the costs of repair of vending facility equipment at his/her facility.

(5) For purposes of this section vending facility equipment shall include equipment provided by the department and equipment furnished as a part of the contract or permit for which the department and operator assumes the responsibility of maintenance.

NEW SECTION

WAC 67-35-160 BUSINESS ENTERPRISES REVOLVING FUND. There is established in the general fund of the state of Washington an account known as the business enterprises revolving fund. The net proceeds from any vending facility or any vending machines in a public building, other than such an operation managed by or assigned to a vendor, shall be made payable to the business enterprises revolving fund. Net proceeds for purposes of this section shall

mean the gross amount received less the cost of the operation including a fair minimum return to the vending machine company.

NEW SECTION

WAC 67-35-170 BUSINESS ENTERPRISES REVOLVING FUND—USES. All moneys in the business enterprises revolving fund shall be expended only for equipment, services and payment to vendors in the vending facility program.

NEW SECTION

WAC 67-35-180 ACCESS TO PROGRAM AND FINANCIAL INFORMATION. The department shall provide to any interested person program and financial information and interpretation concerning the operation of the program, except that confidential information concerning any applicant, trainee, licensee or vendor shall not be released directly or indirectly without written permission of such applicant, trainee, licensee, or vendor as specified in Title 45 CFR, Chapter 8, Part 1361.47; chapter 42.17 RCW and attendant regulations; and department policy B-21.

NEW SECTION

WAC 67-35-190 DEPARTMENT RESPONSIBILITY—DEVELOPMENT OF NEW VENDING FACILITY LOCATIONS. The staff of the vending facility program will select suitable locations for vending facilities and negotiate with the property management a permit or contract specifying the space to be occupied, hours of operation, services and articles to be vended, equipment to be installed and other items as required. The permit or contract will be executed between the department and the management of the property where the vending facility is located.

NEW SECTION

WAC 67-35-200 DEPARTMENT RESPONSIBILITY—ARCHITECTURE AND CONSTRUCTION. The department will select and provide architectural services and follow through on construction of the facility, within the guidelines prescribed by the state department of general administration, division of engineering and architecture, the state division of health and the local health department having jurisdiction.

NEW SECTION

WAC 67-35-210 DEPARTMENT RESPONSIBILITY—INITIAL EQUIPMENT—INITIAL STOCK AND SUPPLIES. The department will provide suitable initial equipment necessary for the efficient operation of the vending facility. The department will provide funds for the initial stock and supplies, necessary business licenses, fees and deposits, and minimum operating cash required to commence operation of the facility, as determined by the vending facility program.

NEW SECTION

WAC 67-35-220 TITLE TO INITIAL EQUIPMENT—RIGHT TO INITIAL STOCK AND CASH. The right, title to and interest in initial equipment as provided for in WAC 67-35-210 will be vested in the department. The right to and interest in the initial stock, and minimum operating cash provided under WAC 67-35-210 shall continue with the department to the extent that should the vendor discontinue to operate the vending facility, the vendor or vendor's heirs will furnish to the department an equal monetary amount of saleable stock and cash which may be transferred to the next vendor.

NEW SECTION

WAC 67-35-230 DEPARTMENT RESPONSIBILITY—MAINTAINED FACILITY. The department will, within program resources, maintain or cause to be maintained each facility in good repair and attractive condition. The department will, within program resources, or in accordance with terms and conditions of the permit or contract, replace, or cause to be replaced obsolete or worn-out equipment.

NEW SECTION

WAC 67-35-240 DEPARTMENT RESPONSIBILITY—VENDOR-OWNED EQUIPMENT. The vendor may purchase with the

knowledge of the department vending facility equipment. The department shall retain a first option to repurchase such equipment if vendor places the equipment up for sale. In the event the vendor dies, or for any reason ceases to be a vendor, ownership of such equipment that is necessary for the operation of the facility shall become vested in the department for transfer to a successor vendor subject to an obligation on the part of the department to pay to the vendor, or the vendor's estate the fair value of the equipment. The vendor, the vendor's personal representative or next of kin shall be entitled to an opportunity for a full evidentiary hearing with respect to the determination of the necessity of the equipment or the amount to be paid by the department for the vendor's ownership in the equipment. When dissatisfied with any decision rendered as the result of such hearing, the vendor, the vendor's personal representative or next of kin, may file a complaint with the secretary under 45 C.F.R., section 1369.13 to request the convening of an ad hoc arbitration panel.

NEW SECTION

WAC 67-35-250 DEPARTMENT RESPONSIBILITY—ADVANCE TRAINING. The department will provide vendors with an opportunity to obtain training and information so as to increase their skills and assist them in upward mobility. This training and information shall include training provided by the vending facility program; opportunity to engage in home study through the use of tape recorded instructions provided by the department; and at least one instructional meeting per year conducted by the blind vendors committee with the assistance of the department.

NEW SECTION

WAC 67-35-260 DEPARTMENT RESPONSIBILITY—OPENING FOR BUSINESS. The department will assist the vendor upon request in procuring the necessary business licenses and permits; in selecting the necessary employees; and otherwise assist a vendor in opening a new facility for business.

NEW SECTION

WAC 67-35-270 DEPARTMENT RESPONSIBILITY—CONSULTATION. The staff of the vending facility program is available to the vendor during regular office hours either in person or by telephone, to work with the vendor in resolving problems; and to develop procedures to secure a maximum net profit for the vendor; the maximum service to the patrons; and a feeling of cooperation between building management, the blind vendor and the department.

NEW SECTION

WAC 67-35-280 DEPARTMENT RESPONSIBILITY—INSPECTION—REQUIRED CONTACTS. The vending facility program staff will make bimonthly inspections of the vending facility. The results will be reviewed with the vendor to determine if improvements can be made, and if so, what actions should be taken. To the maximum extent possible the bimonthly inspections will occur at various times of the day so as to include the different activities of the vending facility. The vending facility program staff upon adequate notice to the vendor shall inspect records and reports kept by the vendor.

NEW SECTION

WAC 67-35-290 DEPARTMENT RESPONSIBILITY—CONTACT WITH PROPERTY MANAGEMENT. The staff of the vending facility program will make regularly scheduled contacts with the property management person controlling the property where the vending facility is located to determine if terms of the permit or contract are being met and to process any other problems or requests which may exist.

NEW SECTION

WAC 67-35-300 DEPARTMENT RESPONSIBILITY—NEGOTIATION WITH VENDING MACHINE COMPANIES. The staff of the vending facility program may negotiate agreements with vending machine companies for the installation of vending machines in public buildings and determine where the net proceeds from each machine shall go.

NEW SECTION

WAC 67-35-310 PUBLIC LIABILITY INSURANCE. The vendor shall obtain and maintain continuously public liability insurance with limits of liability not less than:

\$500,000.00 each person personal injury,
\$500,000.00 each occurrence personal injury, and
\$500,000.00 each occurrence property damage; or
insurance coverage specified in the permit or contract,
which ever is greater.

NEW SECTION

WAC 67-35-320 VENDOR RESPONSIBILITY—INDEPENDENT—NOT STATE EMPLOYEE. The vendor is an independent vendor in the vending facility program and in no way can be considered to be an employee of the department. The blind vendor receives all profits from the vending facility except as provided for in WAC 67-35-140(4).

NEW SECTION

WAC 67-35-330 VENDOR RESPONSIBILITY—APPLICABLE FEDERAL AND STATE LAWS, RULES AND REGULATIONS. The vendor will assume responsibility for securing and renewing all necessary business licenses and paying all fees required by and for the operation of the facility. It is the responsibility of the vendor to operate the facility in accordance with all federal and state laws, rules and regulations; including applicable health laws, rules and regulations.

NEW SECTION

WAC 67-35-340 VENDOR RESPONSIBILITY—VENDING FACILITY MANAGEMENT—NONDISCRIMINATION. The vendor is responsible for maintaining a high level of customer service to assure the maintenance of the vending location and accommodate within reasonable limits other persons who may come to the facility. Determination of appropriate vending facility management activities will be in accordance with generally accepted practices in the food service industry and satisfaction of the building population and the building management. No customer or employee can be discriminated against by reason of race, color, sex, national origin, creed or religion, physical or mental impairment, age, marital status or political affiliation.

NEW SECTION

WAC 67-35-350 VENDOR RESPONSIBILITY—MAINTAINING EQUIPMENT. The vendor will be responsible to exercise proper care of and maintain all equipment and furnishings assigned to the facility including proper cleanliness and mechanical repair of equipment, unless otherwise specified by the terms and conditions of a permit or contract. If the vendor fails to maintain equipment which results in necessary repair, the department may require necessary repair of such equipment and the cost of such required repair may become the sole responsibility of the vendor.

NEW SECTION

WAC 67-35-360 VENDOR RESPONSIBILITY—MISCELLANEOUS EQUIPMENT—INITIAL STOCK AND SUPPLIES—MINIMUM OPERATING CASH. It is the vendor's responsibility to maintain miscellaneous equipment, initial stock and supplies, and minimum operating cash originally furnished by the department, unless otherwise specified by the terms and conditions of a permit or contract. Any vendor whose agreement with the department has been terminated for any reason is responsible to return to the department miscellaneous equipment, initial stock and supplies, and minimum operating cash equal in monetary value to those originally furnished by the vending facility program. Any vendor refusing to comply with the responsibilities in this section shall have their license terminated.

NEW SECTION

WAC 67-35-370 VENDOR RESPONSIBILITY—COOPERATE. It is the responsibility of the vendor to cooperate with the duly authorized representative of the department in connection with their official responsibilities; to take no action derogatory to, or inconsistent

with the paramount right, title and interest of the department of services for the blind to the vending facility, its equipment, or the contract or permit with the management of the property where the facility is located.

NEW SECTION

WAC 67-35-380 VENDOR RESPONSIBILITY—REPORTS. It is the vendor's responsibility to submit such reports of the operation of the vending facility at such times, and in such formats, as the department may from time to time require. The reports may include, but not necessarily be limited to, the following items for the reporting period: Gross sales, beginning inventory, purchases, ending inventory, gross profit, personnel costs, other expenses, total expenses, net profit, percentage of profit, other income and total profit.

NEW SECTION

WAC 67-35-390 VENDOR RESPONSIBILITY—ACCOUNTS PAYABLE. The vendor will be responsible for the payment of all goods and services, materials and merchandise, received from suppliers subsequent to the initial stock and supplies provided by the department. The vendor must assure each supplier that accounts are based on the vendor's credit record or reference.

NEW SECTION

WAC 67-35-400 VENDOR RESPONSIBILITY—EMPLOYMENT OF STAFF. The vendor is responsible for sufficient staff to assure the efficient operation of the facility and to provide adequate service to the customers. The vendor's relationship to his/her employed staff shall be the normal employer-employee relationship existing in private business enterprises.

(1) In the employment of a temporary relief vendor the vendor shall give preference to a licensee of the vending facility program.

(2) The vendor will maintain all records, make all payments, and make all reports required of an employer by federal, state and local statutes.

(3) The vendor will pay employees an agreed upon wage in accordance with applicable state and federal laws and/or contract provisions.

NEW SECTION

WAC 67-35-410 VENDOR RESPONSIBILITY—REBATES. Rebates, commissions or bonuses received by the vendor from suppliers must be accounted for as income of the vending facility. Under no circumstances can such funds be treated as separate personal funds of the vendor.

NEW SECTION

WAC 67-35-415 LEAVE OF ABSENCE FOR PROLONGED ILLNESS OR PHYSICAL INCAPACITY. A vendor in the business enterprises program may request and may be granted a leave of absence for a period of up to twelve months.

A vendor may request a leave of absence when the vendor is unable to maintain his/her responsibilities in a location by reason of a physical or mental condition. A leave of absence will be granted to a vendor:

(1) Only when such request is initiated by that vendor; and
(2) When the mental or physical condition is verified by a medical doctor licensed to practice in the state of Washington; and

(3) Such condition is so prolonged and/or so serious as to cause strong doubt on the part of the vendor and the agency as to the vendor's capacity to maintain full management of his/her location; and

(4) For a total maximum period not to exceed twelve months.
The vendor who has been granted a leave of absence will retain his/her license. His/Her agreement to manage a location will be held in abeyance during the leave of absence.

A leave of absence will be terminated by the department at the end of twelve months or sooner, and the vendor will resume the responsibility for his/her location and the agreement reinstated when the mental or physical condition no longer prohibits the vendor from maintaining responsibilities for his/her location.

(5) When verified by a medical doctor licensed to practice in the state of Washington; and/or

(6) When verified by a statement of completion of a program of training or retraining designed to overcome the effects of the mental or physical condition necessitating a leave of absence.

A leave of absence will be terminated by the department at the end of twelve months or sooner, and the vendor's license and/or agreement will be terminated:

(a) When the mental or physical condition is of such duration or severity, as verified by a medical doctor licensed to practice in the state of Washington, that it renders the vendor unable to resume responsibility for the management of that location; and/or

(b) When the vendor fails to complete a program of training or retraining designed to overcome the effects of the mental or physical condition and is unable to resume responsibility for the management of that location.

Upon granting a vendor a leave of absence, the department will assume responsibility for that vendor's location. The department will select a licensee or vendor to manage the location. In the event a licensee or vendor is not available to assume the responsibility of a location while the vendor is on a leave of absence, the department may make such arrangements as necessary to assure the ongoing management of such location. Any profits available in excess to those necessary to secure the management of the location shall accrue to the business enterprises revolving fund.

NEW SECTION

WAC 67-35-420 TERMINATION OF LICENSE—TERMINATION OF AGREEMENT FOR CAUSE ONLY. The license to participate in the program is issued for an indefinite period of time. However, the vendor's license and vendor's agreement with the department may be terminated after a thirty-day notice and/or after affording the vendor or licensee an opportunity for a full evidentiary hearing if the department finds that the vending facility is not being operated in accordance with its rules, the terms and conditions of the permit or contract, or the terms and conditions of the agreement between the vendor and the department. Following the completion of the thirty-day notice the vendor's license will be terminated and the vendor's agreement shall be terminated pending completion of the full evidentiary hearing process, the convening of any ad hoc arbitration panel and court review. Following termination of the vendor's agreement the department will operate the vending facility until any grievance procedure is completed. The net profit from the operation of the vending facility during this time will be placed in trust in the business enterprises revolving fund for disbursement in accordance with any final decision of the grievance process.

NEW SECTION

WAC 67-35-425 TERMINATION OF VENDOR'S AGREEMENT—NOT AFFECTING LICENSURE. A vendor's agreement will be terminated without affecting licensure under any of the following three conditions:

(1) When a vendor ceases to be a vendor of an existing vending facility by voluntary withdrawal in writing;

(2) When the vending facility ceases to be a vending facility by revocation of the permit or contract by either the department or by building management;

(3) When the vendor signs a new vendor agreement.

NEW SECTION

WAC 67-35-430 LICENSE SUSPENSION PRIOR TO EVIDENTIARY HEARING. If the department determines that its right, title to and interest in a vending facility is in eminent jeopardy due to the action, or lack of action of the vendor or licensee, the department may suspend or terminate the license of the vendor or licensee and remove the vendor or licensee from the vending facility, pending an informal resolution of the problem, a full evidentiary hearing, or the decision of an ad hoc arbitration panel. For purposes of this section, the department's interest in a vending facility includes the safety and well-being of the patrons of such facility.

NEW SECTION

WAC 67-35-440 SUSPENSION OR TERMINATION OF LICENSE—OTHER REASONS. The license of a licensee or vendor may be suspended or terminated automatically for any of the following reasons:

(1) Improvement of vision so that the licensee or vendor no longer meets the definition of blindness in WAC 67-35-030(2);

(2) Withdrawal of the licensee or vendor from the program upon written notification to the department.

NEW SECTION

WAC 67-35-450 TERMINATION OF LICENSE—DISUSE. If after two years the licensee has not participated in any of the vending facility programs as identified in this chapter, the department will terminate the license after a thirty-day notice and/or after affording the licensee an opportunity for a full evidentiary hearing.

NEW SECTION

WAC 67-35-460 RELICENSING. When a licensee's or vendor's license has been suspended by the department, he/she must meet the requirements in WAC 67-35-040, and must demonstrate competency in meeting the criteria of the training course through a period of evaluation or retraining at the department of services for the blind in order to become relicensed. Upon relicensing, the licensee or vendor shall retain his/her last previously established evaluation score.

NEW SECTION

WAC 67-35-470 ADMINISTRATIVE REVIEW. All licensees and vendors will be advised of their right to an administrative review on any decision or action, or inaction, taken by the department regarding service provided the licensee or vendor under this chapter, or request for such service. The request for an administrative review must be filed within thirty days of the date of the decision, action or inaction, or lack of service being appealed.

The request for an administrative review may be made verbally or in writing and may be filed in any office of the department. A verbal request will promptly be reduced to writing by the department staff member receiving the request, and shall include the name and address of the licensee or vendor requesting the administrative review, the name and address of the representative (if any) of the licensee or vendor; the date of the request for administrative review; the date of the decision or action, or inaction, being appealed; as precisely as possible the issue to be resolved by the administrative review; and the signature of the licensee or vendor, or his/her representative.

NEW SECTION

WAC 67-35-480 ADMINISTRATIVE REVIEW—WHO—WHEN—WHERE. The administrative review will be conducted by the supervisor of the vending facility program unless the supervisor is a party to the decision, action or inaction being reviewed, in which case the supervisor's supervisor shall conduct the administrative review. The administrative review will be held and a decision rendered within fifteen days of receipt of a request for administrative review. The review will be held at a department office or in a location selected by the department in the county in which the licensee or vendor resides. Upon request of the vendor or licensee, the department may arrange and pay for transportation from the vendor's or licensee's home to the place of the hearing and return. The rate of payment will be at the current state allowance for state employees. Upon request of the vendor or licensee, the department may arrange for and pay a reader or other communication service to be available to the vendor or licensee for the purpose of reviewing materials directly pertinent to the administrative review. The reader or other communication service will be paid the current federal minimum wage. Upon request of the vendor, the department may arrange for and pay a relief operator during the vendor's absence from the vending facility for the purpose of administrative review. Within funds available the costs (1) for transportation, (2) for a reader or other communication service, and (3) for a relief operator shall be paid as management services as set forth in WAC 67-35-150. After the conclusion of the administrative review the person conducting the administrative review will certify his/her findings to the licensee or vendor in writing, specifying in detail the findings and decision of the administrative review, and informing the licensee or vendor of his/her right to request a full evidentiary hearing if dissatisfied with the decision.

NEW SECTION

WAC 67-35-490 FULL EVIDENTIARY HEARING. A licensee or vendor who desires a full evidentiary hearing will request such hearing within thirty days after receiving notice from the department of the findings and decision of the administrative review, or within thirty days of the department's failure to hold a fair hearing, or to render a decision in a fair hearing. The request for a full evidentiary hearing may be made verbally or in writing, and may be filed in any

office of the department. If made verbally such request will promptly be reduced to writing as specified in WAC 67-35-470. A full evidentiary hearing shall be provided by the director of the Washington department of services for the blind, or his/her designee; and will be held within thirty days after the submission of the request. The full evidentiary hearing will be held in a location as specified in WAC 67-35-480.

NEW SECTION

WAC 67-35-500 FULL EVIDENTIARY HEARING—RIGHT TO INFORMATION. Upon the filing of a request for a full evidentiary hearing the licensee or vendor shall be informed of all information in the case file and shall have the right of access to, and may examine any file or record owned by the department regarding his/her case which may contain information relevant and material to his/her grievance; except for documents and information disclosure of which is prohibited by federal or state law, and/or rules and regulations. This right of access to and examination of information shall be extended to the licensee's or vendor's representative, attorney and/or the blind vendors committee when functioning as an advocate for the licensee or vendor if so authorized in writing by the licensee or vendor or his/her legal guardian.

NEW SECTION

WAC 67-35-510 FULL EVIDENTIARY HEARING—TRANSCRIPT. A transcript of the testimony of the full evidentiary hearing will be made by the department, and a copy of this transcript shall be made available to the aggrieved party upon request.

NEW SECTION

WAC 67-35-520 FULL EVIDENTIARY HEARING—DECISION IN WRITING. Within ten working days after the conclusion of the full evidentiary hearing the director of the department or his/her designee will certify findings to the licensee or vendor in writing specifying in detail the findings and the decision reached, and informing the licensee or vendor of his/her right to request from the secretary of the United States department of health, education and welfare the convening of an ad hoc arbitration panel as provided for in 45 C.F.R., section 1369.13 and section 1369.6(e).

NEW SECTION

WAC 67-35-525 HEARING OFFICER—CERTAIN PURPOSES. For the purpose of the provisions of WAC 67-35-490, 67-35-520 and 67-35-070(7), the director will contract with a hearing officer who will be an attorney licensed to practice in the state of Washington or will contract with another state agency for the services of a hearing officer(s) who will be equally qualified. Within funds available, the hearing officer may be paid as a management service as set forth in WAC 67-35-150 when hearing the appeals of vendors and licensees.

NEW SECTION

WAC 67-35-910 AGREEMENT. This AGREEMENT entered in this day of, 19.. by and between the Department of Services for the Blind, hereinafter referred to as the department, and, hereinafter referred to as the vendor.
Name and Address of Facility
City:, Washington

IT IS HEREBY AGREED:

1. The provisions of the permit or contract between the department and the property management as now exists or as may be renegotiated in the future, and chapter 67-35 WAC (the Vending Facility Program rules), which described the rights and responsibilities of the department and the rights and responsibilities of the vendor, as presently exist or as may be amended in the future, are both by reference incorporated into and made part of this agreement.
2. The vendor is entitled to all profits of the vending facility, and vending machine revenue from site, except as provided for in WAC 67-35-140.

- 3. The vendor is responsible to submit reports to the department as required.
- 4. The vendor must maintain the business hours agreed upon or as stated in the permit or contract.
- 5. The vendor shall receive a copy of the permit or contract and all applicable department rules.
- 6. The vendor shall obtain and maintain continuously public liability insurance with limits of liability not less than:
\$500,000.00 each person personal injury,
\$500,000.00 each occurrence personal injury, and
\$500,000.00 each occurrence property damage or insurance coverage specified in the permit or contract, whichever is greater.
- 7. Vendors are accountable to the department for equipment assigned to their location. The vendor is responsible for maintaining the equipment in a clean and sanitary condition.
- 8. The vendor shall not discriminate in the employment of persons on the grounds of race, color, sex, national origin, creed or religion, physical or mental impairment, age, marital status or political affiliation.
- 9. The vendor or the vendor's employees shall not subject customers to discrimination or deny them participation in, or the benefits of the vending facility on the grounds of race, color, sex, national origin, creed or religion, physical or mental impairment, age, marital status or political affiliation.
- 10. The department staff shall provide management services as defined in WAC 67-35-030 on a systematic basis. Consultation shall occur a least bi-monthly.
- 11. The department may upon thirty days notice terminate the license and/or terminate the agreement with the vendor for failure to operate the facility in accordance with the permit or contract or the vending facility rules and shall provide an opportunity for a full evidentiary hearing as provided for in WAC 67-35-420, except in those instances where aggravated emergency conditions require immediate termination of license and/or termination of agreement and removal of the vendor due to gross neglect or misconduct, as provided for in WAC 67-35-430.
- 12. The vendor may terminate this agreement upon giving thirty days written notice to the department.
- 13. This agreement is automatically terminated when the permit or contract with the contracting agency is terminated.

I HEREBY CERTIFY THAT I FULLY UNDERSTAND THE ARTICLES AND TERMS SET FORTH IN THE ABOVE AGREEMENT AND HAVE RECEIVED ALL NECESSARY EXPLANATIONS OF THE PERMIT OR CONTRACT AND THE VENDING FACILITY PROGRAM RULES AND HAVE RECEIVED WRITTEN COPIES THEREOF.

Signed: Date:, 19..
(Vendor)

Name of vendor:
(please type)

Signed: Date:, 19..
(Department of Services for the Blind)

Name of staff:
Title:

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- (1) WAC 67-32-010 DESCRIPTION—PURPOSE.
- (2) WAC 67-32-020 PUBLIC INFORMATION—HOW TO APPLY.
- (3) WAC 67-32-030 TERMS DEFINED.
- (4) WAC 67-32-040 ELIGIBILITY.
- (5) WAC 67-32-045 LICENSEE AN INDIVIDUAL PERSON—NOT A CORPORATE ENTITY.

- (6) WAC 67-32-050 LICENSEE TRAINING.
- (7) WAC 67-32-055 LICENSEE—FORMER OR CURRENT OUT-OF-STATE.
- (8) WAC 67-32-060 SELECTING A LICENSEE OR VENDOR TO OPERATE VENDING FACILITY—NOTICE.
- (9) WAC 67-32-070 SELECTING A LICENSEE OR VENDOR TO OPERATE VENDING FACILITY—PROCEDURE.
- (10) WAC 67-32-075 SELECTION OF A LICENSEE OR VENDOR TO OPERATE A VENDING FACILITY DURING A LEAVE OF ABSENCE OF A VENDOR.
- (11) WAC 67-32-080 LICENSEE OR VENDOR EVALUATION FORM—EXPLANATION.
- (12) WAC 67-32-090 ASSIGNMENT TO A VENDING FACILITY—AGREEMENT.
- (13) WAC 67-32-100 POSTEMPLOYMENT SERVICES.
- (14) WAC 67-32-110 DISCRIMINATION PROHIBITED.
- (15) WAC 67-32-120 STATE COMMITTEE OF BLIND VENDORS—ELECTION—REPRESENTATION—MEETINGS.
- (16) WAC 67-32-130 BLIND VENDORS COMMITTEE—PURPOSE.
- (17) WAC 67-32-140 VENDING MACHINE INCOME DISPERSED BY COMMISSION.
- (18) WAC 67-32-150 FEDERAL VENDING MACHINE INCOME—USE AS DETERMINED.
- (19) WAC 67-32-160 BUSINESS ENTERPRISES REVOLVING FUND.
- (20) WAC 67-32-170 BUSINESS ENTERPRISES REVOLVING FUND—USES.
- (21) WAC 67-32-180 ACCESS TO PROGRAM AND FINANCIAL INFORMATION.
- (22) WAC 67-32-190 COMMISSION RESPONSIBILITY—DEVELOPMENT OF NEW VENDING FACILITY LOCATIONS.
- (23) WAC 67-32-200 COMMISSION RESPONSIBILITY—ARCHITECTURE AND CONSTRUCTION.
- (24) WAC 67-32-210 COMMISSION RESPONSIBILITY—INITIAL EQUIPMENT—INITIAL STOCK AND SUPPLIES.
- (25) WAC 67-32-220 TITLE TO INITIAL EQUIPMENT—RIGHT TO INITIAL STOCK AND CASH.
- (26) WAC 67-32-230 COMMISSION RESPONSIBILITY—MAINTAINED FACILITY.
- (27) WAC 67-32-240 COMMISSION RESPONSIBILITY—VENDOR-OWNED EQUIPMENT.
- (28) WAC 67-32-250 COMMISSION RESPONSIBILITY—ADVANCE TRAINING.
- (29) WAC 67-32-260 COMMISSION RESPONSIBILITY—OPENING FOR BUSINESS.
- (30) WAC 67-32-270 COMMISSION RESPONSIBILITY—CONSULTATION.
- (31) WAC 67-32-280 COMMISSION RESPONSIBILITY—INSPECTION—REQUIRED CONTACTS.
- (32) WAC 67-32-290 COMMISSION RESPONSIBILITY—CONTACT WITH PROPERTY MANAGEMENT.
- (33) WAC 67-32-300 COMMISSION RESPONSIBILITY—NEGOTIATION WITH VENDING MACHINE COMPANIES.
- (34) WAC 67-32-310 PUBLIC LIABILITY INSURANCE.
- (35) WAC 67-32-320 VENDOR RESPONSIBILITY—INDEPENDENT—NOT STATE EMPLOYEE.
- (36) WAC 67-32-330 VENDOR RESPONSIBILITY—APPLICABLE FEDERAL AND STATE LAWS, RULES AND REGULATIONS.
- (37) WAC 67-32-340 VENDOR RESPONSIBILITY—VENDING FACILITY MANAGEMENT—NONDISCRIMINATION.
- (38) WAC 67-32-350 VENDOR RESPONSIBILITY—MAINTAINING EQUIPMENT.
- (39) WAC 67-32-360 VENDOR RESPONSIBILITY—MISCELLANEOUS EQUIPMENT—INITIAL STOCK AND SUPPLIES—MINIMUM OPERATING CASH.
- (40) WAC 67-32-370 VENDOR RESPONSIBILITY—COOPERATE.
- (41) WAC 67-32-380 VENDOR RESPONSIBILITY—REPORTS.
- (42) WAC 67-32-390 VENDOR RESPONSIBILITY—ACCOUNTS PAYABLE.
- (43) WAC 67-32-400 VENDOR RESPONSIBILITY—EMPLOYMENT OF STAFF.
- (44) WAC 67-32-410 VENDOR RESPONSIBILITY—REBATES.

- (45) WAC 67-32-415 LEAVE OF ABSENCE FOR PROLONGED ILLNESS OR PHYSICAL INCAPACITY.
- (46) WAC 67-32-420 TERMINATION OF LICENSE—TERMINATION OF AGREEMENT FOR CAUSE ONLY.
- (47) WAC 67-32-425 TERMINATION OF VENDOR'S AGREEMENT—NOT AFFECTING LICENSURE.
- (48) WAC 67-32-430 LICENSE SUSPENSION PRIOR TO EVIDENTIARY HEARING.
- (49) WAC 67-32-440 SUSPENSION OR TERMINATION OF LICENSE—OTHER REASONS.
- (50) WAC 67-32-450 TERMINATION OF LICENSE—DISUSE.
- (51) WAC 67-32-460 RELICENSING.
- (52) WAC 67-32-470 ADMINISTRATIVE REVIEW.
- (53) WAC 67-32-480 ADMINISTRATIVE REVIEW—WHO—WHEN—WHERE.
- (54) WAC 67-32-490 FULL EVIDENTIARY HEARING.
- (55) WAC 67-32-500 FULL EVIDENTIARY HEARING—RIGHT TO INFORMATION.
- (56) WAC 67-32-510 FULL EVIDENTIARY HEARING—TRANSCRIPT.
- (57) WAC 67-32-520 FULL EVIDENTIARY HEARING—DECISION IN WRITING.
- (58) WAC 67-32-525 HEARING OFFICER—CERTAIN PURPOSES.
- (59) WAC 67-32-910 AGREEMENT.

WSR 83-22-026
PROPOSED RULES
DEPARTMENT OF
SERVICES FOR THE BLIND
 [Filed October 26, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Services for the Blind intends to adopt, amend, or repeal rules concerning child and family services, adopting chapter 67-55 WAC, and repealing chapter 67-50 WAC;

that the agency will at 11:00 a.m., Wednesday, December 14, 1983, 3411 South Alaska Street, Seattle, WA 98118, 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 section 18, chapter 194, Laws of 1983.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 14, 1983.

Dated: October 26, 1983

By: Paul Dziedzic
 Director

STATEMENT OF PURPOSE

Title: Describes the child and family services program offered by the Department of Services for the Blind.

Description of Purpose: Adopt rules for the child and family services program which provides services to blind children and their families in order to facilitate the child's participation in school and society.

Statutory Authority: Chapter 196, Laws of 1983.

Summary of Rules: Describes child and family services program, including referral for services, eligibility standards, services provided, and termination of services.

Reasons Supporting Proposed Actions: To apprise the public of services offered by the child and family program.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Paul Dziedzic, Director.

Person or Organization Proposing Rule: Department of Services for the Blind (921 Lakeridge Drive, Olympia, WA); a state governmental agency.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement or Fiscal Matters: The Department of Services for the Blind was reauthorized through the Sunset process during the 1983 legislative session. New legislation did not carry forward rules adopted by its predecessor, the Commission for the Blind. Therefore, these rules reestablish the child and family services program.

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

Small Business Economic Impact: None.

Chapter 67-55 WAC
CHILD AND FAMILY SERVICES

WAC

- 67-55-010 Purpose and description.
- 67-55-020 Referral for services.
- 67-55-030 Initial interview.
- 67-55-035 Eligibility for services.
- 67-55-040 Eligibility criteria.
- 67-55-050 Child and family services—Services provided.
- 67-55-060 Termination.

NEW SECTION

WAC 67-55-010 PURPOSE AND DESCRIPTION. The authority for child and family services are established in RCW 74.16.300, 74.16.400 and 74.16.490. The purpose of this program is to provide services to blind children and their families in order to facilitate the child's optimum participation in school and society.

NEW SECTION

WAC 67-55-020 REFERRAL FOR SERVICES. Referrals of children for child and family services shall be accepted from any and all sources.

NEW SECTION

WAC 67-55-030 INITIAL INTERVIEW. (1) The department shall interview all referrals to child and family services and/or their families as soon as possible following referral.

(2) At the initial interview the interviewer shall:

(a) Explain to the child and/or his family the nature and scope of available services as they relate to the child.

(b) Inform the child and/or his family of the right to confidentiality of information possessed by the department.

(c) Obtain any information necessary in determining eligibility for child and family services.

NEW SECTION

WAC 67-55-035 ELIGIBILITY FOR SERVICES. The department shall make eligibility determination as to every referral for child and family services. The determination of eligibility shall be made as soon as possible after referral.

NEW SECTION

WAC 67-55-040 ELIGIBILITY CRITERIA. (1) To be eligible for child and family services an individual must be between the ages of birth and twenty-one years.

(2) Any child below the age of twenty-one years who has completed high school or has discontinued his/her formal education shall not be

eligible for child and family services. Such children shall be referred for vocational rehabilitation or other appropriate resources.

(3) Eligibility for child and family services shall be dependent on documentation of a visual impairment including one or more of the following conditions:

(a) Legal blindness or visual handicap as they are customarily defined, either in terms of qualifying reduction in visual acuity and/or a qualifying reduction in visual fields.

(b) A visual impairment which is progressive in nature and can be expected to lead to blindness within a reasonable period of time.

(c) Reductions in both visual acuity and visual fields such that the effect is substantially that of legal blindness, or visual efficiency is so reduced as to have substantially the same effect as legal blindness.

(d) A visual impairment which makes it impossible for a child to compete successfully in school and other childhood endeavors.

NEW SECTION

WAC 67-55-050 CHILD AND FAMILY SERVICES—SERVICES PROVIDED. Services provided by child and family services include:

(1) Direct consultation with children and their families to provide developmental training, general counseling, needs assessment, and information regarding other available resources.

(2) Direct consultation and technical assistance to teachers, administrators and other educational personnel in order to facilitate adequate programs for blind and visually handicapped children.

(3) Direct consultation and technical assistance to other professionals who work with blind and visually handicapped children.

(4) Periodic follow-up throughout the child's term of eligibility to assure continuation of appropriate services.

(5) Continuity of case management and facilitation of transition to vocational rehabilitation at the appropriate time.

(6) Advocacy in all sectors of society for blind and visually handicapped children and/or their families to assure their rights to participate fully in the educational, vocational and social endeavors of society in general.

NEW SECTION

WAC 67-55-060 TERMINATION. A child shall be terminated from child and family services for the following reasons:

- (1) The child has completed high school;
- (2) The child has withdrawn from school prior to his/her senior year and does not intend to return;
- (3) The child has reached the age of twenty-one years;
- (4) The child's vision improves to a degree which no longer meets the criteria for eligibility;
- (5) The child moves from the state of Washington; or
- (6) The child and/or his/her family requests termination.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- (1) WAC 67-50-010 PURPOSE AND DESCRIPTION.
- (2) WAC 67-50-020 REFERRAL FOR SERVICES.
- (3) WAC 67-50-030 INITIAL INTERVIEW.
- (4) WAC 67-50-035 ELIGIBILITY FOR SERVICES.
- (5) WAC 67-50-040 ELIGIBILITY CRITERIA.
- (6) WAC 67-50-050 CHILD AND FAMILY SERVICES—SERVICES PROVIDED.
- (7) WAC 67-50-060 TERMINATION.

WSR 83-22-027
PROPOSED RULES
DEPARTMENT OF
SERVICES FOR THE BLIND
[Filed October 26, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Services for the Blind intends to adopt, amend, or repeal

rules concerning independent living services, adopting chapter 67-75 WAC;

that the agency will at 11:00 a.m., Wednesday, December 14, 1983, 3411 South Alaska Street, Seattle, WA 98118, 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 section 18, chapter 194, Laws of 1983.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 14, 1983.

Dated: October 26, 1983

By: Paul Dziedzic
Director

STATEMENT OF PURPOSE

Title: Independent living services offered to blind individuals not currently eligible for vocational rehabilitation services, but who need services in order to function more independently in their living environment.

Description of Purpose: To adopt regulations for blind or visually impaired persons interested in applying for the department's independent living program services.

Statutory Authority: Chapter 194, Laws of 1983.

Summary of Rules: Outlines referral services, eligibility criteria, description of services and appeal rights for the independent living program clients.

Reasons Supporting Proposed Actions: To clearly delineate independent living services available through the department.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Paul Dziedzic, Director.

Person or Organization Proposing Rule: Department of Services for the Blind (921 Lakeridge Drive, Olympia, WA); a state governmental agency.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement or Fiscal Matters: None.

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

Small Business Economic Impact: None.

Chapter 67-75 WAC INDEPENDENT LIVING SERVICES

NEW SECTION

WAC 67-75-010 PURPOSE AND DEFINITION. The authority for independent living services is established in section 18, chapter 194, Laws of 1983. The purpose of this program is to provide independent living services designed to meet the current and future needs of blind individuals who currently are not feasible for vocational rehabilitation and who need services in order to function more independently in their living environment.

NEW SECTION

WAC 67-75-020 REFERRAL FOR SERVICES. (1) Referrals of elderly blind individuals, blind individuals with significant other medical problems, and blind multiply handicapped individuals shall be accepted from all sources.

(2) All referrals to the independent living program shall be made through the department of services for the blind.

(3) Department personnel may refer individuals to the independent living program as a result of reviewing current and past cases which have been found to be ineligible for vocational rehabilitation services.

NEW SECTION

WAC 67-75-030 INITIAL INTERVIEW. (1) The department shall interview all new referrals to the independent living program as soon as possible following referrals.

(2) At the initial interview the interviewer shall:

- (a) Explain to the individual the nature and scope of available services as they relate to the individual's need;
- (b) Inform the individual of the right to confidentiality of information possessed by the department;
- (c) Obtain any information necessary in determining eligibility for independent living services.

NEW SECTION

WAC 67-75-040 ELIGIBILITY CRITERIA. (1) Eligibility for independent living services shall be dependent on documentation of a visual impairment including one or more of the following conditions:

- (a) Legal blindness or visually handicapped as they are customarily defined either in terms of a qualifying reduction in visual acuity and/or a qualifying reduction in visual field.
- (b) A visual impairment which is progressive in nature and can be expected to lead to blindness within a reasonable period of time.
- (c) Reduction in both visual acuity and visual fields is such that the effect is substantially that of legal blindness, or visual efficiency is reduced so as to have substantially the same effect as legal blindness.
- (d) A visual impairment which makes it impossible for the individual to perform successfully in one or more of life's functions.

(2) In order to be eligible for the independent living program the department must show documented proof that the individual is not eligible for vocational rehabilitation services because of

- (a) a condition related to advanced age,
 - (b) a progressive medical condition, or
 - (c) a multiple handicap.
- (3) In order to be eligible, individuals must have a potential to benefit from services provided by independent living in terms of increased life options, greater participation in the community, or increased self-reliance.

NEW SECTION

WAC 67-75-050 INDEPENDENT LIVING SERVICES—SERVICES PROVIDED. Services provided by the independent living program shall include:

(1) Internal services provided through the rehabilitation teaching staff such as:

- (a) Intake interview and counseling;
- (b) Needs assessment;
- (c) Specific skills teaching;
- (d) Referral to other resources;

(2) External services purchased by the department from community based service delivery systems such as:

- (a) Intake interview and counseling;
- (b) Needs assessment;
- (c) Specific skills teaching;
- (d) Medical consultation;
- (e) Occupational therapy/physical therapy;
- (f) Information and referral;
- (g) Advocacy in all sectors of society to maximize opportunities for access in social, recreational, medical/health care facilities.

NEW SECTION

WAC 67-75-060 TERMINATION OF SERVICES. Independent living services shall be terminated when a client:

- (1) Has died.
- (2) Cannot be located by the department after reasonable efforts to do so.
- (3) Has been institutionalized under circumstances which preclude the provision of services for a substantial or indefinite period of time.
- (4) Has moved to another jurisdiction and the department has been unable either to continue provision of services or to refer the individual to an appropriate agency within the other jurisdiction.

(5) Removes himself for consideration by declining to accept or utilize independent living services after all reasonable efforts have been expended to encourage participation.

(6) Completes a program of services as planned.

NEW SECTION

WAC 67-75-070 ADMINISTRATIVE REVIEW. (1) Any client who feels aggrieved by, or is otherwise dissatisfied with, any decision or action by the department or its agents with regard to the independent living case may file a request with the department for, and shall thereupon receive, an administrative review and redetermination of that decision or action.

(2) A request for an administrative review may be made either verbally or in writing and may be filed in any office of the department. A verbal request shall promptly be reduced to writing.

(3) All requests for administrative review shall:

- (a) Specify the date of the decision or action being appealed.
- (b) Specify as precisely as possible the issue to be resolved by the administrative review.
- (c) Set forth the address of the client or of his representative.
- (d) Be signed by the client or by his representative.

(4) A request for an administrative review must be made within sixty days after receiving notice from the department of the decision or action by the department which is the basis for the request for review.

(5) An administrative review and redetermination shall be provided by the director's designee, and shall be provided within thirty days after the submission of the request for review.

(6) Within fifteen days after the conclusion of the administrative review the designee shall certify his findings to the client in writing specifying in reasonable detail the reasons for his findings and informing the client of his right to request and receive a fair hearing if dissatisfied with those findings.

NEW SECTION

WAC 67-75-075 FAIR HEARING. (1) Any client dissatisfied with the finding of an administrative review may request from the department, and shall thereupon be granted, a fair hearing. A client who desires a fair hearing shall request such hearing within thirty days after receiving notice from the department of the finding of the administrative review.

(2) A request for fair hearing shall be sent to the Department of Services for the Blind at 921 Lakeridge Drive, Olympia, WA 98504, who will forward it to the office of administrative hearings.

(3) The administrative law judge will make a proposed decision to the director of the department of services for the blind who will make a final determination.

(4) The client will be notified in writing by the director within fifteen days of receipt of the administrative law judge's proposed decision.

**WSR 83-22-028
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)**

[Order 2043—Filed October 26, 1983]

I, David A. Hogan, director of the Division of Administration and Personnel, do promulgate and adopt at Olympia, Washington, the annexed rules relating to formalize current vendor review audit protocol, new WAC 388-81-043 and 388-81-044.

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 these new rules are being adopted to

formalize current vendor review audit protocol. The proposed regulations are for providers found liable for excess payments pursuant to RCW 74.09.220.

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

This rule is promulgated pursuant to RCW 74.04.057 which directs that the Department of Social and Health Services has authority to implement the provisions of chapter 74.09 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 October 26, 1983.

By David A. Hogan, Director
Division of Administration and Personnel

NEW SECTION

WAC 388-81-043 DISPUTE CONFERENCE—PROVIDER. (1) Any certified provider of medical care services who is found liable for receipt of excess payments pursuant to RCW 74.09.220 or otherwise served with notice that repayment of excess benefits is due pursuant to RCW 74.09.220, has a right to a dispute conference.

(2) A dispute conference is defined as an informal administrative review for the purpose of resolving provider disagreement(s) with a finding of liability for receipt of excess payments.

(3) Provider requests for a dispute conference must be made within twenty working days of receipt of final notice that repayment is due; the conference will be conducted within thirty working days of receipt of request and decisions rendered within fifteen working days of the conference. Extensions of timeliness may be granted by the department in extraordinary circumstances.

(4) The conference will be chaired by the director, or assistant director, division of medical assistance, if program policy is in dispute; otherwise the conference will be chaired by a contracts officer, office of contracts management. The decision as to who will chair the dispute conference shall be the responsibility of the director, division of medical assistance or his designee.

(5) The dispute conference shall be the final level of appeal within the department.

NEW SECTION

WAC 388-81-044 INTEREST PENALTIES—PROVIDERS. (1) Any certified provider of medical care services who is found liable for receipt of excess payments pursuant to RCW 74.09.220 or otherwise served with notice that repayment of excess benefits is due pursuant to RCW 74.09.220, will be assessed interest on the amounts of the excess benefits or payments.

(2) Pursuant to RCW 74.09.220, interest will be assessed at the rate of one percent each month from the date upon which payment was made to the date upon which repayment is made to the state. Interest does not apply when the excess benefits or payments were obtained as a result of errors made by the department.

(3) Interest amounts will be clearly identified in all overpayment communications. A daily interest accrual amount will also be identified. Daily interest will accrue until the day immediately preceding the day the full repayment check is mailed to the state. If repayment is made through the recoupment process (payments are withheld from current bills until the overpayment amount is met) interest will accrue to the date recoupment is finalized.

WSR 83-22-029

PROPOSED RULES

**UTILITIES AND TRANSPORTATION
COMMISSION**

[Filed October 26, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington Utilities and Transportation Commission intends to adopt, amend, or repeal rules relating to telephone company access charges, chapter 480-125 WAC. Written and/or oral submissions may also contain data, views, and arguments concerning the effect of the proposed chapter on economic values, pursuant to chapter 43.21H RCW and WAC 480-08-050(17);

that the agency will at 8:00 a.m., Wednesday, November 23, 1983, in the Commission's Conference Room, Seventh Floor, Highways-Licenses 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 80.01.040.

The specific statute these rules are intended to implement is RCW 80.36.160.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 18, 1983.

This notice is connected to and continues the matter in Notice Nos. WSR 83-14-023, 83-17-039 and 83-18-044 filed with the code reviser's office on June 29, 1983, August 11, 1983, and September 1, 1983, respectively.

Dated: October 26, 1983

By: Barry M. Mar
Secretary

WSR 83-22-030

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 83-171—Filed October 26, 1983]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, 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 6, 6A, 7 and 7A provide protection for Fraser River chum. Restrictions in Area 7C and the Samish River provide secondary protection for natural coho and chum stocks. Restrictions in other Strait of Juan de Fuca tributaries provide protection for local coho stocks. Restrictions in Areas 10C, 10D and the Cedar River are the least restrictive regulations that provide opportunity to harvest coho and protect Lake Washington sockeye. Restrictions in the Skagit River protect local pink stocks. Restrictions in Areas 6B and 9 protect the integrity of the South Sound, Hood Canal and Stillaguamish-Snohomish chum updates. Restrictions in Area 12C provide protection for chum salmon stocks returning to Hoodspout Hatchery. Restrictions in Area 6D and the Dungeness River no longer necessary as pink salmon have cleared and sufficient numbers of coho are in the river.

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 October 26, 1983.

By Russell W. Cahill
for William R. Wilkerson
Director

NEW SECTION

WAC 220-28-331 PUGET SOUND COMMERCIAL FISHERY RESTRICTIONS. *Effective immediately 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 6, 6A, 7 and 7A – Effective until further notice, closed to all commercial fishing.

Areas 6B – Effective until further notice, closed to all commercial net fishing.

Area 7C – Effective until further notice, closed to all commercial fishing in that portion easterly of a line from the fishing boundary marker on Samish Island to the flashing light near Whiskey Rock.

Area 9 – Closed to all commercial fishing.

Area 10C and Cedar River – Effective until further notice, closed to all commercial fishing.

Area 10D in that portion within 250 yards of the eastern and northern shores of Lake Sammamish between the Sammamish River

and Issaquah Creek – Effective until further notice, closed to all commercial fishing.

Area 12C – Effective through December 31, closed within 1,000 feet of the western shore between Hoodspout Marina Dock and the Glen Ayr Trailer Park.

**Skagit River including all tributaries – Effective until further notice, closed to all commercial fishing upstream from the Baker River confluence.*

Samish River – Effective until further notice, closed to all commercial fishing.

Hoko, East and West Twin, Clallam, Lyre, Sekiu, Sail and Pysht rivers, and Salt and Deep creeks – Effective until further notice, closed to all commercial fishing.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-28-330 PUGET SOUND COMMERCIAL FISHERY RESTRICTIONS (83-166)



WSR 83-22-031

ADOPTED RULES

**SUPERINTENDENT OF
PUBLIC INSTRUCTION**

[Order 83-16—Filed October 26, 1983]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Transportation—Replacement and depreciation allocation, chapter 392-142 WAC.

This action is taken pursuant to Notice No. WSR 83-19-071 filed with the code reviser on September 21, 1983. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.41.170 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 October 26, 1983.

By Frank B. Brouillet
Superintendent of Public Instruction

Chapter 392-142 WAC
TRANSPORTATION-REPLACEMENT AND DEPRECIATION ALLOCATION

NEW SECTION

WAC 392-142-005 AUTHORITY. The authority for this chapter is RCW 28A.41.170 which authorizes

the superintendent of public instruction to adopt rules and regulations for the proper administration of chapter 28A.41 RCW, which includes student transportation programs.

NEW SECTION

WAC 392-142-010 PURPOSE. The purpose of this chapter is to implement RCW 28A.41.540 by establishing:

- (1) Procedures to develop student transportation vehicle categories;
- (2) Procedures to develop state-determined purchase prices for student transportation vehicle categories;
- (3) Standards for operation and maintenance of school buses;
- (4) A replacement schedule (referred to in the statute as reimbursement schedule) and allocation process for district-owned school buses;
- (5) A depreciation schedule and allocation process for school buses contracted from private carriers; and
- (6) Provisions for the continuation of depreciation allocations to school districts for school buses purchased prior to September 1, 1982.

NEW SECTION

WAC 392-142-015 DEFINITIONS. As used in this chapter, the terms:

- (1) "State-determined purchase price" shall mean a price annually determined by the superintendent of public instruction in accordance with the method prescribed in WAC 392-142-030;
- (2) "Inflation rate" shall mean the actual change stated in percentage terms in the implicit price deflator for motor vehicles and parts as provided by the office of financial management from the previous state fiscal year to the current state fiscal year;
- (3) "Replacement factor" shall mean a multiplier derived by dividing the years that school bus has a valid operating permit by the expected lifetime of that school bus as defined in WAC 392-142-025 (e.g. a ten-year lifetime school bus operated for four years would have a replacement factor of .4);
- (4) "State payment" for a school bus shall mean the sum of all state payments made to a school districts' vehicle transportation fund for each school bus issued an operation permit on or after September 1, 1982;
- (5) "Imputed interest earnings" shall mean the sum of interest which is assumed to be earned on funds assumed to be available in the vehicle transportation fund from state payments and imputed interest earnings. The rate used shall be the average of the treasury bill rate for ninety-day notes during the previous state fiscal year calculated on the basis of simple interest;
- (6) "State-supported specifications" shall mean the minimum specifications pursuant to chapter 392-143 WAC plus added equipment, components, or requirements judged by the advisory committee formed pursuant to RCW 28A.41.540 to produce minimum long-range operating costs and to accommodate transportation of students with handicapping conditions;

(7) "District-owned school bus" shall mean a bus which has been purchased by the district or a school bus which is being operated by a district under a contractual obligation by the same district to purchase the bus;

(8) "Useful vehicle life" shall mean the number of years determined by the superintendent that a school bus is expected to be in use;

(9) "Salvage value" shall mean ten percent of the state-determined purchase price established at the time the operation permit is issued. This reduction in state payment or allocation shall be made during the last year of the useful vehicle life;

(10) "Vendor bid proposal" shall mean a set of forms published annually by the superintendent which school districts use to obtain bids for school buses. These forms shall include various bid elements such as type, capacity, engine and transmission; and

(11) "Superintendent" shall mean the superintendent of public instruction.

NEW SECTION

WAC 392-142-020 VEHICLE CATEGORIES.

(1) By May 1st of each school year, the superintendent of public instruction shall develop preliminary categories of student transportation vehicles. The categories shall include, but not be limited to, variables such as vehicle capacity, type of fuel, engine, transmission, body, chassis, special equipment, and useful vehicle life. The categories shall be determined pursuant to the definitions set forth in WAC 392-142-020 and 392-143-010 and shall be applicable to the following school year.

(2) As used in this section, the terms:

- (a) "School bus student capacity" shall mean the maximum allowable number of students that can be seated on a school bus using 21-inch seat spacing from the seating reference point;
- (b) "Seating reference point" shall mean the point of intersection of horizontal and vertical axis measured as follows:
 - (i) The horizontal distance is 5.0 to 5.4 inches from the front surface of the seat back; and
 - (ii) The vertical distance is 2.5 inches above the top of the seat cushion.
- (c) "Gasoline engine" shall mean a spark ignited engine using gasoline, propane, compressed natural gas, gasahol, alcohol, or a combination thereof;
- (d) "Diesel engine" shall mean a compression ignited engine using diesel fuel;
- (e) "Transmission" shall mean either a clutch actuated, hand shifted manual or a torque converter actuated automatic gear box;
- (f) "Engine location" shall mean that the engine is located in the front, midship, or rear section of transit (Type D) school buses; and
- (g) "Special handicapped equipment" shall mean wheelchair lifts, passenger tiedowns, or passenger restraints designed for the purpose of transporting students with handicapping conditions.

(3) Replacement vehicle categories are as follows:

Handwritten notes:
 Type A
 Type B
 Type C
 Type D

- TYPE A: 1. Student Capacity 10-24
 - a. Gas Manual
 - b. Gas Automatic
 - c. Diesel Manual
 - d. Diesel Automatic
- TYPE B: 1. Student Capacity 18-22
 - a. Gas Manual
 - b. Gas Automatic
 - c. Diesel Manual
 - d. Diesel Automatic
- 2. Student Capacity 23-27
 - a. Gas Manual
 - b. Gas Automatic
 - c. Diesel Manual
 - d. Diesel Automatic
- 3. Student Capacity 28-32
 - a. Gas Manual
 - b. Gas Automatic
 - c. Diesel manual
 - d. Diesel Automatic
- TYPE C: 1. Student Capacity 29
 - a. Gas Manual
 - b. Gas Automatic
 - c. Diesel Manual
 - d. Diesel Automatic
- 2. Student Capacity 35
 - a. Gas Manual
 - b. Gas Automatic
 - c. Diesel Manual
 - d. Diesel Automatic
- 3. Student Capacity 41
 - a. Gas Manual
 - b. Gas Automatic
 - c. Diesel Manual
 - d. Diesel Automatic
- 4. Student Capacity 47
 - a. Gas Manual
 - b. Gas Automatic
 - c. Diesel Manual
 - d. Diesel Automatic
- 5. Student Capacity 53
 - a. Gas Manual
 - b. Gas Automatic
 - c. Diesel Manual
 - d. Diesel Automatic
- 6. Student Capacity 59
 - a. Gas Manual
 - b. Gas Automatic
 - c. Diesel Manual
 - d. Diesel Automatic
- 7. Student Capacity 65
 - a. Gas Manual
 - b. Gas Automatic
 - c. Diesel Manual
 - d. Diesel Automatic
- TYPE D: 1. Student Capacity 78
Front Engine
 - a. Diesel Manual
 - b. Diesel Automatic
- 2. Student Capacity 78
Midship Engine
 - a. Diesel Manual
 - b. Diesel Automatic
- 3. Student Capacity 78
Rear Engine
 - a. Diesel Manual
 - b. Diesel Automatic
- 4. Student Capacity 90
Midship Engine
 - a. Diesel Manual
 - b. Diesel Automatic

Any approved school bus used to transport students with handicapping conditions must have special handicapped equipment affixed to the vehicle. Replacement costs of special handicapped equipment shall be determined annually and added to the state-determined purchase price. The useful life of the special handicapped equipment shall be the same as the useful vehicle life to which the special equipment is affixed.

(4) By June 15th of each school year, the superintendent shall notify school districts of the preliminary vehicle categories for the ensuing school year. By October 15th of each school year, the superintendent shall finalize the student transportation vehicle categories and notify the school districts of any changes which affects that school year.

NEW SECTION

WAC 392-142-025 VEHICLE CATEGORY USEFUL LIFE. For each student transportation vehicle category prescribed in WAC 392-142-020 the following useful vehicle life shall apply:

- (1) Type A category school bus shall have a useful vehicle life of six years;
- (2) Type B category school bus shall have a useful vehicle life of eight years;
- (3) Type C category school bus equipped with a gasoline engine shall have a useful vehicle life of ten years;
- (4) Type C category school bus equipped with a diesel engine shall have a useful vehicle life of fifteen years;
- (5) Type D category school bus equipped with a front or rear engine shall have a useful vehicle life of twenty years; and
- (6) Type D category school bus equipped with a midship engine shall have a useful vehicle life of twenty-five years.

NEW SECTION

WAC 392-142-030 STATE-DETERMINED PURCHASE PRICE. The superintendent of public instruction shall annually develop preliminary state-determined purchase prices for each student transportation vehicle category. The state-determined purchase price shall be based on the actual bid prices documented in the vendor bid proposals for the comparable category in the state during the preceding twelve months. This cost shall include all applicable sales taxes, freight to the school districts, and all associated costs connected with an assumed full payment within thirty days of delivery.

This cost shall not include any cost associated with district specified requirements. The state-determined purchase price is an arithmetic average of the actual bid prices including the additional costs allowed above.

For vehicles used to transport students with handicapping conditions, the cost of approved special handicapped equipment affixed to the vehicle shall be determined annually and added to the state-determined purchase price.

Each school district shall be paid an allocation or state payment based on the amount of the state-determined purchase price and inflation as recognized by the replacement schedule established in this chapter set by the superintendent of public instruction for the category of vehicle purchased.

By June 15th of each school year, the superintendent shall notify school districts of the preliminary state-determined purchase prices for the ensuing school year. By October 15th of each school year, the superintendent shall finalize the state-determined purchase prices and notify the school districts of any changes which affect that school year.

NEW SECTION

WAC 392-142-035 MAINTENANCE AND OPERATION. (1) To the extent possible, school districts shall operate vehicles not less than the number of years of useful lifetime now, or hereafter, assigned to the category of vehicles by the superintendent of public instruction.

(2) A school bus that continues to possess a valid operation permit and operates its useful vehicle life shall be considered to be properly maintained in accordance with generally accepted maintenance and operation standards. A school bus which does not operate its useful vehicle life shall be considered as not being properly maintained in accordance with generally accepted maintenance and operation standard unless proven otherwise by the school district. Prima facia evidence of such proof shall include required changes in the category of bus, or unforeseen natural events which shorten the useful vehicle life, including but not limited to, fire, flood, explosion, storm, earthquake, or volcanic eruption. Generally accepted maintenance and operation standards are outlined in the School Bus Maintenance Guide published by the superintendent of public instruction.

(3) If a district fails to follow generally accepted standards of maintenance and operation, the superintendent of public instruction shall penalize the school district by deducting from any future allocations or state payments authorized under this chapter an amount equal to the original cost of the vehicle multiplied by the fraction of the useful lifetime the vehicle failed to operate.

NEW SECTION

WAC 392-142-040 STATE PAYMENT FOR SCHOOL BUSES. School districts that operate a transportation program utilizing school buses which meet the requirements of chapter 392-143 WAC are

entitled to state payments for school bus replacement and depreciation. Replacement and depreciation state payments shall be provided for the following transportation groups:

(1) For new school buses having a valid operation permit before September 1, 1982, depreciation allocation payments shall be determined in accordance with the depreciation schedule (WAC 392-142-045) in effect at the time the school bus operation permit was issued, less adjustments for trade-ins and sales;

(2) For new school buses having a valid operation permit on or after September 1, 1982, replacement allocation payments shall be determined in accordance with WAC 392-142-050 less adjustments for salvage;

(3) For school buses contracted from private carriers on or after September 1, 1982, straight line depreciation allocation payments shall be determined in accordance with WAC 392-142-055;

(4) For used school buses issued operation permits before September 1, 1982, depreciation payments shall be determined in accordance with the schedules in effect at the time the school bus was first placed on a depreciation schedule and shall remain on that schedule throughout the useful vehicle life; and

(5) For used school buses issued operation permits and/or licensed on or after September 1, 1982, replacement payments shall be equivalent to buses of similar type, size, and age (e.g., for buses issued an operation permit or licensed in 1978, the replacement payment for 1983 would begin during the fifth year of the replacement schedule).

NEW SECTION

WAC 392-142-045 SCHOOL BUSES PRIOR TO SEPTEMBER 1, 1982. (1) School districts shall receive state depreciation payments for all district-owned school buses placed on the depreciation schedule between September 1, 1975, and September 1, 1980, at ninety percent of the eligible purchase price multiplied by the base or derived percentage specified in this section, whichever is greater.

(2) School districts shall receive state depreciation payments for all district-owned school buses placed on the depreciation schedule after August 31, 1980, and through August 31, 1982, at one hundred percent of the eligible purchase price multiplied by the base or the derived percentage specified in this section, whichever is greater.

(3) Calculation of appropriate percentage will be determined by classifying buses according to passenger capacity and miles driven in the following manner:

Vehicle Classification	Base Percentage
Class I 6-22 passengers	25% if annual miles are 18,750 or less
Class II 23-51 passengers	12.5% if annual miles are 15,625 or less
Class III 52-69 passengers	10% if annual miles are 15,000 or less
Class IV 70-up passengers	6.25% if annual miles are 12,500 or less

Vehicle Classification	X =	Derived Percentage Total Miles Driven
Class I 6-22 passengers X ----- 75,000	<i>[Handwritten signature]</i>	derived % if X is greater than 18,750 mi
Class II 23-51 passengers X ----- 125,000		derived % if X is greater than 15,625 mi
Class III 52-69 passengers X ----- 150,000		derived % if X is greater than 15,000 mi
Class IV 70-up passengers X ----- 200,000		derived % if X is greater than 12,500 mi

depreciated in accordance with the schedule set forth in this section.

(d) State payment to a district shall follow the same procedure as other bus depreciation payments.

NEW SECTION

WAC 392-142-050 DISTRICT-OWNED SCHOOL BUS. State replacement payments shall be allowed on district-owned school buses on or after September 1, 1982 as determined through the following procedure:

(1) FIRST YEAR REPLACEMENT PAYMENT:

State-determined purchase price x (100 percentage points + inflation rate) x replacement factor = state payment x monthly proration if applicable = first year state payment

(2) SECOND AND SUCCEEDING YEAR REPLACEMENT PAYMENT:

State-determined purchase price x (100 percentage points + inflation rate) x replacement factor - previous state payment - imputed interest earnings = state payment

The monthly proration during the first year is based on the issuance of the school bus operation permit. If the school bus operation permit is issued prior to midnight of the fifteenth of the month, the entire month is included for replacement calculation. If the permit is issued after midnight of the fifteenth of the month, replacement calculation does not begin until the following month. The following monthly prorations shall apply:

September 1 through and including September 15	1.0000
September 16 through and including October 15	.9167
October 16 through and including November 15	.8333
November 16 through and including December 15	.7500
December 16 through and including January 15	.6667
January 16 through and including February 15	.5833
February 16 through and including March 15	.5000
March 16 through and including April 15	.4167
April 16 through and including May 15	.3333
May 16 through and including June 15	.2500
June 16 through and including July 15	.1667
July 16 through and including August 31	.0833

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OK
New Sec

(4) Used school buses purchased by a school district may be placed on a district's depreciation schedule under the following circumstances:

(a) A school bus owned by one school district is purchased by another school district. Such a bus shall be placed on the purchasing district's depreciation schedule at its original appreciated price schedule or at the purchase price paid for the used bus, whichever is less.

(b) A school bus (meeting the school bus specifications as now or hereafter amended) is purchased from a private party when the cost established appropriately reflects its depreciable value as determined by the superintendent of public instruction. Such a bus shall be put on the (depreciable) (depreciation) schedule at the purchase price paid for the used bus or the depreciable value, whichever is less.

(5) The following provisions shall apply only to school buses that were rebuilt prior to July 1, 1976:

(a) Rebuilding costs which exceed \$2,500 or more and are charged to budget item No. 540, "Replacement of Buses" may be depreciated by the superintendent of public instruction pursuant to the following schedule:

DISTRICT'S REBUILDING COST CHARGED TO BUDGET ITEM NO. 540	YEARS OF DEPRECIATION
\$2,500 - \$3,000	3
3,001 - 4,000	4
4,001 - 5,000	5
5,001 - 6,000	6
Etc.	

[Handwritten signature]
F. J. [unclear]
11/20

(b) Rebuilding costing \$2,500 or more shall conform with school district bid laws. Any rebuilding costing less than \$2,500 shall be paid from and charged to a school district's current bus operation budget. After a rebuilding job costing \$2,500 or more has been completed and is charged to budget item No. 540, three copies of a bus rebuilding form T-10 shall be completed. Two copies shall be sent to the educational service district superintendent. The superintendent shall retain one copy and forward one copy to the superintendent of public instruction.

(c) When the T-10 form is approved and processed by the superintendent of public instruction, credit for the rebuilding cost shall be allowed the school district and

Each school district shall notify the superintendent of public instruction whenever disposition of a school bus occurs regardless of the nature of the disposition. The district shall submit a school bus acquisition and disposition (SPI Form 1020) within thirty days of the disposition.

NEW SECTION

WAC 392-142-055 CONTRACTOR-OWNED SCHOOL BUS. State depreciation payments shall be allowed on privately owned, school district contracted buses on or after September 1, 1982.

School districts shall receive state payments for contractor-owned school buses based on the state-determined purchase price for the appropriate category of vehicle for the month the vehicle was issued a school bus operation permit. State payments shall be based on straight line depreciation (e.g., a state-determined purchase price of \$30,000, vehicle lifetime of ten years, each year of depreciation would equal \$3,000).

NEW SECTION

WAC 392-142-060 SCHOOL BUS INSPECTION. All vehicles used for transporting school students shall be inspected and approved by a Washington state patrol inspecting officer at the time of purchase. This inspection shall be recorded by the inspecting officer on a school bus inspection report and such results shall be forwarded to the superintendent of the operating or contracting school district. By definition, a vehicle shall not be identified as a school bus unless a valid school bus operation permit has been issued. This permit shall be required before a school district or contractor may operate the school bus. Depreciation and replacement payments allocated by the superintendent of public instruction shall be made only for school buses.

NEW SECTION

WAC 392-142-065 SCHOOL BUS OPERATION PERMIT. The superintendent of public instruction shall issue a school bus operation permit for every school bus and place it on the replacement or depreciation schedule only if the following required documents are submitted:

- (1) The original of the school bus acquisition and disposition (Form SPI 1020 (6/83)) signed by an authorized school district representative;
- (2) One copy of the sellers invoice signed by an authorized dealer representative;
- (3) One copy of the successful bid document signed by an authorized dealer representative;
- (4) One copy of the warrant(s) issued to purchase the bus;
- (5) One copy of the conditional sales contract (if applicable ignore (4) above) signed by both an authorized school district and dealer representative;
- (6) The weight slip for the vehicle; and
- (7) The original school bus inspection report indicating the bus has passed, signed by the inspecting officer.

Recommendation for approval of a school bus operation permit shall be the responsibility of the regional transportation coordinator or his or her designee after the school district has submitted to the educational service district all documentation as required above.

No operating permit shall be issued for the school bus until all above documents have been properly completed and processed by the regional transportation coordinator.

NEW SECTION

WAC 392-142-070 VEHICLE TRANSPORTATION FUND. State allocations for the acquisition of approved transportation vehicles by a school district shall be placed in the vehicle transportation fund for the past, current and future purchase of such vehicles. Approved transportation vehicles shall include all vehicles which qualify under the school bus specifications, as now or hereafter amended. State allocations for contracted transportation vehicles shall not be placed in the vehicle transportation fund.

- (1) Purchase. A school district may disburse vehicle transportation funds for the purchase of approved transportation vehicles.

(2) Major repairs. A school district may disburse vehicle transportation funds to pay for major repairs.

(a) "Major repair" shall mean an expenditure of twenty-five percent or more of the current state-determined purchase price for that type and category of vehicle. The expenditure shall occur within one school year.

(b) Approval shall be obtained from the superintendent of public instruction for the disbursement of money for any major repair.

WSR 83-22-032

ADOPTED RULES

BOARD OF ACCOUNTANCY

[Order ACB 105—Filed October 26, 1983]

Be it resolved by the Washington State Board of Accountancy, acting at Seattle, Washington, that it does adopt the annexed rules relating to chapter 4-25 WAC.

This action is taken pursuant to Notice No. WSR 83-19-007 filed with the code reviser on September 9, 1983. 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 18.04.070 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 30, 1983.

By E. William Parker, CPA
Chairman

NEW SECTION

WAC 4-25-020 DEFINITIONS. For purposes of these rules the following terms have the meanings indicated:

- (1) "Act" means the Public Accounting Act of 1983.
- (2) "Board" means the Washington State Board of Accountancy.
- (3) "Client" means the person or entity which retains a licensee for the performance of professional services.
- (4) "Enterprise" means any person or entity, whether organized for profit or not, with respect to which a licensee performs professional services.
- (5) "Firm" means a sole proprietorship, a corporation or a partnership.
- (6) "Financial statements" means statements and footnotes related thereto that purport to show financial position which relates to a period of time, or changes in financial position which relate to a period of time, or results of operations, on the basis of generally accepted accounting principles or another comprehensive basis of accounting. The term does not include incidental financial data included in management advisory services reports to support recommendations to a client, nor does it include tax returns and supporting schedules.

(7) "He," "his," and "him" mean, where applicable, the corresponding feminine and neuter pronouns also.

(8) "Licensee" means the holder of a certificate issued under the Act, or of a permit issued under the Act; or, in each case, under corresponding provisions of prior law.

(9) "Practice of (or practicing) public accountancy" means performing services as one skilled in the knowledge and practice of public accounting and preparing reports designated as "audit reports," "review reports," and "compilation reports."

(10) "Professional services" means any services performed or offered to be performed by a licensee for a client in the course of a practice of public accountancy.

(11) "Public communication" means a communication made in identical form to multiple persons or to the world at large, as by television, radio, motion picture, newspaper, pamphlet, mass mailing, letterhead, business card or directory.

(12) "Opinions on financial statements" are any reports prepared by certified public accountants, including audits based on examinations in accordance with generally accepted auditing standards and review and compilation reports based on Statements on Standards for Accounting and Review Services (SSARS) as to whether the presentation of information used for guidance in financial transactions or for accounting for or assessing the status or performance of commercial and noncommercial enterprises, whether public, private, or governmental, conforms with generally accepted accounting principles or other comprehensive bases of accounting, in accordance with pronouncements or other authoritative media formally issued by the American Institute of Certified Public Accountants or any of its subdivisions including but not limited to the FASB and SSARS.

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

NEW SECTION

WAC 4-25-130 OTHER RESPONSIBILITIES AND PRACTICES. A licensee shall not commit any act that reflects adversely on his fitness to engage in the practice of public accountancy.

A licensee shall not permit others to carry out on his behalf, either with or without compensation, acts which, if carried out by the licensee, would place him in violation of the Rules of Conduct.

A licensee shall not use or participate in the use of any form of communication having reference to his professional services which contains a false, fraudulent, misleading, deceptive or unfair statement or claim. A false, fraudulent, misleading, deceptive or unfair statement or claim includes but is not limited to a statement or claim which:

- (1) Contains a misrepresentation of fact; or
- (2) Is likely to mislead or deceive because it fails to make full disclosure of relevant facts; or
- (3) Contains any testimonial, laudatory or other statement or implication that the licensee's professional services are of exceptional quality, if not supported by verifiable facts; or

(4) Is intended or likely to create false or unjustified expectations of favorable results; or

(5) Implies educational or professional attainments or licensing recognition not supported in fact; or

(6) States or implies that the licensee has received formal recognition as a specialist in any aspect of the practice of public accountancy, except in accordance with rules adopted by the Board; or

(7) Represents that professional services can or will be competently performed for a stated fee when this is not the case, or make representations with respect to fees for professional services that do not disclose all variables that may reasonably be expected to affect the fees that will in fact be charged; or

(8) Contains other representations or implications that in reasonable probability will cause an ordinarily prudent person to misunderstand or be deceived.

A licensee shall not by any direct personal or public communication solicit an engagement to perform professional services (a) if the communication would violate any of these rules or (b) by the use of coercion, duress, compulsion, intimidation, threats, overreaching, or vexatious or harassing conduct.

A licensee may practice public accountancy only in a proprietorship, a partnership or a professional corporation meeting the requirements of the Act.

NEW SECTION

WAC 4-25-140 CERTIFIED PUBLIC ACCOUNTANTS. (1) As used in these rules, a "semester hour" means the conventional college semester hour. Quarter hours may be converted to semester hours by multiplying them by two-thirds.

(2) For purposes of Section 7(b) of the Act the Board will recognize colleges and universities which are accredited in accordance with subsections 3 through 6 of this rule.

(3) An accredited college or university is a four year degree-granting college or university accredited at the time applicant's degree was received by virtue of membership in one of the following regional accrediting agencies:

- (a) Middle States Association of College and Secondary Schools;
- (b) New England Association of Schools and Colleges;
- (c) North Central Association of Colleges and Secondary Schools;
- (d) Northwest Association of Schools and Colleges;
- (e) Southern Association of Colleges and Schools; and
- (f) Western Association of Schools and Colleges.

(4) A listing of accredited colleges and universities as recognized by the Board is contained in "Accredited Institutions of Postsecondary Education" published by the U. S. Department of Education, National Center for Education Statistics.

(5) If an institution was not accredited at the time an applicant's degree was received but is so accredited at the time his application is filed with the Board, the institution will be deemed to be accredited for the purpose of subsection (4) provided that it:

(a) Certified that the applicant's total educational program would qualify him for graduation with a baccalaureate degree during the time the institution has been accredited; and

(b) Furnishes the Board satisfactory proof, including college catalogue course numbers and descriptions, that the pre-accredited courses used to qualify the applicant as an accounting major are substantially equivalent to post-accrediting courses.

(6) If an applicant's degree was received at an accredited college or university as defined by subsection (3) or (5), but the educational program which was used to qualify him as an accounting major included courses taken at nonaccredited institutions, either before or after graduation, such courses will be deemed to have been taken at the accredited institution from which applicant's degree was received, provided the accredited institution either:

(a) Has accepted such courses by including them in its official transcript; or

(b) Certifies to the Board that it will accept such courses for credit toward graduation.

(7) A graduate of a four-year-granting institution not accredited at the time the applicant's degree was received or at the time his application was filed will be deemed to be a graduate of a four-year accredited college or university if a credentials evaluation services approved by the Board certifies that the applicant's degree is equivalent to a degree from an accredited college or university as defined in subsection (3).

(8) The concentration in accounting and related subjects or its equivalent shall be determined in accordance with the following provisions of this rule:

(a) A concentration in accounting, for purposes of Section 7(b) of the Act shall consist of at least:

(i) Twenty-four semester hours or the equivalent, in accounting subjects including elementary accounting courses; and

(ii) Twenty-four semester hours or the equivalent, in business administration subjects which shall include business law, finance, economics, and data processing.

(iii) Appropriate college-level courses which are taken without credit may be considered equivalent to courses taken for credit for purposes of this section.

(b) Applicants for the certified public accountant examination whose original application is approved prior to September 1, 1986, and reapplicants whose original application was approved prior to September 1, 1985 shall not be required to comply with subsection (8)(a)(i) and (8)(a)(ii) of this rule.

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 4-25-141 APPLICATIONS. Applications to take the certified public accountant examination must be made on a form provided by the Board and filed with the Board on or before March 1 for the May examination and September 1 for the November examination.

An application will not be considered until the examination fee and all required supporting documents have

been received, including photographs, official transcripts and certification of degree.

Applicants whose graduation occurs after the deadlines may file official transcripts and certification of degrees after those deadlines but not later than 150 days after the date of the examination.

An applicant who fails to appear for examination or reexamination shall forfeit the fees charged the examination and reexamination.

Notice of the time and place of the examination shall be mailed at least ten days prior to the date set for the examination to each candidate whose application to sit for the examination has been approved by the Board.

The examination required by section 7(c) of the Act shall be the Uniform CPA Examination, including the following subjects:

- (1) Auditing
- (2) Business Law
- (3) Theory of Accounts, and
- (4) Accounting Practices I and II.

In addition to the Uniform CPA Examination, candidates shall be required to pass an examination, or alternatively to complete a course of study, prescribed by or acceptable to the Board, in professional ethics.

A passing grade for each subject shall be seventy-five. The Board uses the Advisory Grading Services of the American Institute of Certified Public Accountants.

An applicant, at each sitting of the examination in which he takes any part of the examination, must take all parts not previously passed.

An applicant who at one sitting for the examination receives a passing grade in any two parts of the examination, or in the subject Accounting Practice I and II, and who receives a grade of at least fifty in each of the remaining parts, shall be granted credit for parts passed, on the condition that the applicant receives a passing grade in each of the remaining parts of reexamination at one or more of the next six consecutive examinations.

An applicant who at one sitting for the examination receives a passing grade in any three parts of the examination shall, regardless of the grade received on the remaining part, be granted credit for the parts passed, on the condition that the applicant receives a passing grade in the remaining part on reexamination at one of the next six consecutive examinations.

For purposes of satisfying the education requirements of Section 7(b) of the Act, an applicant holding a certificate of another state must complete semester hours, or the equivalent, in an accredited institution as defined by the foregoing rules which shall include not less than nine semester hours, or the equivalent, in accounting and auditing subjects and six semester hours, or the equivalent, in business administration subjects, such as economics, business law and finance.

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

NEW SECTION

WAC 4-25-180 PERMITS TO PRACTICE—INDIVIDUAL. (1) Applications for initial permits to practice and for renewal of permits pursuant to Section

11 of the Act shall be made on a form provided by the Board and, in the case of applications for renewal, shall be filed no later than April 30 of the year of expiration. Applications will not be considered filed until the applicable fee is received. If an application for permit renewal is received later, it shall also be accompanied by the applicable delinquency fee.

(2) Applications for renewal of permits shall be accompanied by evidence satisfactory to the Board that the applicant has complied with the continuing professional education requirements under Section 11(3) of the Act.

(3) Permits expire on June 30 of every other year and have a duration of two years.

NEW SECTION

WAC 4-25-181 EXPERIENCE. the experience in the practice of public accountancy, required to be demonstrated for issuance of an initial permit pursuant to Section 11(1)(a) of the Act shall meet the requirements of this rule:

(1) The applicant shall show that he has had employment as a staff accountant for a certified public accountant or a firm of certified public accountants, or equivalent experience satisfactory to the Board. Such employment shall include practical public accounting experience, or the equivalent of such experience, of reasonable variety and importance and requiring independent thought and judgment, under the direct supervision of a holder of a certificate as certified public accountant.

(2) The applicant shall also show to the satisfaction of the Board that the employment has included all of the following:

(a) Experience in applying a variety of auditing procedures and techniques to the usual and customary financial transactions recorded in accounting records;

(b) Experience in the preparation of audit working papers covering the examination of the accounts usually found in accounting records;

(c) Experience in planning programs of audit work including the selection of procedures to be followed;

(d) Experience in the preparation of written explanation and comments on the findings of an examination and on the content of accounting records; and

(e) Experience in the preparation and analysis of financial statements together with explanation and notes thereon.

(3) The experience prescribed by subsections (1) and (2) may be fulfilled by a combination of financial audits, reviews, compilations, compliance audits, operational audits and management audits.

(4) Experience obtained outside public accounting must include the requirements of subsections (1) and (2), and may require more than one year. In appraising such experience, the Board may require an interview and/or a review of audit workpapers and reports.

Any licensee who, having been requested by an applicant to submit to the Board evidence of the applicant's experience, has refused to do so, shall upon request by the Board explain in writing or in person the basis for such refusal.

Any licensee who has furnished evidence of an applicant's experience to the Board shall upon request by the

Board explain in writing or in person the information so provided.

The Board may require inspection, by the Board itself or by its representatives, of documentation relating to an applicant's claimed experience. Such inspections may, at the option of the Board, be made at the Board's office, in which case any licensee having custody of such documentation shall produce it upon request at such office.

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

Reviser's note: 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 4-25-182 CONTINUING PROFESSIONAL EDUCATION. The following requirements of continuing professional education apply to the biennial renewal of permits to practice public accounting pursuant to Section 11(3) of the Act:

(1) An applicant seeking regular biennial renewal of a permit shall show that he has completed no less than 80 hours of continuing professional education during the two-year period preceding renewal, of which no less than 16 hours of accounting and/or auditing subjects must be obtained in each year. **PROVIDED**, a licensee is exempt from the accounting and/or auditing subject requirement for any calendar year in a reporting period during which the licensee was not involved in the preparation of reports on financial statements. Of the total requirement of 80 hours, no more than 16 hours may be in continuing professional education course subjects deemed "non-technical" by the Board.

(2) An applicant who has previously held a permit but whose permit has at the time of application lapsed shall make the same showing as prescribed in subsection (1).

(3) An applicant seeking to renew an initial permit issued less than two years but more than one year prior to the renewal must show that he has completed at least 40 hours of such continuing professional education.

The Board may in particular cases make exceptions to these requirements for reasons of individual hardship including health, military service, foreign residence, retirement, or other good cause.

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

NEW SECTION

WAC 4-25-183 PROGRAM STANDARDS. (1) A program qualifies as acceptable continuing professional education for purposes of Section 11(3) of the Act if it is a formal program of learning which contributes to the growth in the professional knowledge and professional competence of an individual in the practice of public accountancy, and meets the minimum standards of quality of development and presentation and of measurement and reporting of credits set forth in the Statement on Standards for Formal Continuing Education Programs published by the National Association of State Boards of Accountancy, or such other educational

standards as may be established from time to time by the Board.

(2) Subject Areas. Programs dealing with the following general subject areas are acceptable so long as they meet the standards in subsection (1):

- (a) Accounting and auditing;
- (b) Taxation;
- (c) Management;
- (d) Computer science;
- (e) Communication arts;
- (f) Mathematics, statistics, probability and quantitative applications in business;
- (g) Economics;
- (h) Business law;
- (i) Functional fields of business, including finance, production, marketing, personnel relations, and business management and organization;
- (j) Specialized areas of industry (film industry, real estate, farming, etc.);
- (k) Administrative practice (engagement letters, personnel, etc.).

Subjects other than those listed above may be acceptable if the applicant can demonstrate that they contribute to his professional competence. The responsibility for demonstrating that a particular program is acceptable rests solely upon the applicant.

(3) Group Programs. Group programs such as the following are acceptable so long as they meet the standards specified in subsection (1) and deal with subjects referred to in subsection (2):

- (a) Professional education and development programs of national, state and local accounting organizations;
- (b) Technical sessions at meetings of national, state and local accounting organizations and their chapters;
- (c) University or college courses, both credit and non-credit;
- (d) Formal in-firm education programs;
- (e) Programs of other organizations (accounting, industrial, professional, etc.);
- (f) Committee meetings of professional societies which are structured as formal educational programs;
- (g) Dinner, luncheon and breakfast meetings which are structured as formal educational programs;
- (h) Firm meetings for staff and/or management groups which are structured as formal education programs. Portions of such meetings devoted to the communication and application of general professional policy or procedure may qualify, but portions devoted to firm administrative, financial and operating matters generally will not qualify.

(4) Credit. Continuing professional education credit will be given for whose hours only, with a minimum of fifty minutes constituting one hour. As an example, one hundred minutes of continuous instructions would count as two hours; however, more than fifty minutes but less than one hundred minutes of continuous instruction would count only as one hour. For attendees, only time spent in instruction, and not preparation time, will be credited. For university or college courses, each semester hour of credit shall equal fifteen hours toward the requirement, and a quarter hour of credit, shall equal ten hours.

(5) Correspondence and Formal Individual Study Programs. The amount of credit to be allowed for correspondence and formal individual study programs (including taped study programs) will be that which is recommended by the program sponsor on the basis of one-half the average completion time under appropriate "field tests." Applicants claiming credit for such correspondence or formal individual study courses are required to obtain evidence of satisfactory completion of the course from the program sponsor. Credit will be allowed in the renewal period in which course is completed.

(6) Instructor, Discussion Leader, or Speaker. Applicants who have served as instructors, discussion leaders, and speakers at programs coming under subsection (1), (2) and (3) may claim continuing professional education credit for both preparation and presentation time. Credit may be claimed for actual preparation time up to two times the presentation hours. The maximum credit for such preparation and teaching is sixty percent of the applicable renewal period requirement.

(7) Published Articles, Books. Credits toward the continuing professional education requirement may be claimed for published articles and books, provided they contribute to the professional competence of the licensee. Credit for preparation of such publications may be claimed on a self-declaration basis for up to twenty-five percent of the renewal period requirement. In exceptional circumstances a licensee may request additional credit by submitting the article(s) or book(s) to the Board with an explanation of the circumstances which justify a greater credit. The amount of credit awarded for a given publication will be determined by the Board.

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

NEW SECTION

WAC 4-25-184 REPORTS. Applicants for renewal of permits to practice pursuant to Section 11 of the Act shall file with their applications therefor a signed statement of the continuing professional education programs for which they claim credit, showing:

- Sponsoring organization;
- Location of program;
- Title of program or description of content;
- Dates attended; and
- Hours claimed.

Responsibility for documenting the entitlement to credits rests with the applicant. Such documentation should be retained for a period of five years after the completion of the program. Such documentation may consist of the following:

- (1) Copy of the course outline prepared by the course sponsor along with the information required by paragraph 1.
- (2) For courses taken for scholastic credit in accredited universities and colleges, evidence of satisfactory completion of the course will be sufficient; for non-credit courses taken, a statement of the hours of attendance, signed by the instructor, is required.

(3) For formal individual study programs written evidence of completion.

The Board or its designees may verify on a test basis information submitted by applicants for permits. In cases where the Board determines that the requirement is not met, the Board may grant an additional period of time in which the deficiencies can be cured.®

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WSR 83-22-033

ADOPTED RULES

BOARD OF ACCOUNTANCY

[Order ACB 106—Filed October 26, 1983]

Be it resolved by the Washington State Board of Accountancy, acting at Seattle, Washington, that it does adopt the annexed rules relating to chapter 4-24 WAC.

This action is taken pursuant to Notice No. WSR 83-15-066 filed with the code reviser on July 20, 1983. 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 18.04.070 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, 1983.

By E. William Parker, CPA
Chairman

NEW SECTION

WAC 4-24-021 DEFINITIONS. (1) "Public record" includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.

(2) "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds, or symbols or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums, and other documents.

(3) The "Washington state board of accountancy" is the board whose members are appointed by the governor. The Washington state board of accountancy shall hereinafter be referred to as the "board." Where appropriate, the term "board" also refers to the staff and employees of the Washington state accountancy board.

NEW SECTION

WAC 4-24-041 OPERATIONS AND PROCEDURES. (1) The board of accountancy consists of five members, one of whom is designated as chairman.

(2) The board meets approximately once each month in various places throughout the state. The time and place of the meeting can be learned by writing or calling the administrative office of the board.

(3) The chief executive officer is the board's administrator. He is responsible for carrying out the board's directions and for directing the board's staff.

(4) It is the board's duty to administer the accountancy law:

(a) The board administers a certified public accountant's examination semiannually.

(b) The board receives applications for certificates of CPA's and permits to practice as public accountants and investigates the qualifications of applicants and issues licenses to those properly qualified.

(c) The board prepares an annual report to the governor of its activities, which upon request shall be available to any person, office, partnership, or corporation within this act, or to any member of the public.

(d) The board reviews licensees' compliance with its continuing education rules.

(e) The board receives complaints about licensees' professional conduct and revokes or suspends the license of persons found to have violated terms of the licensing law.

(5) Information concerning all licenses or registrations issued by the board may be obtained by writing or calling the administrative office of the board.

NEW SECTION

WAC 4-24-101 EXEMPTIONS. (1) The board reserves the right to determine that a public record requested in accordance with the procedures outlined is exempt from disclosure under provisions of RCW 42.17.310, also known as section 31, chapter 1, Laws of 1973.

(2) In addition, pursuant to RCW 42.17.310(2), section 26, chapter 1, Laws of 1973, the board reserves the right to delete identifying details when it makes available or publishes any public record, in any cases when there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by RCW 42.17.310, also known as chapter 1, Laws of 1973. The public records officer will fully justify such deletion in writing.

(3) All denials of requests for public records must be accompanied by a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld.

NEW SECTION

WAC 4-24-131 INDEX OF PUBLIC RECORDS AVAILABLE. (1) The board has available to all persons:

(a) Card file of every Washington licensed certified public accountant, with details of name, address, certificate type, date issued and number, including certified public accountant examination candidates without grade information;

(b) Computer status report showing current status of all licensed accountants, name and address, current or delinquent;

(c) Formal orders including orders of public hearings;
(d) Minutes of board meetings;

(e) Files to support above, with specific complaints and other nondisclosable items deleted;

(f) Tape recordings of all board meetings, excluding executive sessions;

(g) Correspondence, including AICPA reports of examination results, excluding names;

(h) Law pamphlets and amendments thereto;

(i) Continuing education course data, sponsor agreements and records applicable to licensees;

(j) Legal orders file; and

(k) Correspondence and materials referred to therein by and with the board relating to any regulatory, supervisory, or enforcement responsibilities of the board, whereby the board determines or opines upon, or is about to determine or opine upon, the rights of the state, the public, a subdivision of state government or of any private party, which is filed chronologically, with one copy also filed in a licensee's file, if applicable.

(2) The board has determined that it would be unduly burdensome to maintain an index, except as set forth herein, due to fiscal and personnel limitations and to the general nature and large volume of correspondence of the board.

(3) The board shall not give, sell, or provide access to lists of individuals requested for commercial purposes except that a list of licensees is maintained according to statute, and except that lists of applicants for licenses are accessible to bona fide educational and professional organizations.



WSR 83-22-034

ADOPTED RULES

BOARD OF PHARMACY
[Order 177—Filed October 26, 1983]

Be it resolved by the Washington State Board of Pharmacy, acting at Spokane, Washington, that it does adopt the annexed rules relating to the amending of WAC 360-18-020.

This action is taken pursuant to Notice No. WSR 83-18-060 filed with the code reviser on September 7, 1983. 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 18.64.005 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 October 19, 1983.

By Donald H. Williams
Executive Secretary

AMENDATORY SECTION (Amending Order 175, filed 8/30/83)

WAC 360-18-020 LICENSE FEES. Effective October 1, 1983 the following fees shall be charged by the board of pharmacy:

(a) PHARMACY LOCATION, CSA & PROPHYLACTIC	
Original pharmacy fee	\$125.00
Original CSA fee	35.00
Original prophylactic fee	10.00
Original pharmacy assistant utilization fee	30.00
Renewal pharmacy fee	65.00
Renewal CSA fee	30.00
Renewal prophylactic fee	10.00
Renewal pharmacy assistant utilization fee	30.00
Penalty pharmacy fee	130.00
(b) VENDOR	
Original fee	20.00
Renewal fee	20.00
Penalty fee	20.00
(c) PHARMACIST	
Exam fee (full exam)	100.00
Re-examination fee (jurisprudence portion)	25.00
Original license fee	75.00
Renewal fee	((25.00)) 50.00
Penalty fee	35.00
Reciprocity fee	200.00
<u>Certification of license status to other states</u>	<u>10.00</u>
(d) SHOPKEEPER	
Original fee	20.00
Renewal fee	20.00
Penalty fee	20.00
(i) SHOPKEEPER - 6 or fewer drugs	
Original fee	5.00
Renewal fee	5.00
Penalty fee	5.00
(ii) SHOPKEEPER - with differential hours	
Original fee	20.00
Renewal fee	20.00
Penalty fee	20.00
(e) DRUG MANUFACTURER	
Original fee	175.00
Renewal fee	175.00
Penalty fee	175.00
(f) DRUG WHOLESALER - full line	
Original fee	175.00

P/c OK 1/83

Renewal fee	175.00
Penalty fee	175.00
(g) DRUG WHOLESALER - OTC only	
Original fee	125.00
Renewal fee	125.00
Penalty fee	125.00
(h) PHARMACY ASSISTANT - Level "A"	
Original fee	20.00
Renewal fee	15.00
(i) PHARMACY INTERN	
Original registration fee	10.00
Renewal registration fee	10.00

WSR 83-22-035
EMERGENCY RULES
BOARD OF PHARMACY
 [Order 178—Filed October 26, 1983]

Be it resolved by the Washington State Board of Pharmacy, acting at Spokane, Washington, that it does adopt the annexed rules relating to WAC 360-12-015.

We, the Washington State Board of Pharmacy, 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 timing of scheduled full board examinations would necessitate an undue delay for individuals seeking a retake of the jurisprudence portion of the examination without amendment.

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

This rule is promulgated pursuant to RCW 18.64.005(1) and 18.64.080 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 October 19, 1983.
 By Donald H. Williams
 Executive Secretary

AMENDATORY SECTION (Amending Order 147, filed 3/27/79)

WAC 360-12-015 EXAMINATIONS. (1) The examination for licensure as a pharmacist shall be known as the full board examination and shall consist of both theoretical and practical sections in such form as may be determined by the board.

(2) The score required to pass the overall examination shall be 75 percent. In addition, the scores achieved in

the jurisprudence and written practice of pharmacy sections of the exam shall be no lower than 75 percent and the scores achieved on the other sections of the exam shall be no lower than 60 percent.

(3) An examinee failing any portion of the examination other than the jurisprudence section shall retake the regularly scheduled full board examination.

(4) An examinee failing the jurisprudence portion of the full board examination shall be allowed ~~((one))~~ to retake ~~((of))~~ the jurisprudence portion at a time and place to be specified by the board.

(5) ((An examinee failing the retake of the jurisprudence examination shall be required to retake the full board examination.)) An examinee who fails the jurisprudence examination three times shall not be eligible for further examination until he or she has satisfactorily completed additional preparation as directed and approved by the board.

WSR 83-22-036
PROPOSED RULES
BOARD OF PHARMACY
 [Filed October 26, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Pharmacy intends to adopt, amend, or repeal rules concerning WAC 360-17-055;

that the agency will at 9:00 a.m., Wednesday, November 16, 1983, in Edmonds Community College, Room 424, Lynnwood Hall, 20000 68th Avenue West, Lynnwood, WA 98036, 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 18.64.005.

The specific statute these rules are intended to implement is RCW 18.64.005.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 15, 1983.

This notice is connected to and continues the matter in Notice No. WSR 83-18-060 filed with the code reviser's office on September 7, 1983.

Dated: October 25, 1983
 By: Donald H. Williams
 Executive Secretary



WSR 83-22-037
ADOPTED RULES
PLANNING AND
COMMUNITY AFFAIRS AGENCY
 [Order 83-08—Filed October 27, 1983]

I, Chuck Clarke, assistant director of the Planning and Community Affairs Agency, do promulgate and

adopt at Olympia, Washington, the annexed rules relating to distribution of law enforcement assistance funds for border areas.

This action is taken pursuant to Notice No. WSR 83-17-083 filed with the code reviser on August 22, 1983. 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 43.63A-.190 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 October 24, 1983.

By Charles Clarke
Assistant Director

Chapter 365-90 WAC
SUPPLEMENTAL LAW ENFORCEMENT
RESOURCES FOR BORDER AREAS

NEW SECTION

WAC 365-90-010 DECLARATION OF PUBLIC POLICY. The following regulations are adopted pursuant to chapter 34.04 RCW, for the purpose of distributing funds appropriated by the legislature as supplemental resources for border areas, and commonly referred to as the bordertowns program.

The legislature has found and declared that certain counties and municipalities near international borders are subjected to a constant volume and flow of travelers and visitors for whom local government services must be provided. In addition, the legislature has further found that it is in the public interest and for the protection of the health, property, and welfare of both the residents and visitors to provide supplemental resources to augment and maintain existing levels of police protection in these areas.

Funding for the bordertowns program has been appropriated to the planning and community affairs agency by the legislature. These rules are intended to provide the criteria and procedures that the planning and community affairs agency will utilize to distribute these funds to eligible jurisdictions.

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 365-90-020 DEFINITIONS. (1) "Agency" means the planning and community affairs agency and any of its employees or personnel designated thereof.

(2) "Border areas" means any incorporated city or town located within seven miles of the Washington-Canadian border and any point of land surrounded on three sides by water and adjacent to the Canadian border. Further, border areas are based on measurements from the boundary of Canada to the incorporated jurisdiction or affected area.

(3) "Formula" means the formula developed by the planning and community affairs agency under RCW 43-.63A.190 based on border traffic and historical public impacts of law enforcement problems.

NEW SECTION

WAC 365-90-030 ELIGIBLE JURISDICTION. Jurisdictions eligible to receive funds under the bordertowns program are incorporated cities or towns within seven miles of the Washington-Canadian border and any point of land surrounded on three sides by water and adjacent to the Canadian board. These jurisdictions include the following: (1) Blaine, (2) Everson, (3) Lynden, (4) Northport, (5) Oroville, (6) Sumas, (7) Port Angeles, (8) Friday Harbor, and (9) Whatcom county. All funds received by Whatcom county shall be spent within the Point Roberts area.

NEW SECTION

WAC 365-90-040 ALLOCATION OF FUNDS. Funds appropriated by the legislature shall be allocated to the eligible jurisdictions based on criteria to include but not be limited to the following: (1) traffic, (2) crime, and (3) per capita law enforcement budget.

NEW SECTION

WAC 365-90-050 PROCEDURE FOR NOTIFICATION AND DISTRIBUTION. Upon appropriation of funds by the legislature, the agency shall provide public notice of the availability of funds. The agency shall hold a public meeting to discuss the appropriation, the allocation formula, and any recent changes that may affect the purpose of the program or the allocation of funds.

After holding the public meeting, the agency will allocate funds to eligible jurisdictions.

NEW SECTION

WAC 365-90-060 RESPONSIBILITIES OF ELIGIBLE JURISDICTIONS. Eligible jurisdictions are responsible for complying with the legislative intent of the bordertowns program as cited in RCW 43.63A.190. The legislative intent shall be met by the following:

(1) Utilization of funds to augment and maintain existing levels of local police service.

(2) Utilization of funds for the procurement of law enforcement personnel, equipment or activities within the local police department which will be directly rendered in the control or curtailment of border related traffic and criminal problems. Funds are not appropriated for the purpose of increasing existing police personnel salaries, wages, or benefits, except that funds may be used to pay existing and/or new police personnel for overtime work.

NEW SECTION

WAC 365-90-070 CHANGES. The agency, after consultation, discussion, or advisement, may modify or make minor adjustments to the formula for allocation of

funds for the program. All decisions of the agency under this program shall be final.

NEW SECTION

WAC 365-90-080 UNEXPENDED FUNDS. Any unspent funds may be reallocated by the agency to other eligible jurisdictions.

NEW SECTION

WAC 365-90-090 ANNUAL REVIEW. The bordertowns program shall be reviewed on an annual basis with the eligible jurisdictions.

WSR 83-22-038
PROPOSED RULES
THE EVERGREEN
STATE COLLEGE
[Filed October 27, 1983]

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 affirmative action policy, adopting WAC 174-109-010 through 174-109-500, and equal opportunity policy and affirmative action program, repealing WAC 174-148-010 through 174-148-120;

that the institution will at 1:45 p.m., Thursday, November 10, 1983, in the Board of Trustees Room, Library 3112, The Evergreen State College campus, Olympia, 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 November 1, 1983.

This notice is connected to and continues the matter in Notice Nos. WSR 83-17-137 and 83-21-052 filed with the code reviser's office on August 24, 1983, and October 14, 1983.

Dated: October 24, 1983

By: Richard N. Schwartz
Acting President

WSR 83-22-039
WITHDRAWAL OF PROPOSED RULES
OFFICE OF MINORITY AND
WOMEN'S BUSINESS ENTERPRISES
[Filed October 27, 1983]

I am withdrawing proposed WAC 326-20-100 (joint ventures), which was contained in Notice No. WSR 83-

19-066. This rule is being withdrawn prior to my adoption of the remaining rules in that chapter, notice of which will be filed with your office.

Carolyn V. Patton
Director

WSR 83-22-040
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 83-172—Filed October 27, 1983]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, 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 harvestable numbers of chum salmon are available.

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 October 27, 1983.

By Frank Haw
for William R. Wilkerson
Director

NEW SECTION

WAC 220-36-02100L GRAYS HARBOR GILL NET SEASONS. *Notwithstanding the provisions of WAC 220-36-021, WAC 220-36-022 and WAC 220-36-024, it is unlawful to fish for salmon with gill net gear in Grays Harbor Salmon Management and Catch Reporting Areas 2B and 2C or to possess salmon taken from those areas with gill net gear except from 8:00 a.m. to 8:00 p.m. October 28, 1983. Gill net gear is restricted to 5 inch minimum and 6 1/2 inch maximum mesh.*

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-36-02100K GRAYS HARBOR GILL NET SEASONS (83-169)

WSR 83-22-041
PROPOSED RULES
DEPARTMENT OF REVENUE

[Filed October 28, 1983]

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

New	WAC 458-40-18700	Definitions.
New	WAC 458-40-18701	Small harvester option.
New	WAC 458-40-18702	Definitions for small harvester option.
New	WAC 458-40-18703	Taxable stumpage value for small harvester option.
New	WAC 458-40-18704	Stumpage value areas—Map.
New	WAC 458-40-18705	Hauling distance zones—Maps.
New	WAC 458-40-18706	Timber quality code numbers—Tables.
New	WAC 458-40-18711	Stumpage values—Tables for January 1, through June 30, 1984.
New	WAC 458-40-18712	Harvester adjustments—Tables for January 1 through June 30, 1984.
Amd	WAC 458-40-18600	General.
Amd	WAC 458-40-19000	Timber pole volume table for west of Cascade Summit.
Amd	WAC 458-40-19001	Timber piling volume table for west of Cascade Summit.
Amd	WAC 458-40-19002	Timber pole volume table for east of Cascade Summit.
Amd	WAC 458-40-19003	Timber piling volume table for east of Cascade Summit.
Amd	WAC 458-40-19004	Conversion definitions and factors;

that the agency will at 10:00 a.m., Wednesday, December 14, 1983, in the Large Conference Room, General Administration Building, Olympia, Washington 98504, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on December 30, 1983.

The authority under which these rules are proposed is RCW 84.33.071, 84.33.073 and 84.33.074.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 14, 1983.

Dated: October 28, 1983

By: John B. Conklin
 Forest Tax Supervisor

STATEMENT OF PURPOSE

This statement of purpose, prepared in compliance with RCW 34.04.045, accompanies proposed rules to be promulgated by the Department of Revenue as follows:

Title: Tables for determination of stumpage values, new sections WAC 458-40-18700 through 458-40-18706, 458-40-18711 and 458-40-18712 and amendatory sections WAC 458-40-18600 and 458-40-19000 through 458-40-19004.

Purpose: To establish the values for reporting and payment of the timber excise tax levied by RCW 84.33.071.

Statutory Authority: RCW 84.33.071, which directs the Department of Revenue to prepare tables of stumpage values before June 30 and December 31 of each year to be used for the six month periods thereafter.

Summary and Reasons for the Rule: The tables set out the value of stumpage for each species or subclassification of timber within designated areas having similar

growing, harvesting and marketing conditions. These values are to be used for computing the timber excise tax due quarterly by timber harvesters upon timber harvested for sale or for commercial industrial use during the period January 1, 1984, through June 30, 1984.

Drafters of the Rule: John Conklin, (206) 753-2871, and Joe Gienty, (206) 753-1385, Evergreen Plaza Building, Room 303, 711 South Capitol Way, Olympia, WA 98501.

Rule Implementation and Enforcement: Trevor W. Thompson, Director, Property Tax, Evergreen Plaza Building, 711 South Capitol Way, Olympia, WA 98501, (206) 753-5503.

Proposer of the Rule: Department of Revenue, General Administration Building, Olympia, WA 98504.

Comments and Recommendations: None.

Federal Law or Court Action Citation: No federal laws involved or action requested by the courts.

AMENDATORY SECTION (Amending Emergency Order FT-83-4 and Permanent Order FT-83-3, filed 6/30/83, effective 6/30/83)

WAC 458-40-18600 GENERAL. Pursuant to the duty imposed by RCW 84.33.071 to prepare tables of stumpage values for each species of timber and consistent with the duty to make allowances for age, size, quality, costs of removal, accessibility to point of conversion, market conditions, and all other relevant factors, the department has promulgated rules and prepared tables which prescribe stumpage values and make allowances for the relevant factors.

Pursuant to the duty imposed by RCW 84.33.073 and 84.33.074 to establish an elective manner for the small harvester to report his forest excise tax, the department has promulgated rules providing for filing an optional short form forest excise tax return.

~~((WAC 458-40-18600, 458-40-18688 through 458-40-18696 and 458-40-19000 through 458-40-19004 are promulgated for the calendar period July 1 through December 31, 1983, pursuant to the rule-making requirements, and procedures prescribed or authorized by chapter 34.04 RCW.))~~

These rules shall not be construed to affect any public timber contracts in effect prior to August 1, 1982.

NEW SECTION

WAC 458-40-18700 DEFINITIONS. (1) Acceptable log scaling rule. The acceptable log scaling rule shall be the Scribner Decimal C Log Scale Rule or other prevalent measuring practice, provided that such other prevalent measuring practice shall be an acceptable scaling procedure and provided that such procedure shall be submitted to the department for approval prior to the time of harvest.

(2) Approved log scaling and grading rules.

(a) West of the Cascade Summit—Approved scaling and grading rule. With respect to the reporting of timber harvested from private or public lands in areas west of the Cascade Summit, which areas are designated as stumpage value areas 1, 2, 3, 4, and 5 in the stumpage value area map of WAC 458-40-18704, the methods and procedures published by the Columbia River Log Scaling and Grading Bureau, Grays Harbor Log Scaling and Grading Bureau, and the Puget Sound Log Scaling and Grading Bureau and published as the "Official Log Scaling and Grading Rules" are approved by the department for use in those areas.

(b) East of the Cascade Summit—Approved scaling rule. With respect to the reporting of timber harvested from private or public lands in areas east of the Cascade Summit, which areas are designated as stumpage value areas 6, 7, 8, 9, and 10 in the stumpage value area map of WAC 458-40-18704, the methods and procedures published by the United States Forest Service under the title "National Forest Log Scaling Handbook" procedures are approved by the department for use in those areas. This log scaling handbook is published under the title FSH 2409-11 National Forest Log Scaling Handbook, Forest Service, United States Department of Agriculture.

(c) East of the Cascade Summit—Established grading rule. Because the National Forest Log Scaling Handbook does not contain grading rules, a separate computation shall be made to arrive at the proper grade for purposes of determining the timber quality code number for

timber harvested east of the Cascade Summit. The grade for quality classification purposes of the timber harvested from private or public land east of the Cascade Summit shall be determined by the number of sawable sixteen foot logs per thousand feet net Scribner Decimal C Log Scale. The computation shall be made under the following three-step procedure:

(i) Step 1. The highest possible total number of sawable sixteen foot logs which could be recovered shall be determined by dividing the sum total of length of all sawable logs harvested by the number sixteen.

(ii) Step 2. The average net volume per sixteen foot recoverable log shall be determined by dividing the total volume harvested (net log scale) by the total number of sixteen foot logs as determined in Step 1.

(iii) Step 3. The total number of logs per thousand board feet (MBF) shall be determined by dividing one thousand by the average net volume as determined in step 2.

(3) Codominant trees. Trees whose crowns form the general level of the crown cover and receive full light from above, but comparatively little light from the sides.

(4) Department. Department, for the purposes of this chapter, shall mean the department of revenue of the state of Washington.

(5) Dominant trees. Trees whose crowns are higher than the general level of the canopy and who receive full light from the sides as well as from above.

(6) Forest excise tax payment. Every person who is engaged in business as a harvester of timber from privately or publicly owned land shall pay a forest excise tax which shall be equal to the taxable stumpage value of timber harvested for sale or for commercial or industrial use and multiplied by the appropriate rate as provided in RCW 84.33.071.

(7) Harvester. Harvester shall mean every person who from his own land or from land of another under a right or license granted by lease or contract, either directly or by contracting with others, takes timber for sale or for commercial or industrial use. It does not include persons performing under contract the necessary labor or mechanical services for a harvester.

(8) Harvested timber—When determined, timber shall be considered harvested at the time when in the ordinary course of business the quantity thereof by species is first definitely determined.

(9) Harvest type. Harvest type shall be a term referring to the grouping of harvested timber by age and type of harvest and shall include and is limited to the following harvest types:

(a) Merchantable sawtimber, all ages—The removal of timber east of the Cascade Summit shall be reported as "merchantable sawtimber, all ages," unless the harvest type comes within the definition in this chapter of "special forest products harvest."

(b) Old growth final harvest. The removal of any timber from a harvest unit that is 100 years of age or older and west of the Cascade Summit shall be reported as "old growth final harvest" unless the harvest type comes within the definition in this chapter of "special forest products harvest."

(c) Special forest products. The removal of Christmas trees (except as provided in RCW 84.33.170), shake blocks and boards, and posts and other western redcedar products shall be reported as "special forest products harvest."

(d) Thinning. The removal of timber from a harvest unit meeting all the following conditions:

(i) Harvest unit located west of the Cascade Summit;

(ii) Timber that is less than 100 years of age;

(iii) The total merchantable volume which is removed is less than forty percent of the total merchantable volume of the harvest unit prior to harvest;

(iv) Not more than forty percent of the total volume removed is from the dominant and codominant trees;

(v) The trees removed in the harvest operation shall be distributed over the entire harvest unit.

(e) Young growth final harvest. The removal of any timber from a harvest unit that is less than 100 years of age and does not meet the definition of thinning in paragraph (d) of this section and west of the Cascade Summit shall be reported as "young growth final harvest" unless the harvest type comes within the definition in this chapter of "special forest products harvest" or within the definition of "thinning harvest."

(10) Harvest unit. A harvest unit is a harvest area having the same forest excise tax permit number, stumpage value area, hauling distance zone, harvest type, harvest adjustments and harvester. A harvest unit may include more than one section.

(11) MBF. As used herein MBF shall mean one thousand board feet measured in Scribner Decimal C Log Scale Rule.

(12) Private timber. Private timber is all timber harvested from privately owned lands.

(13) Public timber. Public timber is timber harvested from state, federal, municipal, and other government owned lands.

(14) Remote island. A remote island is an area of land which is totally surrounded by water at normal high tide and which has no bridge or causeway connecting it to the mainland.

(15) Sawlog. Sawlog shall mean any log large enough to produce one-third of its gross volume in sound lumber or other products that can be sawed.

(16) Species. Species designation is a biologically-based grouping of harvested timber and shall include but is not limited to the following designations of species and subclassifications thereof (as defined in Agriculture Handbook No. 541 Checklist of United States Trees (Native and Naturalized)):

(a) West of the Cascade Summit:

(i) "Douglas-fir," "western hemlock," "true fir," "western redcedar," "noble fir," "Sitka spruce," "Alaska-cedar," "red alder," and "cottonwood" shall be reported as separate species where designated as such in the stumpage value tables.

(ii) In areas west of the Cascade Summit, species designations for the harvest type "special forest products" shall be "western redcedar" (shake blocks and boards), "western redcedar" (flatsawn and shingle blocks), "western redcedar and other" (posts), "Douglas-fir" (Christmas trees), "true fir and others" (Christmas trees).

(b) East of the Cascade Summit:

(i) "Ponderosa pine," "lodgepole pine," "western white pine," "Douglas-fir," "western hemlock," "true fir," "western redcedar," "western larch" and "Engelmann spruce" shall be reported as separate species where designated as such in the stumpage value tables.

(ii) In areas east of the Cascade Summit, species designations for the harvest type "special forest products" shall be "western redcedar" (flatsawn and shingle blocks), "lodgepole pine and other" (posts), "pine" (Christmas trees), "Douglas-fir and other" (Christmas trees).

(c) All areas:

(i) "Other conifer," as used in the stumpage value tables, shall be all other conifers not separately designated in the applicable stumpage value tables.

(ii) "Hardwood," and "other hardwood," as used in the stumpage value tables, shall be all hardwoods not separately designated in the applicable stumpage value tables.

(iii) "Utility," "conifer utility," and "hardwood utility" are separate species as defined by the "Official Log Scaling and Grading Rules" published by the Puget Sound Log Scaling and Grading Bureau and shall be reported as separate species where designated as such in the stumpage value tables.

(17) Stumpage value area. A stumpage value area is an area with specified boundaries which contains timber having similar growing, harvesting, and marketing conditions. Presently, there are ten such stumpage value areas designated in the state of Washington as shown under WAC 458-40-18704. Stumpage value areas 1, 2, 3, 4, and 5 are located west of the Cascade Summit and stumpage value areas 6, 7, 8, 9, and 10 are located east of the Cascade Summit.

(18) Stumpage value of timber. The stumpage value of timber shall be the appropriate value for each species of timber harvested, or for each species of "special forest product" reported, as set forth in the stumpage value tables.

(19) Timber. Timber shall include forest trees, standing or down, on privately or publicly owned land, and except as provided in RCW 84.33.170 includes Christmas trees, shake blocks and boards, posts and other western redcedar products.

(20) Timber quality code number. The timber quality code number is a number assigned to the harvest of a particular species within a harvest type under WAC 458-40-18706, and is based upon the constituent percentage of log grade specifications within the total volume of timber harvested for that particular species.

(21) This rule shall not be construed to affect any public timber contracts in effect prior to August 1, 1982.

(22) This rule shall become effective January 1, 1984.

NEW SECTION

WAC 458-40-18701 SMALL HARVESTER OPTION. Harvesters of no more than 500 MBF per calendar quarter or a total of 1,000 MBF in a calendar year of combined public and private harvest (excluding conifer and hardwood utility) may elect to calculate the

timber tax in the manner provided by RCW 84.33.073 and 84.33.074. A harvester who elects to use this option shall use the quarterly reporting forms provided for this option by the department of revenue.

NEW SECTION

WAC 458-40-18702 DEFINITIONS FOR SMALL HARVESTER OPTION. (1) Small harvester. Small harvester means every person who from his own land or from the land of another under a right or license granted by lease or contract, either directly or by contracting with others for the necessary labor or mechanical services, fells, cuts, or takes timber for sale or for commercial or industrial use in an amount not exceeding 500 MBF in a calendar quarter and not exceeding 1,000 MBF in a calendar year of combined public and private harvest (excluding conifer and hardwood utility). It does not include persons performing under contract the necessary labor or mechanical services for a harvester, and it does not include harvests of forest products classified by the department of revenue as special forest products including Christmas trees, posts, shake boards, bolts, flatsawn and shingle blocks.

(2) Harvesting and marketing. Harvesting and marketing costs means only those costs directly associated with harvesting the timber from the land and delivering it to the buyer and may include the costs of disposing of logging residues but it does not include any other costs which are not directly and exclusively related to harvesting and marketing of the timber such as costs of permanent roads or costs of reforestation of the land following harvest.

(3) Stumpage value. Stumpage value shall be determined by the following methods, whichever is most appropriate to the circumstances of the harvest:

(a) Sale of logs - Timber which has been severed from the stump and cut into various lengths for further processing. A landowner who has sold logs for a percentage share of gross receipts should report the share received under WAC 458-40-18702 (3)(b). The taxable stumpage value is the actual gross receipts from the harvested timber less the costs of harvesting and marketing.

(b) Sale of stumpage - Standing or fallen trees which have not been severed from the stump, providing harvest occurs within 12 months of sale. If harvest occurs more than 12 months after sale report under WAC 458-40-18702 (3)(a). The taxable stumpage value is the actual gross receipts received for the timber from the most recent sale prior to harvest. No harvesting and marketing cost deduction is allowable.

(4) This rule shall not be construed to affect any public timber contracts in effect prior to August 1, 1982.

NEW SECTION

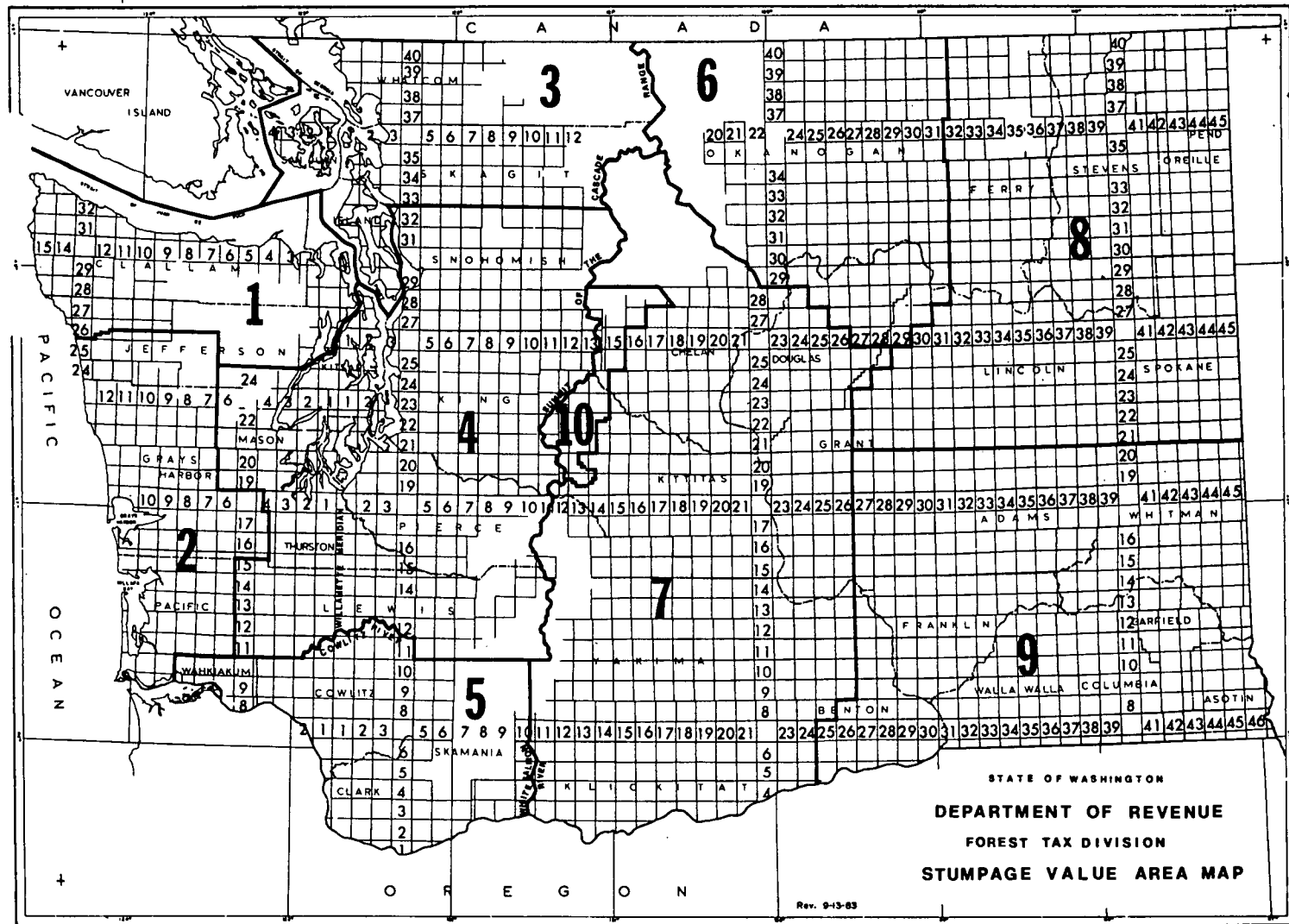
WAC 458-40-18703 TAXABLE STUMPAGE VALUE FOR SMALL HARVESTER OPTION. Taxable stumpage value shall be the stumpage value as determined by WAC 458-40-18702(3) (a) or (b). Actual harvesting and marketing costs must be used in all instances where documented records are available. When the taxpayer is unable to provide documented proof of harvesting and marketing costs, the deduction shall be a percentage of the gross receipts from the sale of the harvested timber as determined by the department of revenue. The deduction shall be fifty percent of the gross receipts. The amount of tax due is determined by multiplying the total taxable stumpage value by the current rate of .065.

NEW SECTION

WAC 458-40-18704 STUMPAGE VALUE AREAS—MAP. In order to allow for differences in market conditions and other relevant factors throughout the state as required by RCW 84.33.071(3) the department has created a map designating areas containing timber having similar growing, harvesting, and marketing conditions. The stumpage value area map shall be used for the determination of stumpage values.

The stumpage value area map shown herein shall be used to determine the proper stumpage value table to be used in calculating the taxable stumpage value.

The following stumpage value area map is hereby adopted:



NEW SECTION

WAC 458-40-18705 HAULING DISTANCE ZONES—MAPS.
In order to allow for differences in hauling costs and other relevant factors as required by RCW 84.33.071, the department has designated zones within each stumpage value area which have similar accessibility to conversion points and other similar hauling cost factors.

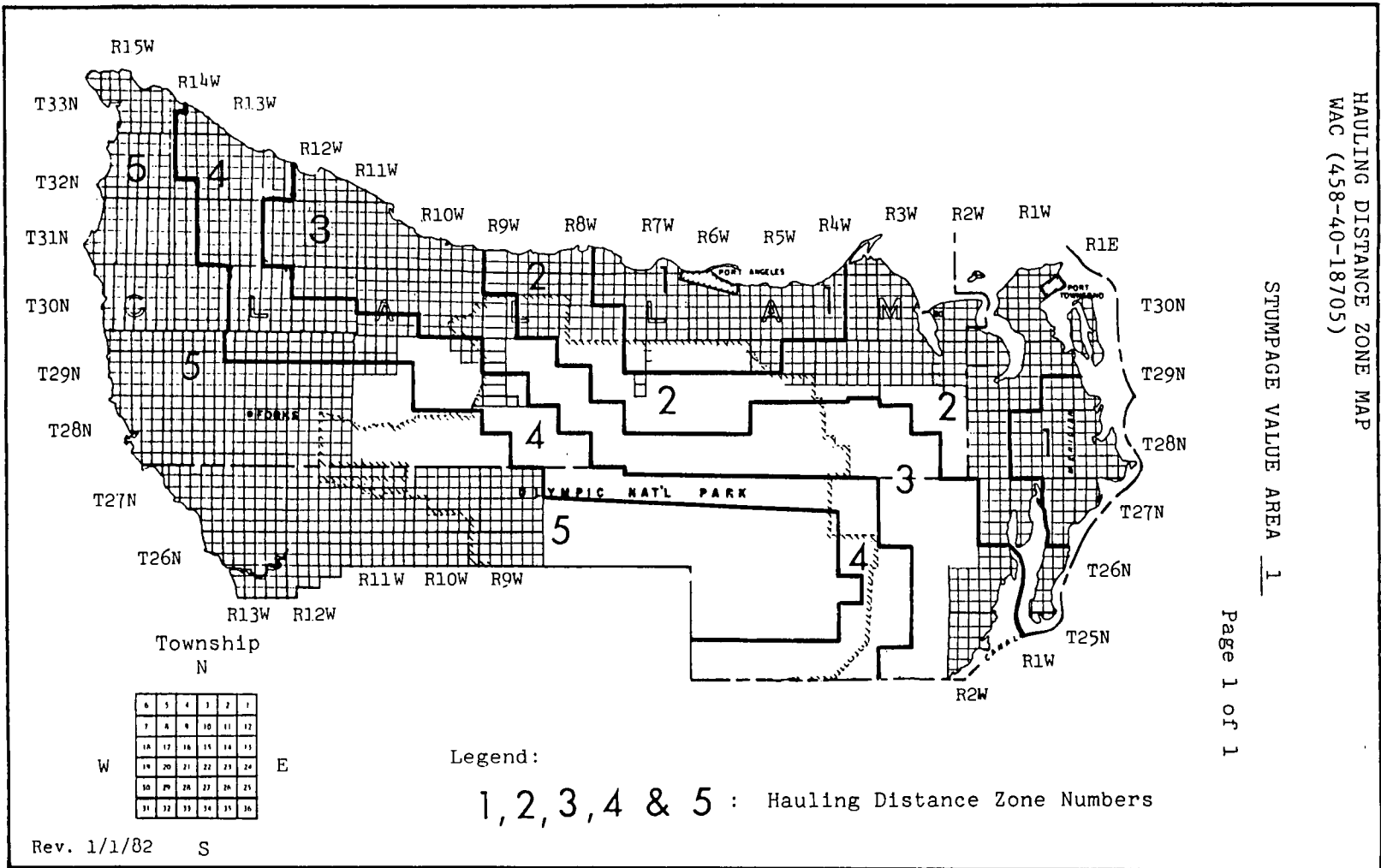
The hauling distance zone numbers on the following hauling distance zone maps establish the hauling distance zone numbers which are to be used in computing timber harvest value under the stumpage value tables.

The following hauling distance zone maps designating zones established by the department as having similar hauling costs for transportation of forest products to the market, are hereby adopted:

HAULING DISTANCE ZONE MAP
MAC (458-40-18705)

STUMPAGE VALUE AREA 1

Page 1 of 1



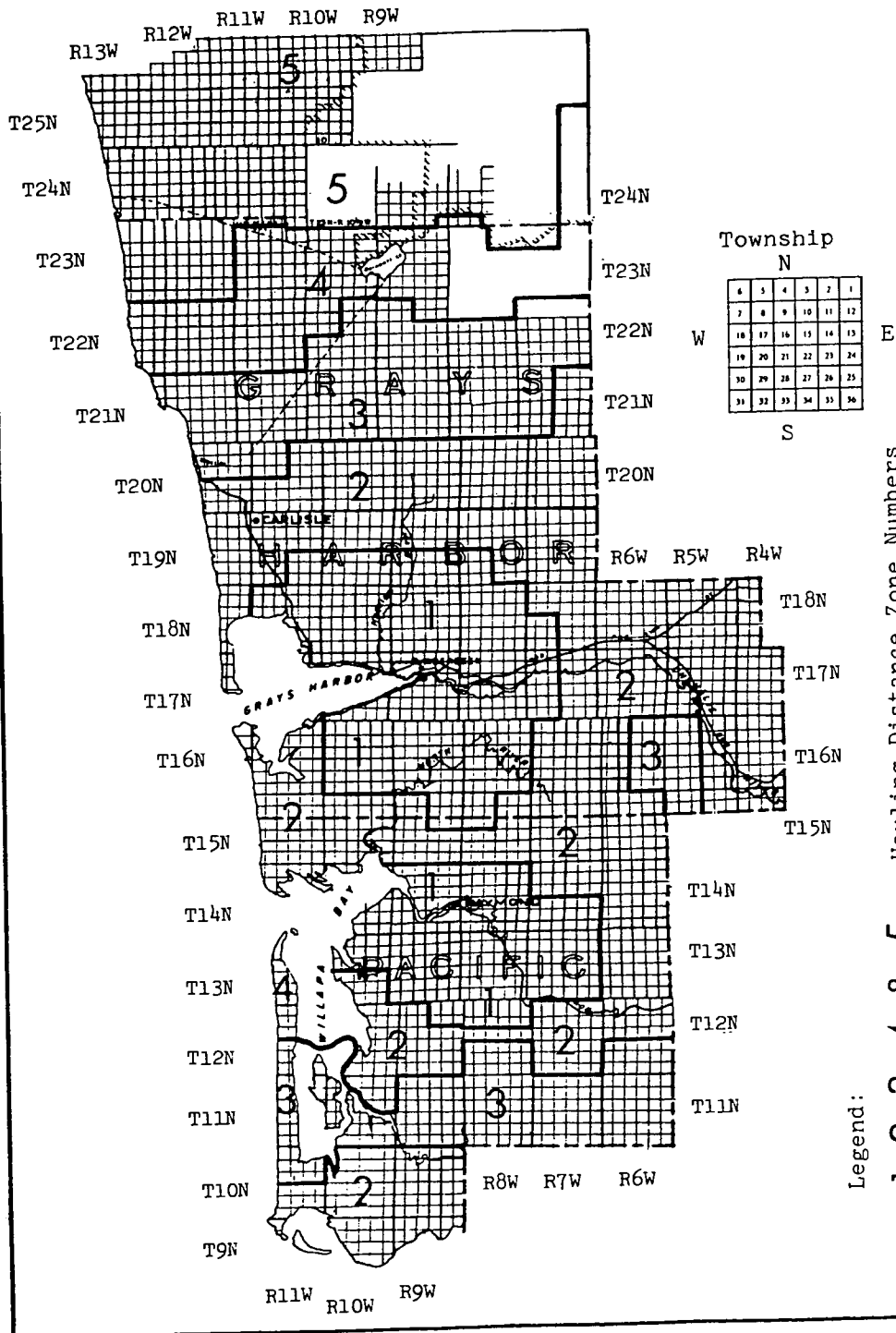
[81]

HAULING DISTANCE ZONE MAP

WAC (458-40-18705)

STUMPAGE VALUE AREA 2

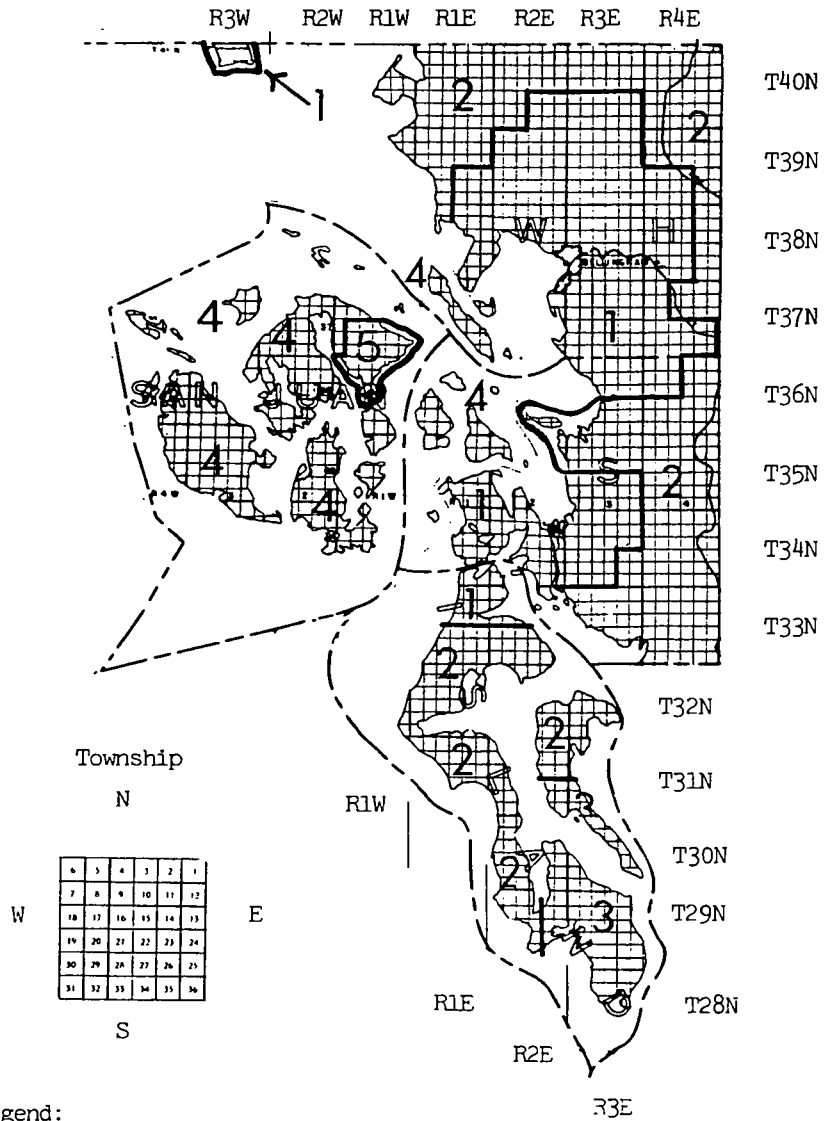
Page 1 of 1



HAULING DISTANCE ZONE MAP
WAC (458-40-18705)

STUMPAGE VALUE AREA 3

Page 1 of 2

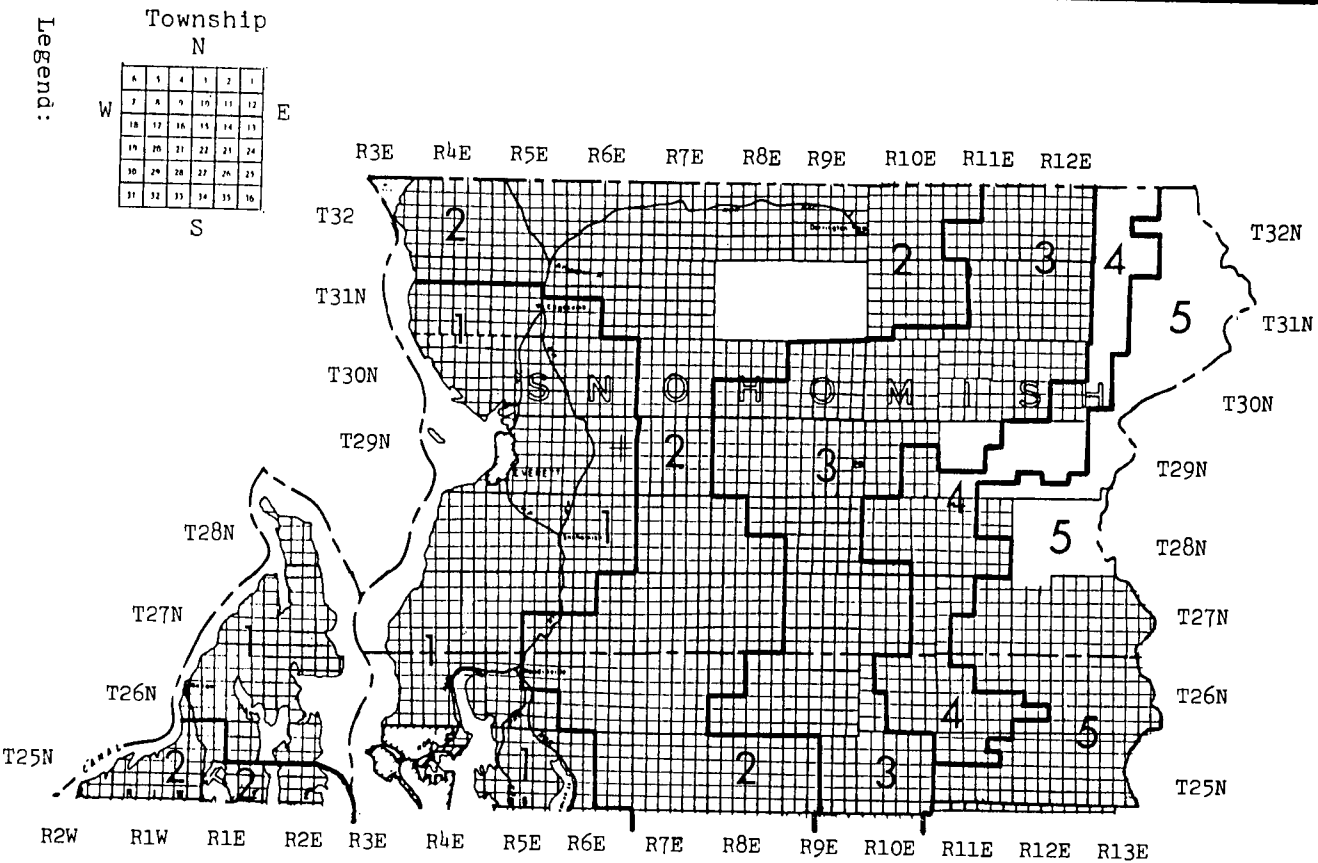


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HAULING DISTANCE ZONE MAP
WAC (458-40-18705)

STUMPAGE VALUE AREA 4

Page 1 of 3



Township
N

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

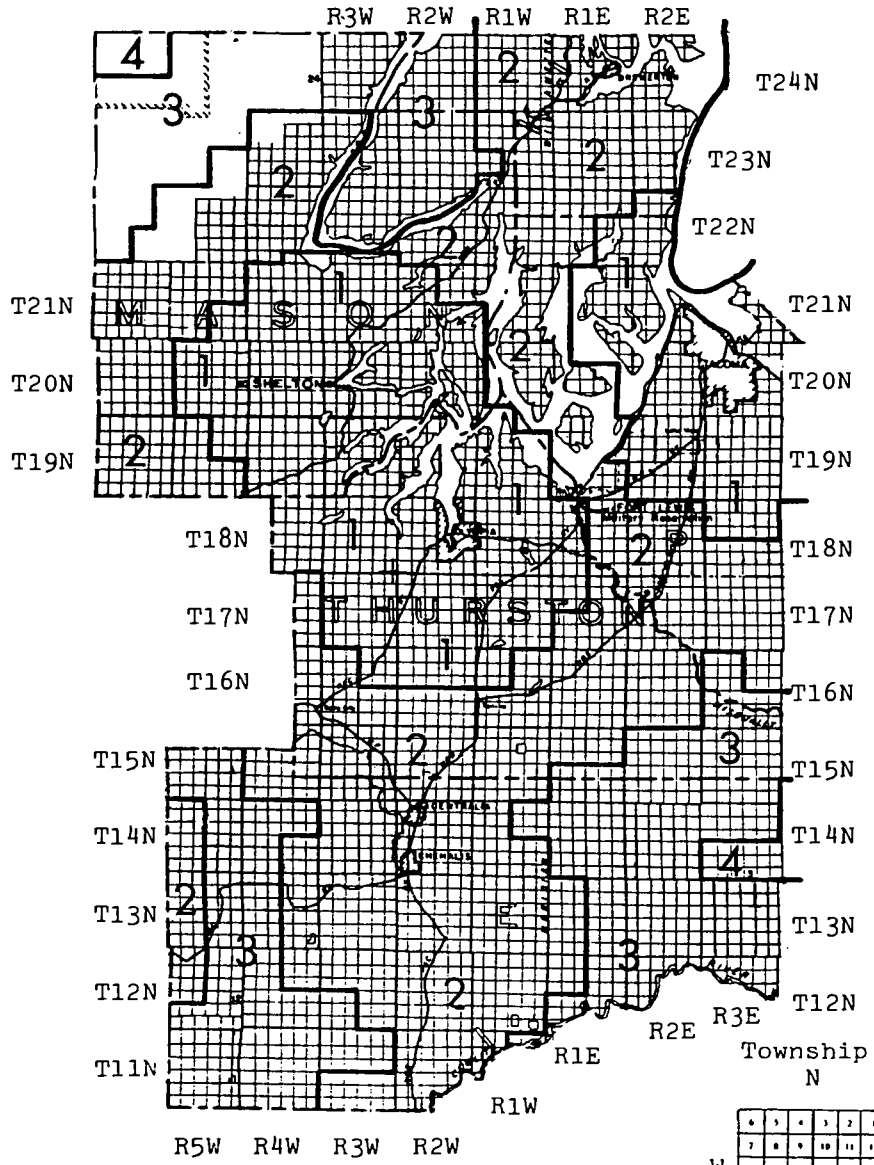
W S E

Legend:
1, 2, 3, 4 and 5 : Hauling Distance Zone Numbers

HAULING DISTANCE ZONE MAP
WAC (458-40-18705)

STUMPAGE VALUE AREA 4

Page 2 of 3



Legend:

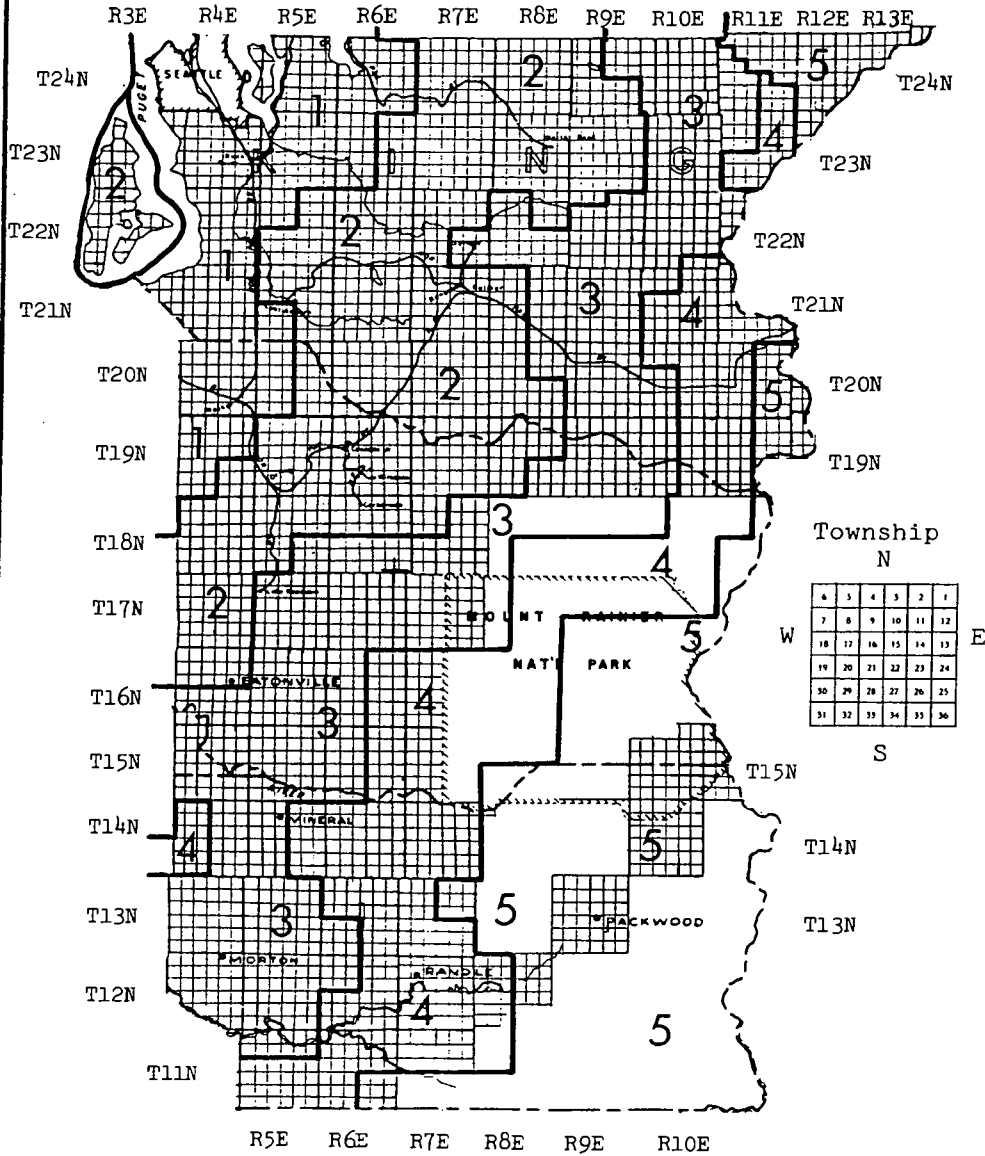
1, 2, 3 and 4: Hauling Distance Zone Numbers

6	5	4	3	2	1
7	8	9	10	11	12
13	14	15	16	17	18
19	20	21	22	23	24
25	26	27	28	29	30
31	32	33	34	35	36

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HAULING DISTANCE ZONE MAP
WAC (458-40-18705)

STUMPAGE VALUE AREA 4 Page 3 of 3

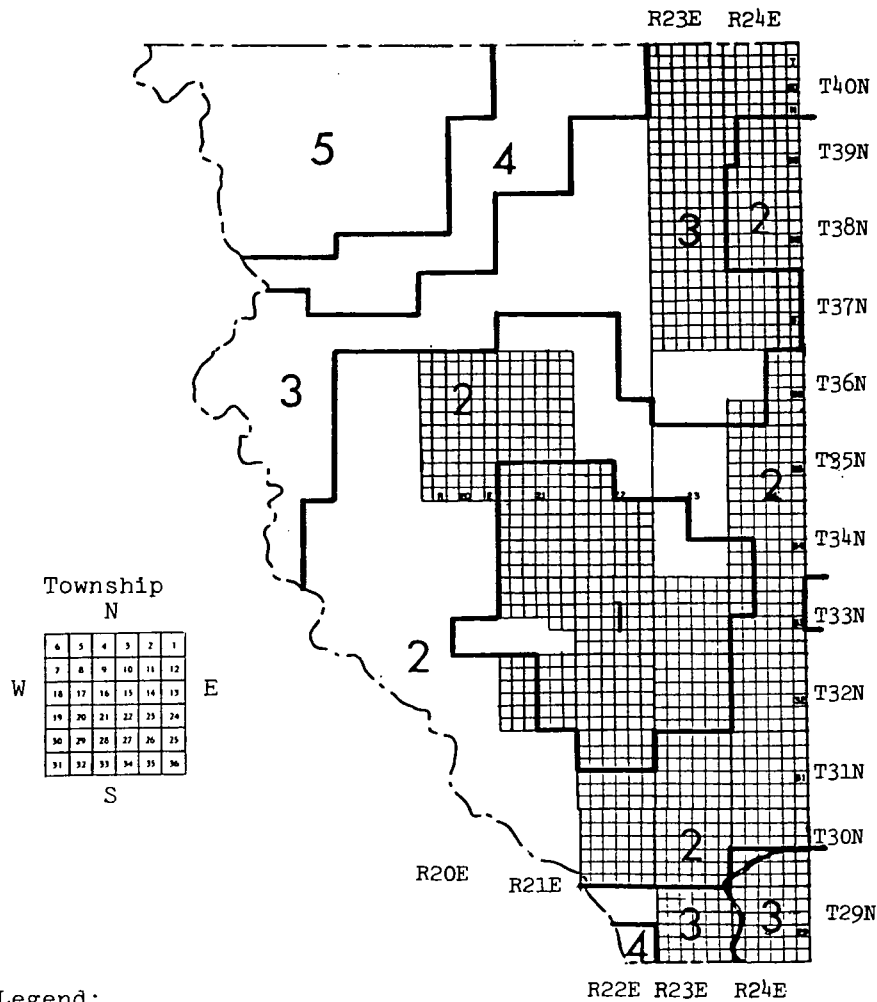


Legend:

1, 2, 3, 4 and 5: Hauling Distance Zone Numbers

HAULING DISTANCE ZONE MAP
WAC (458-40-18705)

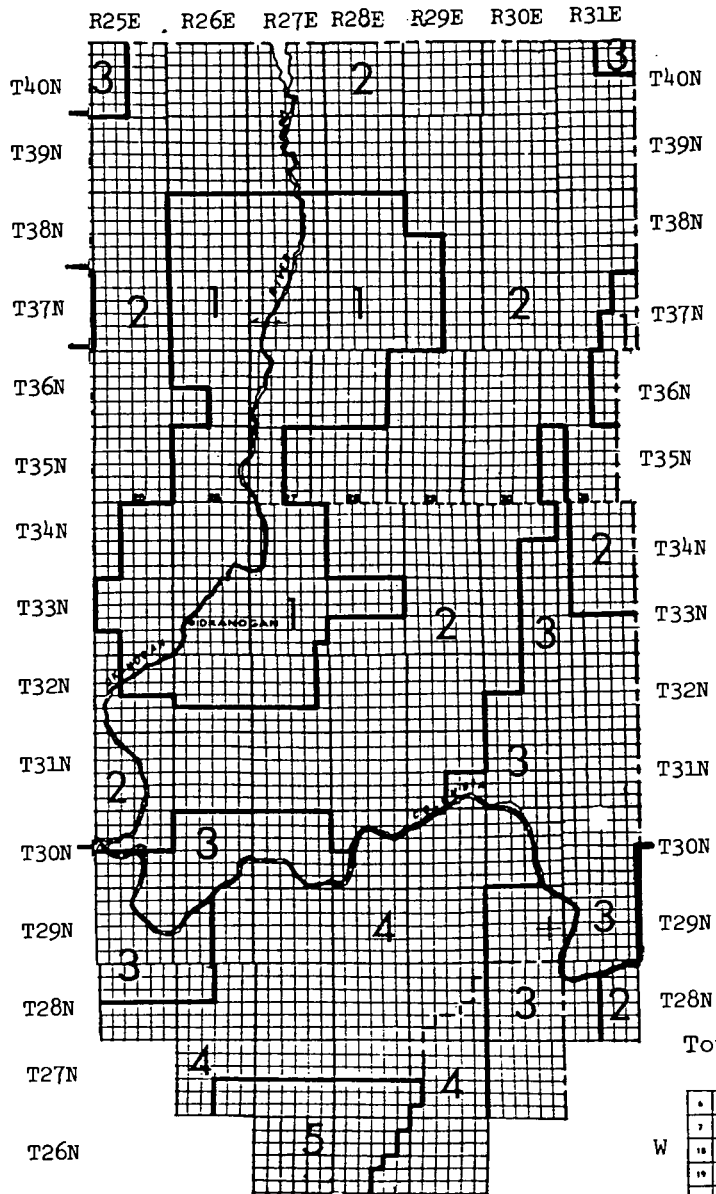
STUMPAGE VALUE AREA 6



HAULING DISTANCE ZONE MAP
WAC (458-40-18705)

STUMPAGE VALUE AREA 6

Page 2 of 2



Legend:

R25E R26E R27E R28E R29E R30E R31E

1, 2, 3, 4 and 5: Hauling Distance Zone Numbers

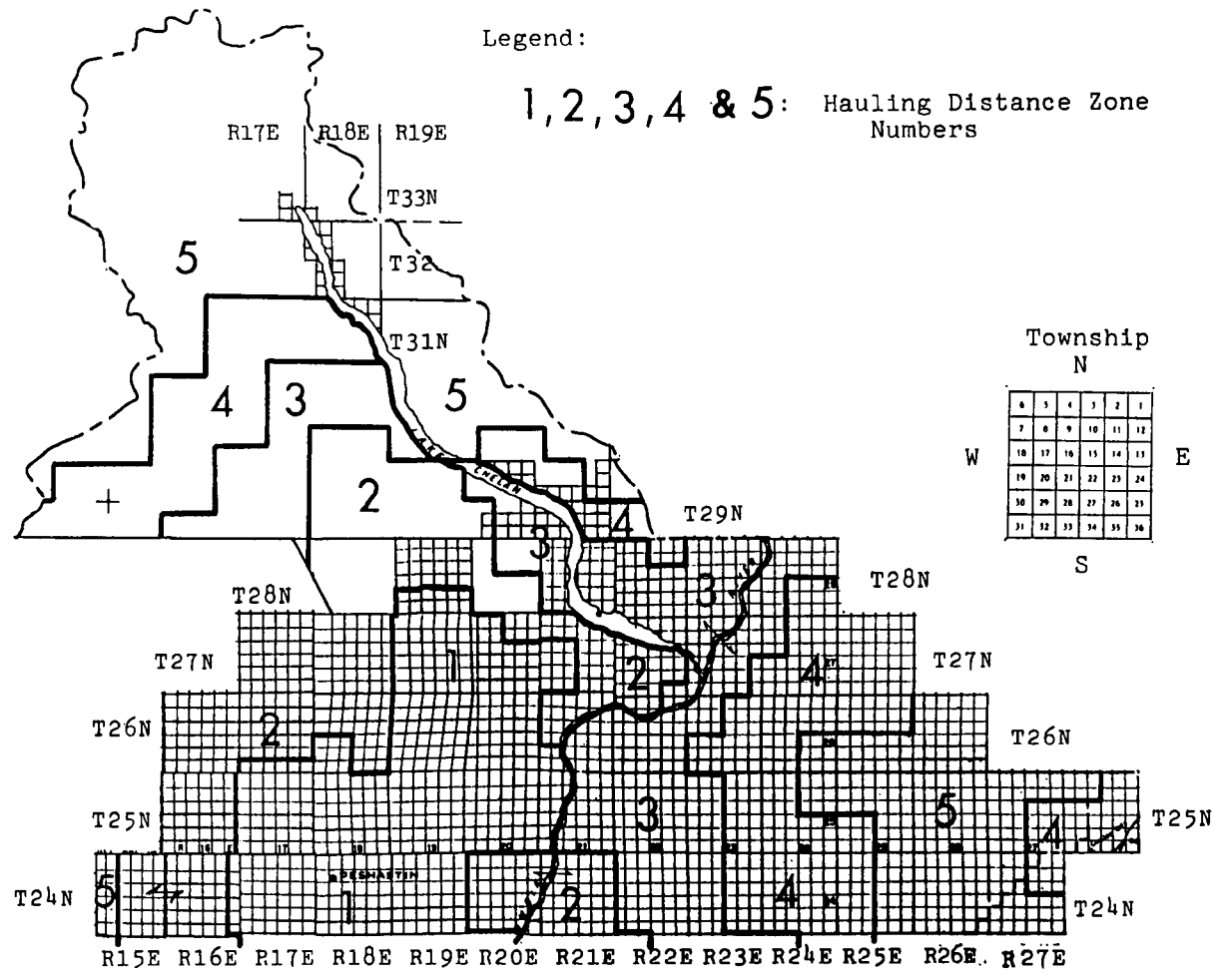
HAULING DISTANCE ZONE MAP
MAC (458-40-18705)

STUMPAGE VALUE AREA 7

Page 1 of 3

Legend:

1, 2, 3, 4 & 5: Hauling Distance Zone Numbers



Township N

6	5	4	3	2	1
7	8	9	10	11	12
13	14	15	16	17	18
19	20	21	22	23	24
25	26	27	28	29	30
31	32	33	34	35	36

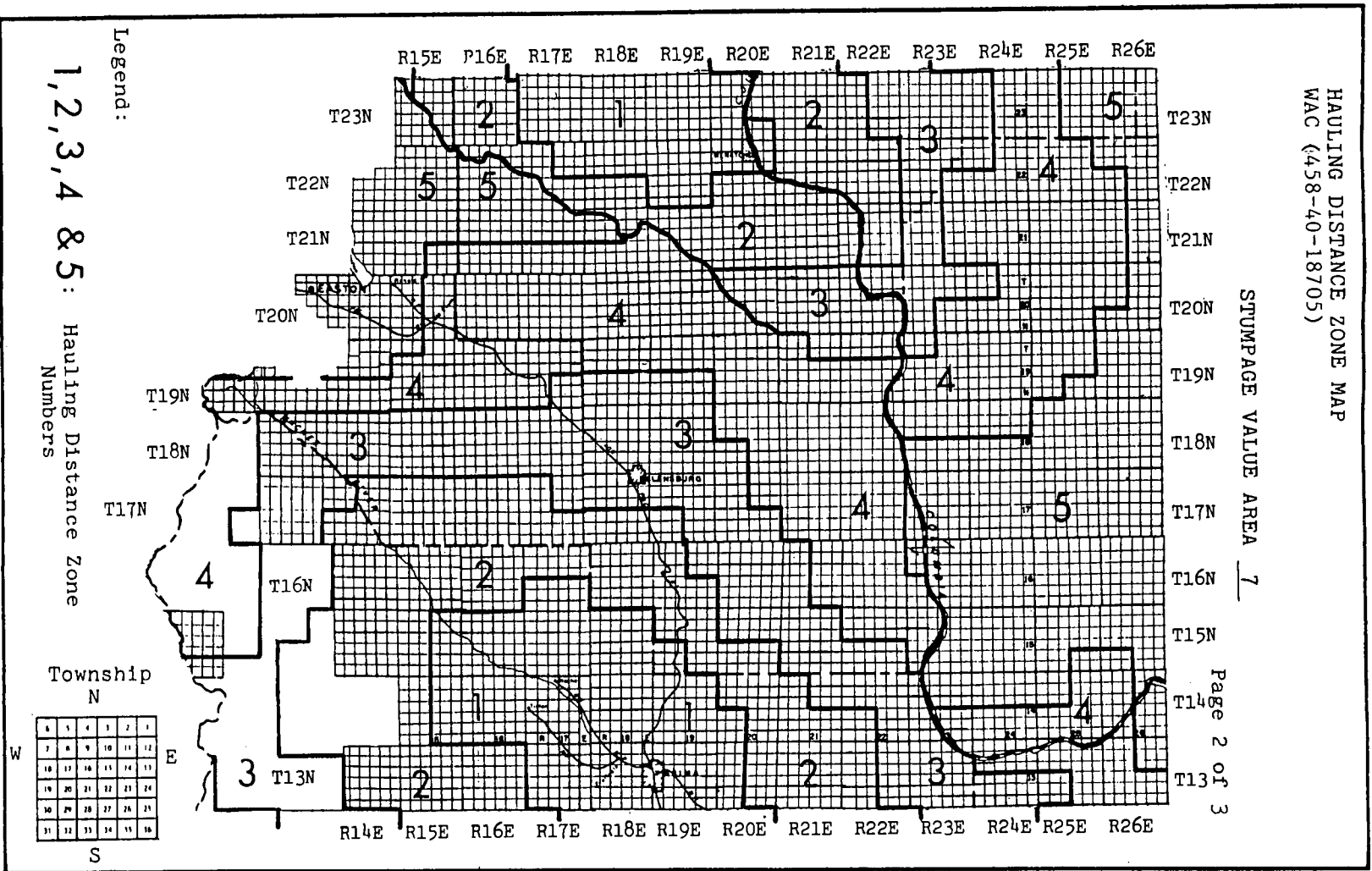
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HAULING DISTANCE ZONE MAP
WAC (458-40-18705)

STUMPAGE VALUE AREA 7

Page 2 of 3



Legend:

1, 2, 3, 4 & 5: Hauling Distance Zone Numbers

Township N

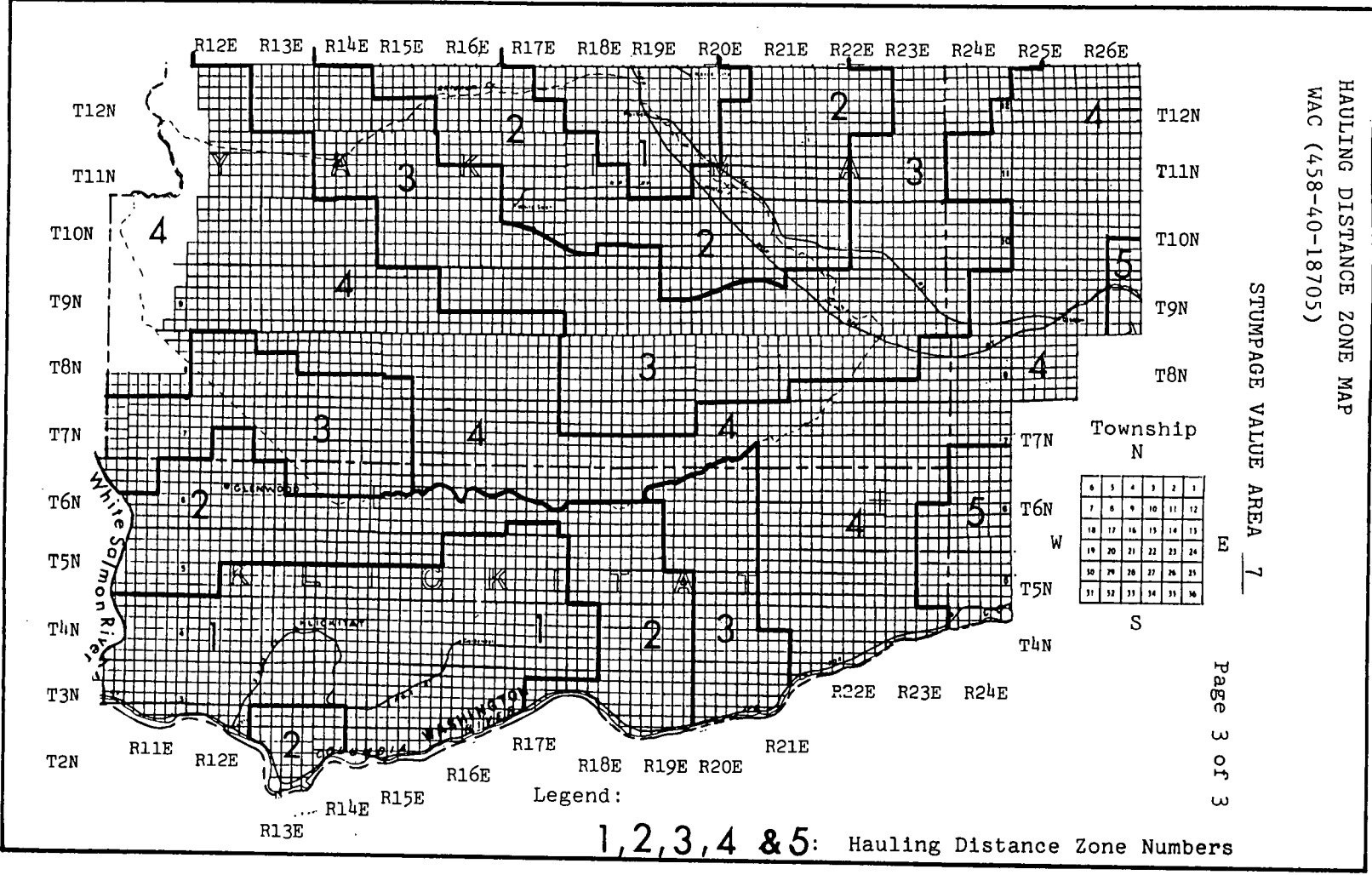
6	5	4	3	2	1
7	8	9	10	11	12
13	14	15	16	17	18
19	20	21	22	23	24
25	26	27	28	29	30
31	32	33	34	35	36

W E S

HAULING DISTANCE ZONE MAP
MAC (458-40-18705)

STUMPAGE VALUE AREA 7

Page 3 of 3

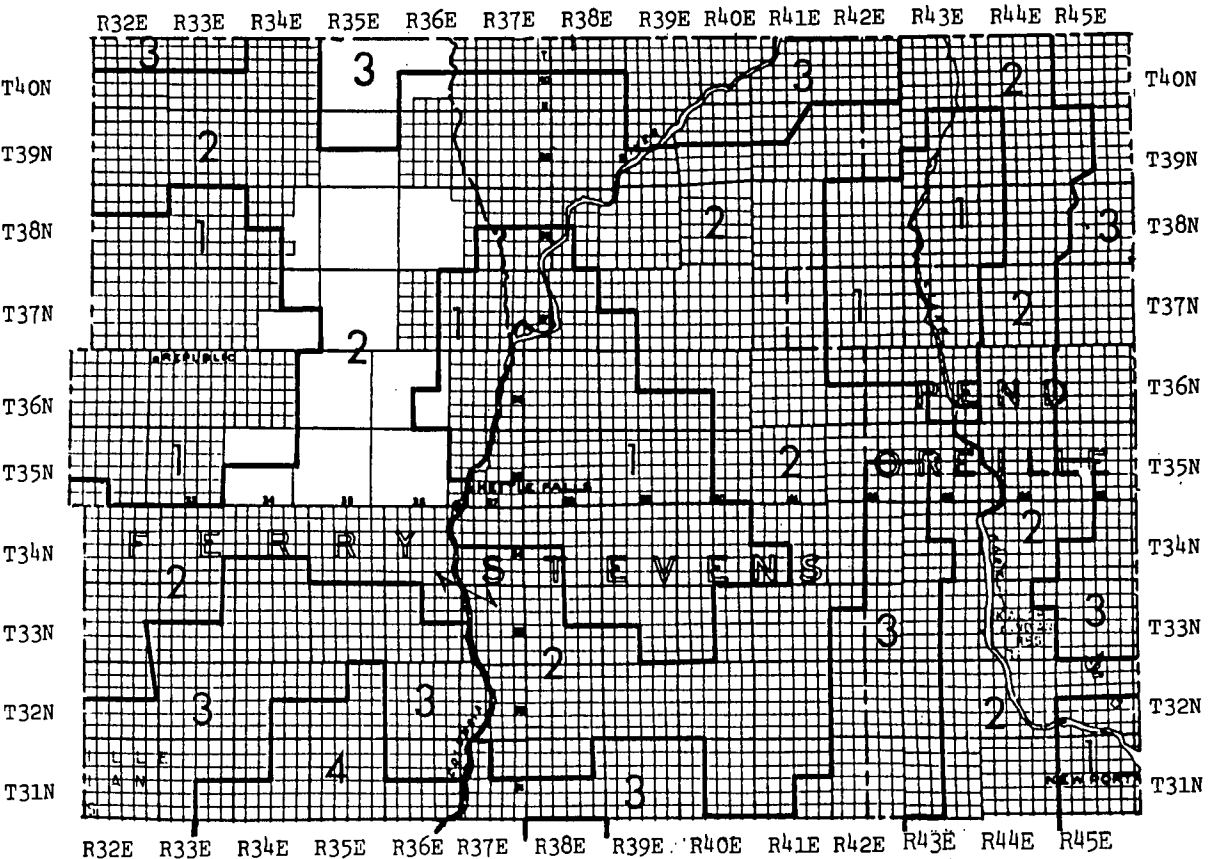


[93]

HAULING DISTANCE ZONE MAP
MAC (458-40-18705)

STUMPAGE VALUE AREA 8

Page 1 of 2



Township
N

6	5	4	3	2	1
7	8	9	10	11	12
13	14	15	16	17	18
19	20	21	22	23	24
25	26	27	28	29	30
31	32	33	34	35	36

S

Legend:

1, 2, 3, 4 & 5: Hauling Distance
Zone Numbers

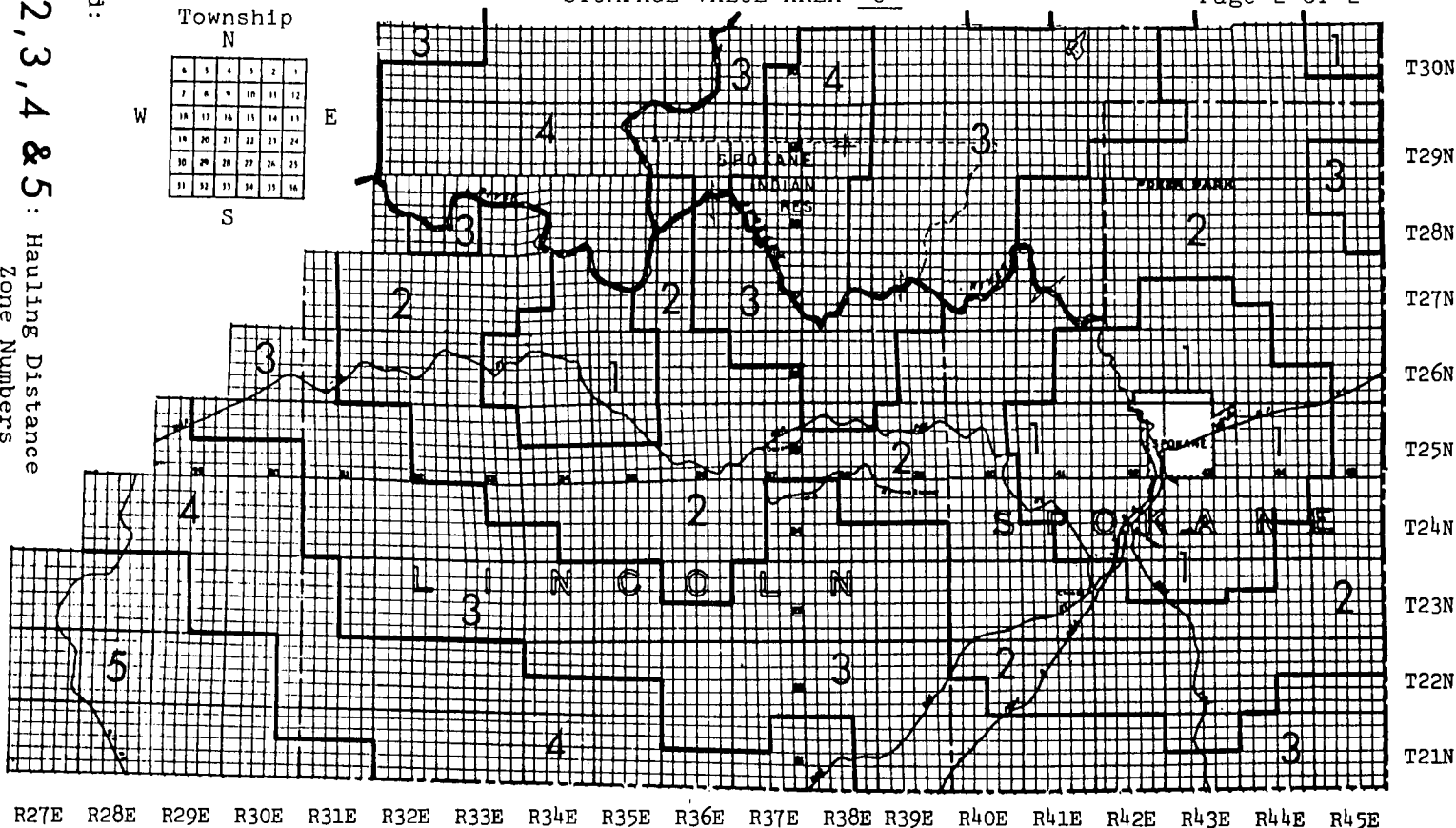
HAULING DISTANCE ZONE MAP
WAC (458-40-18705)

STUMPAGE VALUE AREA 8

Page 2 of 2

Legend:
1, 2, 3, 4 & 5: Hauling Distance
Zone Numbers

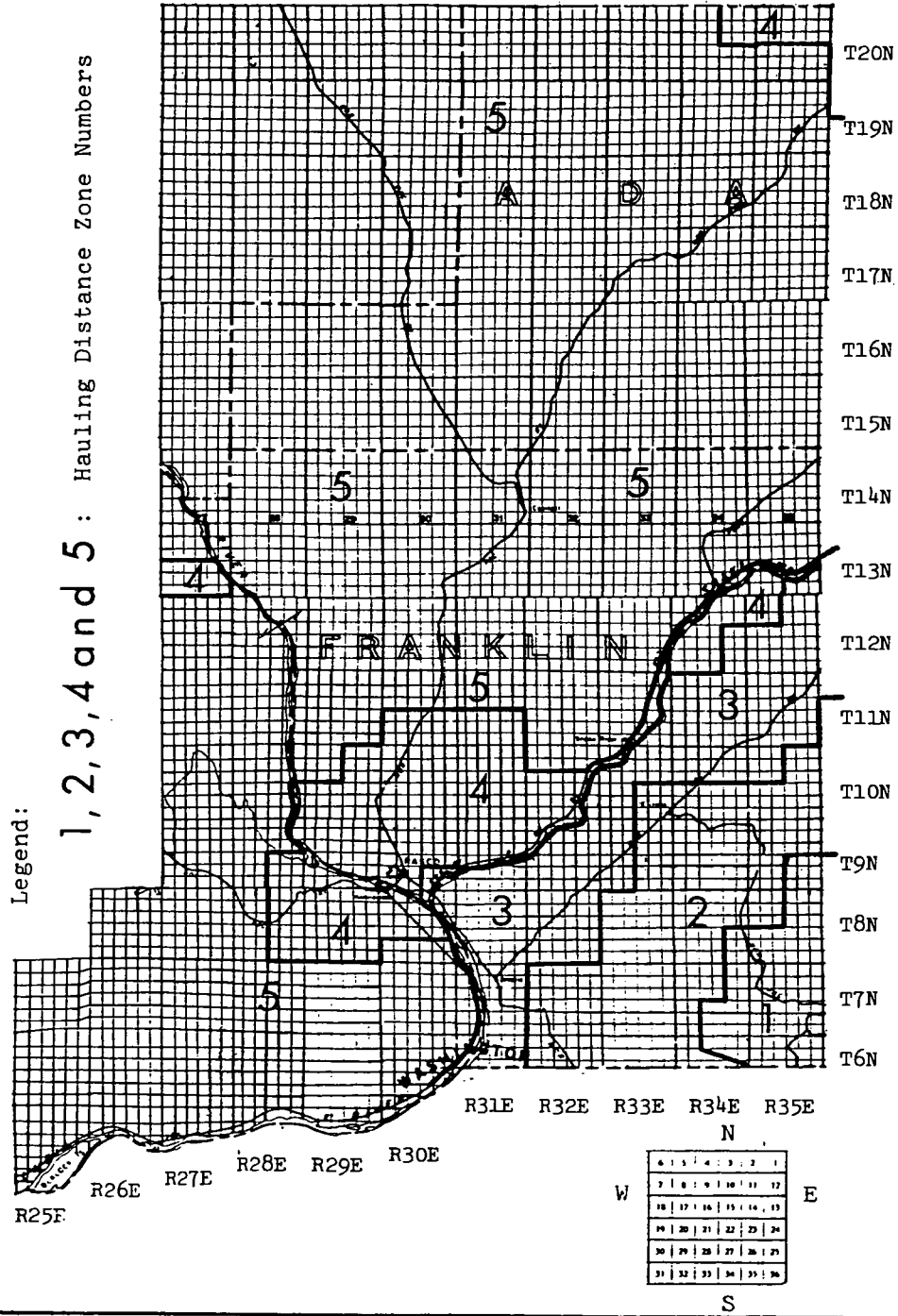
		Township N						
	W	6	5	4	3	2	1	E
		7	8	9	10	11	12	
		18	17	16	15	14	13	
		19	20	21	22	23	24	
		28	29	28	27	26	25	
		31	32	33	34	35	36	
		S						



HAULING DISTANCE ZONE MAP
WAC (458-40-18705)

STUMPAGE VALUE AREA 9

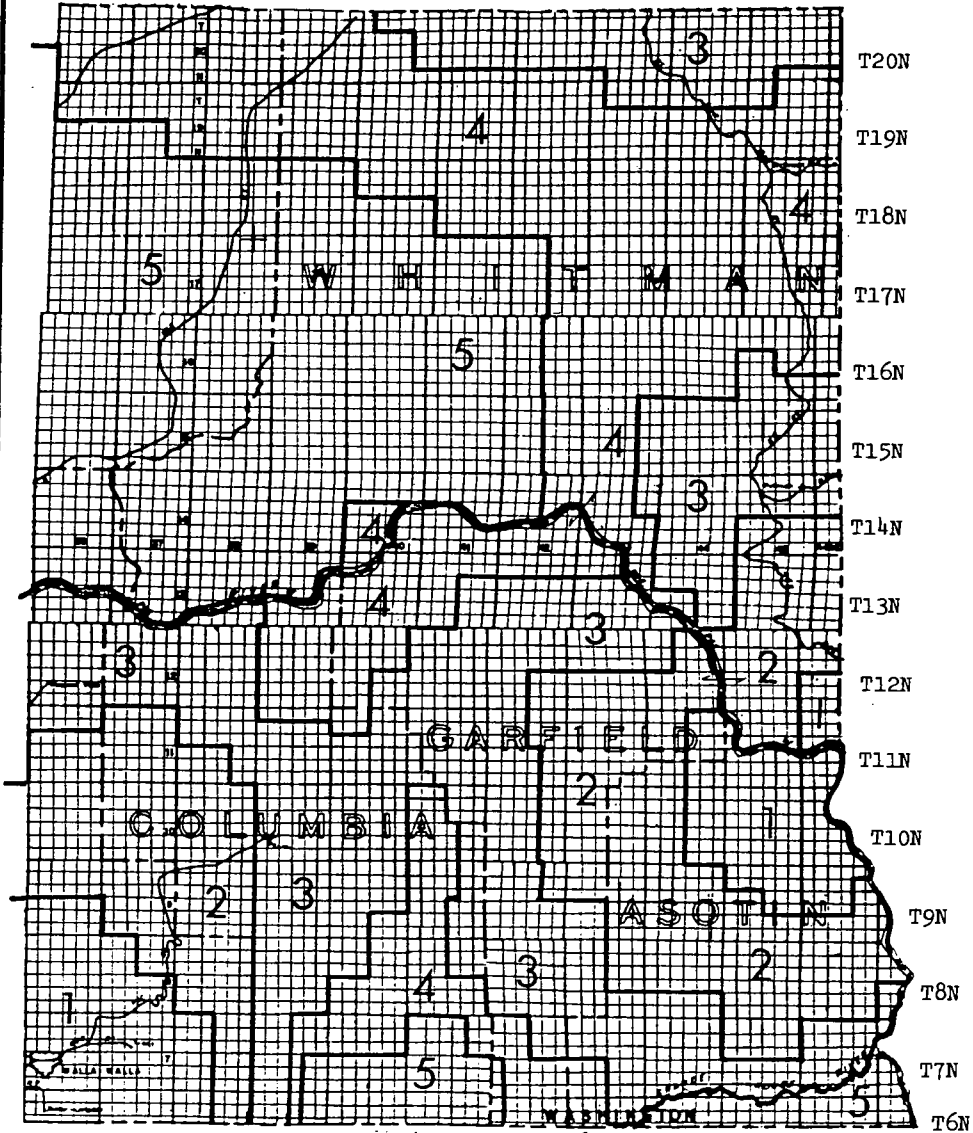
Page 1 of 2



HAULING DISTANCE ZONE MAP
WAC (458-40-18705)

STUMPAGE VALUE AREA 9

Page 2 of 2



R36E R37E R38E R39E R40E R41E R42E R43E R44E R45E R46E R47E

Legend:

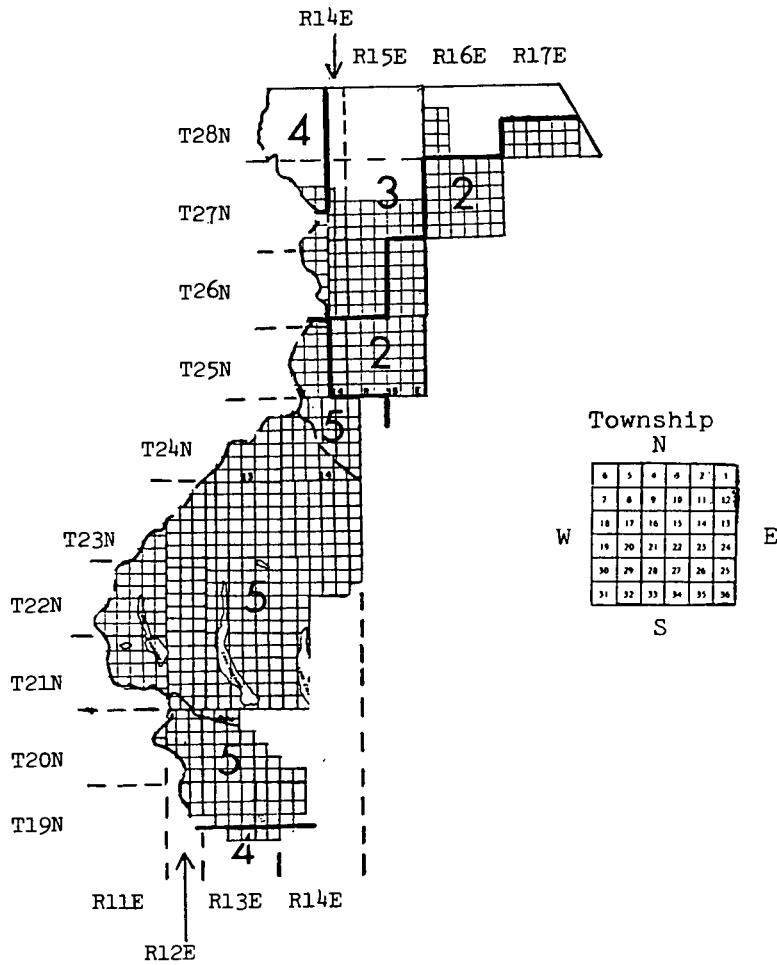
1, 2, 3, 4 and 5 : Hauling Distance Zone Numbers

	N					
	6	5	4	3	2	1
	7	8	9	10	11	12
W	13	14	15	16	17	18
	19	20	21	22	23	24
	25	26	27	28	29	30
	31	32	33	34	35	36
	S					

HAULING DISTANCE ZONE MAP
WAC (458-40-18705)

STUMPAGE VALUE AREA 10

Page 1 of 1



Legend:

2, 3, 4 and 5: Hauling Distance Zone Numbers

NEW SECTION

WAC 458-40-18706 **TIMBER QUALITY CODE NUMBERS—TABLES.** In order to allow for differences in age, size, quality of timber and other relevant factors as required by RCW 84.33.071(3), the department has assigned timber quality code numbers for harvests of the various designated harvest types and species.

Scaling and grading information derived from an acceptable log scaling and grading rule for the particular harvest type and species shall be used to determine the proper quality code number.

For each timber quality code number in the following tables, there is a corresponding timber quality code number for that particular harvest type and species in the stumpage value tables which is to be used in computing timber harvest value.

The following timber quality code tables are hereby adopted:

**TABLE 1—TIMBER QUALITY CODE TABLE
STUMPAGE VALUE AREAS 1, 2, 3, 4, AND 5
OLD GROWTH FINAL HARVEST
(100 years of age or older)**

Timber Quality Code Number	Species	Log Grade Specifications ¹
1	Douglas-fir	Over 40% Special Mill, No. 1 Sawmill & better log grade
	Western Redcedar & Alaska-cedar	Over 20% Special Mill, No. 1 Sawmill, Peeler & better log grade
	Noble Fir & Spruce	Over 35% No. 1 Sawmill, Peeler or Select & better log grade
	Western Hemlock, True Firs & Other Conifer	Over 25% Special Mill, No. 1 Sawmill & better log grade
	Hardwoods	All No. 3 Sawmill logs & better log grades
2	Douglas-fir	15-40% inclusive Special Mill, No. 1 Sawmill & better log grade
	Western Redcedar & Alaska-cedar	10-20% inclusive Special Mill, No. 1 Sawmill, Peeler & better log grade
	Noble Fir & Spruce	15-35% inclusive No. 1 Sawmill, Peeler or Select & better log grade
	Western Hemlock, True Firs & Other Conifer	5-25% inclusive Special Mill, No. 1 Sawmill & better log grade
3	Douglas-fir	Less than 15% Special Mill, No. 1 Sawmill & better log grade
	Western Redcedar & Alaska-cedar	Less than 10% Special Mill, No. 1 Sawmill, Peeler & better log grade
	Noble Fir & Spruce	Less than 15% No. 1 Sawmill, Peeler or Select & better log grade
	Western Hemlock, True Firs & Other Conifer	Less than 5% Special Mill, No. 1 Sawmill & better log grade
	Conifer Utility	All conifer logs graded as utility log grade
5	Hardwood Utility	All No. 4 Sawmill log grade and all hardwood logs graded as utility

¹ For detailed descriptions and definitions of approved log scaling, grading rules, and procedures see the Official Rules for the following Log Scaling and Grading Bureaus; Columbia River, Grays Harbor, Northern California, Puget Sound, Southern Oregon, and Yamhill. (January 1, 1982 Edition)

**TABLE 2—TIMBER QUALITY CODE TABLE
STUMPAGE VALUE AREAS 1, 2, 3, 4, AND 5
YOUNG GROWTH FINAL HARVEST
(Less than 100 years of age)**

Timber Quality Code Number	Species	Log Grade Specifications ¹
1	Douglas-fir	Over 70% No. 2. Sawmill & better log grade
	Western Redcedar & Alaska-cedar	Over 20% No. 2 Sawmill & better log grade
	Western Hemlock & Other Conifer	Over 70% No. 2 Sawmill & better log grade
	Hardwoods	All No. 3 Sawmill logs & better log grades
2	Douglas-fir	40-70% inclusive No. 2 Sawmill & better log grade
	Western Redcedar & Alaska-cedar	5-20% inclusive No. 2 Sawmill & better log grade
	Western Hemlock & Other Conifer	40-70% inclusive No. 2 Sawmill & better log grade
3	Douglas-fir	5% to but not including 40% No. 2 Sawmill & better log grade
	Western Redcedar & Alaska-cedar	Less than 5% No. 2 Sawmill & better log grade
	Western Hemlock & Other Conifer	5% to but not including 40% No. 2 Sawmill & better log grade
4	Douglas-fir, Western Hemlock & Other Conifer, except Western Redcedar & Alaska-cedar	Less than 5% No. 2 Sawmill & better log grade
	Conifer Utility	All conifer logs graded as utility log grade
5	Hardwood Utility	All No. 4 Sawmill log grade and all hardwood logs graded as utility

¹ For detailed descriptions and definitions of approved log scaling, grading rules, and procedures see the Official Rules for the following Log Scaling and Grading Bureaus; Columbia River, Grays Harbor, Northern California, Puget Sound, Southern Oregon, and Yamhill. (January 1, 1982 Edition)

WESTERN WASHINGTON EXAMPLE: The following example is for determining the timber quality number code for timber harvested in stumpage value areas 1, 2, 3, 4, and 5 in Western Washington. The following method can be used to determine the quality code number for species in "old growth final harvest," and "young growth final harvest."

The example shown below is for a harvest of 150 thousand board feet (150 MBF) of the species, Douglas-fir, and the harvest type, young growth final harvest, with the following volumes at the indicated grades:

Log Grade	Net Volume, Scribner Scale
Special Mill	20 MBF
No. 1 sawmill	20 MBF
No. 2 sawmill	45 MBF
No. 3 sawmill	35 MBF
No. 4 sawmill	30 MBF

<u>Log Grade</u>	<u>Net Volume, Scribner Scale</u>
TOTAL	150 MBF

To determine the proper quality code number, add the scale volumes for the grades as established by the approved grading rule. Divide this volume by the total volume harvested for the species. In this example, the Special Mill and the No. 1 and 2 sawmill logs account for 85 MBF of the 150 MBF Douglas-fir harvested. Divide as follows:

$$\frac{20 + 20 + 45}{150} \text{ or } \frac{85}{150} = .567 \times 100 = 56.7\%$$

In this example, the Special Mill, No. 1 and 2 sawmill logs make up 56.7% of the Douglas-fir harvested. Since this is between 40 and 70% No. 2 sawmill and better, the entire Douglas-fir harvested would be reported as:

<u>Species</u>	<u>Timber Quality Code Number</u>	<u>Net Volume Harvested</u>
Douglas-fir	2	150 MBF

TABLE 3—TIMBER QUALITY CODE TABLE
STUMPAGE VALUE AREAS 6, 7, 8, AND 9
MERCHANTABLE SAWTIMBER, ALL AGES

<u>Timber Quality Code Number</u>	<u>Species</u>	<u>Log Grade Specifications¹</u>
1	Ponderosa Pine	Less than 10 logs 16 feet long per thousand board feet Scribner scale
	All Conifers Other than Ponderosa Pine	All log sizes
	Hardwoods	Sawlogs only
2	Ponderosa Pine	10 or more logs 16 feet long per thousand board feet Scribner scale
5	Utility	All logs graded as utility

¹To determine timber quality code number in Stumpage Value Areas 6, 7, 8 and 9 for Eastern Washington, see the following example.

EASTERN WASHINGTON EXAMPLE: The following example is for determining the timber quality code for timber harvested in stumpage value areas 6, 7, 8 and 9 in Eastern Washington.

The example shown below is for a harvest of 150 thousand board feet (150 MBF) of the species, Ponderosa Pine, and harvest type merchantable sawtimber, all ages with a sum total log length of 19,200 feet.

Step 1. The highest possible number of sawable sixteen foot logs which could be recovered is determined by dividing the sum total length of all sawable logs harvested (i.e. 19,200) by 16. Answer: 1200 logs.

Step 2. The average net volume per sixteen foot recoverable log is determined by dividing the total volume harvested (150 MBF) by the number of sixteen foot logs (1200). Answer: 125.

Step 3. The total number of logs per thousand board feet is determined by dividing 1000 by the average net volume per sixteen foot recoverable log (125). Answer: 8 logs per 1 MBF.

Step 4. Because the timber quality code table lists less than 10 logs per 1 MBF for Ponderosa Pine as timber quality code number 1, the harvest was at 8 logs per 1

MBF the entire Ponderosa Pine harvest would be reported as:

<u>Species</u>	<u>Timber Quality Code Number</u>	<u>Volume Harvested</u>
Ponderosa Pine (PP)	1	150 MBF

TABLE 4—TIMBER QUALITY CODE TABLE
STUMPAGE VALUE AREA 10
MERCHANTABLE SAWTIMBER, ALL AGES

<u>Timber Quality Code Number</u>	<u>Species</u>	<u>Log Grade Specifications¹</u>
1	Ponderosa Pine & Other Conifers	Less than 5 logs 16 feet long per MBF net log Scribner scale
	Hardwoods	All logs graded as sawlogs
2	Ponderosa Pine	5 to 9 logs inclusive 16 feet long per MBF net log Scribner scale
	Other Conifer	5 to 12 logs inclusive 16 feet long per MBF net log scale
3	Ponderosa Pine	More than 9 logs 16 feet long per MBF net log Scribner scale
	Other Conifer	More than 12 logs 16 feet long per MBF net log Scribner scale
5	Utility	All logs graded as utility

¹To determine timber quality code number in Stumpage Value Area 10 in Eastern Washington, see the following example.

EASTERN WASHINGTON EXAMPLE: The following example is for determining the timber quality code for timber harvested in stumpage value area 10 in Eastern Washington.

The example shown below is for a harvest of 150 thousand board feet (150 MBF) of the species, Ponderosa Pine, and harvest type merchantable sawtimber, all ages with a sum total log length of 19,200 feet.

Step 1. The highest possible number of sawable sixteen foot logs which could be recovered is determined by dividing the sum total length of all sawable logs harvested (i.e. 19,200) by 16. Answer: 1200 logs.

Step 2. The average net volume per sixteen foot recoverable log is determined by dividing the total volume harvested (150 MBF) by the number of sixteen foot logs (1200). Answer: 125.

Step 3. The total number of logs per thousand board feet is determined by dividing 1000 by the average net volume per sixteen foot recoverable log (125). Answer: 8 logs per 1 MBF.

Step 4. Because the timber quality code table lists 5-9 logs per 1 MBF for Ponderosa Pine as timber quality code number 2, the harvest was at 8 logs per 1 MBF the entire Ponderosa Pine harvest would be reported as:

<u>Species</u>	<u>Timber Quality Code Number</u>	<u>Volume Harvested</u>
Ponderosa Pine (PP)	2	150 MBF

NEW SECTION

WAC 458-40-18711 STUMPAGE VALUES—TABLES FOR JANUARY 1 THROUGH JUNE 30, 1984. As required by RCW 84.33.071 the department has prepared tables which assign stumpage

value rates for the various harvest types, which rates vary depending upon the stumpage value area, species, timber quality code number and hauling distance zone involved. Where the timber harvested is used to produce harvest type "special forest products" the value tables of this section shall establish the values for such special forest products.

The following stumpage value and special forest product value tables are hereby adopted for use during the period of January 1 through June 30, 1984.

TABLE 1—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 1
January 1 through June 30, 1984

OLD GROWTH FINAL HARVEST
(100 years of age or older)

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir	DF	1	\$146	\$140	\$134	\$128	\$122
		2	107	101	95	89	83
		3	89	83	77	71	65
Western Hemlock ²	WH	1	177	171	165	159	153
		2	129	123	117	111	105
		3	107	101	95	89	83
True Fir ³	TF	1	177	171	165	159	153
		2	129	123	117	111	105
		3	107	101	95	89	83
Western Redcedar ⁴	RC	1	232	226	220	214	208
		2	168	162	156	150	144
		3	139	133	127	121	115
Sitka Spruce	SS	1	255	249	243	237	231
		2	184	178	172	166	160
		3	152	146	140	134	128
Other Conifer	OC	1	177	171	165	159	153
		2	129	123	117	111	105
		3	107	101	95	89	83
Red Alder	RA	1	45	38	31	24	17
Cottonwood	BC	1	60	53	46	39	32
Other Hardwoods	OH	1	49	42	35	28	21
Hardwood Utility	HU	5	5	5	5	5	5
Conifer Utility	CU	5	8	8	8	8	8

¹ Log scale conversions between Western and Eastern Washington. See conversion method tables 4 and 5 WAC 458-40-19004.

² Includes Western and Mountain Hemlock.

³ Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. All of these species are commonly referred to as "White Fir."

⁴ Includes Alaska-cedar.

TABLE 2—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 1
January 1 through June 30, 1984

YOUNG GROWTH FINAL HARVEST
(Less than 100 years of age)

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir	DF	1	\$167	\$160	\$153	\$146	\$139
		2	122	115	108	101	94
		3	102	95	88	81	74
		4	90	83	76	69	62

TABLE 2—cont.
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Hemlock ²	WH	1	114	107	100	93	86
		2	85	78	71	64	57
		3	72	65	58	51	44
		4	64	57	50	43	36
True Fir ³	TF	1	114	107	100	93	86
		2	85	78	71	64	57
		3	72	65	58	51	44
		4	64	57	50	43	36
Western Redcedar ⁴	RC	1	115	108	101	94	87
		2	86	79	72	65	58
		3	73	66	59	52	45
Other Conifer	OC	1	114	107	100	93	86
		2	85	78	71	64	57
		3	72	65	58	51	44
		4	64	57	50	43	36
Red Alder	RA	1	45	38	31	24	17
Cottonwood	BC	1	60	53	46	39	32
Other Hardwoods	OH	1	49	42	35	28	21
Hardwood Utility	HU	5	5	5	5	5	5
Conifer Utility	CU	5	8	8	8	8	8

¹ Log scale conversions between Western and Eastern Washington. See conversion method tables 4 and 5 WAC 458-40-19004.

² Includes Western and Mountain Hemlock.

³ Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. All of these species are commonly referred to as "White Fir."

⁴ Includes Alaska-cedar.

TABLE 3—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 1
January 1 through June 30, 1984

SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name and Product	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar-Shake Blocks & Boards ¹	RCS	1	\$248	\$242	\$236	\$230	\$224
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	91	85	79	73	67
Western Redcedar & Other Posts ²	RCP	1	0.20	0.20	0.20	0.20	0.20
Douglas-fir Christmas Trees ³	DFX	1	0.18	0.18	0.18	0.18	0.18
True Fir & Other Christmas Trees ³	TFX	1	0.40	0.40	0.40	0.40	0.40

¹ Stumpage value per MBF net Scribner Scale. See conversion method table 2 WAC 458-40-19004.

² Stumpage value per 8 lineal feet or portion thereof.

³ Stumpage value per lineal foot.

TABLE 4—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 2
January 1 through June 30, 1984

OLD GROWTH FINAL HARVEST
(100 years of age or older)

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir	DF	1	\$166	\$160	\$154	\$148	\$142
		2	121	115	109	103	97
		3	101	95	89	83	77
Western Hemlock ²	WH	1	152	146	140	134	128
		2	111	105	99	93	87
		3	93	87	81	75	69
True Fir ³	TF	1	152	146	140	134	128
		2	111	105	99	93	87
		3	93	87	81	75	69
Western Redcedar ⁴	RC	1	247	241	235	229	223
		2	178	172	166	160	154
		3	148	142	136	130	124
Sitka Spruce	SS	1	255	249	243	237	231
		2	184	178	172	166	160
		3	152	146	140	134	128
Other Conifer	OC	1	152	146	140	134	128
		2	111	105	99	93	87
		3	93	87	81	75	69
Red Alder	RA	1	45	38	31	24	17
Cottonwood	BC	1	60	53	46	39	32
Other Hardwoods	OH	1	49	42	35	28	21
Hardwood Utility	HU	5	5	5	5	5	5
Conifer Utility	CU	5	9	9	9	9	9

¹ Log scale conversions between Western and Eastern Washington. See conversion method tables 4 and 5 WAC 458-40-19004.
² Includes Western and Mountain Hemlock.
³ Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. All of these species are commonly referred to as "White Fir."
⁴ Includes Alaska-cedar.

TABLE 5—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 2
January 1 through June 30, 1984

YOUNG GROWTH FINAL HARVEST
(Less than 100 years of age)

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir	DF	1	\$203	\$196	\$189	\$182	\$175
		2	147	140	133	126	119
		3	123	116	109	102	95
		4	108	101	94	87	80
Western Hemlock ²	WH	1	155	148	141	134	127
		2	114	107	100	93	86
		3	96	89	82	75	68
		4	85	78	71	64	57

TABLE 5—cont.
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
True Fir ³	TF	1	155	148	141	134	127
		2	114	107	100	93	86
		3	96	89	82	75	68
		4	85	78	71	64	57
Western Redcedar ⁴	RC	1	115	108	101	94	87
		2	86	79	72	65	58
		3	73	66	59	52	45
Other Conifer	OC	1	155	148	141	134	127
		2	114	107	100	93	86
		3	96	89	82	75	68
		4	85	78	71	64	57
Red Alder	RA	1	45	38	31	24	17
Cottonwood	BC	1	60	53	46	39	32
Other Hardwoods	OH	1	49	42	35	28	21
Hardwood Utility	HU	5	5	5	5	5	5
Conifer Utility	CU	5	9	9	9	9	9

¹ Log scale conversions between Western and Eastern Washington. See conversion method tables 4 and 5 WAC 458-40-19004.
² Includes Western and Mountain Hemlock.
³ Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. All of these species are commonly referred to as "White Fir."
⁴ Includes Alaska-cedar.

TABLE 6—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 2
January 1 through June 30, 1984

SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name and Product	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar-Shake Blocks & Boards ¹	RCS	1	\$248	\$242	\$236	\$230	\$224
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	91	85	79	73	67
Western Redcedar & Other Posts ²	RCP	1	0.20	0.20	0.20	0.20	0.20
Douglas-fir Christmas Trees ³	DFX	1	0.18	0.18	0.18	0.18	0.18
True Fir & Other Christmas Trees ³	TFX	1	0.40	0.40	0.40	0.40	0.40

¹ Stumpage value per MBF net Scribner Scale. See conversion method table 2 WAC 458-40-19004.
² Stumpage value per 8 lineal feet or portion thereof.
³ Stumpage value per lineal foot.

TABLE 7—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 3
January 1 through June 30, 1984

OLD GROWTH FINAL HARVEST
(100 years of age or older)

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir	DF	1	\$193	\$187	\$181	\$175	\$169
		2	140	134	128	122	116
		3	116	110	104	98	92
Western Hemlock ²	WH	1	166	160	154	148	142
		2	121	115	109	103	97
		3	101	95	89	83	77
True Fir ³	TF	1	166	160	154	148	142
		2	121	115	109	103	97
		3	101	95	89	83	77
Western Redcedar	RC	1	249	243	237	231	225
		2	180	174	168	162	156
		3	149	143	137	131	125
Sitka Spruce	SS	1	255	249	243	237	231
		2	184	178	172	166	160
		3	152	146	140	134	128
Alaska-cedar	YC	1	1107	1101	1095	1089	1083
		2	786	780	774	768	762
		3	644	638	632	626	620
Other Conifer	OC	1	166	160	154	148	142
		2	121	115	109	103	97
		3	101	95	89	83	77
Red Alder	RA	1	45	38	31	24	17
Cottonwood	BC	1	60	53	46	39	32
Other Hardwoods	OH	1	49	42	35	28	21
Hardwood Utility	HU	5	5	5	5	5	5
Conifer Utility	CU	5	6	6	6	6	6

¹ Log scale conversions between Western and Eastern Washington. See conversion method tables 4 and 5 WAC 458-40-19004.
² Includes Western and Mountain Hemlock.
³ Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. All of these species are commonly referred to as "White Fir."

TABLE 8—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 3
January 1 through June 30, 1984

YOUNG GROWTH FINAL HARVEST
(Less than 100 years of age)

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir	DF	1	\$209	\$202	\$195	\$188	\$181
		2	152	145	138	131	124
		3	127	120	113	106	99
		4	112	105	98	91	84
Western Hemlock ²	WH	1	160	153	146	139	132
		2	117	110	103	96	89
		3	98	91	84	77	70
		4	87	80	73	66	59

TABLE 8—cont.

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
True Fir ³	TF	1	160	153	146	139	132
		2	117	110	103	96	89
		3	98	91	84	77	70
		4	87	80	73	66	59
Western Redcedar ⁴	RC	1	115	108	101	94	87
		2	86	79	72	65	58
		3	73	66	59	52	45
Other Conifer	OC	1	160	153	146	139	132
		2	117	110	103	96	89
		3	98	91	84	77	70
		4	87	80	73	66	59
Red Alder	RA	1	45	38	31	24	17
Cottonwood	BC	1	60	53	46	39	32
Other Hardwoods	OH	1	49	42	35	28	21
Hardwood Utility	HU	5	5	5	5	5	5
Conifer Utility	CU	5	6	6	6	6	6

¹ Log scale conversions between Western and Eastern Washington. See conversion method tables 4 and 5 WAC 458-40-19004.
² Includes Western and Mountain Hemlock.
³ Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. All of these species are commonly referred to as "White Fir."
⁴ Includes Alaska-cedar.

TABLE 9—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 3
January 1 through June 30, 1984

SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name and Product	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar-Shake Blocks & Boards ¹	RCS	1	\$201	\$195	\$189	\$183	\$177
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	75	69	63	57	51
Western Redcedar & Other Posts ²	RCP	1	0.20	0.20	0.20	0.20	0.20
Douglas-fir Christmas Trees ³	DFX	1	0.18	0.18	0.18	0.18	0.18
True Fir & Other Christmas Trees ³	TFX	1	0.40	0.40	0.40	0.40	0.40

¹ Stumpage value per MBF net Scribner Scale. See conversion method table 2 WAC 458-40-19004.
² Stumpage value per 8 lineal feet or portion thereof.
³ Stumpage value per lineal foot.

TABLE 10—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 4
January 1 through June 30, 1984

OLD GROWTH FINAL HARVEST
(100 years of age or older)

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir	DF	1	\$228	\$222	\$216	\$210	\$204
		2	164	158	152	146	140
		3	136	130	124	118	112
Western Hemlock ²	WH	1	176	170	164	158	152
		2	128	122	116	110	104
		3	106	100	94	88	82
True Fir ³	TF	1	176	170	164	158	152
		2	128	122	116	110	104
		3	106	100	94	88	82
Western Redcedar	RC	1	301	295	289	283	277
		2	217	211	205	199	193
		3	177	171	165	159	153
Sitka Spruce	SS	1	255	249	243	237	231
		2	184	178	172	166	160
		3	152	146	140	134	128
Noble Fir	NF	1	285	279	273	267	261
		2	205	199	193	187	181
		3	170	164	158	152	146
Alaska-cedar	YC	1	1107	1101	1095	1089	1083
		2	786	780	774	768	762
		3	644	638	632	626	620
Other Conifer	OC	1	176	170	164	158	152
		2	128	122	116	110	104
		3	106	100	94	88	82
Red Alder	RA	1	45	38	31	24	17
Cottonwood	BC	1	60	53	46	39	32
Other Hardwoods	OH	1	49	42	35	28	21
Hardwood Utility	HU	5	5	5	5	5	5
Conifer Utility	CU	5	5	5	5	5	5

¹ Log scale conversions between Western and Eastern Washington. See conversion method tables 4 and 5 WAC 458-40-19004.

² Includes Western and Mountain Hemlock.

³ Includes Pacific Silver Fir, Grand Fir, and Subalpine Fir. All of these species are commonly referred to as "White Fir."

TABLE 11—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 4
January 1 through June 30, 1984

YOUNG GROWTH FINAL HARVEST
(Less than 100 years of age)

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir	DF	1	\$222	\$215	\$208	\$201	\$194
		2	161	154	147	140	133
		3	134	127	120	113	106
		4	118	111	104	97	90

TABLE 11—cont.
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Hemlock ²	WH	1	206	199	192	185	178
		2	150	143	136	129	122
		3	125	118	111	104	97
		4	110	103	96	89	82
True Fir ³	TF	1	206	199	192	185	178
		2	150	143	136	129	122
		3	125	118	111	104	97
		4	110	103	96	89	82
Western Redcedar ⁴	RC	1	115	108	101	94	87
		2	86	79	72	65	58
		3	73	66	59	52	45
Other Conifer	OC	1	206	199	192	185	178
		2	150	143	136	129	122
		3	125	118	111	104	97
		4	110	103	96	89	82
Red Alder	RA	1	45	38	31	24	17
Cottonwood	BC	1	60	53	46	39	32
Other Hardwoods	OH	1	49	42	35	28	21
Hardwood Utility	HU	5	5	5	5	5	5
Conifer Utility	CU	5	5	5	5	5	5

¹ Log scale conversions between Western and Eastern Washington. See conversion method tables 4 and 5 WAC 458-40-19004.

² Includes Western and Mountain Hemlock.

³ Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. All of these species are commonly referred to as "White Fir."

⁴ Includes Alaska-cedar.

TABLE 12—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 4
January 1 through June 30, 1984

SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit

Species Name and Product	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar-Shake Blocks & Boards ¹	RCS	1	\$230	\$224	\$218	\$212	\$206
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	85	79	73	67	61
Western Redcedar & Other Posts ²	RCP	1	0.20	0.20	0.20	0.20	0.20
Douglas-fir Christmas Trees ³	DFX	1	0.18	0.18	0.18	0.18	0.18
True Fir & Other Christmas Trees ³	TFX	1	0.40	0.40	0.40	0.40	0.40

¹ Stumpage value per MBF net Scribner Scale. See conversion method table 2 WAC 458-40-19004.

² Stumpage value per 8 lineal feet or portion thereof.

³ Stumpage value per lineal foot.

TABLE 13—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 5
January 1 through June 30, 1984

OLD GROWTH FINAL HARVEST
(100 years of age or older)

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir	DF	1	\$297	\$291	\$285	\$279	\$273
		2	214	208	202	196	190
		3	178	172	166	160	154
Western Hemlock ²	WH	1	166	160	154	148	142
		2	121	115	109	103	97
		3	101	95	89	83	77
True Fir ³	TF	1	166	160	154	148	142
		2	121	115	109	103	97
		3	101	95	89	83	77
Western Redcedar ⁴	RC	1	249	243	237	231	225
		2	180	174	168	162	156
		3	149	143	137	131	125
Sitka Spruce	SS	1	255	249	243	237	231
		2	184	178	172	166	160
		3	152	146	140	134	128
Noble Fir	NF	1	285	279	273	267	261
		2	205	199	193	187	181
		3	170	164	158	152	146
Other Conifer	OC	1	166	160	154	148	142
		2	121	115	109	103	97
		3	101	95	89	83	77
Red Alder	RA	1	45	38	31	24	17
Cottonwood	BC	1	60	53	46	39	32
Other Hardwoods	OH	1	49	42	35	28	21
Hardwood Utility	HU	5	5	5	5	5	5
Conifer Utility	CU	5	5	5	5	5	5

¹Log scale conversions between Western and Eastern Washington. See conversion method tables 4 and 5 WAC 458-40-19004.
²Includes Western and Mountain Hemlock.
³Includes Pacific Silver Fir, Grand Fir, and Subalpine Fir. All of these species are commonly referred to as "White Fir."
⁴Includes Alaska-cedar.

TABLE 14—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 5
January 1 through June 30, 1984

YOUNG GROWTH FINAL HARVEST
(Less than 100 years of age)

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir	DF	1	\$208	\$201	\$194	\$187	\$180
		2	151	144	137	130	123
		3	126	119	112	105	98
		4	111	104	97	90	83

TABLE 14—cont.
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Hemlock ²	WH	1	145	138	131	124	117
		2	106	99	92	85	78
		3	89	82	75	68	61
		4	79	72	65	58	51
True Fir ³	TF	1	145	138	131	124	117
		2	106	99	92	85	78
		3	89	82	75	68	61
		4	79	72	65	58	51
Western Redcedar ⁴	RC	1	115	108	101	94	87
		2	86	79	72	65	58
		3	73	66	59	52	45
Other Conifer	OC	1	145	138	131	124	117
		2	106	99	92	85	78
		3	89	82	75	68	61
		4	79	72	65	58	51
Red Alder	RA	1	45	38	31	24	17
Cottonwood	BC	1	60	53	46	39	32
Other Hardwoods	OH	1	49	42	35	28	21
Hardwood Utility	HU	5	5	5	5	5	5
Conifer Utility	CU	5	5	5	5	5	5

¹Log scale conversions between Western and Eastern Washington. See conversion method tables 4 and 5 WAC 458-40-19004.
²Includes Western and Mountain Hemlock.
³Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. All of these species are commonly referred to as "White Fir."
⁴Includes Alaska-cedar.

TABLE 15—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 5
January 1 through June 30, 1984

SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name and Product	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar-Shake Blocks & Boards ¹	RCS	1	\$210	\$204	\$198	\$192	\$186
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	78	72	66	60	54
Western Redcedar & Other Posts ²	RCP	1	0.20	0.20	0.20	0.20	0.20
Douglas-fir Christmas Trees ³	DFX	1	0.18	0.18	0.18	0.18	0.18
True fir & Other Christmas Trees ³	TFX	1	0.40	0.40	0.40	0.40	0.40

¹Stumpage value per MBF net Scribner Scale. See conversion method table 2 WAC 458-40-19004.
²Stumpage value per 8 lineal feet or portion thereof.
³Stumpage value per lineal foot.

TABLE 16—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREAS 6, 7, 8, AND 9
January 1 through June 30, 1984

MERCHANTABLE SAWTIMBER, ALL AGES

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Ponderosa Pine	PP	1	\$132	\$126	\$120	\$114	\$108
		2	97	91	85	79	73
Douglas-fir	DF	1	93	87	81	75	69
Western Larch	WL	1	93	87	81	75	69
Western Hemlock ²	WH	1	62	56	50	44	38
True fir ³	TF	1	62	56	50	44	38
Engelmann Spruce	ES	1	63	57	51	45	39
Western White Pine	WP	1	104	98	92	86	80
Western Redcedar	RC	1	110	104	98	92	86
Lodgepole Pine	LP	1	40	34	28	22	16
Hardwoods	OH	1	18	12	6	1	1
Utility	CU	5	21	15	9	3	1

¹ Log scale conversions between Western and Eastern Washington. See conversion method tables 4 and 5 WAC 458-40-19004.

² Includes Western and Mountain Hemlock.

³ Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. All of these species are commonly referred to as "White Fir."

TABLE 17—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREAS 6, 7, 8, AND 9
January 1 through June 30, 1984

SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name and Product	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	\$99	\$93	\$87	\$81	\$75
Lodgepole Pine & Other Posts ²	LPP	1	0.20	0.20	0.20	0.20	0.20
Pine Christmas Trees ³	PX	1	0.18	0.18	0.18	0.18	0.18
Douglas-fir & Other Christmas Trees ⁴	DFX	1	0.18	0.18	0.18	0.18	0.18

¹ Stumpage value per MBF net Scribner Scale. See conversion method table 2 WAC 458-40-19004.

² Stumpage value per 8 lineal feet or portion thereof.

³ Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.

⁴ Stumpage value per lineal foot.

TABLE 18—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 10
January 1 through June 30, 1984

MERCHANTABLE SAWTIMBER, ALL AGES

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Ponderosa Pine	PP	1	\$147	\$141	\$135	\$129	\$123
		2	121	115	109	103	97
		3	105	99	93	87	81
Douglas-fir	DF	1	146	140	134	128	122
		2	119	113	107	101	95
		3	55	49	43	37	31
Western Larch	WL	1	146	140	134	128	122
		2	119	113	107	101	95
		3	55	49	43	37	31
Western Hemlock ²	WH	1	145	139	133	127	121
		2	112	106	100	94	88
		3	70	64	58	52	46
True Fir ³	TF	1	145	139	133	127	121
		2	112	106	100	94	88
		3	70	64	58	52	46
Other Conifer	OC	1	145	139	133	127	121
		2	112	106	100	94	88
		3	70	64	58	52	46
Hardwoods	OH	1	18	12	6	1	1
Utility	CU	5	17	11	5	1	1

¹ Log scale conversions between Western and Eastern Washington. See conversion method tables 4 and 5 WAC 458-40-19004.

² Includes Western and Mountain Hemlock.

³ Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. All of these species are commonly referred to as "White Fir."

TABLE 19—STUMPAGE VALUE TABLE
STUMPAGE VALUE AREA 10
January 1 through June 30, 1984

SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name and Product	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	\$108	\$102	\$96	\$90	\$84
Lodgepole Pine & Other Posts ²	LPP	1	0.20	0.20	0.20	0.20	0.20
Pine Christmas Trees ³	PX	1	0.18	0.18	0.18	0.18	0.18
Douglas-fir & Other Christmas Trees ⁴	DFX	1	0.18	0.18	0.18	0.18	0.18

¹ Stumpage value per MBF Scribner Scale. See conversion method table 2 WAC 458-40-19004.

² Stumpage value per 8 lineal feet or portion thereof.

³ Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.

⁴ Stumpage value per lineal foot.

NEW SECTION

WAC 458-40-18712 HARVESTER ADJUSTMENTS—TABLES FOR JANUARY 1 THROUGH JUNE 30, 1984. In order to make reasonable and adequate allowances for costs of removal and

size of logging operation in computation of stumpage value rates as required by RCW 84.33.071(3), the department has prepared tables which allow for adjustments to the stumpage value rates derived from the stumpage value tables of WAC 458-40-18711.

Harvest adjustments relating to harvest volume per acre, logging conditions and average volume per log shall be allowed against the stumpage value rates for the designated harvest types and in the designated stumpage value areas as set forth in the following tables with the following limitations:

- (1) No harvest adjustment shall be allowed against "special forest products."
- (2) No harvest adjustment shall be allowed against "utility," "conifer utility," and "hardwood utility."
- (3) Stumpage value rates for conifers and hardwoods shall be adjusted to a value no lower than \$1 per thousand board feet.

Timber harvesters planning to remove timber from areas having damaged timber may apply to the department of revenue for adjustment in stumpage value rates. Such applications should contain a map with the legal description of the area from which the timber will be removed, a description of the damage sustained by the timber, and a listing of additional costs incurred. Such applications should be sent to the Department of Revenue AX-02, Forest Tax Division, General Administration Building, Olympia, Washington 98504, before the harvest commences.

In the event the extent of such timber damage or additional costs are not known at the time the application is filed, the harvester may supplement the application when the necessary information is obtained, but in no event later than 90 days following completion of the harvest unit.

Upon application from any person who plans to harvest damaged timber the department will make a determination as to the amount of adjustment to be allowed. The harvester will be notified by the department of the amount of the adjustment. This amount can then be taken as a credit against tax liabilities or if the harvester is no longer harvesting, a refund will be authorized.

The following harvest adjustment tables are hereby adopted for use during the period of January 1 through June 30, 1984:

TABLE 1—HARVEST ADJUSTMENT TABLE
STUMPAGE VALUE AREAS 1, 2, 3, 4, AND 5
January 1 through June 30, 1984

OLD GROWTH FINAL HARVEST
(100 years of age, or older)

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
I. Volume per acre		
Class 1	Harvest of more than 40 thousand board feet per acre.	\$0.00
Class 2	Harvest of 15 thousand board feet to 40 thousand board feet per acre.	-\$4.00
Class 3	Harvest of less than 15 thousand board feet per acre.	-\$7.00
II. Logging conditions		
Class 1	Favorable logging conditions and easy road construction. No rock outcrops or swamp barriers. Generally flat to gentle slopes under 40%.	\$0.00
Class 2	Average logging conditions and average road construction. Some rock outcrops or swamp barriers. Generally slopes between 40% to 60%.	-\$18.00
Class 3	Difficult logging and road building conditions because of numerous rock outcrops and bluffs. Generally rough, broken ground with slopes in excess of 60%.	-\$41.00
Class 4	For logs which are yarded from stump to landing by helicopter. This does not include "special forest products."	-\$80.00

TABLE 2—HARVEST ADJUSTMENT TABLE
STUMPAGE VALUE AREAS 1, 2, 3, 4, AND 5
January 1 through June 30, 1984

YOUNG GROWTH FINAL HARVEST
(Less than 100 years of age)

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
I. Volume per acre		
Class 1	Harvest of more than 30 thousand board feet per acre.	\$0.00
Class 2	Harvest of 10 thousand board feet to 30 thousand board feet per acre.	-\$2.00
Class 3	Harvest of 5 thousand board feet to but not including 10 thousand board feet per acre.	-\$6.00
Class 4	Harvest of less than 5 thousand board feet per acre.	-\$8.00
II. Logging conditions		
Class 1	Favorable logging conditions and easy road construction. No significant rock outcrop or swamp barriers. Generally flat to gentle slopes under 40%.	\$0.00
Class 2	Average logging conditions and average road construction. Some rock outcrops or swamp barriers. Generally slopes between 40% to 60%.	-\$18.00
Class 3	Difficult logging and road building conditions because of numerous rock outcrops and bluffs. Generally rough, broken ground with slopes in excess of 60%.	-\$41.00
Class 4	For logs which are yarded from stump to landing by helicopter. This does not include "special forest products."	-\$80.00
III. Thinning (See WAC 458-40-19700(9)(d))		
Class 1	Average log volume of 50 board feet or more.	-\$25.00
Class 2	Average log volume of less than 50 board feet.	-\$35.00

TABLE 3—HARVEST ADJUSTMENT TABLE
STUMPAGE VALUE AREAS 6, 7, 8, 9 AND 10
January 1 through June 30, 1984

MERCHANTABLE SAWTIMBER, ALL AGES

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
I. Volume per acre		
Class 1	Harvest of more than 8 thousand board feet per acre.	\$0.00
Class 2	Harvest of 3 thousand board feet to 8 thousand board feet per acre.	-\$7.00
Class 3	Harvest of less than 3 thousand board feet per acre.	-\$10.00
II. Logging conditions		
Class 1	Favorable logging conditions and easy road construction. No rock outcrops or swamp barriers. Generally flat to gentle slopes under 20%.	\$0.00
Class 2	Average logging conditions and average road construction. Some rock outcrops or swamp barriers. Generally slopes between 20% to 40%.	-\$11.00
Class 3	Difficult logging and road building conditions because of numerous rock outcrops and bluffs. Generally rough, broken ground with slopes in excess of 40%.	-\$29.00
Class 4	For logs which are yarded from stump to landing by helicopter. This does not include "special forest products."	-\$80.00

REMOTE ISLAND ADJUSTMENT:

For timber harvested from a remote island - \$50.00

DOMESTIC MARKET ADJUSTMENT:

Harvest of timber which is prohibited by state or federal law from foreign export shall be eligible for the domestic market adjustment. The adjustment may be applied only to those species of timber which must be processed domestically. According to the type of sale, the adjustment may be applied only to the following species:

Federal Timber Sales: All species except Alaska yellow cedar. (Stat. Ref. - 36CFR223.10)

State Timber Sales: Western red cedar only. (Stat. Ref. - 50 USC appendix 2406.1)

Private Timber: No adjustment permitted.

The adjustment amounts shall be as follows:

All eligible species in Western Washington (SVA's 1 through 5)
-\$15 per Mbf

All eligible species in Eastern Washington (SVA's 6 through 10)
-\$7 per Mbf

NOTE: The adjustment will not be allowed on conifer utility, hardwood utility or special forest products.

AMENDATORY SECTION (Amending Emergency Order FT-83-4 and Permanent Order FT-83-3, filed 6/30/83, effective 6/30/83)

WAC 458-40-19000 **TIMBER POLE VOLUME TABLE FOR WEST OF CASCADE SUMMIT ((FOR THE CALENDAR PERIOD ~~JULY 1 THROUGH DECEMBER 31, 1983~~)).** Harvesters of poles in stumpage value areas 1, 2, 3, 4, and 5(, and ++)) shall use the following timber pole volume table to determine the Scribner board foot volume for each pole length and class:

Pole Length	Pole Class ¹	Total Scribner Board Foot Volume as per Pole Length and Per Pole Class
40'	H4	240(240)
	H3	200(200)
	H2	180
	H1	180
	1	150
	2	120
45'	3	120
	4	90
	5	70
	6	60
	H6	380(380)
	H5	340(340)
50'	H4	340(340)
	H3	280(270)
	H2	230(130)
	H1	230(130)
	1	190(110)
	2	150
55'	3	120
	4	120
	5	90
	6	90
	H6	430(430)
	H5	370(370)
60'	H4	370(370)
	H3	300(300)
	H2	260(260)
	H1	260(150)
	1	210(120)
	2	160
65'	3	140
	4	140
	5	100
	H6	470(470)
	H5	410(410)
	H4	410(410)
20'	H3	330(330)
	H2	280(160)
	H1	280(160)
	1	230(130)
	2	180
	3	140
25'	4	140
	5	100
	6	60
	7	60
	9	30
	10	30
30'	1	110
	2	70
	3	60
	4	60
	5	50
	6	50
35'	7	40
	9	40
	H2	160
	H2	160
	1	130
	2	100
40'	3	80
	4	80
	5	60
	6	60
	7	50

Pole Length	Pole Class ¹	Total Scribner Board Foot Volume as per Pole Length and Per Pole Class	Pole Length	Pole Class ¹	Total Scribner Board Foot Volume as per Pole Length and Per Pole Class	
70'	H6	650(650)	105'	H6	1310(1310)	
	H5	560(560)		H5	1160(1160)	
	H4	560(560)		H4	1160(1160)	
	H3	480(480)		H3	1000(1000)	
	H2	400(240)		H2	1000(1000)	
	H1	400(240)		H1	860(700)	
	1	350(210)		1	740(600)	
	2	270(170)		2	610(510)	
	3	230		110'	H6	1370(1370)
	4	230			H5	1220(1220)
75'	H6	700(700)	H4		1220(1220)	
	H5	600(600)	H3		1050(1050)	
	H4	600(600)	H2		1050(1050)	
	H3	520(520)	H1		910(740)	
	H2	520(520)	1		780(640)	
	H1	520(330)	2		650(540)	
	1	440(270)	115'		H6	1440(1440)
	2	290(180)			H5	1280(1280)
	3	250		H4	1280(1280)	
	80'	H6		820(820)	H3	1100(1100)
H5		700(700)		H2	1100(1100)	
H4		700(700)		H1	960(780)	
H3		600(600)		1	860(670)	
H2		600(600)		2	680(570)	
H1		540(360)		120'	H6	1660(1660)
1		440(290)			H5	1460(1460)
2		360(240)	H4		1460(1460)	
3		290(200)	H3		1300(1300)	
85'		H6	910(910)		H2	1300(1300)
	H5	800(800)	H1		1140(960)	
	H4	800(800)	1		970(820)	
	H3	660(660)	2		820(700)	
	H2	660(660)	125'		H6	1840(1840)
	H1	660(520)			H5	1600(1600)
	1	570(450)		H4	1600(1600)	
	2	490(340)		H3	1410(1410)	
	3	360(200)		H2	1410(1410)	
	90'	H6		1080(1080)	H1	1250(1100)
H5		930(930)		1	1080(940)	
H4		930(930)		2	930(830)	
H3		820(820)		130'	H6	1920(1920)
H2		820(820)			H5	1680(1680)
H1		690(560)	H4		1680(1680)	
1		590(480)	H3		1490(1490)	
2		490(420)	H2		1490(1490)	
3		400(210)	H1		1310(1160)	
95'		H6	1170(1170)		1	1120(990)
	H5	1000(1000)	2		970(870)	
	H4	1000(1000)	100'		H6	1190(1190)
	H3	870(870)			H5	1030(1030)
	H2	870(870)		H4	1030(1030)	
	H1	750(600)		H3	900(900)	
	1	640(510)		H2	900(900)	
	2	540(440)		H1	760(610)	
	100'	H6		1190(1190)	1	660(530)
		H5		1030(1030)	2	550(450)
H4		1030(1030)				
H3		900(900)				
H2		900(900)				
H1		760(610)				
1		660(530)				
2		550(450)				

¹ Pole class definitions as per American National Standard specifications and dimensions for wood poles as approved August 7, 1976 under American Nation Standard Institute, Inc. codified ANSI 05.1-1972.

² Long log volume calculations are based on Official Log Scaling and Grading Rules, revised January 1, ((+1980)) 1982, published by The Puget Sound Log Scaling Bureau. These rules are also used by The Columbia River and the Grays Harbor Log Scaling and Grading Bureau.

³ The number, enclosed in parenthesis after the total Scribner pole volume for each pole length and class, is the volume per pole for Number 2 saw-mill and better log grade, where applicable.

AMENDATORY SECTION (Amending Emergency Order FT-83-4 and Permanent Order FT-83-3, filed 6/30/83, effective 6/30/83)

WAC 458-40-19001 **TIMBER PILING VOLUME TABLE FOR WEST OF CASCADE SUMMIT ((FOR THE CALENDAR PERIOD JULY 1 THROUGH DECEMBER 31, 1983))**. Harvesters of piling in stumpage value areas 1, 2, 3, 4, and 5((, and 11)) shall use

the following piling table to determine the Scribner board foot volume for each piling length and class:

Piling Length	Piling Class ¹	Total Scribner Board Foot Volume as per Piling Length and per Piling Class
20'	A	80
	B	70
25'	A	100
	B	90
30'	A	130
	B	110
35'	A	130
	B	110
40'	A	150
	B	120
45'	A	150
	B	120
50'	A	160
	B	140
55'	A	180
	B	150
60'	A	190
	B	160
65'	A	210
	B	180
70'	A	230
	B	190
75'	A	230
	B	200
80'	A	250
	B	210
85'	A	260(140)
	B	210
90'	A	260(150)
	B	220
95'	A	290(150)
	B	240
100'	A	310(160)
	B	250
105'	A	330(170)
	B	270
110'	A	380(220)
	B	300(180)
115'	A	400(230)
	B	310(190)
120'	A	500(290)
	B	400(240)

¹Piling class definitions as per American Society for Testing and Materials for "Round Timber Piles." As the Designation: D 25-58 (Reapproved 1964).

²Long log volume calculations are based on Official Log Scaling and Grading Rules revised January 1, ((1980)) 1982, published by The Puget Sound Log Scaling Bureau. These rules are also used by the Columbia River and the Grays Harbor Log Scaling and Grading Bureau.

³The number, enclosed in parenthesis after the total Scribner board foot volume for each piling length and class, is the volume per piling for Number 2 sawmill and better log grade, where applicable.

AMENDATORY SECTION (Amending Emergency Order FT-83-4 and Permanent Order FT-83-3, filed 6/30/83, effective 6/30/83)

WAC 458-40-19002 **TIMBER POLE VOLUME TABLE FOR EAST OF CASCADE SUMMIT** ((FOR THE CALENDAR PERIOD JULY 1 THROUGH DECEMBER 31, 1983)). Harvesters of poles in stumpage value areas 6, 7, 8, 9 and 10 shall use the following timber pole volume table to determine the Scribner board foot volume. The timber quality code number shall be determined by the procedure contained herein under the tables titled "Timber Quality Code Table, Stumpage Value Areas 6, 7, 8 and 9 Merchantable Sawtimber, All Ages," and "Timber Quality Code Table, Stumpage Value Area 10, Merchantable Sawtimber, All Ages."

Length	Class ¹	Total Scribner Board Foot Volume as per Pole Length and Pole Class	
20'	1	70	
	2	60	
	3	50	
	4	50	
	5	30	
	6	30	
	7	20	
	9	20	
	10	20	
	25'	1	80
2		70	
3		50	
4		50	
5		40	
6		40	
7		30	
9		30	
10		20	
30'		1	110
	2	90	
	3	60	
	4	60	
	5	50	
	6	50	
	7	50	
	9	40	
	35'	H2	190
		H1	160
1		140	
2		100	
3		100	
4		70	
5		60	
6		60	
7		50	
40'		H3	240
	H2	240	
	H1	200	
	1	170	
	2	120	
	3	110	
4	100		
5	70		
6	70		

Length	Class ¹	Total Scribner Board Foot Volume as per Pole Length and Pole Class	Length	Class ¹	Total Scribner Board Foot Volume as per Pole Length and Pole Class		
45'	H6	390	75'	H6	810		
	H5	330		H5	700		
	H4	330		H4	700		
	H3	270		H3	600		
	H2	270		H2	600		
	H1	220		H1	500		
	1	180		1	440		
	2	150		2	340		
	3	110		3	270		
	4	110		H6	960		
	5	80		H5	830		
	6	70		H4	830		
50'	H6	460	80'	H3	710		
	H5	390		H2	710		
	H4	390		H1	610		
	H3	340		1	510		
	H2	340		2	420		
	H1	280		3	340		
	1	240		H6	1020		
	2	190		H5	870		
	3	150		H4	870		
	4	150		H3	760		
	5	120		H2	760		
	55'	H6		510	85'	H1	640
H5		430	1	550			
H4		430	2	450			
H3		370	3	360			
H2		360	H6	1110			
H1		300	H5	970			
1		250	H4	970			
2		190	H3	840			
3		150	H2	840			
4		150	H1	720			
60'		H6	610	90'		1	620
		H5	530			2	500
	H4	530	3		420		
	H3	440	H6		1160		
	H2	440	H5		1010		
	H1	380	H4		1010		
	1	310	H3		870		
	2	240	H2		870		
	3	200	H1		740		
	4	200	1		640		
	65'	H6	650		95'	2	510
		H5	570			H6	1380
H4		570	H5	1210			
H3		490	H4	1210			
H2		480	H3	1060			
H1		410	H2	1060			
1		350	H1	910			
2		280	1	780			
3		220	2	650			
4		220	100'	H6		1430	
70'		H6		750		H5	1250
		H5		650		H4	1250
	H4	650		H3	1100		
	H3	550		H2	1100		
	H2	470		H1	940		
	H1	470		1	820		
	1	410		2	690		
	2	320					
	3	260					
	4	260					

Length	Class ¹	Total Scribner Board Foot Volume as per Pole Length and Pole Class	Length	Class ¹	Total Scribner Board Foot Volume per Piling Length and per Piling Class
110'	H6	1580	20'	A	90
	H5	1390		B	70
	H4	1390	25'	A	100
	H3	1220		B	80
	H2	1220	30'	A	130
	H1	1070		B	110
	1	920	35'	A	140
2	770	B		100	
115'	H6	1660	40'	A	140
	H5	1470		B	100
	H4	1470	45'	A	150
	H3	1280		B	110
	H2	1280	50'	A	190
	H1	970		B	150
	1	810	55'	A	190
2	680	B		150	
120'	H6	1880	60'	A	240
	H5	1680		B	200
	H4	1680	65'	A	240
	H3	1480		B	200
	H2	1480	70'	A	260
	H1	1290		B	210
	1	1130	75'	A	270
2	950	B		220	
125'	H6	1910	80'	A	220
	H5	1690		B	220
	H4	1690	85'	A	300
	H3	1490		B	240
	H2	1490	90'	A	280
	H1	1140		B	280
	1	970	95'	A	360
2	810	B		280	
130'	H6	2170	100'	A	360
	H5	1920		B	280
	H4	1920	105'	A	400
	H3	1710		B	300
	H2	1710	110'	A	460
	H1	1510		B	340
	1	1320	115'	A	470
2	1140	B		360	
			120'	A	560
				B	450

¹ Pole class definitions as per American National Standard specifications and dimensions for wood poles as approved August 7, 1976 under American National Standard Institute, Inc. codified ANSI 05.1-1972.

² Volumes are based on the Scribner Decimal C log rule in the U.S.F.S. Log Scaling Handbook. Poles over 16 feet long were segment scaled in accordance with the rules set forth in the U.S.F.S. Log Scaling Handbook, using the average top diameter by size and class and assuming a 1" in 10' taper.

AMENDATORY SECTION (Amending Emergency Order FT-83-4 and Permanent Order FT-83-3, filed 6/30/83, effective 6/30/83)

WAC 458-40-19003 **TIMBER PILING VOLUME TABLE FOR EAST OF CASCADE SUMMIT ((FOR THE CALENDAR PERIOD JULY 1 THROUGH DECEMBER 31, 1983))**. Harvesters of piling in stumpage value areas 6, 7, 8, 9 and 10 shall use the following piling table to determine the Scribner board foot of volume. The timber quality code number for each piling length and class shall be determined by the procedure contained herein under the tables titled "Timber Quality Code Table, Stumpage Value Areas 6, 7, 8 and 9 Merchantable Sawtimber, All Ages" and "Timber Quality Code Table, Stumpage Value Area 10, Merchantable Sawtimber, All Ages."

¹ Piling class definitions as per American Society for Testing and Materials for "Round Timber Piles." As the Designation: D 25-56 (Reapproved 1964).

² Volumes are based on the Scribner Decimal C log rule in the U.S.F.S. Log Scaling Handbook. Poles over 16 feet long were segment scaled in accordance with the rules set forth in the U.S.F.S. Log Scaling Handbook, using the average top diameter by size and class and assuming a 1" in 10' taper.

AMENDATORY SECTION (Amending Emergency Order FT-83-4 and Permanent Order FT-83-3, filed 6/30/83, effective 6/30/83)

WAC 458-40-19004 **CONVERSION DEFINITIONS AND FACTORS ((FOR THE CALENDAR PERIOD JULY 1 THROUGH DECEMBER 31, 1983))**. ((+)) The following standard conversion definitions and factors shall be used in determining Scribner board foot volume scale for timber harvested that was not originally scaled in Scribner board foot volume scale:

Table No. Conversion Method

- 1 Standard cord
For logs on the average of 8 inches and larger on the small end of the log the conversion factor is 400 Scribner board feet per cord and for logs on the average of less than 8 inch on the small end of the log the conversion factor is 330 Scribner board feet per cord.
- 2 Shake blocks and boards
A cord consisting of western redcedar shingle or shake blocks based on stacked dimensions of 4 feet by 4 feet by 8 feet is equivalent to 600 Scribner board feet.
- 3 Cants or lumber from portable mills
Payment for cants is generally based on the board foot volume (lumber tally) cut from them. Payment for lumber cut from a portable mill is also generally based on the lumber tally from the log. To convert from lumber tally to Scribner log volume, multiply the lumber tally for the individual species by 75% and round to the nearest one thousand board feet Scribner scale.

((4 Log length conversion - Western Washington Only (Stumpage Value Areas 1, 2, 3, 4, 5, and 11):

Operations that cut and scale logs in short lengths (16 feet to 20 feet) shall adjust the volume downward to correspond to the long log scale basis used in the Stumpage Value Tables. To convert to long log scale, multiply the short log scale for each species by 82% and round to the nearest thousand board feet.

5 Log length conversion Eastern Washington Only (Stumpage Value Areas 6, 7, 8, 9 and 10):

Operations that cut and scale logs in long lengths (32 feet to 40 feet) shall adjust the volume upward to correspond to the short log scale basis used in the Stumpage Value Tables. To convert to short log scale, multiply the long log scale for each species by 118% and round to the nearest thousand board feet.)

4 Log scale conversion - Timber harvested in Stumpage Value Areas 1, 2, 3, 4 and 5 and which has in the ordinary course of business its quantity by species first definitely determined east of the summit of the Cascade Mountain range by methods and procedures as published in the "National Forest Log Scaling Handbook" titled FSH 2409-11 shall have the volumes reported reduced by 18% to reflect the difference between East side and West side scaling practices.

5 Log scale conversion - Timber harvested in Stumpage Value Areas 6, 7, 8, 9 and 10 which has in the ordinary course of business its quantity by species first definitely determined west of the summit of the Cascade Mountain range by methods and procedures published in the "Official Log Scaling and Grading Rules" used by the Puget Sound, Grays Harbor, Southern Oregon, Yamhill, Northern California, and Columbia River Log Scaling and Grading Bureaus, must have the volumes reported increased by 18% to reflect the difference between East side and West side scaling practices.

No other scale volume adjustments will be allowed, without prior approval of the Department.

6 Weight measurement

If the original unit of measure was by weight (pounds or tons), the harvester shall convert to Scribner Board Foot Volume¹ using one of the following methods:

(1) Application in writing to the Department of Revenue for use of a sample scaling procedure for converting weight measurements to Scribner board foot volume. Sample scaling procedures shall be subject to approval by the Department and shall be reviewed periodically for re-certification.

(2) Harvesters not using method 1 shall use the following tables of conversion factors for harvest in eastern or western Washington as indicated below. Harvesters must keep records to substantiate the species and quality codes reported. Note: The western Washington conversion factors may not be used for old growth final harvest.

WESTERN WASHINGTON
(Stumpage Value Areas 1, 2, 3, 4, & 5)

BOARD FOOT WEIGHT SCALE FACTORS
(TONS/MBF)

SPECIES

Quality Code	Douglas Fir	Western Hemlock	Red Cedar	Mixed	Red Alder	Conifer Utility	Hardwood Utility
1	4.5	5.25	4.5	4.75	7.0	—	—
2	6.0	6.5	7.0	6.25	—	—	—
3	6.5	7.5	7.5	7.0	—	—	—
4	7.5	8.25	—	8.0	—	—	—
5	—	—	—	—	—	8.5	8.5

* (Western Hemlock, True fir, Noble fir, other Conifer, and Sitka Spruce).

EASTERN WASHINGTON
(Stumpage Value Areas 6, 7, 8, 9, & 10)

BOARD FOOT WEIGHT SCALE FACTORS

Species	Tons/MBF
Ponderosa Pine (Yellow Pine)	5.0
Ponderosa Pine (Bull Pine)	6.5
Douglas Fir	5.5
Western Larch	5.5
Lodgepole Pine	6.0
True Fir	5.5
Engleman Spruce	4.5
Red Cedar	4.5

Loads of mixed species shall be reported at 5.75 tons/MBF.

((6) 7 Some standard converting factors and equivalents:

- (a) 1 standard cord equals 128 cubic feet, gross
- (b) 1 standard cord equals 85 cubic feet, solid wood
- (c) 1 standard cord equals 2.4069 cubic meters of solid wood
- (d) 1 cunit equals 100 cubic feet, log scale
- (e) 1 meter equals 39.37 inches
- (f) 1 cubic meter equals 35.315 cubic feet log scale
- (g) 1 cunit equals 2.832 cubic meters, log scale
- (h) 1 pound equals 0.454 kilograms
- (i) 1 kilogram equals 2.2046 pounds
- (j) 1 short ton equals 2000 pounds
- (k) 1 short ton equals 907.18 kilograms
- (l) 1 long ton equals 2240.0 pounds
- (m) 1 long ton equals 1016.05 kilograms
- (n) 1 metric ton (or tonne) equals 1000 kilograms or approximately 2204.62 pounds.

((2) If the harvester chooses not to use the designated conversion definitions and/or factors, the harvester shall obtain approval of the procedure from the department before harvesting.

EXAMPLE:

Weight or cubic measurement. If the original unit of measure was by weight (pounds or tons) or cubic feet (cunits or units), the harvester shall convert to Scribner Board Foot volume, but may use only such conversion procedures and factors as have been given prior approval by the department.) Harvesters who wish to use a conversion method other than one of those listed above must obtain written approval from the Department of Revenue before harvesting.

WSR 83-22-042
ADOPTED RULES
STATE EMPLOYEES
INSURANCE BOARD

[Resolution No. 6-83—Filed October 28, 1983]

Be it resolved by the State Employees Insurance Board, acting at the Department of Transportation Material Lab Building, Tumwater, Washington, that it does adopt the annexed rules relating to:

Amd	WAC 182-08-160	Group coverage when not in pay status.
Amd	WAC 182-08-120	Employer contribution.
Rep	WAC 182-12-170	State contribution for Medicare for actively employed.

This action is taken pursuant to Notice No. WSR 83-22-008 filed with the code reviser on October 21, 1983. 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 State Employees Insurance Board as authorized in chapter 41.05 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 October 28, 1983.

By C. H. Shay
Group Insurance Analyst

AMENDATORY SECTION (Amending Order 5-79, filed 12/27/79)

WAC 182-08-160 GROUP COVERAGE WHEN NOT IN PAY STATUS. An employee who is temporarily not in pay status may retain state group coverages, except long term disability and dental, by self-payment of premium (~~up to twenty-nine months~~) during any authorized leave without pay (~~or~~), during a layoff because of a reduction-in-force, or while receiving time loss benefits under worker's compensation, subject to a maximum self-pay period of twenty-nine months. An employee may retain long term disability coverage by self-payment of premium up to twenty-four months during an authorized leave without pay, but only if such leave is an approved educational leave. Employees not in pay status are ineligible to receive credit for the employer premium contribution.

AMENDATORY SECTION (Amending Order 3-77, filed 11/17/77)

WAC 182-08-120 EMPLOYER CONTRIBUTION. The board has utilized the employers' contribution to provide coverage for the basic life insurance benefit, a basic long term disability benefit, medical coverage, dental coverage, and the premium cost for employees age seventy and over who are eligible for Medicare Part "B", and to establish a reserve for any remaining balance. There is no employer contribution available for any other insurance coverages.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 182-12-170 STATE CONTRIBUTIONS FOR MEDICARE FOR ACTIVELY EMPLOYED.

WSR 83-22-043

EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 83-173—Filed October 28, 1983]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, 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 there is a harvestable surplus of adult pacific hake available in these areas.

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 October 27, 1983.

By Russell W. Cahill
for William R. Wilkerson
Director

NEW SECTION

WAC 220-48-01500E PACIFIC HAKE TRAWL OPENING. Notwithstanding the provisions of WAC 220-48-015, WAC 220-48-017 and WAC 220-48-019, it is unlawful to fish for pacific hake with bottom trawl, beam trawl, pelagic trawl or roller trawl from Puget Sound Marine Fish-Shellfish Management and Catch Reporting Areas 24B, 24C or 26A or to possess pacific hake taken from those areas with trawl gear, except that effective October 31, 1983 until further notice, it is lawful to fish for pacific hake in these areas on Monday and Wednesday of each week and to possess pacific hake taken during these time periods.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-48-01500D PACIFIC HAKE TRAWL CLOSURE (83-156)

WSR 83-22-044
NOTICE OF PUBLIC MEETINGS
COMMISSION ON
MEXICAN AMERICAN AFFAIRS
 [Memorandum—October 25, 1983]

There has been a change in the commission's regular business meeting schedule from Saturday, December 3, 1983, to Saturday, December 10, 1983.

The meeting will take place in Olympia as previously scheduled.

All interested persons should contact the commission for details concerning specific location and agenda items.



WSR 83-22-045
ADOPTED RULES
OFFICE OF MINORITY AND
WOMEN'S BUSINESS ENTERPRISES
 [Order 83-3—Filed October 28, 1983]

I, Carolyn V. Patton, director of the Office of Minority and Women's Business Enterprises, do promulgate and adopt at 221 Fifth Avenue West, Olympia, WA 98504, the annexed rules relating to general provisions, chapter 326-02 WAC, and certification, chapter 326-20 WAC, (except proposed WAC 326-20-100, which is withdrawn).

This action is taken pursuant to Notice No. WSR 83-19-066 filed with the code reviser on September 21, 1983. 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 section 3(7), chapter 120, Laws of 1983 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 October 26, 1983.

By Carolyn V. Patton
 Director

Chapter 326-02 WAC
 GENERAL PROVISIONS

WAC

326-02-010	Purpose.
326-02-020	Applicability.
326-02-030	Definitions.

NEW SECTION

WAC 326-02-010 **PURPOSE.** The purpose and intent of chapter 120, Laws of 1983, and of these rules is to provide the maximum practicable opportunity for increased participation by minority and women-owned businesses in participating in public works and the process by which goods and services are procured by state

agencies and educational institutions from the private sector. This purpose will be accomplished by encouraging the full use of existing minority and women-owned businesses and the entry of new and diversified minority and women-owned businesses into the marketplace. These rules shall be applied and interpreted to promote this purpose.

NEW SECTION

WAC 326-02-020 **APPLICABILITY.** This chapter applies to all applications for certification as a minority or women's business enterprise by the state of Washington and to all public works and procurement by state agencies and educational institutions: **PROVIDED,** That this chapter does not apply where it is found to be in conflict with federal requirements which are a prescribed condition to the allocation of federal funds to the state. In such a case, the conflicting portions of this chapter are inoperative solely to the extent of the conflict and with respect to the agencies directly affected.

NEW SECTION

WAC 326-02-030 **DEFINITIONS.** Words and terms used in these rules shall have the same meaning as each has under chapter 120, Laws of 1983, unless otherwise specifically provided in these rules, or the context in which they are used clearly indicates that they be given some other meaning.

(1) "Advisory committee" means the advisory committee on minority and women's business enterprises.

(2) "Class of contract basis" means an entire group of contracts having a common characteristic. Examples include, but are not limited to, personal service contracts, public works contracts, leases, purchasing contracts, and contracts for specific types of goods and/or services.

(3) "Combination minority and women's business enterprise" means a business organized for profit, performing a commercially useful function, which is fifty percent owned and controlled by a minority male and fifty percent owned and controlled by a nonminority woman. Both owners must be United States citizens or lawful permanent residents and cannot be married to each other.

(4) "Commercially useful function" means being responsible for execution of a contract or a distinct element of the work under a contract by actually performing, managing and supervising the work involved.

(5) "Contract" means a mutually binding legal relationship, including a lease, or any modification thereof, obligating the seller to furnish goods or services, including construction, and the buyer to pay for them.

(6) "Contract by contract basis" means a single contract within a specific class of contracts.

(7) "Contractor" means a party who enters into a contract to provide a state agency or educational institution with goods or services, including construction, or a subcontractor or sublessee of such a party.

(8) "Director" means the director of the office of minority and women's business enterprises.

(9) "Educational institutions" means the state universities, the regional universities, The Evergreen State College, and the community colleges.

(10) "Goals" means annual overall agency goals, expressed as a percentage of dollar volume for participation by minority and women-owned businesses, and shall not be construed as a minimum goal for any particular contract or for any particular geographical area. Goals shall be met on a contract by contract or class of contract basis. In meeting their goals on either a contract by contract or a class of contract basis state agencies and educational institutions should facilitate the entry of minority and women's business enterprises into types of businesses in which MBE's and WBE's are underrepresented.

(11) "Goods and/or services" means all goods and services, including professional services.

(12) "Joint venture" means an association of two or more persons or businesses to carry out a single business enterprise for profit for which purpose they combine their property, capital, efforts, skills, and knowledge and in which they exercise control and share in profits and losses in proportion to their contribution to the enterprise.

(13) "Minority" means a person who is a citizen or lawful permanent resident of the United States and who is:

(a) Black: Having origins in any of the black racial groups of Africa;

(b) Hispanic: Of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish or Portuguese culture or origin, regardless of race;

(c) Asian American: Having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands; or

(d) American Indian or Alaskan Native: Having origins in any of the original peoples of North America.

Persons who are visibly identifiable as a minority need not provide documentation of their racial heritage but may be required to submit a photograph. Persons who are not visibly identifiable as a minority must provide documentation of their racial heritage which will be determined on a case-by-case basis. The final determination will be in the sole discretion of the office.

(14) "Minority business enterprise," "minority-owned business enterprise," or "MBE" means a business organized for profit, performing a commercially useful function, which is owned and controlled by one or more minority individuals or minority business enterprises certified by this office. Owned and controlled means a business in which one or more minorities or MBE's certified by this office own at least fifty-one percent, or in the case of a corporation at least fifty-one percent of the voting stock, and control at least fifty-one percent of the management and daily business operations of the business.

(15) "MWBE" means a minority-owned business enterprise, a women-owned business enterprise; and/or a combination minority and women's business enterprise certified by the office of minority and women's business enterprises of the state of Washington.

(16) "Office" means the office of minority and women's business enterprises of the state of Washington.

(17) "Procurement" means the purchase, lease, or rental of any goods or services.

(18) "Public works" means all work, including construction, highway and ferry construction, alteration, repair, or improvement other than ordinary maintenance, which a state agency or educational institution is authorized or required by law to undertake.

(19) "State agency" includes the state of Washington and all agencies, departments, offices, divisions, boards, commissions, and correctional and other types of institutions. "State agency" does not include the judicial or legislative branches of government except to the extent that procurement or public works for these branches is performed by a state agency.

(20) "Women's business enterprise," "women-owned business enterprise," or "WBE" means a business organized for profit, performing a commercially useful function, which is owned and controlled by one or more women or women's business enterprises certified by this office. Owned and controlled means a business in which one or more women or WBE's certified by this office own at least fifty-one percent or in the case of a corporation at least fifty-one percent of the voting stock, and control at least fifty-one percent of the management and daily business operations of the business. The women owners must be United States citizens or lawful permanent residents.

Chapter 326-20 WAC
CERTIFICATION

WAC

- 326-20-010 In general.
- 326-20-020 Federally funded projects.
- 326-20-030 Proof of minority status.
- 326-20-040 Proof of woman's status.
- 326-20-050 Proof of ownership of business.
- 326-20-060 Counting community property.
- 326-20-070 Counting ownership held in trust.
- 326-20-080 Factors considered in determining control.
- 326-20-090 Size and length of time in business.
- 326-20-110 Application form.
- 326-20-120 Submittal of forms.
- 326-20-130 Processing applications—Time.
- 326-20-140 Duty to cooperate.
- 326-20-150 On-site investigations.
- 326-20-160 Burden of proof.
- 326-20-170 Decision.
- 326-20-180 Effect of certification.
- 326-20-190 State MWBE directory.
- 326-20-200 Complaints.
- 326-20-210 Reconsideration of decision.
- 326-20-220 Resubmission of applications.

NEW SECTION

WAC 326-20-010 IN GENERAL. Any business which meets the definition of a minority business enterprise, a women's business enterprise, or a combination minority and women's business enterprise as set forth in

this title is eligible to be certified by the state of Washington as a minority business enterprise, a women's business enterprise or a combination minority and women's business enterprise. A business owned and controlled by one or more minority females may be certified as both a MBE and a WBE.

NEW SECTION

WAC 326-20-020 FEDERALLY FUNDED PROJECTS. Where a federal requirement which is a prescribed condition for allocation of federal funds to the state of Washington sets forth criteria for certification which are in conflict with those in this chapter, a business which meets those federal criteria may be certified as a minority business enterprise or women's business enterprise for state projects funded under those requirements.

NEW SECTION

WAC 326-20-030 PROOF OF MINORITY STATUS. Each minority owner of a business applying for MBE or combination minority and women's business enterprise certification who is visibly identifiable as a minority shall submit with the MWBE application form a photograph or copy of documentation containing the owner's photograph. Each minority owner who is not visibly identifiable as a minority shall submit a copy of his or her birth certificate, tribal enrollment papers, or other document which shows that the owner meets the definition of "minority" as set forth in these rules. The final determination will be in the sole discretion of the office.

NEW SECTION

WAC 326-20-040 PROOF OF WOMAN'S STATUS. Each woman owner of a business applying for certification as a WBE or as a combination minority and women's business enterprise must submit with the MWBE application form a copy of her birth certificate, valid driver's license, or other document which shows that the owner is a woman.

NEW SECTION

WAC 326-20-050 PROOF OF OWNERSHIP OF BUSINESS. All minority or women owners shall submit to the office proof of their ownership of the requisite percentage of the business at the time the application is submitted. Such proof shall consist of stock certificates, a notarized affidavit of stock ownership from the corporate treasurer, a partnership agreement, cancelled check used to purchase ownership, or other recognized proof of ownership. In cases of sole proprietorships or other cases where documentary proof of ownership is not available, the minority or women owners shall so advise the office, which may undertake further investigation. The office may also require documents showing how and when the minority or women owners' interest in the business was acquired. The office may, for any reason, require any minority or women owners to provide additional proof of, or information concerning, ownership.

NEW SECTION

WAC 326-20-060 COUNTING COMMUNITY PROPERTY. The fifty-one percent ownership requirement is not met by an owner having only his or her fifty percent interest under community property laws. Except as provided in this section, each minority or woman owner who is a resident of a community property state and who is married must submit a copy of a separate property agreement signed by both spouses showing that the owner's spouse has acknowledged that at least two percent of the owner's interest in the business is held as the owner's separate property. This will not be required in these situations:

(1) Where a male minority owner of an MBE is married to a minority female.

(2) Where the fifty-one percent ownership requirement can be satisfied without requiring each owner to file a separate property agreement. Example: If fifty percent of the stock of a corporation is in the name of an unmarried woman and the other fifty percent is in the name of a married woman in a community property state, the fifty-one percent ownership criteria for WBE certification is satisfied. In this case, fifty percent of the stock is owned by the unmarried woman as her separate property, twenty-five percent of the stock is owned by the married woman as community property, and twenty-five percent of the stock is owned by the married woman's husband as community property. Thus, since seventy-five percent of a stock is owned by women, the married woman does not need a separate property agreement.

NEW SECTION

WAC 326-20-070 COUNTING OWNERSHIP HELD IN TRUST. In determining whether the fifty-one percent ownership requirement is met, no stock or ownership held in trust shall be counted, except in the following cases: (1) Where both the trustee and the beneficiary are minorities, or both are women, and the trustee meets the fifty-one percent control requirement; or (2) where the stock or ownership is held in an irrevocable trust for the benefit of a minority or a woman and the minority or woman beneficiary meets the fifty-one percent control requirement.

NEW SECTION

WAC 326-20-080 FACTORS CONSIDERED IN DETERMINING CONTROL. Whether a minority or woman owner meets the fifty-one percent control requirement is determined on an application-by-application basis. Factors which may be considered in determining whether the minority or woman owner meets the control requirement include, but are not limited to, the following:

(1) Authority and restrictions as indicated in the articles of incorporation, by-laws, partnership agreements and/or other business agreements and documents;

(2) The financial interest and/or participation in any other business by any owner or key personnel;

(3) Past and current employment history of minority and women owners involved in the business;

(4) Members of the board of directors and corporate officers;

(5) Experience, training, and expertise of any owners;

(6) Recent changes in ownership and/or control of the business;

(7) Financial obligation to and capital contributions from nonowners of the business; and

(8) Documentation indicating who has ultimate authority to make policy and management decisions and to legally obligate the business.

NEW SECTION

WAC 326-20-090 SIZE AND LENGTH OF TIME IN BUSINESS. Size of business or length of time in business shall not be considered a prerequisite for certification. However, the office may require that this information be provided in order to determine whether the business qualifies for MWBE status under federal regulations.

NEW SECTION

WAC 326-20-110 APPLICATION FORM. The office will develop and make available an application form for certification as a MWBE, which may be modified at any time. The form will solicit enough information to determine whether the applicant is eligible for MWBE certification for state-funded projects and may include supplemental questions necessary to determine whether the applicant is eligible for certification for a specific federally-funded project. As part of its investigation, the office may require minority and women owners to provide information in addition to that requested on the application forms.

Where additional information is required from the applicant business to complete the investigation, the office may request the information by letter and may impose a time limit of not less than seven days in which the applicant must respond. If the applicant fails to provide the information in the time requested, the office may give notice to the applicant of its intention to close the file administratively. The notice shall be by certified letter and shall give the applicant twenty days after the mailing of the letter in which to provide the information requested by the office. If all the requested information is not received by the office within the twenty days, the office may administratively close the file.

NEW SECTION

WAC 326-20-120 SUBMITTAL OF FORMS. Application forms shall be submitted by mail or in person to the office at the following address:

STATE OF WASHINGTON
OFFICE OF MINORITY AND WOMEN'S BUSINESS
ENTERPRISES
211 - Fifth Avenue West
MS: FK-11
Olympia, WA 98504

The minority or woman owner shall be responsible for ensuring that the form is complete and accurate and is properly delivered to the office. The applicant should

keep a copy of the completed form and all documents submitted with the form for its reference.

NEW SECTION

WAC 326-20-130 PROCESSING APPLICATIONS—TIME. The office will process all applications as promptly as its resources permit. The office cannot guarantee that any application will be processed within any certain time period and the inability to process an application by a certain time shall not subject the office or the state to liability.

NEW SECTION

WAC 326-20-140 DUTY TO COOPERATE. The owners shall have the duty to cooperate fully in the office's investigation of the application, including promptly submitting any additional information requested by the office.

NEW SECTION

WAC 326-20-150 ON-SITE INVESTIGATIONS. The office may, whenever it deems necessary, conduct an unannounced on-site investigation of an applicant's operations. By submitting the MWBE application form the applicant agrees that the office may conduct such investigations.

NEW SECTION

WAC 326-20-160 BURDEN OF PROOF. The applicant business shall have the burden of proving to the satisfaction of the office that it is eligible for certification.

NEW SECTION

WAC 326-20-170 DECISION. The office shall notify the applicant business by mail of its decision to grant or deny certification promptly after the decision has been made. The decision shall indicate whether the certification is for the state program, a federal program or both. Where the office has denied the application, the decision shall set forth the bases for denial. Where the office has denied certification because the women or minority owners did not meet the ownership criteria, this shall not preclude the office from denying the application on additional bases following resubmittal or reconsideration.

NEW SECTION

WAC 326-20-180 EFFECT OF CERTIFICATION. Certification as a MWBE shall have the following effects:

(1) Certification as a MWBE for the state program shall entitle the MWBE to be counted by state agencies and educational institutions toward meeting their MWBE goals under this chapter. Certification as a MWBE for a federal program shall entitle the MWBE to be counted by state agencies and educational institutions toward meeting the MWBE goals under those programs. Certification shall be effective as of the date the decision is made in writing.

(2) Certification may be revoked at any time the office determines that the MWBE does not meet the current criteria for eligibility for certification. The MWBE shall notify the office of any changes in its ownership, control, or operations which may affect its continued eligibility as a MWBE.

(3) Certification is effective for one year. The office may require of all applicants and/or of selected applicants periodic notarized statements regarding changes in the information provided during the initial certification process. The office will renew the certification annually as long as the applicant continues to meet the eligibility criteria.

(4) Certification as a MWBE does not constitute compliance with any other laws or regulations, including contractor registration or prequalification, and does not relieve any firm of its obligations under other laws or regulations. Certification as a MWBE does not constitute any determination by the office that the firm is responsible or capable of performing any work.

NEW SECTION

WAC 326-20-190 STATE MWBE DIRECTORY. The office will maintain a directory of certified MWBE's as follows:

(1) The office will maintain a complete directory of all MWBE's certified by the office for state projects and for federally-funded projects.

(2) The office will update and compile the directory into a form suitable for distribution at least semiannually and may issue supplements on a more frequent basis.

(3) The state MWBE directory will be available for purchase from the office at a reasonable cost. One copy will be made available to each state agency and educational institution at no charge. Copies will be provided to the state library.

(4) Bidders and others proposing to enter into contracts with state agencies and educational institutions shall have the responsibility of ensuring that firms proposed to be used by them toward MWBE goals are certified. State agencies and educational institutions contracting directly with a purported MWBE shall have the responsibility of ensuring that the firm is certified.

(5) Information concerning the status of a firm as a MWBE may be obtained by contacting the office during designated working hours.

NEW SECTION

WAC 326-20-200 COMPLAINTS. Complaints regarding certification of MWBE's may be submitted, and will be processed, according to the following procedures:

(1) Any individual, firm, agency or other person who believes that an applicant certified as a MWBE does not qualify under the standards of eligibility for certification may file a complaint with the office.

(2) The complaint must be submitted to the office, must be in writing, and must set forth facts which indicate that the MWBE is not eligible, along with copies of any supporting documents the complainant may have. Facts should be described in as much detail as possible.

(3) The complainant should sign the complaint and give an address and telephone number where he or she may be reached during the investigation. However, the office will process anonymous complaints which include sufficient facts to indicate that they may have merit.

(4) Complaints, as well as names, addresses, and telephone numbers of complainants, cannot be considered confidential by the office.

(5) The office will investigate each complaint as promptly as resources allow. The MWBE shall cooperate fully in the office's investigation. The office will notify the business of the complaint by certified mail. No MWBE will be decertified based on a complaint without first having an opportunity to respond to the complaint: PROVIDED, That failure of the MWBE to respond to the complaint within twenty calendar days of mailing from the office may result in suspension of certification or decertification.

(6) The director may, at his or her discretion, suspend the MWBE's certification pending the outcome of the investigation after providing the MWBE seven calendar days notice by certified mail to show cause in writing why the suspension of certification should not occur. No suspensions may last more than thirty calendar days.

(7) After the investigation is completed, the office shall issue a written decision either rejecting the complaint or revoking the certification. The written decision shall be mailed to the MWBE involved and to the complainant, if known.

(8) Information received about an applicant prior to the certification decision being made will not be considered a complaint, but will be considered in the investigation of the application for certification.

NEW SECTION

WAC 326-20-210 RECONSIDERATION OF DECISION. Decisions to deny certification, deny renewal of certification, or to revoke certification will be reconsidered on the following basis:

(1) When an applicant has been denied certification, or when a MWBE's certification has not been renewed or has been revoked, the applicant may petition the office for reconsideration of the decision on the grounds that the office did not have all relevant information, that the office misapplied its rules, or that the office otherwise made an error.

(2) A petition for reconsideration must be in writing and must be received by the office within thirty calendar days of the mailing of the decision, or the decision becomes administratively final. The petition must set forth the grounds on which the applicant believes the decision is in error, including any additional information which the applicant business has to offer.

(3) Upon receipt of the petition, the office shall review the petition and any additional information, and may conduct further investigation. The office will then notify the applicant by certified mail of its decision either to affirm the denial, the denial of renewal, or revocation of certification or to grant certification.

(4) If a petition for reconsideration is filed, a decision to deny certification following consideration of the petition is administratively final.

NEW SECTION

WAC 326-20-220 RESUBMISSION OF APPLICATIONS. An applicant which has withdrawn its application or whose application has been denied may file a new application if there has been a substantial change in ownership, control, or organization of the business. However, no business may file more than two applications in any calendar year.

WSR 83-22-046
PROPOSED RULES
GAMBLING COMMISSION
 [Filed October 28, 1983]

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 new sections WAC 230-04-061, 230-04-201, 230-20-063, amendments to WAC 230-04-230, 230-04-260, 230-20-240, repeal of WAC 230-04-200, 230-04-305, 230-20-061 and 230-20-251;

that the agency will at 10:00 a.m., Friday, December 9, 1983, in the Council Chambers, Olympia City Hall, 8th and Plum, 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 9.46.070 (5), (6), (8), (10) and (11).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 9, 1983.

Dated: October 28, 1983

By: Elwin Hart
 Deputy Director

STATEMENT OF PURPOSE

Title: New section WAC 230-04-061, Required information, bona fide charitable and nonprofit organizations; new section WAC 230-04-201, Fees; amendment to WAC 230-04-230, Intentionally understating anticipated revenue—Prohibited; amendment to WAC 230-04-260, Effect of exceeding bingo, raffles or amusement games licenses class income limit; repeal of WAC 230-04-200, License fees; repeal of WAC 230-04-305, Change of class; new section WAC 230-20-063, Limits on bingo gross receipts and prize payouts and requirements for net income; amendment to WAC 230-20-240, Bingo equipment to be used; repeal of WAC 230-20-061, Temporary prize limits for bingo; and repeal of WAC 230-20-251, Comprehensive financial information to be filed.

Description of Purpose: Amends current rules to (1) change limit from \$300,000 to \$500,000 in annual gross receipts for bingo licensees required to submit certain financial data; (2) change bingo license fee structure from net to gross receipts basis to more equitably distribute enforcement costs; (3) replace current temporary prize

limit with permanent bingo control structure which includes net income requirement; and (4) more clearly define device for randomly mixing and withdrawing bingo balls.

Statutory Authority: RCW 9.46.070 (5), (6), (8), (10) and (11).

Summary of Proposed Rules and Reasons Supporting Action: New section WAC 230-04-061, proposed rule provides more definitive guidance on information currently required to be submitted by bingo licensees who exceed \$300,000 in gross receipts annually. It changes requirement from \$300,000 to \$500,000 and makes submission date more predictable. Current limit was established in 1973 and requires updating; new section WAC 230-04-201, a companion rule change to IIG below. License class structure for bingo would change from net to gross receipts basis. Revenues from license fees would not be increased although some adjustments in fee structure are required to more equitably spread licensing and enforcement costs; amendment to WAC 230-04-230, a companion rule change to IIG below; amendment to WAC 230-04-260, a companion rule change to IIG below; repeal of WAC 230-04-200, a companion rule change to IIB above; repeal of WAC 230-04-305, a companion rule change to IIG below; new section WAC 230-20-063, replaces current temporary prize limit rule and puts permanent bingo control structure into effect to include net income requirement. Control structure is required to limit prize payouts and insure net income for charitable and nonprofit purposes of organization; amendment to WAC 230-20-240, amends rule to more clearly define device used for mixing and randomly withdrawing balls during bingo game and to prohibit interruption of operation which could change random placement of balls. Change is required to prevent opportunity for fraud in selection of balls. Exempts Class A and B licensees from requirement to use mechanical device; repeal of WAC 230-20-061, a companion rule change to IIG above; and repeal of WAC 230-20-251, a companion rule change to IIA above.

Agency Personnel Responsible for Drafting, Implementing and Enforcing the Rules: Keith Kisor, Director, and Elwin Hart, Deputy Director, Jefferson Building, 1110 South Jefferson, Olympia, WA 98504, 234-0865 scan, 753-0865 comm.

Proponents and Opponents: Gambling Commission staff proposes these rule amendments and new rules. WAC 230-20-063 is proposed by a Bingo Study Committee of licensees and 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 or new rules.

NEW SECTION

WAC 230-04-061 REQUIRED INFORMATION, BONA FIDE CHARITABLE AND NONPROFIT ORGANIZATIONS. (1) In addition to all other information required, each bona fide charitable or nonprofit organization shall demonstrate on initial application and

annually thereafter the progress they have made toward meeting their stated purpose pursuant to RCW 9.46.020(3). Any licensee demonstrating an excessive accumulation of cash or other assets not primarily related to the purpose of the organization, may be deemed as organized primarily for purposes of gambling and therefore ineligible for licensing pursuant to WAC 230-04-050. For purposes of this subsection, the following definitions apply:

(a) Stated purpose – all rules and guidelines set out in the organization's constitution and/or by laws which have been approved and are on file with the commission;

(b) Excessive accumulation – amounts over and above the licensee's current liabilities plus all expenses of the organization for a six month period. This computation shall be based on the most current financial data on file;

(c) Cash – actual cash, demand deposits, certificates of deposit, money market funds, securities, or other liquid assets;

(d) Other assets not primarily related to the purpose of the organization – any assets which would not be normally associated with current income production or services to be provided by the organization.

(2) An organization requesting to be licensed to receive less than \$500,000 in gross receipts annually shall meet this requirement by completing a standard form provided by the Commission. This form shall be submitted with the original or renewal application each year unless exempted from this requirement by the Commission.

(3) Any organization requesting to be licensed to receive more than \$500,000 gross bingo receipts annually shall meet this requirement by submitting complete financial documents, covering the most recently completed fiscal year of the licensee, and prepared in accordance with generally accepted accounting principles. These documents shall be submitted with the initial application and annually thereafter no later than 120 days following the end of the licensee's fiscal year. If any licensee benefits from bingo receipts earned by a related organization, such as an auxiliary or parent of an auxiliary, the commission will combine gross receipts from both licensees to determine if \$500,000 gross bingo receipts has been exceeded. If the combined receipts exceed this limit, all related licensees will be required to comply with this rule. The following financial documents must be submitted:

(a) Balance sheet;

(b) Profit and loss statement presenting income and expenses separately for each function or activity of the organization. The minimum separation shall be:

(i) Exempt purpose activities;

(ii) Bingo;

(iii) Punchboard and pull tab; and

(iv) Food and beverage items sold during gambling activities.

(c) Footnotes to (a) and (b) disclosing material or significant items not clearly shown by these documents. The minimum disclosures shall be:

(i) Brief history of the organization including its purpose;

(ii) Summary of significant accounting policies, such as: method of accounting; inventory valuation method; income tax exempt status and tax credit policy; fiscal year end selected; policies for recording assets and depreciation; and any other significant accounting policies made by the organization.

(iii) Federal income tax liability for unrelated business income;

(iv) Terms of long term debt, including the lender's name, term, monthly payments, interest rate, and any collateral;

(v) Receivables should be presented at the expected realizable value and any allowance for uncollectable accounts disclosed. Include any terms, including interest rates and deferred payment plans. Receivables from officers, employees, and members must be presented separately;

(vi) Details of any adjustments made to prior period capital accounts or fund balances;

(vii) Terms of significant lease and rental agreements;

(viii) Pension plans, including a description of employee groups covered, funding policy, and cost for the period;

(ix) Transactions with related parties. Related parties are defined as officers, board members, managers, employees, and immediate family members of the above. Immediate family members are defined as spouses, parents, children, and brothers and sisters;

(x) Marketable securities, including, at a minimum, type, name, cost, and market value;

(xi) Contingent liabilities;

(xii) Subsequent events;

(xiii) Policy and purpose for accumulating cash or other liquid assets in excess of amounts described in subsection (1)(b) above; and

(xiv) Any other disclosures material to the review of the data must be disclosed.

(d) A separate narrative telling how the organization made progress toward accomplishing its stated purpose during the year. Include the number of active voting members, and the number of membership meetings held during the fiscal year. This summary shall include a listing of contributions made to charitable or non-profit organizations, and any payments made directly to individuals for charitable purposes. Any licensee who demonstrates excessive accumulations, as defined in subsection (1)(b) above, must submit planning documents setting out details of projected uses of these assets. These documents should include annual budgets and other long range plans which have been approved by the licensee's board of directors or membership.

(4) The commission may require additional information to ensure completeness of (3) above.

(5) The commission may also require the information in (3) and (4) above be provided for the period between the most recent fiscal year ended and the license renewal date.

(6) The commission may grant additional time to comply with this subsection upon submission of a written request which includes:

(a) The licensee's fiscal year end;

(b) The reason for requesting an extension of time; and

(c) The expected date that the required documents will be submitted.

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 230-04-201 FEES. Tables 1 and 2 contain the fees that shall be paid to the commission for gambling licenses, permits, miscellaneous changes, and special investigative actions.

Table 1. (For bona fide nonprofit/charitable organizations)

LICENSE TYPE	DEFINITION	FEE
1. AMUSEMENT	(Fee based on annual net receipts)	
GAMES		
Class A	\$500 or less	\$ 25
Class B	\$501 – 1,000	30
Class C	\$1,001 – 5,000	50
Class D	\$5,001 – 15,000	200
Class E	over \$15,000	350
2. BINGO	(Fee based on annual gross receipts)	
Class A	Up to \$10,000	\$ 50
Class B	\$ 10,001 to 50,000	150
Class C	\$ 50,001 to 100,000	500
Class D	\$ 100,001 to 300,000	800
Class E	\$ 300,001 to 500,000	1,500
Class F	\$ 500,001 to 1,000,000	3,000
Class G	\$1,000,001 to 1,500,000	4,000

	Class H	\$1,500,001 to 2,000,000	5,000
	Class I	\$2,000,001 to 2,500,000	6,000
	Class J	\$2,500,001 to 3,000,000	7,000
	Class K	\$3,000,001 to 3,500,000	8,000
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3.	BINGO GAME MANAGER	Original Renewal	\$ 100 50
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4.	CARD GAMES Class A Class B Class C Class D Class R	General (Fee to play charged) Limited card games - to hearts, rummy, pitch, pinochle, coon-can and/or cribbage - (Fee to play charged) Tournament only - no more than ten consec. days per tournament General (No fee to play charged) Primarily for recreation (WAC 230-04-199)	\$ 500 100 35 35 10
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5.	CHANGES NAME LOCATION FRE LICENSE CLASS	(See WAC 230-04-310) (See WAC 230-04-320) (Reno Nite date(s)/time(s)) (See WAC 230-04-325) (See WAC 230-04-260) New class fee less previous fee paid, plus	\$ 10 25 20 10
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6.	FUND RAISING EVENT Class A-1 Class A-2 Class B-1	One event not more than 24 consec. hrs. Not more than two events - 24 consec. hrs. each One event not more than 72 consec. hrs.	\$ 200 300 300
7.	PERMITS Class A Class B	Agricultural Fair/Special Property Bingo One location and event only (See WAC 230-04-191) Annual permit for specified different events and locations (See WAC 230-04-193)	10 100
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8.	PUNCHBOARDS/ PULL TABS		\$ 150
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9.	RAFFLES Class C Class D Class E Class F	(Fee based on annual net receipts) \$500 or less \$501 - 5,000 \$5,001 - 15,000 Over \$15,000	\$ 25 75 300 500
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10.	SEPARATE PREMISES BINGO RAFFLES	Occasion (See WAC 230-04-300) (See WAC 230-04-197)	\$ 5 10
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11.	SPECIAL INVESTIGATION FEES	(See WAC 230-04-240)	Varies

Table 2. (For commercial stimulant/profit seeking organizations)

LICENSE TYPE	DEFINITION	FEE
1. CARD GAMES Class B	(Fee to play charged) limited card games - to hearts, rummy, pitch, pinochle, coon-can and/or cribbage	\$ 100
Class C	Tournament only, no more than ten consec. days per tournament	100
Class D	General (No fee to play charged)	35
Class E	General (Fee to play charged)	250
E-1	One table only	250

E-2	Up to two tables	500
E-3	Up to three tables	750
E-4	Up to four tables	1,500
E-5	Up to five tables	2,000

2.	CHANGES		
	NAME	(See WAC 230-04-310)	\$ 10
	LOCATION	(See WAC 230-04-320)	25
	BUSINESS	(Same owners - See WAC 230-04-340(3))	35
	CLASSIF.		
	LICENSE	(See WAC 230-04-260) New class fee, less	10
	CLASS	previous fee paid, plus	
3.	DISTRIBUTOR		\$1,000
4.	DISTRIBUTOR'S REPRESENTATIVE	Original Renewal	\$ 150 75
5.	LICENSE TRANSFERS	(See conditions in WAC 230-04-340 and WAC 230-04-350)	\$ 35
6.	MANUFACTURER		\$1,250
7.	MANUFACTURER'S REPRESENTATIVE	Original Renewal	\$ 150 75
8.	PERMITS Class A Class B	Agriculture Fair/Special Property Bingo One location and event only (See WAC 230-04-191) Annual permit for specified different events and locations (See WAC 230-04-193)	\$ 10 100
9.	PUBLIC CARD ROOM EMPLOYEE	Original Renewal	\$ 100 50
10.	PUNCHBOARDS/ PULL TABS		\$ 150
11.	SPECIAL INVESTIGATION FEES	(See WAC 230-04-240)	Varies
12.	SPECIAL LOCATION AMUSEMENT GAMES	(Fee based on annual net receipts)	
	Class A	One event per year lasting no longer than 12 consec. days	\$ 500
	Class B	\$25,000 or less	500
	Class C	\$25,001 - 100,000	1,500
	Class D	\$100,001 - 500,000	3,000
	Class E	Over \$500,000	5,000

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.

license to conduct bingo, raffles and/or amusement games shall intentionally understate the anticipated gross or net receipts from the licensed activity for ((the)) any purpose ((of qualifying for a license at a lower fee than would be required had a proper estimate been made)).

AMENDATORY SECTION (Amending Order 42, filed 9/18/75)

WAC 230-04-230 INTENTIONALLY UNDERSTATING ANTICIPATED REVENUE—PROHIBITED. It shall constitute grounds for revocation or suspension of a license if any applicant for

AMENDATORY SECTION (Amending Order 99, filed 2/25/80)

WAC 230-04-260 EFFECT OF EXCEEDING ((~~BINGO RAFFLES OR AMUSEMENT GAMES~~)) LICENSE(S) CLASS INCOME LIMIT. (1) A licensee ((~~for the conduct of bingo, raffles and/or amusement games~~)) shall not exceed the ((~~licensee's~~) class limit on annual gross or net receipts from the licensed activity.

(2) As soon as it is apparent to a licensee that the licensee's class limit on annual gross or net receipts from licensed activity will be exceeded, it shall immediately notify the commission and shall apply for the license class which is proper, submitting the basic fee required therefor less the amount originally submitted for the previous license, plus a change of classification fee required by WAC 230-04-201.

Any such additional license issued by the commission shall be valid only for the period which remains in the term of the previous license at the time such additional license is issued.

REPEALER

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

- WAC 230-04-200 LICENSE FEES.
- WAC 230-04-305 CHANGE OF CLASS.

NEW SECTION

WAC 230-20-063 LIMITS ON BINGO GROSS RECEIPTS AND PRIZE PAYOUTS AND REQUIREMENTS FOR NET INCOME. (1) Bona fide charitable or nonprofit organizations licensed to operate bingo must comply with the following limitations:

(a) Bingo is conducted as a social pastime and/or for the raising of funds to support the purpose(s) of the organization only;

(b) Gross receipts from the sale of bingo cards shall not exceed the below listed limits by class of license for the license year: PROVIDED, That no licensee shall be authorized annual gross receipts in excess of that authorized for license class "E" unless financial documents required by WAC 230-04-061 have been submitted: PROVIDED FURTHER, That no license shall be authorized an upgrade in license class during a license year unless prize payout limits for the requested class have been met for the calendar quarter immediately preceding such a request.

License Class	Annual Gross Receipts	Prize Payout Limits	Adjusted Net Income Requirements
A	Up to \$ 10,000	No Limits	None
B	\$ 10,001- 50,000	"	"
C	50,001- 100,000	"	"
D	100,001- 300,000	"	"
E	300,001- 500,000	"	"
F	500,001-1,000,000	80%	5%
G	1,000,001-1,500,000	78%	7%
H	1,500,001-2,000,000	76%	9%
I	2,000,001-2,500,000	74%	11%
J	2,500,001-3,000,000	72%	13%
K	3,000,001-3,500,000	70%	15%

(c) To prevent the payment of prizes in such amounts that would significantly reduce net income, prize payouts as percentages of gross receipts shall not exceed the above listed limits by class of license by more than two percentage points for any calendar quarter: PROVIDED, That prize payouts as percentages of gross receipts do not exceed the above listed limits by class of license for any calendar year: PROVIDED FURTHER, That a licensee who exceeds the prize payout limits by more than two percentage points in any month a quarter may notify the Commission of any problems or circumstances related to prize payouts and of any corrective action planned; and

(d) Adjusted net income as a percentage of gross receipts is not less than the percentage listed above by class of license for the calendar year: PROVIDED, That in the first license year, adjusted net income requirements shall be at least 50% of the percentages listed above. For the purposes of this rule, adjusted net income is defined as gross receipts from the sale of bingo cards less prizes paid and less all bingo expenses except local gambling taxes. Bingo expenses must include all expenses directly related to the operation of bingo pursuant to WAC 230-08-120 and the Instructions for Quarterly Activity Report forms provided by the Commission. All expenses shall be allocated to reflect

an equitable assignment of operating costs between the bingo operation and other organizational activities. Methods of allocation must be disclosed to the Commission.

(2) Failure to meet prize payout limits or adjusted net income requirements may result in a reduction in authorized license class for a period not to exceed one year or other appropriate action at the discretion of the Commission. No licensee shall be authorized to exceed the annual gross receipts of a license class to which reduced as a result of any action taken pursuant to this section.

(3) Prize payout limits and adjusted net income requirements shall be prorated upon a change in license class or upon completion of the first license year. The proration shall be a weighted average which will allow for the number of full months with different prize limits or net income requirements.

(4) Proposed initial assignments of current licensees to license classes will be made by the Commission within 30 days of the effective date of this section based primarily on gross receipts from the past four calendar quarters. Organizations will have 30 days after notification to request initial assignment to a different class.

(5) To upgrade to a higher license class after initial assignment, a licensee shall apply for the license class which is proper, submitting the license fee and change of class fee as set forth in WAC 230-04-201, less the amount submitted for the original license class. Any such license change shall be valid only for the period of time remaining in the original license.

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

AMENDATORY SECTION (Amending Order 134, filed 6/14/83)

WAC 230-20-240 BINGO EQUIPMENT TO BE USED. The conduct of bingo must include the following required items:

(1) A ((~~machine or other~~)) mechanical device ((~~from which balls are withdrawn~~)) which uses an air flow for mixing and randomly withdrawing balls to determine the letters and numbers to be called. This device shall be constructed in a manner that:

(a) Will allow participants full view of the mixing action of the balls; and

(b) The operation cannot be interrupted to change the random placement of the balls at the exit receptacle of the device, except when the device is shut off as allowed by WAC 230-20-250.

Provided, That A, B, and C licensees are not required to use a mechanical device for the conduct of their bingo game, but may use other methods of randomly selecting letters and numbers.

(2) A set of seventy five balls bearing the numbers 1 through 75 and the letters B, I, N, G, and O. The 75 balls shall be available for inspection by the players before a bingo session begins to determine that all are present and in operating condition. Each numbered ball shall be the same weight as each of the other balls and free from any defects.

(3) Flashboards shall be located on each premises used to conduct bingo games and must be visible to all players and clearly indicate all numbers that have been called: PROVIDED: That malfunctions occurring during a bingo occasion need not be repaired during that occasion, but must be repaired before use on any other occasion. PROVIDED FURTHER, That A, B, and C licensees are not required to have a flashboard for conduct of their bingo game.

(4) Hardcards and disposable bingo cards must be preprinted, manufactured cards and have twenty five spaces, one of which may be a free space, arranged in five even columns headed with the letters B, I, N, G, and O.

In addition, each set of disposable bingo cards must be consecutively numbered from the first card to the last card, or from the first sheet of cards to the last sheet of cards, or is consecutively numbered through the set. Each card or sheet must have printed on its face both its individual card or sheet number, and the series number assigned by the manufacturer to that set of disposable cards.

Other equipment or devices may be used for the purpose of displaying numbers and letters called to the public, and such furniture and sound amplification system as is necessary for the convenience and comfort of the players and operators.

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.

REPEALER

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

WAC 230-20-061 TEMPORARY PRIZE LIMITS FOR BINGO.

WAC 230-20-251 COMPREHENSIVE FINANCIAL INFORMATION TO BE FILED.

WSR 83-22-047
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 83-174—Filed October 28, 1983]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, 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 6, 6A, 7 and 7A provide protection for Fraser River chum. Restrictions in Area 7C and the Samish River provide secondary protection for natural coho and chum stocks. Restrictions in Strait of Juan de Fuca tributaries provide protection for local coho stocks. Restrictions in Areas 10C, 10D and the Cedar River are the least restrictive regulations that provide opportunity to harvest coho and protect Lake Washington sockeye. Restrictions in the Skagit River protect local spawning salmon. Restrictions in Area 12C provide protection for chum salmon stocks returning to Hoodspout Hatchery. Restrictions in Area 12D provide secondary protection for natural chum stocks. Restrictions in Areas 6B and 9 were removed as terminal run size updates are available for the South Sound, Hood Canal and Stillaguamish-Snohomish units.

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 October 28, 1983.

By Russell W. Cahill
for William R. Wilkerson
Director

NEW SECTION

WAC 220-28-332 PUGET SOUND COMMERCIAL FISHERY RESTRICTIONS. *Effective immediately 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 6, 6A, 7 and 7A – Effective until further notice, closed to all commercial fishing.

Area 7C – Effective until further notice, closed to all commercial fishing in that portion easterly of a line from the fishing boundary marker on Samish Island to the flashing light near Whiskey Rock.

Area 10C and Cedar River – Effective until further notice, closed to all commercial fishing.

Area 10D in that portion within 250 yards of the eastern and northern shores of Lake Sammamish between the Sammamish River and Issaquah Creek – Effective until further notice, closed to all commercial fishing.

Area 12C – Effective through December 31, closed within 1,000 feet of the western shore between Hoodspout Marina Dock and the Glen Ayr Trailer Park.

**Area 12D – Effective October 30, closed to all commercial fishing.*

Skagit River including all tributaries – Effective until further notice, closed to all commercial fishing upstream from the Baker River confluence.

Samish River – Effective until further notice, closed to all commercial fishing.

Hoko, East and West Twin, Clallam, Lyre, Sekiu, Sail and Pysht rivers, and Salt and Deep creeks – Effective until further notice, closed to all commercial fishing.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-28-331 PUGET SOUND COMMERCIAL FISHERY RESTRICTIONS (83-171)

WSR 83-22-048
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 83-175—Filed October 28, 1983]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, 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 and 7A provide protection for weak Canadian origin coho and chum stocks. Openings in Areas 7B, 8, 9, 10, 11 and 12 provide opportunity to harvest non-Indian chum allocations. Extended opening of Area 6D

necessary to harvest coho allocation. All other areas are closed to prevent overharvest.

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 October 28, 1983.

By Russell W. Cahill
for William R. Wilkerson
Director

NEW SECTION

WAC 220-47-819 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY. Notwithstanding the provisions of Chapter 220-47 WAC, effective immediately 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:

*Area 6D - Closed except gill nets using 5-inch minimum mesh and purse seines using the 5-inch strip may fish 24 hours/day through 4:00 PM November 4.

*Area 7B - Closed except gill nets using 6-inch minimum mesh may fish from 4:00 PM to 8:00 AM October 31 through the morning of November 1, and purse seines may fish from 5:00 AM to 8:00 PM October 31.

*Area 9 - Closed except gill nets using 6" minimum mesh may fish from 4:00 PM to 8:00 AM October 31 through the morning of November 1, and purse seines using the 5" strip may fish from 5:00 AM to 8:00 PM October 31. That portion inside and westerly of a line from the Point No Point light to Sierra Echo Buoy to Forbes Landing Wharf east of Hansville is closed to all commercial fishing.

*Areas 8, 10, and 11 - Closed except gill nets using 6-inch minimum mesh may fish from 4:00 PM to 8:00 AM October 31 through the morning of November 1, and purse seines using the 5-inch strip may fish from 5:00 AM to 8:00 PM October 31.

*Area 12 - Closed except gill nets using 6" minimum mesh may fish from 4:00 PM to 8:00 AM nightly October 31 through the morning of November 2, and purse seines using the 5" strip may fish from 5:00 AM to 8:00 PM daily October 31 and November 1. Partial area exclusions applicable to the Area 7B, 8, 10, and 11 openings are described in WAC 220-47-307.

Areas 4B, 5, 6, 6A, 6B, 6C, 7, 7A, 7C, 7D, 8A, 9A, 10A, 10B, 10C, 10D, 10E, 11A,

12A, 12B, 12C, 12D, 13, 13A, 13B, and all freshwater areas - Closed.

REPEALER

The following section of the Washington Administrative Code is repealed.

WAC 220-47-818 PUGET SOUND COMMERCIAL FISHERY RESTRICTIONS (83-167)

WSR 83-22-049

NOTICE OF PUBLIC MEETINGS WESTERN WASHINGTON UNIVERSITY

[Memorandum—October 27, 1983]

The board of trustees of Western Washington University will hold their regular meeting on Thursday, November 3, 1983, at 1:30 p.m. in Old Main 340 on the campus of the university.

WSR 83-22-050

NOTICE OF PUBLIC MEETINGS FOREST PRACTICES BOARD

[Memorandum—October 31, 1983]

The Forest Practices Board will hold a public meeting at 1:30 p.m. to 4:00 p.m., December 7, 1983, Room 301, Public Lands Building, Olympia, Washington.

Additional information may be obtained from the Division of Private Forestry and Recreation, 120 East Union Avenue Building, Suite 109, MS: EK-12, Olympia, Washington 98504, Phone (206) 753-5315.

WSR 83-22-051

ADOPTED RULES PUBLIC DISCLOSURE COMMISSION

[Order 83-02—Filed October 31, 1983]

Be it resolved by the Public Disclosure Commission, acting at 403 Evergreen Plaza Building, Olympia, WA 98504, FJ-42, that it does adopt the annexed rules relating to lobbyist employer's report, WAC 390-20-110.

This action is taken pursuant to Notice No. WSR 82-22-037 filed with the code reviser on October 28, 1983. 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.

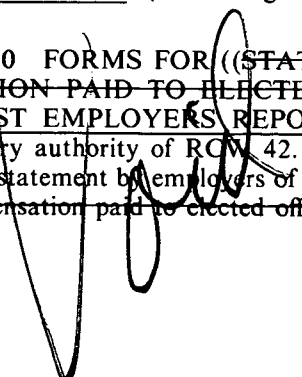
The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED November 16, 1983.
By Graham E. Johnson
Administrator

required by RCW 42.17.180 is hereby adopted for use in reporting to the public disclosure commission. This form, revised 8/83, shall be designated as "L-3". This form as amended shall be used for the report due March 31, 1984. Copies of this form may be obtained at the commission office, Room 403, Evergreen Plaza Building, Olympia, Washington, 98504.

AMENDATORY SECTION (Amending Order 62, filed 8/26/75)

WAC 390-20-110 FORMS FOR ~~((STATEMENT OF COMPENSATION PAID TO ELECTED OFFICIALS))~~ LOBBYIST EMPLOYERS REPORT. Pursuant to the statutory authority of RCW 42.17.360(1), the official form for statement by employers of registered lobbyists ~~((of compensation paid to elected officials))~~ as



No Valid Notice

A/S
1982



LOBBYIST'S EMPLOYER'S REPORT

TO THE STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION
403 EVERGREEN PLAZA BUILDING
711 CAPITOL WAY
OLYMPIA, WASHINGTON 98504
PHONE 206-753-1111

FILING FORM

L-3
REV. 9/75

TO BE FILED BY

EMPLOYERS OF REGISTERED LOBBYISTS
(RCW 42.17.180)

THIS SPACE FOR OFFICE USE

P.M. DATE DATE RECVD.

TYPE OR PRINT ALL INFORMATION CLEARLY, PLEASE.

EMPLOYER'S NAME AND BUSINESS ADDRESS DATE PREPARED (NOT LATER THAN MAR 31) FOR THE PRECEDING CALENDAR YEAR beginning Jan. 1, 19 and ending Dec. 31, 19

Table with 3 columns: NAME OF LOBBYIST, ADDRESS, AGGREGATE TOTAL. Includes rows for EXPENDITURES FOR LOBBYING PURPOSES, TOTAL FROM ATTACHED PAGE(S), OTHER EXPENDITURES, and TOTAL AMOUNT SPENT.

Table with 3 columns: NAME OF RECIPIENT, CANDIDATE OR COMMITTEE, ADDRESS, AGGREGATE TOTAL DURING CALENDAR YEAR. Includes rows for CONTRIBUTIONS TO A CANDIDATE, TOTAL FROM ATTACHED PAGE(S), and TOTAL CONTRIBUTIONS.

INFORMATION IS CONTINUED ON ATTACHED PAGE(S)

PDC FORM L-3 (Rev. 9 75)



6. EACH STATE ELECTED OFFICIAL, SUCCESSFUL CANDIDATE FOR STATE OFFICE, AND EACH MEMBER OF HIS IMMEDIATE FAMILY TO WHOM EMPLOYER HAS PAID COMPENSATION OF \$500 OR MORE DURING THE PRECEDING CALENDAR YEAR FOR PERSONAL EMPLOYMENT OR PROFESSIONAL SERVICES.

NAME	RELATIONSHIP TO CANDIDATE OR ELECTED OFFICIAL: IF MEMBER OF FAMILY, NAME OF CANDIDATE	AMOUNT (BY CODE)	DESCRIPTION OF CONSIDERATION, SERVICES EXCHANGED FOR COMPENSATION
<input type="checkbox"/> INFORMATION IS CONTINUED ON ATTACHED PAGE(S)			

7. ANY CORPORATION, PARTNERSHIP, JOINT VENTURE, ASSOCIATION OR OTHER ENTITY IN WHICH ANY STATE ELECTED OFFICIAL, SUCCESSFUL STATE CANDIDATE OR MEMBER OF HIS IMMEDIATE FAMILY HOLDS AN OFFICE, PARTNERSHIP, DIRECTORSHIP, OR OWNERSHIP INTEREST OF 10% OR MORE AND TO WHOM EMPLOYER HAS PAID COMPENSATION OF \$500 OR MORE DURING THE PRECEDING CALENDAR YEAR FOR PROFESSIONAL SERVICES.

FIRM NAME	PERSON'S NAME	TITLE OR STATUS	AMOUNT (BY CODE)	DESCRIPTION OF CONSIDERATION, SERVICES EXCHANGED FOR COMPENSATION
<input type="checkbox"/> INFORMATION IS CONTINUED ON ATTACHED PAGE(S)				

8. NAME OF STATE ELECTED OFFICIAL, SUCCESSFUL CANDIDATE, AND EACH MEMBER OF HIS IMMEDIATE FAMILY TO WHOM EMPLOYER MADE EXPENDITURES DIRECTLY OR INDIRECTLY, THROUGH A LOBBYIST OR OTHERWISE, EXCLUDING EXPENDITURES MADE IN THE ORDINARY COURSE OF BUSINESS IF NOT MADE FOR THE PURPOSE OF INFLUENCING, HONORING OR BENEFITING SUCH PERSON AS AN ELECTED OFFICIAL OR CANDIDATE.

DATE	NAME	AMOUNT	PURPOSE
		\$	
<input type="checkbox"/> INFORMATION IS CONTINUED ON ATTACHED PAGE(S)			

CERTIFICATION

I HEREBY CERTIFY THAT THE ABOVE IS A TRUE, COMPLETE AND CORRECT STATEMENT IN ACCORDANCE WITH RCW 42.17.180.

EMPLOYER'S SIGNATURE	TITLE
NAME: (TYPE OR PRINT, PLEASE)	DATE:

INSTRUCTIONS

WHO SHOULD FILE THIS FORM:
Every employer of a lobbyist registered under the act.

FILING DEADLINE:
On or before March 31.

PERIOD TO BE COVERED:
The preceding calendar year during which a lobbyist was employed.

FORM TO BE FILED WITH:
Public Disclosure Commission, 403 Evergreen Plaza Building, Olympia, Washington 98504.

OTHER REQUIRED REPORTS:
Employers of legislators, attaches, or state employees may be required to file PDC form L7. See RCW 42.17.21p.

FINANCIAL AMOUNT CODE

- A = Less than \$1,000
- B = At least \$1,000 but less than \$5,000
- C = At least \$5,000 but less than \$10,000
- D = At least \$10,000 but less than \$25,000
- E = At least \$25,000 or more.

STATE OF WASHINGTON

EMPLOYER'S LOBBYING EXPENSES

DURING CALENDAR YEAR 1983

L3 PDC OFFICE USE

1. EMPLOYER'S NAME (USE COMPLETE COMPANY, ASSOCIATION, UNION OR ENTITY NAME)
MAILING ADDRESS TELEPHONE
CITY STATE ZIP

THIS REPORT MUST BE FILED BY MARCH 31, 1984 AND INCLUDES A FINANCIAL REPORT OF STATE LOBBYING ACTIVITIES FOR CALENDAR YEAR 1983. COMPLETE ALL SECTIONS. IF ENTRY IS "NONE" OR "\$0" SO STATE.

2. PAYMENTS DIRECTLY TO LOBBYISTS FOR SALARY, CONTRACT, RETAINER, REIMBURSEMENT OF EXPENSES, ETC.

Table with 3 columns: LOBBYIST NAME (IF TO LOBBY FIRM, LIST FIRM NAME), AMOUNT, TOTAL AMOUNT. Includes checkboxes for 'INFORMATION CONTINUED ON ATTACHED PAGE' and 'TOTAL PAID DIRECTLY TO LOBBYISTS'.

- 3. OTHER EXPENDITURES MADE BY THE EMPLOYER FOR LOBBYING PURPOSES. INCLUDED WOULD BE ANY AND ALL:
a. PAYMENTS TO VENDORS ON BEHALF OF OR IN SUPPORT OF LOBBYISTS.
b. OFFICE EXPENSES, STAFF AND SECRETARIAL SUPPORT, RENT, TELEPHONE, UTILITIES.
c. COMPANY OFFICIALS, EXPERT WITNESSES OR OTHERS PAID TO LOBBY.
d. TRAVEL, WHETHER TO LEGISLATIVE HEARINGS OR OTHER LOBBYING.
e. ENTERTAINMENT AND HOSTING PROVIDED FOR LEGISLATORS, STATE OFFICIALS OR STATE EMPLOYEES PAID BY EMPLOYER.
f. COMMUNICATIONS AND ADVERTISING.
g. OTHER EXPENDITURES FOR LOBBYING.

- 4. POLITICAL CONTRIBUTIONS TO CANDIDATES FOR STATE OFFICE, LEGISLATURE, COMMITTEES SUPPORTING OR OPPOSING THOSE CANDIDATES OR COMMITTEES SUPPORTING OR OPPOSING STATEWIDE BALLOT MEASURES.
a. CONTRIBUTIONS DIRECTLY FROM EMPLOYER. ALSO COMPLETE ITEM 9 ON REVERSE.
b. IF CONTRIBUTIONS WERE MADE BY A POLITICAL ACTION COMMITTEE ASSOCIATED, AFFILIATED OR SPONSORED BY THE EMPLOYER, SHOW NAME OF THE PAC BELOW. (INFORMATION REPORTED BY PAC ON C-4 REPORT NEED NOT BE AGAIN INCLUDED IN THIS L-3 REPORT.)
NAME OF PAC _____

- 5. PAYMENTS OR EXPENDITURES TO LEGISLATORS, STATE OFFICIALS AND MEMBERS OF THEIR IMMEDIATE FAMILIES FOR THE PURPOSE OF INFLUENCING, HONORING, OR BENEFITING. DO NOT INCLUDE PAYMENT FOR GOODS OR SERVICES IN THE NORMAL COURSE OF BUSINESS. ALSO COMPLETE ITEM 12 ON REVERSE.
6. GIFTS TO LEGISLATORS, STATE OFFICIALS AND STATE EMPLOYEES OR MEMBERS OF THEIR IMMEDIATE FAMILIES.

TOTAL LOBBYING EXPENSES (Items 2 thru 6 above)

7. THIS REPORT MUST BE CERTIFIED BY PRESIDENT, SECRETARY-TREASURER OR SIMILAR OFFICER OF EMPLOYER ORGANIZATION

CERTIFICATION section with fields for SIGNATURE OF EMPLOYER, DATE, NAME TYPED OR PRINTED, and TITLE. Includes the statement: 'I certify that the information contained in this report is a true, correct and complete statement in accordance with RCW 42.17.180.'

8. TRAVEL PROVIDED TO LEGISLATORS, STATE ELECTED OFFICIALS, STATE EMPLOYEES OR MEMBERS OF THEIR IMMEDIATE FAMILIES

NAME AND TITLE	COST	DATES, DESTINATION AND PURPOSE OF TRAVEL
<input type="checkbox"/> INFORMATION CONTINUED ON ATTACHED PAGES		

9. CONTRIBUTIONS TO CANDIDATES FOR STATE OFFICE, LEGISLATURE, COMMITTEES SUPPORTING OR OPPOSING THOSE CANDIDATES OR COMMITTEES SUPPORTING OR OPPOSING STATEWIDE BALLOT MEASURES MADE BY EMPLOYER. (CONTRIBUTIONS FROM PAC NEED NOT BE LISTED.)

NAME OF RECIPIENT	AMOUNT
<input type="checkbox"/> INFORMATION CONTINUED ON ATTACHED PAGES	

10. COMPENSATION OF \$500 OR MORE DURING THE PRECEDING CALENDAR YEAR FOR EMPLOYMENT OR PROFESSIONAL SERVICES PAID TO STATE ELECTED OFFICIALS, SUCCESSFUL CANDIDATES FOR STATE OFFICE AND EACH MEMBER OF THEIR IMMEDIATE FAMILY.

NAME	RELATIONSHIP TO CANDIDATE OR ELECTED OFFICIAL IF MEMBER OF FAMILY.	AMOUNT (CODE)	DESCRIPTION OF CONSIDERATION OR SERVICES EXCHANGED FOR COMPENSATION
<input type="checkbox"/> INFORMATION CONTINUED ON ATTACHED PAGES			

DOLLAR CODE	
CODE	AMOUNT
A	Less than \$1,000
B	\$1,000 but less than \$5,000
C	\$5,000 but less than \$10,000
D	\$10,000 but less than \$25,000
E	\$25,000 or more

11. COMPENSATION OF \$500 OR MORE DURING THE PRECEDING CALENDAR YEAR FOR PROFESSIONAL SERVICES PAID TO ANY CORPORATION, PARTNERSHIP, JOINT VENTURE, ASSOCIATION OR OTHER ENTITY IN WHICH A STATE ELECTED OFFICIAL, SUCCESSFUL STATE CANDIDATE OR MEMBER OF THE IMMEDIATE FAMILY HOLDS OFFICE, PARTNERSHIP, DIRECTORSHIP OR OWNERSHIP INTEREST OF 10% OR MORE.

FIRM NAME	PERSON'S NAME	AMOUNT (CODE)	DESCRIPTION OF CONSIDERATION OR SERVICES EXCHANGED FOR COMPENSATION
<input type="checkbox"/> INFORMATION CONTINUED ON ATTACHED PAGES			

12. ANY EXPENDITURE, NOT OTHERWISE REPORTED, MADE DIRECTLY OR INDIRECTLY TO A STATE ELECTED OFFICIAL, SUCCESSFUL CANDIDATE FOR STATE OFFICE OR MEMBER OF THE IMMEDIATE FAMILY, IF MADE TO HONOR, INFLUENCE OR BENEFIT THE PERSON BECAUSE OF HIS OFFICIAL POSITION.

NAME	AMOUNT	PURPOSE
<input type="checkbox"/> INFORMATION CONTINUED ON ATTACHED PAGES		

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 83-22-052
PROPOSED RULES
EDMONDS COMMUNITY COLLEGE
[Filed November 1, 1983]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that Edmonds Community College District 23 intends to adopt, amend, or repeal rules concerning student records, chapter 132Y-126 WAC;

that the institution will at 8:00 p.m., Monday, December 12, 1983, in Lynnwood Hall, Room 424, Edmonds Community College, Lynnwood, Washington 98036, 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.50.140(19) and 20 U.S.C., Section 1232G.

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution before December 12, 1983.

Dated: October 31, 1983

By: Jennis J. Bapst

Vice President for

College Planning and Development

STATEMENT OF PURPOSE

Title: Student records—Edmonds Community College.

These rules are designed to implement and be considered with the Federal Guidelines for the Family Rights and Privacy Act.

The College Officials Responsible for Drafting These Rules: Jean Floten, Dean for Student Services, scan 721-1011; Responsible for Enforcing the Rules: Jean Floten, Dean for Student Services, Edmonds Community College, scan 721-1011, and Milt Stark, Registrar, Edmonds Community College.

These rules are being proposed by Edmonds Community College.

CHAPTER 132Y-126 WAC
STUDENT RECORDS

WAC

132Y-126-001	Purpose
132Y-126-002	Release of Information
132Y-126-003	Educational Records Limitations
132Y-126-004	Exceptions
132Y-126-005	Amendment of Educational Records
132Y-126-006	Fee Schedule
132Y-126-007	Disclosure Record
132Y-126-008	Procedural Forms

CHAPTER 132Y-126 WAC
STUDENT RECORDS

NEW SECTION

WAC 132Y-126-001 PURPOSE. These rules are designed to implement and be considered with the Federal Guidelines for the Family

Rights and Privacy Act. Definitions for all terms are the same as those defined in Section 99.3 of the Federal Guidelines.

NEW SECTION

WAC 132Y-126-002 RELEASE OF INFORMATION. (1) Requests from Outside the College.

(a) Unless the student specifically requests otherwise, designated officials of the College may routinely respond to requests for the following directory information about a student:

- (i) student's name, address
- (ii) telephone number
- (iii) date and place of birth
- (iv) major field of study
- (v) extra curricular activities
- (vi) height and weight of athletic team members
- (vii) dates of attendance
- (viii) degrees and awards received
- (ix) other institutions attended
- (x) veterans status

(b) All rights of inspection and review of educational records at the College and consent required for release of these records are accorded only to and required only of the student in question. A parent wishing to obtain information from these educational records or to grant consent for the release of these records without consent of the student must submit an affidavit stating that the student is a dependent for income tax purposes.

(c) Standard admission and placement test data regarding individual tests required to form a basis for a decision about an individual may be provided at the discretion of the College official with the data in response to a proper request from a recognized institution of higher education.

(d) Designated officials of the College may disclose personally identifiable information from the educational records of a student without the written consent of the eligible student if the disclosure is in connection with financial aid for which a student has applied or which a student has received; PROVIDED, that personally identifiable information from the educational records of the student may be disclosed only as may be necessary for such purposes as:

- (i) to determine the eligibility of the student for financial aid
- (ii) to determine the amount of the financial aid
- (iii) to determine the conditions which will be imposed regarding the financial aid

(iv) to enforce the terms or conditions of the financial aid, or if it is to comply with a judicial order or lawfully issued subpoena; PROVIDED, that a reasonable effort has been made to notify the eligible student of the order or subpoena in advance of compliance therewith.

(e) Information obtained during professional medical and psychological treatment or counseling will be released by the professional only in accordance with the ethics of his profession, provided that the records can be personally reviewed by a physician or other appropriate professional of the student's choice.

(2) Requests from Inside the College. Where required from the performance of responsibilities to the College, faculty and staff may obtain the following information on the basis of need to know without the consent of the student involved:

- (a) Academic record and status.
- (b) Reports of academic and other campus misconduct, including disciplinary action.
- (c) Result of counseling other than professional medical or psychological.
- (d) National origin and ethnic background
- (e) Standard test data regarding individual tests for decision about an individual.

- (f) Student-produced paper for class assignments.
- (g) Financial information including delinquencies, etc.
- (h) Evaluative materials about a student, with the consent of the author of the evaluation.

(i) College disciplinary and investigating authorities may have access to all of the information in 1 - 8 above if it is required in the performance of their duties, excepting national origin and ethnic background.

(j) Recognized College student organizations, such as scholastic and service honoraries, may obtain information relating to a student's academic record and status.

Except as noted above, records and reference materials containing evaluations of students may be released only with the consent of both the student and author of the evaluation.

(k) In special circumstances, qualified research personnel may be permitted access to information contained in a student's records where the student's name will not accompany the data.

(l) Registration office records may be obtained by submitting a written and signed request for the desired information and the purpose for which the information is needed, except as noted below.

(i) The following offices will have walk-in access to all registration office records except transcripts.

Veterans
Financial Aid
Cashiers

(ii) Supervisors of employees of the above offices must be sure that anyone using registration records understands the Privacy Act of 1974 and follows its requirements.

(iii) Records pulled by employees of the above offices will not leave the office except to be copied and must be immediately returned when removed for copying. These records will be returned to the appropriate refill bin for refiling by registration personnel.

(iv) When copies of transcripts are needed by the above offices for the performance of official duties of the college, they may be obtained by submitting the name and student I.D. for those records needed.

(v) Other offices needing address and telephone numbers of currently enrolled students in order to perform official duties of the college may use the quarterly class list. They should contact the telephone/information person immediately inside the door of the registration office. Offices sending students to use these records must send a note identifying the student and the information needed. The supervisor of the requesting office is responsible for observance of the Privacy Act of 1974.

(3) Request from Students. Requests by a student to view or secure copies of any of his educational records will be processed as follows:

(a) Through the records division of the Registration Office

(i) application for admission

(ii) high school and/or college transcripts

(iii) standardized test scores—ACT, SAT WPCT

(iv) quarterly registration forms and receipts

(v) program change forms

(vi) quarterly grade reports

(vii) official College transcripts

(viii) change of grade forms

(ix) directory information

(b) Through the Counseling Office

(i) interest and aptitude test scores

(c) Through the Dean of Student Services Office

(i) disciplinary records

(d) Through the Placement Office

(i) student placement credentials

(e) Through the Veterans Office

(i) Veterans information for VA eligibilities

(f) Through the Financial Aid Office

(i) financial aid processing information

A period of time no greater than ten working days may be required by these offices to process a request.

The College is not required to permit a student to inspect and review the following records:

(g) Financial records and statements of his/her parents or any information contained therein.

(h) Confidential letters and confidential statements of recommendation which were placed in the educational records of a student prior to January 1, 1975.

(i) Confidential letters and confidential statements of recommendation which were placed in the educational records of the student after January 1, 1975.

(i) respecting admission to an educational institution

(ii) respecting an application for employment

(iii) respecting the receipt of an honor or honorary recognition; provided that the student has waived his or her right to inspect and review those letters and statements of recommendation

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 132Y-126-003 EDUCATIONAL RECORDS LIMITATIONS. Transcripts of a student's scholastic records shall contain only information about his academic status and eligibility to continue at the

College. Disciplinary records shall be kept separate from academic records and no notation of any disciplinary action shall appear on a student's transcript. Special precautions shall be exercised to insure that information from disciplinary or counseling files is not revealed to unauthorized persons. Provision shall be made for periodic review and routine destruction of non-current disciplinary records by the offices maintaining such information.

No records shall be kept which reflect a student's political or ideological beliefs or associations.

NEW SECTION

WAC 132Y-126-004 EXCEPTIONS. The Dean of Student Services will be responsible for reviewing unusual requests for information and assisting in interpretation of the rules and regulations of the Family Educational Rights and Privacy Act of 1974 as published in the Federal Register, Volume 41, No. 18, June 17, 1976.

NEW SECTION

WAC 132Y-126-005 AMENDMENT OF EDUCATIONAL RECORDS. (1) Request to Amend Educational Records

(a) The eligible student who believes that information contained in his private educational records is inaccurate or misleading or violates his privacy or other rights may request that the College amend these records.

(b) The College shall decide whether to amend the educational records of the student in accordance with the request, normally within two weeks of receipt of the request.

(c) If the College decides to refuse to amend the educational records of the student in accordance with the request, it shall so inform the eligible student of the refusal and advise the student of the right to a hearing.

(d) A hearing may not be requested by an eligible student to contest the assignment of a grade; however, a hearing may be requested to contest whether or not the assigned grade was recorded accurately in the educational records of the student.

(2) Right to a Hearing.

(a) The method for requesting a hearing shall be by written appeal through the Dean of Student Services office.

(b) Conduct of the hearing.

(i) The hearing shall normally be held within two weeks after the receipt of the request for said hearing.

(ii) The hearing shall be conducted and adjudicated by the chief student services officer of the campus.

(iii) The eligible student may have assistance from, or be represented by, an individual of his/her choice and at his/her own expense, including an attorney, in presenting his/her case.

(iv) A written copy of the decision shall normally be afforded the student within two weeks after the conclusion of the hearing by the chief officer of the campus.

(c) If the eligible student disagrees with results of the hearing, he/she has the right to place a statement to this effect, with reasons, in his/her educational records. This statement shall be retained as long as the disputed information is on file and shall be forwarded with this information at any time it is disclosed to an outside agency.

NEW SECTION

WAC 132Y-126-006 FEE SCHEDULE. The College may charge a fee for copies of educational records which are made for the parents of students, students, and eligible students at the rate of ten cents per page.

NEW SECTION

WAC 132Y-126-007 DISCLOSURE RECORD. All requests for educational records, except those made by parents of students, students, eligible students, school officials as defined in Section B of these guidelines, and requests for directory information, shall be listed with the student's file containing the requested information.

NEW SECTION

WAC 132Y-126-008 PROCEDURAL FORMS. Attendant forms to implement the procedures are:

(1) Annual Notice to Students

(2) Request to Prevent Disclosure of Director Information

(3) Public Notice Designating Directory Information

- (4) Student Request to Inspect and Review Educational Records
 - (5) Request to Review Educational Records
 - (6) Student Request for Formal Hearing
- Copies of these forms are available through the Dean of Students Office.

Annual Notification.

The College will give annual notification to students of these procedures concerning their educational records. It will be done by notice in the College Catalog.



**WSR 83-22-053
ADOPTED RULES**

EDMONDS COMMUNITY COLLEGE

[Resolution No. 83-10-2—Filed November 1, 1983]

Be it resolved by the board of trustees of Edmonds Community College, acting at Lynnwood Hall, Room 424, Edmonds Community College, Lynnwood, Washington 98036, that it does adopt the annexed rules relating to traffic rules (regulations), chapter 132Y-100 WAC.

This action is taken pursuant to Notice Nos. WSR 83-16-056 and 83-20-044 filed with the code reviser on August 2, 1983, and September 29, 1983. 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(10) 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 October 20, 1983.

By Jennis J. Bapst
Vice President for College
Planning and Development

Chapter 132Y-100 WAC

TRAFFIC RULES

WAC

- 132Y-100-008 Permit required for vehicles on campus.
- 132Y-100-020 Permit revocation.
- 132Y-100-032 Display of permits.
- 132Y-100-072 Handicapped parking.
- 132Y-100-080 Regulatory signs and directions.
- 132Y-100-096 Special traffic/parking regulations and restrictions.
- 132Y-100-104 Fines and penalties.
- 132Y-100-108 Appeals of fines and penalties.
- 132Y-100-112 Enforcement.

AMENDATORY SECTION (Amending Resolution 81-8-1, filed 8/14/81)

WAC 132Y-100-008 PERMITS REQUIRED FOR VEHICLES ON CAMPUS. Except as provided in WAC 132Y-100-052 (~~and 132Y-100-092~~) of these rules, no person shall leave any vehicle unattended, upon

the campus of the College without a permit issued by the Security Office of the College, unless such person is in the process of loading, unloading, or is a registered (~~guest with the department they are visiting~~) visitor.

Visitors must register their name and vehicle license number at the college information office.

AMENDATORY SECTION (Amending Resolution 81-8-1, filed 8/14/81)

WAC 132Y-100-020 PERMIT REVOCATION. Parking permits are the property of Edmonds Community College and may be recalled (~~by the Director of Facilities or~~) by the Security Office for any of the following reasons:

- (1) When the purpose of which the permit was issued changes or no longer exists;
- (2) When a permit is used by an unregistered vehicle or by an unauthorized individual;
- (3) Falsification on a parking permit application;
- (4) Continued violations of parking rules;
- (5) An accumulation of unpaid parking citations;
- (6) Counterfeiting or altering a parking permit;
- (7) When it is in the best interest of the College.

AMENDATORY SECTION (Amending Resolution 81-8-1, filed 8/14/81)

WAC 132Y-100-032 DISPLAY OF PERMITS. All permanent parking permits shall be (~~permanently affixed to the rear window on the lower left corner unless other arrangements are made with the security officer. Motorcycle permits shall be affixed to the rear bumper~~) displayed as provided in the directions supplied with the parking permit. Special and temporary parking permits shall be placed within the vehicle where it can be plainly observed. Permits not displayed in accordance with the provisions of this section shall not be valid.

AMENDATORY SECTION (Amending Resolution 81-8-1, filed 8/14/81)

WAC 132Y-100-072 HANDICAPPED PARKING. No vehicle shall park in a handicapped zone without a state issued handicapped permit. (~~To apply for handicapped person's parking permit the disabled individual must contact the Edmonds College Counseling Center. Handicapped parking permits must be renewed quarterly.~~) Enforcement of handicapped parking is accomplished by the police department of the city of Lynnwood.

AMENDATORY SECTION (Amending Resolution 81-8-1, filed 8/14/81)

WAC 132Y-100-080 REGULATORY SIGNS AND DIRECTIONS. Edmonds Community College will erect signs, barricades, and other structures and 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 Edmonds Community College. Such signs, barricades, structures, markings, and directions shall be so made and placed as to be legible and in the opinion of

the (~~Director of Facilities~~) president or his/her designee will best effectuate the objectives stated in section 001 of these rules.

AMENDATORY SECTION (Amending Resolution 81-8-1, filed 8/14/81)

WAC 132Y-100-096 **SPECIAL TRAFFIC/PARKING RULES.** Upon special occasions and during emergencies, the (~~College~~) President is authorized to impose additional traffic and parking rules for the achievement of objectives in WAC 132-100-004 of these rules.

AMENDATORY SECTION (Amending Resolution 81-8-1, filed 8/14/81)

WAC 132Y-100-104 **FINES AND PENALTIES.** Campus Security Officers are authorized to impose the following fines and penalties:

(1) Except as provided under subsection 2, fines will be imposed starting the first week of each quarter. The amount of all fines will be determined by the College.

(2) Vehicles parked in a manner to obstruct fire lanes, access to and from parking spaces, handicapped parking or causing a disruption in College activities may be impounded and taken to such place for storage as the College selects. The expenses of such impoundings and storage shall be charged to the owner or operator of the vehicle. The College and its employees shall not be liable for loss or damage of any kind resulting from impounding and storage.

(3) Vehicles involved in more than two (2) violations of these rules within any one quarter may be impounded (~~as provided for in subsection 2 herein~~) by the attachment of a vehicle immobilizer.

(4) Fines are to be paid at the college's cashier's desk.

AMENDATORY SECTION (Amending Resolution 81-8-1, filed 8/14/81)

WAC 132Y-100-108 **APPEAL OF FINES AND PENALTIES.** Appeal of fines and penalties (~~levied against a student violator of these rules~~) must (~~submit~~) be made in writing, within 48 hours, (within five (5) working days from the date of the citation, to the Director of Facilities or his representative, who will cause a review to be made of the appeal to determine whether a satisfactory solution to both parties, can be reached without further administrative action. An appeal made by a member of the faculty or staff may be made) to a person appointed specifically for this purpose by the President of the College. The owner of the vehicle shall be entitled to a hearing within 48 hours of any impoundment pursuant to WAC 132Y-100-104. The owner may recover the vehicle before hearing by posting a bond in the amount of the sum of any past due fines plus any fine due for the impoundment infraction plus impoundment cost. In the event that the owner is determined at hearing to be not liable for the impoundment infraction, the amount of the sum of the impoundment fine plus impoundment costs will be returned.

Reviser's note: RCW 28B.19.077 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule

published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Resolution 81-8-1, filed 8/14/81)

WAC 132Y-100-112 **ENFORCEMENT.** In the event a student fails to comply with (~~a determination by the Director of Facilities~~) these rules, such student may be declared ineligible to register for additional courses, and/or to obtain a transcript of his/her grades or credits(;) until he/she has otherwise complied with the determination.

WSR 83-22-054

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 83-176—Filed November 1, 1983]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, 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 harvestable number of chum salmon are available.

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 November 1, 1983.

By William R. Wilkerson

Director

NEW SECTION

WAC 220-36-02100M **GRAYS HARBOR GILL NET SEASONS.** Notwithstanding the provisions of WAC 220-36-021, WAC 220-36-022 and WAC 220-36-024, it is unlawful to fish for salmon with gill net gear in Grays Harbor Salmon Management and Catch Reporting Areas 2B and 2C or to possess salmon taken from those areas with gill net gear except from 8:00 a.m. to 8:00 p.m. November 2, 1983. Gill net gear is restricted to 5 inch minimum and 6 1/2 inch maximum mesh.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-36-02100L GRAYS HARBOR GILL
NET SEASONS (83-172)

WSR 83-22-055
ADOPTED RULES
SECRETARY OF STATE
[Order 83-2—Filed November 1, 1983]

I, Ralph Munro, Secretary of State, do promulgate and adopt at Olympia, Washington, the annexed rules relating to procedures to be used by the county election officials in the conduct of vote-by-mail elections held pursuant to chapter 71, Laws of 1983 1st ex. sess., and providing definitions for terms used in the rules.

This action is taken pursuant to Notice No. WSR 83-19-067 filed with the code reviser on September 21, 1983. 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 chapter 71, Laws of 1983 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 October 28, 1983.

By Ralph Munro
Secretary of State

Chapter 434-36 WAC
VOTE-BY-MAIL

NEW SECTION

WAC 434-36-010 AUTHORITY AND PURPOSE. These rules are adopted under the authority of section 8, chapter 71, Laws of 1983 1st ex. sess., for the purpose of establishing standards and procedures to prevent fraud and to facilitate the accurate processing of mail ballot elections, to ensure that standards and procedures are established to insure the secrecy of the ballot, and to ensure that uniformity exists among the counties in the conduct of mail ballot elections.

NEW SECTION

WAC 434-36-020 DEFINITIONS. As used in this chapter:

(1) "County auditor" means the county auditor in a noncharter county or the officer, irrespective of title, having the overall responsibility to maintain voter registration information and conduct state and local elections in a charter county, and his or her deputies or staff, where the context indicates;

(2) "Mail ballot special election" means an election conducted entirely by mail ballot where:

(a) Only issues or nonpartisan offices are on the ballot;

(b) The election is not being held in conjunction with a primary or general election; and

(c) The election involves precincts not regularly voting by mail at primary and general elections.

(3) "Mail ballot" means a ballot used in a mail ballot special election and does not include a ballot used in a precinct with fewer than one hundred registered voters regularly voting by mail in primary and general elections or an absentee ballot issued at the request of the voter;

(4) "Ballot security envelope" means the envelope which fits inside of the return envelope and in which the voter is instructed to seal his or her ballot so that, following the verification of the signature of that voter, the ballot cannot be distinguished from other valid ballots;

(5) "Return envelope" means the envelope in which the voter is instructed to seal his or her ballot security envelope and on which the voter signs and dates the affidavit that he or she has cast a vote in that special election;

(6) "Transmittal envelope" means the envelope in which the ballot, ballot security envelope, return envelope, and instructions are sent to the voter in a mail ballot special election; and

(7) "Secure storage" means a locked room, cabinet, or other space, where access is controlled by the county auditor and where a record is maintained by the auditor of the date, time, and name of any person, other than an employee of the auditor's office, to whom access is permitted.

NEW SECTION

WAC 434-36-030 REQUEST FOR MAIL BALLOT SPECIAL ELECTION. At any nonpartisan, special election not conducted in conjunction with a primary or general election, the jurisdiction requesting the election may also request that the election be conducted entirely by mail ballot. Such a request may be included in the resolution calling for the special election adopted pursuant to RCW 29.13.010 or 29.13.020, or it may be done by separate resolution. Not less than forty days prior to the date for which a mail ballot special election has been requested, the county auditor shall inform the requesting jurisdiction, in writing, that either (1) the request for the mail ballot special election is granted, pending approval of an election plan by the secretary of state, or (2) that the request for the mail ballot special election is not granted, for reasons specified. At the same time, the county auditor shall mail to the secretary of state a copy of the resolution for the mail ballot special election and a copy of the auditor's response.

NEW SECTION

WAC 434-36-040 MAIL BALLOT SPECIAL ELECTION PLAN. A county auditor planning to conduct mail ballot special elections shall, not less than sixty days prior to the first such election, submit a standard mail ballot special election plan to the secretary of state. This plan shall remain on file in the office of the secretary of state and shall remain in effect for all mail ballot special elections unless amended by the county auditor. The election plan shall be in check list form and shall specify the number of days before the election when

certain activities are expected to be completed. The checklist may contain other activities, in addition to those listed here and may be arranged in a different chronological order, but otherwise shall be in substantially the following form:

DAYS PRECEDING THE ELECTION	ACTIVITY
_____	Ordering of ballots and ballot envelopes
_____	Layout ballot
_____	Materials to printer (including instructions to voters)
_____	Notification of postal authorities
_____	Notification of news media
_____	Receipt of ballot pages, ballot cards, or paper ballots and other printed material
_____	Preparation of mail ballot special election material
_____	Ballots mailed
_____	Extra personnel hired
_____	Extra personnel trained
_____	Begin initial verification of signatures
_____	Notice of election
_____	Last day to mail notification of lack of signature

The standard mail ballot election plan may be amended at any time up to thirty-five days before the date of any mail ballot special election by notifying the secretary of state, in writing, of any changes. In addition to the standard mail ballot special election plan, the county auditor shall, for the first three mail ballot special elections in his or her county, provide the secretary of state with the following material:

- (1) A brief narrative of the arrangements made with the postal authorities;
- (2) A copy of the ballot layout, including the ballot title(s);
- (3) A brief narrative of the procedures to be followed from the time the ballots are received until they are tabulated;
- (4) A floor plan of the working area where ballots will be processed, including approximate dimensions;
- (5) Samples of ballot materials, instructions, legal notices, press releases, newspaper articles, and any other printed materials as they become available; and
- (6) An estimate of the number of additional personnel to be hired.

NEW SECTION

WAC 434-36-050 REVIEW OF THE PLAN BY THE SECRETARY OF STATE. (1) Within five business days after the receipt of a standard mail ballot special election plan, an amendment to a special election plan, or election materials for a specific election, the secretary of state shall review the plan. If the secretary of state finds that, in his or her judgment, elements of the election plan, amendments to a plan, or election materials do not adequately provide for secrecy of the ballots, prevention of fraud, or the accurate processing and canvassing of ballots, he or she shall immediately notify the county auditor of these exceptions. The county auditor and the secretary of state shall attempt to reach mutually acceptable modifications to the election plan, amendments to a plan, or election materials. In the event that no mutually acceptable agreement is reached, the secretary of state shall notify the county auditor, in writing, that he or she takes formal exception to the disputed elements of the plan, amendment to a plan, or election materials and of the reasons for his or her objections. He or she shall also provide copies of that notification to the other members of the county canvassing board and, if he or she deems appropriate, to the governing body of any jurisdiction for which a mail ballot special election has been scheduled in that county.

(2) The secretary of state may not take formal exception to any policies, procedures, or materials developed by the county auditor for the conduct of a mail ballot special election which do not directly affect secrecy of the ballot, prevention of fraud, or accurate processing and canvassing of the ballots. He or she may recommend changes to these policies, procedures, or materials where, in his or her judgment, such changes would improve the administration of the election.

NEW SECTION

WAC 434-36-060 NOTICE OF ELECTION. In any mail ballot special election, the notice of election published pursuant to RCW 29.27.080 shall include the following:

- (1) The title of each office to be voted upon, if any;
- (2) The names and addresses of all candidates; and
- (3) The ballot titles of all ballot measures.

The notice shall also list:

- (a) The precincts that are voting by mail ballot only;
- (b) The location where voters may obtain replacement ballots; and

(c) The location(s) where unmailed ballots may be deposited between the hours of 7:00 a.m. and 8:00 p.m. on the day of the election.

The auditor shall additionally notify local radio, television, and newspapers, if applicable, that the election is to be conducted by mail ballot only.

NEW SECTION

WAC 434-36-070 DELIVERY OF BALLOT TO VOTER. Not sooner than twenty-five days nor later than fifteen days before any mail ballot special election, the county auditor shall send to each registered voter in the election district a ballot, a return envelope, a ballot

security envelope, and instructions regarding the mail ballot election.

NEW SECTION

WAC 434-36-080 ENVELOPE SPECIFICATIONS. All ballots, ballot security envelopes, and return envelopes shall be of uniform color and size for each jurisdiction conducting a mail ballot special election. The county auditor may, however, use ballots, security envelopes, and return envelopes of uniform size for all jurisdictions conducting a mail ballot special election should he or she so desire. The envelope in which the ballot is mailed to the voter shall be clearly marked, "DO NOT FORWARD — RETURN TO SENDER — RETURN POSTAGE GUARANTEED". The return envelope shall bear the address of the issuing officer and the words, "OFFICIAL BALLOT — DO NOT DELAY" prominently displayed on the front, and shall also bear the words "POSTAGE REQUIRED" in the upper right hand corner. The envelope shall contain a space for the voters name and address to be listed and shall also contain the following statement:

I, the undersigned, hereby state that I am a registered voter in Washington; that I am entitled to vote in this election; that I have not voted another ballot; and that I have completed this ballot in secret. I further understand that any person attempting to vote when he or she is not entitled or who falsely signs this affidavit shall be guilty of a felony, punishable by imprisonment of not more than five years or a fine of not more than five thousand dollars, or both such fine and imprisonment.

(signed)

(date of oath)

NEW SECTION

WAC 434-36-090 INSTRUCTIONS TO VOTERS. Instructions shall be included with the mail ballot, the return envelope, and ballot envelope delivered to the voter. The instructions shall detail the mechanical process which must be followed in order to properly cast the ballot. The instructions shall also:

- (1) Advise the voter that the election is to be by mail ballot, the amount of postage required on the return envelope, and that regular polling places will not be open;
- (2) List the location of the place where the voter may obtain a replacement ballot if his or her ballot is destroyed, spoiled, or lost;
- (3) List the location of the place(s) where the voter may deposit his or her ballot on election day in the event the ballot is not mailed;
- (4) Advise the voter that in order for his or her ballot to be counted it must be either postmarked not later than the day of the election or deposited at the designated place between the hours of 7:00 a.m. and 8:00 p.m. on the day of the election;
- (5) Advise the voter that his or her ballot must be marked in secret; and

(6) Advise the voter that any person attempting to vote when he or she is not entitled or who falsely signs the affidavit shall be guilty of a felony, punishable by imprisonment for not more than five years or a fine of not more than five thousand dollars, or both such fine and imprisonment.

NEW SECTION

WAC 434-36-100 DEPOSITING OF BALLOTS. Ballots may be deposited in the auditor's office at any time, during normal business hours, prior to the day of the election and from 7:00 a.m. to 8:00 p.m. on election day. The county auditor shall designate at least one other place of deposit within the jurisdiction holding the mail ballot special election whenever, in his or her judgment, having only the auditor's office as a place of deposit would unduly inconvenience the voter. If other places of deposit are designated, each shall be staffed by an employee of the auditor's office or by another person designated by the auditor. The person designated by the auditor shall not be an employee of the jurisdiction conducting the special election and shall subscribe to an oath regarding the discharge of his or her duties, administered by the county auditor. All designated place of deposit shall be open from 7:00 a.m. until 8:00 p.m. on the day of the election and shall have a secure ballot box. The ballot box shall be constructed in such a manner that return envelopes, once deposited, may be removed only by the county auditor or the person appointed to staff the place of deposit. That person shall ensure that the affidavit on the return envelope is signed before the ballot is deposited in the ballot box. On election day, the person(s) staffing the designated place(s) of deposit shall place their initials and time of deposit on the return envelope.

NEW SECTION

WAC 434-36-110 OBTAINING REPLACEMENT BALLOTS. Each county auditor shall designate his or her office or any other location within the jurisdiction requesting the mail ballot special election as the single place where voters may obtain a replacement ballot. Any voter seeking a replacement ballot must, prior to 8:00 p.m. on election day, return the original ballot if it was spoiled and sign a sworn statement in substantially the following form:

REPLACEMENT BALLOT REQUEST

I,, do hereby request a replacement ballot for the mail ballot special election to be held on in county, Washington, for the following reason (check one):

I did not receive the ballot mailed to me.

or

The ballot mailed to me has been damaged, lost, or destroyed.

I hereby certify, under penalty of law, that the above information is true and correct,

and that I understand that attempting to vote more than once in any election is a violation of Washington election law.

.....
Signature of voter

.....
Address at which I
am registered to vote

The above named individual appeared before me and has been issued a replacement ballot pursuant to the provisions of chapter 71, Laws of 1983 1st ex. sess.

.....
Signature of
issuing officer

.....
Date

The county auditor shall maintain a record of each replacement ballot so issued. Any absentee ballot request made wherein the voter lists an address different from that to which his or her mail ballot has been or is to be mailed shall be handled as provided by RCW 29.36.030.

NEW SECTION

WAC 434-36-120 UNSIGNED AFFIDAVIT. If the voter neglects to sign the affidavit on the return envelope, the auditor shall notify the voter, either by telephone or by first class mail, of that fact. He or she shall advise the voter that, in order for the ballot to be counted, the voter must appear in person at the auditor's office not later than 8:00 p.m. on election day. A record shall be kept on the return envelope of the date on which the voter was contacted or on which the notice was mailed. Any notice by mail shall be in substantially the following form:

Dear Voter:

Your ballot for the forthcoming mail ballot special election to be held on has been received by this office. Unfortunately, you neglected to sign the affidavit on the reverse side of the return envelope, as required by state law.

Please appear in person at the location listed on this card and sign this affidavit no later than 8:00 p.m. on Your ballot cannot be counted unless the return envelope is signed.

ADDRESS:

NEW SECTION

WAC 434-36-130 SIGNATURE VERIFICATION—PERSONNEL. A mail ballot shall be counted only if:

- (1) It is returned in the return envelope;
- (2) The envelope is signed by the registered voter to whom it was issued;
- (3) The signature has been verified by the county auditor; and
- (4) It is postmarked not later than the day of the election or deposited not later than 8:00 p.m. on election day.

The auditor must compare the signature on the return envelope with the voter's signature as it appears on the voter registration card, and shall hire as many persons as he or she deems necessary to assist in this process. All personnel assigned to the duty of signature verification shall subscribe to an oath regarding the discharge of his or her duties, administered by the county auditor. The auditor shall instruct his or her employees in the signature verification process prior to actually canvassing any signatures and may request that local law enforcement officials instruct those employees in techniques used to identify forgeries.

NEW SECTION

WAC 434-36-140 VERIFICATION OF SIGNATURES—PROCESS. If the auditor determines that the signature on the return envelope matches that on the voter registration card, he or she shall indicate on the envelope that a signature comparison has been made. No indication of a voter having cast a ballot shall be made on the voter registration file until a signature comparison has been made. In the event the auditor determines that the signatures do not match, or that the voter has voted more than once, he or she shall refer all such ballots and any other related materials to the county canvassing board. No ballot so referred shall be counted unless subsequent investigation reveals it to be a valid ballot and the canvassing board directs the auditor to accept it. The signature verification process shall be open to the public, subject to reasonable procedures promulgated by the county auditor to insure that order is maintained and to safeguard the integrity of the process.

NEW SECTION

WAC 434-36-150 COUNTY CANVASSING BOARD. The county canvassing board shall examine each ballot and related material referred by the auditor and shall determine whether or not the ballot is to be counted. The canvassing board may employ local law enforcement officials or any other persons they deem necessary to assist them in this effort. In the event the canvassing board determines that the ballot is to be counted, they shall direct the county auditor to do so. In the event the canvassing board determines that the signature on the ballot was not made by the voter to whom the ballot was issued or that the voter has attempted to vote more than once, they shall direct the auditor to refer all such ballots and related materials to the prosecuting attorney. The county auditor must also notify the attorney general of any persons attempting to vote more than once.

NEW SECTION

WAC 434-36-160 MASTER LIST OF VOTERS. The county auditor shall maintain in his or her office a list of all voters eligible to vote in any mail ballot election. An indication shall be made on this master list of the status of all ballots returned and verified, and this list shall be available for public inspection and copying at a reasonable cost.

NEW SECTION

WAC 434-36-170 LOGIC AND ACCURACY TEST. At least three days before any mail ballot special election, if an electronic vote tallying system is to be used, the auditor shall conduct a logic and accuracy test of all programming. Wherever applicable, this test shall be conducted in accordance with RCW 29.34.163, except that the secretary of state need not be present. The test shall be repeated immediately prior to any tabulation of ballots on election day.

NEW SECTION

WAC 434-36-180 TALLYING OF BALLOTS. The county canvassing board, upon the request of the county auditor, may direct that, after 12:00 noon on election day, mail ballots on hand be counted. Any such count made prior to 8:00 p.m. must be done in secret and the results not revealed until after 8:00 p.m. Whenever any ballot is to be counted, the county auditor shall ensure that at least three election officers are present. Such officers shall be appointed as provided by RCW 29.45.010. Any violation of the secrecy of the count shall be subject to the penalties provided in RCW 29.54.035. During either the early count of ballots or the regular tabulation of ballots on election night in counties using electronic voting devices, political party observers may select up to ten precincts and count by hand either the total number of ballots or the total number of votes cast for any single office or issue. This hand count may take place at any time after the ballots have been officially tabulated by the electronic vote tallying system, but must take place prior to the official certification of the election results.

NEW SECTION

WAC 434-36-190 CANVASSING OF BALLOTS. Except as otherwise provided by law, mail ballots shall be canvassed in the same manner as absentee ballots issued at the request of the voter. To be counted such mail ballots must be deposited at the designated place not later than 8:00 p.m. on election day or postmarked not later than the day of the election. In the event the postmark is missing or illegible, the county canvassing board may rely on the date of the oath signed by the voter on the outside of the return envelope. Any mail ballot may be challenged in the same manner as absentee ballots are challenged, and the county canvassing board must determine that any challenged ballot is valid before it may be counted.

NEW SECTION

WAC 434-36-200 MAINTENANCE OF RECORDS. Each county auditor conducting a mail ballot special election shall maintain and retain complete documentation of that election. The documentation maintained shall include, but not be limited to, the following:

- (1) A copy of the resolution calling for the mail ballot election;
- (2) A copy of the legal notice identifying the election as a mail ballot election;
- (3) The return envelopes which have been marked to indicate the signature had been verified;
- (4) The sworn statement of each voter issued a replacement ballot; and
- (5) The master list indicating which voters cast ballots.

The retention period for this material and for the ballots themselves shall be the same as for absentee ballots, or until the resolution of any litigation arising out of the mail ballot election. Ballots and all related material shall be held in secure storage both before they are mailed and after they are returned.

NEW SECTION

WAC 434-36-210 REPORT TO THE SECRETARY OF STATE. Not later than seven calendar days following the official canvass of any mail ballot special election, the county auditor shall report the results of that election to the secretary of state. Included in that report shall be:

- (1) The total number of eligible voters in the district;
- (2) The total number of ballots mailed;
- (3) The total number of ballots returned (listing those returned by mail and by deposit as separate sub-totals);
- (4) The total number of replacement ballots issued (with separate sub-totals for destroyed, lost, spoiled or not received original ballots);
- (5) The total number of ballots accepted as valid and counted;
- (6) The total number of ballots rejected; included in the rejected ballot total shall be sub-totals listing:
 - (a) The number of ballots received late;
 - (b) The number of ballots rejected because the return envelope bore no signature;
 - (c) The number of ballots rejected because the signature on the return envelope was not that of the registered voter to whom the ballot was issued; and
 - (d) The number of ballots rejected because the voter attempted to vote more than once;
- (7) The official results of the election; and
- (8) An itemization of the cost of the mail ballot special election to the jurisdiction which requested it.

The auditor shall retain a copy of this report in his or her files, and shall provide a copy to the jurisdiction for which the mail ballot special election was conducted.

WSR 83-22-056
PROPOSED RULES
DEPARTMENT OF
EMERGENCY SERVICES
 [Filed November 2, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Emergency Services intends to adopt, amend, or repeal rules concerning the establishment of standard criteria for evaluating local government emergency services organizations. This rule also establishes procedures for review and appeal of decisions regarding approval of local emergency services organizations;

that the agency will at 1:00 p.m., Tuesday, December 6, 1983, Department of Emergency Services, Olympia, Washington, and at 1:00 p.m., Wednesday, December 7, 1983, Yakima County Courthouse, Yakima, Washington, conduct public hearings on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on December 8, 1983.

The authority under which these rules are proposed is RCW 38.52.070.

The specific statute these rules are intended to implement is RCW 38.52.070.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 8, 1983.

Dated: November 2, 1983

By: James M. Thomas
 Assistant Director

STATEMENT OF PURPOSE

Title: Chapter 118-06 WAC, Local emergency services organizations.

Description: The purpose of this rule is to establish criteria for evaluating and approving the establishment of local emergency services organizations. This rule is necessary, in part, to establish eligibility for local government emergency services organizations receipt of federal emergency management assistance funds.

Summary: The rule provides criteria for determining whether or not local ordinances or resolutions creating local emergency services organizations comply with RCW 38.52.070. The rule also provides for appeal and review of agency findings.

Agency Personnel Responsible for Rule: James Thomas, Assistant Director for Plans and Preparedness, 4220 East Martin Way, Olympia, Washington 98504, Phone: 459-9191.

Organization Proposing Rule: Washington State Department of Emergency Services.

Necessity of Rule: In guidance which supplements 44 CFR 302 the Federal Emergency Management Agency requires states that administer federal funds, which provide fiscal assistance to local government emergency services programs, to ensure that the local emergency services organization is created by action, such as a resolution or ordinance, of the local legislative body.

Comments and Recommendations: None.

Chapter 118-06 WAC
LOCAL EMERGENCY SERVICES ORGANIZATIONS

NEW SECTION

WAC 118-06-010 **AUTHORITY.** This chapter is promulgated pursuant to the authority granted in RCW 38.52.070.

NEW SECTION

WAC 118-06-020 **PURPOSE.** The purpose of this chapter is to establish criteria for evaluating and approving the establishment of local emergency services organizations.

NEW SECTION

WAC 118-06-030 **DEFINITIONS.** (1) Director means the director of the Washington state department of emergency services.

(2) Council means the Washington state emergency services council as established by RCW 38.52.040.

(3) Political subdivision means a county or incorporated city or town.

(4) Executive head(s) means:

(a) In the case of an incorporated city or town, the mayor.

(b) In the case of a county, either the county executive or the chairperson of the board of county commissioners.

(5) Emergency services organization means the local government organization established by either a political subdivision or two or more political subdivisions for the purpose of carrying out emergency services as described in RCW 38.52.010(1).

(6) Ordinances means a law established by the legislative body of a city, town or county.

(7) Resolution means an expression of policy established by the legislative body of a city, town or county.

NEW SECTION

WAC 118-06-040 **RESPONSIBILITIES OF POLITICAL SUBDIVISIONS.** (1) A political subdivision must establish an emergency services organization by ordinance or resolution passed by the legislative body of the political subdivision.

(2) In the event that two or more political subdivisions want to join in the establishment of an emergency services organization, each political subdivision must establish said organization by ordinance or resolution passed by the legislative body of the political subdivision. Such ordinance or resolution shall specify the joint relationship being entered into with one or more political subdivisions.

(3) Each political subdivision must specify in the ordinance or resolution establishing the emergency services organization that the agency shall be headed by a director of emergency services who shall be appointed by and directly responsible to the executive head of the political subdivision.

(4) In the case of an emergency services organization established by two or more political subdivisions, such political subdivisions shall specify in the ordinances or resolutions establishing the organization that the local government agency shall be headed by a director of emergency services who shall be appointed by the joint action of the executive heads of the constituent political subdivisions. The political subdivisions shall specify by ordinances or resolutions that the emergency services director shall be directly responsible to the executive heads of the constituent political subdivisions.

(5) Each political subdivision shall specify by ordinance or resolution that the director of emergency services shall be directly responsible for the organization, administration, and operation of the emergency services organization.

(6) In the case of two or more political subdivisions joining in the establishment of a single emergency services organization, each political subdivision shall specify in the ordinance or resolution establishing the organization how the costs of supporting the organization shall be equitably shared between the constituent political subdivisions.

(7) Each political subdivision shall submit a copy of the ordinance or resolution establishing its emergency services organization to the state director for evaluation and approval of the organizational plan or structure.

NEW SECTION

WAC 118-06-050 **EVALUATION OF EMERGENCY SERVICES ORGANIZATION.** (1) The director shall use the following

criteria to review and evaluate a local emergency services organization as represented by the ordinance(s) or resolution(s) submitted by the political subdivision(s).

(a) The emergency services organization must be established by an ordinance or resolution passed by the legislative body of the political subdivision.

(b) The ordinance or resolution establishing the emergency services organization must specify that:

(i) Either the organization represents only one political subdivision or the organization represents two or more political subdivisions that have jointly established an emergency services organization.

(ii) The organization shall be headed by a director appointed by and directly responsible to the executive head(s) of the political subdivision(s).

(iii) The director of emergency services shall be directly responsible for the organization, administration, and operation of the emergency services organization.

(iv) In the case of an organization established by two or more political subdivisions, the costs of supporting the organization shall be equitably shared as determined between the constituent political subdivisions.

(2) If any one of the criteria specified in subsection (1) of this section is not met, the director shall inform the executive head(s) of the political subdivision(s) submitting the ordinance(s) or resolution(s) establishing the organization that the organization as established is unacceptable. A political subdivision with an unacceptable organization shall be regarded as not having an emergency services organization as required by RCW 38.52.070.

NEW SECTION

WAC 118-06-060 REVIEW AND EVALUATION OF AN EXISTING EMERGENCY SERVICES ORGANIZATION. (1) Each political subdivision with an emergency services organization shall submit its ordinance or resolution establishing such organization to the director by no later than October 1, 1983.

(2) After October 1, 1983, a political subdivision shall submit a copy of the ordinance or resolution establishing an emergency services organization to the director if such organization did not exist prior to October 1, 1983.

(3) The director shall review and evaluate the ordinance for compliance with the criteria established in WAC 118-06-050 within thirty calendar days of receipt of the ordinance or resolution.

(4) If the director determines that the organization is unacceptable, he shall so inform the executive head(s) of the political subdivision(s) submitting the ordinance or resolution. The director shall state the reasons for determining that the ordinance or resolution is unacceptable.

(5) The local political subdivision(s) shall have thirty calendar days from the date of the statement of determination in which to appeal to the director his finding that the organization is unacceptable. The appeal shall be in writing, shall set forth the reasons why the political subdivision believes the finding is incorrect, and shall be submitted by the executive head(s) of the political subdivision(s).

(6) The director shall respond to the appeal within thirty calendar days of receipt of the appeal. The response to the appeal shall either:

(a) Sustain the original determination; or

(b) Reverse the original determination.

(7) In responding to the appeal the director shall state in writing to the appealing executive head(s) the director's reasons for sustaining or reversing the original finding.

NEW SECTION

WAC 118-06-070 AUTHORIZING TWO OR MORE POLITICAL SUBDIVISIONS TO ESTABLISH A LOCAL EMERGENCY SERVICES ORGANIZATION. If two or more political subdivisions submit ordinances or resolutions establishing a single emergency services organization which meet the criteria set forth in WAC 118-06-050, the director shall inform the executive heads of the constituent political subdivisions that the emergency services organization is acceptable and authorized. Nothing in this code shall prevent one or more political subdivisions from contracting with another subdivision for emergency services under the provisions of chapter 39.34 RCW, the Interlocal Cooperation Act.

NEW SECTION

WAC 118-06-080 RESOLUTION OF CONFLICT REGARDING THE SHARING OF EMERGENCY SERVICES ORGANIZATION COSTS BETWEEN POLITICAL SUBDIVISIONS. If two or more political subdivisions cannot agree on the equitable sharing of costs to support the emergency services organization established by the constituent political subdivisions, the director shall refer the matter to the council. The council shall consider the matter at either a regular or special meeting. The council may request additional information from the constituent political subdivisions, the director or other interested party(s). The council shall arbitrate the matter, and its decision shall be final.

**WSR 83-22-057
PROPOSED RULES
DEPARTMENT OF
EMERGENCY SERVICES
[Filed November 2, 1983]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Emergency Services intends to adopt, amend, or repeal rules concerning the establishment of standard criteria for evaluating local government emergency services plans. This rule also establishes procedures for approving and appealing and reviewing decisions regarding emergency plans;

that the agency will at 1:00 p.m., Tuesday, December 6, 1983, Department of Emergency Services, Olympia, Washington, and at 1:00 p.m., Wednesday, December 7, 1983, Yakima County Courthouse, Yakima, Washington, conduct public hearings on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on December 8, 1983.

The authority under which these rules are proposed is RCW 38.52.070.

The specific statute these rules are intended to implement is RCW 38.52.070.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 8, 1983.

Dated: November 2, 1983

By: James M. Thomas
Assistant Director

STATEMENT OF PURPOSE

Title: Chapter 118-07 WAC, Local emergency services plans.

Description: The purpose of this rule is to establish criteria for evaluating local comprehensive emergency operations plans. RCW 38.52.070 requires local governments to submit their emergency plans to the director of emergency services for review. In addition, this rule is necessary for determining, in part, local eligibility for receipt of federal emergency management assistance (matching) funds.

Summary: This rule establishes procedures for submitting local emergency operations plans, for evaluating such plans (including criteria), and for appealing and reviewing findings concerning such plans.

Agency Personnel Responsible for Rule: James Thomas, Assistant Director for Plans and Preparedness, 4220 East Martin Way, Olympia, Washington 98504, Phone: 459-9191.

Organization Proposing Rule: Washington State Department of Emergency Services.

Necessity of Rule: State law requires that the director of emergency services review local emergency services operations plans. This rule provides the mechanism and criteria to accomplish plan evaluation. Additionally, the federal government in supplementary guidance to 44 CFR Part 302 requires that local emergency operations plans be in agreement with state emergency plans as a prerequisite for receipt of federal emergency management assistance (matching) funds.

Comments or Recommendations: None.

Chapter 118-07 WAC
LOCAL EMERGENCY SERVICES PLANS

NEW SECTION

WAC 118-07-010 AUTHORITY. This chapter is promulgated pursuant to the authority granted in RCW 38.52.070.

NEW SECTION

WAC 118-07-020 PURPOSE. The purpose of this chapter is to establish criteria for evaluating local comprehensive emergency operations plans.

NEW SECTION

WAC 118-07-030 DEFINITIONS. (1) Director means the director of the Washington state department of emergency services.

(2) Political subdivision means a county or an incorporated city or town.

(3) Council means the Washington state emergency services council as described in RCW 38.52.040 and 38.52.070.

(4) Comprehensive emergency operations plan, hereinafter referred to as the plan, means a written basic plan with annexes, procedures and checklists which addresses all natural and man-made, including warfare, emergencies and disasters to which a political subdivision is vulnerable. The comprehensive emergency operations plan follows the format outlined in WAC 118-07-060 and specifies the purpose, organization, responsibilities, and facilities of agencies and officials of the political subdivision in mitigation of, preparation for, response to, and recovery from all emergencies and disasters.

(5) Hazard analysis means a written assessment and listing of the natural and man-made, including warfare, emergencies and disasters to which a political subdivision is vulnerable.

NEW SECTION

WAC 118-07-040 SUBMITTAL OF COMPREHENSIVE EMERGENCY OPERATIONS PLAN OR PLAN DEVELOPMENT SCHEDULE FOR REVIEW BY DIRECTOR. (1) Each political subdivision shall submit its comprehensive emergency operations plan or schedule for development or maintenance of the plan to the director by July 1 of each year. Political subdivisions that have joined together to form a joint emergency services organization may submit a single plan or schedule by the aforementioned deadline.

(2) Revised or updated portions of the plan or its annexes shall be submitted to the director within thirty calendar days of local promulgation of such updated or revised portion of the plan or its annexes.

NEW SECTION

WAC 118-07-050 REVIEW PERIODS AND PROCEDURES.

(1) The director shall review and evaluate the plan or its annexes, procedures, or checklists or revisions or updates to portions of the plan or its annexes, procedures, or checklists within forty-five workdays of receipt of such plan, annexes, procedures or checklists or portions thereof at the state department of emergency services.

(2) Within the forty-five workday review period the director shall provide to the political subdivision(s) submitting the comprehensive emergency operations plan or portions thereof, recommendations for changes or improvements or notice of acceptance. If the director's recommendations for changes or improvements are adverse to the political subdivision(s) submitting the plan, the political subdivision(s) may request a meeting with the director to resolve questions regarding the recommendations.

(3) If the political subdivision(s) submitting the plan still disagree with the director's recommendations, the political subdivision(s) may appeal the director's review findings to the council. The council may consider the matter at any regular or special meeting; consider information supplied by the director, the political subdivision, or other party; and review the plan or portion thereof. Within thirty days of receipt of notice of appeal by the director, the council shall render a decision regarding the matter.

NEW SECTION

WAC 118-07-060 CRITERIA FOR EVALUATING LOCAL EMERGENCY SERVICES PLAN. The director shall use but not be limited to the following criteria for evaluating local emergency services plans.

(1) Each plan shall have a basic section which shall follow the format listed in (a) through (d) of this subsection and shall be comprised of the following five components:

(a) A purpose or mission statement. This statement shall include an explanation of why the plan is established, a citation of federal, state, and local statutes, and an explanation of the situations and assumptions upon which the plan is based.

(b) An organization and responsibilities statement. This statement shall include a listing of the emergency responsibilities of each agency of the political subdivision(s) and a brief explanation of the chain of command and organizational relationships between agencies.

(c) A concept of operations statement. This statement shall briefly explain how the plan and its annexes, procedures or checklists will be implemented and how the political subdivisions will interrelate to other counties, cities, or towns or other levels of government.

(d) An administration and logistics statement. This statement shall specify how emergency response and recovery action will be financed and shall outline how resources within the political subdivision(s) shall be organized, listed and utilized.

(e) A direction and control statement. This statement shall specify the location of the emergency operating center(s), control points, command posts, field stations, communications links, warning and notification systems and the means or procedures for maintaining civil government within the political subdivision(s).

(2) Each plan shall have the following annexes appearing behind the basic section of the plan:

(a) Direction, control and coordination.

(b) Continuity of government.

(c) Emergency resource management.

(d) Warning.

(e) Emergency public information.

(f) Response and recovery operation reports.

(g) Movement (evacuation).

(h) Shelter.

(i) Manpower.

(j) Mass care, emergency welfare, individual assistance.

(k) Medical, health, and mortuary.

(l) Communications.

(m) Food.

(n) Transportation.

(o) Radiological and technological protection.

(p) Law enforcement.

(q) Fire protection.

(r) Emergency engineering services.

(s) Search and rescue.

(t) Military support.

(u) Religious affairs.

(v) Emergency administrative procedures.

(w) Emergency fiscal procedures and records.

(x) Training and education.

(y) Energy and utilities.

(z) Special subjects (special contingency procedures).

(3) The annexes shall outline in detail the function of the emergency services organization during emergencies. Each annex should include the following elements:

- (a) Purpose.
- (b) Operational concepts.
- (c) Responsibilities.
 - (i) Local agencies.
 - (ii) Volunteer agencies or organizations.
- (d) Agency functions by time phase.
 - (i) Mitigation and preparedness.
 - (ii) Response.
 - (iii) Recovery.
- (e) Appendices.
 - (i) Organization chart.
 - (ii) SOPs as necessary.
 - (iii) Attachments.

(4) The political subdivision(s) may add special contingency procedures for specific hazards or events under annex z (subsection (2)(z) of this section). The content of such procedures shall be determined by the political subdivision(s).

(5) The local ordinance(s) establishing the emergency services organization shall be appended to the plan along with other documents such as mutual aid agreements, memoranda of understanding, etc.

(6) The plan, its annexes, procedures and checklists shall be promulgated by letter signed by the current executive head(s) of the political subdivision(s) to which the plan applies.

(7) The plan shall be reviewed and updated at least once in every two calendar years. Each page of the plan and its annexes, procedures, and checklists must show the month and year of the latest update of information appearing on the page.

(8) Each plan shall be tested by an emergency operations exercise involving the head(s) of the local political subdivision(s) no less than once each calendar year.

WSR 83-22-058
PROPOSED RULES
DEPARTMENT OF
EMERGENCY SERVICES
 [Filed November 2, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Emergency Services intends to adopt, amend, or repeal rules concerning the establishment of procedures for evaluating and approving local government emergency services program statements. This rule also establishes procedures for appeal and review of decisions regarding such program statements;

that the agency will at 1:00 p.m., Tuesday, December 6, 1983, Department of Emergency Services, Olympia, Washington, and at 1:00 p.m., Wednesday, December 7, 1983, Yakima County Courthouse, Yakima, Washington, conduct public hearings on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on December 8, 1983.

The authority under which these rules are proposed is RCW 38.52.070.

The specific statute these rules are intended to implement is RCW 38.52.070.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 8, 1983.

Dated: November 2, 1983
 By: James M. Thomas
 Assistant Director

STATEMENT OF PURPOSE

Title: Chapter 118-08 WAC, Local emergency services program.

Description: The purpose of this rule is to establish criteria for evaluating local emergency services programs and approving such programs that are required by RCW 38.52.070. This rule is also necessary for determining, in part, local governments' eligibility for receipt of federal emergency management assistance (matching) funds.

Summary: This rule establishes criteria for determining the acceptance of local program statements, procedures for reviewing and evaluating program statements, and procedures for appeal and review of the department's findings concerning program statements. The federal government requires that the state administer allocations of federal assistance funds to local governments that have program statements which meet federal criteria.

Agency Personnel Responsible for Rule: James Thomas, Assistant Director for Plans and Preparedness, 4220 East Martin Way, Olympia, Washington 98504, Phone: 459-9191.

Organization Proposing Rule: Washington State Department of Emergency Services.

Necessity of Rule: This rule is necessitated by federal rules and supplementary guidance. In addition the rule is necessary to carry out RCW 38.52.070 which states that local governments shall submit their emergency programs to the state director of emergency services for review.

Comments or Recommendations: None.

Chapter 118-08 WAC LOCAL EMERGENCY SERVICES PROGRAM

NEW SECTION

WAC 118-08-010 AUTHORITY. This chapter is promulgated pursuant to the authority granted in RCW 38.52.070.

NEW SECTION

WAC 118-08-020 PURPOSE. The purpose of this chapter is to establish criteria for evaluating local emergency services programs.

NEW SECTION

WAC 118-08-030 DEFINITIONS. (1) Director means the director of the Washington state department of emergency services.

(2) Political subdivision means a county or an incorporated city or town.

(3) Emergency services organization means the local government agency established by a political subdivision or two or more political subdivisions for the purpose of carrying out emergency services as described in RCW 38.52.010(1).

(4) Council means the Washington state emergency services council as described in RCW 38.52.040 and 38.52.070.

(5) Program paper means a statement of emergency services program objectives for a period of twelve consecutive months beginning January 1 and ending December 31 of the calendar year. A program paper may represent, at the discretion of the director, the program objectives for a period of less than twelve consecutive months. The program paper shall represent the local program for the purposes of RCW 38.52.070 and shall be used as a program management tool by both state and local government.

NEW SECTION

WAC 118-08-040 SUBMITTAL OF PROGRAM PAPER FOR REVIEW BY DIRECTOR. (1) Each political subdivision shall submit

its program paper annually to the director not less than sixty days prior to the start of the effective period of the program paper. Unless the director specifies in writing to the contrary the program paper must be submitted by November 1 each year for the twelve-month period beginning January 1 and ending December 31 of that year.

(2) Two or more political subdivisions may submit a single program paper if the political subdivisions have established an accepted joint emergency services organization as described by WAC 118-06-070. The submittal requirements described in subsection (1) of this section apply to the submission of a single program paper by two or more political subdivisions acting jointly.

NEW SECTION

WAC 118-08-050 REVIEW PERIOD AND PROCEDURES.

(1) The director shall review and evaluate the program paper within twenty workdays following receipt of the program paper.

(2) Within twenty workdays of receipt of the program paper, the director shall provide to the political subdivision(s) submitting said paper, recommendations for changes or improvements or a notice of acceptance. The political subdivision(s) submitting such program paper shall have fifteen calendar days to make any recommended changes in the program paper or to appeal the director's determination to the council. If the director's recommendations are adverse to the political subdivision(s), the political subdivision(s) may request a meeting with the director to resolve any questions prior to appeal to the council.

(3) The political subdivisions may appeal the director's review findings to the council. Such appeal must be made in writing within thirty calendar days of the date of the findings. The council may consider the matter at any regular or special meeting. The council may request information regarding the matter from the director, the political subdivision(s), or any other party. The council shall review the program paper, and within thirty calendar days of receipt of the appeal by the director, the council shall render a decision. The council's decision shall be final and binding on the director and the political subdivision.

NEW SECTION

WAC 118-08-060 CRITERIA FOR EVALUATING LOCAL EMERGENCY SERVICES PROGRAM PAPER. (1) The director shall use the following criteria for evaluating program papers.

(a) Each program paper shall list the emergency services program objectives of the political subdivision(s) for a twelve-month period or for a lesser period as specified in WAC 118-08-030.

(b) Each program paper shall address the following categories:

- (i) Comprehensive emergency plan development or updating;
- (ii) Training and education;
- (iii) Communications, warning and notification systems development or maintenance;
- (iv) Radiological and hazardous materials incident response capability or maintenance;
- (v) Tests, drills and exercises to assess emergency plan, personnel training and system effectiveness;
- (vi) Public information;
- (vii) Hazard analysis and assessment;
- (viii) General program administration;
- (ix) Response to emergencies and disasters.

(c) Each program paper shall have objectives consistent with federal and state emergency services program requirements as published by the director on or before September 1 each year.

(d) The program paper may include, in addition to the objectives listed in (b) of this subsection, specific local program objectives relating to local program needs.

(e) The director shall specify and publish a form for the political subdivision(s) to use in recording and submitting program objectives.

(2) The political subdivision(s) shall submit a statement of progress on each objective in each of the categories listed in subsection (1) of this section in two reports, one to be submitted to the director on April 1 of each year and the other July 1 of each year. Each report shall indicate the progress on each objective, whether or not objectives have been met, and if objectives have not been met or are not being met, the reasons why progress or achievement has not been accomplished.

NEW SECTION

WAC 118-08-070 INTERIM PROGRAM PAPER FOR THE PERIOD OCTOBER 1 THROUGH DECEMBER 31, 1983. Each political subdivision shall submit a program paper by October 14,

1983, for the period of October 1 through December 31, 1983, in accordance with the program paper evaluation criteria specified in WAC 118-08-060. Review and appeal procedures specified in WAC 118-08-050 shall apply to this interim program paper.

WSR 83-22-059
PROPOSED RULES
DEPARTMENT OF
EMERGENCY SERVICES
 [Filed November 2, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Emergency Services intends to adopt, amend, or repeal rules concerning the establishment of criteria for determining the allocation of emergency management assistance (matching) funds to eligible emergency services organizations of local governments. This rule repeals the following chapter of the Washington Administrative Code: WAC 118-10-010 purpose, WAC 118-10-020 definitions and WAC 118-10-030 EMA funds eligibility criteria. This rule also establishes criteria for determining amounts of funds to be allocated and appeal and review procedures for decisions regarding such allocation;

that the agency will at 1:00 p.m., Tuesday, December 6, 1983, Department of Emergency Services, Olympia, Washington, and at 1:00 p.m., Wednesday, December 7, 1983, Yakima County Courthouse, Yakima, Washington, conduct public hearings on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on December 8, 1983.

The authority under which these rules are proposed is RCW 38.52.160.

The specific statute these rules are intended to implement is RCW 38.52.160.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 8, 1983.

Dated: November 2, 1983

By: James M. Thomas
 Assistant Director

STATEMENT OF PURPOSE

Title: Chapter 118-09 WAC, Criteria for allocation of emergency management assistance funds. The rule repeals and replaces chapter 118-10 WAC. This rule is promulgated pursuant to RCW 38.52.160 and federal regulations which require the state to administer the allocation of federal funds to local government.

Description: This rule sets forth criteria for determining if local governments are eligible to receive federal funds, criteria for determining the amount of funds each will receive, and procedures for appeal and review of department decisions.

Summary: RCW 38.52.160 states that the department can require local governments to match funds provided to them. The Federal Emergency Management Agency has published regulations relating to the allocation of

emergency management funds. This rule will implement the RCW.

Agency Personnel Responsible for Rule: James Thomas, Assistant Director for Plans and Preparedness (for drafting), and Kate Heimbach, Assistance Director for Administration (for implementation), 4220 East Martin Way, Olympia, WA 98504, Phone: 459-9191.

Organization Proposing Rule: Washington State Department of Emergency Services.

Necessity of Rule: This rule is necessary to implement RCW 38.52.160.

Comments and Recommendations: None.

Chapter 118-09 WAC
CRITERIA FOR ALLOCATION OF EMERGENCY MANAGEMENT ASSISTANCE FUNDS

NEW SECTION

WAC 118-09-010 PURPOSE. The purpose of this regulation is to establish criteria to be applied by the director of the Washington state department of emergency services in allocating emergency management assistance (EMA) funds to local emergency services organizations of this state for the purpose of carrying out emergency services programs. EMA funds will be allocated in accordance with the federal Civil Defense Act of 1950 and other applicable parts of the Code of Federal Regulations.

NEW SECTION

WAC 118-09-020 DEFINITIONS. (1) Administrative expenses mean necessary emergency management expenses required for the proper and efficient administration of the emergency management program of a local government emergency services organization.

(2) Personnel expenses mean necessary emergency management expenses for personnel on the staffing pattern of a local emergency services organization including but not limited to salaries, wages, and supplementary compensation and fringe benefits for such personnel. Such expenses must be supported by job descriptions, payroll records, and time distribution records to be kept on file by the local emergency services organization.

(3) Program paper means the same as "program paper" as defined by WAC 118-08-030.

(4) Comprehensive emergency operations plan means the same as "comprehensive emergency operation plan" as defined by WAC 118-02-030.

(5) State director means the director of the Washington state department of emergency services.

(6) Emergency services organization means the same as emergency services organization as defined by WAC 118-06-030.

(7) Review board shall mean a committee of four persons appointed by the director; three persons from the state department of emergency services and the president of the Washington state association of emergency services directors.

NEW SECTION

WAC 118-09-030 EMA FUNDS ELIGIBILITY CRITERIA. Local emergency services organizations in the state of Washington will be eligible for EMA funds if the following criteria are met prior to the beginning of the one-year period for which the funds are sought:

(1) The local emergency services organization for which EMA funds are sought shall have a current comprehensive emergency operations plan or schedule for plan development or maintenance approved by the state director.

(2) The director/coordinator of the emergency services organization for which EMA funds are sought shall be a full-time or part-time employee of the organization.

(3) The emergency services organization shall have an approved program paper in accordance with WAC 118-08-060.

(4) Local emergency services organization personnel must be hired and appointed in accordance with local merit system rules and regulations that are commensurate with federal guidelines.

(5) If a local emergency services organization receiving EMA funds fails to meet the requirements of subsections (1) through (4) of this section, the state director shall withhold from the recipient any EMA funds for the balance of the federal fiscal year. The funds thus withheld shall be reallocated on a percentage basis to those emergency services organizations that have met the requirements of subsections (1) through (4) of this section.

NEW SECTION

WAC 118-09-040 DISTRIBUTION OF EMA FUNDS. (1) From the total amount of EMA funds allocated for distribution to local emergency services organizations, the director may withhold up to five percent of the funds for discretionary distribution to emergency services organizations that meet EMA funds eligibility criteria after the beginning of the one-year period for which EMA funds are available. These discretionary moneys will be distributed on a percentage basis to local emergency services organizations that became eligible during the one-year period for which EMA funds are available. If such discretionary funds are exhausted, local emergency services organizations that become eligible for such funds will not receive funds.

(2) Any portion of the withheld percentage of the total EMA fund allocation to local emergency services organizations that has not been distributed by the end of a nine-month period, measured from the beginning of the one-year period for which EMA funds are available, shall be distributed on a percentage basis to those emergency services organizations that have achieved and maintained eligibility in accordance with WAC 118-09-030.

(3) The director shall decide upon and publish by September 1 each year, the beginning and ending dates of the next one-year period for which EMA funds will be available to local emergency services organizations.

(4) The total amount of EMA funds allocated for distribution to local emergency services organizations, less the percentage withheld by the director (net funds), shall be distributed to eligible local emergency services organizations on a percentage basis up to and including fifty percent of eligible costs. The percentage amount will be determined by the amount of federal funds available each federal fiscal year. The percentage shall be derived by dividing the amount of net funds available by the total of all EMA funds requested by eligible local emergency services organizations. An eligible local emergency services organization shall receive an amount of EMA funds equal to the percentage multiplied by the amount of EMA funds requested.

NEW SECTION

WAC 118-09-050 APPEAL AND REVIEW OF EMA FUNDS DISTRIBUTION. (1) A local emergency services organization may appeal to the director to reconsider the amount of funds distributed to it if the emergency services organization believes that the amount of EMA funds distributed to it is inconsistent with the eligibility criteria. Such appeal shall be made in writing to the director within fifteen calendar days following receipt of notification of the EMA allocation by the local emergency services organization.

(2) The appeal shall set forth the local emergency services organization's reasons for the appeal.

(3) The director shall respond to the local emergency services organization in writing within fifteen calendar days of receipt of the written appeal. The director's response shall uphold or modify the distribution of EMA funds and set forth in writing the reasons for his decision. The decision of the director shall be final.

(4) The director may appoint a review board of four persons to review and recommend a response to an appeal.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- (1) WAC 118-10-010 PURPOSE.
- (2) WAC 118-10-020 DEFINITIONS.
- (3) WAC 118-10-030 EMA FUNDS ELIGIBILITY CRITERIA.

WSR 83-22-060

ADOPTED RULES

DEPARTMENT OF LICENSING

[Order PL 446—Filed November 2, 1983]

I, John Gonzalez, director of the Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to chiropractors, barbers, cosmetologists and manicurists, podiatrists, massage operators and businesses, veterinarians, debt adjusters, employment agencies, physicians and surgeons, and collection agencies.

This action is taken pursuant to Notice No. WSR 83-19-069 filed with the code reviser on September 21, 1983. 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 section 12, chapter 168, Laws of 1983 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 October 27, 1983.

By John Gonzalez
Director

NEW SECTION

WAC 114-12-136 FEES. The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
Application/Full Examination	\$250.00
Application/Partial Examination (Reciprocity and National Board Waiver)	200.00
Retake Examination	200.00
License Renewal	125.00
Late Renewal Penalty	125.00
License Restoration	25.00
Duplicate	5.00
Certification	10.00

AMENDATORY SECTION (Amending Order PL 442, filed 8/10/83)

WAC 308-16-500 FEES. The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
Barbers:	
Application and exam	\$ 30.00
Full exam	30.00
Partial reexam	15.00
Renewal	35.00
Late renewal penalty	35.00
((Reciprocity	30.00))

Instructors:

Title of Fee	Fee
Application and exam	30.00
Reexam	30.00
Renewal	35.00
Late renewal penalty	35.00
Manager Instructors:	
Application and exam	30.00
Reexam	30.00
Renewal	35.00
Late renewal penalty	35.00
((Barber student application	5.00))
Duplicate license (any)	5.00
Certified Men's Hairstylist:	
Application and exam	50.00
Reexam	50.00
Barber Shops:	
Application	25.00
Renewal	25.00
Transfer fee	25.00
Late renewal penalty	25.00
Barber Schools:	
Application	150.00
Renewal	150.00
Late renewal penalty	150.00
Barber student application	5.00
Student barber certificate renewal	5.00
Shop original inspection fee	25.00
Shop transfer penalty fee	25.00

AMENDATORY SECTION (Amending Order PL 442, filed 8/10/83)

WAC 308-24-485 FEES. The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
Manager—Operator:	
Exam application	\$ 30.00
Full reexam	30.00
Partial reexam	15.00
Renewal	15.00
Reciprocity	30.00
Late renewal penalty	15.00
Instructor—Operator:	
Exam application	30.00
Reexam	30.00
Renewal	15.00
Reciprocity	30.00
Late renewal penalty	15.00
Manicurist <u>Manager—Operator</u>:	
Exam application	15.00
Reexam	15.00
Renewal	10.00
Late renewal penalty	10.00
Reciprocity	15.00
((Cosmetology student application	5.00))
<u>Manicurist Shop:</u>	

Title of Fee	Fee
<u>Application</u>	25.00
<u>Renewal</u>	25.00
<u>Late renewal penalty</u>	25.00
Cosmetology Shop:	
Application	25.00
Renewal	25.00
Late renewal penalty	25.00
Cosmetology School:	
Application	150.00
Renewal	150.00
Late renewal penalty	150.00
Duplicate license (any)	5.00
<u>Cosmetology student application</u>	5.00

AMENDATORY SECTION (Amending Order PL 442, filed 8/10/83)

WAC 308-31-055 FEES. The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
Application and exam	\$200.00
Reciprocity application	200.00
License renewal	100.00
Reexamination	200.00
Late renewal penalty	(+100.00)
	10.00
Duplicate license	5.00

AMENDATORY SECTION (Amending Order PL 442, filed 8/10/83)

WAC 308-51-200 FEES. The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
Operator:	
Written test	\$ 30.00
Practical exam	40.00
Written—Reexam	30.00
Practical—Reexam	40.00
Initial license	30.00
Renewal	30.00
Late renewal penalty	((30.00))
	10.00
Business:	
Application	50.00
Renewal	50.00
Late renewal penalty	((50.00))
	10.00
Duplicate license	5.00

AMENDATORY SECTION (Amending Order PL 442, filed 8/10/83)

WAC 308-152-015 FEES. The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
Veterinarian:	
Initial examination (full)	\$150.00
Retake—Written	100.00
Retake—Practical	50.00
Temporary permit	35.00
Initial license or renewal	30.00
Late renewal penalty	((30.00))
	10.00
	5.00
Duplicate license	10.00
Certification	
Animal Technician:	
Exam fee	50.00
Retake exam	50.00
Initial license or renewal	((20.00))
	21.00
Late renewal penalty	((20.00))
	7.00
Duplicate license	5.00

AMENDATORY SECTION (Amending Order PL 442, filed 8/10/83)

WAC 308-32-090 FEES. The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
Agencies:	
Investigation fee	\$100.00
Original application	200.00
Renewal	250.00
Late renewal penalty	250.00
Debt ((Adjustee)) <u>Adjuster</u> :	
Investigation fee	100.00
Exam or reexam	150.00
Original application	300.00
Renewal	300.00
Duplicate license	5.00
<u>Late renewal penalty</u>	300.00

AMENDATORY SECTION (Amending Order PL 442, filed 8/10/83)

WAC 308-33-105 FEES. The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
Agencies:	
Original license	\$300.00
Renewal	300.00
Transfer of license	150.00
Duplicate license	5.00
Late renewal penalty	300.00
New/ <u>amended</u> contract approval	50.00
New/ <u>amended</u> fee schedule approval	50.00
Branch Office:	
Original application	150.00
Renewal	150.00

Title of Fee	Fee
Transfer of license	75.00
Late renewal penalty	150.00
Duplicate license	5.00
General manager exam fee	50.00

WSR 83-22-061
PROPOSED RULES
HIGHER EDUCATION
PERSONNEL BOARD
 [Filed November 2, 1983]

AMENDATORY SECTION (Amending Order PL 442, filed 8/10/83)

WAC 308-52-315 FEES. The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
Physicians and Surgeons:	
Application	(\$35.00) \$25.00
First exam	100.00
Retake—Exam	100.00
((Application=)) Reciprocity	50.00
License renewal	30.00
Late renewal penalty	10.00
Limited license	55.00
Limited license renewal	15.00
Certification	15.00
Duplicate license	5.00
Disciplinary assessment	30.00
Physician's Assistant:	
Application	25.00
Renewal	10.00
Late renewal penalty	10.00
Duplicate license	5.00

AMENDATORY SECTION (Amending Order PL 442, filed 8/10/83)

WAC 308-29-045 FEES. The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
Collection Agency—Main Office:	
Original application	\$300.00
Investigation (nonrefundable)	200.00
Renewal	300.00
Late renewal penalty	300.00
<u>Re-registration fee after 30 days</u>	<u>1,100.00</u>
Duplicate license	5.00
Branch Office:	
Original application	250.00
Renewal	150.00
Late renewal penalty	150.00
<u>Re-registration fee after 30 days</u>	<u>550.00</u>
((Late penalty=After 30 days	750.00))

REPEALER

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

WAC 114-12-135 Fees.

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:

- Amd WAC 251-04-020 Definitions (temporary appointment; student).
- Amd WAC 251-04-040 Exemptions.
- Amd WAC 251-18-350 Appointment—Temporary.
- New WAC 251-18-360 Appointment—Leave of absence.

The purpose of the proposed changes is to identify different types of temporary assignments/appointments and to identify positions and employees of the higher education institutions/related boards which are exempt from cover of Title 251 WAC;

that the agency will at 9:00 a.m., Friday, November 18, 1983, in the West Ball Room, 2nd Floor, Student Union Building, University of Washington, Seattle, 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.16.100.

The specific statute these rules are intended to implement is chapter 28B.16 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 18, 1983.

This notice is connected to and continues the matter in Notice No. WSR 83-18-064 filed with the code reviser's office on September 7, 1983.

Dated: November 2, 1983

By: John A. Spitz
 Director

WSR 83-22-062
PROPOSED RULES
HIGHER EDUCATION
PERSONNEL BOARD
 [Filed November 2, 1983]

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:

- Amd WAC 251-08-100 Periodic increment date, by adding "from within the institution" to section 3(a) to convey that only persons promoting from within an institution are to have their periodic increment date modified as a result of promotion.
- Amd WAC 251-18-180 Eligible lists—Definition—Composition, by establishing the eligible list which will contain the names of employees wishing to move between institutions in the higher education system.
- New WAC 251-18-347 Permanent classified employee movement between institutions/related

Amd WAC 251-04-020

boards, which will summarize in one place conditions necessary to employee movement between institutions.

Definitions, to permit employee movement between institutions/related boards;

that the agency will at 9:00 a.m., Friday, December 16, 1983, in the Faculty Office/Student Services Building, Shoreline Community College, Seattle, 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 28B.16.100.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 16, 1983.

Dated: November 2, 1983

By: John A. Spitz
Director

STATEMENT OF PURPOSE

This statement is related to the notice filed with the code reviser on November 2, 1983, and is filed pursuant to RCW 34.04.025.

Existing HEPB rules require employees of one institution to complete on an open-competitive basis for positions at other institutions. No recognition is given to their current employee status. The following rule changes were developed by a task team and are proposed by HEPB staff in an effort to provide greater opportunity for employee movement within the higher education system.

Rules Affected: WAC 251-08-100 Periodic increment date.

Purpose of Existing Rule: Specifies conditions for changing or not changing an employee's periodic increment date.

Summary of Proposed Change: "From within the institution" was added to section 3(a) to convey that only persons promoting from within an institution are to have their periodic increment date modified as a result of promotion. Persons promoting from other institutions are to retain their current periodic increment date.

WAC 251-18-180 Eligible lists—Definition—Composition.

Purpose of Existing Rule: Describes various eligible lists from which persons are certified for vacancies.

Summary of Proposed Change: WAC 251-18-180(1)(b) is intended to provide former institution/related board employees who do not successfully complete trial service periods resulting from transfer, lateral movement, voluntary demotion and promotion from other institutions/related boards an opportunity for employment after having been certified to an employing official as one of 5 candidates for a vacancy. WAC 251-18-180(6)(a) establishes on which eligible list the names of employees from other institutions/related boards who wish transfer laterally, move voluntarily, demote or promote will be placed. It also establishes that such employees shall be provided a 5% preference to enhance their standing on the open competitive list.

WAC 251-18-347 Permanent classified employee movement between institutions/related boards.

Purpose of Existing Rule: No rule currently exists.

Summary of Proposed Change: The new section summarizes in one place conditions necessary to employee movement between institutions.

WAC 251-04-020 Definitions.

Purpose of Existing Rule: Provides definitions of terms used in the rules.

Summary of Proposed Change: The following definitions are modified to permit employee movement between institutions/related boards: "Layoff seniority" – deletion of "of the higher education institution" precludes the loss of layoff seniority after moving from one institution/related board to another. "Permanent employee" – modification to the definition establishes additional means of achieving permanent status in the classified service. "Transfer" – deleted section "within the institution" broadens definition of transfer to include movement from one classified position to another in the same class without a break in service anywhere within the jurisdiction of the Higher Education Personnel Board. "Trial service" – modification broadens definition of trial service to include transfer to any class where an employee has not held permanent status at the institution.

Statutory Authority: RCW 28B.16.100, the board's general rule-making authority.

Agency Person Responsible for Rule: Dennis Carlson, Assistant Director, HEPB, FT-11, Olympia 98504, scan 234-0653.

Organization Proposing Change: Higher Education Personnel Board staff.

The agency makes no additional comments/recommendations regarding this proposal.

The change is not the result of federal law or state court action.

AMENDATORY SECTION (Amending Order 105, filed 4/29/83, effective 6/1/83)

WAC 251-08-100 PERIODIC INCREMENT DATE. (1) For purposes of payment of periodic increment increases, the effective date shall be determined as follows:

(a) The first of the current month for actions occurring between the first and the fifteenth of the month; or

(b) The first of the following month for actions occurring between the sixteenth and the end of the month.

(2) The periodic increment date of new employees or probationary employees who are reappointed to a new class during the probationary period shall be established:

(a) Upon completion of the probationary period for those appointed at the first step in the salary range; or

(b) Upon completion of twelve months' service in the class for those appointed at a salary step above the first step in the salary range.

(3) The periodic increment date of all employees shall be changed as follows:

(a) Upon promotion from within the institution, the existing periodic increment date will be eliminated and a new date established to be effective upon completion of the trial service period;

(b) Upon reappointment of a probationary employee during the probationary period, the former periodic increment date will be eliminated and a new date established as provided in WAC 251-08-100(2);

(c) Upon reallocation under WAC 251-06-080(1)(a) of an employee who is at the top step of the current salary range, the employee will be given a new periodic increment date which will be six months following the reallocation action;

(d) When a leave of absence without pay exceeds ten working days in any calendar month, or exceeds ten consecutive working days, the date will be extended by one month, except as provided by WAC 251-22-180 and 251-18-380;

(e) When employees return from layoff status, the date will be reestablished and extended by an amount of time equal to the period of layoff in order to give credit for time served in a salary step prior to layoff;

(f) When a cyclic year position leave of absence without pay exceeds ninety calendar days, the periodic increment date shall be extended on a month-for-month basis. Provisions of WAC 251-08-100(3)(d) shall apply to that period exceeding the ninety calendar days. Cyclic year position employees serving a probationary or trial service period will have their periodic increment dates extended by an amount of time equal to the period in which the employee is on leave of absence without pay;

(g) When employees are reverted from trial service following promotion (or return from alternate appointment), the periodic increment date held prior to promotion or layoff will be reestablished;

(h) When the board or the director order remedial action per WAC 251-12-600, the periodic increment date may be modified as part of the order.

(4) The periodic increment date of all employees shall remain unchanged for all other actions including, but not limited to, transfer within class, appointment to another class with the same or lower salary range maximum, and reallocations except as provided in WAC 251-08-100(3)(c).

(5) The periodic increment date for incumbents of exempt positions which are converted to classified status shall be established as provided in WAC 251-18-420.

AMENDATORY SECTION (Amending Order 61, filed 8/30/77, effective 10/1/77)

WAC 251-18-180 ELIGIBLE LISTS—DEFINITION—COMPOSITION. The various eligible lists are defined as follows:

(1) Institution-wide layoff lists shall be established by class and shall contain the names of:

(a) All permanent and probationary employees laid off or scheduled for layoff in accord with WAC 251-10-030 and 251-10-055. Ranking of eligibles shall be in order of layoff seniority.

(b) Former permanent employees of the institution who (i) have transferred, promoted, voluntarily demoted or laterally moved to positions at other institutions/related boards, and (ii) have not successfully completed their trial service periods at the institution to which they moved. Ranking of eligibles shall be in order of layoff seniority.

(2) Organizational unit promotional lists shall be established by class and shall contain the names of all permanent employees of the organizational unit for which the list is established, who have successfully completed the examination for the class. Ranking of eligibles shall be in order of their final earned rating on the examination, plus any preference credits.

(3) Institution-wide promotional lists shall be established by class and shall contain the names of all permanent employees who have successfully completed the examination for the class, ranked in order of their final earned rating on the examination, plus any preference credits.

(4) Special employment program layoff lists shall be established by class and shall contain the names of permanent employees laid off, scheduled for layoff or removed from service within a class due to layoff conditions in special employment programs as provided in WAC 251-10-035. Ranking of eligibles shall be in order of layoff seniority.

(5) State-wide layoff lists shall be established by class and shall contain the names of permanent employees laid off or scheduled for layoff who have exercised their option per WAC 251-10-060. Ranking of eligibles shall be in order of layoff seniority as provided in WAC 251-10-060(2).

(6) Open competitive/noncompetitive lists:

(a) Open competitive lists shall be established by class and shall contain the names of all candidates who have successfully completed the examination for the class, ranked in order of their final earned rating on the examination, plus any veterans retention preference credits or credits resulting from being in permanent status at another institution/related board. Preference credits resulting from movement indicated above shall be equal to five percent of the employee's final earned rating and will be added to the employee's final passing score.

(b) Noncompetitive lists shall be established by class where the class has been previously approved by the director to be part of the non-competitive service at a particular higher education institution. They shall contain the names of applicants who meet the minimum requirements for the class for which the list is established. The eligibles shall be ranked by priority in time of filing application.

NEW SECTION

WAC 251-18-347 PERMANENT CLASSIFIED EMPLOYEE MOVEMENT BETWEEN INSTITUTIONS/RELATED BOARDS. Permanent classified employees desiring to promote, transfer, laterally move, or voluntarily demote to positions at other institutions/related boards will:

(1) Have the responsibility for communicating their desires in writing to potential receiving institutions/related boards.

(2) Be required to pass the examination for the class administered by the receiving institution/related board.

(3) Have their names placed on the appropriate eligible list as provided in WAC 251-18-180.

(4) Be certified to employing official(s) as provided in WAC 251-18-240.

(5) Serve a trial service period of six months. If the trial service period is not satisfactorily completed, the employee shall be placed on the institution-wide layoff list at the institution/related board from which he/she came.

(6) Be unable to bump if laid off during such trial service period even though layoff seniority will move with employee to the new position.

(7) Retain annual and sick leave balances and accrual rates as if no movement had occurred.

(8) Retain their former periodic increment date.

AMENDATORY SECTION (Amending Order 105, filed 4/29/83, effective 6/1/83)

WAC 251-04-020 DEFINITIONS. Unless the context clearly indicates otherwise, the words used in these rules shall have the meanings given in this section.

"ADMINISTRATIVE ASSISTANT EXEMPTION" - A president or vice president may have individual(s) acting as his/her administrative assistant(s). The employee normally performs supportive work for his/her superior as an individual contributor without subordinates.

"ADMINISTRATIVE EMPLOYEES" - Personnel whose responsibilities require them to spend at least 80% of their work hours as follows:

(1) Primary duty is office or nonmanual work directly related to the management policies or general business operations; and

(2) Must have the authority to make important decisions, customarily and regularly exercise discretion and independent judgment, as distinguished from using skills and following procedures; and

(3) Must regularly assist an executive or administrative employee, or perform work under, only general supervision along specialized or technical lines requiring special training, experience or knowledge; and

(4) Must be paid at a rate of at least \$672 per month exclusive of board, lodging or other facilities.

For persons whose salaries exceed \$1083 per month, the 80% limitation does not apply if the primary duty consists of responsible office or nonmanual work directly related to management policies or general business operations.

"AGRICULTURAL EMPLOYEES" - Employees performing work which includes farming and all its branches, including cultivating the soil, or growing or harvesting crops, or raising livestock, bees, fur-bearing animals, or poultry; or doing any practices performed by a farmer or on a farm as an incident to or in conjunction with such farming operations.

"ALLOCATION" - The assignment of an individual position to an appropriate class on the basis of the kind, difficulty, and responsibility of the work of the position.

"APPOINTING AUTHORITY" - A person or group of persons lawfully authorized to make appointments.

"AVAILABILITY" - An estimate of the number of women, minorities, and handicapped persons who have the skills and abilities required for employment in a particular job group as determined from an analysis of relevant data.

"BOARD" - The higher education personnel board established under the provisions of the higher education personnel law.

"CERTIFICATION" - The act of providing an employing official or appointing authority with the names of the appropriate eligibles to be considered for appointment to fill a vacancy.

"CHARGES" – A detailed statement of the specific incidents alleging cause for dismissal or disciplinary action.

"CLASS" – One or more positions sufficiently similar with respect to duties and responsibilities that the same descriptive title may be used with propriety to designate each position allocated to the class; that the same general qualification requirements are needed for performance of the duties of the class; that the same tests of fitness may be used to select employees; and that the same schedule of pay can be applied with equity to all positions in the class under the same or substantially the same employment conditions.

"CLASSIFIED SERVICE" – All positions in the higher education institutions which are subject to the provisions of the higher education personnel law.

"COLLECTIVE BARGAINING" – The performance of the mutual obligation of the appointing authority and the certified exclusive bargaining representative to meet at reasonable times, to confer and bargain in good faith, and to execute a written agreement with respect to those personnel matters over which the appointing authority may lawfully exercise discretion.

"COMPETITIVE SERVICE" – All positions in the classified service for which a competitive examination is required as a condition precedent to appointment.

"CORRECTIVE EMPLOYMENT PROGRAM" – A program designed to increase the employment of handicapped persons and of women and minorities who are underutilized in certain job groups because of present or past practices or other conditions which resulted in limited employment opportunities.

"COUNSELING EXEMPTION" – Individuals in counseling-exempt positions are responsible for directing and/or participating in providing academic, athletic, medical, career, financial aid, student activity and/or personal counseling to students. Such activities include, but are not limited to, providing individual and group guidance services using recognized professional techniques and practices.

"CYCLIC YEAR POSITION" – A position scheduled to work less than twelve full months each year, due to known, recurring periods in the annual cycle when the position is not needed.

"DEMOTION" – The change of an employee from a position in one class to a position in another class which has a lower salary range maximum.

"DEVELOPMENT" – The attainment through work experience and training of proficiency in skills which will enable the employee to perform higher level duties.

"DIRECTOR" – The personnel director of the higher education personnel board.

"DISMISSAL" – The termination of an individual's employment for just cause as specified in these rules.

"ELIGIBLE" – An applicant for a position in the competitive service who has met the minimum qualifications for the class involved, has been admitted to and passed the examinations, and has met all requirements for eligibility as stated on the bulletin board posting; or an applicant for a position in the noncompetitive service who has met all requirements for eligibility as stated on the bulletin board posting.

"ELIGIBLE LIST" – A list established by the personnel officer, composed of names of persons who have made proper application, met the minimum qualifications, and successfully completed the required examination process to be certified for vacancies in a class at the institution.

"EMPLOYEE" – A person working in the classified service at an institution.

"EMPLOYEE ORGANIZATION" – Any lawful association, labor organization, federation, council, or brotherhood, having as one of its purposes the improvement of working conditions among employees, and which has filed a notice of intent to represent employees with the director, and which has been authorized in accordance with WAC 251-14-020.

"EMPLOYING OFFICIAL" – An administrative or supervisory employee designated by the appointing authority to exercise responsibility for requesting certification, interviewing eligibles, and employing classified employees.

"EXECUTIVE EMPLOYEES" – Management personnel whose responsibilities require them to spend at least 80% of their work hours as follows:

- (1) Primary duty must be management of a recognized department or subdivision; and
- (2) Must customarily and regularly direct the work of two or more employees; and

(3) Must have the authority to hire and fire, or to recommend with authority on these and other actions affecting employees; and

(4) Must customarily and regularly exercise discretionary powers; and

(5) Must be paid at a rate of at least \$672 per month exclusive of board, lodging or other facilities.

For persons whose salaries exceed \$1083 per month, the 80% limitation does not apply if he/she regularly directs the work of at least two other employees and the primary duty is management of a recognized department or subdivision.

"EXECUTIVE HEAD EXEMPTION" – Executive heads of major academic or administrative divisions are analogous in the hierarchy to vice presidents, deans and chairmen. Directors may be executive heads as determined by the higher education personnel board. An executive head is in charge of a separate budget unit and directs subordinates.

"EXEMPT POSITION" – A position properly designated as exempt from the application of these rules as provided in WAC 251-04-040. (Also see separate definitions of "administrative assistant exemption," "executive head exemption," "research exemption," "counseling exemption," "extension and/or continuing education exemption," "graphic arts or publication exemption," and "principal assistant exemption.")

"EXTENSION AND/OR CONTINUING EDUCATION EXEMPTION" – Individuals considered exempt in this category are responsible for originating and developing formal education programs for the general public, usually involving close contact with faculty and staff or training or consulting with specific groups in the community to enable them to provide specialized training and/or services to the community.

"FRINGE BENEFITS" – As used in the conduct of salary surveys, the term shall include but not be limited to compensation for leave time, including vacation, civil, and personal leave; employer retirement contributions; health insurance payments, including life, accident, and health insurance, workmen's compensation, and sick leave; and stock options, bonuses, and purchase discounts where appropriate.

"FULL-TIME EMPLOYMENT" – Work consisting of forty hours per week.

"GRAPHIC ARTS OR PUBLICATION EXEMPTION" – Individuals qualifying for exemption under this category will be involved in performing selected graphic arts or publication activities requiring prescribed academic preparation or special training. Positions of this type are those which use special visual techniques, require original design and layout and/or can be distinguished from positions associated with the standard editorial functions.

"GRIEVANCE" – A dispute filed in accordance with a grievance procedure of a signed collective bargaining agreement.

"HANDICAPPED PERSON" – Any person with physical, mental or sensory impairments that would impede that individual in obtaining and maintaining permanent employment and promotional opportunities. The impairments must be material rather than slight, static and permanent in that they are seldom fully corrected by medical replacement, therapy, or surgical means.

"HEARING EXAMINER" – An individual appointed by the board to preside over, conduct and make recommended decisions including findings of fact and conclusions of law in all cases of employee appeals to the board.

"INSTITUTIONS OF HIGHER EDUCATION" – The University of Washington, Washington State University, Central Washington University, Eastern Washington University, Western Washington University, The Evergreen State College, and the various state community colleges. For purposes of application of these rules, the term shall be considered to include the various related boards as defined in this section, unless specifically indicated to the contrary.

"JOB GROUP" – For affirmative action goal-setting purposes, a group of jobs having similar content, wage rates and opportunities. An EEO job category may consist of one or more job groups.

"JOB CATEGORIES" – Those groupings required in equal employment opportunity reports to federal agencies.

"LATERAL MOVEMENT" – Appointment of an employee to a position in another class which has the same salary range maximum as the employee's current class.

"LAYOFF" – Any of the following management initiated actions caused by lack of funds, curtailment of work, or good faith reorganization for efficiency purposes:

- (1) Separation from service to an institution;
- (2) Separation from service within a class;
- (3) Reduction in the work year; and/or
- (4) Reduction in the number of work hours.

"LAYOFF SENIORITY" – The last period of unbroken service in the classified service (~~of the higher education institution~~). Authorized leave of absence or leave without pay shall not constitute a break in service; however, the time spent on such leave shall not be included in computing seniority except where required by statute and except in the case of cyclic year positions. Permanent employees who are veterans or their unmarried widows/widowers as identified in WAC 251-10-045 shall have added to their unbroken institution service the veteran's active military service to a maximum of five years' credit.

"LAYOFF UNITY" – A clearly identified structure within an institution, which is approved by the director, and within which employment/layoff options are determined in accordance with the reduction in force procedure.

"LEAD" – An employee who performs the same duties as other employees in his/her work group and in addition regularly assigns, instructs and checks the work of the employees.

"NONCOMPETITIVE SERVICE" – All positions in the classified service for which a competitive examination is not required.

"ORGANIZATIONAL UNIT" – A clearly identified structure, or sub-structure of persons employed to achieve a common goal or function under the direction of a single official. An organizational unit may consist of either an administrative entity or a geographically separated activity.

"PART-TIME EMPLOYMENT" – Work of twenty or more hours per week but less than full time employment with an understanding of continuing employment for six months or more.

"PERIODIC INCREMENT DATE" – ("P.I.D.") – The date upon which an employee is scheduled to move to a higher salary step within the range for his/her current class, as provided in WAC 251-08-090 and 251-08-100.

"PERMANENT EMPLOYEE" – An employee who has successfully completed a probationary period at the institution within the current period of employment or trial service period resulting from promotion, transfer, lateral movement, or voluntary demotion from another institution or related board.

"PERSONNEL OFFICER" – The principal employee in each institution/related board responsible for administrative and technical personnel activities of the classified service.

"P.I.D." – Commonly used abbreviation for periodic increment date.

"POSITION" – A set of duties and responsibilities normally utilizing the full or part time employment of one employee.

"PRINCIPAL ASSISTANT EXEMPTION" – Individuals qualifying for exemption under this category function as second-in-command in importance levels. The individual may perform many of the functions of his/her superior in the superior's absence, or alternatively may have major administrative or program responsibilities. Reporting relationships will not be below that of the executive head. In some institutions an executive head may have more than one principal assistant as determined by the higher education personnel board.

"PROBATIONARY PERIOD" – The initial six-month period of employment in a class following appointment from an eligible list of a non-permanent employee of the institution. However, upon prior approval by the board, the probationary period for selected classes may be established for a period in excess of six months but not to exceed twelve months.

"PROBATIONARY REAPPOINTMENT" – Appointment of a probationary employee from an eligible list to a position in a different class.

"PROFESSIONAL EMPLOYEES" – Personnel whose responsibilities require them to spend at least 80% of their work hours as follows:

(1) Primary duty must involve work that requires knowledge of an advanced type in a field of science or learning, customarily obtained by a prolonged course of specialized instruction and study or work that is original and creative in character in a recognized field of artistic endeavor and the result of which depends primarily on invention, imagination, or talent; and

(2) Must consistently exercise discretion and judgment; and

(3) Must do work that is predominantly intellectual and varied, as distinguished from routine or mechanical duties; and

(4) Must be paid at a rate of at least \$737 per month exclusive of board, lodging or other facilities.

For persons whose salaries exceed \$1083 per month, the 80% limitation does not apply if the primary duty consists of work requiring knowledge of an advanced type in a field of science or learning which requires consistent exercise of discretion and judgment.

"PROMOTION" – The appointment as a result of recruitment, examination and certification, of a permanent employee to a position in another class having a higher salary range maximum.

"PROVISIONAL APPOINTMENT" – Appointment made prior to establishment of an eligible list, per the provisions of WAC 251-18-300. A person so appointed is required to apply through the competitive process to be considered for the position on a permanent basis.

"PUBLIC RECORDS" – Any writing containing information relating to conduct of government or the performance of any governmental or proprietary function prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics.

"REALLOCATION" – The assignment of a position by the personnel officer to a different class.

"REASSIGNMENT" – A management initiated movement of a classified employee from one position to another in the same class.

"RELATED BOARDS" – The state board for community college education, the council for postsecondary education, the higher education personnel board, and such other boards, councils and commissions related to higher education as may be established. For purposes of application of these rules, the term "institution" shall be considered to include these related boards, unless specifically indicated to the contrary.

"RESEARCH EXEMPTION" – Individuals in research-exempt positions spend the majority of their time in one or more of the following activities: Identification and definition of research problems, design of approaches or hypotheses and methodology to be used, design of specific phases of research projects, analysis of results, development of conclusion and hypothesis, presentation of research results in publishable form.

"RESIGNATION" – A voluntary termination of employment.

"REVERSION" – The return of a permanent employee from trial service to the most recent class in which permanent status was achieved.

"SUPERVISOR" – Any individual having authority, in the interest of the employer, to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward or discipline other employees, or responsibility to direct them or adjust their grievances, or effectively to recommend such action if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.

"SUSPENSION" – An enforced absence without pay for disciplinary purposes.

"TEMPORARY APPOINTMENT" –

(1) Work performed in the absence of an employee on leave for:

(a) Less than ninety consecutive calendar days (WAC 251-18-350(4));

(b) Ninety or more consecutive calendar days (WAC 251-18-350(2)); or

(2) Formal assignment of the duties and responsibilities of a higher level class for a period of less than ninety consecutive calendar days; or

(3) Performance of extra work required at a work load peak, a special project, or a cyclic work load which does not exceed one hundred seventy-nine consecutive calendar days.

"TRAINING" – Formal and systematic learning activities intended to provide employees with the knowledge and skills necessary to become proficient or qualified in a particular field.

"TRANSFER" – An employee initiated change from one classified position to another in the same class (~~within the institution~~) without a break in service.

"TRIAL SERVICE" – The initial period of employment following promotion, transfer, demotion, or lateral movement into a class in which the employee has not held permanent status at the institution, beginning with the effective date of the change and continuing for six months, unless interrupted as provided in these rules or extended as provided in WAC 251-18-330(5).

"UNDERUTILIZATION" – Having fewer minorities, women, or handicapped persons in a particular job group than would reasonably be expected by their availability.

"UNION SHOP" – A union membership provision which, as a condition of employment, requires all employees within a bargaining unit to become members of an employee organization.

"UNION SHOP REPRESENTATIVE" – An employee organization which is the exclusive representative of a bargaining unit that has been certified by the director as the union shop representative following an election wherein a majority of employees in the bargaining unit voted in favor of requiring membership in the employee organization as a condition of employment.

"UNION SHOP REPRESENTATION FEE" – Employees who are granted a nonassociation right based on religious tenets or teachings of a church

or religious body of which they are members, must pay a representation fee to the union shop representative. Such fee is equivalent to the regular dues of the employee organization minus any monthly premiums for union sponsored insurance programs.

"WRITING" – Handwriting, typewriting, printing, photostating, photographing and every other means of recording any form of communication or representation including letters, words, pictures, sounds; or symbols or combination thereof and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums and other documents.

WSR 83-22-063
PROPOSED RULES
LIQUOR CONTROL BOARD

[Filed November 2, 1983]

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 Packages—Classifications, WAC 314-20-030;

that the agency will at 9:30 a.m., Wednesday, December 7, 1983, in the Office of the Liquor Control Board, 5th Floor, Capital Plaza Building, 1025 East Union Avenue, 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 66.08.030, 66.98.070 and Title 34 RCW.

The specific statute these rules are intended to implement is RCW 66.08.010, 66.08.030(2)(y) and 66.08.050(5).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 7, 1983.

Dated: November 2, 1983

By: Robert D. Hannah
Chairman

STATEMENT OF PURPOSE

Title: WAC 314-20-030 Packages—Classification.

Description of Purpose: To have the board's rules relating to package sizes coincide with the federal requirements pertaining to the statement of the net contents. To preclude the necessity of future amendments for the changes by the industry in fluid ounces of containers of beer. With the more unrestricted language for net contents, the regulation would not have to be amended each time a manufacturer wanted to market a new package. Also provides for "gift packages." Sets maximum contents of 170 fluid ounces for packaged beer.

Statutory Rule—Making Authority: RCW 66.08.030, 66.98.070 and Title 34 RCW.

Statutes Implemented by the Rule: RCW 66.08.010, 66.08.030(2)(y) and 66.08.050(5).

Summary of Rule: The rule provides that no beer may be imported into the state of Washington for use therein in any packages or containers differing in size and case quantities from the manufacturer's original packages of whole barrels, 1/2 barrels, 1/4 barrels, or packaged beer with maximum capacity for individual containers of 170

fluid ounces for packaged beer. Net contents required to be stated on all packaged beer in a clearly legible manner in fluid ounces or in gallons, quarts, pints, and/or fractions thereof. Further provides for gift packages prepared by the beer wholesaler or beer importer consisting of containers differing in case quantities from the manufacturer's original case capacities provided the tax has been paid on the previously purchased beer in accordance with RCW 66.24.290 and provided written approval by the board has been obtained.

Reasons Supporting Proposed Action: To preclude the necessity of future amendments to the rule for changes requested by the industry for various fluid ounce packages. The need for the current revision was occasioned by the petition of a brewery for authorization to market a package size (12/40 oz.) not authorized by the current rule.

Agency Personnel Involved: In addition to the board, the following agency personnel have responsibility for drafting, implementing and enforcing this rule: Jim Halstrom, Supervisor, Mfg/Imp/Whlrs Division, Capital Plaza Building, Olympia, WA 98504, Phone: (206) 753-6282.

Person or Organization Proposing Rule: This rule amendment has been proposed by the Washington State Liquor Control Board; although as hereinbefore noted, there was a petition by a brewery to change the rule to allow one additional authorized package size.

Agency Comments: None.

Necessity of Rule: This rule amendment was not made necessary as a result of federal law or federal or state court action.

Small Business Economic Impact Statement: Cost impact for both small and large businesses is estimated to be zero.

Discussion: The proposed rule amendment does not require any additional reporting or paper work on behalf of either small or large business.

AMENDATORY SECTION (Amending Order 64, filed 1/17/78)

WAC 314-20-030 PACKAGES—CLASSIFICATION (~~(RULE 39)~~). (1) No manufacturer, wholesaler or importer shall sell beer for use in the state of Washington in any packages or containers differing in sizes and (~~(capacities)~~) case quantities from the (~~(following classifications:~~

~~Barrels—Whole barrels, 1/2 barrels, 1/4 barrels;
Packages—24/7 oz., 32/7 oz., 35/7 oz., 36/7 oz., 48/7 oz.,
12/8 oz., 24/8 oz., 35/8 oz., 36/8 oz., 48/8 oz.,
12/11 oz., 24/11 oz., 48/11 oz.,
12/12 oz., 24/12 oz., 48/12 oz.,
12/15 oz., 24/15 oz., 48/15 oz.,
12/16 oz., 24/16 oz., 48/16 oz.,
12/24 oz.,
12/32 oz., 24/32 oz.~~

PROVIDED, HOWEVER, That beer manufactured in a foreign country may be imported and sold within the state in package and case sizes customarily used in such foreign country, and which have been approved for marketing within the United States by the Bureau of Alcohol, Tobacco, and Firearms, U.S. Treasury Department)) manufacturer's original packages.

(2) Net contents—Packaged beer. Net contents shall be stated in a clearly legible manner on the label in fluid ounces or as follows:

- (a) If less than 1 pint, in fluid ounces, or fractions of a pint;
(b) If 1 pint, 1 quart, or 1 gallon, the net contents shall be so stated;
(c) If more than 1 pint, but less than 1 quart, the net contents shall be stated in fractions of a quart, or in pints and fluid ounces;

(d) If more than 1 quart, but less than 1 gallon, the net contents shall be stated in fractions of a gallon, or in quarts, pints, and fluid ounces;

(e) If more than 1 gallon, the net contents shall be stated in gallons and fractions thereof;

(f) The net contents need not be stated on any label if the net contents are displayed by having the same blown, branded, or burned in the container in letters or figures in such manner as to be plainly legible under ordinary circumstances and such statement is not obscured in any manner in whole or in part.

(3) Container size limitations—Barrels. Whole barrels (31 gallons), 1/2 barrels (15.5 gallons), 1/4 barrels (7.75 gallons). Packaged beer—Maximum capacity for individual containers, 170 fluid ounces.

(4) Gift packages. A beer importer or beer wholesaler may prepare and sell "gift packages" consisting of containers of beer differing in case quantities from the manufacturer's original case capacities provided the tax has been paid on the previously purchased beer in accordance with RCW 66.24.290 and provided written approval by the board has been obtained.

WSR 83-22-064
PROPOSED RULES
BOARD OF HEALTH
[Filed November 2, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Health intends to adopt, amend, or repeal rules concerning United States Standard Certificates, amending WAC 248-124-010;

that the agency will at 9:00 a.m., Wednesday, December 14, 1983, in the Seattle-King County Health Department, 10501 Meridian Avenue North, 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 chapter 70.58 RCW.

The specific statute these rules are intended to implement is RCW 70.58.200.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 14, 1983.

Dated: October 31, 1983
By: John A. Beare, MD, MPH
Secretary

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Re: Amending WAC 248-124-010.

The Purpose of the Amended Rules: To update the WAC which specifies the content of the Washington state certificates of birth, fetal death, death, marriage, divorce, and separate maintenance, based on the 1978 standard.

The Reasons this Rule is Necessary: The current WAC refers to the 1968 U.S. standard, while the current certificate is based on the subsequent 1978 U.S. standard. Items on the U.S. standard certificates differed from 1968 to 1978. The current WAC is in conflict with RCW 70.58.200.

Statutory Authority: RCW 70.41.030.

Summary of the Rule or Rule Change: Education of parents is deleted from U.S. standard birth certificate;

confidential section is deleted from license and certificate of marriage; information about divorced couple and confidential section deleted from certificate of divorce, dissolution of marriage, or annulment; and certificate of separate maintenance created.

Person Responsible for the Enforcement of the Rule: Barbara Moore Lewis, State Registrar or Vital Records, Administrative Support Section, Director's Office, Division of Health, DSHS, Mailstop: ET-11, Phone: 753-3845.

Rules Proposed by: Administrative Support Section, Director's Office, Division of Health, DSHS.

These rules are not necessary as a result of federal law, federal court decision or state court decision.

The proposed rule change does not impose an additional cost of compliance and therefore no Economic Impact Statement is required under the Regulatory Fairness Act, Laws of 1982.

AMENDATORY SECTION (Amending Order, filed 9/1/67)

WAC 248-124-010 ADOPTION OF ((U.S.)) UNITED STATES STANDARD CERTIFICATES—MODIFICATIONS. Pursuant to the authority in it vested by the laws of the state of Washington, particularly RCW 70.58.200, the state board of health does hereby adopt and approve for use in the state of Washington effective January 1, ((1968)) 1984 the ((1968)) 1978 revisions of the United States Standard Certificate of Live Birth, Fetal Death, Death (combined physician-coroner form), Marriage, and Absolute Divorce or Annulment as promulgated by the United States Department of Health, Education, and Welfare - Public Health Service as annexed hereto including the following modifications:

Certificate of Live Birth - ((item 10c delete "midwife"
Certificate of Fetal Death - item 12c delete "midwife"
Certificate of Death - ((combine physician-coroner form)) - item 22a delete "medical examiner or"

Certificate of Marriage - delete item 15c "State", add new item "Officiant - Address"; item 17a delete "Local Official making return to State Health Department", substitute "County Auditor making return to State"; item 17b delete "Local Official", substitute "County Auditor"

Certificate of Absolute Divorce or Annulment - item 14c delete "other", substitute "both", delete items 14g "Court Official - signature", 14h "Title of Court Official", 14i "Court - Name", substitute one item "Signature of Clerk of Superior Court") delete item 18 "Education Mother" and item 19 "Education Father"

License and Certificate of Marriage - delete item 21 "Race - Groom"; delete item 22 "Number of this Marriage"; delete items 23a and 23b "If Previously Married, Last Marriage Ended By Death, Divorce, Dissolution, or Annulment, Date"; delete item 24 "Education"; delete item 25 "Race - Bride"; delete item 26 "Number of this Marriage"; delete items 27a and 27b "If Previously Married, Last Marriage Ended By Death, Divorce or Annulment, Date"; delete item 28 "Education".

Certificate of Divorce, Dissolution of Marriage or Annulment - delete item 10 "Date Couple Separated"; delete item 11b "Children Under 18 in this Family"; delete item 15 "Race - Husband"; delete item 16 "Number of this Marriage"; delete items 17a and 17b "If Previously Married, How Many Ended By Death, Divorce, Dissolution or Annulment"; delete item 18 "Education"; delete item 19 "Race - Wife"; delete item 20 "Number of this Marriage"; delete items 21a and 21b "If Previously Married, How Many Ended By Death, Divorce, Dissolution or Annulment"; delete item 22 "Education".

Provided that when a decree of separate maintenance is granted the Certificate of ((Absolute)) Divorce, Dissolution of Marriage or Annulment form as herein above provided shall be used with the following modification:

Title - "Certificate of Separate Maintenance"

Item 14a - "I certify that the following decree was granted on:"
 Item 14b -insert "separate maintenance"

WSR 83-22-065
PROPOSED RULES
BOARD OF HEALTH
 [Filed November 2, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Health intends to adopt, amend, or repeal rules concerning:

Rep WAC 248-18-330 Pharmacy.
 New WAC 248-18-331 Hospital pharmacy.
 Amd WAC 248-18-190 Patient care services, general;

that the agency will at 9:00 a.m., Wednesday, December 14, 1983, in the Seattle-King County Health Department, 10501 Meridian Avenue North, 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 chapter 70.41 RCW.

The specific statute these rules are intended to implement is RCW 70.41.030.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 14, 1983.

Dated: October 31, 1983
 By: John A. Beare, MD, MPH
 Secretary

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Re: Repealing WAC 248-18-330 Pharmacy; new WAC 248-18-331 Hospital pharmacy; and amending WAC 248-18-190 Patient care services, general.

The Purpose of the New and Amended Rules: To update minimum rules and regulations related to responsibility for and handling of drugs in hospitals; and to reduce inconsistencies or duplication with other state regulation, especially regulations issued by the Washington State Board of Pharmacy for pharmacy practice and pharmacy operation.

The Reason These Rules are Necessary: To maintain standards of hospitalization required for safe and adequate care and treatment of patients throughout hospitals in Washington; and to reflect by rule the current knowledge and experience of professionals responsible for and performing functions involving drug use in hospitals.

Statutory Authority: RCW 70.41.030.

Summary of the Rule or Rule Change: Operational rules for hospital licensure are amended to reduce duplication of regulation while protecting public health and safety specifically by: Requiring state Board of Pharmacy approval of pharmacy operation in all hospitals; incorporating patient safety and care requirements related to drug use into appropriate section of WAC; and repealing outdated regulation.

Person Responsible for the Enforcement of the Rule: John Gerth, Section Head, Facility Licensing and Certification Section, OSHPD, Division of Health, Mailstop: ET-31, Phone: 753-5851.

Rules Proposed by: Facility Licensing and Certification Section, OSHPD, Division of Health, DSHS.

These rules are not necessary as a result of federal law, federal court decision or state court decision.

The proposed rule change does not impose an additional cost of compliance and therefore no Economic Impact Statement is required under the Regulatory Fairness Act, Laws of 1982.

AMENDATORY SECTION (Amending Order 216, filed 10/23/81)

WAC 248-18-190 PATIENT CARE SERVICES, GENERAL.
 (1) Policies, procedures, and techniques.

(a) Hospitals shall establish written policies and procedures which specify the criteria for admission of patients to general and specialized patient care service areas and conditions requiring transfer. These policies and procedures shall be based upon the availability of sufficient and appropriate personnel, space, equipment, and supplies to provide care and treatment of patients.

(b) There shall be written patient care policies and procedures designed to guide personnel. The policies and procedures should be reviewed at least one time every two years, revised as necessary, and approved in writing by appropriate representatives of the administrative, medical, and nursing service.

(c) There shall be procedures and provision for personnel to gain immediate access to patient rooms, toilets, showers, and bathrooms should any emergency occur to a patient in any one of these areas.

(d) The hospital shall establish safety policies and procedures for the care of all patients with special consideration for patients who because of age or condition are not responsible for his or her acts.

(e) There shall be policies and procedures addressing protection of patients from assault, abuse, and neglect. All patient care personnel and staff should be oriented and educated regarding preventing and reporting abuse of patients.

(f) Written policies and procedures shall address immediate actions or behaviors of personnel and staff when patient behavior indicates that he or she is assaultive, out of control, or destructive.

(g) Adequate nursing care shall be provided to all patients:

(i) A patient care plan and/or nursing care plan shall be developed by or in conjunction with a registered nurse. There shall be documentation in the medical record of discharge planning.

(ii) Discharge assessment shall be completed on all patients with discharge planning as indicated.

(h) There shall be a reliable method for personal identification of each patient.

(i) A recognized standard procedure for the handling and administration of blood and blood products shall be established. This procedure shall be written and readily available to all personnel responsible for the administration of blood and/or blood products.

(j) A standard isolation technique shall be established and practiced.

(k) There shall be written policies governing smoking by personnel, patients, visitors, and others within the hospital. Policies shall be designed to prohibit smoking where or when smoking may cause discomfort to a patient or constitute a safety hazard.

~~(l) ((Written orders signed by a member of the medical staff shall be required for all medications and medical treatments given to patients:~~

~~(m))) A physical examination and medical history shall be documented within forty-eight hours of admission unless completed within one week prior to admission and incorporated into the medical record.~~

~~((n) A recognized standard procedure for the administration of medications shall be established and carried out. This procedure shall be written and readily available to all personnel responsible for medications:~~

~~(o))) (m) Each patient care service area shall have available current references which are appropriate to the general and specific care provided in that area or unit.~~

~~(n) Written policies and procedures shall be established, available to, and followed by personnel and medical staff in patient care areas~~

who handle, manage, control, prescribe, dispense, or administer medications or drugs. Drugs are those substances and articles defined in chapter 69.41 RCW.

(i) All policies and procedures related to drugs shall be approved by the pharmacist who directs the hospital pharmacy with evidence of discussion of and attention to concerns of an advisory interdisciplinary group minimally to include representatives from medical staff, hospital administration, and nursing service.

(ii) Written order or prescription by members of medical staff authorized by state rule or law to prescribe drugs pursuant to chapter 69.41 RCW shall be required for all medications administered to patients or self-administered by patients within the hospital.

(iii) Medication administration policies and procedures shall be established and followed in patient care areas minimally to address:

(A) Composition of a medication or drug order, i.e., date, type and amount of drug, route, frequency of administration, and authentication by medical staff authorized to prescribe drugs pursuant to chapter 69.41 RCW.

(B) Requirements for authorized personnel administering drugs or medications in accordance with state laws and regulations governing such acts.

(C) Requirements for personnel authorized to receive and record or transcribe verbal or telephone drug orders, in accordance with laws and regulations governing such acts, e.g., pharmacists, physicians, and licensed nurses.

(D) Timely authentication of verbal and telephone orders by medical staff authorized to prescribe drugs, not to exceed forty-eight hours for inpatient orders.

(E) Requirements for specific written orders, identification of drug, administration, handling, proper storage, control, or disposition of medications (drugs) owned by the patient, other than those dispensed by the hospital pharmacy.

(F) Requirements for self-administration of medications.

(iv) Medications located in patient care areas shall:

(A) Be the responsibility of the pharmacist directing the hospital pharmacy;

(B) Bear a legible label including generic and/or trade name and strength according to federal and state law;

(C) Be stored under appropriate conditions and in accordance with general or specific directions of a hospital pharmacist; and

(D) Be accessible only to those personnel authorized access by hospital policy.

(v) Outdated or deteriorated drugs, as indicated by label, shall be prohibited in patient care areas.

(vi) A hospital pharmacist shall be responsible for assuring appropriate disposition, destruction, and disposal of drugs intended for patient use in patient care areas.

(vii) Storage, distribution, record keeping, appropriate dissemination of information, and control of approved investigational drugs or medications used in the hospital shall be the responsibility of the pharmacist who directs hospital pharmacy.

(2) Patient care.

(a) ((Space(s))) Space or spaces of adequate size shall be designated on each nursing unit which has provisions for medical records, access to telephones, a place for recording and reviewing medical records, and provision for confidential communication among personnel and staff.

(b) Utility or materials ((room(s))) room or rooms or space. On or adjacent to each nursing unit an adequate, properly equipped, utility or materials room shall be provided for the preparation, cleaning, and storage of nursing supplies and equipment used on the nursing unit. This utility or materials room shall be so arranged as to provide for separation of clean and soiled supplies and equipment.

(c) Toilet and bathing facilities.

(i) There shall be at least one water closet, lavatory, and bathing facility reserved for patient use on each patient floor, and such additional toilets, lavatories, and bathing facilities to adequately meet the needs of the patients.

(ii) Grab bars properly located and securely mounted shall be provided at patient bathing facilities and water closets.

(iii) Some means of signalling by the patient while in the toilet, tub, or shower room shall be provided in a proper location and shall provide an audio and/or visual signal in the nurses' station or an equivalent area.

(iv) A lavatory shall be provided in or convenient to every toilet room.

(v) Paper towels or some other acceptable type of single use towel and a satisfactory receptacle for used towels shall be provided at all lavatories.

(vi) Soap or equivalent shall be immediately available at sink or lavatory.

(d) Isolation room or unit. Rooms or units which are used for isolation of patients with known or suspected infectious diseases shall contain a lavatory.

(e) Seclusion and/or security room. When special accommodations are provided for seriously disturbed patients, the layout, design of details, equipment, and furnishings shall be such that patients are under close observation and are not afforded opportunities for hiding, escape, injury to self or others.

(f) Storage and handling of drugs in patient care areas.

(i) Medicines, poisons, and other drugs shall be stored in a specifically designated ((and)), well-illuminated ((~~medicine cupboard(s); closet(s); cart(s); cabinet(s); or room(s))~~)), secure space. Drugs shall be accessible only to hospital authorized individuals ((~~authorized to administer or dispense drugs~~)). A means for ((distinct)) separation of internal and external stock drugs ((~~for internal use and those for external use~~)) shall be provided.

(ii) A separate locked drawer, compartment, cabinet, or safe shall be provided for the storage of Schedule II drugs.

(iii) Suitable facilities including ample light, ventilation, sink or lavatory, and sufficient work areas shall be provided for the preparation and storage of drugs for patients.

(g) Patient room facilities.

(i) All patient rooms shall be outside rooms with adequate windows of clear glass or other approved transparent material.

(ii) Single rooms shall contain at least eighty square feet and multi-bed rooms shall contain at least seventy square feet per adult bed and youth bed or crib, and forty square feet per pediatric bassinets.

(iii) Rooms shall have at least seven and one-half foot ceiling height over the required square feet area.

(iv) The floor of any room used for accommodation of a patient shall be less than three feet((-) six inches below grade.

(v) There shall be at least three feet between beds.

(vi) Rooms shall be arranged to allow for movement of necessary equipment to the side of each bed.

(vii) There shall be sufficient and satisfactory storage space for clothing, toilet articles, and other personal belongings of patients.

(viii) Sufficient electrical outlets shall be provided to permit the use of electrical equipment as required.

(h) Patient room furnishings.

(i) An appropriate bed with mattress, pillow, and necessary coverings shall be provided for each patient. Mattresses, blankets, and pillows shall be clean and in good repair.

(ii) There shall be a bedside stand or cabinet and chair for use in each patient room, when appropriate.

(iii) Means for signalling nurses shall be provided within easy reach of each bed, when appropriate.

(iv) A sufficient number of cubicle curtains or screens shall be available to assure privacy for patients, when indicated.

(v) A properly designed bed lamp shall be provided at each bed, when appropriate.

(3) Supplies and equipment for patient care.

(a) There shall be sufficient, safe, and appropriately maintained equipment and supplies for patient care.

(b) Bedside utensils supplied to patients shall be for individual use only.

(c) All supplies and equipment used in patient care shall be properly cleaned and/or sterilized between use for different patients.

(d) Methods for cleaning, handling, and storing all supplies and equipment shall be such as to prevent the transmission of infection through use.

(e) Equipment and furnishings, including medical and nonmedical devices, shall be safe, located, and arranged in a manner which does not endanger patients.


NEW SECTION

WAC 248-18-331 HOSPITAL PHARMACY. Each hospital shall provide evidence of current approval by the Washington state board of pharmacy pursuant to chapter 18.64 RCW and chapter 360-17 WAC.

REPEALER

The following section of the Washington Administrative Code is repealed:

(1) WAC 248-18-330 PHARMACY.


WSR 83-22-066
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Order 2033—Filed November 2, 1983]

I, David A. Hogan, director of the Division of Administration and Personnel, do promulgate and adopt at Olympia, Washington, the annexed rules relating to AFDC—Eligibility, amending chapter 388-24 WAC.

This action is taken pursuant to Notice No. WSR 83-17-041 filed with the code reviser on August 12, 1983. 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 October 5, 1983.

By David A. Hogan, Director
Division of Administration and Personnel

AMENDATORY SECTION (Amending Order 1856, filed 8/6/82)

WAC 388-24-040 AID TO FAMILIES WITH DEPENDENT CHILDREN—SUMMARY OF ELIGIBILITY CONDITIONS. Effective August 23, 1983, AFDC shall be granted in behalf of a needy child:

(1) Who is under the age of eighteen years;

(a) ((Effective ~~October 1, 1981~~)) AFDC may be granted on behalf of an unborn child, provided there is medical confirmation ((that)) the mother is in the third trimester of pregnancy. The third trimester is defined as the three calendar months preceding the expected month of birth. Acceptable source of medical confirmation is a written statement from a licensed medical practitioner confirming pregnancy and the expected date of birth.

(b) AFDC shall be continued through the month the child reaches the maximum age.

(2) Who is a resident of the state of Washington, or who lives with a parent or other relative who is a resident of the state of Washington – see WAC ((388-26-050)) 388-26-055 through 388-26-105;

(3) Who is deprived of parental care and support because of death, continued absence, unemployment, or incapacity of a parent or stepparent – see WAC 388-24-055 through ((388-24-070)) 388-24-074. If unemployment of a parent or stepparent is the basis of deprivation, all provisions of WAC 388-24-074 apply;

(4) Whose parent or stepparent, if incapacitated, does not refuse available medical treatment without good cause as specified in WAC ((388-24-065(6))) 388-24-065(12);

(5)(a) Who is living in the home of a relative of specified degree, except for a temporary period, as provided in WAC 388-24-125; or

(b) Who, as a result of judicial action, was removed from his or her home and placed in foster care after April 30, 1961, and who meets the conditions specified in WAC 388-24-207;

(6) Who is a citizen or an alien lawfully admitted for permanent residence or otherwise permanently residing in the United States as described in WAC 388-26-120;

(7) Whose parent or stepparent has not transferred property contrary to law or DSHS rules in WAC 388-28-457 through 388-28-465;

(8) Who is in financial need – see chapters 388-28 and 388-33 WAC;

(9) ((Effective ~~January 1, 1982~~)) Who is a child eighteen years of age and under nineteen years of age who is a full-time student reasonably expected to complete a program of secondary school, or the equivalent level of vocational or technical training, before the end of the month in which nineteen years of age is reached.

(10) The applicant's written statement of application for AFDC must include all children under eighteen years of age living in the home who are full or half brothers or sisters or stepbrothers or stepsisters whether or not financial assistance is being requested for all of the children. Total resources and income available for all such children and their parents or stepparents in the home must be declared by the person applying in behalf of the children.

(11) For persons to be included in the AFDC assistance unit, see WAC 388-24-050.

AMENDATORY SECTION (Amending Order 1792, filed 4/14/82)

WAC 388-24-042 AID TO FAMILIES WITH DEPENDENT CHILDREN—ELIGIBILITY OF STRIKERS. Effective August 23, 1983:

(1) Eligibility for AFDC or refugee assistance does not exist when any ((~~caretaker relative~~)) parent or stepparent with whom the child lives is, on the last day of the month, participating in a strike.

(2) Eligibility for AFDC or refugee assistance does not exist when the only child or all children in an AFDC assistance unit is/are, on the last day of the month, participating in a strike.

(3) Eligibility for the eligible ((~~caretaker~~)) parent or stepparent and siblings will be determined without regard to the needs of a child in the home who, on the last of the month, is participating in a strike.

(4) The term "strike" includes any strike or other concerted stoppage of work by employees (including a stoppage by reason of the expiration of a collective-bargaining agreement) and any concerted slowdown or other concerted interruption of operations by employees.

AMENDATORY SECTION (Amending Order 1644, filed 4/27/81)

WAC 388-24-050 AID TO FAMILIES WITH DEPENDENT CHILDREN—ASSISTANCE UNIT. Effective August 23, 1983, AFDC is paid to eligible persons on an assistance unit basis. Assistance units shall be composed of groups of persons residing together as follows:

(1) A single assistance unit shall be established for:

(a) The eligible ~~((child(ren)))~~ child or children; and

(i) The eligible natural ~~((or))~~ parent or parents, if married, or paternity has been established by a court order (this includes a paternity and consent affidavit notarized and filed with vital statistics for uncontested cases), adoptive ~~((parent(s)))~~ parent or parents, or ~~((stepparent(s)))~~ stepparent or stepparents, with whom the ~~((child(ren)-lives))~~ child or children live; or

(ii) In lieu of a parent, one needy relative caretaker of specified degree with whom the ~~((child(ren)-lives))~~ child or children live and whose eligibility depends solely on caring for the ~~((child(ren)))~~ child or children.

(b) The eligible child or children and one parent, if both natural, unmarried parents are living together, but paternity has not been established by a court order (see subsection (1)(a)(i) of this section).

~~((fb))~~ (c) Only the eligible ~~((child(ren)))~~ child or children when:

(i) The ~~((child(ren)-parent(s)))~~ child or children's parent or parents is not eligible; or

(ii) The ~~((child(ren)-lives))~~ child or children live with a nonneedy relative of specified degree ~~((who-is))~~ not legally responsible for the support of the ~~((child(ren)))~~ child or children; or

(iii) The ~~((child(ren)-lives))~~ child or children live with a needy nonresponsible relative of specified degree ~~((who-receives))~~ receiving SSI; or

(iv) The ~~((child(ren)-is))~~ child or children are a recipient of AFDC-FC~~((:))~~.

~~((te))~~ (d) Only the eligible ~~((parent(s)))~~ parent or parents, or needy caretaker relative of specified degree, when the only child, or all the children, has been deleted from the grant because of receiving income from SSI~~((:))~~.

~~((td))~~ (e) Only the eligible ~~((parent(s)))~~ parent or parents when the only child is unborn.

(2) Two assistance units are necessary when:

(a) The responsible relative must temporarily reside apart from his or her family to secure training in accordance with an approved plan. Refer to WAC 388-24-125;

(i) One assistance unit is maintained for the family members in the home; and

(ii) A separate assistance unit is established for the relative in training~~((:))~~.

(b) The ~~((child(ren)-lives))~~ child or children live with a nonresponsible relative of specified degree who is a member of another assistance unit.

(3) Two or more assistance units are necessary when two or more persons not married to each other~~((:))~~ each has ~~((his/her))~~ his or her own ~~((child(ren)))~~ child or children, and there is no child in common; a separate

assistance unit is established for each parent and ~~((his/her))~~ his or her eligible ~~((child(ren)))~~ child or children.

(4) When a relative of specified degree is eligible to receive assistance for two or more children for whom ~~((he/she))~~ he or she is not legally responsible~~((:))~~:

(a) One assistance unit is established for each group of children who are siblings; and

(b) A separate assistance ~~((unit(s)))~~ unit or units is established for each of the other nonsibling children.

AMENDATORY SECTION (Amending Order 1338, filed 9/18/78)

WAC 388-24-055 AID TO FAMILIES WITH DEPENDENT CHILDREN—REGULAR—DEPRIVATION OF PARENTAL SUPPORT OR CARE. Effective August 23, 1983:

(1) "Parent" as used in this and following sections means a natural or adoptive parent or stepparent.

(a) An adoptive parent has the same rights and responsibilities as a natural parent in respect to the adopted child.

(b) A stepparent, legally married to a child's parent has the same rights and responsibilities as a natural parent for the care and support of his or her stepchild. See WAC 388-28-350.

(2) A child deprived of parental support or care may or may not be in financial need. Need is a factor to be determined separately.

(3) Deprivation of a child of unmarried parents when paternity has been established by a court order (see WAC 388-24-050(1)(a)(i)) is determined on the same basis as a child of married parents.

(4) A child living with a parent and an individual assuming the role of spouse of the parent is deprived because of the absence or death of the other natural or adoptive parent. The responsibility of the ~~((assumptive))~~ presumptive spouse to support the child is a financial need factor only - see WAC 388-28-355. Also see WAC 388-24-108 through 388-24-114 in respect to support from the absent parent.

AMENDATORY SECTION (Amending Order 1907, filed 11/17/82)

WAC 388-24-070 AID TO FAMILIES WITH DEPENDENT CHILDREN—REGULAR—DEPRIVATION DUE TO CONTINUED ABSENCE FROM HOME. Effective August 23, 1983:

(1) Determination whether a child has been deprived of parental support or care is made in relation to a child's natural parent or parents, if married, or paternity has been established by a court order, adoptive parent, or stepparent, and the term parent as used in this section refers to any of those relationships.

(2) Continued absence of a parent from the home establishes deprivation of parental support or care when:

(a) The parent is living out of the home in which the child resides, and

(b) The nature of the absence interrupts or terminates the parent's functioning as a provider of maintenance, physical care, or guidance for the child, and

(c) The known or indefinite duration of the absence precludes counting on the parent's performance of his or her function in planning for the present support or care of the child.

(3) Absence from the home is considered as "being continued" when the situation has, or is likely to have, a degree of permanency in contrast to a purely temporary disruption of family life. The following are examples of situations (~~which are~~) considered to meet this requirement:

(a) Absence as the result of legal action;

(i) The parents are divorced or divorce action has been filed; or the marriage has been annulled; or a petition has been filed requesting dissolution of the marriage because the marriage is irretrievably broken; or a separation contract has been filed with the court containing provisions for maintenance, property disposition, custody of children, support, and visitation; or a written separation contract has been published in a legal newspaper, in lieu of a court decree.

(ii) Absence due to divorce is overcome by remarriage of the child's natural or adoptive parent with whom he or she lives.

(iii) If the natural or adoptive parents, in spite of the legal action, resume living together, there is no longer deprivation on the basis of absence.

(b) Absence due to separation, desertion, or abandonment;

(i) There is a clear disassociation of one or both parents from their normal family relationship.

(ii) If the separation, desertion, or abandonment has existed at least thirty days prior to application and there is no indication (~~that~~) the absence will not continue, deprivation is considered established.

(iii) Deprivation may be established if the absence has existed for less than thirty days prior to application only when there is sufficient information as determined by the CSO showing the absence can be expected to continue. The type of information and basis of determination must be documented in the case record.

(iv) If application is made by a nonresponsible relative on behalf of a child who has not been placed in his or her custody through a court order, whose parent or parents though able have failed to support the child, apparent abandonment shall be assumed and the policies outlined in WAC 388-24-114 shall apply.

(c) Absence of unmarried parents when paternity has been established by a court order (see WAC 388-24-050(1)(a)(i));

If the parents have not maintained a home together, deprivation is established. If the parents have maintained a home together and one parent has left the home, the situation should be evaluated as provided in subsection (3)(b) of this section.

(d) Absence due to other reasons:

(i) Parent confined to an institution and is expected to remain for more than thirty days. A parent who is incarcerated but participating in a work release program is considered to be in an institution.

(ii) Parent has been deported.

(iii) Parent has been convicted of an offense and has been required by the court to perform unpaid work or

community service during the workday while being permitted to reside in the family home.

(A) The basis of deprivation will be continued absence, and the needs of the convicted parent will not be included in the determination of eligibility or the payment of the family grant.

(B) A convicted parent earning income outside of the hours of sentenced unpaid work or community service shall have such earnings treated in accordance with WAC 388-28-500.

(4) The rules in this section shall apply to applications which are pending and/or made on or after October 1, 1982, and to recipients when case actions occur or when a periodic desk review is completed on or after October 1, 1982.

NEW SECTION

WAC 388-24-074 AID TO FAMILIES WITH DEPENDENT CHILDREN-EMPLOYABLE-DEPRIVATION DUE TO UNEMPLOYMENT OF A PARENT. Effective August 23, 1983, to be eligible for AFDC-E, an applicant shall be a child whose qualifying parent meets the requirements in this section.

(1) The qualifying parent is that parent earning the greater amount of income in the last twenty-four month period, the last month of which immediately precedes the month in which the application for assistance is filed.

(a) If the client and CSO cannot secure verification of earnings for this period, the CSO shall designate the qualifying parent using the best evidence available.

(b) The earnings of both parents are considered in determining the qualifying parent, regardless of when the relationship began.

(c) The designated qualifying parent remains the qualifying parent for each consecutive month the family remains on assistance based on the current application.

(d) If both parents earned an identical amount of income, the CSO shall designate the qualifying parent.

(2) The child must be deprived of parental care and support because of the unemployment of a natural parent, if married or paternity has been established by a court order, adoptive parent, or stepparent who satisfies all the requirements in this section to qualify the assistance unit.

A parent or stepparent is considered to be unemployed when:

(a) He or she is employed less than one hundred hours a month, or

(b) He or she exceeds that standard for a particular month if his or her work is intermittent and the excess is of a temporary nature as evidenced by the fact he or she was under the one hundred hour standard for the two prior months and is expected to be under the standard during the next month.

(3) The qualifying parent or stepparent must have been unemployed as defined in subsection (2) of this section for at least thirty days prior to the date AFDC-E is authorized.

When AFDC-E is terminated due to full-time employment of the unemployed parent or stepparent, no additional waiting period is required if the full-time employment ends within thirty days of termination and the

individual reapplies and is found otherwise eligible for AFDC-E.

(4) The qualifying parent or stepparent must not have refused a bona fide offer of employment or training for employment or has not voluntarily left a job without good cause during the same thirty-day period.

(5) The child must meet the eligibility conditions specified in WAC 388-24-040 and 388-24-090 through 388-24-125.

(6) The child's parent or stepparent:

(a) In WIN areas, must be registered for the WIN/E&T program unless exempted by WAC 388-24-107.

(b) In non-WIN areas:

(i) Must be registered for employment with the local DES office, and

(ii) Is registered for E&T unless exempted by WAC 388-24-107.

(7) The qualifying parent or stepparent, if eligible for unemployment compensation, has not refused to apply for or accept such compensation.

(8) The qualifying parent or stepparent:

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

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

(9) The qualifying parent or stepparent:

(a) In non-WIN areas is registered for and accepts on an ongoing basis employment and training services.

(b) In WIN areas is registered for and accepts the services defined in subsection (9)(a) of this section if not accepted into a WIN component.

(10) The child must be living with both natural parents, if married or paternity has been established by a court order, adoptive parents, or a parent and stepparent except that one may be temporarily absent to search for employment with the expectation of continuing to live with the family.

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

(12) The rules in this section are effective July 1, 1983.

AMENDATORY SECTION (Amending Order 1644, filed 4/27/81)

WAC 388-24-090 ELIGIBILITY CONDITIONS APPLICABLE TO AFDC-EMPLOYMENT OR TRAINING. Effective August 23, 1983:

(1) All AFDC applicants and recipients are subject to WIN or employment and training (E&T) registration as provided in WAC 388-24-107.

(2) A WIN/E&T registrant, unless a volunteer, (~~(who fails))~~ failing to cooperate in appraisal prior to certification shall be subject to the provisions of WAC 388-57-056.

(3)(a) An AFDC recipient, unless a volunteer, (~~(who has been))~~ certified for the work incentive (WIN) program and (~~(who is))~~ determined by DES to have refused employment or training or participation in the WIN program without good cause shall be subject to provisions of WAC 388-57-061.

(b) An AFDC recipient, unless a volunteer, (~~(who has been))~~ certified for the E&T program and (~~(who is))~~ determined by DSHS to have refused employment, training, or participation in the E&T program without good cause shall be subject to provisions of WAC 388-57-061.

(4) A child's eligibility is not affected by the WIN/E&T registration requirement for the parent or needy caretaker relative in the AFDC-R program. A child's eligibility is affected by the WIN/E&T requirement for the unemployed qualifying parent in the AFDC-E program.

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

AMENDATORY SECTION (Amending Order 1924, filed 12/15/82)

WAC 388-24-107 ELIGIBILITY CONDITIONS APPLICABLE TO AFDC-R AND AFDC-E-REGISTRATION FOR WIN/EMPLOYMENT AND TRAINING. Effective August 23, 1983:

(1) As a condition of eligibility for AFDC, every individual shall register for and participate in the WIN or employment and training (E&T) program and/or the intensive applicant employment services project (~~(and participate for the maximum of thirty days))~~ unless such individual is:

(a) A dependent child under age sixteen or age sixteen but not yet nineteen and is ((enrolled as)) attending full time, or has been accepted for enrollment as((;)) a full-time student for the next school term, in ((a)) an elementary or secondary school, or the equivalent level of vocational or technical training, and reasonably expected to complete such course ((during)) prior to the end of the month he or she reaches nineteen;

(b) A person who is ill, incapacitated, or sixty-five years of age or older((Cost of a physical or psychiatric examination is authorized when the examination is to determine employability for registration or participation in the WIN/E&T program:));

(i) Temporary illness or incapacity provides WIN/E&T exemption only for the period of a documented condition of unemployability. Exemption terminates when the condition ceases.

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

(c) A person residing outside a WIN/E&T area or at a location so remote from a WIN/E&T project that his or her effective participation is precluded;

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

(e) A parent or other needy caretaker relative of a child under the age of six (~~who is~~) personally providing care for the child, with only brief and infrequent absences from the child; or

(f) A person employed at least thirty hours per week.

(g) A woman in the third trimester of pregnancy.

(h) The parent of a child when the other parent or stepparent is in the home and is not exempted by subsection (1)(a), (b), (c), (d), (e), (f), or (g) of this section.

~~(2) ((For those applicants only in areas subject to the intensive applicant employment services work demonstration project where applicants are required to participate unless exempted, exemption is allowed only to a parent or other needy caretaker relative caring for a child under the age of three. This requirement shall cease when participation is completed to the extent required but not to exceed thirty days from the date of application, except for those applicants/recipients residing in an area subject to the job search requirement of eight weeks.~~

~~(3))~~ Any applicant or recipient has a right to a fair hearing to contest a determination of nonexempt status and shall be considered as exempt until his or her status is finally determined. (See WAC 388-57-090.)

~~((4))~~ (3) The requirements of any individual, other than the parent qualifying the assistance unit for AFDC-E, failing to register as required under subsection (1) of this section shall not be taken into account in determining the requirements of the assistance unit and the amount of assistance, and assistance will be granted to the eligible members of the assistance unit.

~~((5))~~ (4) An exempt parent caretaker of a child shall be advised of his or her option to register if he or she so desires, and of the fact child care will be provided if needed. Other exempted individuals may volunteer to register, subject to acceptance of such registration by DES.

~~((6))~~ (5) When an AFDC recipient classified as exempt from WIN/E&T registration reports any change affecting the exempt status, he or she shall be registered within thirty days after the report. If a change is not reported, exempt or nonexempt status will be determined at the next review unless the department becomes aware an AFDC recipient's exempt status has changed. Then the recipient shall be notified he or she shall be registered within thirty days.

~~((7))~~ (6) The department's financial service unit shall determine which AFDC applicants or recipients are

exempt from registration and which are required to register as a condition of eligibility.

AMENDATORY SECTION (Amending Order 1783, filed 4/1/82)

WAC 388-24-125 ELIGIBILITY CONDITIONS APPLICABLE TO AFDC—LIVING IN HOME OF RELATIVE OF SPECIFIED DEGREE. Effective August 23, 1983:

(1) Relationship of child to relative:

(a) A dependent child to be eligible for AFDC-R must be living with one or more of the following relatives in a place of residence the ~~((relative(s)))~~ relative or relatives maintains as his or her own home:

(i) Blood relatives (including those of half-blood); father, mother, brother, sister, uncle, aunt, first cousin, nephew, or niece. Relationships to persons of preceding generations as denoted by the prefixes of grand, great, or great-great are within this definition.

(ii) Stepfather, stepmother, stepbrother, and stepsister. Adoption of a child by a stepparent changes the relationship from stepparent to adoptive parent.

(iii) Persons who legally adopt a child. Relatives of persons who adopt children are included within the definition of "relative" as defined in this section.

(iv) Spouse of any persons named in this section are within the scope of this provision, although the marriage is terminated by death or divorce.

(b) A child eligible for AFDC-E must be living with both natural parents, if married, or adoptive parents, or a parent and stepparent. A child of unmarried parents is included if paternity has been established by a court order (see WAC 388-24-050(1)(a)(i)). In order to determine members of the assistance unit, see WAC 388-24-050 also.

(c) A child eligible for AFDC-FC must live in a licensed family foster home, nonprofit group home, or nonprofit child care institution.

~~((c))~~ (d) The unborn child is considered to be living with the mother.

(2) Verification of relationships – relative to child and parents to each other.

All relationships shall be verified in accordance with WAC 388-38-200.

(3) Other considerations in determining when child is living in home of relative of specified degree.

(a) "Living in home of relative" means ~~((that))~~ the child is an accepted member of a family unit, and therefore, has a close and direct relationship with a specified relative ~~((who has assumed))~~ assuming parental responsibility for the care, guidance, and control of the child.

(b) The "home" is a family setting ~~((which is))~~ maintained or ~~((is))~~ in the process of being established for the benefit of the family group. A home exists as long as the responsible relative exercises responsibility for the care and control of the child, even though circumstances may require the temporary absence of either the child or the responsible relative from the customary family setting. Such temporary separations include:

(i) Temporary care of the child or the responsible relative in a hospital or public or private institution when

the illness is such that a return to the family can be expected and parental responsibility continues. If the temporary care exceeds ninety days, the monthly grant standard shall be as specified in WAC 388-29-125.

(ii) Attendance of a child in school when the purpose is primarily for obtaining an education or vocational training(~~(;)~~). The responsible relative retains full responsibility for the child and the child returns home during a year's period, at least for summer vacation. The monthly grant standard for a child attending school away from home shall be as specified in WAC 388-29-145. However, even temporary absence of a child from his or her home for this purpose makes a child ineligible for AFDC unless the attendance at the school is due to:

(A) Need for specialized education and training not available in the child's home community, and such specialized education is recommended by local school authorities, or

(B) Isolation of the child's home making it necessary for him or her to be away from home to attend school.

(C) Enrollment on or after September 1, 1981, in an Indian boarding school administered through the Bureau of Indian Affairs.

(iii) Visits in which the child or responsible relative is away from home for ninety days or less, including visits of a child to a parent residing away from the child's customary family home. If the responsible relative or child leaves the home for more than ninety days, eligibility is redetermined in accordance with the new circumstances.

(iv) Attendance in a vocational training program when (~~(it)~~) attendance is necessary for a responsible relative to reside temporarily apart from his or her family to secure the training. Absence is considered temporary for the period of time required to complete the training program, if the responsible relative retains parental responsibility for the child during the absence and plans to return to the home upon completion of training.

(A) CSO approval is required for the training plan. (See WAC 388-57-028(2).)

(B) A separate assistance unit shall be established for the responsible relative in training away from home.

(v) Temporary placement of the child in foster care while the parent is temporarily receiving care in a residential treatment facility, where such absences do not exceed thirty days.

(c) An AFDC payment can be made for a child who is a ward of the juvenile court, or other agency to whom the court has delegated authority, if all other eligibility factors have been met and the relative of specified degree actually carries out the everyday care, control, and supervision of the child.

(d) An AFDC payment cannot be made if the court, or other agency to whom the court has delegated authority, has physical custody of the child and carries out the actual day-to-day care, control, and supervision of the child.

(e) An AFDC payment can be made to the caretaker relative in behalf of a child even if the child is in foster care. The caretaker relative can apply for and receive AFDC for (~~(himself/herself)~~) himself or herself and the

child for thirty days, even though the child is not physically in the custody of the relative if:

(i) The caretaker relative is otherwise eligible,

(ii) The child is returned to the relative's home before the end of (~~(that)~~) the thirty-day assistance period,

(iii) No AFDC payments are being made for the child, either in another relative's home or through AFDC-FC in (~~(that)~~) the same thirty-day period.

AMENDATORY SECTION (Amending Order 1728, filed 12/4/81)

WAC 388-24-137 CONTINUATION OF ASSISTANCE WHEN DEPRIVATION CEASES. Effective August 23, 1983:

(1) When deprivation due to incapacity or absence ceases and the family remains in need, the CSO shall determine if any other basis for deprivation exists.

(2) If there is no deprivation due to death or incapacity after deprivation due to absence ceases, assistance will be discontinued at the end of the calendar month in which deprivation due to absence ceases unless one of the parents qualifies the assistance unit for AFDC-E.

AMENDATORY SECTION (Amending Order 1704, filed 9/25/81)

WAC 388-24-265 CONSOLIDATED EMERGENCY ASSISTANCE PROGRAM (CEAP)—ELIGIBLE PERSONS. Effective August 23, 1983:

(1) CEAP shall be provided when the child:

(a) Is under eighteen years of age, and

(b) Is living with a parent or other relative as specified in WAC 388-24-125(1)(a)(i), or

(c) Has lived with such relative within the six months prior to the month in which assistance is requested;

(d) Is in emergent need and the need is not due to his or her or such relative's refusal without good cause to accept employment.

(2) The following (~~(are eligible for emergency assistance)~~) may be included in the assistance unit:

(a) ~~The ((child(ren)))~~ child or children under the age of eighteen.

(b) Both parents, if married or if paternity has been established by court order (see WAC 388-24-050(1)(a)(i)). Otherwise, only the mother shall be included.

~~((b))~~ (c) The needy caretaker relative or relatives with whom the ((child(ren) lives)) child or children live.

~~((c))~~ (d) Migrant workers with dependent children.

~~((d))~~ (e) The ((parent(s))) married parents of an unborn child when pregnancy is confirmed. If unmarried, only the mother shall be included.

~~((e))~~ (f) A child under the age of eighteen not currently living in the home of a relative, if he or she qualifies under WAC 388-24-255(3).

~~((f))~~ (g) Children and families not eligible for assistance because of their alien status.

(3) Emergency assistance:

(a) May be paid to the recipient by warrant or by vendor payment.

(b) Shall be utilized for applicants from another state only when such individuals are:

(i) Detained in Washington for reasons beyond their control and as a result of events which could not have been reasonably anticipated; or

(ii) They have decided to become residents.

WSR 83-22-067
PROPOSED RULES
BOARD OF
INDUSTRIAL INSURANCE APPEALS

[Filed November 2, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Board of Industrial Insurance Appeals intends to adopt, amend, or repeal rules concerning WAC 263-12-015, 263-12-045, 263-12-115 and 263-12-160 relating to rules of practice and procedure before the Board of Industrial Insurance Appeals;

that the agency will at 9:30 a.m., Wednesday, December 21, 1983, in the Auditorium, Office Building No. 2, 12th Street and Franklin, 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 December 21, 1983.

The authority under which these rules are proposed is RCW 51.52.020, chapter 23, Laws of 1961.

The specific statute these rules are intended to implement is chapter 52.52 [51.52] RCW and chapter 301, Laws of 1983.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 21, 1983.

Dated: November 2, 1983

By: Michael L. Hall
Chairman

STATEMENT OF PURPOSE

The following is submitted in compliance with RCW 34.04.025 as amended by section 3, chapter 324, Laws of 1981 and RCW 34.04.045 as amended by section 10, chapter 186, Laws of 1980.

This statement accompanies a "notice of intention to adopt, amend, or repeal rules" relating to the rules of practice and procedure before the Board of Industrial Insurance Appeals now contained in chapter 263-12 WAC. Also enclosed in bill form are the substantive changes of the various sections of that chapter which are to be amended following public hearing. The statutory authority for the rules is founded in Title 51 RCW, and particularly the board's general procedural rule-making authority contained in RCW 51.52.020.

The amendments are aimed at clarifying the meaning and intent of certain rules which have the potential for causing undue expense to agency users and unnecessary delay in the completion of appeals before the board. Secondly, it was felt necessary to more specifically set forth duties and responsibilities of agency employees and to be responsive to public input for more effective service

to those who have occasion to use the agency. Finally, a new section is proposed to be made permanent, there having been an emergency rule required because of the effective date of new legislation relating to the payment of interest on awards in certain qualifying industrial insurance appeals.

Although the board members are solely responsible for the proposing and drafting of the proposed rules and rule amendments, the following agency personnel are also charged with the implementation and enforcement of the rules of practice and procedure: The confidential secretary to the board members, the statutory executive secretary of the board, the chief industrial appeals judge, the assistant chief industrial appeals judges, and the industrial appeals judges responsible for conducting hearings. These persons are officed at the board's headquarters in Olympia, Capital Center Building, Phone 753-6823, and in Seattle at the board's branch office, Genetic Systems Building, 3005 1st Avenue, Phone 464-6550.

WAC 263-12-015(1) is a "housekeeping" change to cause the designation of the chairperson of the agency to be so denominated in the board's rules. Subsection 4(b) of that section is being amended to illustrate the chain of supervision over the agency's hearings officers.

WAC 263-12-045 incorporates a minor change in subsection 2(h) to eliminate an improper gender reference. Subsection 3 is being amended to reflect the long-standing practice that the chief industrial appeals judge has authority over the substitution of trial level hearings officers for the agency.

WAC 263-12-115 is being restructured beginning with subsection 5 which following amendment will refer only to interlocutory appeals to the board pertaining to confidentiality of trade secrets in WISHA cases. Existing subsections 6, 7 and 8 are being renumbered subsections 7, 8 and 9. A new subsection 6 is added relating to the authority of the chief industrial appeals judge or designee to review interlocutory rulings on matters of procedure or evidence, a service which this agency heretofore has not specifically provided within its rules of procedure framework. Subsection 8 is being restructured to clarify that the action of an industrial appeals judge assigned to a case pertaining to a party's failure to present evidence when due is reviewable and does not lie in the sole discretion of the industrial appeals judge. In addition a portion of that section has been restructured and added to the following subsection. Subsection 9 is restructured to incorporate appropriate references required by earlier amendments. A new subsection 10 is being added to clarify the explicit responsibility of the industrial appeals judge in permitting offers of proof.

A new section, WAC 263-12-160, is being added to the chapter. The section is prompted by the enactment of the legislature of chapter 301, Laws of 1983 which places the duty upon the board to fix interest in certain qualifying industrial insurance appeals. The rule sets forth the obligation of the party required to make payment of interest and the duty of attorneys representing party litigants to assist the board in gathering information necessary to enter its order fixing interest.

AMENDATORY SECTION (Amending Order 12, filed 12/2/82)

WAC 263-12-015 ADMINISTRATION AND ORGANIZATION. (1) Composition of the board. The board is an independent agency of the state of Washington composed of three members appointed by the governor. One member is a representative of workers, one member is a representative of employers, and the ~~((chairman))~~ chairperson, who must be an active member of the Washington State Bar, is the representative of the public. Whenever the orderly and expeditious disposition of the workload of the board necessitates, the governor may appoint two pro tem members in addition to the regular members, one of whom shall be a representative of workers and one of whom shall be a representative of employer. The members of the board shall devote their entire time to the duties of the board.

(2) Location of the board. The headquarters, and principal office of the board, is located at 410 W. Fifth, Capital Center Building, in Olympia, Washington 98504.

(3) Formal board meetings. The board shall meet in formal session at its headquarters in Olympia, Washington at 9 a.m. on the first and third Tuesday of each month, and at such other times and places as the board may deem necessary, subject to 24-hour notice as required by law.

(4) Staff organization.

(a) The board's headquarters in Olympia is staffed with executive, administrative and clerical personnel.

(b) The board has a staff of industrial appeals judges, supervised by a chief industrial appeals judge and two assistant chief industrial appeals judges, who travel throughout the state ~~((conducting hearings))~~ in the performance of their duties and who have their offices in Olympia((:)) and in other areas of the state as is deemed necessary for efficient and cost effective handling of agency business.

(c) The office of the secretary of the board is located at the headquarters and principal office of the board.

(5) Communications with the board. All written communications by parties pertaining to a particular case, including applications, motions, requests or petitions for review, shall be filed with the secretary of the board at its headquarters in Olympia, Washington, except that copies of all correspondence and official communications filed with the secretary of the board pertaining to a particular case, before the entry of a proposed decision and order, must be sent to the industrial appeals judge assigned to the case for appropriate action. Correspondence respecting the scheduling of a particular case shall be sent to the industrial appeals judge assigned to that case. Copies of all such written communications shall be furnished to all other parties or their representatives of record, and the original shall show thereon compliance with this requirement.

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 12, filed 12/2/82)

WAC 263-12-045 INDUSTRIAL APPEALS JUDGES. (1) Definition. Whenever used in these rules, the term "industrial appeals judge" shall include any member of the board, as well as any duly authorized industrial appeals judge assigned to conduct a conference or hearing.

(2) Duties and powers. It shall be the duty of the industrial appeals judge to conduct conferences or hearings in cases assigned to him or her in an impartial and orderly manner. The industrial appeals judge shall have the authority, subject to the other provisions of these rules:

(a) To administer oaths and affirmations;

(b) To issue subpoenas on request of any party;

(c) To rule on all objections and motions including those pertaining to matters of discovery or procedure;

(d) To rule on all offers of proof and receive relevant evidence;

(e) To interrogate witnesses called by the parties in an impartial manner to develop any facts deemed necessary to fairly and adequately decide the appeal;

(f) To secure and present in an impartial manner such evidence, in addition to that presented by the parties, as he or she deems necessary to fairly and equitably decide the appeal, including the obtaining of physical, mental, or vocational examinations or evaluations of workers;

(g) To take appropriate disciplinary action with respect to representatives of parties appearing before the board;

(h) To issue orders joining other parties, on motion of any party, or on his or her own motion when it appears that such other parties may have an interest in or may be affected by the proceedings;

(i) To consolidate appeals for hearing when such consolidation will expedite disposition of the appeals and avoid duplication of testimony and when the rights of the parties will not be prejudiced thereby;

(j) To take any other action necessary and authorized by these rules and the law.

(3) Substitution of industrial appeals judge. At any time the board or the chief industrial appeals judge may substitute one industrial appeals judge for another in any given appeal.

AMENDATORY SECTION (Amending Order 12, filed 12/2/82)

WAC 263-12-115 PROCEDURES AT HEARINGS. (1) Industrial appeals judge. All hearings shall be conducted by an industrial appeals judge who shall conduct the hearing in an orderly manner and rule on all procedural matters, objections and motions.

(2) Order of presentation of evidence.

(a) In any appeal under either the Industrial Insurance Act or the Crime Victims Compensation Act, the appealing party shall initially introduce all evidence in his or her case-in-chief.

(b) In all appeals under the Washington Industrial Safety and Health Act, the department shall initially introduce all evidence in its case-in-chief.

(c) After the party with the initial burden has presented his or her case-in-chief, the other parties may then introduce the evidence necessary to their cases-in-chief. In the event there is more than one other party, they may either present their cases-in-chief successively or may join in their presentation. Rebuttal evidence shall be received in the same order.

(3) Objections and motions to strike. Objections to the admission or exclusion of evidence shall be in short form, stating the legal grounds of objection relied upon. Extended argument or debate shall not be permitted.

(4) Rulings. The industrial appeals judge on objection or on his or her own motion shall exclude all irrelevant or unduly repetitious evidence and all rulings upon objections to the admissibility of evidence shall be made in accordance with rules of evidence applicable in the superior courts of this state.

(5) Interlocutory appeals to the Board — Confidentiality of trade secrets. ~~((Rulings on evidence or other interlocutory rulings of the industrial appeals judge shall not be subject to direct appeal to the board, with the exception that a))~~ A direct appeal to the board shall be allowed as a matter of right from any ruling of an industrial appeals judge adverse to the employer concerning the confidentiality of trade secrets in appeals under the Washington Industrial Safety and Health Act.

(6) Interlocutory appeals to the chief industrial appeals judge. Except as provided in WAC 263-12-115(5) interlocutory rulings of the industrial appeals judge shall not be subject to direct appeal to the board. Such rulings may be appealed to the chief industrial appeals judge, or designee, by filing a written request for review of the ruling together with an affidavit setting forth the grounds therefor. The chief industrial appeals judge, or designee, may decline to review the ruling, based upon the written request and supporting affidavit, or, after such review as he or she deems appropriate, may affirm or reverse the ruling, or refer the matter to the industrial appeals judge for reconsideration.

~~((6))~~ (7) Recessed hearings. Where, for good cause, all parties to an appeal are unable to present all their evidence at the time and place originally set for hearing, the industrial appeals judge may recess the hearing to the same or a different location so as to insure that all parties have reasonable opportunity to present their respective cases. No written "Notice of Hearing" shall be required as to any recessed hearing.

~~((7))~~ (8) Failure to present evidence when due. If any party is due to present certain evidence at a hearing or recessed hearing and, for any reason on its part, fails to present thereat all of such evidence, ~~((it shall be discretionary with the industrial appeals judge as to whether to))~~ the industrial appeals judge may conclude the hearing and issue a proposed decision and order on the record, or ((to)) recess or set over the proceedings for the receipt of such evidence((, or to require its presentation by way of deposition to be taken and published within prescribed time limits, with each party bearing its own costs, which time limits may be extended by the industrial appeals judge for good cause)).

~~((#))~~ (9) Evidence by deposition. When a hearing is recessed or set over pursuant to WAC 263-12-115(7) or (8), or ((#)) if a party volunteers or desires to take the testimony of any witness in a proceeding by deposition, or if the admission of evidence cannot otherwise be accomplished in a reasonably timely manner, the industrial appeals judge may permit or require the perpetuation of testimony by deposition regardless of the witness' availability to testify at the hearing or at a future recessed hearing. Such ruling may only be given after the industrial appeals judge gives due consideration to: (a) The complexity of the issues raised by the appeal, (b) ~~((the need for the industrial appeals judge to personally observe the witness and evaluate the witness' demeanor and credibility;))~~ the desirability of having the witness' testimony presented at a hearing, (c) the costs incurred by the parties in complying with the ruling, and (d) the fairness to the parties in complying with the ruling. The industrial appeals judge may require that depositions be taken and published within prescribed time limits, with each party bearing its own costs, which time limits may be extended by the industrial appeals judge for good cause.

(10) Offers of proof in colloquy. When an objection to a question is sustained an offer of proof in question and answer form shall be permitted unless the question is clearly objectionable on any theory of the case.

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

NEW SECTION

WAC 263-12-160 FINAL DECISIONS FAVORING WORKERS OR BENEFICIARIES—RETENTION OF JURISDICTION TO FIX INTEREST DUE. (1) Qualifying appeals. A worker or beneficiary who prevails in his or her own appeal regarding a claim for temporary total disability or in any appeal by the employer shall be paid simple interest at the rate of twelve percent per annum on the unpaid amount of the award after deducting the amount of attorney's fees.

(2) Retention of jurisdiction to enter order for payment of interest. In a qualifying appeal the board will retain jurisdiction after issuance of its final order for the purpose of entering an order fixing the amount of interest to be paid by the party having the obligation to pay the amount of the award as a result of the board's final order.

(3) Party obligated to pay award to transmit interest fixing information. In those cases where interest is to be paid pursuant to chapter 301, Laws of 1983, the department of self-insurer, as the case may be, shall notify the board in writing of the amount of the award paid as a result of the board's final order, the date of payment of the award, and any other information necessary for the board to calculate and fix the interest to be paid on such award. In cases involving payment of temporary total disability the department or self-insurer shall notify the board of the monthly rate or rates at which payments are made and the periods to which the rate or rates apply.

(4) Attorneys to notify board of amount of fees. The attorney or attorneys of record for a worker or beneficiary in a qualifying appeal shall upon the request of the board provide a written statement indicating the dollar amount of fees charged to the worker or beneficiary for services rendered in obtaining or securing the award in qualifying appeals under chapter 301, Laws of 1983. Such statement shall be provided by a date specified in the board's request, but in no case later than thirty days from the date of payment by the department of self-insurer of the award paid as a result of the board's final order. In the event that the attorney or attorneys of record do not provide the board with the requisite statement within the time specified, the amount of fees paid to the attorney or attorneys will be deemed to be equal to thirty percent of the award paid as a result of the board's final order.

(5) Fixing of interest and entry of order. Upon receipt of all required information, interest will be calculated by the board at twelve percent per annum from the date of the department order granting the award in an appeal by the employer or the date of the department order denying payment of the award in a qualifying appeal by a worker or beneficiary. Thereafter, the board will enter an order fixing the amount of interest to be paid by the party having the obligation to pay the award as a result of the board's final order. Such interest shall be paid in full to the worker or beneficiary.

WSR 83-22-068

EMERGENCY RULES

BOARD OF

INDUSTRIAL INSURANCE APPEALS

[Order 15—Filed November 2, 1983]

Be it resolved by the Board of Industrial Insurance Appeals, acting at Olympia, Washington, that it does adopt the annexed rules relating to rules of practice and procedure before the Board of Industrial Insurance Appeals, to wit: WAC 263-12-015, 263-12-045 and 263-12-115.

We, the Board of Industrial Insurance Appeals, 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 question has arisen concerning the meaning and intent of certain rules and immediate clarification is necessary and desirable to avoid unnecessary expense and delay to agency users and to set forth more specifically the duties and responsibilities of agency employees.

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 Board of Industrial Insurance Appeals as authorized in RCW 51.52.020.

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 November 2, 1983.

By Michael L. Hall
Chairman

AMENDATORY SECTION (Amending Order 12, filed 12/2/82)

WAC 263-12-015 ADMINISTRATION AND ORGANIZATION. (1) Composition of the board. The board is an independent agency of the state of Washington composed of three members appointed by the governor. One member is a representative of workers, one member is a representative of employers, and the ((chairman)) chairperson, who must be an active member of the Washington State Bar, is the representative of the public. Whenever the orderly and expeditious disposition of the workload of the board necessitates, the governor may appoint two pro tem members in addition to the regular members, one of whom shall be a representative of workers and one of whom shall be a representative of employer. The members of the board shall devote their entire time to the duties of the board.

(2) Location of the board. The headquarters, and principal office of the board, is located at 410 W. Fifth, Capital Center Building, in Olympia, Washington 98504.

(3) Formal board meetings. The board shall meet in formal session at its headquarters in Olympia,

Washington at 9 a.m. on the first and third Tuesday of each month, and at such other times and places as the board may deem necessary, subject to 24-hour notice as required by law.

(4) Staff organization.

(a) The board's headquarters in Olympia is staffed with executive, administrative and clerical personnel.

(b) The board has a staff of industrial appeals judges, supervised by a chief industrial appeals judge and two assistant chief industrial appeals judges, who travel throughout the state (~~(conducting hearings)~~) in the performance of their duties and who have their offices in Olympia(;) and in other areas of the state as is deemed necessary for efficient and cost effective handling of agency business.

(c) The office of the secretary of the board is located at the headquarters and principal office of the board.

(5) Communications with the board. All written communications by parties pertaining to a particular case, including applications, motions, requests or petitions for review, shall be filed with the secretary of the board at its headquarters in Olympia, Washington, except that copies of all correspondence and official communications filed with the secretary of the board pertaining to a particular case, before the entry of a proposed decision and order, must be sent to the industrial appeals judge assigned to the case for appropriate action. Correspondence respecting the scheduling of a particular case shall be sent to the industrial appeals judge assigned to that case. Copies of all such written communications shall be furnished to all other parties or their representatives of record, and the original shall show thereon compliance with this requirement.

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 12, filed 12/2/82)

WAC 263-12-045 INDUSTRIAL APPEALS JUDGES. (1) Definition. Whenever used in these rules, the term "industrial appeals judge" shall include any member of the board, as well as any duly authorized industrial appeals judge assigned to conduct a conference or hearing.

(2) Duties and powers. It shall be the duty of the industrial appeals judge to conduct conferences or hearings in cases assigned to him or her in an impartial and orderly manner. The industrial appeals judge shall have the authority, subject to the other provisions of these rules:

(a) To administer oaths and affirmations;

(b) To issue subpoenas on request of any party;

(c) To rule on all objections and motions including those pertaining to matters of discovery or procedure;

(d) To rule on all offers of proof and receive relevant evidence;

(e) To interrogate witnesses called by the parties in an impartial manner to develop any facts deemed necessary to fairly and adequately decide the appeal;

(f) To secure and present in an impartial manner such evidence, in addition to that presented by the parties, as he or she deems necessary to fairly and equitably decide the appeal, including the obtaining of physical, mental, or vocational examinations or evaluations of workers;

(g) To take appropriate disciplinary action with respect to representatives of parties appearing before the board;

(h) To issue orders joining other parties, on motion of any party, or on his or her own motion when it appears that such other parties may have an interest in or may be affected by the proceedings;

(i) To consolidate appeals for hearing when such consolidation will expedite disposition of the appeals and avoid duplication of testimony and when the rights of the parties will not be prejudiced thereby;

(j) To take any other action necessary and authorized by these rules and the law.

(3) Substitution of industrial appeals judge. At any time the board or the chief industrial appeals judge may substitute one industrial appeals judge for another in any given appeal.

AMENDATORY SECTION (Amending Order 12, filed 12/2/82)

WAC 263-12-115 PROCEDURES AT HEARINGS. (1) Industrial appeals judge. All hearings shall be conducted by an industrial appeals judge who shall conduct the hearing in an orderly manner and rule on all procedural matters, objections and motions.

(2) Order of presentation of evidence.

(a) In any appeal under either the Industrial Insurance Act or the Crime Victims Compensation Act, the appealing party shall initially introduce all evidence in his or her case-in-chief.

(b) In all appeals under the Washington Industrial Safety and Health Act, the department shall initially introduce all evidence in its case-in-chief.

(c) After the party with the initial burden has presented his or her case-in-chief, the other parties may then introduce the evidence necessary to their cases-in-chief. In the event there is more than one other party, they may either present their cases-in-chief successively or may join in their presentation. Rebuttal evidence shall be received in the same order.

(3) Objections and motions to strike. Objections to the admission or exclusion of evidence shall be in short form, stating the legal grounds of objection relied upon. Extended argument or debate shall not be permitted.

(4) Rulings. The industrial appeals judge on objection or on his or her own motion shall exclude all irrelevant or unduly repetitious evidence and all rulings upon objections to the admissibility of evidence shall be made in accordance with rules of evidence applicable in the superior courts of this state.

(5) Interlocutory appeals to the Board — Confidentiality of trade secrets. (~~(Rulings on evidence or other interlocutory rulings of the industrial appeals judge shall not be subject to direct appeal to the board, with the exception that a))~~ A direct appeal to the board shall be

allowed as a matter of right from any ruling of an industrial appeals judge adverse to the employer concerning the confidentiality of trade secrets in appeals under the Washington Industrial Safety and Health Act.

(6) Interlocutory appeals to the chief industrial appeals judge. Except as provided in WAC 263-12-115(5) interlocutory rulings of the industrial appeals judge shall not be subject to direct appeal to the board. Such rulings may be appealed to the chief industrial appeals judge, or designee, by filing a written request for review of the ruling together with an affidavit setting forth the grounds therefor. The chief industrial appeals judge, or designee, may decline to review the ruling, based upon the written request and supporting affidavit, or, after such review as he or she deems appropriate, may affirm or reverse the ruling, or refer the matter to the industrial appeals judge for reconsideration.

~~((6))~~ (7) Recessed hearings. Where, for good cause, all parties to an appeal are unable to present all their evidence at the time and place originally set for hearing, the industrial appeals judge may recess the hearing to the same or a different location so as to insure that all parties have reasonable opportunity to present their respective cases. No written "Notice of Hearing" shall be required as to any recessed hearing.

~~((7))~~ (8) Failure to present evidence when due. If any party is due to present certain evidence at a hearing or recessed hearing and, for any reason on its part, fails to present thereat all of such evidence, ~~(it shall be discretionary with the industrial appeals judge as to whether to)~~ the industrial appeals judge may conclude the hearing and issue a proposed decision and order on the record, or ~~(to)~~ recess or set over the proceedings for the receipt of such evidence ~~(, or to require its presentation by way of deposition to be taken and published within prescribed time limits, with each party bearing its own costs, which time limits may be extended by the industrial appeals judge for good cause).~~

~~((8))~~ (9) Evidence by deposition. When a hearing is recessed or set over pursuant to WAC 263-12-115(7) or (8), or ~~(7)~~ if a party volunteers or desires to take the testimony of any witness in a proceeding by deposition, or if the admission of evidence cannot otherwise be accomplished in a reasonably timely manner, the industrial appeals judge may permit or require the perpetuation of testimony by deposition regardless of the witness' availability to testify at the hearing or at a future recessed hearing. Such ruling may only be given after the industrial appeals judge gives due consideration to: (a) The complexity of the issues raised by the appeal, (b) ~~(the need for the industrial appeals judge to personally observe the witness and evaluate the witness' demeanor and credibility,)~~ the desirability of having the witness' testimony presented at a hearing, (c) the costs incurred by the parties in complying with the ruling, and (d) the fairness to the parties in complying with the ruling. The industrial appeals judge may require that depositions be taken and published within prescribed time limits, with each party bearing its own costs, which time limits may be extended by the industrial appeals judge for good cause.

(10) Offers of proof in colloquy. When an objection to a question is sustained an offer of proof in question and answer form shall be permitted unless the question is clearly objectionable on any theory of the case.

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 83-22-069
PROPOSED RULES
LOTTERY COMMISSION
[Filed November 2, 1983]

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

Amd	WAC 315-04-010	Licensed agents.
Amd	WAC 315-04-070	License fees.
Amd	WAC 315-04-100	License renewal.
Amd	WAC 315-04-120	Transfer of ownership of license prohibited.
Amd	WAC 315-04-140	License not a vested right.
Amd	WAC 315-06-120	Payment of prizes—General.
New	WAC 315-04-125	Change of location;

that the agency will at 10:00 a.m., Wednesday, December 7, 1983, in the Washington State Lottery, Olympia Regional Office Conference Room, 108 Park Village Plaza, 1200 Cooper Point Road, Olympia, 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 67.70.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 7, 1983.

Dated: November 1, 1983
By: Kevin Ryan
for Lawrence G. Waldt
Chairman

STATEMENT OF PURPOSE

Title and Number of Rule Section(s) or Chapter(s): WAC 315-04-010 Licensed agents; 315-04-070 License fees; 315-04-100 License renewals; 315-04-120 Change of ownership prohibited; 315-04-125 Change of name or location; and 315-06-120 Payment of prizes—General.

Statutory Authority: RCW 67.70.040.

Specific Statutes that Rule is Intended to Implement: RCW 67.70.040.

Summary of the Rule(s): WAC 315-04-010, this amendment establishes the requirement that licensed agents enter into contracts with the lottery; WAC 315-04-070, this amendment establishes the requirement for background investigation fees when there is an addition of a licensed agent's offices, partners, spouse of partner or owner, or equity interest of 10% or more; WAC 315-04-100, this amendment eliminates the 45 day advance

notice requirement for license renewals; WAC 315-04-120, this amendment permits change of location without change of ownership; WAC 315-04-125, this rule establishes the same fee for changes of name and change of location of a licensed agent when there is no change of ownership; and WAC 315-06-120, this amendment eliminates the requirement that winners authorize the lottery to use their photographs for publicity purposes.

Reasons Supporting the Proposed Rule(s): WAC 315-04-010, agent contracts are necessary to establish the terms and conditions for the sale of lottery products; WAC 315-04-070, the fee for background investigations partially offsets the lottery's expense in conducting them; WAC 315-04-100, the present 45 day advance notice requirement is burdensome and unnecessary now that the lottery has implemented the electronic accounting method; WAC 315-04-120, requiring a new license to be issued for a change in location without a change of ownership is burdensome without appreciable benefit to the lottery; WAC 315-04-125, the issuance of a revised license for a change of name or location without a change of ownership requires action by the lottery and the \$10.00 fee will reimburse the costs to the lottery; and WAC 315-06-120, requiring a prize winner to authorize the use of his or her picture for publicity purposes may be an invasion of privacy and is not necessary to the function of the lottery.

The Agency Personnel Responsible for Drafting: Frank Edmondson, Contract Specialist, Office of the Director, Washington State Lottery, P.O. Box 9702, Olympia, WA 98504, (206) 753-1482, and C.J. Coffman, Contracts Specialist, Office of the Director, Washington State Lottery, P.O. Box 9702, Olympia, WA 98504, (206) 754-1088; Implementation and Enforcement: Washington State Lottery Commission, P.O. Box 9770, Olympia, WA 98504, (206) 753-1412, Robert Boyd, Director, Office of the Director, Washington State Lottery, P.O. Box 9770, Olympia, WA 98504, (206) 753-3330, N.A. Stussy, Assistant Director, Office of the Director, Washington State Lottery, P.O. Box 9770, Olympia, WA 98504, (206) 753-3329, William Robinson, Assistant Director, Office of the Director, Washington State Lottery, P.O. Box 9770, Olympia, WA 98504, (206) 753-1414, and Jamie Bailey, Assistant Director, Office of the Director, Washington State Lottery, P.O. Box 9770, Olympia, WA 98504, (206) 753-3384.

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 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 Requirement: The office of the director, Washington 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: These rules will only affect those businesses, large and small, which voluntarily apply to be licensed agents for the sale of lottery tickets or contractors who provide other services to the office of the director, Washington State Lottery or who voluntarily interact with the office of the director, Washington State Lottery. No business or industry will be required to comply with these rules unless they wish to provide services to or interact with the office of the director, Washington State Lottery.

AMENDATORY SECTION (Amending Order 4, filed 10/15/82)

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 shall enter into a contract with the lottery containing such terms and conditions as the director may require prior to being authorized to sell tickets for any game operated by the director. A licensed agent may also be required to post a bond in such terms and conditions as the director may require.

AMENDATORY SECTION (Amending Order 36, filed 9/12/83)

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))~~ (3) The fee for late renewal of a license shall be \$25.00 in addition to the renewal fee of \$15.00.

(4) The fee for a background check shall be \$10.00 for:

(a) Initial licensure regardless of the number of individual background checks required;

(b) Each subsequent addition of one or more partners or officers, an owner's or partner's spouse, or a new holder of ten percent or more equity in the business.

(5) All fees established in this section or other sections of this title are not refundable with the exception of the fees in (1) and ~~((3))~~ (2) above which may be refunded if a license is not issued or renewed.

(6) The fees in ~~(this section)~~ subsections (1) and (2) may be prorated for staggered license renewal periods as provided in WAC 315-04-100.

AMENDATORY SECTION (Amending Order 2, filed 10/15/82)

WAC 315-04-100 ~~((STAGGERED))~~ LICENSE RENEWALS.

(1) The licensed agent shall apply for renewal of its license prior to its expiration date on forms approved by the director. Upon receipt of all required and properly completed forms, the lottery shall issue a renewal license and identification card to the licensed agent.

(a) The Lottery shall notify the licensed agent if its renewal application is not complete. If the licensed agent must submit additional material, forms, signatures, or other information that cannot be obtained by telephone, notification will be by mail. At the Lottery's sole option, notification may be by telephone if the deficiency(ies) can be corrected in that manner. The license shall be renewed without penalty, provided the licensed agent submits to the lottery all required information and documentation by the date specified in the notification of the deficiency(ies) or the expiration date of the license, whichever is later. The lottery may assess a late renewal fee pursuant to WAC 315-04-070(4) if all deficiencies are not corrected within the time period stated in the notification. The lottery shall allow at least 10 working days from mailing date of the notification for such returns.

(b) The lottery shall assess a late renewal fee pursuant to WAC 315-04-070(4), if renewal forms are not received by the lottery prior to the expiration date of the license. In addition, the lottery shall suspend ticket sales to the licensed agent until the license is renewed.

(c) The director shall not accept a renewal application more than 60 days after the expiration date of the license.

(2) 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.))~~

AMENDATORY SECTION (Amending Order 2, filed 10/15/82)

WAC 315-04-120 TRANSFER OF OWNERSHIP (~~OR LO-CATION~~) OF LICENSE PROHIBITED. (1) Any license issued by the director is personal to the licensed agent and may not be transferred to another person except as provided in WAC 315-04-130.

(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~~) immediately terminate and be void and tickets shall not be sold. Every such change in ownership (~~or location~~) shall be reported to the (~~director~~) lottery (~~at least twenty days~~) prior to the change. The license shall be surrendered to the (~~director~~) lottery (~~on the date of change~~) immediately. A substantial change in ownership of a business shall mean the transfer of ten percent or more equity (~~or more of any license~~) in that business. In the event the new ownership wishes to become a licensed agent, the new ownership shall submit an application and fees for initial licensure and the lottery shall process these in accordance with these rules.

~~((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 315-04-125 CHANGE OF NAME OR LOCATION. Every change of business name or change of location without a change of ownership of a licensed agent must be reported to the lottery prior to the change. The lottery shall review the change considering standard licensing criteria. Upon the lottery's approval and receipt of a \$10.00 change of name/location fee, the Lottery shall issue a license in the new name or with the new location address.

AMENDATORY SECTION (Amending Order 4, filed 10/15/82)

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~~) shall enter into a contract with the lottery containing such terms and conditions as the director may require prior to being authorized to sell tickets (~~or materials~~) for any particular game (~~or special event~~). If for any reason the contract is terminated or suspended, the authorization to sell tickets shall also be terminated or suspended.

AMENDATORY SECTION (Amending Order 14, filed 2/10/83)

WAC 315-06-120 PAYMENT OF PRIZES—GENERAL PROVISIONS. (1) The director may designate claim centers for the filing of prize claims, 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~~) complete and sign 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:~~) The claimant shall submit the claim form and claimant's ticket to the lottery in accordance with the director's instructions as stated in the players' manual and/or on the back of the ticket. The claimant, by signing the claim form, agrees to the following provisions which shall be included on the claim form:

(a) The discharge of the state, its officials, officers, and employees of all further liability upon payment of the prize; and

(b) The (~~discharge of the commission, director and employees of the commission of all further liability upon payment of the prize, and~~ (~~Permission~~) authorization 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~~); the official end of that instant game or the on-line game drawing for which that on-line ticket was purchased.

(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 until signed. The person who signs the ticket is considered the bearer of the ticket. 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, 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 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: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

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

WSR 83-22-070
PROPOSED RULES
LOTTERY COMMISSION
[Filed November 2, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Lottery Commission intends to adopt, amend, or repeal rules concerning the amending of WAC 315-04-190, 315-06-040, and adding new sections WAC 315-10-060, 315-11-090, 315-11-091 and 315-11-092;

that the agency will at 10:00 a.m., Friday, December 7, 1983, in the Washington State Lottery, Olympia Regional Office Conference Room, 108 Park Village Plaza, 1200 Cooper Point Road S.W., Olympia, 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 67.70.040.

The specific statute these rules are intended to implement is RCW 67.70.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 7, 1983.

Dated: November 1, 1983

By: Kevin Ryan

Assistant Attorney General
for Lawrence G. Waldt
Chairman

STATEMENT OF PURPOSE

Title and Number of Rule Section(s) or Chapter(s): WAC 315-04-190 Compensation; 315-06-040 Disclosure of probability of purchasing a winning ticket; 315-10-060 Official end of game; 315-11-090 Definitions for Instant Game Number 7; 315-11-091 Criteria for Instant Game Number 7; and 315-11-092 Ticket validation requirements for Instant Game Number 7.

Statutory Authority: RCW 67.70.040.

Specific Statutes that Rule is Intended to Implement: RCW 67.70.040.

Summary of the Rule(s): WAC 315-04-190, this amendment establishes compensation for on-line agents; WAC 315-06-040, this amendment eliminates the need to produce placards for each licensed agent; WAC 315-10-060, this rule establishes guidelines for sale of lottery tickets after the official end of an instant lottery game, and the requirements for licensed agents to return unsold tickets to the lottery within 30 days after the official end of game in order to receive credit for those tickets from

the lottery; WAC 315-11-090, this rule provides definitions of the terms used in Instant Game Number 7 rules; WAC 315-11-091, this rule sets forth criteria for Instant Game Number 7, including the price of a ticket, determination of winning tickets, ticket validation requirements, ticket redemption, instant prize awards, and the director's authority to vary the game's length and/or the number of tickets sold; and WAC 315-11-092, this rule states the ticket validation requirements for Instant Game Number 7, what may occur if a ticket fails validation requirements, and the lottery's responsibility if a defective ticket is sold.

Reasons Supporting the Proposed Rule(s): WAC 315-04-190, on-line agent compensation must be established by rule; WAC 315-06-040, the placards are expensive and are not necessary to fully inform the players of instant games of the odds of purchasing a winning ticket; WAC 315-10-060, often at the end of an instant lottery game tickets remain unsold, which is a potential source of revenue for the state of Washington, the lottery and licensed agents. These tickets also represent possible prizes for instant game players. Continued sales would be beneficial to all. In addition, guidelines for return of tickets must be established; WAC 315-11-090, certain terms need to be defined in order to provide consistency in understanding and interpreting the rules and regulations under WAC 315-11-091 and 315-11-092; WAC 315-11-091, licensed agents, the lottery and players of Instant Game Number 7 need to know how the game will function. Specifying the criteria which apply to Instant Game Number 7 will provide this information; and WAC 315-11-092, tickets for Instant Game Number 7 which are found to be counterfeit or tampered with will be declared void by the lottery and no prize(s) will be paid. Rigid validation requirements are set forth to discourage persons from tampering with tickets and to prevent the lottery from paying out prize money on invalid tickets.

The Agency Personnel Responsible for Drafting: Frank Edmondson, Contract Specialist, Office of the Director, Washington State Lottery, P.O. Box 9702, Olympia, WA 98504, (206) 753-1482, and Colleen Nelson, Contracts Assistant, Office of the Director, Washington State Lottery, P.O. Box 9702, Olympia, WA 98504, (206) 754-1093; Implementation and Enforcement: Washington State Lottery Commission, P.O. Box 9770, Olympia, WA 98504, (206) 753-1412, Robert Boyd, Director, Office of the Director, Washington State Lottery, P.O. Box 9770, Olympia, WA 98504, (206) 753-3330, N. A. Stussy, Assistant Director, Office of the Director, Washington State Lottery, P.O. Box 9770, Olympia, WA 98504, (206) 753-3329, William Robinson, Assistant Director, Office of the Director, Washington State Lottery, P.O. Box 9770, Olympia, WA 98504, (206) 753-1414, and Jamie Bailey, Assistant Director, Office of the Director, Washington State Lottery, P.O. Box 9770, Olympia, WA 98504, (206) 753-3384.

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 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 Requirement: The office of the director, Washington 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 reasons: These rules will only affect those businesses, large and small, which voluntarily apply to be licensed agents for the sale of lottery tickets or contractors who provide other services to the office of the director, Washington State Lottery or who voluntarily interact with the office of the director, Washington State Lottery. No business or industry will be required to comply with these rules unless they wish to provide services to or interact with the office of the director, Washington State Lottery.

AMENDATORY SECTION (Amending Order 14, filed 2/10/83)

WAC 315-04-190 COMPENSATION. (1) Licensed agents shall be entitled to a five percent discount from the retail price of the instant game tickets established by rule for each game. ((The terms and conditions of the discount shall be subject to the terms and conditions established by the director for the conduct of a specific game.)) (2) On-line agents shall be entitled to a five percent discount from the total of gross on-line ticket sales less on-line ticket cancellations.

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 5, filed 10/15/82)

WAC 315-06-040 DISCLOSURE OF PROBABILITY OF PURCHASING A WINNING TICKET. (1) The estimated average probability of purchasing a winning ticket shall be conspicuously displayed on the back of tickets for a specific game. The estimated average probability of purchasing a winning ticket for each category of prize in a specific game shall be conspicuously displayed on:

(a) All printed promotional and advertising materials for a specific game, including(;) but not limited to, brochures, posters, billboards, placards, and point-of-sale displays; and

(b) ((A placard to be located on the premises of each licensed agent in close proximity to the display location of the sales license; and

(c)) Instructions to licensed agents for the conduct of a specific game.

(2) The disclosure required by this section shall not apply to:

(a) Generic promotional and advertising materials publicizing the Washington state lottery which do not promote a specific game; and

(b) 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.

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

NEW SECTION

WAC 315-10-060 OFFICIAL END OF GAME. (1) The director shall announce the official end of each instant game. A player may submit a low-tier winning ticket to the licensed agent from whom the ticket was purchased or the lottery and a high-tier winning ticket to

the lottery for prize payment up to one hundred and eighty days after the official end of game. In order to participate in a Grand Prize Drawing a player must redeem a ticket which qualifies for entry into that Grand Prize Drawing within the time limits set forth in Chapter 315-11 WAC governing the conduct of that specific game.

(2) A licensed agent may continue to sell tickets for each instant game up to thirty days after the official end of that game.

(3) A licensed agent must return to the Lottery unsold lottery tickets for each game within thirty days of the official end of that game in order to receive credit from the lottery as provided for in the licensed agent contract or the interlocal cooperative agreement between the lottery and the state liquor control board. The lottery has no obligation to grant credit for tickets returned more than thirty days after the official end of game.

NEW SECTION

WAC 315-11-090 DEFINITIONS FOR INSTANT GAME NUMBER 7 ("HOLIDAY CASH"). (1) Play Numbers for Instant Game Number 7 - The following are the "Play Numbers": "\$5.00", "10.00", "\$20.00", "\$100", "\$500", "\$1,000", and "100,000". Each such Play Number is printed in gray-black ink in the Archer font in positive and one of these Play Numbers appears under each of the six rub-off spots on the ticket front.

(2) Validation Number for Instant Game Number 7 - The nine-digit number on the front, top right of the ticket.

(3) Pack-Ticket Number of Instant Game Number 7 - The ten-digit number of the form 7000001-000 printed on the back of the ticket in .11" high type in red. The first seven digits of the Pack-Ticket Number for Instant Game Number 7 constitute the "Pack-Number" and start at 7000001; the last three digits constitute the "Ticket Number" which starts at 000 and continues sequentially through 199 within each pack of tickets.

(4) Captions for Instant Game Number 7 - The small printed material appearing below each Play Number which verifies and corresponds with that Play Number. The Caption is a spelling out, in full or abbreviated form, of the Play Number. Only one Caption appears under each Play Number and is printed in gray-black ink in 5 x 9 font in positive. The Captions which correspond with and verify each Play Number are:

Play Number	Caption
\$5.00	FIVE
10.00	TEN
\$20.00	TWENTY
\$100	ONE HUND
\$500	FIV HUND
\$1,000	ONE THOU
100,000	HUND THOU

(5) Agent Validation Codes for Instant Game Number 7 - Codes consisting of small letters found under the removable covering on the ticket front which the licensed agent uses to verify and validate instant winners below \$25. For Instant Game Number 7, the Agent Validation Code is a three-letter code, with each letter appearing in a varying three of twelve locations beneath the removable covering and among the Play Numbers. The Agent Validation Code is used by the licensed agent to verify \$5.00, \$10.00 and \$20.00 winners. The codes which correspond with and verify each of these winners are:

FIV = \$5.00
TEN = \$10.00
TWY = \$20.00

(6) Pack for Instant Game Number 7 - A pack of 200 fanfolded instant game tickets, attached to each other by perforations, packed in a plastic bag or a plastic shrinkwrapping. The licensed agent separates the tickets at the perforations at the time of retail sale.

NEW SECTION

WAC 315-11-091 CRITERIA FOR INSTANT GAME NUMBER 7. (1) The price of each instant game ticket shall be \$2.00.

(2) Determination of Prize Winning Tickets - An instant prize winning ticket is determined in Instant Game Number 7 in the following manner:

(a) A \$5.00 prize winning ticket shall have an occurrence of "\$5.00" as a Play Number in each of 3 separate boxes on the ticket;

(b) A \$10.00 prize winning ticket shall have an occurrence of "\$10.00" as a Play Number in each of 3 separate boxes on the ticket;

(c) A \$20.00 prize winning ticket shall have an occurrence of "\$20.00" as a Play Number in each of 3 separate boxes on the ticket;

(d) A \$100 prize winning ticket shall have an occurrence of "\$100" as a Play Number in each of 3 separate boxes on the ticket;

(e) A \$500 prize winning ticket shall have an occurrence of "\$500" as a Play Number in each of 3 separate boxes on the ticket;

(f) A \$1,000 prize winning ticket shall have an occurrence of "\$1,000" as a Play Number in each of 3 separate boxes on the ticket;

(g) A \$100,000 prize winning ticket shall have an occurrence of "\$100,000" as a Play Number in each of 3 separate boxes on the ticket;

(h) In any event, only the highest instant prize amount meeting the standards of (a) through (g) will be paid on a given ticket.

(3) No portion of the display printing nor any extraneous matter whatever shall be usable or playable as a part of the instant game.

(4) The determination of prize winners shall be subject to the general ticket validation requirements, to the particular validation requirements for Instant Game Number 7, and to the requirements set forth on the back of each ticket.

(5) Instant prize winning tickets shall be redeemed in the manner set forth on the back of the ticket.

(6) There shall be no Grand Prize Drawing for Instant Game Number 7.

(7) Notwithstanding any other provisions of these rules, the director may: (a) vary the length of Instant Game Number 7, and/or (b) vary the number of tickets sold in Instant Game Number 7 in a manner that will maintain the estimated average odds of winning a prize.

NEW SECTION

WAC 315-11-092 TICKET VALIDATION REQUIREMENTS. (1) Besides meeting all of the other requirements in these rules and regulations, the following validation requirements will apply to instant game tickets in Instant Game Number 7. To be a valid instant game ticket, all of the following requirements must be met:

(a) Exactly one Play Number must appear under each of the six rub-off spots in the right-hand portion of the ticket.

(b) Each of the six Play Numbers must have a Caption underneath, and each Play Number must agree with its Caption.

(c) Each of the six Play Numbers must be present in its entirety and be fully legible.

(d) Each of the six Captions must be present in its entirety and be fully legible.

(e) Each of the six Play Numbers and their Captions must be printed in gray-black ink.

(f) The ticket shall be intact.

(g) The Pack-Ticket Number, Validation Number and Agent Validation Code must be present in their entirety and be legible. The Validation Number shall correspond, using the lottery's codes, to the Play Numbers on the ticket.

(h) The ticket must not be mutilated, altered, unreadable, reconstituted, or tampered with in any manner.

(i) The ticket must not be counterfeit in whole or in part.

(j) The Validation Number and Agent Validation Code shall be printed in gray-black ink, and the Pack-Ticket Number shall be printed in red ink.

(k) The ticket must have been issued by the director in an authorized manner.

(l) The ticket must not be stolen nor appear in any list of omitted tickets on file with the director.

(m) The Play Numbers, Captions, Validation Number, Agent Validation Code, and Pack-Ticket Number must be right side up and not reversed in any manner.

(n) The ticket must be complete, not miscut, have exactly one Play Number and exactly one Caption under each of the six rub-off spots, exactly one Pack-Ticket Number, exactly one Agent Validation Code, and exactly one Validation Number.

(o) The Validation Number of an apparent winning ticket shall appear on the lottery's official list of validation numbers of winning tickets; and a ticket with that Validation Number shall not have been previously paid.

(p) The ticket must not be blank, or partially blank, misregistered, defective, or printed or produced in error.

(q) Each of the Play Numbers must be exactly one of those described in WAC 315-11-090(1) above and each of the Captions to the six Play Numbers must be exactly one of those described in WAC 315-11-090(4) above.

(r) Each of the six Play Numbers on the ticket must be printed in the Mead Archer size font and must correspond precisely to the artwork on file with the director; each of the six Captions must be printed in the 5 x 9 font and must correspond precisely to the artwork on file with the director; the Pack-Ticket Number must correspond precisely to the artwork on file with the director; and the Validation Number must be printed in the Mead 9 x 12 font and must correspond precisely to the artwork on file with the director.

(s) The display printing must be regular in every respect and correspond precisely with the artwork on file with the director.

(t) The ticket must pass all additional confidential validation requirements of the director.

(2) Any ticket failing any of the validation requirements in WAC 315-11-092(1) is invalid and ineligible for any prize.

(3) The director may, solely at his option, replace an invalid ticket with an unplayed ticket or tickets of equivalent sales price from any other current lottery game). In the event a defective ticket is purchased, the only responsibility or liability of the lottery shall be the replacement of the defective ticket with another unplayed ticket (or tickets or equivalent sale price from any other current lottery game). However, (a) if the ticket is partially mutilated, or (b) if the ticket is not intact, and the ticket can still be validated by the other validation requirements, the director may, in his or her discretion, pay the prize for that ticket.

WSR 83-22-071

PROPOSED RULES

LOTTERY COMMISSION

[Filed November 2, 1983]

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

New	WAC 315-11-100	Definitions for Instant Game Number 8 ("Loose Change").
New	WAC 315-11-101	Criteria for Instant Game Number 8.
New	WAC 315-11-102	Ticket validation requirements for Instant Game Number 8;

that the agency will at 10:00 a.m., Wednesday, December 7, 1983, in the Washington State Lottery, Olympia Regional Office Conference Room, 108 Park Village Plaza, 1200 Cooper Point Road, Olympia, 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 67.70.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 7, 1983.

Dated: November 1, 1983

By: Kevin Ryan

Assistant Attorney General
for Lawrence G. Waldt
Chairman

STATEMENT OF PURPOSE

Title and Number of Rule Section(s) or Chapter(s):
WAC 315-11-100 Definitions for Instant Game Number 8; 315-11-101 Criteria for Instant Game Number 8; and 315-11-102 Ticket validation requirements for Instant Game Number 8.

Statutory Authority: RCW 67.70.040.

Specific Statutes that Rule is Intended to Implement: RCW 67.70.040.

Summary of the Rule(s): WAC 315-11-100, this rule provides definitions of the terms used in Instant Game Number 8 rules; WAC 315-11-101, this rule sets forth criteria for Instant Game Number 8, including the price of a ticket, determination of winning tickets, ticket validation requirements, ticket redemption, grand prize awards, and the director's authority to vary the game's length and/or the number of tickets sold; and WAC 315-11-102, this rule states the ticket validation requirements for Instant Game Number 8, what may occur if a ticket fails validation requirements, and the lottery's responsibility if a defective ticket is sold.

Reasons Supporting the Proposed Rule(s): WAC 315-11-100, certain terms need to be defined in order to provide consistency in understanding and interpreting the rules and regulations under WAC 315-11-101 and 315-11-102; WAC 315-11-101, licensed agents, the lottery and players of Instant Game Number 8 need to know how the game will function. Specifying the criteria which apply to Instant Game Number 8 will provide this information; and WAC 315-11-102, tickets for Instant Game Number 8 which are found to be counterfeit or tampered with will be declared void by the lottery and no prize(s) will be paid. Rigid validation requirements are set forth to discourage persons from tampering with tickets and to prevent the lottery from paying out prize money on invalid tickets.

The Agency Personnel Responsible for Drafting: Frank Edmondson, Contract Specialist, Office of the Director, Washington State Lottery, P.O. Box 9702, Olympia, WA 98504, (206) 753-1482, and Colleen Nelson, Contracts Assistant, Office of the Director, Washington State Lottery, P.O. Box 9702, Olympia, WA 98504, (206) 754-1093; Implementation and Enforcement: Washington State Lottery Commission, P.O. Box 9770, Olympia, WA 98504, (206) 753-1412, Robert Boyd, Director, Office of the Director, Washington State Lottery, P.O. Box 9770, Olympia, WA 98504, (206) 753-3330, N.A. Stussy, Assistant Director, Office of the Director, Washington State Lottery, P.O. Box 9770, Olympia, WA 98504, (206) 753-3329, William Robinson, Assistant Director, Office of the Director, Washington State Lottery, P.O. Box 9770, Olympia, WA 98504, (206) 753-1414, and Jamie Bailey, Assistant Director, Office of the Director, Washington State Lottery, P.O. Box 9770, Olympia, WA 98504, (206) 753-3384.

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 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 Requirement: The office of the director, Washington 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: These rules will only affect those businesses, large and small, which voluntarily apply to be licensed agents for the sale of lottery tickets or contractors who provide other services to the office of the director, Washington State Lottery or who voluntarily interact with the office of the director, Washington State Lottery. No business or industry will be required to comply with these rules unless they wish to provide services to or interact with the office of the director, Washington State Lottery.

NEW SECTION

WAC 315-11-100 DEFINITIONS FOR INSTANT GAME NUMBER 8 ("LOOSE CHANGE"). (1) Play Numbers for Instant Game Number 8 - The following are the "Play Numbers": "5", "10", "25", and "50". Each such Play Number is printed in gray-black ink in the Archer font in positive and one of these Play Numbers appears under each of the five rub-off spots on the front of the ticket.

(2) Validation Number for Instant Game Number 8 - The nine-digit number on the front, bottom right of the ticket.

(3) Pack-Ticket Number for Instant Game Number 8 - The ten-digit number of the form 8000001-000 printed on the back of the ticket in .11" high type in red. The first seven digits of the Pack-Ticket Number for Instant Game Number 8 constitute the "Pack-Number" and start at 8000001; the last three digits constitute the "Ticket Number" which start at 000 and continue through 399 within each pack of tickets.

(4) Prize Symbols for Instant Game Number 8 - The following are the "Prize Symbols": "ENTRY", "TICKET", "\$2.00", "\$5.00", "50.00", "\$100", "\$1,000", and "25,000". Each prize symbol is printed in gray-black ink in the Archer font in positive and one of these Prize Symbols appears under the "Prize Box" on the front of the ticket, with the word "PRIZE" printed above it and a "Prize Box Caption" printed below it.

(5) Play Number Captions for Instant Game Number 8 - The small printed material appearing below each Play Number which verifies and corresponds with that Play Number. The Caption is a spelling out, in full or abbreviated form, of the Play Number. Only one Caption appears under each Play Number and is printed in gray-black ink in positive in 5 x 9 font. For Instant Game Number 8, the Play Number Captions which correspond with and verify the Play Numbers are:

<u>Play Number</u>	<u>Caption</u>
5	NICKEL
10	DIME
25	QUARTER
50	HALF

(6) Prize Symbol Caption For Instant Game Number 8 - The small printed material appearing below the Prize Symbol which verifies and corresponds with that Prize Symbol. The Caption is a spelling out, in full or abbreviated form, of the Prize Symbol. Only one of these captions appears under the Prize Symbol and is printed in gray-black ink in positive in 5 x 9 font. For Instant Game Number 8, the Prize Symbol Caption which corresponds with and verifies each Prize Symbol is as follows:

<u>Prize Symbol</u>	<u>Caption</u>
ENTRY	ENTRY
TICKET	TICKET
\$2.00	TWO
\$5.00	FIVE
50.00	FIFTY
\$100	ONE HUND
\$1,000	ONE THOU
25,000	25 THOU

(7) Prize Box Legend For Instant Game Number 8 - Each ticket will have the word "PRIZE" printed in the Prize Box above the Prize Symbol in gray-black ink in positive in 5 x 9 font. This word is the "Prize Box Legend".

(8) Agent Validation Codes for Instant Game Number 8 - Codes consisting of small letters found under the removable covering on the front of the ticket, which the licensed agent uses to verify and validate instant winners below \$25 and the lottery uses to validate entries into the grand prize drawing process. For Instant Game Number 8, the Agent Validation Code is a three-letter code, with each letter appearing in a varying three of eight locations beneath the removable covering and among the Play Numbers on the front of the ticket. The Agent Validation Code used by the licensed agent to verify winners of the right of entry to the Grand Prize Drawing and winners of a free ticket, \$2 and \$5 prizes. The Code which verifies each of these winners is as follows:

- ENT = Entry into Grand Prize Drawing Process
- TIC = Free Ticket
- TWO = \$2
- FIV = \$5

(9) Pack for Instant Game Number 8 - A pack of 400 fanfolded instant game tickets, attached to each other by perforations, and packed in a plastic bag or plastic shrinkwrapping. The licensed agent separates the tickets at the perforations at the time of retail sale.

NEW SECTION

WAC 315-11-101 CRITERIA FOR INSTANT GAME NUMBER 8. (1) The price of each instant game ticket shall be \$1.00.

(2) Determination of Prize Winning Tickets - An instant prize winning ticket is determined in Instant Game Number 8 in the following manner: add the five Play Numbers on the ticket. If the total exceeds 100 (\$1.00), the ticket is a winner of the prize determined by the "Prize Symbol" in the Prize Box. The "Prize Symbols" have the following instant prize values:

Prize Symbol	Prize Value
ENTRY	Entry in the preliminary drawing for the Grand Prize Drawing
TICKET	One free ticket
\$2.00	\$2.00 (two dollars)
\$5.00	\$5.00 (five dollars)
50.00	\$50.00 (fifty dollars)
\$100.00	\$100.00 (one hundred dollars)
\$1,000	\$1,000 (one thousand dollars)
25,000	\$25,000 (twenty-five thousand dollars)

(3) No portion of the display printing nor any extraneous matter whatever shall be usable or playable as part of the instant game.

(4) The determination of prize winners shall be subject to the general ticket validation requirements, to the particular ticket validation requirements for Instant Game Number 8, and to the requirements set out on the back of each ticket.

(5) Instant prize winning tickets shall be redeemed in the manner set out on the back of the ticket and in the player's brochure.

(6) Grand Prize Drawing for Instant Game Number 8 - Participants in the preliminary drawing for the Grand Prize Drawing shall be determined as follows:

(a) The legible name of one and only one eligible player must be present on the back of each ticket which is a winning "Entry" ticket.

(b) The ticket constituting the entry into the preliminary drawing for the Grand Prize Drawing must have been mailed to the correct address as advertised by the lottery and received within 14 days of the announced end of Instant Game Number 8 in the manner prescribed on the back of the instant ticket. The lottery is not responsible for any entries that are not received by the lottery prior to the deadline.

(c) Each ticket must be a valid Instant Game Number 8 "Loose Change" ticket.

One Grand Prize Drawing will be held for Instant Game Number 8 after that game's conclusion at a time and place and pursuant to methods to be announced by the director. The prizes awarded in the Grand Prize Drawing will be: first prize, \$1,000 a week for life, with the weekly prize payment starting at age 18 or older, with a minimum payment of \$1,000,000 being guaranteed; second prize, \$500,000 paid as \$50,000 per year for 10 years, third prize, \$200,000 paid as \$20,000 a year for 10 years, fourth prize, \$75,000 cash; fifth and sixth prizes, \$50,000 cash each; seventh and eight prizes: \$25,000 cash each; and, ninth and tenth prizes, \$10,000 cash each. The director reserves the

right, as provided by WAC 315-10-030(7)(a), to place any ticket bearer who is entitled to entry in the Grand Prize Drawing whose entry was not entered into the preliminary drawing for such Grand Prize Drawing and who is subsequently determined to have been entitled to such entry, into a preliminary drawing of a subsequent instant game Grand Prize Drawing having equal (or greater) Grand Prizes available.

(7) Notwithstanding any other provisions of these rules, the director may: (a) vary the length of Instant Game Number 8, and/or (b) vary the number of tickets sold in Instant Game Number 8 and the number of Grand Prize Drawing winners in a manner that will maintain the estimated average odds of winning a Grand Prize Drawing.

NEW SECTION

WAC 315-11-102 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 8. (1) Besides meeting all of the other requirements in these rules and regulations, the following validation requirements will apply to instant game tickets in Instant Game Number 8. To be a valid instant game ticket, all of the following requirements must be met:

(a) Exactly one Play Number must appear under each of the five rub-off spots in the main portion of the ticket and exactly one Prize Symbol must appear under the "Prize Box" rub-off spot on the ticket.

(b) Each of the five Play Numbers and the Prize Symbol must have a Caption underneath, and each must agree with its Caption.

(c) Each of the five Play Numbers and the Prize Symbol must be present in its entirety and be fully legible.

(d) Each of the five Play Number Captions and the one Prize Symbol Caption must be present in its entirety and be fully legible.

(e) Each of the five Play Numbers and their Captions and the one Prize Symbol and its Caption must be printed in gray-black ink.

(f) The ticket shall be intact.

(g) The Pack-Ticket Number, Validation Number and Agent Validation Code must be present in their entirety and be legible. The Validation Number shall correspond, using the lottery's codes, to the Play Numbers and the Prize Symbol on the ticket.

(h) The ticket must not be mutilated, altered, unreadable, reconstituted, or tampered with in any manner.

(i) The ticket must not be counterfeit in whole or in part.

(j) The Validation Number and Agent Validation Code shall be printed in gray-black ink, and the Pack-Ticket Number shall be printed in red ink.

(k) The ticket must have been issued by the director in an authorized manner.

(l) The ticket must not be stolen nor appear on any list of omitted tickets on file with the director.

(m) The Play Numbers and their Captions, the Prize Symbol and its Caption, the Validation Number, the Agent Validation Code and the Pack-Ticket Number must be right-side-up and not reversed in any manner.

(n) The ticket must be complete, and not miscut, and have exactly one Play Number and exactly one Caption under each of the five rub-off spots on the ticket, exactly one Prize Symbol and exactly one Prize Symbol Caption under the "Prize Box" rub-off spot exactly one Book-Ticket Number, exactly one Agent Validation Code, and exactly one Validation Number.

(o) The Validation Number of an apparent winning ticket shall appear on the lottery's official list of validation numbers of winning tickets; and a ticket with that Validation Number shall not have been previously paid.

(p) The ticket must not be blank or partially blank, misregistered, defective, or printed or produced in error.

(q) Each of the Play Numbers must be exactly one of those described in WAC 315-11-100(1) above and each of the Captions must be exactly one of those described in WAC 315-11-100(5) above.

(r) The Prize Symbol must be exactly one of those described in WAC 315-11-100(4) above and the caption to the Prize Symbol must be exactly one of those described in WAC 315-11-100(6).

(s) Each of the five Play Numbers and the one Prize Symbol on the front of the ticket must be printed in the Mead Archer size font and must correspond precisely to the artwork on file with the director; each of the five Play Number Captions and the one Prize Symbol Caption must be printed in the Mead 5 x 9 font and must correspond precisely to the artwork on file with the director; the Pack-Ticket Number must be .11" high in red and correspond precisely to the artwork on file with the director; and the Validation Number must be printed in the Mead

9 x 12 font and must correspond precisely to the artwork on file with the director.

(t) The display printing must be regular in every respect and correspond precisely with the artwork on file with the director.

(u) The ticket must pass all additional confidential validation requirements of the director.

(2) Any ticket not passing all the validation requirements in WAC 315-11-102(1) is invalid and ineligible for any prize.

(3) The director may, solely at his option, replace an invalid ticket with an unplayed ticket (or tickets of equivalent sales price from any other current lottery game). In the event a defective ticket is purchased, the only responsibility or liability of the lottery shall be the replacement of the defective ticket with an unplayed ticket (or tickets of equivalent sale price from any current lottery game). However, if the ticket is partially mutilated or if the ticket is not intact and can still be validated by the other validation requirements, the director may in his or her discretion, pay the prize for that ticket.

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 83-22-072
PROPOSED RULES
LOTTERY COMMISSION

[Filed November 2, 1983]

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

New ch. 315-30 WAC On-line games—General.
New ch. 315-31 WAC Triple choice rules;

that the agency will at 10:00 a.m., Wednesday, December 7, 1983, in the Washington State Lottery, Olympia Regional Office Conference Room, 108 Park Village Plaza, 1200 Cooper Point Road, Olympia, 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 67.70.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 7, 1983.

Dated: November 1, 1983

By: Kevin M. Ryan

Assistant Attorney General
for Lawrence G. Waldt
Chairman

STATEMENT OF PURPOSE

Title and Number of Rule Section(s) or Chapter(s): Chapter 315-30 WAC, General on-line game rules; and chapter 315-31 WAC, Triple choice rules.

Statutory Authority: RCW 67.70.040.

Specific Statutes that the Rule(s) are Intended to Implement: RCW 67.70.040 and 67.70.050.

Summary of the Rule(s): Chapter 315-30 WAC is designed to authorize on-line games and specify on-line game criteria. It authorizes the director to implement on-line games, defines terms for on-line games, specifies criteria for on-line games, specifies drawing procedures

to be used to determine winning numbers, specifies validation requirements, specifies how prizes are paid, and specifies agent settlement procedures; and chapter 315-31 WAC is designed to implement a specific on-line game, Triple Choice. It defines the price of tickets, types of play, prizes, where and when tickets may be purchased and drawing procedures.

Reasons Supporting the Proposed Rule(s): Certain terms and criteria need to be defined in order to provide consistency and understanding. Licensed agents, the Washington State Lottery and players of on-line games need to know how the games will function. Specifying general criteria for on-line games in chapter 315-30 WAC and specific criteria for Triple Choice in chapter 315-31 WAC will provide this information.

The Agency Personnel Responsible for Drafting: C.J. Coffman, Contract Specialist and Frank Edmondson, Contract Specialist, Office of the Director, Washington State Lottery, P.O. Box 9702, Olympia, WA 98504, (206) 754-1088 and (206) 753-1482; Implementation and Enforcement: Washington State Lottery Commission, P.O. Box 9770, Olympia, WA 98504, (206) 753-1412, Robert Boyd, Director, Office of the Director, Washington State Lottery, P.O. Box 9770, Olympia, WA 98504, (206) 753-3330, N.A. Stussy, Assistant Director, Office of the Director, Washington State Lottery, P.O. Box 9770, Olympia, WA 98504, (206) 753-3329, William Robinson, Assistant Director, Office of the Director, Washington State Lottery, P.O. Box 9770, Olympia, WA 98504, (206) 753-1414, and Jamie Bailey, Assistant Director, Office of the Director, Washington State Lottery, P.O. Box 9770, Olympia, WA 98504, (206) 753-3384.

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 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 Requirement: The office of the director, Washington 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: These rules will only affect those businesses, large and small, which voluntarily apply to be licensed agents for the sale of lottery tickets or contractors who provide other services to the office of the director, Washington State Lottery or who voluntarily interact with the office of the director, Washington State Lottery. No business or industry will be required to comply with these rules unless they wish to provide services to or interact with the office of the director, Washington State Lottery.

NEW SECTION

WAC 315-30-010 ON-LINE GAMES-AUTHORIZED-DIRECTOR'S AUTHORITY The commission hereby authorizes the director to select and operate on-line games which meet the criteria set forth in this chapter.

NEW SECTION

WAC 315-30-020 DEFINITIONS. (1) **On-Line Game.** A lottery game in which a player pays a fee to a lottery agent to select a multi-digit number or series of numbers, type of play, and drawing date and receives a computer-generated ticket with those selections printed on it. The lottery will conduct a drawing to determine the winning number(s) in accordance with the rules of the specific game being played. Each ticket bearer whose ticket includes a winning number or series of numbers shall be entitled to a prize.

(2) **On-Line Agent.** A licensed agent authorized by the lottery to sell on-line tickets.

(3) **On-Line Ticket.** A computer-generated ticket issued by an on-line agent to a player as a receipt for the number(s) a player has selected. That ticket shall be the only acceptable evidence of the number(s) selected. On-line tickets may be purchased only from on-line agents.

(4) **Ticket Distribution Machine (TDM).** The computer hardware through which an on-line agent enters the numbers selected by a player and by which on-line tickets are generated and claims are validated.

(5) **Drawing.** The procedure determined by the director by which the lottery randomly selects one or more winning numbers in accordance with the rules of the game.

(6) **Certified Drawing.** A drawing about which the lottery and an independent certified public accountant attest that the drawing equipment functioned properly and that a random selection of numbers occurred.

(7) **Winning Number(s).** One or more numbers randomly selected by the lottery in a drawing which has been certified.

(8) **Validation.** The process of determining whether an on-line ticket presented for payment is a winning ticket.

(9) **Validation Number.** The multi-digit number printed on each on-line ticket which is used for validation.

(10) **Ticket Bearer.** The person who has signed the on-line ticket or who has possession of an unsigned ticket.

NEW SECTION

WAC 315-30-030 ON-LINE GAMES CRITERIA. (1) The price of an on-line ticket shall not be less than \$.50 and not more than \$5.00.

(2) The total of all prizes available to be won in an on-line game shall not be less than forty-five percent of the on-line game's projected revenue.

(3) The manner and frequency of drawings may vary with the type of on-line game.

(4) The times, locations, and drawing procedures shall be determined by the director.

(5) A ticket bearer entitled to a prize shall submit the winning ticket as specified by the director. The winning ticket must be validated by the lottery or an on-line agent through use of the validation number and any other means as specified by the director.

(6) Procedures for claiming on-line prizes are as follows:

(a) To claim an on-line game prize of \$600.00 or less, the claimant shall present the winning on-line ticket to any on-line agent or the lottery. If the claim is presented to an on-line agent, the on-line agent shall validate the claim and, if determined to be a winning ticket, make payment of the amount due the claimant. If the on-line agent cannot validate the claim, the claimant may obtain and complete a claim form, as provided in WAC 315-06-120, and submit it with the disputed ticket to the lottery by registered or certified mail or in person. Upon determination that the ticket is a winning ticket, the lottery shall present or mail a check to the claimant in payment of the amount due. If the ticket is determined to be a nonwinning ticket, the claim shall be denied and the claimant shall be promptly notified. If the claim is presented to the lottery, the claimant shall complete a claim form, as provided in WAC 315-06-120, and submit it with the winning ticket to the lottery by registered or certified mail or in person. Upon determination that the ticket is a winning ticket, the lottery shall present or mail a check to the claimant in payment of the amount due, less the

withholding required by the Internal Revenue Code. If the ticket is determined to be a nonwinning ticket, the claim shall be denied and the claimant shall be promptly notified.

(b) To claim an on-line prize of more than \$600.00, or any prize more than thirty days after the date of the drawing, the claimant shall obtain and complete a claim form, as provided in WAC 315-06-120, and submit it with the winning ticket to the lottery by registered or certified mail or in person. Upon determination that the ticket is a winning ticket, the lottery shall present or mail a check to the claimant in payment of the amount due, less the withholding required by the Internal Revenue Code. If the ticket is determined to be a nonwinning ticket, the claim shall be denied and the claimant shall be promptly notified.

WAC 315-30-040 DRAWINGS AND END OF SALES PRIOR TO DRAWINGS. (1) Drawings shall be conducted in a location and at days and times designated by the director.

(2) The director shall announce the time for the end of sales prior to the drawing for each type of on-line game. TDMs will not process orders for on-line tickets for that drawing after the time established by the director.

(3) The director shall designate the type of equipment to be used and shall establish procedures to randomly select the winning multi-digit number or series of numbers for each type of on-line game.

(4) The equipment used to determine the winning number shall not be electronically or otherwise connected to the central computer or to any tapes, discs, files, etc., generated or produced by the central computer. The equipment shall be tested prior to and after each drawing to assure proper operation and lack of tampering or fraud. Drawings shall not be certified until all checks are completed. No prizes shall be paid until the drawing is certified.

(5) All drawings shall be broadcast live on television provided the facilities for such broadcasts are available and operational.

(6) The director shall establish procedures governing the conduct of drawings for each type of on-line game. The procedures shall include provisions for deviations which include but are not limited to: (a) drawing equipment malfunction before or during the drawing; (b) video and/or audio malfunction during the drawing; (c) drawing mishaps, (d) delayed drawing, and (e) other equipment, facility and/or personnel difficulties.

(7) In the event a deviation occurs, the drawing will be completed under lottery supervision. The drawing shall be video taped for later broadcast, if broadcast time is available. The drawing shall be certified and the deviation documented on the certification form. The winning multi-digit number or series of numbers will be provided to the television network for dissemination to the public.

(8) The director shall invalidate any drawing affected by a drawing equipment malfunction.

(9) The director shall delay payment of all prizes if any evidence exists or there are grounds for suspicion that tampering or fraud has occurred. Payment shall be made after an investigation is completed and the drawing certified.

NEW SECTION

WAC 315-30-050 VALIDATION REQUIREMENTS. (1) To be a valid winning on-line ticket, all of the following conditions must be met:

(a) All printing on the ticket shall be present in its entirety, legible, and correspond, using the computer validation file, to the number and date printed on the ticket.

(b) The ticket shall be intact.

(c) The ticket shall not be mutilated, altered, or tampered with in any manner.

(d) The ticket shall not be counterfeit or an exact duplicate of another winning ticket.

(e) The ticket must have been issued by an authorized licensed agent in an authorized manner.

(f) The ticket must not have been stolen or cancelled.

(g) The ticket must not have been previously paid.

(h) The ticket shall pass all other confidential security checks of the lottery.

(2) Any ticket failing any validation requirement listed in WAC 315-30-050(1) is invalid and ineligible for a prize.

(3) The director may replace an invalid on-line ticket with an on-line ticket for a future drawing of the same game. The director may pay the prize for a ticket that is partially mutilated or is not intact if

the on-line ticket can still be validated by the other validation requirements.

(4) In the event a defective on-line ticket is purchased, the only responsibility or liability of the lottery or the on-line agent shall be the replacement of the defective on-line ticket with another on-line ticket for a future drawing of the same game.

NEW SECTION

WAC 315-30-060 PAYMENT OF PRIZES BY ON-LINE AGENTS. (1) An on-line agent shall pay to the ticket bearer on-line game prizes of \$600.00 or less for any validated claims presented to that on-line agent within thirty days of the drawing. These prizes shall be paid during all normal business hours of that on-line agent, provided, the on-line system is operational and claims can be validated.

(2) An on-line agent may pay prizes in cash or by business check, certified check, or money order. An on-line agent that pay a prize with a check which is dishonored may be subject to suspension or revocation of its license, pursuant to WAC 315-04-200.

NEW SECTION

WAC 315-30-070 AGENT SETTLEMENT. (1) Each on-line agent shall establish an account for deposit of monies derived from on-line games with a financial institution that has the capability of electronic funds transfer (EFT).

(2) Each on-line agent shall make a deposit to that account at least once each week. The deposits shall be made not later than the day and time specified by the lottery. The amount deposited shall be sufficient to cover monies due the lottery for that weekly accounting period. The lottery may withdraw by EFT the amount due the lottery on the following business day.

NEW SECTION

WAC 315-31-020 PRICE OF TRIPLE CHOICE ON-LINE TICKET. The base price of a Triple Choice On-Line Ticket shall be selected by the player, from \$.50 to \$5.00, in increments of \$.50.

NEW SECTION

WAC 315-31-030 TYPES OF PLAY FOR TRIPLE CHOICE. The following play options may be selected by the player for TRIPLE CHOICE:

(1) Straight. A play in which winning is achieved only when the three-digit number selected by the player matches in exact order the winning number drawn for the day selected. For example, if the winning number is "123", only straight plays of "123" in that exact order will be winners.

(2) Six-Way Box. A play in which winning is achieved only when the three-digit number selected by the player contains three unique digits and those three digits are contained in the winning number drawn for the day selected. For example, if the winning number is "123", only box plays of "123", "132", "213", "231", "312", and "321" will be winners.

(3) Three-Way Box. A play in which winning is achieved only when the three-digit number selected by the player contains two identical digits and one unique digit and those three digits are contained in the winning number drawn for the day selected. For example, if the winning number is "122", only box plays of "122", "212", and "221" will be winners.

(4) Front-Pair. A play in which winning is achieved only when the player selects two digits and those two digits match in exact order the first two digits of the winning number drawn for the day selected. For example, if the player selects a front-pair play of "12*", the player will win only if the winning number is "120", "121", "122", "123", "124", "125", "126", "127", "128", or "129".

(5) Back-Pair. A play in which winning is achieved only when the player selects two digits and those two digits match in exact order the last two digits of the winning number drawn for the day selected. For example, if the player selects a back-pair play of "*12", the player will win only if the winning number is "012", "112", "212", "312", "412", "512", "612", "712", "812", or "912".

(6) Six-Way Straight Box. A play in which the player selects a three-digit number with three unique digits and plays \$.50 on a straight play and \$.50 on a box play for a particular day. For example, if the player selects a "123" six-way straight/box play:

(a) the player will win both the straight and box plays if the winning number is "123" for the day selected.

(b) the player will win the box play only if the winning number is "132", "213", "231", "312", or "321" for the day selected.

(7) Three-Way Straight/Box. A play in which the player selects a three-digit number with two identical digits and one unique digit and plays \$.50 on a straight play and \$.50 on a box play for a particular day. For example, if the player selects a "122" three-way straight/box play:

(a) the player will win both the straight and box plays if the winning number is "122" for the day selected.

(b) the player will win the box play only if the winning number is "212" or "221" for the day selected.

(8) Super Six-Way Box. A play in which winning is achieved only when the three-digit number selected by the player contains three unique digits and those three digits are contained in the winning number drawn for the day selected. This play is the equivalent of six straight plays on a single on-line ticket. The cost of this type of play is 6 times the base price. For example, if the player selects a "123" super six-way box play, the player will win one straight play if the winning number is "123" "132", "213", "231", "312", or "321".

(9) Super Three-Way Box. A play in which winning is achieved only when the three-digit number selected by the player contains two identical digits and one unique digit and those three digits are contained in the winning number drawn for the day selected. This play is the equivalent of three straight plays on a single on-line ticket. The cost of this type of play is three times the base price. For example, if the player selects a "122" Super Three-Way Box play, the player will win one straight play if the winning number is "122", "212", or "221".

NEW SECTION

WAC 315-31-040 PRIZES FOR TRIPLE CHOICE. (1) The prize amounts for winning \$.50 plays are:

- (a) Straight \$250.00
- (b) Six-Way Box \$ 40.00
- (c) Three-Way Box \$ 80.00
- (d) Front-Pair or Back-Pair \$ 25.00

(2) The prize amounts for winning \$1.00 plays are:

- (a) Straight \$500.00
- (b) Six-Way Box \$ 80.00
- (c) Three-Way Box \$160.00
- (d) Front-Pair or Back-Pair \$ 50.00

(e) Six-Way Straight/Box
 Straight Play Win \$290.00
 Box Play only win \$ 40.00

(f) Three-Way Straight/Box
 Straight Play win \$330.00
 Box Play only win \$ 80.00

(3) The prize amounts for winning Super Six-Way Plays are:

- (a) base price \$.50, cost \$3.00 \$250.00
- (b) base price \$1.00, cost \$6.00 \$500.00

(4) The prize amounts for winning Super Three-Way Plays are:

- (a) base price \$.50, cost \$1.50 \$250.00
- (b) base price \$1.00, cost \$3.00 \$500.00

NEW SECTION

WAC 315-31-050 TICKET PURCHASES. (1) Triple Choice tickets may be purchased between 6:00 a.m. and 11:00 p.m. seven days a week.

(2) Triple Choice tickets may be purchased only from licensed agent authorized by the director to sell on-line tickets.

(3) Each Triple Choice ticket shall contain the player's selection of number, amount, type of play, and drawing date.

NEW SECTION

WAC 315-31-060 DRAWINGS. (1) Drawings for Triple Choice shall be held on a daily basis, Monday through Saturday, except that the director may exclude certain holidays from the drawing schedule.

(2) The drawing shall determine, at random, one three-digit winning number with the aid of mechanical drawing equipment which shall be tested before and after each drawing. Any drawn number is not declared a winning number until the drawing is certified by the lottery. This winning number shall be used in determining all Triple Choice winners for the day drawn.

(3) A winning number shall not be invalidated based on the liability of the lottery.

WSR 83-22-073
PROPOSED RULES
UNIVERSITY OF WASHINGTON
 [Filed November 2, 1983]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that the University of Washington intends to amend and repeal rules concerning WAC 478-120-010 through 478-120-130, student conduct code: To delete the student-faculty joint council on student conduct and activities; to eliminate gender-specific language; and to make a limited number of other editorial changes for the sake of clarity.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on December 9, 1983, (board of regents).

The authority under which these rules are proposed is RCW 28B.20.130.

The specific statute these rules are intended to implement is RCW 28B.20.130.

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution before November 11, 1983.

Dated: October 20, 1983

By: Ernest R. Morris
 Vice President for Student Affairs

STATEMENT OF PURPOSE

Statutory Authority: RCW 28B.20.130.

Purpose of the Rule(s): The student conduct code assures the timely and fair consideration and disposition of student conduct problems.

Summary of the Rule(s): The student conduct code established the regulations on student conduct and student discipline.

Reasons Which Support the Proposed Action: The joint council on student conduct and activities has ceased to function and on May 20, 1980, the group recommended that it be disbanded. In addition, it is recommended that gender-specific language be eliminated and a number of editorial changes be made for the sake of clarity.

Name of Person or Organization Proposing the Rule(s): Vice president for student affairs.

Agency Personnel Responsible for Drafting, Implementation and Enforcement of the Rule(s): Dr. Ernest R. Morris, Vice President for Student Affairs, 543-4024.

The Rule(s) is (are) Necessary as the Result of Federal Law, Federal Court Action, or State Court Action: No.

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

AMENDATORY SECTION (Amending Order 72-9, filed 11/30/72)

WAC 478-120-020 STANDARDS OF CONDUCT. (1) The university is a public institution having special responsibility for providing instruction in higher education, for advancing knowledge through scholarship and research, and for providing related services to

the community. As a center of learning, the university also has the obligation to maintain conditions which are conducive to freedom of inquiry and expression in the maximum degree compatible with the orderly conduct of its functions. For these purposes the university is governed by regulations and procedures which safeguard its functions and which, at the same time, protect the rights and freedoms of all members of the academic community.

(2) Admission to the university carries with it the presumption that the student will ~~((conduct himself as))~~ be a responsible member of the academic community. Thus, when ~~((he))~~ the student enrolls in the university, the student likewise assumes the obligation to observe standards of conduct which are appropriate to the pursuit of academic goals. Stated in general terms, the student has the obligation to:

(a) Maintain high standards of academic and professional honesty and integrity;

(b) Respect the rights, privileges and property of other members of the academic community and visitors to the campus, refraining from actions which would interfere with the university functions or endanger the health, safety, or welfare of other persons;

(c) Comply with the rules and regulations of the university and its schools, colleges, and departments.

(3) Specific regulations on student activities shall be in accord with these general standards.

AMENDATORY SECTION (Amending Order 72-9, filed 11/30/72)

WAC 478-120-030 DISCIPLINARY ACTIONS. (1) Most disciplinary proceedings will be conducted informally between the student and ~~((his))~~ the student's academic dean in matters relating to ~~((the student's))~~ academic work and between the student and the office of student affairs in other matters. (See WAC 478-120-050 for jurisdiction.) More formal procedures are provided, however, including an impartial hearing before the university disciplinary committee; these procedures may be invoked either by the officer dealing with the case or by the student involved. In all situations, whether handled formally or informally, basic standards of fairness will be observed in the determination of

(a) The truth or falsity of the charges against the student;

(b) Whether the alleged misconduct is, in fact, a violation of university standards of conduct and, if so,

(c) What sanctions should be imposed.

The criteria for judging student misconduct shall be the general standards of conduct as stated in WAC 478-120-020 or as modified and interpreted in accordance with the procedures specified in WAC 478-120-110.

(2) When questions of mental or physical health are raised in conduct cases, the dean, the office of student affairs, or the university disciplinary committee may request the student to appear for examination before two physician-consultants designated by the dean of the school of medicine. The physician-consultants may call upon the student health center for any other professional assistance they deem necessary. After examining the student and consulting with the student's personal physician, the physician-consultants shall make a recommendation to the referring agency as to whether the case should be handled as a disciplinary matter or as a case for medical or other treatment. Decisions based upon these recommendations are the responsibility of the referring agency. Such decisions may be appealed in accordance with the provisions of WAC 478-120-070 and 478-120-090(1).

(3) In the case of student conduct which involves an alleged or proven violation of law, the disciplinary authority of the university will not be used to duplicate the function of civil authorities. Disciplinary action may be taken if the conduct also involves a violation of university standards and the interests of the university community are distinct from those of the civil authorities.

(4) A student who has been judged to have violated university standards of conduct will be subject to disciplinary sanctions up to and including dismissal from the university for the most serious offenses. In the case of students who are unmarried minors, such sanctions may be reported to parents or legal guardians at the discretion of the officer or agency taking the action except that dismissal of a minor will always be reported to ~~((his))~~ the student's parents or legal guardians.

AMENDATORY SECTION (Amending Order 72-9, filed 11/30/72)

WAC 478-120-040 DISCIPLINARY SANCTIONS. The following definitions of disciplinary terms have been established to provide consistency in the application of sanctions:

(1) Disciplinary warning – notice to a student, either ~~((verbally)) orally~~ or in writing, that ~~((he)) the student~~ has been in violation of university rules or regulations or has otherwise failed to meet the university's standards of conduct. Such warnings will include the statement that continuation or repetition of the specific conduct involved or other misconduct will normally result in one of the more serious disciplinary actions described in WAC 478-120-040 (2), (3), (4), and (5).

(2) Reprimand – formal action censuring a student for violation of university rules or regulations or for failure to meet the university's standards of conduct. Reprimands are always made in writing to the student by the officer or agency taking action, with copies to the office of student affairs. A reprimand will include the statement that continuation or repetition of the specific conduct involved or other misconduct will normally result in one of the more serious disciplinary actions described in WAC 478-120-040 (3), (4), and (5).

(3) Restitution – an individual student may be required to make restitution for damage or loss to university or other property and for injury to persons. Failure to make arrangements to pay will result in cancellation of the student's registration and will prevent the student from re-registration.

(4) Disciplinary probation – formal action placing conditions upon the student's continued attendance for violation of university rules or regulations or other failure to meet the university's standards of conduct. The office placing the student on disciplinary probation will specify in writing the period of probation and the conditions thereof, such as limiting the student's participation in extra-curricular activities. Disciplinary probation warns the student that any further misconduct will automatically raise the question of dismissal from the university. Disciplinary probation may be for a specified term or for an indefinite period which may extend to graduation or other termination of the student's enrollment in the university.

(5) Dismissal – termination of student status for violation of university rules or regulations or for failure to meet the university's standards of conduct. Students may be dismissed only with the approval of the president of the university and on the recommendation of the dean of a college or school, the office of student affairs, or the university disciplinary committee. Dismissal may be for a stated or for an indefinite period. The written notification dismissing a student will indicate ~~((in writing))~~ the term of the dismissal and any special conditions which must be met before readmission. In the case of ~~((an unmarried student under twenty-one years of age))~~ a student who is an unmarried minor, a copy of the notification of dismissal will be sent to the parents or the legal guardian of the student. There is no refund of fees for the quarter in which the action is taken but fees paid in advance for a subsequent quarter are to be refunded.

AMENDATORY SECTION (Amending Order 72-9, filed 11/30/72)

WAC 478-120-050 JURISDICTION. (1) The dean of each college or school, including the graduate school, is responsible for initiating disciplinary proceedings for infractions of the rules and regulations of that college or school or for misconduct in academic work (cheating, plagiarism, etc.). When a case involving academic misconduct is brought before the university disciplinary committee, that committee may consult the initiating dean on rules or standards of academic discipline within that school or college.

(2) The initiation of proceedings for violation of university-wide regulations or for misconduct unrelated to the student's academic work is the responsibility of the office of student affairs, except that jurisdiction may be transferred to the dean of the college or school in which the student is enrolled when the office of student affairs and the dean of that college or school agree that the alleged misconduct bears upon the student's fitness to continue in the college or school.

(3) Misconduct in academic work by a student enrolled in another college or school shall be reported to the dean of the college in which the student is enrolled through the dean of the college offering the course. The dean of the college in which the student is enrolled shall be responsible for taking or initiating appropriate disciplinary action. In the case of a nonmatriculated student, the dean of the college offering the course shall be responsible for taking or initiating appropriate disciplinary action.

(4) The provisions of these sections do not apply to the evaluation of a student's academic performance, including the assignment of grades by instructors. Each college and school provides orderly procedures for the review of grades if such review is requested by the student. An instructor need not give credit for work which is the product of cheating, plagiarism or other academic misconduct.

However, the lowering of a course grade is not appropriate as a disciplinary sanction; if disciplinary action is warranted by academic misconduct, it will be initiated by the provisions of this section.

(5) An instructor has the authority to exclude a student from any class session in which the student is disorderly or disruptive. Should such disorderly or disruptive conduct persist, the instructor should report the matter to the dean of the school or college in which the student is enrolled. The dean may initiate disciplinary action as provided in WAC 478-120-060.

(6) Special and more detailed rules and regulations regarding conduct in the residence halls may be promulgated by the director of ~~((student residences))~~ housing and food services subject to review and approval by the office of student affairs. Authority to impose disciplinary sanctions for the violation of such rules and regulations is delegated to the director of ~~((student residences))~~ housing and food services by the vice president for student affairs. Appeals from these actions of the director will be addressed in the first instance to the vice president for student affairs or ~~((his))~~ the vice president's designated representatives. The office of student affairs reserves the right to remove students from the residence halls for disciplinary reasons. These actions may be further appealed to the university disciplinary committee.

(7) Campus traffic regulations are under the general jurisdiction of the police department of the university. The university traffic court has jurisdiction to hear and decide cases involving alleged violations of such regulations. (See chapter ~~((478-16 [478-116]))~~ 478-116 WAC.)

(8) Library borrowing and use regulations, including fines for late return of library materials and repair and replacement costs for damaged or lost materials are under the jurisdiction of the university library. The library ~~((advisory))~~ appeals committee has jurisdiction to hear appeals from decisions of the director of libraries and to decide cases involving alleged violations of rules relating to borrowing and use of library materials, including fines for late returns and costs of repair or replacement. (See chapter 478-168 WAC.)

AMENDATORY SECTION (Amending Order 72-9, filed 11/30/72)

WAC 478-120-060 DISCIPLINARY AUTHORITY OF DEANS AND OFFICE OF STUDENT AFFAIRS. (1) Except as otherwise provided in WAC 478-120-050, all disciplinary proceedings will be initiated by either the dean of the college or school in which the student is enrolled or by the office of student affairs. The deans and the vice president for student affairs may delegate this responsibility to members of their staffs and to students; they may also establish student or student-faculty courts or hearing bodies to advise or act for them in disciplinary matters.

(2) In order that any informality in disciplinary proceedings not mislead a student as to the seriousness of the matter under consideration, the student involved shall be informed at the initial conference or hearing of the various sanctions that may be involved for misconduct, as listed in WAC 478-120-040.

(3) After considering the evidence in the case and interviewing the student or students involved, the dean or vice president for student affairs, or their duly empowered representatives, courts, or hearing bodies may take any of the following actions:

(a) Terminate the proceeding, exonerating the student or students.

(b) Dismiss the case after whatever counseling and advice may be appropriate.

(c) Impose disciplinary sanctions directly, subject to the student's right of appeal described in WAC 478-120-070. The student shall be notified in writing of the action taken except that disciplinary warnings may be given ~~((verbally))~~ orally.

(d) Refer the matter to the university disciplinary committee for appropriate action. The student shall be notified in writing that the matter has been referred to the committee.

(4) In all cases the student shall be advised of his/her rights by reference to this part of university regulations. Should the student prefer a formal hearing before the university disciplinary committee in place of informal or semi-formal hearings by deans, the office of student affairs, or their representatives, ~~((he))~~ the student shall so indicate to the initiating officer. In such circumstances, the case shall be referred immediately to the university disciplinary committee.

AMENDATORY SECTION (Amending Order 72-9, filed 11/30/72)

WAC 478-120-070 APPEALS. (1) Any disciplinary action taken by the dean of a college or school or ~~((his))~~ the dean's representative, by the vice president for student affairs or ~~((his))~~ the vice president's representatives, or by the university disciplinary committee, may be

appealed by the student to the next higher hearing body with the following conditions:

(a) If a student chooses to make an appeal, the appeal body may base its decision on the record of the proceedings in the initial hearing(s) or, if it chooses, may receive additional evidence, or rehear the case entirely. The appeal body may sustain, reduce, or vacate the penalty imposed by the group or individual originally hearing the case.

(b) A student who has been disciplined by the deans or by the office of student affairs or their representatives may appeal the case to the university disciplinary committee.

(c) Cases brought before the university disciplinary committee, either for initial hearing or for appeal, may be appealed to the faculty appeal board. (See WAC 478-120-100.)

(d) All cases in which the sanction imposed by the university disciplinary committee is dismissal shall be automatically heard on appeal by the faculty appeal board. Should the faculty appeal board sustain the recommendation of dismissal, approval of the president of the university is required before the sanction takes effect.

(2) A student wishing to appeal to either the disciplinary committee or the faculty appeal board shall indicate ~~((his))~~ such intention, in writing, and within five calendar days of the original decision, to the ~~((chairman))~~ chairperson of the group to which the appeal is made.

AMENDATORY SECTION (Amending Order 72-9, filed 11/30/72)

WAC 478-120-080 UNIVERSITY DISCIPLINARY COMMITTEE. A standing university disciplinary committee, composed equally of student and faculty representatives, will provide a hearing and will make decisions on all disciplinary cases referred to it by the deans or appealed to it by students who have been disciplined by the deans, or the office of student affairs, or their representatives.

(1) The members of the committee and their terms of office shall be:

(a) A member of the faculty or administration designated by the president of the university, who shall act as nonvoting ~~((chairman))~~ chairperson for a period of one year. Re-appointment of the ~~((chairman))~~ chairperson is permissible.

(b) Four members of the voting faculty of the university holding the rank of assistant professor or higher and who have been members of the faculty of the university for at least one year. These committee members shall serve for one-year terms.

(c) Four full-fee-paying students in good standing to serve for one-year terms. The student members will participate in each individual case at the option of the student defendant.

(2) Selection:

(a) Each of the four nonappointive faculty positions of the disciplinary committee shall be identified from a panel randomly selected from the eligible faculty in the order they were so selected, except that membership shall be limited to not more than one faculty member from each senate group.

(b) Each of the four student positions on the disciplinary committee shall be identified from a panel randomly selected from the entire full-time student body and in the order they were selected, except that membership shall include one student from the graduate or professional class standing and the other three students shall be limited to no more than one student from each class.

(c) Panels of faculty and students of adequate size shall be maintained in advance of need but the names included shall not be disclosed.

(d) Any faculty or student member may be relieved from service for the entire year, for a particular period of time, or after a particular case, by advising the ~~((chairman))~~ chairperson of ~~((his or her))~~ the desire not to serve.

(e) Membership on the disciplinary committee terminates with the beginning of the winter quarter, except that cases in process shall be continued to decision.

(f) No member of the disciplinary committee shall participate in any case in which ~~((he))~~ that member is a defendant, complainant, or witness, in which ~~((he))~~ that member has a direct or personal interest, or in which ~~((he))~~ that member has acted previously in an advisory capacity. A committee member's eligibility to participate in a case may be challenged by parties to the case or by other committee members, but decisions in this regard shall be made by the committee as a whole. Either party may also exercise three peremptory challenges; in a hearing involving more than one charged student, the combined peremptory challenges of all students shall be limited to twelve. All challenges must be exercised at least three days before commencement of the hearing. Replacement shall be made from the appropriate panel or by presidential appointment in the case of the ~~((chairman))~~ chairperson.

(g) The new panels shall be identified by the outgoing ~~((chairman))~~ chairperson, or by the person designated by the ~~((chairman))~~ chairperson, through random procedures established by the ~~((chairman))~~ chairperson.

(3) Responsibility:

(a) It is the responsibility of the ~~((chairman))~~ chairperson of the disciplinary committee to insure that all procedural safeguards and guidelines specified in WAC 478-120-090 are followed, to decide all procedural questions that arise during or in connection with a hearing, to take whatever steps are necessary during the hearing itself to insure that the hearing is conducted in a safe and orderly manner, and to inform the student, in writing, of the action taken by the disciplinary committee following the hearing.

(b) Decisions of the committee as to whether a student engaged in misconduct and as to the appropriate sanction to be applied will ordinarily be made on the basis of mutual agreement after discussion of the evidence. For both hearing and deciding, a quorum of the committee shall be three faculty members and, if student members are participating, three students.

(4) At the conclusion of a term of office, the ~~((chairman))~~ chairperson shall prepare for the guidance of subsequent ~~((chairmen))~~ chairpersons a report of the year's activities, describing how unusual procedural problems were dealt with. Such reports shall be collected in a ~~((chairman's))~~ chairperson's handbook which shall be made available to subsequent ~~((chairmen))~~ chairpersons and to any interested parties. Subsequent ~~((chairmen))~~ chairpersons shall not be bound to follow ~~((the))~~ procedures described in the handbook.

AMENDATORY SECTION (Amending Order 72-9, filed 11/30/72)

WAC 478-120-090 PROCEDURAL GUIDELINES AND SAFEGUARDS. The student has a right to a fair and impartial hearing by the university disciplinary committee on any charge of misconduct. ~~((His))~~ The student's failure to appear at or participate in the hearing procedures, however, shall not preclude the committee from making its findings of fact, conclusions and decisions as provided in this section.

(1) The ~~((chairman))~~ chairperson of the university disciplinary committee shall give the student notice of the time and place of the hearing, the charges against ~~((him))~~ the student, a list of witnesses who will appear, and a description of any documentary or other physical evidence that will be presented at the hearing. This notice shall be given to the student in writing and shall be provided in sufficient time (one week minimum) to permit ~~((him))~~ the student to prepare ~~((his))~~ a defense. The notice may be amended at any time prior to the hearing, but if such amendment is prejudicial to the student's case, the hearing shall be rescheduled to a later date.

(2) The student shall be entitled to hear and examine the evidence ~~((against him))~~ and be informed of the identity of its sources; ~~((he))~~ the student shall be entitled to present evidence ~~((in his own behalf))~~ and to question witnesses testifying against ~~((him))~~ the student as to factual matters.

(3) The burden to prove, by a preponderance of the evidence, that the student engaged in the misconduct charged shall be on the official who initiated the charges. Only those matters presented at the hearing will be considered in determining whether the student engaged in misconduct, but the student's past record of conduct may be taken into account in formulating the committee's recommendations for disciplinary action.

(4) The student may be represented by counsel and/or accompanied by an adviser of ~~((his))~~ the student's choice.

(5) No one will be required to give self-incriminating evidence.

(6) Hearings conducted by the committee generally will be held in closed session except when the student requests that persons other than those directly involved be invited to attend. When a hearing has been opened to persons other than those directly involved, the committee shall conduct the hearing in a room which will accommodate a reasonable number of observers. The committee may exclude from the hearing room any persons who are disruptive of the proceedings and may limit the number who may attend the hearing in order to afford safety and comfort to the participants and orderliness to the proceedings.

(7) All proceedings of the committee will be conducted with reasonable dispatch and terminated as soon as fairness to all parties involved permits.

(8) An adequate summary of the proceedings will be kept. As a minimum, such a summary would include a tape recording of testimony.

(9) The student will be provided with a copy of the findings of fact and with the conclusions and the sanctions, if any, to be imposed. ~~((He))~~ The student will also be advised of ~~((his))~~ the right to appeal the committee's decision, within five calendar days, in a written statement to the faculty appeal board.

(10) If there is no appeal to the faculty ~~((appeal))~~ board, the sanctions shall be in effect at the end of the five-day appeal period or at such other time as may be indicated by the committee. If there is an appeal, imposition of sanctions shall be delayed pending the review provided for in this section.

(11) Where, in the judgment of a majority of the committee, proceedings will be expedited thereby, it may appoint a hearing examiner, who shall be a member of the faculty or a member of the bar, to conduct the hearing provided for in this action. Such examiner will conduct the hearing in accordance with the provisions of this section and any rules of procedure adopted by the committee, provided that a stenographic record of the hearing will be kept and a transcript of the hearing will be provided to the committee prior to its rendering its decision. The committee may, at its option, request the hearing examiner to provide ~~((his))~~ recommendations as to findings, conclusions and decisions, but such recommendations shall not be binding on the committee, who shall make its findings, conclusions and decision based on the transcript of the hearing. The hearing examiner shall rule on all objections to evidence but any such ruling may be appealed by an affected party to the committee for final decision.

(12) Each report of the university disciplinary committee shall, upon approval of the student involved, be made available to members of the university community through the office of student affairs.

AMENDATORY SECTION (Amending Order 72-9, filed 11/30/72)

WAC 478-120-100 FACULTY APPEAL BOARD. (1) The faculty appeal board shall be composed of seven members of the faculty to be appointed by the ~~((chairman))~~ chairperson of the faculty senate in consultation with the faculty council on student affairs. One member of the faculty appeal board shall be designated by the ~~((chairman))~~ chairperson of the faculty senate as ~~((chairman))~~ chairperson of the board. Individual cases may be heard by the entire board or by sub-groups of no fewer than three members.

(2) The faculty appeal board shall hear three types of cases:

(a) Appeals by the student defendant from the action of the disciplinary committee.

(b) All cases involving recommendations of dismissal.

(c) Appeals by the vice president for student affairs, by a dean, or by their representatives. In the case where it is felt that the disciplinary committee has imposed too light a penalty, and where the student ~~((himself))~~ has not appealed to the faculty appeal board, the dean or the vice president for student affairs, or their representatives, may request an advisory review of the case by the faculty appeal board. If, in the opinion of the board, the complainant's view is correct, the sanction imposed on the student may not be increased in that specific case but the board may request that the issue be discussed by ~~((the joint council (see WAC 478-120-110), or that))~~ the faculty council on student affairs which may prepare additional guidelines for the disciplinary committee.

(3) All procedural safeguards detailed in WAC 478-120-090 for cases before the disciplinary committee shall hold for hearings before the faculty appeal board.

AMENDATORY SECTION (Amending Order 72-9, filed 11/30/72)

WAC 478-120-120 RECORDING AND MAINTENANCE OF RECORDS. (1) Records of all disciplinary cases shall be kept by the office taking or initiating the action. Except in proceedings wherein the student is exonerated, all documentary or other physical evidence produced or considered in disciplinary proceedings and all recorded testimony shall be preserved insofar as possible for at least five years. No record of proceedings wherein the student is exonerated, other than the fact of exonerated, shall be maintained in the student's file or other university repository after the date of the student's graduation.

(2) The dean of a college or school shall report to the office of student affairs, in writing, all cases in which disciplinary action is taken. ~~((He))~~ The dean shall also inform the registrar of any action affecting a student's official standing in the university.

(3) The office of student affairs shall notify the dean of the college or school in which the student is enrolled of any disciplinary action it

takes and also shall notify the registrar of any action affecting a student's official standing in the university. The office of student affairs shall keep accurate records of all disciplinary actions taken by, or reported by, that office. All disciplinary actions will be entered on the student's record and may be removed at the time of graduation or earlier at the discretion of the office initiating the action if special terms and conditions have been met or if other circumstances warrant the removal. The office which initiated the action is responsible for ordering the removal of temporary notations of any disciplinary action on the student's record. A student may petition to that office for removal of such a notation at any time.

(4) Disclosure of information contained in disciplinary records is governed by chapter 478-140 WAC.

AMENDATORY SECTION (Amending Order 72-9, filed 11/30/72)

WAC 478-120-130 EMERGENCY AUTHORITY OF THE PRESIDENT OF THE UNIVERSITY. Ordinarily, disciplinary sanctions of any kind will be imposed only after the appropriate informal or formal hearing has taken place, and ~~((after the student,))~~ if ~~((he))~~ the student so chooses, has availed ~~((himself))~~ of ~~((his))~~ the right of appeal. However, the president of the university or ~~((his))~~ the president's authorized representative, by virtue of the authority delegated to them by the board of regents of the university, under conditions which the president or ~~((his))~~ the president's authorized representative deems to be an emergency situation, may suspend students from participation in any or all university privileges, pending the application of university disciplinary procedures, in order to protect the offenders or other members of the university community, or to assure the university's ability to function. In any case in which this provision is invoked, the student or students in question are entitled to an early disciplinary hearing by the university disciplinary committee, and the case takes precedence over other business pending before the committee.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 478-120-110 STUDENT FACULTY JOINT COUNCIL ON STUDENT CONDUCT AND ACTIVITIES.

WSR 83-22-074
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Health)

[Order 2045—Filed November 2, 1983]

I, Raymond M. Ryan, Deputy Secretary, do promulgate and adopt at Olympia, Washington, the annexed rules relating to certificate of need, amending chapter 248-19 WAC.

I, Raymond M. Ryan, 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 these rules are necessary to implement chapter 235, Laws of 1983.

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

This rule is promulgated pursuant to RCW 70.38.135 which directs that the Department of Social and Health Services has authority to implement the provisions of chapter 70.38 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 November 2, 1983.

By Raymond M. Ryan
Deputy Secretary

AMENDATORY SECTION (Amending Order 210, filed 4/9/81, effective 5/20/81)

WAC 248-19-220 DEFINITIONS. For the purposes of chapter 248-19 WAC, the following words and phrases shall have the following meanings unless the context clearly indicates otherwise.

(1) "Acute care facilities" means hospitals and ambulatory surgical facilities.

(2) "Affected persons" means the applicant, the health systems agency for the health service area (~~(in which)~~) where the proposed project is to be located, health systems agencies serving contiguous health service areas, health care facilities and health maintenance organizations located in the health service area (~~(in which)~~) where the project is proposed to be located (~~(which provide)~~) providing services similar to the services under review, health care facilities and health maintenance organizations, which, prior to receipt by the department of the proposal being reviewed, have formally indicated an intention to provide similar services in the future, third-party payers (~~(who reimburse)~~) reimbursing health care facilities for services in the health service area (~~(in which)~~) where the project is proposed to be located, any agency (~~(which establishes)~~) establishing rates for health care facilities or health maintenance organizations located in the health service area (~~(in which)~~) where the project is proposed to be located, any person residing within the geographic area served or to be served by the applicant, and any person (~~(who)~~) regularly (~~(uses)~~) using health care facilities within that geographic area.

(3) "Ambulatory care facility" means any place, building, institution, or distinct part thereof (~~(which is)~~) not a health care facility as defined in this section and (~~(which is)~~) operated for the purpose of providing health services to individuals without providing such services with board and room on a continuous twenty-four hour basis. The term "ambulatory care facility" includes the offices of private physicians, whether for individual or group practice.

(4) "Ambulatory surgical facility" means a facility, not a part of a hospital, (~~(which provides)~~) providing surgical treatment to patients not requiring inpatient care in a hospital. This term does not include a facility in the offices of private physicians or dentists, whether for individual or group practice, if the privilege of using such facility is not extended to physicians or dentists outside the individual or group practice.

(5) "Applicant," except as used in WAC 248-19-390, means any person (~~(who proposes)~~) proposing to engage in any undertaking (~~(which is)~~) subject to review under the provisions of chapter 70.38 RCW and Title XV of

the Public Health Service Act as amended by (~~(Public Law)~~) P.L. 96-79.

"Applicant," as used in WAC 248-19-390, means any person or individual with a ten percent or greater financial interest in a partnership or corporation or other comparable legal entity (~~(that engages)~~) engaging in any undertaking (~~(which is)~~) subject to review under the provisions of chapter 70.38 RCW and Title XV of the Public Health Service Act as amended by (~~(Public Law)~~) P.L. 96-79.

(6) "Annual implementation plan" means a description of objectives which will achieve goals of the health systems plan and specific priorities among the objectives. The annual implementation plan is for a one-year period and must be reviewed and amended as necessary on an annual basis.

(7) "Board" means the Washington state board of health.

(8) "Capital expenditure" means an expenditure, including a force account expenditure (i.e., an expenditure for a construction project undertaken by a facility as its own contractor), which, under generally accepted accounting principles, is not properly chargeable as an expense of operation or maintenance. Where a person makes an acquisition under lease or comparable arrangement, or through donation, which would have required certificate of need review if the acquisition had been made by purchase, such acquisition shall be deemed a capital expenditure. Capital expenditures include donations of equipment or facilities to a health care facility, which if acquired directly by such facility, would be subject to review under the provisions of this chapter and transfer of equipment or facilities for less than fair market value if a transfer of the equipment or facilities at fair market value would be subject to such review.

(9) "Certificate of need" means a written authorization by the secretary for a person to implement a proposal for one or more undertakings.

(10) "Certificate of need unit" means that organizational unit of the department (~~(which is)~~) responsible for the management of the certificate of need program.

(11) "Commencement of construction" means whichever of the following occurs first: Giving notice to proceed with construction to a contractor for a construction project; beginning site preparation or development; excavating or starting the foundation for a construction project; or beginning alterations, modification, improvement, extension, or expansion of an existing building.

(12) "Construction" means the erection, building, alteration, remodeling, modernization, improvement, extension, or expansion of a physical plant of a health care facility, or the conversion of a building or portion thereof to a health care facility.

(13) "Council" means the state health coordinating council established under the provisions of chapter 70.38 RCW and Title XV of the Public Health Service Act as amended by (~~(Public Law)~~) P.L. 96-79.

(14) "Days," except when called "working days," means calendar days (~~(which are)~~) counted by beginning with the day after the date of the act, event, or occurrence from which the designated period of time begins to

run. If the last day of the period so counted should fall on a Saturday, Sunday, or legal holiday observed by the state of Washington, a designated period shall run until the end of the first working day (~~which follows~~) following the Saturday, Sunday, or legal holiday.

"Working days" exclude all Saturdays and Sundays, January 1, February 12, the third Monday in February, the last Monday of May, July 4, the first Monday in September, November 11, the fourth Thursday in November, the day immediately following Thanksgiving day, and December 25. Working days are counted by beginning with the first working day after the date of the act, event, or occurrence from which a designated period of time begins to run.

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

(16) "Expenditure minimum" means one hundred fifty thousand dollars for the twelve-month period beginning with October 1979, and for each twelve-month period thereafter the figure in effect for the preceding twelve-month period adjusted to reflect the change in the preceding twelve-month period, in an index established by rules and regulations by the department for the purpose of making such adjustment.

(17) "Health care facility" means hospitals, psychiatric hospitals, tuberculosis hospitals, nursing homes, both skilled nursing facilities and intermediate care facilities, kidney disease treatment centers including freestanding hemodialysis units, ambulatory surgical facilities, rehabilitation facilities, hospices and home health agencies, and includes such facilities when owned and operated by the state or a political subdivision or instrumentality of the state and such other facilities as required by Title XV of the Public Health Service Act as amended by ~~((Public Law))~~ P.L. 93-641 and implementing regulations, but does not include Christian Science sanatoriums operated or listed and certified by the First Church of Christ Scientist, Boston, Massachusetts.

(18) "Health maintenance organization" means a public or private organization, organized under the laws of the state, which:

(a) Is a qualified health maintenance organization under Title XIII, Section 1310(d) of the Public Health Service Act; or

(b)(i) Provides or otherwise makes available to enrolled participants health care services, including at least the following basic health care services: Usual physician services, hospitalization, laboratory, x-ray, emergency and preventive services, and out-of-area coverage;

(ii) Is compensated (except for copayments) for the provision of the basic health care services listed in subsection (18)(b)(i) of this ((subsection)) section to enrolled participants by a payment which is paid on a periodic basis without regard to the date the health care services are provided and which is fixed without regard to the frequency, extent, or kind of health service actually provided; and

(iii) Provides physicians' services primarily;

(A) Directly through physicians who are either employees or partners of such organization, or

(B) Through arrangements with individual physicians or one or more groups of physicians (organized on a group practice or individual practice basis).

(19) "Health services" means clinically related (i.e., preventive, diagnostic, curative, rehabilitative, or palliative) services and includes alcoholism, drug abuse, and mental health services.

(20) "Health systems agency" means a public regional planning body or a private nonprofit corporation (~~which is~~) organized and operated in a manner (~~that is~~) consistent with the laws of the state of Washington and ~~((Public Law))~~ P.L. 93-641 and (~~which is~~) capable of performing each of the functions described in RCW 70.38.085, and is capable as determined by the secretary of the United States Department of Health and Human Services, upon recommendation of the governor or the council, of performing each of the functions described in the federal law, Title XV of the Public Health Service Act as amended by ~~((Public Law))~~ P.L. 96-79.

"Appropriate health systems agency" means the health systems agency for the health service area (~~in which~~) where a particular project is to be located.

(21) "Health systems plan" means a plan established by a health systems agency which is a detailed statement of goals and resources required to reach those goals as described in the federal law, Title XV of the Public Health Service Act as amended by ~~((Public Law))~~ P.L. 96-79.

(22) "Home health agency" means any entity which is or is to be certified as a provider of home health services in the Medicaid or Medicare program.

(23) "Hospice" means any public or private entity, center, institution, or distinct part or parts thereof certified or to be certified as a hospice provider in the Medicare program or licensed or certified by the state of Washington to provide hospice services or providing a coordinated program of home and inpatient services for the terminally ill. Services provided by a hospice are primarily palliative and supportive rather than curative in nature, including bereavement care to the family after the patient's death, and provided by an interdisciplinary team. The services are designed to meet the physiological, psychological, social, and spiritual needs of the patient and his or her family.

~~((23))~~ (24) "Hospital" means any institution, place, building or agency or distinct part thereof which qualifies or is required to qualify for a license under chapter 70.41 RCW, or any state-owned and operated institution (~~which is~~) primarily engaged in providing to inpatients, by or under the supervision of physicians, diagnostic services and therapeutic services for medical diagnosis, treatment and care of injured, disabled, or sick persons, or rehabilitation services of injured, disabled, or sick persons. Such term includes tuberculosis hospitals but does not include psychiatric hospitals.

~~((24))~~ (25) "Hospital commission" means the Washington state hospital commission established pursuant to chapter 70.39 RCW.

~~((25))~~ (26) "Inpatient" means a person (~~who receives~~) receiving health care services with board and room in a health care facility on a continuous twenty-four-hour-a-day basis.

~~((26))~~ (27) "Institutional health services" means health services provided in or through health care facilities and entailing annual direct operating costs of at least seventy-five thousand dollars for the twelve-month period beginning with October 1979, and for each twelve-month period thereafter the figure in effect for the preceding twelve-month period adjusted to reflect the change in the preceding twelve-month period in an index established by rules and regulations by the department.

~~((27))~~ (28) "Intermediate care facility" means any institution or distinct part thereof (~~(which is)~~) certified as an intermediate care facility for participation in the Medicaid (Title XIX of the Social Security Act) program.

~~((28))~~ (29) "Kidney disease treatment center" means any place, institution, building or agency or a distinct part thereof (~~(which is)~~) equipped and operated to provide services, (~~(which include)~~) including dialysis services, to persons who have end-stage renal disease.

~~((29))~~ (30) "Long-range health facility plan" means a document prepared by each hospital (~~(which contains)~~) containing a description of (~~(its)~~) the hospital's plans for substantial changes in (~~(its)~~) the facilities and services for three years.

~~((30))~~ (31) "Major medical equipment" means a single unit of medical equipment or a single system of components (~~(which is)~~) used for the provision of medical and other health services and (~~(which costs)~~) costing in excess of one hundred fifty thousand dollars, except that such term does not include dental equipment or medical equipment acquired by or on behalf of a clinical laboratory to provide clinical laboratory services if the clinical laboratory is independent of a physician's office and a hospital, and (~~(it)~~) the clinical laboratory has been determined under Title XVIII of the Social Security Act to meet the requirements of paragraphs (10) and (11) of section 1861(s) of such act. If the equipment is acquired for less than fair market value, the term "cost" includes the fair market value.

~~((31))~~ (32) "May" means permissive or discretionary.

~~((32))~~ (33) "Nursing home" means any home, place, institution, building or agency or distinct part thereof (~~(which operates)~~) operating or (~~(maintains)~~) maintaining facilities providing convalescent or chronic care, or both, for a period in excess of twenty-four consecutive hours for three or more patients not related by blood or marriage to the operator, who, by reason of illness or infirmity, are unable properly to care for themselves. Convalescent and chronic care may include, but not be limited to, any or all procedures commonly employed in waiting on the sick, such as administration of medicines, preparation of special diets, giving of bedside nursing care, application of dressings and bandages, and carrying out of treatment prescribed by a duly licensed practitioner of the healing arts. The term "nursing home" includes any such entity (~~(which is)~~) owned and operated by the state or (~~(which is)~~) licensed or required to be licensed under the provisions of chapter 18.51 RCW and any other intermediate care facility or skilled nursing facility as these terms are defined in this section.

The term "nursing home" does not include: General hospitals or other places (~~(which provide)~~) providing care and treatment for the acutely ill and (~~(maintain)~~) maintaining and (~~(operate)~~) operating facilities for major surgery or obstetrics or both; psychiatric hospitals as defined in this section; private establishments, other than private psychiatric hospitals, licensed or required to be licensed under the provisions of chapter 71.12 RCW; boarding homes licensed under the provisions of chapter 18.20 RCW; or any place or institution (~~(which is)~~) operated to provide only board, room, and laundry to persons not in need of medical or nursing treatment or supervision.

~~((33))~~ (34) "Obligation," when used in relation to a capital expenditure, means the following has been incurred by or on behalf of a health care facility:

(a) An enforceable contract has been entered into by a health care facility or by a person proposing such capital expenditure on behalf of the health care facility for the construction, acquisition, lease, or financing of a capital asset; or

(b) A formal internal commitment of funds by a health care facility for a force account expenditure (~~(which constitutes)~~) constituting a capital expenditure; or

(c) In the case of donated property, the date on which the gift is completed in accordance with state law.

~~((34))~~ (35) "Offer," when used in connection with health services, means the health facility provides or holds itself out as capable of providing or as having the means for the provision of one or more specific health services.

~~((35))~~ (36) "Person" means an individual, a trust or estate, a partnership, a corporation (including associations, joint stock companies, and insurance companies), the state, or a political subdivision or instrumentality of the state, including a municipal corporation or a hospital district.

~~((36))~~ (37) "Predevelopment expenditures" means capital expenditures, the total of which exceeds the expenditure minimum, (~~(which are)~~) made for architectural designs, plans, drawings or specifications in preparation for the acquisition or construction of physical plant facilities. "Predevelopment expenditures" exclude any obligation of a capital expenditure for the acquisition or construction of physical plant facilities and any activity which may be considered the "commencement of construction" as this term is defined in this section.

~~((37))~~ (38) "Project" means any and all undertakings which may be or are proposed in a single certificate of need application or for which a single certificate of need is issued.

~~((38))~~ (39) "Psychiatric hospital" means any institution or distinct part thereof (~~(which is)~~) primarily engaged in providing to inpatients, by or under the supervision of a physician, psychiatric services for the diagnosis and treatment of mentally ill persons and (~~(which is)~~) licensed or required to be licensed under the provisions of chapter 71.12 RCW, or is owned and operated by the state or by a political subdivision or instrumentality of the state.

~~((39))~~ (40) "Rehabilitation facility" means an inpatient facility (~~which is~~) operated for the primary purpose of assisting in the rehabilitation of disabled persons through an integrated program of medical and other health services (~~which are~~) provided under competent professional supervision.

~~((40))~~ (41) "Secretary" means the secretary of the Washington state department of social and health services or his or her designee.

~~((41))~~ (42) "Shall" means compliance is mandatory.

~~((42))~~ (43) "Skilled nursing facility" means any institution or distinct part thereof (~~which is~~) certified as a skilled nursing facility for participation in the Medicare (Title XVIII) or Medicaid (Title XIX) program.

~~((43))~~ (44) "State health plan" means a document, described in Title XV of the Public Health Service Act, developed by the department and the council in accordance with RCW 70.38.065.

~~((44))~~ (45) "State Health Planning and Resources Development Act" means chapter 70.38 RCW.

~~((45))~~ (46) "Undertaking" means any action which, according to the provisions of chapter 248-19 WAC, is subject to the requirements for a certificate of need or an exemption from the requirements for a certificate of need.

AMENDATORY SECTION (Amending Order 210, filed 4/9/81, effective 5/20/81)

WAC 248-19-230 APPLICABILITY OF CHAPTER 248-19 WAC. (1) The following undertakings shall be subject to the provisions of chapter 248-19 WAC, with the exceptions provided for in this section.¹

(a) The construction, development, or other establishment of a new health care facility.

(b) Any capital expenditure by or on behalf of a health care facility (~~which~~) substantially changing the health services of the facility. Substantial changes in services shall include:

~~(i) (Is associated with the addition of a substantial health service not provided by or on behalf of the facility within the previous twelve months or which is associated with the termination of a substantial health service provided in or through the facility, or)~~ The establishment of health services not offered on a regular basis within the twelve-month period prior to the time such services are offered or the termination of such services;

(ii) The introduction of a new technology for diagnosis or treatment;

(iii) A change in the level of service; or

(iv) The offering of any of the following health services at a new location not formerly part of the health care facility's campus. Specific substantial changes in services are as follows:

Alcoholism/substance abuse

Burn unit

Cardiac catheterization

Chronic renal dialysis

Kidney lithotripsy

CT-computed tomography

NMR-nuclear magnetic resonance

PET-positron emission tomography

Emergency services including regular outpatient emergency services staffed by physicians at a health care facility, and the provision of ambulance services, including air ambulance, licensed under chapter 18.73 RCW.

Inpatient psychiatric services

Neonatal special care-level III

Obstetrics-level I

Obstetrics-level II

Obstetrics-level III

Open heart surgery

Pediatrics-level I

Pediatrics-level II

Pediatrics-level III

Radiation therapy-magavoltage, orthovoltage

Rehabilitation-level I

Rehabilitation-level II

Rehabilitation-level III

Change in the number of dialysis stations in a health care facility, and

Change from mobile to fixed base CT scanning.

The department may, periodically and on an emergency basis, revise and update specific substantial changes in services.

~~((ii) Which exceeds)~~ (c) Any capital expenditure by or on behalf of a health care facility exceeding the expenditure minimum as defined by WAC 248-19-220(16). The costs of any studies, surveys, designs, plans, working drawings, specifications, and other activities (including staff effort and consulting and other services which under generally accepted accounting principles are not properly chargeable as an expense of operation and maintenance) essential to the acquisition, improvement, expansion, or replacement of any plant or equipment with respect to which such expenditure is made shall be included in determining the amount of the expenditure. Functional programming and general long-range planning activities, including marketing surveys and feasibility studies, are not to be included when determining whether an expenditure exceeds the expenditure minimum.

~~((c))~~ (d) A change in bed capacity of a licensed health care facility which increases the total number of licensed beds or redistributes beds among facility and service categories of acute care, skilled nursing, intermediate care, and boarding home care if the bed redistribution is to be effective for a period in excess of six months.

~~((d))~~ (e) The obligation of any capital expenditure by or on behalf of a health care facility (~~which is~~) not required to be licensed for a change in bed capacity which increases the total number of beds, or redistributes beds among various categories, by more than ten beds or more than ten percent of total bed capacity as defined by the department, whichever is less, over a two-year period.

~~((e))~~ (f) Acquisition of major medical equipment:

(i) If the equipment will be owned by or located in an inpatient health care facility, or

(ii) If the equipment is not to be owned by or located in a health care facility and the department finds, consistent with WAC 248-19-403, that:

(A) The equipment will be used to provide services for inpatients of a hospital on other than a temporary basis in the case of a natural disaster, a major accident, or equipment failure; or

(B) The person acquiring such equipment did not notify the department of the intent to acquire such equipment at least thirty days before entering into contractual arrangements² for such acquisition.

~~((f))~~ (g) The acquisition of an existing health care facility which the department has determined, in accordance with the provisions of subsection (2) of this section, is subject to review;

~~((g))~~ (h) Any new institutional health services which are offered by or on behalf of a health care facility and which were not offered on a regular basis by or on behalf of such health care facility within the twelve-month period prior to the time such services would be offered.

~~((h))~~ (i) Any expenditure by or on behalf of a health care facility in excess of the expenditure minimum made in preparation for any undertaking under this subsection and any arrangement or commitment made for financing such undertaking. Expenditures of preparation shall include expenditures for architectural designs, plans, working drawings and specifications.

~~((i))~~ (j) The obligation of any capital expenditure by or on behalf of a health care facility which decreases the total number of licensed beds or relocates beds from one physical facility or site to another by ten beds or ten percent, whichever is less, in any two-year period.

~~((j))~~ (k) Any acquisition by donation, lease, transfer, or comparable arrangement, by or on behalf of a health care facility, if the acquisition would otherwise be reviewable under chapter 248-19 WAC if made by purchase.

(2) At least thirty days before any person acquires or enters into a contract² to acquire an existing health care facility, the person shall provide written notification to the department and the appropriate health systems agency, and in the case of a hospital, the hospital commission, of the person's intent to acquire the facility.

(a) Written notification of intent, to be considered valid, shall be made in a form and manner acceptable to the secretary and shall include:

(i) The name and address of the health care facility to be acquired;

(ii) The name and address of the person ~~((who intends))~~ intending to acquire the health care facility;

(iii) A description of the means by which the health care facility would be acquired, including the total capital expenditures associated with the acquisition, and the intended date of incurring the contractual obligation to acquire the health care facility;

(iv) The name and address of the person from whom the facility is to be acquired; and

(v) A description of any changes in institutional health services or bed capacity proposed by the person ~~((who would acquire))~~ acquiring the health care facility.

(b) A certificate of need shall be required for the obligation of a capital expenditure to acquire by purchase, or under lease or comparable arrangement, an existing health care facility if:

(i) A written notification of intent to acquire an existing health care facility is not provided in accordance with WAC 248-19-230(2), or

(ii) The department finds within fifteen working days after receipt of a written notification to acquire a health care facility that the services or bed capacity of the facility will be changed in being acquired.

(c) Within fifteen working days after receipt of a written notification of intent, the department shall send written notice to the person intending to acquire the health care facility, indicating:

(i) Whether the written notification constitutes a valid notification, as prescribed in ~~((subdivision))~~ subsection (2)(a) of this ~~((subsection))~~ section and, if such notification is valid,

(ii) Whether such acquisition is subject to certificate of need review.

(d) If the department fails to make a determination within thirty days after receipt of a valid notice, the health care facility may be acquired without a certificate of need.

(3) With respect to ambulatory care facilities and inpatient health care facilities ~~((which are))~~ controlled (directly or indirectly) by a health maintenance organization or combination of health maintenance organizations, the provisions of chapter 248-19 WAC shall apply only to the offering of inpatient institutional health services, the acquisition of major medical equipment, and the obligation of capital expenditures for the offering of inpatient institutional health services, and then only to the extent that such offering, acquisition, or obligation is not exempt under the provisions of WAC 248-19-405.

(4) The extension, on more than an infrequent basis, of the services of a home health agency ~~((s services))~~ or a hospice to a population residing in a county not previously regularly included in the service area of that home health agency or hospice during the preceding twelve months constitutes extension of home health services or hospice services beyond ~~((its))~~ a defined geographic area and shall be considered the development or establishment of a new home health agency or hospice.

(5) No person shall engage in any undertaking ~~((which is))~~ subject to certificate of need review under the provisions of this chapter unless a certificate of need authorizing such undertaking has been issued and remains valid or an exemption has been granted in accordance with the provisions of this chapter.

(6) No person may divide a project in order to avoid review requirements under any of the thresholds specified in this section.

(7) The department may issue certificates of need permitting predevelopment expenditures only, without authorizing any subsequent undertaking with respect to which such predevelopment expenditures are made.

(8) A certificate of need application, the review of which had begun but upon which final action had not been taken prior to January 1, 1981, shall be reviewed and final action taken based on chapter 70.38 RCW and chapter 248-19 WAC as in effect prior to January 1, 1981.

(9) Certificates of need issued prior to January 1, 1981, shall not be terminated and the periods of validity

of such certificates of need shall not be modified under the provisions of chapter 248-19 WAC which become effective January 1, 1981.

(10) A project for which certificate of need review was waived under the provisions of WAC 248-19-230(8) as in effect January 1, 1980, to January 1, 1981, shall have been completed by January 1, 1981, or, in the case of a construction project, commencement of construction shall have occurred by January 1982. If this requirement is not met, the project shall become subject to the requirements for a certificate of need.

(11) A proposed change in a project associated with a capital expenditure for which a certificate of need has been issued shall be subject to certificate of need review if the change is proposed within one year after the date the activity for which the capital expenditure was approved has been undertaken.

(a) Projects subject to review under this subsection include proposed changes in projects originally subject to review according to the provisions of subsection (1)(b), (c), (d), (e), or ((f)) (j) of this section.

(b) No capital expenditure need be associated with a proposed change in a project subject to review under this subsection.

(c) A proposed change in a project shall include any change in the licensed bed capacity of a facility, and the addition or termination of an institutional health service.

(12) Administrative review.

(a) The secretary shall have the authority to review and take action, on the basis of information submitted on an abbreviated application form acceptable to the secretary, the following categories of expenditures:

(i) The acquisition of land;

(ii) Capital costs associated with the refinancing of existing debt;

(iii) The obligation of any capital expenditure by or on behalf of a health care facility which decreases the total number of licensed beds or relocates licensed beds from one physical facility or site to another by ten beds or ten percent, whichever is less, in any two-year period; and

(iv) A proposed change in a project reviewed in accordance with WAC 248-19-230(11).

(b) Such review shall be completed within ten working days after receipt of an application.

(13) The provision of hospice services by an entity providing the services described in the definition of "hospice" in WAC 248-19-220, when such an entity was providing services as of July 24, 1983, shall not be considered the establishment of a new health facility or service and shall not be subject to certificate of need review. Persons providing hospice services as of July 24, 1983, shall submit information prescribed by the department showing they were providing hospice services as of that date and showing the services provided and the county or counties comprising the service area.

NOTE:

¹Where a hospital is part of a larger institution, such as a university, the components of the larger institution (e.g., a component conducting medical research) not related to the hospital will not be considered part

of the hospital, whether or not the hospital is a distinct legal entity. Similarly, when there is a legal entity, the primary activity of which is operating a hospital, but which also operates a distinct research component, the research component will not be considered part of the hospital. In these cases, the component conducting medical research that is distinct from the hospital and that neither provides inpatient services nor uses revenues derived from patient charges at the hospital to finance its operations will not be considered part of the hospital.

Further, expenditures by a component of a larger institution, such as a university, which is distinct from a separate health care facility component, such as the university's hospital, will not be viewed as being "by a health care facility." Thus, a capital expenditure by a university medical school that is a distinct component of the university will not be considered to be "by" the hospital of the university. In finding that the medical school is distinct, the department must find at least that the revenues derived from patient charges at the hospital of the university are not used for operating expenses of the medical school.

If a capital expenditure exceeds the expenditure minimum, for it to be required to be subject to review, the department must find that it is "on behalf of" a health care facility. Such an expenditure is also required to be subject to review if it is for the acquisition of major medical equipment and meets the conditions set forth in WAC ((~~248-19-230(1)(c)~~) 248-19-230(1)(f)). The same analysis would apply to a distinct research component of a legal entity, the primary activity of which is operating a hospital.

²A person may enter into a contractual arrangement at an earlier date, provided such contractual arrangement is contingent upon a determination by the department that a certificate of need is not needed or upon issuance of a certificate of need.

**WSR 83-22-075
PROPOSED RULES
BOARD OF PHARMACY
[Filed November 2, 1983]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Pharmacy intends to adopt, amend, or repeal rules concerning patient medical record systems, new chapter 360-19 WAC;

that the agency will at 9:00 a.m., Wednesday, December 14, 1983, in the Mason Clinic East, 13014 120th Avenue N.E., Kirkland, WA 98033, 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 18.64.005.

The specific statute these rules are intended to implement is RCW 18.64.005 and 18.64.245.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 7, 1983.

Dated: November 2, 1983

By: Donald H. Williams
Executive Secretary

STATEMENT OF PURPOSE

Name of Agency: Washington State Board of Pharmacy.

Purpose: The purpose of new chapter 360-19 WAC is to establish minimum requirements for information that must be maintained in and for utilization of patient medication record systems. This chapter contains rules dealing with both computerized systems and manual systems. The effective date of the chapter is proposed to be March 1, 1984.

Statutory Authority: RCW 18.64.005.

Summary of the Rules: WAC 360-19-010 contains the statement of purpose for the chapter and includes a statement regarding the purpose, importance and necessity for patient medication record systems; WAC 360-19-020 contains the definitions of terms that are used in the chapter; WAC 360-19-030 contains a listing of the minimum information that is required to be maintained in an automated patient medication record system; WAC 360-19-040 contains a listing of the minimum information that is required to be maintained in a manual patient medication record system; WAC 360-19-050 contains the procedures that must be complied with in utilizing any patient medication record system; WAC 360-19-060 establishes the requirement that an auxiliary system must exist to be utilized in the event that an automated system is not functioning; WAC 360-19-070 provides that information maintained in an automated system must be retrievable in hard copy within 72 hours; WAC 360-19-080 outlines the confidential nature of the information contained in patient medication record systems and the methods for release of the information; WAC 360-19-090 establishes a mechanism for obtaining an extension or delay in compliance with the rules; and WAC 360-19-100 establishes the effective date for this chapter.

Reason Proposed: This chapter is proposed in order to deal with questions concerning automated record systems. It is intended to apply to both manual and computerized data systems. It is not intended to require entities currently using manual systems to change to automated systems.

Responsible Personnel: In addition to the members of the board, the following Board of Pharmacy personnel have knowledge of and responsibility for drafting, implementing and enforcing these rules: Donald H. Williams, Executive Secretary, W.E.A. Building, 319 East 7th Avenue, Olympia, WA 98504, 234-6834 scan, 753-6834 comm.

Proponents: These rules are proposed by the Washington State Board of Pharmacy.

Agency Comments: These rules are promulgated pursuant to the authority granted to the board in RCW 18.64.005.

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 the term is defined by RCW 43.31.920.

Chapter 360-19 WAC PATIENT MEDICATION RECORD SYSTEMS

WAC	PURPOSE.
360-19-010	DEFINITIONS.
360-19-020	MINIMUM REQUIRED INFORMATION IN AN AUTOMATED PATIENT MEDICATION RECORD SYSTEM.
360-19-030	MINIMUM REQUIRED INFORMATION IN A MANUAL PATIENT MEDICATION RECORD SYSTEM.
360-19-040	MINIMUM PROCEDURES FOR UTILIZATION OF A PATIENT MEDICATION RECORD SYSTEM.
360-19-050	AUXILIARY RECORD KEEPING PROCEDURE.
360-19-060	RETRIEVAL OF INFORMATION FROM A COMPUTERIZED SYSTEM.
360-19-070	CONFIDENTIALITY AND SECURITY OF DATA.
360-19-080	EXTENSION OF TIME FOR COMPLIANCE.
360-19-090	EFFECTIVE DATE.
360-19-100	

NEW SECTION

WAC 360-19-010 PURPOSE. The purpose of this chapter shall be to insure that a Patient Medication Record System be maintained by all pharmacies and all other sites where the dispensing of drugs takes place. This system will consist of certain patient and prescription information. It will be reviewed in a manner consistent with sound professional practice, and will provide an audit trail. This system may be either a manual system, or an automated data processing system for the storage and retrieval of prescription and patient information. This information will be maintained to insure the health and welfare of the patient population. If an automated data processing system is utilized, an auxiliary record keeping procedure shall be available for the documentation of new and refill prescriptions in case the automated data processing system is inoperative for any reason. The Patient Medication Record System shall be designed to provide adequate safeguards against the improper manipulation or alteration of records. The system shall provide the pharmacist within the pharmacy means to retrieve all new prescription and refill prescription information for all patients of the pharmacy.

NEW SECTION

WAC 360-19-020 DEFINITIONS. Terms used in this chapter shall have the meaning set forth in this section unless the context clearly indicates otherwise:

- (1) "Address" means the place of residence of the patient.
- (2) "Audit trail" means all materials and documents required for the entire process of filing a prescription, which shall be sufficient to document or reconstruct the origin of the prescription order, and authorization of subsequent modifications of that order.
- (3) "Auxiliary record keeping procedure" means a back-up procedure used to record medication record system data in case of scheduled or unscheduled down-time of an automated data processing system.
- (4) "Hard copy of the original prescription" shall include the prescription as defined in RCW 18.64.011(8) and/or the medical records or chart.
- (5) "Patient profile" means a record of drugs received by a patient at the place of practice. It is used as the primary reference document for performing drug monitoring activities, including screening for therapeutic duplications and drug interactions. A patient profile must contain the following for each patient:
 - (a) Drug information:
 - (i) The name of all prescription drugs ordered and/or received;
 - (ii) A notation distinguishing drugs ordered from drugs received;
 - (iii) The drug strength and quantity;

- (iv) An identifying number or code referencing the drug to the prescription file and prescription container dispensed to the patient;
- (v) The date of all instances of dispensing of the drug.
- (b) Patient information:
 - (i) Patient's full name, address and telephone number;
 - (ii) Know drug allergies.
- (6) "Therapeutic duplication" means two or more drugs in the same pharmacological or therapeutic category which when used together may have an additive or synergistic effect.

NEW SECTION

WAC 360-19-030 MINIMUM REQUIRED INFORMATION IN AN AUTOMATED PATIENT MEDICATION RECORD SYSTEM. An automated patient medication record system is an electronic data system. In the event that data in the system is being removed, the system must have the capability of capturing the data removed on a hard copy or microfiche copy. The hard copy of the original prescription and all documents in the audit trail shall be considered a part of this system.

- (1) All automated patient medication record systems must maintain the following information with regard to ambulatory patients:
 - (a) Patient's full name and address.
 - (b) A serial number assigned to each new prescription.
 - (c) The date of dispensing the prescription.
 - (d) The identification of the dispenser who filled the prescription.
 - (e) The name, strength, dosage form and quantity of the drug dispensed.
 - (f) Any refill instructions by the prescriber.
 - (g) The prescriber's name, address, and DEA number where required.
 - (h) The complete directions for use of the drug. The term "as directed" is prohibited pursuant to RCW 18.64.246 and RCW 69.41.050.
 - (i) Any patient allergies, idiosyncrasies, or chronic condition which may relate to drug utilization.
 - (j) Authorization for other than child-resistant containers pursuant to WAC 360-16-270, if applicable.
- (2) All automated patient medication record systems must maintain the following information with regard to institutional patients:
 - (a) Patient's full name.
 - (b) Unique patient identifier.
 - (c) Any patient allergies, idiosyncrasies, or chronic conditions which may relate to drug utilization. If there is no patient allergy data the pharmacist should indicate none or "NKA" (no known allergy) on the patient medication record.
 - (d) Patient Location.
 - (e) Patient Status, for example, Active, Discharge, or On-Pass.
 - (f) Prescriber's name, address, and DEA number where required.
 - (g) Minimum prescription data elements:
 - (i) Drug name, dose, route, form, directions for use, prescriber.
 - (ii) Start date and time when appropriate.
 - (iii) Stop date and time when appropriate.
 - (iv) Amount dispensed when appropriate.
 - (h) The system shall indicate any special medication status for an individual prescription, for example, on hold, discontinued, self-administration medication, investigational drugs, patient's own medications, special administration times, restrictions, controlled substances.
 - (i) The system shall indicate on the labeling, and in the system, (for the pharmacist, nursing and/or physician alert) any special cautionary alerts or notations deemed necessary for the patient safety by the dispenser.

NEW SECTION

WAC 360-19-040 MINIMUM REQUIRED INFORMATION IN A MANUAL PATIENT MEDICATION RECORD SYSTEM. A manual patient medication consists of the hard copy of the original prescription and a card or filing procedure that contains all data on new and refill prescriptions for a patient. This data must be organized in such a fashion that information relating to all prescription drugs used by a patient will be reviewed each time a prescription is filled.

- (1) All manual patient medication record systems must maintain the following information with regard to ambulatory patients:
 - (a) Patient's full name and address.
 - (b) A serial number assigned to each new prescription.
 - (c) The date of dispensing the prescription.
 - (d) The identification of the dispenser who filled the prescription.

- (e) The name, strength, dosage form and quantity of the drug dispensed.
- (f) The prescriber's name.
- (g) Any patient allergies, idiosyncrasies or chronic conditions which may relate to drug utilization.
- (2) All manual patient medication record systems must maintain the following information with regard to institutional patients:
 - (a) Patient's full name.
 - (b) Unique patient identifier.
 - (c) Any patient allergies, idiosyncrasies, or chronic conditions which may relate to drug utilization. If there is no patient allergy data the pharmacist should indicate none or "NKA" (no known allergy) on the patient medication record.
 - (d) Patient Location.
 - (e) Patient Status, for example, Active, Discharge, or On-Pass.
 - (f) Prescriber's name.
 - (g) Minimum prescription data elements:
 - (i) Drug name, dose, route, form, directions for use, prescriber.
 - (ii) Start date and time when appropriate.
 - (iii) Stop date and time when appropriate.
 - (iv) Amount dispensed when appropriate.
 - (h) The system shall indicate any special medication status for an individual prescription, for example, on hold, discontinued, self-administration medication, investigational drugs, patient's own medications, special administration times, restrictions, controlled substances.
 - (i) The system shall indicate on the labeling, and in the system, (for the pharmacist, nursing and/or physician alert) any special cautionary alerts or notations deemed necessary for the patient safety by the dispenser.

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

Reviser's note: 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 360-19-050 MINIMUM PROCEDURES FOR UTILIZATION OF A PATIENT MEDICATION RECORD SYSTEM. Upon receipt of a prescription or drug order, a dispenser must examine visually or via an automated data processing system, the patient's medication record to determine the possibility of a clinically significant drug interaction, reaction or therapeutic duplication, and to determine improper utilization of the drug and consult with the prescriber if needed. Any order modified in the system must carry in the audit trail the unique identifier of the person who modified the order. Any change in drug name, dose, route, dose form or directions for use which occurs after an initial dose has been given requires that a new order be entered into the system and the old order be discontinued, or that the changes be accurately documented in the record system.

NEW SECTION

WAC 360-19-060 AUXILIARY RECORD KEEPING PROCEDURE. If an automated data processing system is used to maintain a patient's medication record, an auxiliary record keeping procedure must be available for use when the automated data system is temporarily inoperative due to scheduled or unscheduled system interruption. The auxiliary record keeping procedure shall provide for the maintenance of all patient profile information as required by this chapter. Upon restoration of operation of the automated system the information placed in the auxiliary record keeping procedure shall be entered in each patient's records within two working days at which time the auxiliary records may be destroyed.

NEW SECTION

WAC 360-19-070 RETRIEVAL OF INFORMATION FROM A COMPUTERIZED SYSTEM. All computerized patient medication record systems must provide within 72 hours, via CRT or hard copy printout, the information required by WAC 360-19-030 and by 21 CFR § 1306.22(b) as amended July 1, 1980. Any data purged from a computerized patient medication record system must be available within 72 hours.

NEW SECTION

WAC 360-19-080 CONFIDENTIALITY AND SECURITY OF DATA. (1) Information contained in patient medication record systems shall be considered to be a part of prescription records maintained in accordance with RCW 18.64.245 and shall be maintained for a period of at least five years in the same manner as provided for all prescription records (see WAC 360-16-096).

(2) The information in the patient medication record system which identifies the patient shall be deemed confidential and may be released to other than the patient or a pharmacist, or a practitioner authorized to prescribe only on written release of the patient. If in the judgment of the dispenser, the prescription presented for dispensing is determined to cause a potentially harmful drug interaction or other problem due to a drug previously prescribed by another practitioner, the dispenser may communicate this information to the prescribers.

(3) Security codes or systems must be established on computerized medication record systems to prevent unauthorized modification of data.

NEW SECTION

WAC 360-19-090 EXTENSION OF TIME FOR COMPLIANCE. The rules regarding patient medication record systems contained in chapter 369-19 WAC shall apply to all pharmacists practicing pharmacy in the state of Washington upon the effective date of the chapter unless an extension is granted by the Board pursuant to this rule. In order to seek an extension that will allow compliance with this chapter to be delayed, good cause for granting such extension must be shown. The Board shall consider requests for extensions and if, in the Board's judgment good cause is shown, the Board may grant an extension for a period of time, specifying those portions of the rules with respect to which an extension is being granted.

NEW SECTION

WAC 360-19-100 EFFECTIVE DATE. The effective date of this rule shall be March 1, 1984. All pharmacies must be in compliance after that date unless an extension has been granted by the Board.

REPEALER

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

WAC 360-16-260 PATIENT MEDICATION RECORD SYSTEM.

WSR 83-22-076
PROPOSED RULES
BOARD OF PHARMACY

[Filed November 2, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Pharmacy intends to adopt, amend, or repeal rules concerning the amending of WAC 360-16-230, 360-12-065 and 360-12-020;

that the agency will at 9:00 a.m., Wednesday, December 14, 1983, in the Mason Clinic East, 13014 120th Avenue N.E., Kirkland, WA 98033, 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 18.64.005.

The specific statute these rules are intended to implement is RCW 18.64.005.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 7, 1983.

Dated: November 2, 1983

By: Donald H. Williams
 Executive Secretary

STATEMENT OF PURPOSE

Name of Agency: Washington State Board of Pharmacy.

Purpose: The purpose of the amendment to WAC 360-16-230 is to delete certain requirements that have become obsolete; the purpose of the amendment to WAC 360-12-065 is to specify that graduates of foreign schools of pharmacy must take the foreign graduate equivalency examination in addition to the state licensure examination; and the purpose of the amendment to WAC 360-12-020 is to correct an error in the citation to the Pharmacy Act.

Statutory Authority: RCW 18.64.005.

Summary of the Rules: WAC 360-16-230 contains the equipment requirements that all pharmacies must meet; WAC 360-12-065 contains the requirements for applicants for licensure who have been trained in schools outside the United States; and WAC 360-12-020 contains procedures for filing applications to become licensed in the state of Washington.

Reason Proposed: The amendments to WAC 360-16-230 are proposed to update the equipment requirements for pharmacies; the amendment to WAC 360-12-065 is proposed to recognize the board's adoption of the foreign pharmacy graduate equivalency examination as a screening device; and the amendment to WAC 360-12-020 is proposed to correct an error.

Responsible Personnel: In addition to the members of the board, the following board of pharmacy personnel have knowledge of and responsibility for drafting, implementing and enforcing these rules: Donald H. Williams, Executive Secretary, W.E.A. Building, 319 East 7th Avenue, Olympia, WA 98504, 234-6834 scan, 753-6834 comm.

Proponents: These rules are proposed by the Washington State Board of Pharmacy.

Agency Comments: These rules are promulgated pursuant to the authority granted to the board in RCW 18.64.005.

Proponents: These rules are proposed by the Washington State Board of Pharmacy.

Agency Comments: These rules are promulgated pursuant to the authority granted to the board in RCW 18.64.005.

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 the term is defined in RCW 43.31.920.

AMENDATORY SECTION (Amending Order 131, filed 2/4/77)

WAC 360-16-230 PHYSICAL STANDARDS FOR PHARMACIES—ADEQUATE EQUIPMENT. (1) All pharmacies shall have in their possession the ~~following equipment in good repair and proper quantities:~~

(a) Graduates (assortment, capable of accurately measuring volumes from 1 cc to 500 cc's):

(b) Mortars and pestles (two required — one wedgewood and one glass):

(c) Spatulas (at least two, one of which must be stainless steel, rubber bone, or other nonmetallic substances):

(d) Funnels (at least one glass funnel):

(e) Filter paper of a size to fit funnel:

(f) Stirring rod:

(g) Pill tile, ointment slab or parchment paper:

(h) Class A balance sensitive to current requirements as found in USP:

(i) Weights (accurately weighing 1 gram to 50 grams):

(j) Powder or weighing paper:

(k) Adequate assortment of prescription containers:

(l) Towels, clean and available:

(m) Prescription files (two or three as preferred):

(n) Controlled substances act schedule V register (if sold at retail):

(o) Prescription labels:

(p) Cautionary labels:

(q) Typewriter:

(r) Label moistener (if self adhesive labels not in use.) equipment necessary to compound, dispense, label, administer and distribute drugs and devices. The equipment shall be in good repair and shall be available in sufficient quantity to meet the needs of the practice of pharmacy conducted therein.

(2) All pharmacies will have in their possession:

(a) One up-to-date copy of the state of Washington statutes, rules and regulations governing the practice of pharmacy, the sale and dispensing of drugs, poisons, narcotics and medicines maintained in a binder.

(b) Five standard, acceptable reference books relating to the practice of pharmacy, three of which must be current; one file or book or other reference on drug hazards or drug interactions which must also be current.

(3) All pharmacies shall have in their possession distilled or de-ionized water (at least one quart).

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

AMENDATORY SECTION (Amending Order 147, filed 3/27/79)

WAC 360-12-065 FOREIGN-TRAINED APPLICANTS. (1) Applicants whose academic training in pharmacy has been obtained from institutions in foreign countries, wishing to be licensed (~~who wish to register~~) as pharmacists in the state of Washington shall (~~complete such additional academic work, if necessary, so as to be qualified to receive a baccalaureate degree in pharmacy or doctor of pharmacy degree from an accredited college or school of pharmacy recognized by the state board of pharmacy.~~) take and pass the Foreign Pharmacy Graduate Equivalency Examination prepared by the Foreign Pharmacy Graduate Education Commission and shall have received an educational equivalency certificate from that commission.

(2) In addition, (~~before registration can be extended to them.~~) prior to licensure they shall pass successfully the Washington state board of pharmacy full board examination and meet its internship requirements.

(3) Applicants whose academic training in pharmacy has been obtained from institutions in foreign countries and whose credentials are such that no further education is necessary must earn a total of 1500 intern hours before licensure. The applicant must earn at least 1200 intern hours before taking the full board examinations: PROVIDED, That the board may, for good cause shown, waive up to 800 hours of the required 1500 hours.

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 109, filed 5/23/72)

WAC 360-12-020 APPLICANTS—APPLICATION FORMS—FEES. Any person who has graduated from an accredited school of pharmacy in another state, wishing to become registered in the state of Washington by taking the full examination, shall make application to the board for examination before he or she shall be allowed to work as

a pharmacist. (Forms will be supplied by the board. Submission of a fee is required by RCW 18.64.080((†))(2).)

WSR 83-22-077
PROPOSED RULES
DEPARTMENT OF LICENSING
(Board of Practical Nursing)

[Filed November 2, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Practical Nursing intends to adopt, amend, or repeal rules concerning practical nurses, new chapter 308-117 WAC;

that the agency will at 9:00 a.m., Thursday, December 8, 1983, in the 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 18.78.050.

The specific statute these rules are intended to implement is RCW 18.78.010(2), 18.78.050, section 7, chapter 55, Laws of 1983, RCW 18.78.060 and 18.78.070.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 1, 1983.

Dated: November 2, 1983

By: Ruth Jacobson
Executive Secretary

STATEMENT OF PURPOSE

Name of Agency: Washington State Board of Practical Nursing.

Purpose: The purpose of new chapter 308-117 WAC is to implement the amendments to chapter 18.78 RCW made by the legislature during the 1983 session and enacted as chapter 55, Laws of 1983.

Statutory Authority: RCW 18.78.050.

Summary of the Rules: WAC 308-117-010 contains the definitions of terms used in this chapter; WAC 308-117-020 discusses the functions of a licensed practical nurse; WAC 308-117-030 contains the requirements for licensure by examination in the state of Washington; WAC 308-117-040 contains the requirement and procedures for filing an application for the licensing examination; WAC 308-117-050 establishes that the National Council of State Boards of Nursing Practical Nurse Examination shall be the official examination for licensure in this state. It also establishes the minimum passing score and indicates when the examinations will be administered; WAC 308-117-060 describes under what circumstances examination results will be released; WAC 308-117-070 establishes the requirements and procedures for retaking of the licensure examination by individuals who have failed; WAC 308-117-080 contains the requirements and procedures for licensure in the state of Washington of graduates of foreign schools of nursing; WAC 308-117-090 contains the requirements and procedures for licensure in the state of

Washington by means of interstate endorsement; WAC 308-117-100 contains the procedures for renewal of licenses to practice as a licensed practical nurse in the state of Washington; WAC 308-117-110 describes what steps may be taken to establish a new practical nursing program in the state of Washington and to obtain board approval for that program; WAC 308-117-120 describes survey visits made to approved schools of nursing by representatives of the Board of Practical Nursing; WAC 308-117-130 outlines the possible actions following a survey visit; WAC 308-117-140 discusses restoration of approval after a suspension of this approval by the board; WAC 308-117-150 explains what student records must be maintained by an approved school of practical nursing; WAC 308-117-160 establishes the requirement that in addition to a transcript the school must submit a statement of completion for each graduate making application for examination; WAC 308-117-170 discusses the requirements for readmissions and transfers of students between approved schools of practical nursing; WAC 308-117-180 describes clinical practice areas and the requirements that must be met when a clinical practice area is used for an educational opportunity for students in an approved school of practical nursing; WAC 308-117-190 sets out the structure of the curriculum of a school of practical nursing; WAC 308-117-200 describes what a curriculum in an approved school of practical nursing is expected to contain; WAC 308-117-300 contains the content of the curriculum that is required in a board approved school of practical nursing; WAC 308-117-400 outlines the minimum standards of practice that a beginning licensed practical nurse is expected to maintain and discusses the functions or tasks (competencies) that a beginning licensed practical nurse is expected to be able to perform; and the repealer repeals existing chapter 308-116 WAC in that it was made unnecessary as a result of the abolishment of the former board and the creation of the new board pursuant to chapter 55, Laws of 1983.

Reason Proposed: This chapter is proposed to implement chapter 55, Laws of 1983 that substantially amended chapter 18.78 RCW.

Responsible Personnel: In addition to the members of the board, the following Department of Licensing personnel have knowledge of and responsibility for drafting, implementing and enforcing these rules: Ruth A. Jacobson, R.N., Executive Secretary, Third Floor, Highways-Licenses Building, Olympia, WA 98504, 234-3728 scan, 753-3728 comm.

Proponents: These rules are proposed by the Washington State Board of Practical Nursing.

Agency Comments: These rules are promulgated pursuant to the authority granted to the board in RCW 18.78.050.

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.

CHAPTER 308-117 WAC PRACTICAL NURSES

WAC	
308-117-010	DEFINITIONS.
308-117-020	FUNCTIONS OF A LICENSED PRACTICAL NURSE.
308-117-030	LICENSURE QUALIFICATIONS.
308-117-040	LICENSING EXAMINATION AND PASSING SCORE.
308-117-050	RELEASE OF RESULTS OF EXAMINATION.
308-117-060	FILING OF APPLICATION FOR LICENSING EXAMINATION.
308-117-070	FAILURES—REPEAT EXAMINATION.
308-117-080	LICENSURE OF GRADUATES OF FOREIGN SCHOOLS OF NURSING.
308-117-090	LICENSURE BY INTERSTATE ENDORSEMENT.
308-117-100	RENEWAL OF LICENSES.
308-117-110	ESTABLISHMENT OF NEW PRACTICAL NURSING PROGRAM.
308-117-120	SURVEY VISITS.
308-117-130	BOARD ACTION FOLLOWING SURVEY VISITS.
308-117-140	TERMINATION OF A SUSPENSION.
308-117-150	STUDENT RECORDS.
308-117-160	STATEMENT OF COMPLETION OF THE COURSE.
308-117-170	READMISSIONS, TRANSFERS.
308-117-180	CLINICAL PRACTICE AREAS.
308-117-190	STRUCTURE FOR CURRICULUM IMPLEMENTATION.
308-117-200	CURRICULUM IN AN APPROVED PRACTICAL NURSING PROGRAM.
308-117-300	CURRICULUM CONTENT.
308-117-400	STANDARDS/COMPETENCIES.

NEW SECTION

WAC 308-117-010 **DEFINITIONS.** (1) "Program" means a division or department within a state department of public instruction, or other institution of higher learning charged with the responsibility of preparing persons to qualify for the licensing examination.

(2) "Philosophy" means the beliefs and principles upon which the curriculum is based.

(3) "Terminal objectives" means the statements of goals which reflect the philosophy and are the measurable outcomes of the total curriculum.

(4) "Behavioral objectives" means the measurable outcomes of specific content.

(5) "Minimum standards of competency" means the functions that are expected of the beginning level licensed practical nurse.

(6) "Conceptual framework" means the theoretical base around which the curriculum is developed.

(7) "Beginning practitioner" means a newly licensed practical nurse beginning to function in the practical nurse role.

(8) "Client" means the person who receives the services of the practical nurse.

(9) "Standards" means the overall behavior which is the desired outcome.

(10) "Competencies" means the tasks necessary to perform the standards.

(11) "Client advocate" means a supporter of client rights and choices.

WAC 308-117-020 **FUNCTIONS OF A LICENSED PRACTICAL NURSE.** A licensed practical nurse is one who has met the requirements of the Washington LPN Act, chapter 18.78 RCW. The licensed practical nurse recognizes and is able to meet the basic needs of the client, and gives nursing care under the direction and supervision of the registered nurse or licensed physician to clients in routine nursing situations. In more complex situations the licensed practical nurse functions as an assistant to the registered nurse and carries out selected aspects of the designated nursing regimen.

A routine nursing situation is one that is relatively free of scientific complexity. The clinical and behavioral state of the client is relatively stable and requires abilities based upon a comparatively fixed and limited body of knowledge.

In complex situations, the licensed practical nurse facilitates client care by meeting specific nursing requirements to assist the registered nurse in the performance of nursing care.

The functions of the licensed practical nurse makes practical nursing a distinct occupation within the profession of nursing. The licensed practical nurse has specific roles in nursing in direct relation to the length, scope and depth of his or her formal education and experience. In the basic program of practical nursing education, the emphasis is on direct client care.

With additional preparation, through continuing education and practice, the licensed practical nurse prepares to assume progressively more complex nursing responsibilities.

NEW SECTION

WAC 308-117-030 LICENSURE QUALIFICATIONS. (1) In order to be eligible for licensure by examination the applicant shall have satisfactorily completed an approved practical nursing program, fulfilling all the basic course content as stated in WAC 308-117-300, or its equivalent as determined by the board.

(2) An applicant who has not completed an approved practical nurse program must establish evidence of successful completion of nursing and related courses at an approved school preparing persons for licensure as registered nurses, which courses include personal and vocational relationships of the practical nurse, basic science and psychosocial concepts, theory and clinical practice in medications and the nursing process, and theory and clinical practice in medical, surgical, geriatric, pediatric, obstetric and mental health nursing. These courses must be equivalent to those same courses in a practical nursing program approved by the board.

NEW SECTION

WAC 308-117-040 LICENSING EXAMINATION AND PASSING SCORE. (1) The current series of the National Council of State Board of Nursing Practical Nurse Examination (NCLEX) shall be the official examination for practical nurse licensure.

(2) The NCLEX will consist of two tests with a minimum passing standard score of 350 for the total examination.

(3) Examinations shall be conducted twice a year, in April and October.

(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.

(5) The examination shall be administered in accord with the NCSBN Security measures and contract.

NEW SECTION

WAC 308-117-050 RELEASE OF RESULTS OF EXAMINATION. (1) Applicants shall be notified regarding the examination results by mail only.

(2) Applicants who pass shall receive a license to practice as a licensed practical nurse provided all other requirements are met.

(3) Applicants who fail shall receive a letter of notification regarding their eligibility to retake the examination.

(4) In addition to a listing of the names of graduates indicating whether each passed or failed the examination, each practical nursing program in Washington shall receive a statistical report of the examination results of applicants from that school and a report of state and national statistics.

(5) Scores of the examination will not be released to anyone except as provided above unless release is authorized by the applicant in writing.

(6) The applicant's examination results will be maintained in his/her application file in the Division of Professional Licensing, Department of Licensing.

NEW SECTION

WAC 308-117-060 FILING OF APPLICATION FOR LICENSING EXAMINATION. (1) All applicants shall file with the Washington State Board of Practical Nursing a completed notarized application, with the required fee prior to February 15, for the April examination and August 15, for the October examination. The fee is not refundable.

(2) Applicants shall submit with the application one recent U.S. passport identification photograph of the applicant unmounted and signed by the applicant across the front.

(3) Applicants shall request the school of nursing to send an official transcript directly to the Board of Practical Nursing. The transcript shall contain adequate documentation to verify that statutory requirements are met and shall include course names and credits accepted from other programs.

(4) Applicants shall also file an examination application, along with the required fee, directly with the testing service.

(5) Applicants who have filed the required applications and met all qualifications will be notified of their eligibility, and only such applicants will be admitted to the examination.

NEW SECTION

WAC 308-117-070 FAILURES—REPEAT EXAMINATION.

(1) The application form to retake the examination and the required fees shall be filed with the board on or after February 15 for the April examination and August 15 for the October examination. The fees are not refundable.

(2) Applicants who fail the examination will be permitted to retake the examination three (3) times within the two-year period from the date of first taking the examination.

(3) Applicants who fail to pass the examination within the time period specified in (2) above shall be required to follow remedial measures as specified by the board before being scheduled to retake the examination.

NEW SECTION

WAC 308-117-080 LICENSURE OF GRADUATES OF FOREIGN SCHOOLS OF NURSING. (1) Applicants who received their nursing education outside the United States and its territories shall meet the following requirements for licensing:

(a) Satisfactory completion of a basic nursing education program approved by the country of original licensure. The nursing education program shall be equivalent to the minimum standards prevailing for state board approved schools of practical nursing in Washington at the time of graduation.

(b) All other requirements of the statute and regulations shall be met.

(c) File with the Board of Practical Nursing a completed notarized license application with the required fee prior to February 15 for the April examination and prior to August 15 for the October examination. The fees are not refundable.

(d) Submit one recent U.S. passport identification photograph of the applicant unmounted and signed by the applicant across the front.

(e) Request the school of nursing to submit an official transcript directly to the Board of Practical Nursing. The transcript shall contain the date of graduation and the credential conferred, and shall be in English or accompanied by an official English translation notarized as a true and correct copy.

(f) File an examination application, along with the required fee, directly with the testing service.

(g) Successfully pass the current state board licensing examination for practical nurses or show evidence of having already successfully passed the state board licensing examination for practical nurses in another jurisdiction or territory of the United States with the passing score required in Washington.

NEW SECTION

WAC 308-117-090 LICENSURE BY INTERSTATE ENDORSEMENT. (1) A license to practice as a licensed practical nurse in Washington may be issued without examination provided the applicant meets all the following requirements:

(a) The applicant has graduated and holds a credential from a state board approved program preparing candidates for licensure as a practical nurse or its equivalent as determined by the board.

(i) The applicant has fulfilled the minimum requirements prevailing for state board approved practical nursing programs in Washington at the time of the applicant's graduation.

(ii) Applicants shall present a minimum score of 350 on the State Board Test Pool Examination or NCLEX, except those applicants who were licensed after October 1, 1973 but before October 1, 1982, shall present a minimum score of 400 on the State Board Test Pool Examination.

(b) The applicant holds a valid current license to practice as a practical nurse in another state or territory.

(c) The applicant shall:

(i) Submit a completed application with the required fee. The fee is not refundable.

(ii) Request the nursing education program to send directly to the board of practical nursing an official transcript verifying graduation from an approved practical nursing program. The transcript shall provide sufficient documentation to verify that statutory requirements are met.

NEW SECTION

WAC 308-117-100 RENEWAL OF LICENSES. (1) Individuals making applications for initial license and examination, provided they meet all such requirements, will be issued a license, to expire on their next birth anniversary date.

(2) Individuals making application for initial license with the state of Washington under the interstate endorsement regulations, provided they meet all such requirements, will be issued a license, to expire on their next birth anniversary date.

(3) Issuance of license — Licensed practical nurses who complete the renewal application accurately, are practicing nursing in compliance with the law, and pay the renewal fee shall be issued a license to practice. Should the licensee fail to renew his or her license prior to the expiration date, the individual is subject to the penalty fee and all back fees as stated in RCW 18.78.090.

(4) Illegal Practice — Any person practicing as a licensed practical nurse during the time that his/her license has lapsed shall be considered an illegal practitioner and shall be subjected to the penalties provided for violators under the provisions of RCW 18.78.170.

NEW SECTION

WAC 308-117-110 ESTABLISHMENT OF NEW PRACTICAL NURSING PROGRAM. (1) Application. An organization desiring to establish a board approved practical nursing program shall submit an application in the form requested by the board. The organization shall submit the proposed curriculum plans which shall include the statements of philosophy, purpose and objectives, the conceptual framework and the arrangements for learning opportunities through which students are expected to achieve the curriculum objectives. The organization shall submit the plan at least four weeks prior to a scheduled board meeting at which the plan is to be reviewed. This review shall take place three months prior to the scheduled opening date of the program.

The nurse administrator of the program and other administrative officers of the organization shall meet with the board to present the formal application and clarify and amplify materials included in the written report.

(2) The board shall either grant or withhold initial approval of the proposed nursing program.

(3) Schools receiving initial approval shall:

(a) Submit course outlines and objectives to the board for review and approval at least three months prior to offering the course;

(b) Submit sample form of written agreements between clinical agencies and the educational agency.

(c) Submit progress reports as requested by the board. Survey visits shall be scheduled as deemed necessary by the board during the period of initial approval.

(4) At least three months prior to graduation of the first class, a school shall be surveyed to assess its eligibility for full approval.

NEW SECTION

WAC 308-117-120 SURVEY VISITS. (1) The board of practical nursing, through its authorized representative, shall survey each practical nursing program in the state at least once every four years. More frequent visits may occur as deemed necessary by the board or at the request of the school.

(2) The survey visit to the program shall be scheduled on dates mutually acceptable to the board and to the program.

(3) The board shall require a self-evaluation report by the nurse administrator and the faculty of the program, based on the rules and regulations for approval of programs and in accordance with guidelines and forms provided by the board.

(4) Copies of the self-evaluation report shall be submitted to the board at least one month prior to the scheduled visit.

(5) In schools where combined nursing programs exist, one self-evaluation addressing both program requirements may be submitted in lieu of a separate report.

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 308-117-130 BOARD ACTION FOLLOWING SURVEY VISITS. (1) Whenever a matter directly concerning a practical nursing program is being considered by the board, any board member who is associated with the program shall not participate in the deliberation or decision-making action of the board.

(2) Each program shall be evaluated in terms of its conformance to the curriculum standards.

(3) The board shall give written notice to the educational institution and the nurse administrator of the practical nursing program regarding its decision on the program's approval status.

(4) Continuing full approval shall be granted a practical nursing program that meets the requirements of the law and the rules and regulations of the board. Full approval may carry recommendations for improvement and for correcting deficiencies.

(5) If the board determines that an approved practical nursing program is not maintaining the curriculum standards required for approval, the board shall give written notice specifying the deficiencies and shall designate the period of time in which the deficiencies must be corrected. The program's approval shall be suspended if a program fails to correct the deficiencies within the specified period of time.

NEW SECTION

WAC 308-117-140 TERMINATION OF A SUSPENSION. A program of practical nursing may petition to the board for restoration of approval by submitting evidence that it is in compliance with the minimum standards.

NEW SECTION

WAC 308-117-150 STUDENT RECORDS. The school shall maintain records with regard to each student that contain the following:

(1) Evidence of satisfactory completion of 10th grade or its equivalent.

(2) Health examination report establishing good physical and mental health.

(3) Transcript of practical nursing program and interpretation of credit or unit.

NEW SECTION

WAC 308-117-160 STATEMENT OF COMPLETION OF THE COURSE. The school shall submit a statement of completion to the Board of Practical Nursing for each graduate making application for the state licensing examination on forms provided, in addition to submitting a copy of the applicant's transcript.

NEW SECTION

WAC 308-117-170 READMISSIONS, TRANSFERS. The educational institution shall have written policies regarding readmissions and acceptance of transfer students which insure that such students have met the same curriculum objectives required of regularly enrolled students.

NEW SECTION

WAC 308-117-180 CLINICAL PRACTICE AREAS. (1) Clinical learning opportunities shall be selected so that they enable the student to observe and practice safe nursing care and provide experiences in the care of persons at each stage of the human life cycle. These experiences shall include opportunities for the student to learn and provide nursing care to clients in the areas of acute and chronic illnesses, promotion and maintenance of wellness, prevention of illness, rehabilitation and support in death. The emphasis placed on these areas, the scope encompassed, and other allied experiences offered shall be in keeping with the purpose, philosophy and objectives of the program.

(2) There shall be sufficient experienced and supervisory personnel in clinical practice areas to safeguard the client's well-being and the interests of students so that curriculum objective can be attained.

(3) The manner in which experiences in each clinical area contribute to achievement of the identified student terminal objectives shall be documented and maintained on file.

(4) The students' curriculum objectives shall not be sacrificed in order to provide nursing service for clients.

(5) Facilities utilized as clinical practice areas shall be licensed and/or accredited by the appropriate agency.

(6) There must be signed agreement with clinical practice areas to insure that curriculum objectives will be achieved.

(7) When a practical nursing program plans to add a new clinical practice area for student experience, it shall notify the board and submit the objectives to be gained from the experiences 60 days prior to the scheduled use. The new clinical practice area must meet all the requirements of this rule.

NEW SECTION

WAC 308-117-190 STRUCTURE FOR CURRICULUM IMPLEMENTATION. (1) The curriculum shall be designed to prepare students for licensure as practical nurses.

(2) The basic curriculum shall be not less than nine months or 40 weeks.

(3) The time requirements for all clinical practice areas shall be sufficient for students to achieve the curriculum objectives.

(4) The number of hours of class and clinical practice opportunities and distribution of these shall be in direct ratio to the amount of time necessary for the student at that particular stage of development to accomplish the objectives of the course.

(5) Throughout the program the total hours of class and required clinical practice opportunities shall not exceed 40 hours per week.

NEW SECTION

WAC 308-117-200 CURRICULUM IN AN APPROVED PRACTICAL NURSING PROGRAM. (1) In order to insure that the curriculum is well defined the statements of philosophy, purpose, objectives and conceptual framework of the curriculum must be carefully formulated and written by the nursing faculty, reviewed and revised periodically and must be consistent with the philosophy and goals of the controlling institution.

(2) The philosophy of the nursing curriculum must express the nursing faculty's beliefs about education, learning, nursing, nursing education and practical nursing as an integral part of nursing.

(3) The curriculum as developed by the nursing faculty shall be consistent with the program philosophy, objectives and conceptual framework and with the law governing the practice of practical nursing.

(4) The written philosophy and objectives must be communicated to the students and to staff in all clinical practice areas to insure achievement of the objectives.

(5) The ratio between nursing and non-nursing classes shall be based on a well developed rationale which supports the program philosophy, purpose and terminal objectives.

(6) The behavioral objectives must be realistic, attainable and measurable, based on the goal of preparing practitioners who function within the accepted role of the licensed practical nurse.

(7) Learning opportunities and instructional approaches shall facilitate the achievement of curriculum objectives.

(8) The faculty shall have flexibility to develop and implement their curriculum as they determine will best achieve the program philosophy and objectives.

(9) The manner in which the theoretical and practical studies contribute to the achievement of the students' terminal objectives must be documented, maintained and be available for review upon request by the Board of Practical Nursing.

(10) The curriculum shall provide concurrent theoretical instruction and practical application in the care of selected individuals at all developmental levels with different degrees of wellness-illness and various types of incapacities.

(11) Any plan for major curriculum revision, such as changes affecting the philosophy and objectives, significant course content changes, or changes in the length of the program, shall be submitted to the board for approval 60 days prior to implementation.

(12) A school offering practical nursing programs at more than one educational site must have the same curricular philosophy and terminal objectives at each site.

(13) The curriculum shall be evaluated on a regular basis to ensure that graduates will demonstrate the knowledge and practical application consistent with that expected of a beginning licensed practical nurse. The evaluation shall be completed by the nursing faculty in conjunction with nursing students and health care advisory committees.

(14) The curriculum shall encompass broad areas of learning. Nursing content based on scientific principles shall be consistent with the practical nursing role and shall facilitate the application of nursing concepts to the care of the client.

NEW SECTION

WAC 308-117-300 CURRICULUM CONTENT. Content of the curriculum shall include:

(1) Concepts of social, behavioral, and related foundation subjects.

(a) Normal growth and development.

(b) Psychology - social facts and principles; communication techniques and defense mechanisms, normal and abnormal behavior; loss, grief and dying.

(c) Personal and vocational relationships.

(2) Biological and related foundation subjects.

(a) Anatomy and physiology.

(b) Microbiology - elementary.

(c) Chemistry and physics - elementary.

(d) Nutrition and diet therapy.

(e) Pharmacology and applied mathematics.

(3) Principles and practice of practical nursing consistent with the practical nursing role.

(a) Nursing ethics, nursing history and trends, vocational and legal aspects of nursing.

(b) Fundamentals of nursing.

(c) Medical and surgical nursing.

(d) Parent/child nursing with only an assisting role in the care of clients during labor and delivery and those with abnormal complications.

(e) Geriatric nursing.

(f) Mental health nursing.

(g) All nursing courses shall include components of restorative, rehabilitative and supportive care.

(h) Laboratory and clinical practice in the functions of the practical nurse including but not limited to administration of medications, common medical surgical techniques and related client teaching.

(i) Concepts of client care management.

NEW SECTION

WAC 308-117-400 STANDARDS/COMPETENCIES. Minimum standards of competency expected of beginning licensed practical nurses include the following:

(1) **STANDARD I** - The practical nurse assists in implementing the nursing process. The nursing process is defined as a systematic approach to nursing care which has the goal of facilitating an optimal level of functioning for the client, recognizing cultural and religious diversity.

The components of the nursing process are assessing, planning, implementing and evaluating. Written and verbal communication is essential to the nursing process.

COMPETENCIES:

(a) **Assessment** - makes observations, gathers data and assists in identification of needs and problems relevant to the client.

(i) Makes basic observations of clients' safety and comfort needs.

(ii) Identifies physical discomfort and environmental threats to client safety.

(iii) Identifies basic physiological, emotional, sociological, cultural, economic, and spiritual needs.

(iv) Collects specific data as directed.

(v) Identifies major deviation from normal.

(vi) Selects data from established sources relevant to client's needs or problems.

(vii) Collaborates in organizing data.

(viii) Assists in formulating the list of clients' needs or problems.

(ix) Identifies major short and long term needs of clients.

(b) **Planning** - contributes to the development of approaches to meet the needs of clients and families.

(i) Develops client care plans, utilizing a standardized nursing care plan.

(ii) Assists in setting priorities for nursing care.

- (iii) Participates in client care conferences.
- (c) Implementation – carries out planned approaches to client care.
- (i) Carries out nursing actions developed in care plan to ensure safe and effective nursing care.
- (ii) Performs common therapeutic nursing techniques.
- (d) Evaluation – Utilizing a standard plan for nursing care, appraises the effectiveness of client care.
- (i) Collaborates in data collection relevant to outcome of care.
- (ii) Assists in comparing outcome of care to formulated objective.
- (iii) Assists with adjustments in care.
- (iv) Reports outcome of care given.
- (2) STANDARD II. The practical nurse uses communication skills effectively in order to function as a member of the nursing team. Communication is defined as a process by which information is exchanged between individuals through a common system of symbols, signs, or behaviors that serves as both a means of gathering information and of influencing the behavior and/or feelings of others.

COMPETENCIES:

- (a) Applies beginning skills in verbal, non-verbal and written communication, recognizing and respecting cultural diversity and respecting the spiritual beliefs of individual clients.
- (i) Uses common medical terminology and abbreviations.
- (ii) Interprets common medical terminology and abbreviations.
- (iii) Reports pertinent client communications regarding his/her physical and psycho-social welfare.
- (iv) Develops a working relationship with the client, family, and health team members.
- (v) Interviews clients to collect specific data with or without a structured tool.
- (vi) Identifies possible communication blocks.
- (vii) Recognizes that communication can be facilitated by certain responses.
- (viii) Interacts appropriately in a one-to-one relationship and/or in a group setting.
- (ix) Modifies own communication pattern.
- (x) Documents observations and actions correctly in the chart.

(3) STANDARD III. In a structured setting the practical nurse demonstrates responsibility for own actions by using common techniques of problem solving and decision making to plan and organize own assignment. Problem solving and decision making include utilization of available resources to secure a desired result.

COMPETENCIES:

- (a) Participates in self-assessment.
- (i) Identifies own strengths and weaknesses.
- (ii) Maintains personal health.
- (iii) Maintains appropriate appearance.
- (iv) Seeks assistance as needed.
- (v) Requests recommendations for improvements.
- (vi) Incorporates new and appropriate behaviors in nursing action.
- (vii) Evaluates completion of assigned duties.
- (b) Seeks learning opportunities that will foster growth.
- (i) Plans goals for self improvement of performance with help of a supervisor.
- (ii) Seeks opportunities for personal vocational growth.
- (iii) Utilizes new knowledge and skills.
- (iv) Participates in staff development.
- (v) Demonstrates knowledge of professional organization and other contributors to past and present nursing advancement.
- (c) Applies knowledge of ethical and legal principles and responsibilities pertinent to self, clients, and others.
- (i) Identifies scope and limitations of own role.
- (ii) Functions within the law regulating the practice of practical nursing.
- (iii) Demonstrates ethical practice in providing client care.
- (iv) Respects and maintains the client's privacy interests.
- (d) Practices conservation of available resources.
- (i) Demonstrates an understanding of hospital and client costs by economical use of supplies and equipment.
- (ii) Participates in nursing audit.
- (e) Follows employer rules and regulations.
- (i) Functions according to the job description, recognizing employer/employee expectations.
- (ii) Explains employer rules and regulations as they apply to client and family.

(4) STANDARD IV. The practical nurse assists in the health teaching of clients recognizing individual differences. Health teaching

is defined as facilitating learning and instructing clients and significant others in preventive and/or therapeutic measures.

COMPETENCIES:

- (a) Health teaching – assists in the development of teaching plans for the individual client.
- (i) Identifies major health education needs and/or problems of clients.
- (ii) Communicates observation of health and learning needs.
- (iii) Assists in individualizing the teaching plan to include others when appropriate.
- (b) Implements teaching of basic health information according to the appropriate teaching plan.
- (c) Communicates client's request for information to appropriate team member.
- (d) Documents client teaching on the appropriate records.

(5) STANDARD V. The practical nurse demonstrates an understanding of own role in the health care delivery system. Health care delivery systems are defined as the voluntary and governmental organizations and institutions at international, national, state, and local levels that influence health policy and encompass comprehensive services.

COMPETENCIES:

- (a) Functions as a practical nurse within the health care delivery system. (See chapter 18.78 RCW.)
- (i) Functions within the role of the practical nurse.
- (ii) Identifies the basic functions of members of the health care delivery team.
- (b) Recognizes functions of health care delivery systems.
- (i) Identifies supportive services in client care settings.
- (ii) Identifies community resources.
- (iii) Identifies the need for assistance from other agencies.
- (iv) Demonstrates ability to obtain information about health care agencies.
- (c) Acts as client advocate in health maintenance and clinical care.
- (i) Recognizes the rights of individuals to control their own health needs and make decisions about health services.
- (ii) Provides client education concerning health care delivery systems.

(6) STANDARD VI. The practical nurse recognizes the need for change in a structured health care setting and demonstrates willingness to participate in effecting change. Change is defined as a systematic process which includes careful assessment and acceptance of responsibility for own actions, resulting in a significant alteration.

COMPETENCIES:

- (a) Recognizes need to adjust functions to comply with the accepted practical nurse role and assists in assessing effectiveness of current nursing practices in a given health care delivery system.
- (i) Recognizes problems and the need for change in current nursing practice.
- (ii) Communicates needs for further change through appropriate channels.
- (iii) Identifies personal factors which influence response to change. adapts own behavior.
- (v) Accepts potential risks with instituting change.

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

Reviser's note: 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 308-116-005 DEFINITIONS.
- WAC 308-116-010 FUNCTIONS OF A LICENSED PRACTICAL NURSE.
- WAC 308-116-020 ORGANIZATION OF A COURSE IN PRACTICAL NURSING.
- WAC 308-116-024 FACULTY.
- WAC 308-116-034 CLASSROOM TEACHING FACILITIES.
- WAC 308-116-038 CURRICULUM.
- WAC 308-116-040 COURSE CONTENT.
- WAC 308-116-052 CLINICAL PRACTICE AREAS.
- WAC 308-116-058 SELECTION OF STUDENTS AND THE STUDENT PROGRAM.
- WAC 308-116-082 RECORDS AND BROCHURES.

WAC 308-116-092 STATE BOARD LICENSING EXAMINATION.
 WAC 308-116-098 READMISSIONS, TRANSFERS, WITHDRAWALS.
 WAC 308-116-102 APPROVAL OF PROGRAM IN PRACTICAL NURSING.
 WAC 308-116-160 CORRESPONDENCE COURSES.
 WAC 308-116-280 RENEWAL OF LICENSES.
 WAC 308-116-295 LICENSURE QUALIFICATION AND PROCEDURES.
 WAC 308-116-300 CERTIFICATION OF LICENSURE.

WSR 83-22-078
PROPOSED RULES
BOARD OF REGISTRATION
FOR PROFESSIONAL ENGINEERS
AND LAND SURVEYORS
 [Filed November 2, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Registration for Professional Engineers and Land Surveyors intends to adopt, amend, or repeal rules concerning the amending of WAC 196-08-085, 196-12-010, 196-12-020, 196-12-030, 196-12-050, 196-12-060, 196-12-085, 196-16-007, 196-12-010, 196-16-020, 196-16-031, 196-20-010, 196-20-030, 196-24-030, 196-24-040, 196-24-050, 196-24-080, adding new sections WAC 196-27-010 and 196-27-020;

that the agency will at 9:00 a.m., Friday, December 9, 1983, in the Large Conference Room, General 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 18.43.035.

Dated: October 27, 1983
 By: Quentin H. Gateley, P.E.
 Executive Secretary

STATEMENT OF PURPOSE

Name of Agency: Washington State Board of Registration for Professional Engineers and Land Surveyors.

Description of Rules: Rules of procedure regarding examinations given by the board, disciplinary matters before the board and rules of professional conduct for licensees. Also minor changes are made in several rules found within chapter 196-08, 196-12, 196-16, 196-20 and 196-24 WAC.

Statutory Authority: RCW 18.43.035.

Summary of Rules: WAC 196-08-085 defines the word "preferred" found in RCW 18.43.110, in order to clarify the time during which a formal administrative hearing must be held by the board in disciplinary matters; WAC 196-12-010 requires a new complete application, every five years, from an applicant for licensure, in order to make the board aware of the activities of an individual applicant, until such time as that applicant is issued a license; WAC 196-12-020 requires that all applicants must pass the first stage/engineer-in-training examination before taking the branch examination; WAC 196-12-030 deletes portions of the present rule in

order to conform this rule to WAC 196-12-020; WAC 196-12-050 changes the language of the current WAC 196-16-050 to conform to the changes in WAC 196-12-020; WAC 196-12-060 changes the language of the current WAC 196-16-060 to conform to the change in WAC 196-12-020; WAC 196-12-085 adds the definition of "designated engineer" and "full-time employee"; WAC 196-16-007 requires a new complete application from an applicant every five years, which advises the board of the applicant's activities, until a license is issued; WAC 196-16-020 updates the language used to designate the two examinations given to engineer applicants; WAC 196-16-010 changes requirements for licensure as a professional land surveyor to include field work and responsible charge office work. Rule changes also define what work experience is acceptable to the board; WAC 196-16-031 updates rules relating to reciprocal registration as land surveyors by out-of-state licensees; WAC 196-20-070 deletes certain specific requirements for engineer-in-training applicants; WAC 196-20-030 changes language in existing WAC 196-20-030 to comply with the change in WAC 196-12-020; WAC 196-24-030 makes minor housekeeping changes in the current WAC section; WAC 196-24-040 makes minor housekeeping changes in the current WAC section; WAC 196-24-050 makes minor housekeeping changes in current WAC section; WAC 196-24-080 makes minor housekeeping changes in current WAC section; WAC 196-26-010 sets forth the purpose for and definitions of the rules of professional conduct proposed in WAC 196-26-020; and WAC 196-26-020 establishes rules of professional conduct for all registered professional engineers and registered professional land surveyors.

The Board of Registration for Professional Engineers and Land Surveyors and its professional and clerical staff have responsibility for drafting, implementing and enforcing the rules: John Wallace Jr., Chairman, Alfred Byrn, Harvey Dodd, Robert Clark, Roy Avent; Registrar of the Board: Quentin H. Gateley, P.E.; and Assistant Registrar: Alan Rathbun, P.E.; Board Address and Phone: Washington State Board of Registration for Professional Engineers and Land Surveyors, P.O. Box 9649, Olympia, WA 98504, Phone: (206) 753-6996.

These rules were proposed by the Board of Registration for Professional Engineers and Land Surveyors.

These rules were promulgated pursuant to RCW 18.43.035.

AMENDATORY SECTION (Amending Rule .08.081, filed 7/6/60)

WAC 196-08-085 HEARINGS ON CHARGES TO BE HEARD WITHIN THREE MONTHS. All charges, unless dismissed by the board as unfounded or trivial, shall be heard by the board within three months after the date on which they have been preferred. The date preferred shall be defined as the date of issuance of a formal statement of charges by the board or their designee(s).

AMENDATORY SECTION (Amending Order 81-10, filed 12/18/81)

WAC 196-12-010 APPLICATIONS. The deadline for receipt of applications properly filled out and accompanied by the application fee is four months before the date of the examination. Verification of the applicant's claimed experience must be in the board office (~~two~~) three months before the date of the examination. Applications received

after the deadline will be held for consideration for a later examination. Lack of verification of experience will also cause the application to be held for a later examination. Those who have previously taken the examination and failed or those who qualified and did not appear for the examination are required to notify the board office in writing ~~((two))~~ three months before the next examination which they intend to take. An entire application is not required where an applicant has taken the examination and failed or who has filed and failed to appear for the previous examination. However, a new application is required every five years, after board approval of the initial application, to reactivate an application or maintain exam eligibility.

AMENDATORY SECTION (Amending Order 81-10, filed 12/18/81)

WAC 196-12-020 EXPERIENCE RECORDS. (1) Evaluation of records: The basic requirement for registration as a professional engineer is a specific record of eight years or more of approved experience in engineering work of a professional grade. The provisions of the law are that any experience by college study, as defined below, must be substantiated by an official transcript, the supplying of which is the responsibility of the applicant.

(a) Graduation in an approved engineering college curriculum of four years is equivalent to four years of the required experience.

(b) Satisfactory completion of each year of such an approved engineering curriculum is equivalent to one year of experience.

(c) Graduation in a curriculum other than engineering will be evaluated by the board.

(d) Postgraduate study in engineering may be given credit up to one year.

(e) Engineering teaching of a character satisfactory to the board may be recognized as engineering experience, up to a maximum of two years.

(2) Colleges recognized by the board: All student's credits from curricula approved by the accreditation board for engineering and technology are accepted. In the state of Washington student's credits from other curricula than those approved by the accreditation board for engineering and technology may be accepted at the discretion of the board.

(3) An applicant must have passed the first stage of the examination and be enrolled as an E.I.T. in accordance with WAC 196-12-050 before applying for the second stage or branch examination.

AMENDATORY SECTION (Amending Order 81-10, filed 12/18/81)

WAC 196-12-030 EXAMINATIONS. (1) The examination(s are) is given in two parts(~~(-a) Fundamentals and (b) branch~~), each of one days duration. The fundamental and branch examinations consists of two sessions, one in the morning and one in the afternoon. An applicant failing either the fundamental or branch examinations and passing the other has only to repeat the examination failed. Once approved an applicant may choose to take either the fundamental or branch examination during one examination period. The remaining examination may be taken at a subsequent examination following proper notification). All examinations are given with open book unless otherwise specified by the board.

~~((The engineering fundamentals examination covers mathematics, physical sciences and other general engineering related subjects. A detailed list of the subjects to be tested is available by contacting the board office.))~~

For the specific branch of engineering in which the applicant desires to qualify, and for the times and places of such examinations, see WAC 196-24-050.

(2) The following rules shall apply:

(a) Applicants (~~who hold Washington~~) must be enrolled as an engineer-in-training (~~(certificates)~~) and are (~~(only)~~) required to take the examination in the specific branch of engineering under which they desire to qualify.

(b) Applicants who (~~hold~~) are enrolled as E.I.T.s (~~(certificates issued to them by)~~) in other states by virtue of a written examination comparable to that given by the state of Washington may be exempt from taking (~~(either the E.I.T. or)~~) the (~~(fundamental)~~) first stage of the examination.

(c) All qualified applicants are required to take the examination in the specific branch of engineering in which they desire to become registered.

AMENDATORY SECTION (Amending Order 81-10, filed 12/18/81)

WAC 196-12-050 EVALUATION OF CANDIDATES FOR ENGINEERING LICENSES. (1) A candidate who (~~(has received his)~~) is enrolled as an E.I.T. (~~(registration by examination is excused from the fundamentals examination and)~~) is required to write only the branch examination (~~(with a minimum grade of seventy percent)~~).

(2) (~~Candidates who have not passed an E.I.T. examination and who write fundamental and branch examinations, must receive a grade of at least seventy percent in each examination.~~

~~(3))~~ Candidates holding a baccalaureate degree in an accredited engineering curriculum who have had at least seventeen additional years of experience satisfactory to the board (after the statutory eight years of experience) may (~~(have)~~) request the fundamental examination waived and may be permitted to write the branch examination only. (~~These candidates must attain seventy percent minimum in this examination.~~

~~(4) Registration in any additional branch of engineering (see WAC 196-24-050) requires a minimum passing grade of seventy percent on the written examination in that branch.~~

~~(5))~~ (3) A professional land surveyor seeking registration as a professional engineer should refer to WAC 196-12-020.

AMENDATORY SECTION (Amending Order 81-10, filed 12/18/81)

WAC 196-12-060 (~~(HOLDERS OF E.I.T. CERTIFICATES)~~) PERSONS ENROLLED AS E.I.T.S. (~~((t) At)~~) Any time (~~(after the holder of)~~) an individual enrolled as an E.I.T. (~~(certificate)~~) has fulfilled the requirements of (~~(four additional)~~) a total of eight years of approved professional experience, (~~(he may submit)~~) a new application must be submitted for registration completely filled out, notarized and accompanied by the required fee. (~~(The portion of the application, "professional experience", shall be filled out in detail, giving names and addresses of employers and names of those familiar with work performed and indicating level of responsibility in each engagement.))~~) Washington state E.I.T. (~~(s)~~) enrollees are not required to submit a second transcript of college record except for postgraduate study claimed as professional experience. IT IS ABSOLUTELY ESSENTIAL FOR THE APPLICANT TO INDICATE CLEARLY IN HIS PROFESSIONAL APPLICATION THE FACT THAT HE (~~(HOLDS)~~) IS ENROLLED AS AN E.I.T. (~~(REGISTRATION)~~), AND THE YEAR AND STATE IN WHICH HE OBTAINED SUCH REGISTRATION (~~(otherwise he may not receive credit for his E.I.T. examination)~~).

~~((2) Holders of E.I.T. certificates will appear for examination in the specific branch of engineering under which they desire registration.))~~

AMENDATORY SECTION (Amending Order 81-10, filed 12/18/81)

WAC 196-12-085 CORPORATION OR JOINT STOCK ASSOCIATIONS. Corporations or joint stock associations shall file:

(1) A letter of application containing a brief statement of the corporation's origin, activities, and principals. Said letter should also state the type, or types, of engineering practiced, or to be practiced by such corporation. Type or types are limited to the branches currently being issued by the board. Application shall be signed and attested by a corporate officer.

(2) The application for certificate of authorization shall state the experience of the corporation, if any, in furnishing engineering services during the preceding five year period and state the experience of the corporation, if any, in the furnishing of all feasibility and advisory studies made within the state of Washington.

(3) A certified copy of a resolution of the board of directors of the corporation which shall designate a person holding a certificate of registration under this chapter as responsible for the practice of engineering by said corporation in this state and shall provide that full authority to make all final engineering decisions on behalf of said corporation with respect to work performed by the corporation in this state shall be granted and delegated by the board of directors to the person so designated in said resolution: PROVIDED, That the filing of such resolution shall not relieve the corporation of any responsibility or liability imposed upon it by law or by contract. The designated engineer responsible for the practice of engineering by said corporation shall be a full-time employee of the corporation. Full-time employee is

defined as an individual whose main place of business and major income is derived from said corporation. No individual will be the designated engineer at more than one place of business or one company at any one time.

(4) A designation in writing setting forth the name or names of a person or persons holding certificates of registration under this chapter who shall be in responsible charge of each project and each major branch of the engineering activities in which the corporation shall specialize in this state. The engineers in charge of major branch or project shall be full-time employees of the corporation. Full-time employee is defined as an individual whose main place of business and major income is derived from said corporation. No individual will be an engineer in charge of branch or project at more than one place of business or company at any one time. In the event there shall be a change in the person or persons in responsible charge of any project or major branch of the engineering activities, such changes shall be designated in writing and filed with the board within thirty days after the effective date of such changes.

(5) A certified copy of the section of the by-laws of the corporation containing provisions that all engineering decisions pertaining to any project or engineering activities in this state shall be made by the ~~((specified))~~ designated engineer in responsible charge ~~((or other responsible engineer under his direction or supervision))~~ named in the resolution of the board of directors.

(6) A current certified financial statement accurately reflecting the financial condition of the corporation. Certification shall be by an officer of the corporation or a public accountant.

(7) The professional records of the designated person or persons under (3) above who shall be in responsible charge of ~~((each branch of))~~ all the engineering activities of the corporation.

(8) A copy of the articles of incorporation as filed with the secretary of state for the state of Washington and bearing his acceptance stamp.

(9) A copy of the corporation by-laws and any revisions to the by-laws, that may affect the ability of the designated engineer to make all engineering decisions as set forth in (5) above.

(10) In the case of change or increase in the engineers named as being in responsible charge (subsection (3) above), a certified copy of a resolution of the board of directors of the corporation which shall designate said person or persons shall be filed with the board within thirty days after the effective date of such changes. The professional history of newly named engineers will also be required.

(11) Application fee as determined by the director of the department of licensing.

AMENDATORY SECTION (Amending Order 81-10, filed 12/18/81)

WAC 196-16-007 APPLICATIONS. The deadline for receipt of applications properly filled out and accompanied by the required application fee is four months before the date of the examination. Response from applicant's references must be in hand ~~((two))~~ three months before the date of the examination. Applications received after the deadline will be held for consideration for a later examination. Late responses from references will also cause the application to be held for consideration for a later examination. Those who have previously taken the examination and failed or those who qualified and did not appear for the examination are required to notify the board office in writing ~~((two))~~ three months before the examination which they intend to take. A new application is not required where an applicant has taken the previous examination and failed or who has filed and failed to appear for the previous examination. However, a new complete application is required every five years after approval by the board until registration in Washington state is obtained.

AMENDATORY SECTION (Amending Order 81-10, filed 12/18/81)

WAC 196-16-010 EXPERIENCE RECORDS. The first requirement of the law for registration as a professional land surveyor is a minimum of six years of approved professional experience in land surveying ~~((of which two years must be in boundary surveying in the field)).~~ One year of the required experience must be in responsible charge of boundary surveying in the field and one year must be in a supervisory capacity in the office, which includes but is not limited to preparation of legal descriptions and record documents, survey and description research, computations and client/public contact. The provisions of the law are that:

(1) Graduation in a recognized land surveying curriculum of four years or more from a college recognized by the board is equivalent to four years of the required experience.

(2) Satisfactory completion of each year of such recognized course is equivalent to one year of experience.

(3) Graduation in any curriculum not recognized in (1) or (2) above will be evaluated by the board. It is the responsibility of the applicant to see that the board is furnished an official transcript of his college record when education is claimed as experience.

(4) Teaching of a character satisfactory to the board may be recognized as surveying experience up to a maximum of one year.

(5) Construction staking shall not be applicable toward the required six years of experience.

(6) A registered professional engineer who applies to be examined to become registered as a land surveyor must meet the requirements stated within this section.

AMENDATORY SECTION (Amending Order 81-10, filed 12/18/81)

WAC 196-16-020 EXAMINATIONS. ~~((The land surveying examination consists of two full eight hour days given at the regular examination period.))~~ The examinations are given in two parts: (1) Fundamentals and (2) principles and practice, each of one day's duration. The fundamentals and principles and practice consist of two sessions, one in the morning and one in the afternoon. All examinations will be open book unless otherwise specified by the board. ((The examination is written and consists of two separate parts in two consecutive days. Each day is divided into two sessions, one in the morning and one in the afternoon.

~~(1) First — Land surveying — Rules and legal questions.~~

~~(2) Second — Land surveying — Applied surveying problems.))~~

A candidate may elect to sit for the examination in two consecutive days or may sit for one part ~~((at))~~ of one examination and the other part at a subsequent examination.

~~((Each day's examination is graded separately. An applicant))~~ A candidate failing either the ~~((rules))~~ fundamentals or ~~((applied problems))~~ principles and practice and passing the other has only to repeat the part failed.

~~((A candidate must receive a grade of at least 70% in each of the examinations described in (1) and (2) above.))~~

AMENDATORY SECTION (Amending Order 81-10, filed 12/18/81)

WAC 196-16-031 RECIPROCITY. ~~((+))~~ Applicants for registration as a land surveyor by reciprocity, who have been qualified by a written sixteen-hour examination, in a state that gives like consideration to Washington registrants, and are in good standing with the examining state, will be exempt from the ~~((applied surveying test. All applicants are required to sit for rules and legal questions.~~

~~(2) One registration as a professional engineer and/or land surveyor will be issued by reciprocity. Each designation requires an application))~~ Washington state sixteen-hour written examination. All candidates will be required to pass a written examination as prescribed by the board.

AMENDATORY SECTION (Amending Order 81-10, filed 12/18/81)

WAC 196-20-010 APPLICATIONS. ~~((+))~~ The deadline for applications properly filled out and accompanied by the statutory fee is four months before the date of the examination. Applications received after the deadline will be held for consideration for a later examination.

~~((2) The application for engineer-in-training shall contain:~~

~~(a) General information~~

~~(b) Education~~

~~(c) Technical examinations~~

~~(d) Affidavit~~

~~(e) Membership in societies~~

~~(f) Professional experience (if not a graduate))~~

Official transcripts of college record, if not attached to the application, shall be forwarded to the board office as soon as they are available.

AMENDATORY SECTION (Amending Order 81-10, filed 12/18/81)

WAC 196-20-030 EXAMINATIONS. (1) The engineer-in-training examination is given twice each year at times and places as will from time to time be designated by the board. The schedule of future examinations may be obtained from the board office. The examination is of one day's duration and consists of two sessions, one in the morning and one in the afternoon. It covers mathematics, physical sciences, and other general engineering related subjects. ~~((The minimum passing grade is seventy percent.))~~

(2) Persons who may normally expect to graduate within three months after a scheduled E.I.T. examination may sit for that examination. In cases where college graduation is claimed ~~((as a prerequisite no certificate will be issued))~~ an applicant who passes the examination will not be enrolled as an E.I.T. until ~~((a))~~ an official college transcript showing completion of the four-year requirement is filed with the board office.

(3) Those who pass this examination ~~((receive))~~ will be enrolled as an engineer-in-training ~~((certificates))~~ and are excused from taking the engineering fundamentals ~~((portion of the regular professional engineering))~~ examination. The E.I.T. passing grade will not be weighted in the professional examination but will be qualifying only.

(4) All examinations will be given with open book unless otherwise specified by the board.

AMENDATORY SECTION (Amending Order 81-10, filed 12/18/81)

WAC 196-24-030 RECIPROCITY. ~~((+))~~ The Professional Engineers Registration Act provides that the board for professional engineers and land surveyors may, upon application, and payment of a fee, issue a certificate without further examination as a professional engineer to any person who holds a certificate of qualification of registration issued to him following examination by proper authority, of any state, territory or possession of the United States, the District of Columbia, or of any foreign country, provided:

~~((a))~~ (1) That the applicant's qualifications meet the requirements of the chapter and the rules established by the board;

~~((b))~~ (2) That the applicant is in good standing with the licensing agency in said state, territory, possession, district, or foreign country;

~~((c))~~ (3) That the said state, territory, possession, district, or foreign country gives like consideration on a reciprocal basis to those persons who have been registered by examination in this state; and

~~((d))~~ (4) That the license has been granted on the basis of an examination equivalent to that given by the state of Washington.

~~((2) The board will issue certificates of registration to those who apply in conformance with the act and who have been registered by the proper legal body of the state, territory, possession, district, or country, whose qualifications conform to the law of this state.))~~

AMENDATORY SECTION (Amending Order 81-10, filed 12/18/81)

WAC 196-24-040 APPLICATIONS. (1) All candidates who desire registration in Washington are required to submit their application on a form to be furnished by this board.

(2) This application must be filled out in complete detail and where the applicant desires registration by reciprocity, it is essential that the state where license was issued by exam is given and that said state will verify this registration. ~~((This))~~ It is the responsibility of the applicant to pay any fees required by said state.

(3) The application fee for engineers, land surveyors, engineers-in-training, engineering corporations and engineering partnerships are determined by the director of the department of licensing. A fee schedule can be obtained by contacting the board office.

(4) The applicant must supply the board with an official college transcript of any education listed on his application.

AMENDATORY SECTION (Amending Order 81-10, filed 12/18/81)

WAC 196-24-050 EXAMINATIONS. (1) The branches in which certificates of registration are presently issued are: Aeronautical, agricultural, ceramic, chemical, civil, electrical, fire protection, industrial, logging, mechanical, metallurgical, mining, naval architecture and marine engineering, and nuclear. The branches of sanitary and structural engineering are considered to be specialized branches. An

applicant for any specialized branch is required to hold a current registration in the state of Washington, in one of the regular branches. ~~((In addition;))~~ Applicants shall have not less than two years of professional experience in the ~~((specialized))~~ additional branch in which the applicant seeks registration, over and above the requirements for professional registration (statutory eight years).

The examination in structural engineering ~~((;))~~ shall be of two days duration. Examination in sanitary engineering shall be of one day duration.

Certificates of registration will also be issued in land surveying.

All examinations are given at times and places as will be designated by the board. The schedule of future examinations may be obtained from the board office.

(2) Applicants for registration by reciprocity from states, territories, districts, or countries who have been issued certificates of registration without examination or in instances where such governmental body does not grant certificates of registration to regularly qualified registrants of the state of Washington will be required to sit for an examination to test the skill, knowledge, and other professional attributes of the applicant.

(a) The examination will be given in the branch chosen by the applicant from the list of regular branches given by this board.

(b) Such examinations are given after the board has approved the applicant's request.

(c) In cases where an applicant is issued a certificate of registration by his governmental body in a branch not included in the list of regular branches ~~((+ of this section))~~ ~~((+))~~ (subsection (1) of this section) the board will examine such an applicant in a regular branch of his choice, presumably the one closest to his specialty.

(3) One designation as professional engineer and/or land surveyor will be issued by reciprocity. Each added designation requires a new application. All added branches will be authorized by passing a regular examination, except applicants who may be granted registration without further examination provided they have successfully passed an examination equivalent to that given in the state of Washington, in a state, territory, possession, district, or country, which grants like reciprocity to the state of Washington registrants.

(4) All examinations are given with open book unless otherwise specified by the board.

AMENDATORY SECTION (Amending Order 81-10, filed 12/18/81)

WAC 196-24-080 FEES. All checks or money orders shall be made payable to the state treasurer. Registration: The application must be accompanied with the required fee; with engineers submitting the certificate fee after passage of the exam. Should the board deny the application, the initial fee will be retained as an application fee. An applicant who fails the first scheduled exam may be re-examined once without payment of an additional fee, provided he notifies the board office in writing of his intention to appear for the examination a second time at least ~~((two))~~ three months prior to said examination. Each subsequent examination will be granted upon payment of an examination fee received at least three months prior to said examination. Applicants ~~((;))~~ who fail to appear for scheduled examinations ~~((;))~~ will forfeit their re-examination privilege or examination fee.

Chapter 196-27 WAC
RULES OF PROFESSIONAL CONDUCT

NEW SECTION

WAC 196-27-010 PURPOSE AND DEFINITIONS. (1) In order to safeguard life, health, property and to promote the public welfare, the following rules of professional conduct shall apply to every person holding a certificate of registration together with all corporations, partnerships, or other legal entities authorized to perform engineering or land surveying services under chapter 18.43 RCW.

(2) All persons, corporations, and partnerships registered under the provisions of chapter 18.43 RCW are charged with having knowledge of and being familiar with the provisions of the rules of professional conduct.

(3) Violation of these rules of professional conduct is considered misconduct or malpractice as defined by RCW 18.43.105(11). Registrants found guilty of said misconduct or malpractice are subject to disciplinary powers of the board as provided in RCW 18.43.110.

(4) The word "registrant" in these rules of professional conduct shall mean any person holding a certificate of registration issued by this board.

NEW SECTION

WAC 196-27-020 FUNDAMENTAL CANNONS AND GUIDELINES FOR PROFESSIONAL PRACTICE. (1) Registrants shall hold paramount the safety, health, and welfare of the public in the performance of their professional duties.

(a) Registrants shall recognize that the lives, safety, health, and welfare of the general public are dependent upon engineering/land surveying judgments, decisions, and practices incorporated into structures, machines, products, processes, and devices.

(b) Registrants shall approve or seal only those design documents, prepared by them or under their direct supervision, which are determined to be safe for public health and welfare in conformity with accepted standards.

(c) Registrants whose professional judgment is overruled under circumstances where the safety, health, and welfare of the public are endangered shall inform their clients or employers of the possible consequences.

(d) Registrants who have knowledge or reason to believe that another person or firm may be in violation of any of the provisions of chapter 18.43 RCW or these rules of professional conduct shall present such information to the board in writing and shall cooperate with the board in furnishing such further information or assistance as may be required.

(2) Registrants shall perform services only in areas of their competence.

(a) Registrants shall undertake to perform assignments only when qualified by education or experience in the technical field of engineering or land surveying involved.

(b) Registrants may accept an assignment requiring education or experience outside their own fields of competence, provided their services are restricted to those phases of the project in which they are qualified. All other phases of such project shall be performed by qualified associates, consultants or employees.

(c) Registrants shall not affix their signatures or seals to any plan or document dealing with subject matter in which they lack competence by virtue of education or experience or to any such plan or document not prepared under their supervisory control.

(3) Registrants shall issue public statements only in an objective and truthful manner.

(a) Registrants should endeavor to extend the public knowledge of engineering or land surveying and shall not participate in the dissemination of untrue, unfair, or exaggerated statements regarding said professions.

(b) Registrants shall be objective and truthful in professional reports, statements, or testimony. They shall include all relevant and pertinent information in such reports, statements, or testimony.

(c) Registrants when serving as expert witness, shall express and engineering or land surveying opinion only when it is founded upon adequate knowledge of the facts, upon a background of technical competence, and upon honest conviction.

(d) Registrants shall issue no statements, criticisms, or arguments on engineering or land surveying matters which are inspired or paid for by interested parties, unless they indicate on whose behalf the statements are made.

(4) Registrants shall act in professional matters for each employer or client as faithful agents or trustees, and shall avoid conflicts of interest.

(a) Registrants shall avoid all known or potential conflicts of interest with their employers or clients and shall promptly inform their employers or clients of any business association, interest, or circumstances which could influence their judgment or the quality of their services.

(b) Registrants shall not solicit or accept compensation from more than one party for services on the same project, or for services pertaining to the same project, unless the circumstances are fully disclosed to and agreed to, by all interested parties.

(c) Registrants shall not solicit or accept gratuities, directly or indirectly, from contractors, their agents, or other parties dealing with their clients or employers in connection with work for which they are responsible.

(d) Registrants in public service as members, advisors, or employees of a governmental body or department shall not participate in considerations or actions with respect to services solicited or provided by

them or their organization in private or public engineering/land surveying practice.

(e) Registrants shall advise their employers or clients when, as a result of their studies, they believe a project will not be successful.

(f) Registrants shall not use confidential information coming to them in the course of their assignments as a means of making personal profit if such action is adverse to the interests of their clients, employers or the public.

(g) Registrants shall not accept professional employment outside of their regular work or interest without the knowledge of their employers.

(5) Registrants shall build their professional reputation on the merit of their services and shall not compete unfairly with others.

(a) Registrants shall not give, solicit or receive either directly or indirectly, any commission, political contribution, or a gift or other consideration in order to secure work, exclusive of securing salaried positions through employment agencies.

(b) Registrants should negotiate contracts for professional services fairly and on the basis of demonstrated competence and qualifications for the type of professional service required.

(c) Registrants shall not request, propose or accept professional commissions on a contingent basis under circumstances in which their professional judgments may be compromised.

(d) Registrants shall not falsify or permit misrepresentation of their academic or professional qualifications or experience.

(e) Registrants may advertise professional services in a way that does not contain self-laudatory or misleading language.

(6) Registrants shall continue their professional development throughout their careers, and shall provide opportunities for the professional development of those individuals under their supervision.

WSR 83-22-079

PROPOSED RULES

DEPARTMENT OF ECOLOGY

[Filed November 2, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington Department of Ecology intends to adopt, amend, or repeal rules concerning hazardous waste fee regulation, adopting chapter 173-305 WAC. The proposed regulation sets out the mechanism by which the department will raise the funds to operate a comprehensive hazardous waste management program. Revenue is generated by a tax on generators of hazardous wastes as well as treatment, storage, and disposal facilities and is based on a combination of: Degree of risk presented by the waste to the environment and human health; volume of hazardous waste generated; gross income of the hazardous waste generator (generator only); and method of hazardous waste management (facility only).

Public hearings on the proposed amendments are scheduled at the following times and locations: December 13, 1983, 7:00 p.m., Port of Seattle, Commissioners Chamber, 2201 Alaskan Way South, Pier 66, Seattle, Washington; December 14, 1983, 7:00 p.m., Department of Ecology, Hearings Room, 3601 West Washington, Yakima, Washington; and December 15, 1983, 7:00 p.m., Spokane County Health District, Auditorium, West 1101 College, Spokane, Washington.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on February 7, 1984.

The authority under which these rules are proposed is chapter 65, Laws of 1983 1st ex. sess.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 5, 1984.

Dated: November 2, 1983

By: John F. Spencer
Deputy Director

STATEMENT OF PURPOSE

Title: Chapter 173-305 WAC, Hazardous waste fee regulation.

Statutory Authority: Chapter 70.— RCW, (chapter 65, Laws of 1983 1st ex. sess.).

Summary of Rule: The regulation sets out the mechanism by which the department will raise the funds to operate a comprehensive hazardous waste management program. Revenue is generated by a tax on generators of hazardous wastes as well as treatment, storage and disposal facilities and is based on a combination of: Degree of risk presented by the waste to the environment and human health; volume of hazardous waste generated; gross income of the hazardous waste generator, (generator only); and method of hazardous waste management (facility only).

Reasons Supporting Proposed Action: The proposed regulation is necessary to operate a statewide hazardous waste program as authorized by the U.S. Environmental Protection Agency under the Resource Conservation and Recovery Act.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Ross Potter, Department of Ecology, Mailstop PV-11, Olympia, WA 98504, (206) 459-6303.

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: Necessary under RCRA to obtain final authorization to operate a state program.

Small Business Economic Impact Statement: Chapter 173-305 WAC, Hazardous waste fee regulation. The Regulatory Fairness Act, chapter 19.85 RCW, requires that rules which have an economic impact on more than 20 percent of all industries or more than 10 percent of the businesses in any one industry be reviewed and altered to minimize their impact on small businesses. Chapter 173-305 WAC implements chapter 65, Laws of 1983 1st ex. sess. It provides the procedures for assessing and collecting fees from hazardous waste generators and hazardous waste facilities. Generators are assessed on a fee schedule based on annual gross income and type and volume of waste. There are two groups of generators—"specific" businesses and "nonspecific" businesses. "Nonspecific" businesses will be identified by surveying businesses in the same industrial classifications (listed in new section WAC 173-305-040(2)(a)) as those generators in the "specific" group. The "specific" groups include 268 businesses which have submitted annual

reports of their hazardous waste generation under chapter 173-303 WAC. These 268 businesses are in 93 different 3-digit Standard Industrial Classifications (SICs). Because of the large number of SICs involved, this analysis is of the total group, not by individual industry. Table 1 shows the number of businesses involved by 2-digit SIC and income group, for information. Although not distinguished by number of employees, the fee schedule is graduated according to gross income range, and risk and quantity of waste generated. New section WAC 173-305-040(1) contains a matrix of those fees. As a percentage of gross income, generators will pay from .006 percent to .075 percent of gross income. Generators in the bottom of each range will pay a larger percentage of gross income than those at the top of each range, due to the flat fee per category. However, those in higher ranges will pay proportionately more than those in the lower ranges. Although not a "pure" graduated fee, this regulation complies with the intent of the Regulatory Fairness Act. New sections WAC 173-305-060 and 173-305-070 set the procedure for assessing fees on facilities which transfer, treat, store, or dispose of hazardous waste. Facilities will be identified through compliance with chapter 173-303 WAC, which requires that facilities obtain operating permits. Facility fees are based on degree of risk and quantity of waste handled. New section WAC 173-305-070 contains the schedule of fees. Although the measure of size of firm of neither number of employees, nor gross annual income, is used in this schedule, quantity of wastes should be an indication of size of firm within each individual SIC. Assuming that, this portion of the regulation also complies with the intent of the Regulatory Fairness Act. New section WAC 173-305-080 sets maximum fees for combined generators/facilities. Table 2 displays the number of businesses which will be assessed both the generator and the facilities fees, by 2-digit SIC and annual gross income range. As generators and facility operators gain awareness of the regulations affecting their operations, both chapter 173-303 and 173-305 WAC, other generators and facilities will be added.

Summary: Because this regulation uses a graduated fee system and attempts to distinguish between small and large firms through use of the gross income and risk and quantity of waste distinctions, it is opined that this regulation complies with the Regulatory Fairness Act, chapter 19.85 RCW.

Reviser's note: The tables mentioned in the Small Business Economic Impact Statement above have been omitted from publication in the Register under the authority of RCW 34.04.050(3) as being unduly cumbersome to publish. A copy of the tables is on file with the office of the code reviser and is available for public inspection.

Chapter 173-305 WAC HAZARDOUS WASTE FEE REGULATION.

NEW SECTION

WAC 173-305-010 PURPOSE. This chapter implements the provisions of chapter 70.— RCW (chapter 65, Laws of 1983 1st ex. sess.), establishing a means for funding hazardous waste control activities in this state. The purpose of this chapter is to describe the methods by which the department of ecology will assess certain fees, to whom the fees will be assessed, the amount of such fees, provisions for

exemption from and enforcement of fee assessments, coordination between the departments of ecology and revenue, and procedures for adjusting fees.

NEW SECTION

WAC 173-305-015 **APPLICABILITY.** (1) General. The requirements of WAC 173-305-010 through 173-305-020 and 173-305-080 through 173-305-090 apply to all persons who generate, recycle, transfer, treat, store, or dispose of hazardous wastes in this state.

(2) Generators. The requirements of WAC 173-305-030 through 173-305-050 apply only to those persons utilizing or operating identified sites (as defined in WAC 173-305-020).

(3) Facilities. The requirements of WAC 173-305-060 through 173-305-070 apply only to those persons who operate facilities at which hazardous wastes are recycled, transferred, treated, stored, or disposed.

(4) Exclusions. The requirements of this chapter do not apply to:

- (a) Hazardous wastes which are not subject to regulations adopted pursuant to chapter 70.105 RCW;
- (b) Radioactive wastes; or
- (c) Wastes generated primarily from the combustion of coal or other fossil fuels.

NEW SECTION

WAC 173-305-020 **DEFINITIONS.** Any terms not specifically defined in this section shall, for the purposes of this chapter, have the same meaning as given in WAC 173-303-040. The following terms are defined for the purposes of this chapter:

(1) "Annual gross income" of a business means the value proceeding or accruing during a calendar year by reason of the transaction of the business or service engaged in and includes gross proceeds of sales, compensation for the rendition of services, gains realized from trading in stocks, bonds, or other evidences of indebtedness, interest, discount, rents, royalties, fees, commissions, dividends, and other emoluments however designated, all without any deduction on account of the cost of tangible property sold, the cost of materials used, labor costs, interest, discount, delivery costs, taxes, or any other expense whatsoever paid or accrued and without any deduction on account of losses;

(2) "Business activities" means activities of any person subject to the generator fee of WAC 173-305-030 and who is "engaging in business" as this term is defined in chapters 82.04 and 82.16 RCW;

(3) "Combined site" means any location which is both a facility and an identified site (as these terms are defined in this section);

(4) "Dangerous waste" shall have the same definition as set forth in RCW 70.105.010(5) and shall specifically include those wastes designated as dangerous by rules adopted pursuant to chapter 70.105 RCW;

(5) "Department" means the department of ecology;

(6) "Extremely hazardous waste" shall have the same definition as set forth in RCW 70.105.010(6) and shall specifically include those wastes designated as extremely hazardous by rules adopted pursuant to chapter 70.105 RCW;

(7) "Facility" means all contiguous land, and structures, other appurtenances and improvements on the land used for recycling, transferring, treating, storing, or disposing of hazardous waste;

(8) "Fee" means the annual hazardous waste control and elimination assessment fee imposed under RCW 70.— (chapter 65, Laws of 1983 1st ex. sess.) and the fee for treatment, storage, and disposal facilities imposed under RCW 70.— (chapter 65, Laws of 1983 1st ex. sess.);

(9) "Generate" means any act or process which produces hazardous waste or first causes a hazardous waste to become subject to regulation;

(10) "Hazardous waste" means and includes all dangerous and extremely hazardous wastes;

(11) "Identified site" means the same or geographically contiguous property, which may be divided by a public or private right of way, provided that access between the properties occurs at an intersection and crosses, as opposed to goes along, the right of way. Noncontiguous properties owned by the same person but connected by a right of way will be considered a single identified site if the person controls the right of way and can prevent public access. For the purposes of this chapter, a property (or properties) will be an identified site only if it meets the conditions described above in this subsection, and only if hazardous waste is generated there during a calendar year;

(12) "Person" means an individual, trust, firm, joint stock company, partnership, association, state, public or private or municipal corporation, commission, political subdivision of a state, interstate body, the federal government including any agency or officer thereof, and any Indian tribe or authorized tribal organization;

(13) "SIC" means standard industrial classification and refers to the four digit numbers assigned to business activities from the federal Office of Management and Budget's "Standard Industrial Classification Manual," revised 1983;

(14) "Ton" means two thousand pounds; and

(15) "Manufacturer," "retailer," "wholesaler," and "person engaging in service activities" shall have the meanings attributed to such terms in chapter 82.04 RCW and shall include all persons taxable for such activities under that chapter.

NEW SECTION

WAC 173-305-030 **GENERATOR FEES.** This section describes the methods and criteria by which the department will: Determine the business activities that will be assessed generator fees (subsection (1) of this section); determine and apportion annual gross income (subsection (2) of this section); develop the generator fee schedule (subsection (3) of this section); assess fees (subsection (4) of this section); and provide for exemption from or reduction of a fee (subsection (5) of this section).

(1) Selection of businesses and generators. This subsection describes how the department will select those individuals and businesses who will be assessed a generator fee.

(a) List of business activities. The legislature provided the following list of business activities which may be assessed a generator fee:

- (i) Exploring for, extracting, beneficiating, processing, or selling metallic or nonmetallic minerals;
- (ii) Exploring for, extracting, processing, or selling coal;
- (iii) Producing, distributing, or selling electricity;
- (iv) Industrial or nonresidential contracting or heavy construction;
- (v) Painting or sandblasting;
- (vi) Producing, processing, or selling rubber or plastics;
- (vii) Producing, processing, or selling glass, cement, or concrete;
- (viii) Cutting, milling, producing, preparing, or selling lumber or wood products, including wooden furniture or fixtures;
- (ix) Producing, preparing, or selling paper or allied products;
- (x) Printing or publishing;
- (xi) Synthesizing, producing, processing, preparing, or selling chemicals or allied products;
- (xii) Exploring for, extracting, producing, processing, distributing, or selling petroleum or gas;
- (xiii) Fabricating rubber or plastic products;
- (xiv) Beneficiating, processing, or selling primary or secondary metals;
- (xv) Fabricating metal products, including metal furniture or fixtures;
- (xvi) Fabricating, constructing, preparing, installing, or selling machinery or supplies;
- (xvii) Fabricating, constructing, installing, preparing, or selling electrical or electronic equipment, machinery, or supplies;
- (xviii) Fabricating, producing, preparing, or selling transportation equipment;
- (xix) Transporting by railroad, motor vehicle, or water vessel;
- (xx) Telephone communication;
- (xxi) Drycleaning, photofinishing, or furniture refinishing;
- (xxii) Transferring, treating, storing, or disposing of solid, dangerous, or extremely hazardous wastes; and
- (xxiii) Repairing or servicing motor vehicles, railroad equipment, or water vessels.

(b) Selecting businesses for assessment. The department will select businesses for assessing fees as described in this subsection. In general, two different mechanisms will be used to identify those persons who will be assessed a fee. For the purposes of this chapter, the groups selected by these two mechanisms will be named: specific businesses (procedures for selection are described in (b)(i) of this subsection); and nonspecific businesses (procedures for selection are described in (b)(ii) of this subsection).

(i) Specific businesses. Any person who has notified pursuant to chapter 173-303 WAC as a generator of hazardous wastes and who utilizes or operates an identified site will be assessed a generator fee.

(ii) Nonspecific businesses. The department will develop a list of businesses by standard industrial classification (SIC) numbers. This

list appears in WAC 173-305-040 and will be developed on the following bases:

(A) The businesses are included in the legislative list of subsection (1)(a) of this section; and

(B) The information on specific businesses that have notified and reported as hazardous waste generators supports the inclusion of SIC numbers on the list.

The department of revenue will provide the names and addresses of businesses which conduct activities specified in the SIC list as requested by the department of ecology. The department of ecology will notify these businesses in writing that they have been identified as possible generators of hazardous waste. They will be requested to submit to the department of ecology within thirty days either a written description of their wastes (including but not limited to type, source and quantity for each waste), or else a signed and dated certification that they do not generate hazardous waste. The certification will be as follows:

"I certify that I am familiar with the requirements of chapter 173-303 WAC, Dangerous waste regulations, and with the waste designation procedures thereof, and that I do not believe any of my wastes to be hazardous wastes based on my own knowledge and on my inquiry of those individuals responsible for performing such hazardous waste designation procedures."

The department of ecology will use the information submitted by the nonspecific businesses, and any other pertinent information, to determine which of those businesses are subject to a generator fee. If a person certifies that his business does not generate hazardous waste, then he will not be assessed a fee. If a person submits information which shows that he generates a hazardous waste, then he will be assessed a generator fee calculated according to the procedures for specific businesses, with the information he has submitted being used in lieu of an annual report. If a person does not submit either a certification or information on his wastes, then the department of ecology will conclude that he is utilizing or operating an identified site and he will be assessed a generator fee calculated according to the procedures for nonspecific businesses.

(c) Identified sites. For the purposes of this chapter, no property will be an identified site unless hazardous waste is generated there during a calendar year. Each identified site will be assessed one fee annually, the size of the fee to depend on the risk and quantity of the hazardous wastes generated there and the apportioned annual gross income of the site (see subsections (2) and (3) of this section). If one person utilizes or operates more than one identified site, he will be responsible for all fees assessed to his identified sites. To a reasonable extent, the department will attempt to determine all identified sites owned or operated by the same person. However, the department's inability to detect all identified sites owned or operated by the same person will not delay the issuance of assessments, nor will it form a just cause for refusal to pay an assessed fee.

(2) Annual gross income (AGI); apportionment.

(a) Annual gross income. AGI for each person's assessed business will be obtained from the department of revenue. The AGI obtained from the department of revenue for persons whose business activities earn income without as well as within the state will reflect the portion of total AGI attributable to activities within the state. Such attribution will be calculated pursuant to chapters 82.04 and 82.16 RCW. AGI reported to the department of ecology shall be used solely for the purpose of determining fee amounts. Confidentiality of AGI shall be maintained in accordance with department of revenue laws, regulations, and procedures.

(b) Apportionment. Except as otherwise provided in (b)(ii) and (iii) of this subsection, the department shall apportion AGI for specific businesses among identified sites utilized or operated by an assessed person as described in (b)(i) of this subsection. In the case of nonspecific businesses, the person's AGI will be apportioned as if he had only one identified site, except as provided in subsection (5) of this section. Whenever an apportioned AGI is calculated to a fraction of a cent, the figure will be rounded to the nearest whole cent (e.g., \$27,611.5235 will be rounded to \$27,611.52).

(i) The department will apportion AGI equally among a person's identified sites without regard to the amount or nature of business at the sites. This will be done by dividing the total AGI for the assessed person by the number of his identified sites. For example:

(A) AGI reported for a person's business is \$7,252,320.18. The person utilizes four identified sites to conduct his activities. Thus, the apportioned AGI for each identified site would be \$1,813,080.05;

(B) AGI reported for a person's business is \$58,112.45. His business is conducted at two locations, but only one is an identified site. Therefore, the apportioned AGI for his identified site would be \$58,112.45.

(ii) Any person who is subject to a fee may request, through the procedure described in subsection (5) of this section, that the department reapportion AGI among his identified sites according to each identified site's share of AGI. His total AGI will still be apportioned only among his identified sites. The share of his total AGI reapportioned to an identified site will be determined by multiplying his total AGI by a factor derived from dividing the AGI contributed from the identified site to the total AGI by the AGI contributed from all of his identified sites. The following formula will be used:

$$AGI(R) = AGI \times \frac{AGI(IS)}{AGI(TIS)}$$

Where

AGI(R) = The share of AGI that will be reapportioned to an identified site

AGI = Total AGI attributable to the person's business in the state

AGI(IS) = The AGI contributed by the identified site to the total AGI

AGI(TIS) = The sum of the AGI contributed by all of the person's identified sites

The following example shows how this reapportionment will work.

A generator's AGI for a calendar year is \$35,254,378.12. During that calendar year, he operates three identified sites at which hazardous wastes are generated. For this example, these sites will be identified as SA, SB, and SC. Site SA contributes \$5,464,212.04 to the generator's total AGI, site SB contributes \$2,372,011.09, site SC contributes \$675,283.87, and the balance of his AGI comes from other properties which are not identified sites. The sum of the AGI contributed by his three identified sites, AGI(TIS), is \$8,511,507.00. The share of the generator's AGI that will be reapportioned to site SA is calculated as $(\$35,254,378.12) \times (\$5,464,212.04 \div \$8,511,507.00) = \$22,632,584.03$. For site SB the reapportionment is calculated as $(\$35,254,378.12) \times (\$2,372,011.09 \div \$8,511,507.00) = \$9,824,790.82$. For site SC, the reapportionment is calculated as $(\$35,254,378.12) \times (\$675,283.87 \div \$8,511,507.00) = \$2,797,003.27$. Thus, site SA would be in the greater than \$10,000,000 AGI category, and sites SB and SC would be in the \$1,000,000 to \$10,000,000 AGI category.

The department will review a generator's request for reapportionment submitted under subsection (5) of this section, and based on information provided by the person requesting reapportionment, will determine the extent and amount of AGI to be reapportioned among his identified sites. The department will not grant reapportionment until all information reasonably necessary to do so has been provided to the department. The information which a person requesting reapportionment must provide will be specified by the department in writing to the person after the department has received his request.

(iii) The department may, on its own, initiate the reapportionment of an assessed person's AGI according to the share of total AGI contributed by each of his identified sites. To determine his reapportionment, the department will specify in writing to the person the information necessary to perform such reapportionment. The department may, if it chooses, waive payment of a generator fee, or of penalties or both until reapportionment is complete.

(3) Criteria for generator fee amount. This subsection describes the specific risk classes for generators, provisions for modifying risk classes in certain cases, and general parameters for fee amounts. The specific generator fee amounts are established in WAC 173-305-040 and are related to the risk classes and general fee parameters set forth in this subsection.

(a) Generator fee parameters. Except as provided in WAC 173-305-080 and 173-305-090, the generator fee assessed for an identified site during a calendar year will not exceed:

(i) \$150.00 for each identified site with an apportioned annual gross income not in excess of one million dollars;

(ii) \$750.00 for each identified site with an apportioned annual gross income in excess of one million dollars but not exceeding ten million dollars; and

(iii) \$7,500.00 for each identified site with an apportioned annual gross income in excess of ten million dollars.

(b) Generator risk class. Seven generator risk classes are established. The risk classes shall be identified as G1, G2, G3, G4, G5, G6, and

G7, and are graduated with G1 representing the lowest risk and G7 representing the highest risk. The classes depend on the type(s) of hazardous waste (extremely hazardous waste (EHW) or dangerous waste (DW)) and quantities generated at an identified site. The generator risk classes are defined as follows:

- (i) G1—less than 1.0 ton of DW in a calendar year;
- (ii) G2—less than 0.1 ton of EHW, or 1.0 ton or more but less than 2.0 tons of DW in a calendar year;
- (iii) G3—0.1 ton or more but less than 0.2 ton of EHW, or 2.0 tons or more but less than 3.5 tons of DW in a calendar year;
- (iv) G4—0.2 ton or more but less than 0.35 ton of EHW, or 3.5 tons or more but less than 5.5 tons of DW in a calendar year;
- (v) G5—0.35 ton or more but less than 0.55 ton of EHW, or 5.5 tons or more but less than 23.5 tons of DW in a calendar year;
- (vi) G6—0.55 ton or more but less than 2.35 tons of EHW, or 23.5 tons or more of DW in a calendar year; and
- (vii) G7—2.35 tons or more of EHW in a calendar year.

(c) Assigning generator risk class. The department will assign the highest applicable generator risk class to an identified site. For example, if a person generates in a calendar year 150 pounds of EHW (risk class G2) and 20 tons of DW (risk class G5), his identified site will be assigned the generator risk class G5. The department may, on a case-by-case basis, determine that an identified site poses a greater risk than is reflected by the types and annual quantities of hazardous waste generated at the site. The department may make such a determination after considering the nature of the wastes generated, the proximity of the identified site to population centers, potential for release of the hazardous waste to the air, land, or surface or ground water, and the safety of the generating and handling practices at the identified site. If the department makes such a determination, then it will assign a risk class that is one level higher than the risk class that would be assigned solely on the basis of waste types and quantities generated at the identified site. However, no risk class higher than G7 will ever be assigned. For example, an identified site might generate 1.2 tons of EHW, and thus have a generator risk class of G5. However, the department may assign the site a risk class of G6 (one class higher) because the site generates nerve gas wastes and is located over a sole source aquifer in the core of a major city. Upon reassigning a generator risk class to an identified site, the department will notify the person who utilizes or operates the site of his site's new risk class. Such notification will be in writing and will be included as part of the generator fee statement.

(4) Assessment of generator fees. This subsection describes the procedures for assessing generator fees.

(a) Generator fees will be assessed by the issuance of generator fee statements to persons whose businesses are selected for assessment pursuant to subsection (1) of this section. The department of ecology will provide a list of the businesses to be assessed to the department of revenue. The department of revenue will then prepare and send out the statements of generator fees, and will keep records on who has paid, how much was paid, who is late and, upon notice from the department of ecology, who has been exempted or whose fee has been reduced. If a second generator fee statement is necessary, due to exemption, reduction, reapportionment, etc., the department of ecology will provide the new information to the department of revenue, which will prepare and send out the second statement. A generator fee will be considered paid only after a valid check or money order for the full fee and any accrued interest has been delivered to the department of revenue.

(b)(i) A generator fee will be owed for each calendar year that a person utilizes or operates one or more identified sites. Generator fee statements will be issued by May 31 each year for fees owed for the preceding calendar year. The due date for payment of generator fees is June 30. This due date will be changed for the following reasons:

(A) As provided in subsection (5)(d) of this section, for each person who submits a request for waiver of fee; or

(B) In the event that generator fee statements are not issued by May 31 of a given year, or for fee statements issued pursuant to (b)(ii) of this subsection, the due date will be thirty days after those generator fee statements are issued for that year.

Any person who still owes a generator fee after the applicable due date may be subject to collection and enforcement actions.

(ii)(A) If a generator submits his annual report (pursuant to WAC 173-303-220) to the department and his report is late, then his generator fee statement may be issued after May 31.

(B) The department may discover that a person is a generator, but that he has not been complying with the applicable requirements of chapter 173-303 WAC and has not been assessed a generator fee under this chapter 173-305 WAC. If the department determines this to

be the case, then such person may be assessed a generator fee that is the total of the fees owed for each year, after December 31, 1982, in which he generated hazardous waste but did not pay a fee.

(c) For generator fees covering hazardous waste generation in calendar year 1983, the fees assessed shall be one-half of the full fees set forth in WAC 173-305-040. For every year thereafter, full generator fees will be assessed.

(d) The statement of generator fee provided by the department of revenue will be a form including, but not limited to, the following information:

(i) The name and address of the person responsible for paying the fee;

(ii) The amount of the generator fee assessed;

(iii) The number and class or classes of identified sites for which a fee is owed and the fee owed for each identified site (if more than one);

(iv) A copy of the fee schedule for generators (from WAC 173-305-040);

(v) A statement of the due date for payment of the fee and the interest and penalties that could be levied for nonpayment; and

(vi) The name, address, and telephone number of a department contact person for responding to questions about the fee.

(5) Exemption from and reduction of fees. This subsection describes who may be exempted from a fee, whose fees may be reduced, and how exemptions or reductions will be granted or denied. To initiate a request for exemption or reduction, the person subject to a fee who wishes to make such a request must complete, sign, date, and submit to the department the form titled Request for Waiver of Fee (available from the department).

(a) The department will grant an exemption from the generator fee to any person for any site for which he has been assessed a fee but which is not an identified site. Before granting an exemption the department may request any information reasonably necessary to determine whether the exemption should be granted including, but not limited to, information on a person's waste streams, types, and quantities. Upon request by the department, a person must provide such information within thirty days of the department's request. The department may extend this time limit if it believes there is a reasonable basis for doing so. Failure to submit information on time may result in denial of the person's request for exemption, or in penalties for late payment of his fee.

(b) The department will reduce the generator fee for any person who can demonstrate to the department that:

(i) The annual gross income apportioned to his identified sites is incorrect based on the share of each identified site's annual gross income; or

(ii) The fee assessed for his hazardous wastes is too high based on the criteria described in subsection (3) of this section.

Before granting a reduction, the department may request any information reasonably necessary to determine whether or how much reduction is appropriate including, but not limited to: the share of each identified site's annual gross income; or, for adjustment based on the criteria, information on hazardous waste types, quantities, and generation rates. Upon request by the department, a person must provide such information within thirty days of the department's request. The department may extend this time limit if it believes there is a reasonable basis for doing so. Failure to submit information on time may result in denial of the person's request for reduction, or in penalties for late payment of his fee.

(c) A Request for waiver of fee must be submitted to the department by June 30 of the year in which a fee was assessed for the preceding calendar year. Failure to submit a request on time may result in collection and enforcement proceedings for failure to pay or late payment of a fee.

(d)(i) Upon receiving a completed, signed, and dated request for waiver of fee from a person, the department of ecology will temporarily waive the person's fee and will notify the department of revenue to delay collection or enforcement proceedings until the person's request has been processed. Except as provided in (e) of this subsection, no person who submits a timely request for waiver of fee shall be subject to any collection or enforcement actions while the department of ecology is making a final decision on that person's request. The department of ecology shall notify the person and the department of revenue regarding a final decision on exemption, reduction, and/or new due date (if any).

(ii) Any person who is ultimately exempted from payment of the generator fee will not be subject to any collection or enforcement actions.

(iii) If a person's generator fee is ultimately reduced but still owing, the final due date for payment of the fee will be either June 30 of the calendar year in which the fee was assessed, or thirty days after the department's final decision, whichever is later.

(e) If the department determines that a person has knowingly submitted false information regarding a request for waiver of fee, then any temporary waiver or payment deadline extension granted to such person will be deemed ineffective. The department may take enforcement actions against such person if his fee is still owed after June 30, regardless of any temporary waiver or deadline extension that the department may initially have granted.

NEW SECTION

WAC 173-305-040 SCHEDULE OF GENERATOR FEES.

This section sets forth the amount of the generator fee to be assessed. Subsection (1) of this section, describes the fees for specific businesses based on the criteria established in WAC 173-305-030(3) and annual gross income categories. Subsection (2) of this section, describes the fees for nonspecific businesses based on annual gross income categories.

(1) Schedule of generator fees for specific businesses. The matrix at the end of this subsection sets the amount of the fees for generators in particular risk classes and annual gross income ranges. Based on the annual gross income and the apportionment of income among identified sites, and on the information obtained in hazardous waste annual reports, persons will be assessed generator fees from the matrix. By finding the risk class in the left column and reading over to the apportioned annual gross income, the department will determine the fee for each identified site. A person owning or controlling more than one identified site will be assessed for the sum of the fees for all of his identified sites.

Specific Business Generator Fee Matrix

Apportioned Annual Gross Income¹

Risk Class ²	\$ 1,000,000.00 and less	\$ 1,000,000.01 to \$10,000,000.00	More than \$10,000,000.00
	G1	\$60.00	\$600.00
G2	\$75.00	\$625.00	\$6,250.00
G3	\$90.00	\$650.00	\$6,500.00
G4	\$105.00	\$675.00	\$6,750.00
G5	\$120.00	\$700.00	\$7,000.00
G6	\$135.00	\$725.00	\$7,250.00
G7	\$150.00	\$750.00	\$7,500.00

¹ For procedures for apportioning annual gross income, see WAC 173-305-030(2).

² For procedures for determining risk class, see WAC 173-305-030(3).

(2) Schedule of generator fees for nonspecific businesses.

(a) SIC list. A list of SIC numbers appears at the end of this subsection. Any person whose business activity has an SIC number appearing on this list will be assessed a generator fee if the department has concluded, according to WAC 173-305-030(1)(b)(ii), that his nonspecific business utilizes or operates an identified site. The amount of the fee is established in (b) of this subsection. Procedures for apportioning annual gross income for nonspecific businesses are described in WAC 173-305-030(2)(b).

SIC List

1000	2865	3412	3662	4600
1081	2869	3423	3670	4610
1099	2870	3429	3674	4613
1721	2873	3433	3676	4811
2400	2874	3441	3679	4910
2411	2875	3451	3691	4911
2421	2879	3452	3694	4922
2430	2891	3462	3700	4953
2434	2893	3469	3710	4959
2435	2899	3470	3711	5013
2436	2900	3471	3713	5039
2490	2911	3479	3714	5063
2491	2951	3490	3715	5084
2500	2992	3496	3720	5085
2510	2999	3498	3721	5098

		SIC List		
2511	3000	3499	3724	5100
2512	3024	3500	3728	5160
2531	3069	3530	3731	5161
2599	3079	3531	3732	5171
2600	3111	3533	3736	5172
2611	3170	3536	3749	5191
2621	3200	3540	3764	5210
2631	3211	3541	3769	5211
2640	3293	3542	3811	5231
2641	3295	3544	3823	5261
2643	3296	3549	3825	5541
2651	3300	3551	3829	5931
2653	3312	3552	3841	5983
2654	3313	3555	3842	7212
2711	3315	3559	3861	7216
2800	3325	3573	3911	7349
2812	3331	3579	3993	7379
2813	3334	3582	3999	7391
3816	3339	3589	4011	7399
2819	3341	3599	4200	7500
2821	3353	3600	4210	7530
2831	3355	3610	4214	7539
2834	3356	3612	4226	7542
2841	3361	3622	4266	7692
2842	3398	3624	4400	7694
2843	3399	3639	4411	7699
2850	3400	3646	4463	8071
2851	3411	3661	4469	8911
				9511
				9621
				9641

(b) Schedule. The generator fees for nonspecific businesses are:

(i) \$150.00 for each person with an apportioned annual gross income not in excess of one million dollars;

(ii) \$750.00 for each person with an apportioned annual gross income in excess of one million dollars but not exceeding ten million dollars; and

(iii) \$7,500.00 for each person with an apportioned annual gross income in excess of ten million dollars.

NEW SECTION

WAC 173-305-050 COORDINATION WITH THE DEPARTMENT OF REVENUE. The departments of ecology and revenue will frequently be transferring information and working together in the collection of generator fees. This section briefly describes some of the key areas in which the two agencies will coordinate. For the sake of clarity, they will be referred to in this section as Ecology and Revenue.

(1) The primary responsibilities of Ecology are to set fees, determine which persons will be assessed, and establish procedures for adjusting assessments.

(2) The primary responsibility of Revenue is to collect generator fees (but not facility fees).

(3) Figures on annual gross income for businesses will be obtained from Revenue. Ecology will abide by whatever rules Revenue may have regarding confidentiality of this information.

(4) Ecology will notify Revenue promptly of any changes to generator fees for individuals or groups. Revenue will inform Ecology of current amounts collected and placed in the hazardous waste control and elimination account, and of any generator fees that are overdue.

(5) Ecology will calculate any penalties or interest owed on overdue generator fees, will perform any adjustments to the generator fee owed by any individual, and will provide these figures to Revenue for use in their collection proceedings.

NEW SECTION

WAC 173-305-060 FACILITY FEES. This section describes the methods by which the department will: Select persons subject to a fee for operating a transfer, treatment, storage, or disposal (TSD) facility (subsection (1) of this section); determine the size of each facility fee based on the types of wastes, TSD activities, waste quantities, risks, etc. (subsection (2) of this section); and, assess the fees for each facility (subsection (3) of this section). The actual schedule of facility fees appears in WAC 173-305-070. Persons who operate a combined site

(as defined in WAC 173-305-020) may be subject to two fees, however there is a maximum assessment not to be exceeded for each combined site operated by a person. The procedures for assuring this maximum is not exceeded are described in WAC 173-305-080. For the purposes of WAC 173-305-060 through 173-305-080, the term "operate" means own or control; the term "manage" means, in reference to hazardous waste, transfer, treat, store, or dispose (TSD); and recycling shall be considered a form of treatment.

(1) Selection of facilities. A facility fee will be assessed to any person who operates a facility which is operating under an interim status permit, final facility permit, emergency permit, or permit by rule administered pursuant to chapter 173-303 WAC. Any person who operates more than one facility subject to a fee shall be responsible for paying all fees assessed to his facilities.

(2) Criteria for facility fee amount. This subsection describes the specific risk classes for facilities and the general parameters for fee amounts. The specific facility fee amounts are established in WAC 173-305-070 and are related to the risk classes and general fee parameters set forth in this subsection.

(a) Facility fee parameters. Except as provided in WAC 173-305-090, the facility fee assessed for the management of hazardous waste during a calendar year will not exceed \$7,500.00 for a facility.

(b) Facility risk class. Seven facility risk classes are established. The risk classes shall be identified as F1, F2, F3, F4, F5, F6, and F7, and are graduated with F1 representing the lowest risk and F7 representing the highest risk. The classes depend on the type(s) of hazardous waste (extremely hazardous waste (EHW) or dangerous waste (DW)) and quantities managed at a facility, and the type(s) of management at the facility. The facility risk classes are defined as follows:

(i) F1—storage or transfer of less than 140.0 tons of DW, or less than 14.0 tons of EHW in a calendar year;

(ii) F2—storage or transfer of 140.0 tons or more but less than 340.0 tons of DW, or 14.0 tons or more but less than 34.0 tons of EHW in a calendar year;

(iii) F3—storage or transfer of 340.0 tons or more but less than 580.0 tons of DW, or 34.0 tons or more but less than 58.0 tons of EHW in a calendar year; or, treatment or incineration of less than 15.0 tons of DW, or less than 1.5 tons of EHW in a calendar year;

(iv) F4—storage or transfer of 580.0 tons or more of DW, or 58.0 tons or more of EHW in a calendar year; or, treatment or incineration of 15.0 tons or more but less than 30.0 tons of DW, or 1.5 tons or more but less than 3.0 tons of EHW in a calendar year;

(v) F5—treatment or incineration of 30.0 tons or more but less than 260.0 tons of DW, or 3.0 tons or more but less than 26.0 tons of EHW in a calendar year;

(vi) F6—treatment or incineration of 260.0 tons or more of DW, or 26.0 tons or more of EHW in a calendar year; or, disposal of less than 10.0 tons of DW in a calendar year;

(vii) F7—disposal of 10.0 tons or more of DW in a calendar year.

(c) Assigning facility risk class. The department will assign the highest applicable risk class to a facility. For example, if a facility stores 50 tons of DW during a calendar year (risk class F1) and treats 2 tons of EHW during the same calendar year (risk class F4), then the facility will be assigned the facility risk class F4. In addition, the risk class assignable to a storage or treatment facility will be increased to the next highest risk class if fifty percent or more of the facility's hazardous wastes are managed in waste piles or surface impoundments. However, no risk class higher than F7 will ever be assigned. For example, if during a calendar year a facility stores 400 tons of DW in tanks (risk class F3) and treats this waste in a surface impoundment (risk class F6), then the higher risk class, F6, will be increased by one class. Thus, the facility risk class assigned by the department to the facility would be F7.

(d) Special provision for permit by rule facilities. A facility which is operating under a permit by rule pursuant to WAC 173-303-802 will be assigned a facility risk class as described in (c) of this subsection. However, the fee assessed to a permit by rule facility will be only ten percent of the full fee specified in WAC 173-305-070 for the risk class assigned to the permit by rule facility. For example, if a permit by rule facility treats 20 tons of EHW in tanks during a calendar year, the assigned facility risk class would be F5. However, the fee assessed to this facility would be \$700.00 (10 percent of \$7,000.00, the full fee that would otherwise be assessed to a risk class F5 facility). This provision is only applicable to those facilities which manage hazardous wastes solely under a permit by rule.

(3) Assessment of facility fees. This subsection describes the procedures for assessing facility fees.

(a) Facility fees will be assessed, for each facility subject to a fee, to the person who operates the facility. The department will depend on the information submitted in notifications, permit applications, and annual reports to determine the person responsible for a facility fee. A facility fee will be considered paid only after a valid check or money order for the full fee and any accrued interest and/or penalties has been delivered to the department of revenue.

(b)(i) A facility fee will be owed for each calendar year during which hazardous waste is managed at the facility. The department will provide a statement of facility fee to each person operating a facility by August 1, 1984, for facilities managing hazardous waste in calendar year 1983, and by April 15 of each year thereafter. The dates facility fees are due are September 1, 1984, for facilities managing hazardous waste in calendar year 1983, and May 15 each year thereafter for facilities managing hazardous waste in the preceding calendar year. These due dates will be changed for facility fee statements that are not issued by the applicable deadlines, or for facility fee statements issued pursuant to (b)(ii) of this subsection. The final due date in these cases will be thirty days after the department issues the facility fee statements. Any person who still owes a facility fee after the applicable due date may be subject to collection and enforcement actions.

(ii)(A) If a person submits a facility annual report (pursuant to WAC 173-303-390) to the department and his report is late, then the department may issue his facility fee statement after the applicable deadline.

(B) The department may discover that a person operates a facility, but that he has not been complying with the applicable requirements of chapter 173-303 WAC and has not been assessed a facility fee under chapter 173-305 WAC. If the department determines this to be the case, then such person may be assessed a facility fee that is the total of the fees owed for each year, after December 31, 1982, in which his facility managed hazardous waste but for which he did not pay a fee.

(c) The statement of facility fee provided by the department will be a form including, but not limited to, the following information:

(i) The name and address of the assessed facility;

(ii) The amount of the facility fee assessed;

(iii) The facility class based on the criteria described in subsection (2) of this section;

(iv) A copy of the fee schedule for all facilities as shown in WAC 173-305-070;

(v) For facilities also subject to a generator fee, the calculations made, pursuant to WAC 173-305-080, to assure that the maximum combined fee is not exceeded;

(vi) A statement of the due date for payment of the fee and the interest and penalties that could be levied for nonpayment; and

(vii) The name, address, and telephone number of a department contact person for responding to questions about the fee.

NEW SECTION

WAC 173-305-070 SCHEDULE OF FACILITY FEES. The facility risk classes used here refer to the criteria established in WAC 173-305-060(2). The fees are:

- (1) \$6,000.00 for risk class F1 facilities;
- (2) \$6,250.00 for risk class F2 facilities;
- (3) \$6,500.00 for risk class F3 facilities;
- (4) \$6,750.00 for risk class F4 facilities;
- (5) \$7,000.00 for risk class F5 facilities;
- (6) \$7,250.00 for risk class F6 facilities; and
- (7) \$7,500.00 for risk class F7 facilities.

NEW SECTION

WAC 173-305-080 ASSESSMENTS FOR COMBINED SITES. (1) Maximum fee. Any person who operates a hazardous waste transfer treatment, storage or disposal (TSD) facility which is also an identified site will be subject to both the facility fee and the generator fee. At no time, however, will the sum of both fees exceed \$7,500.00 for a combined site in one year. Any person who operates more than one combined site will be responsible for the sum of the fees assessed to each combined site. The maximum fee (\$7,500.00) applies only to each combined site, and does not apply to the sum of the fees assessed to multiple combined sites operated by one person.

(2) Assessment. At the time that the department is preparing the facility fee statement for a combined site, it will determine the amount of the generator fee that will be or has been assessed and the amount

of the facility fee to be assessed. If the sum of the two fees exceeds \$7,500.00 for the combined site, then the department will recalculate the facility fee and provide the calculations with the statement issued pursuant to WAC 173-305-060(3). When required to recalculate the facility fee, the department will subtract the generator fee from \$7,500.00, and the difference will be the facility fee. For example, if the department determines that the generator fee for a particular combined site is \$6,000.00, and that the facility fee is \$6,000.00, then the department will recalculate the facility fee because the sum of the two fees (\$12,000.00) exceeds \$7,500.00. The recalculation would be \$7,500.00 - \$6,000.00 = \$1,500.00, thus the facility fee assessed in the statement for the combined site would be \$1,500.00.

(3) Adjustments; supplemental fees. If at any time there is a reduction in the generator fee for a combined site (due to the department's granting of an exemption, reduction, or reapportionment under WAC 173-305-030(5) or (2)(b)(ii) or (iii)) and the facility fee for the combined site has been recalculated in accordance with this section prior to the generator fee reduction, then the department will adjust the facility fee to reflect the reduced generator fee and, if necessary, issue a supplemental facility fee statement. If a supplemental facility fee statement is issued, the due date for the supplemental fee will be either May 15 of the calendar year in which the fee is assessed or thirty days after the supplemental statement is issued, whichever is later. An example of when a supplemental facility fee would be issued is as follows. The department determines that a particular combined site owes a generator fee of \$6,500.00 and a facility fee of \$6,500.00. However, because of the limit for combined sites, the department issues a facility fee statement which assesses \$1,000.00 ($\$7,500.00 - \$6,500.00 = \$1,000.00$). The person who operates the combined site pays the \$1,000.00 facility fee, but he requests reapportionment of his annual gross income to reduce his generator fee. The department ultimately grants his request and his new generator fee is \$650.00, which he then pays. The person who operates the combined site is now liable for payment of the full \$6,500.00 facility fee, because his combined fees do not exceed \$7,500.00 ($\$650.00 + \$6,500.00 = \$7,150.00$). Therefore, the department issues a supplemental facility fee statement for \$5,500.00 ($\$6,500.00 - \$1,000.00$ (already paid) = \$5,500.00 (unpaid balance)) which the person who operates the combined site then pays.

NEW SECTION

WAC 173-305-090 ADJUSTMENT OF FEES AND LIMITS. The department will adjust, by rule amendment, the fee schedules of WAC 173-305-040 and 173-305-070, and the maximum fee limits of WAC 173-305-030(3), 173-305-060(2), and 173-305-080(1) by increasing or decreasing the amounts set forth therein by five percent on each occasion when the consumer price index of the United States department of labor increases or decreases by a five percent increment from the index figure as it existed on January 1, 1983.

WSR 83-22-080
PROPOSED RULES
DEPARTMENT OF ECOLOGY
 [Filed November 2, 1983]

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

- Amd WAC 173-19-390 Snohomish County.
- Amd WAC 173-19-330 Pacific County.
- Amd WAC 173-19-3908 Lake Stevens, City of.
- Amd WAC 173-19-1104 Richland, City of;

that the agency will at 2:00 p.m., Tuesday, December 6, 1983, in Building 4, Rowsix, 4224 6th Avenue S.E., Lacey, WA, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on January 4, 1984.

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

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 20, 1983.

Dated: November 2, 1983

By: John F. Spencer
 Deputy Director

STATEMENT OF PURPOSE

Title: Amending WAC 173-19-390 Snohomish County; WAC 173-19-330 Pacific County; WAC 173-19-3908 Lake Stevens, City of; and WAC 173-19-1104 Richland, City of.

Description of Purpose: Adoption of revised shoreline master programs into the state master program, chapter 173-19 WAC.

Statutory Authority: RCW 90.58.120 and 90.58.200.

Summary of Rule Changes: The amendments adopt revisions to the shoreline master programs for the cities of Richland and Lake Stevens, and for Snohomish and Pacific counties.

Reasons Supporting Proposed Action: Shoreline master programs and revisions thereto are developed by local government and submitted to the Department of Ecology for approval and adoption into the state master program.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Jeanne Holloman, Department of Ecology, Mailstop PV-11, Olympia, WA 98504, (206) 459-6287.

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: Not required.

AMENDATORY SECTION (Amending Order DE 83-23, filed 8/26/83)

WAC 173-19-390 SNOHOMISH COUNTY. Snohomish County master program approved December 27, 1974. Revision approved June 16, 1978. Revision approved June 23, 1982. Revision approved August 25, 1983. Revision approved January 4, 1984.

AMENDATORY SECTION (Amending Order DE 81-55, filed 3/18/82)

WAC 173-19-330 PACIFIC COUNTY. Pacific County master program approved April 8, 1975. Revision approved June 26, 1980. Revision approved March 16, 1982. Revision approved January 4, 1984.

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

WAC 173-19-3908 LAKE STEVENS, CITY OF. City of Lake Stevens master program approved December 27, 1974. Revision approved January 4, 1984.

AMENDATORY SECTION (Amending Order DE 83-17, filed 6/23/83)

WAC 173-19-1104 RICHLAND, CITY OF. City of Richland master program approved September 9, 1974. Revision approved August 29, 1979. Revision approved June 23, 1983. Revision approved January 4, 1984.

WSR 83-22-081
WITHDRAWAL OF PROPOSED RULES
DEPARTMENT OF ECOLOGY
(Council on Environmental Policy)
 [Filed November 2, 1983]

The Department of Ecology withdraws its notice of intent to adopt chapter 197-11 WAC and repeal chapter 197-10 WAC in WSR 83-17-116 scheduled for adoption on November 17, 1983. These rules are intended to implement the State Environmental Policy Act, chapter 43.21C RCW. The department intends to revise sections of the proposed chapter and will file a new notice of intent to adopt chapter 197-11 WAC and repeal chapter 197-10 WAC.

John F. Spencer
 Deputy Director

WSR 83-22-082
PROPOSED RULES
SEATTLE COMMUNITY COLLEGE
 [Filed November 2, 1983]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that the Seattle Community College District intends to adopt, amend, or repeal rules concerning Seattle Community College student policies and procedures, chapter 132F-120 WAC;

that the institution will at 2:00 p.m., Friday, December 9, 1983, in the Seattle Community College District Office Board Room, 300 Elliott Avenue West, Seattle, WA 98119, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on January 9, 1984.

The authority under which these rules are proposed is chapter 28B.50 and 28B.19 RCW.

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution before December 9, 1983.

Dated: November 2, 1983

By: Otto Roemmich
 Interim Chancellor

STATEMENT OF PURPOSE

Title and Number of Rule Chapters: Chapter 132F-120 WAC, Seattle Community College student policies and procedures.

Statutory Authority: RCW 28B.50.140(13).

Specific Statute that Rule is Intended to Implement: Note applicable.

Summary of the Rule: This notice is proposed to update sections of the student policies and procedures

regarding students' right to privacy, student programs, student organizations, use of the college name, student expression and evaluation, student complaints, student conduct and misconduct, disciplinary actions, jurisdiction, appeals/referrals, campus committee on conduct and standards, hearing guidelines, sanctions, review for readmission, and emergency authority of campus presidents.

Reasons Supporting Proposed Action: The proposed changes will update current operating policies and procedures at the three district campuses—Seattle Central Community College, North Seattle Community College, and South Seattle Community College—regarding student rights and behavior. In addition, the proposed changes will update and correct terminology and titles used at the district.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Robert Russell, Acting Dean of Students, North Seattle Community College, 9600 College Way North, Seattle, WA 98103, (206) 634-4439; Charles Mitchell, Dean of Students, Seattle Central Community College, 1701 Broadway, Seattle, WA 98122, (206) 587-6976; and Robert Logue, Dean of Students, South Seattle Community College, 6000 16th Avenue S.W., Seattle, WA 98106, (206) 764-5315.

Name of the Person or Organization Whether Private, Public or Governmental, that is Proposing the Change: Seattle Community College District.

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.

A copy of the small business economic impact statement is not applicable.

AMENDATORY SECTION (Amending Order 37, filed 10/4/78)

WAC 132F-120-020 STUDENTS' RIGHT TO PRIVACY. The Seattle Community College District shall respect the students' right to privacy. Accordingly, it will not inquire into the activities of its students away from the campus (~~where their behavior is subject to regulation and control by public authorities~~).

AMENDATORY SECTION (Amending Order 37, filed 10/4/78)

WAC 132F-120-030 STUDENT PROGRAMS. Seattle Community College District recognizes the need to provide ~~(its)~~ students with the opportunity for personal growth ~~((and development beyond the curricular offering of instruction. It is the purpose of student programs to meet needs in the areas of social and personal growth through opportunities for cultural, leadership, recreational and athletic experiences. In addition, student programs provide student support services within the scope of the campus, designed to enhance the students' abilities to achieve educational goals. It is by means of student programs that the college offers students the maximum opportunity to realize fully the potential of their collegiate experience within the constraints of its mission and legal authority))~~. Student programs enhance social and personal growth through cultural, recreational, athletic, and leadership experiences. These programs also provide student support services within the scope of the campus. Thus, such programs enable students to more fully realize the potential of their college experience.

The operations of student programs and activities within the Seattle Community College District should facilitate an appropriate sharing of responsibilities and decision-making opportunities among the officially

recognized student governmental organization and the campus administration who are accountable for effective administration of college functions. Final authority resides with the board of trustees.

AMENDATORY SECTION (Amending Order 37, filed 10/4/78)

WAC 132F-120-040 STUDENT PROGRAM DEVELOPMENT. The Seattle Community College District recognizes the special role that students play in the development and maintenance of student programs. On each campus the students shall be represented by the ~~((designated student governing body))~~ recognized student governmental organization. The ((designated administrative officer)) student government, in cooperation with the professional staff having direct responsibility for the conduct of student programs, will assure a broad selection of student programs open to ((the)) all students and ((and)) other interested members of the college community.

NEW SECTION

WAC 132F-120-041 DEFINITION. "Student Programs and Activities" means functions recognized by the student governmental organization; or recommended by the services and activities fees committee or campus administration and formally authorized by the board of trustees.

NEW SECTION

WAC 132F-120-042 OPERATION OF STUDENT PROGRAMS. Student programs and activities shall be operated under regulations and policies officially adopted by the board of trustees, including the constitution of the recognized student government and campus regulations pursuant to chapter 28B.15 RCW. Day-to-day operational responsibilities on each campus are normally delegated to the dean of students and the professional staff with direct responsibility for the conduct of student activities.

NEW SECTION

WAC 132F-120-043 PROGRAM EXPENDITURES. Services and activities fee expenditures for programs devoted to political or economic philosophies shall result in the presentation of a spectrum of ideas.

AMENDATORY SECTION (Amending Order 37, filed 10/4/78)

WAC 132F-120-050 STUDENT ORGANIZATIONS. (1) Organizations may be established within the ~~((college))~~ campuses for any legal purpose, whether their aims are religious, political, educational, economic, or social. Affiliation with an external organization shall not disqualify the ~~((college))~~ campus-based branch or chapter from ((college)) district privileges. Membership in all ((college)) campus-related organizations shall be open to any member of the college community who is willing to subscribe to the stated aims of the organization.

(2) The ~~((college))~~ campuses shall not require membership lists of any organization, but ((it)) may require as a condition of access to college funds and facilities((- the names and addresses of officers or four representatives and at least one shall be responsible to the college)) demonstration or proof of involvement of students or members of the campus community in the organization, which may include the names and addresses of its officers. Organizations may select to submit a membership list as one means of providing proof of involvement.

(3) It is not necessary to have a ~~((college))~~ campus staff member as an advisor in order to function as an organization; however, it is a requirement for the use of ((college)) services and activities funds.

(4) Where funds are allocated to a student organization, financial accountability will be required, including a statement of income and expenses on a regular basis. Organizations receiving funds allocated by the ~~((designated student governing body))~~ shall submit to the designated administrative officer a statement of their income and expenditures which will be recorded as an integral part of the college's budget and accounting system by the designated representative of the organization)) board of trustees shall abide by the policies and procedures outlined in the approved student government constitution on that campus, campus regulations, and district policies and procedures. Further, such organizations shall keep records of their income and expenditures for the purpose of reconciling such records with the campus budget and accounting system. Financial information is to be made mutually available by such organizations and the designated administrative officer.

AMENDATORY SECTION (Amending Order 37, filed 10/4/78)

WAC 132F-120-070 USE OF THE COLLEGE NAME. (1) No individual, group, or organization may use the Seattle Community College District or campus name without written authorization from the designated administrative officer.

(2) ~~((College))~~ District and/or campus approval or disapproval of any external policy or position may not be stated or implied by an individual, group or organization.

(3) Use of all seals and/or symbols of the ~~((college))~~ district and/or campus except where further restricted by board policy shall be regulated as is use of the college name.

AMENDATORY SECTION (Amending Order 37, filed 10/4/78)

WAC 132F-120-080 STUDENT EXPRESSION AND EVALUATION. (1) The Seattle Community College District recognizes the rights of students to freedom of discussion and expression of views. It is the responsibility of the instructor to insure and encourage the realization, not only of the fact, but of the spirit of free inquiry.

(2) In particular, students must be guaranteed fair and consistent course evaluation from the instructor. Instructors have the responsibility to maintain order, but this authority must not be used to inhibit the expression of views contrary to their own.

(3) It is the responsibility of the student to support the instructor's efforts to assure freedom of expression and to maintain order. It is consistent with the concept of freedom in the classroom for the instructor to require participation in classroom discussion or submission of written materials relevant to the course. Evaluation of skills or intellectual capacity should not threaten the right to privacy. Fair and professional course evaluation is a legitimate classroom experience.

(4) Information about student views, beliefs and political associations which is acquired by instructors in the course of their work is confidential and shall not be disclosed to others.

(5) As constituents of ~~((the))~~ a college community, students must be free, individually and collectively, to express their views on issues of institutional policy and on matters of general interest to the student body. Individuals affected by a policy shall have ample opportunity to express their viewpoint.

(6) On-campus recruitment of students for lawful employment is an appropriate adjunct to the educational process. ~~((College))~~ Campus participation in the placement process is a service function assumed by the ((college)) campus. So long as any recruitment is permitted on campus, ((every)) students enrolled in the ((college has)) campus have the right to be interviewed. Similarly, any student or group of students has the right ((to dissent from the appearance on campus of any organization, provided that the dissent does not interfere with other students' opportunity to participate in such an interview)) not to participate in programs and services of organizations, associations, firms, etc., approved by the administration.

AMENDATORY SECTION (Amending Order 37, filed 10/4/78)

WAC 132F-120-090 STUDENT COMPLAINTS. Seattle Community College District shall establish a process whereby students may file a complaint against any member of the college community. Students who feel they have a complaint relating to an action by a member of the college community have the following procedure available:

(1) ~~((If the complaint relates to an instructor or course))~~ When a student has a complaint, ((the student)) he/she is encouraged first to consult with ((an instructor)) the person involved before initiating ((the)) a complaint.

(2) ~~((If))~~ When the student determines the complaint may be handled more appropriately without the ((instructor)) person's involvement, ((the)) a student may ((contact the head of the appropriate division/department or the designated administrative officer)) consult with a counselor to assist in determining the appropriate course of action or the student may contact the head of the appropriate division/department or its designated complaints officer.

(3) ~~((If))~~ When complaints filed with the head of the appropriate division/department have not been resolved, the student may bring the ((formal)) complaint to the ((administrative)) complaints officer designated by the president for further action.

(4) The designated ~~((administrative))~~ complaints officer shall discuss the concerns outlined by the student and the options available for resolution. Should the student elect to proceed with a formal complaint, the concerns must be outlined in writing, specifying the complaint and identifying dates and persons involved as accurately as possible.

(a) When the written complaint is filed with the designated ~~((administrative))~~ complaints officer, it shall be forwarded within ten instructional days to the appropriate division/department head and other persons named in the complaint for response, within ten instructional days.

(b) Should the written response(s) not resolve the complaint, then a conference shall be convened by the designated ~~((administrative))~~ complaints officer among all parties involved, within ten instructional days, for the purpose of achieving a resolution of the complaint.

(c) The designated ~~((administrative))~~ complaints officer shall keep all written statements, transcripts, and minutes associated with the complaint as part of the confidential files of the ~~((college))~~ campus.

(d) If the conference resolutions do not satisfy the complainant, the designated ~~((administrative))~~ complaints officer shall notify the appropriate dean and forward the complaint for resolution.

(5) The appropriate dean shall review the minutes, transcripts, and other pertinent statements and discuss the complaint with the parties involved. If complaints filed with the dean have not been resolved, the dean shall then issue a recommendation ((for resolution of)) to the president which offers a resolution to the complaint.

(6) The recommendations of the dean shall be reviewed by the ~~((campus))~~ president who may amend, modify, reverse or accept the recommendations, and who shall then implement the resolution of the complaint.

(7) ~~((The decision of the campus president shall be final.))~~ Appeals or formal hearings to the board of trustees shall not be provided. The decision of the president shall be final.

(8) ~~((If the complaint relates to a faculty member and is endorsed by the campus president, a grievance shall then be filed in accordance with the provisions of the current SECFE agreement.))~~

(9) ~~((No complaints requesting a grade review will be considered after two consecutive quarters, not to include summer quarter, from the date of issue for that grade. Student complaints related to grades shall be reviewed as follows:))~~

(a) Students are encouraged to consult with ~~((an))~~ the instructor before initiating a grade review process as outlined in this procedure.

(b) The student shall indicate the grade received in the course together with the reason for the complaint, specifying as accurately as possible all pertinent performance scores and attendance data. This information shall be filed in writing with the designated ~~((administrative))~~ complaints officer.

(c) When the complaint has been received by the designated ~~((administrative))~~ complaints officer, it shall be forwarded to the division/department administrator and the course instructor who reported the grade for the instructor's review and possible adjustment.

(d) The course instructor shall reply in writing, ~~((listing))~~ indicating the basis on which the decision was made and include the grade reported for the student, the evaluation criteria for the course, and the performance scores and attendance data achieved by the student in that course. The decision is transmitted to the student through the complaints officer with whom the complaint was initially filed.

(e) Ordinarily, the above process of review should be sufficient, but if the student feels there were extenuating circumstances, a conference may be requested with the division/department administrator, the course instructor and the ~~((administrative))~~ complaints officer ~~((with whom the complaint was originally filed)).~~ The conference shall ~~((review))~~ investigate the circumstances of performance in the course and determine appropriate adjustments if warranted.

(f) Since the evaluation of ~~((course content))~~ the extent of course mastery is exclusively within the province of the instructor for a particular course, any adjustments or grade changes may be initiated only by that instructor(;) or, under proven extenuating circumstances, by the appropriate dean of instruction, upon approval by the ~~((campus))~~ president.

AMENDATORY SECTION (Amending Order 37, filed 10/4/78)

WAC 132F-120-100 STUDENT CONDUCT. Pursuant to the authority granted by RCW 28B.50.140, the board of trustees of Seattle Community College District VI hereby establishes regulations on student conduct and student discipline.

The Seattle Community College District is a public institution having special responsibility for providing instruction in higher education. As a postsecondary learning institution, the ~~((college))~~ district has an obligation to maintain conditions which are conducive to freedom of inquiry and expression in the degree compatible with the orderly conduct of its functions. For this purpose all of the campuses operated

~~((by))~~ within District VI are governed by regulations and procedures promulgated under this policy.

(1) Admission to the Seattle Community College District carries with it the presumption that students will conduct themselves as responsible members of ~~((the college))~~ a district and campus community. When students enroll in any of the campuses operated by District VI, they assume the obligation to observe standards of conduct which are appropriate to the pursuit of academic/vocational goals.

(2) Students have the obligation to:

(a) Maintain high standards of academic and personal honesty and integrity;

(b) Respect the rights of others and cooperate with all parts of the college community to insure that such rights are guaranteed, whether or not the views of those exercising such rights are consistent with their own;

(c) Refrain from those actions which would interfere with the ~~((college))~~ campus functions or endanger the health, safety, welfare or property of others;

(d) Comply with and support Seattle Community College District rules and regulations;

(e) Comply with and support duly constituted civil authority.

AMENDATORY SECTION (Amending Order 37, filed 10/4/78)

WAC 132F-120-110 MISCONDUCT. The Seattle Community College District defines misconduct as that which adversely affects the institution's pursuit of its educational objectives.

Irresponsible behavior for which the ~~((college))~~ campuses may impose sanctions is defined as follows:

(1) Academic dishonesty, to include cheating, plagiarism, or knowingly furnishing false information to the ~~((college))~~ campuses.

(2) The intentional making of false statements and/or filing of false charges against the ~~((college))~~ campuses and members of the ~~((college))~~ district community.

(3) Forgery, alteration or misuse of ~~((college))~~ campus or district documents, records, funds or instruments of identification with the intent to defraud.

(4) The intentional obstruction or disruption of teaching research, administration, disciplinary proceedings or other ~~((college))~~ campus activities, including public service functions and other authorized activities on ~~((college))~~ campus premises.

(5) Physical and/or verbal abuse of any person on ~~((college))~~ campus premises or at any ~~((college))~~ campus-sponsored or ~~((college))~~ campus-supervised function; or conduct which threatens or endangers the health and safety of any such person.

(6) Theft from or damage to college premises and/or property or theft of or damage to property of a member of the ~~((college))~~ district community or ~~((college))~~ campus premises.

(7) Possession, use or furnishing on ~~((college))~~ campus premises of intoxicating beverages and controlled substances or unlawful drugs where prohibited by law or ~~((college))~~ district and campus regulations ~~((and controlled substances or unlawful drugs)).~~

(8) Failure to comply with the direction of ~~((college))~~ campus officials acting in the legitimate performance of their duties.

(9) Violation of published ~~((college))~~ district and/or campus regulations which may from time-to-time be properly enacted.

(10) Possession of firearms, even if licensed to do so except commissioned police officers as prescribed by law.

AMENDATORY SECTION (Amending Order 37, filed 10/4/78)

WAC 132F-120-120 DISCIPLINARY ACTIONS. Ordinarily, disciplinary proceedings will be conducted informally between the student and the dean of students in matters alleging misconduct as outlined in this procedure. More formal procedures are provided, including an appeal to the committee on conduct and standards. In all situations involving allegations of misconduct in hearings before the dean of students or on appeal to the committee on conduct and standards, basic standards of fairness will be observed.

(1) In handling allegations of misconduct, a record of all hearings shall be kept. These records shall be set down in writing and shall contain the following:

(a) The determination of fact — a statement of the charges against a student.

(b) Conclusions — the truth or falsity of the charges against a student; whether the allegation is, in fact, a violation of college standards of conduct.

(c) Recommendations of sanctions which should be imposed.

(2) If questions of mental or physical health are raised relating to conduct cases, the dean of students may request the student to appear for examination before a physician-consultant mutually agreed upon by the dean of students and the student. The physician-consultant, after examining the student, shall make a recommendation to the dean of students as to whether the case should be handled as a case for medical or other treatment. Decisions based upon these recommendations by the dean of students may be appealed in accordance with the provisions for appeals.

(3) ~~((College))~~ Campus authority and civil law:

(a) If a student is charged with an off-campus violation of law, the matter shall be of no disciplinary concern to the ~~((college))~~ campus unless the student is incarcerated and unable to comply with academic requirements.

(b) If the violation of law occurs on campus and is also a violation of a published ~~((college))~~ campus regulation, the ~~((college))~~ campus may institute its own proceedings against the offender if the ~~((college))~~ campus interest involved is clearly distinct from that of the outside community.

(c) The ~~((college))~~ campus shall in no case proceed with a sanction that, in fact or appearance, duplicates punishment for the same offense unless the interests of the ~~((college))~~ campus are implicated in some separate way by the violation of law.

(4) A student who has been judged to violate ~~((college))~~ campus standards of conduct will be subject to disciplinary sanctions up to and including dismissal from the ~~((college))~~ campus for the most serious offenses.

AMENDATORY SECTION (Amending Order 37, filed 10/4/78)

WAC 132F-120-130 JURISDICTION. (1) The dean of students at each campus is responsible for initiating disciplinary proceedings for infractions of the rules and regulations of the ~~((college))~~ campus or for misconduct as defined in this procedure.

(2) Misconduct in course work by a student enrolled in a program under the jurisdiction of a division shall be reported to the chairman of that division in which the student is enrolled. The division chairman is responsible for taking or initiating appropriate disciplinary action in matters related to misconduct in course work and referring in writing such cases for review to the dean of students of each campus.

(3) The provisions of these procedures do not apply to the evaluation of the student's course performance including the assignment of grades by instructors. District policy ~~((315))~~ 370, student complaints, provides a process for the review of grades if such review is requested by the student. An instructor need not give credit for work which is the product of cheating, plagiarism or other ~~((course))~~ student misconduct. However, the lowering of a course grade is not appropriate as a disciplinary sanction. If disciplinary action is warranted by course misconduct, it will be initiated by the provisions of these procedures.

(4) An instructor has the authority to exclude a student from any class session in which the student is disorderly or disruptive. The instructor should report the incident of disruptive or disorderly behavior to the division chairman who shall refer the matter in writing to the dean of students of the campus in which the student is enrolled. The dean may initiate disciplinary action as provided in this procedure.

(5) Reports of misconduct as defined in this procedure by a student enrolled ~~((in the college))~~ at the campus and engaged in activities in other areas of the campus or in student programs shall be reported to the dean of students. The dean may initiate disciplinary action as provided in these procedures.

(6) Library borrowing and use regulations (consisting of fines for late return of library materials and repair and replacement for ~~((damage))~~ damaged or lost materials) are under the jurisdiction of each campus instructional resource center. The director of the instructional resource center has authority to decide cases involving alleged violations of rules. Appeals of the decisions of the director of the instructional resource center may be made according to the provisions of the appeal procedure.

AMENDATORY SECTION (Amending Order 37, filed 10/4/78)

WAC 132F-120-150 APPEALS/REFERRALS. Any disciplinary action taken by the campus deans of students ~~((of District VI))~~ or their representatives or duly designated committees may be appealed by the student to the committee on conduct and standards with the following conditions:

(1) If a student chooses to make an appeal, the committee on conduct and standards will base its decision on the record of the proceedings in the initial hearing, or if it chooses, may receive additional evidence or rehear the case entirely. The committee may sustain, reduce or vacate the penalty initially imposed.

(2) The committee may elect to designate a hearing officer to hear cases on appeal and make recommendations for disposition to the committee on conduct and standards. In instances where the committee designates a hearing officer, such hearings shall be held under the procedures outlined herein and a full record shall be kept of such proceedings.

(3) A student wishing to appeal to the committee on conduct and standards shall indicate that intention in writing within five instructional days of the original decision to the ~~((chairperson))~~ chair of the committee on conduct and standards.

(4) Sanctions imposed by the committee on conduct and standards shall be reviewed by the ~~((campus))~~ president of the campus in which the student is enrolled. The president may sustain or amend the sanction recommended by the committee on conduct and standards. There shall be no appeal beyond the campus president in which the student is enrolled except as outlined in RCW 28B.19.150.

AMENDATORY SECTION (Amending Order 37, filed 10/4/78)

WAC 132F-120-160 CAMPUS COMMITTEE ON CONDUCT AND STANDARDS. (1) A standing campus committee on conduct and standards, composed of administrative, faculty, and student representatives, will provide a hearing and make decisions on all disciplinary cases referred to it by the deans of students or appealed to it by students who have been disciplined by the deans of students, their representatives or duly designated committees.

(2) The members of the committee and their terms of office shall be:

(a) A full-time administrator appointed by the campus president who shall serve as ~~((chairman))~~ chair for a period of four consecutive quarters. The ~~((campus))~~ president may reappoint the ~~((chairman))~~ chair if desired.

(b) Four members of the campus staff holding faculty or administrative appointments provided that not more than two members at any one time shall hold administrative appointment. The designated staff members should hold their appointments for at least one year. ~~((The))~~ These committee members shall serve terms of three consecutive quarters or until such time as their successors are appointed.

(c) Four ~~((full-fee-paying))~~ enrolled students in good standing who shall serve for three consecutive quarters. The student members who interrupt their enrollment at the ~~((college))~~ or fail to attend meetings of the committee shall be considered resigned.

(d) The committee will be impaneled at the beginning of each fall quarter.

(3) Selection of committee members:

(a) Each of the four staff positions on the committee on conduct and standards shall be ~~((identified from a panel selected by a))~~ recommended by the dean of instruction and the campus representative of the recognized faculty negotiating unit and appointed by the president.

(b) Each of the four student positions on the committee on conduct and standards shall be ~~((identified from a panel not to exceed twenty-five, randomly selected from the entire full-time student body. Should students so identified decline to serve or fail to respond, a new panel shall be drawn until such time as all student positions have been filled))~~ recommended by the ASB president in consultation with the dean of students, and appointed by the president.

(c) ~~((Panels of staff and students shall be maintained in advance but the names included shall not be disclosed.~~

~~((d))~~ Staff or student members may be relieved from service for a particular case or for a particular period of time by advising the ~~((chairman))~~ chair of their desire not to serve.

~~((e))~~ (d) No members of the committee on conduct and standards shall participate in a case in which they are a witness or have acted in an advisory capacity. A committee member's eligibility to participate in a case may be challenged for cause by either the dean of students or a designated representative initiating the case, or the student appealing the case by notifying the ~~((chairman))~~ chair five days prior to the date set for the hearing. The ~~((chairman))~~ chair shall review the challenges and if sustained, shall temporarily replace the member of the committee for the duration of the case in question.

~~((f))~~ (e) The ~~((chairman))~~ chair of the committee may be challenged for cause by either the dean of students, the representative initiating the case or the student appealing by submitting such challenge in writing to the campus president at least five days prior to the date

set for the hearing. The president shall review the challenge and if sustained shall appoint a temporary ((chairman)) chair for the purposes of the case in question.

(4) Responsibility:

(a) It is the responsibility of the ((chairman)) chair of the committee on conduct and standards to insure that all procedural guidelines are followed, that basic standards of fairness are observed, to decide all questions of procedure that arise during or in connection with the hearing, to take whatever steps are necessary to insure that the hearing is conducted in a safe and orderly manner, and to inform the student in writing of the action taken by the committee at the conclusion of the hearing. The ((chairman)) chair shall be responsible for implementing and maintaining required panels as outlined above. The ((chairman)) chair is also responsible for notifying the appropriate offices and ((college)) campus officials of committee decisions.

(b) Committee decisions shall ordinarily be made on the basis of consensus after discussion of the evidence. For both hearing and deciding (terms of resolution), a quorum of the committee shall be five committee members with representation from each constituency.

(5) Decision of the committee:

(a) At the conclusion of a hearing, the committee shall formulate a statement outlining the facts of the case based on the evidence presented to it, the conclusions reached by the committee based on these findings, in fact, and its recommendation for action. This statement shall be made in writing and forwarded by the ((chairman)) chair to the dean of students, the student involved in the case, and the ((campus)) president.

(b) A review period of five instructional days will occur during which the ((campus)) president may accept appeals in writing from any of the parties involved in the case. At the end of this period, the ((campus)) president will finalize action.

(c) The ((chairman)) chair and members of the committee shall continue in their offices beyond the expiration of their terms until such time as those cases initiated and convened during their term shall be concluded. In no instance shall a new case be presented to a ((chairman)) chair whose term has expired.

(d) Records of cases referred to the committee on conduct and standards shall be maintained by the ((chairman)) chair of the committee until the expiration of term. At that time all records shall be filed in the office of the dean of students and shall be maintained there in accordance with ((college)) district and/or campus and state procedures.

AMENDATORY SECTION (Amending Order 37, filed 10/4/78)

WAC 132F-120-170 HEARING GUIDELINES. (1) The student shall be accorded a fair and impartial hearing by the committee on conduct and standards on any charge of misconduct referred to the committee for initial hearing or appeal. However, the failure or refusal to appear or participate in the hearing procedure shall not preclude the committee from making its findings of fact, conclusions and decisions as provided. A notice of hearing:

(a) The ((chairman)) chair of the committee on conduct and standards shall give the student notice of the time and place for the hearing.

(b) The notice shall contain an outline of the charges, a list of witnesses who will appear, a description of any documentary, or any other evidence that will be presented at the hearing.

(c) The notice shall be given to the student in writing and shall be given ten instructional days prior to the date set for hearing.

(d) The notice may be amended at any time prior to the hearing but if such amendment is prejudicial to the student's case, the hearing date shall be rescheduled to another date.

(e) A notice for hearing shall be mailed to the student's address of record with the ((college)) campus, or it may be presented to the student in person by an appropriate campus official, or by any other reasonable means of communication. In no case shall efforts to avoid receipt of notice be allowed to interrupt the process of consideration.

(2) Students shall be entitled to hear and examine the evidence and be informed of the identity of its sources. They shall be entitled to present evidence on their own behalf and to ask questions of those appearing (as to factual matters), and present evidence and witnesses on their own behalf.

(3) The evidence and witnesses alleging that the student engaged in misconduct shall be presented by the official who initiated the charges. Only those matters presented at the hearing will be considered in the decision of the committee, but the student's past record of conduct may be taken into account in formulating the committee's recommendations for disciplinary action.

(4) The student may choose to be represented or accompanied by legal counsel and/or accompanied by an advisor. Should the student elect representation by legal counsel, the ((college)) campus official initiating the charges may also be represented by legal counsel.

(5) No one will be required to give self-incriminating evidence.

(6) Hearings conducted by the committee will be held in closed session, except when the student requests that persons other than those directly involved be invited to attend. Such requests shall be made to the ((chairman)) chair at least three days in advance of the hearing. When a hearing has been opened to other than those directly involved, the committee shall conduct the hearing in a room which will accommodate a reasonable number of invited observers. The ((chairman)) chair may exclude from the hearing room any persons that are disruptive of the proceedings and may limit the number who may attend the hearing in order to afford safety and orderliness to the participants ((of)) in the proceedings.

(7) All proceedings of the committee will be conducted with reasonable dispatch and terminated as soon as fairness to all parties permits.

(8) An adequate summary of the proceedings will be kept. Such a summary may include a recording of the testimony.

(9) The committee proceeding records shall be considered privileged information.

(10) The student will be provided with a copy of the findings-of-fact, the conclusions and sanctions if any so imposed. The student will also be advised of the right to appeal the committee's decision within five instructional days in a written statement to the ((campus)) president.

(11) If there is no appeal to the ((campus)) president, the sanction shall be in effect at the end of the five instructional day appeal period or at such other time as may be indicated by the committee.

(12) A hearing examiner may be appointed who shall be a member of the staff holding a faculty or administrative appointment or a member of the bar to conduct the hearing in accordance with these procedures and any rules adopted by the committee. The hearing examiner will provide the committee with the findings in fact, conclusions and recommendations. However, such recommendations shall not be binding on the committee which shall make its findings, conclusions and decisions based on record of the hearing. The hearing examiner shall rule on all objectives but any such ruling may be appealed to the committee for final decision.

AMENDATORY SECTION (Amending Order 37, filed 10/4/78)

WAC 132F-120-180 SANCTIONS. (1) Warning: Formal action censuring the student for violation of the procedures. Warnings are made in writing to the student by the committee on conduct and standards. A warning indicates to the student that continuation of the specific conduct could result in further action by the ((college)) campus.

(2) Probation: Formal action placing conditions upon the student's continued attendance. The committee on conduct and standards will specify in writing the period of probation and the conditions. Probation will be for a specific term or for an indefinite period which may extend to graduation or other termination of the student's enrollment ((in the college)) at the campus.

(3) Suspension: Formal action by the committee on conduct and standards dismissing a student temporarily from ((the college)) a campus for violation of procedures. Suspension may be for a stated time or for an indefinite period. The student under suspension may return to the ((college)) campus under the conditions specified by the ((campus)) president or ((his)) president's designee.

(4) Expulsion: The student may be expelled from the ((college)) campus only on approval of the campus president and upon the recommendation of the dean of students and the committee on conduct and standards. There will be no refund of fees for the quarter in which the action is taken, but fees paid in advance for subsequent quarters are to be refunded.

(5) Registration denied: Formal action refusing to allow a student to register for subsequent quarters for violation of procedures. Student may be denied registration only on the approval of the campus president and upon recommendation of the dean of students. Registration will not be allowed until the initiating authority is satisfied that the conditions have been met.

AMENDATORY SECTION (Amending Order 37, filed 10/4/78)

WAC 132F-120-190 REVIEW FOR READMISSION. (1) Students who have been expelled from ((the college)) a campus or denied

enrollment or suspended for a particular time may apply for readmission by filing requests in writing with the dean of students of the campus in which they were enrolled at the time of disciplinary action.

(2) The dean of students shall:

(a) Review the disciplinary case resulting in termination of enrollment and determine if the subsequent actions of the student have been sufficient to warrant consideration for readmission.

(b) Should the dean of students be of the opinion that the student's behavior has been modified sufficiently to be reconsidered for enrollment, a committee shall be convened which shall review the behavior and activity of the student during the interim period and recommend appropriate action to the dean, together with any conditions for readmission.

(c) The dean of students shall submit a report to the campus president for final decision on application for readmission. The report shall include the dean's evaluation and the recommendation of the committee.

AMENDATORY SECTION (Amending Order 37, filed 10/4/78)

WAC 132F-120-200 EMERGENCY AUTHORITY OF THE CAMPUS PRESIDENT. Ordinarily, disciplinary actions will be imposed only after the appropriate informal or formal hearing procedures have been invoked. However, the campus president or his authorized representative, by virtue of the authority delegated to him by the board of trustees (WAC 132F-136-050) under conditions which the president or authorized representative deems to be an emergency situation, may suspend the student(s) from participation in any or all ((college)) campus privileges, pending the application of the ((college)) campus conduct procedures outlined herein, in order to protect the safety and property of members of the ((college)) campus community or to assure the ((college's)) campus' ability to function. In any case in which this provision is invoked, the student or students in question are entitled to an early hearing before the deans of students or their representatives, or duly designated committees and to appeal before the committee on conduct and standards as outlined in the provisions of these procedures.

NEW SECTION

WAC 132F-120-210 INTERCOLLEGIATE ATHLETIC PROGRAMS. (1) It is the general policy of the Seattle Community College District that if intercollegiate athletic programs exist on any of its campuses the purposes shall be to:

- (a) Enhance individual student development.
- (b) Build a sense of identity with the college.
- (c) Strengthen the bond between the college and the community.
- (d) Foster cooperation and competition as important components of adult life.

(2) In the event that an intercollegiate athletic program exists the campus administration shall adopt regulations to assure that the program affords opportunities for participation to as wide a segment of the campus population as possible.

(3) Intercollegiate athletics will be conducted according to guidelines and policy established by the designated community college athletic association.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 132F-120-510 DEFINITIONS.

WSR 83-22-083
PROPOSED RULES
PARKS AND RECREATION
COMMISSION
 [Filed November 2, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Parks and Recreation Commission intends to adopt,

amend, or repeal rules concerning boating accident and casualty reports, chapter 352-70 WAC;

that the agency will at 9:00 a.m., Thursday, December 15, 1983, in the Commission Chambers, Port of Seattle, 2201 Alaska Way, 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 section 52, chapter 3, Laws of 1983 2nd ex. sess.

The specific statute these rules are intended to implement is section 52, chapter 3, Laws of 1983 2nd ex. sess.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 12, 1983.

Dated: November 2, 1983

By: Gary Robinson
 Executive Assistant

STATEMENT OF PURPOSE

Title: Boating accident and casualty reports, chapter 352-70 WAC.

Description of Purpose: The rules establish procedures by which boating accident and casualty reports are to be submitted to the Washington State Parks and Recreation Commission.

Statutory Authority: Section 52, chapter 3, Laws of 1983 2nd ex. sess.

Summary of Rule: The rules state the purpose of the chapter, define certain terms used in the chapter, indicate to whom the chapter applies and in what circumstances, describe the content of the boating accident and casualty reports, and specify where the reports are to be submitted.

Reasons Supporting Proposed Action: The action fulfills the responsibility of the Washington State Parks and Recreation Commission to adopt rules on boating accident and casualty reports as specified in section 52, chapter 3, Laws of 1983 2nd ex. sess.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Yvonne Ferrell, Deputy Director, Washington State Parks and Recreation Commission, 7150 Cleanwater Lane, Olympia, WA 98504, (206) 753-2010.

Proposing: Washington State Parks and Recreation Commission.

Federal Law/Court Action: The adoption of the rules referenced above is not necessary because of federal law or state court action.

Chapter 352-70 WAC
BOATING ACCIDENT AND CASUALTY REPORTS

WAC	
352-70-010	Purpose.
352-70-020	Definitions.
352-70-030	Applicability.
352-70-040	Written accident and casualty report.
352-70-050	Content of written accident and casualty report.
352-70-060	Submission of notification and report.

NEW SECTION

WAC 352-70-010 PURPOSE. This chapter is promulgated in order to establish procedures by which boating accident and casualty

reports are to be submitted to the Washington state parks and recreation commission in accordance with section 52, chapter 3, Laws of 1983 2nd ex. sess.

NEW SECTION

WAC 352-70-020 DEFINITIONS. When used in this chapter the following words and phrases shall have the meanings designated in this section unless a different meaning is expressly provided or unless the context clearly indicates otherwise.

- (1) "Commission" means the Washington state parks and recreation commission.
- (2) "Operator" means the person who is in control or in charge of a vessel while it is in use.
- (3) "Owner" means a person who has a lawful right to possession of a vessel by purchase, exchange, gift, lease, inheritance, or legal action whether or not the vessel is subject to a security interest.
- (4) "Use" means operate, navigate, or employ.
- (5) "Vessel" means every watercraft used or capable of being used as a means of transportation on the water, other than a seaplane.
- (6) "Waters of Washington state" means any waters within the territorial limits of Washington state.

NEW SECTION

WAC 352-70-030 APPLICABILITY. (1) This chapter applies to each vessel used on the waters of Washington state that:

- (a) Is used by its operator for recreational purposes; or
 - (b) Is required to register in accordance with section 16, chapter 7, Laws of 1983 as amended by section 44, chapter 3, Laws of 1983 2nd ex. sess.
- (2) This chapter does not apply to each vessel required to have a certificate of inspection in accordance with chapter 1, Title 46, Code of Federal Regulations.

NEW SECTION

WAC 352-70-040 WRITTEN ACCIDENT AND CASUALTY REPORT. (1) The operator of a vessel shall submit a written report to the commission when as a result of an occurrence that involves the vessel or its equipment:

- (a) A person dies;
- (b) A person is injured and requires medical treatment beyond first aid;
- (c) Damage to the vessel and other property totals more than two hundred dollars or there is a complete loss of a vessel; or
- (d) A person disappears from the vessel under circumstances that indicate death or injury.

(2) A report required by this section must be submitted within forty-eight hours of the occurrence if a person dies within twenty-four hours of the occurrence, is injured and requires medical treatment beyond first aid, or disappears from a vessel.

All other reports required by this section must be submitted within ten days of the occurrence.

(3) If the operator of a vessel cannot submit the report required by this section, the owner shall submit the report, and, if the owner cannot submit the report, another person acting on behalf of the owner shall submit the report.

NEW SECTION

WAC 352-70-050 CONTENT OF WRITTEN ACCIDENT AND CASUALTY REPORT. Each written report required by WAC 352-70-040 shall be on a form prescribed by the commission. Each report must be dated upon completion, signed by the person who prepared it, and must contain, if available, at least the following information about the accident or casualty:

- (1) The registration numbers or names as documented of each vessel involved.
- (2) The name and address of each owner of each vessel involved.
- (3) The name of the nearest city or town, the county, the state, and the body of water.
- (4) The time and date the accident or casualty occurred.
- (5) The location on the water.
- (6) The visibility, weather, and water conditions.
- (7) The estimated air and water temperatures.
- (8) The name, address, age, or date of birth, telephone number, vessel operating experience, and boating safety training of the operator of the vessel of the person making the report.

(9) The name and address of each operator of each other vessel involved.

(10) The number of persons on board and towed on skis by each vessel.

(11) The name, address, and date of birth of each person injured or killed.

(12) The cause of each death.

(13) Weather forecasts available to, and weather reports used by, the operator before and during the use of the vessel.

(14) The name and address of each owner of property involved.

(15) The number, availability, and use of personal flotation devices.

(16) The type and amount of each fire extinguisher used.

(17) The nature and extent of each injury.

(18) A description of all property damage and vessel damage with an estimate of the cost of all repairs.

(19) A description of each equipment failure that caused or contributed to the cause of the accident or casualty.

(20) A description of the vessel accident or casualty.

(21) The type of vessel operation (cruising, drifting, fishing, hunting, skiing, racing, or other) and the type of accident (capsizing, sinking, fire, explosion, or other).

(22) The opinion of the person making the report as to the cause of the accident or casualty.

(23) The make, model, type (open, cabin, house, or other), beam width at widest point, length, depth from transom to keel, horse power, propulsion (outboard, inboard, inboard outdrive, sail, or other), fuel (gas, diesel, or other), construction (wood, steel, aluminum, plastic, fiberglass, or other), and year built (model year) of the vessel of the person making the report.

(24) The name, address, and telephone number of each witness.

(25) The manufacturer's hull identification number, if any, of the vessel of the person making the report.

(26) The name, address, and telephone number of the person submitting the report.

NEW SECTION

WAC 352-70-060 SUBMISSION OF NOTIFICATION AND REPORT. The report required by this chapter shall be submitted to:

Washington State Parks and Recreation Commission
Boating Safety and Education
7150 Cleanwater Lane KY-11
Olympia, Washington 98504
(206) 753-5755

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
- READOPT = Readoption of existing section
- REVIEW = Review of previously adopted rule
- STMT = Statement regarding 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.

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4-04-030	REP-E	83-14-032	4-12-111	NEW-E	83-14-032	4-20-200	REP-P	83-15-066
4-04-030	REP-P	83-15-066	4-12-170	REP-E	83-14-032	4-24-020	REP-E	83-15-066
4-04-050	REP-P	83-15-066	4-12-170	REP-P	83-15-066	4-24-020	REP-P	83-15-066
4-04-031	NEW-E	83-14-032	4-12-171	NEW-E	83-14-032	4-24-021	NEW-E	83-14-032
4-04-060	REP-E	83-14-032	4-12-180	REP-E	83-14-032	4-24-021	NEW-P	83-15-066
4-04-060	REP-P	83-15-066	4-12-180	REP-P	83-15-066	4-24-021	NEW	83-22-033
4-04-061	NEW-E	83-14-032	4-12-181	NEW-E	83-14-032	4-24-040	REP-E	83-14-032
4-04-070	REP-E	83-14-032	4-12-190	REP-E	83-14-032	4-24-040	REP-P	83-15-066
4-04-070	REP-P	83-15-066	4-12-190	REP-P	83-15-066	4-24-041	NEW-E	83-14-032
4-04-071	NEW-E	83-14-032	4-12-191	NEW-E	83-14-032	4-24-041	NEW-P	83-15-066
4-04-180	REP-P	83-15-066	4-16-300	REP-E	83-14-032	4-24-041	NEW	83-22-033
4-04-190	REP-E	83-14-032	4-16-300	REP-P	83-15-066	4-24-100	REP-E	83-14-032
4-04-190	REP-P	83-15-066	4-16-301	NEW-E	83-14-032	4-24-100	REP-P	83-15-066
4-04-191	NEW-E	83-14-032	4-16-310	REP-E	83-14-032	4-24-101	NEW-E	83-14-032
4-04-200	REP-P	83-15-066	4-16-310	REP-P	83-15-066	4-24-101	NEW-P	83-15-066
4-04-210	REP-E	83-14-032	4-16-311	NEW-E	83-14-032	4-24-101	NEW	83-22-033
4-04-210	REP-P	83-15-066	4-16-320	REP-P	83-15-066	4-24-130	REP-E	83-14-032
4-04-211	NEW-E	83-14-032	4-16-325	REP-P	83-15-066	4-24-130	REP-P	83-15-066
4-04-220	REP-E	83-14-032	4-16-330	REP-P	83-15-066	4-24-131	NEW-E	83-14-032
4-04-220	REP-P	83-15-066	4-16-335	REP-P	83-15-066	4-24-131	NEW-P	83-15-066
4-04-221	NEW-E	83-14-032	4-16-340	REP-P	83-15-066	4-24-131	NEW	83-22-033
4-04-230	REP-E	83-14-032	4-16-345	REP-P	83-15-066	4-25-010	NEW-P	83-15-066
4-04-230	REP-P	83-15-066	4-16-350	REP-P	83-15-066	4-25-010	NEW	83-21-030
4-04-231	NEW-E	83-14-032	4-16-355	REP-P	83-15-066	4-25-020	NEW-P	83-15-066
4-04-250	REP-E	83-14-032	4-16-360	REP-P	83-15-066	4-25-020	NEW-C	83-19-007
4-04-250	REP-P	83-15-066	4-16-370	REP-P	83-14-032	4-25-020	NEW	83-22-032
4-04-260	REP-E	83-14-032	4-16-370	REP-P	83-15-066	4-25-030	NEW-P	83-15-066
4-04-260	REP-P	83-15-066	4-16-371	NEW-E	83-14-032	4-25-030	NEW	83-21-030
4-04-280	REP-E	83-14-032	4-16-375	REP-P	83-15-066	4-25-040	NEW-P	83-15-066
4-04-280	REP-P	83-15-066	4-16-380	REP-P	83-15-066	4-25-040	NEW	83-21-030
4-04-290	REP-E	83-14-032	4-16-385	REP-P	83-15-066	4-25-060	NEW-P	83-15-066
4-04-290	REP-P	83-15-066	4-16-390	REP-P	83-15-066	4-25-060	NEW	83-21-030
4-04-300	REP-E	83-14-032	4-16-395	REP-P	83-15-066	4-25-080	NEW-P	83-15-066
4-04-300	REP-P	83-15-066	4-16-400	REP-E	83-14-032	4-25-080	NEW	83-21-030
4-04-301	NEW-E	83-14-032	4-16-400	REP-P	83-15-066	4-25-100	NEW-P	83-15-066
4-04-310	REP-E	83-14-032	4-16-401	NEW-E	83-14-032	4-25-100	NEW	83-21-030
4-04-310	REP-P	83-15-066	4-16-405	REP-P	83-15-066	4-25-120	NEW-P	83-15-066
4-04-311	NEW-E	83-14-032	4-16-410	REP-P	83-15-066	4-25-120	NEW	83-21-030
4-12-010	REP-P	83-15-066	4-20-010	REP-E	83-14-032	4-25-130	NEW-P	83-15-066
4-12-020	REP-E	83-14-032	4-20-010	REP-P	83-15-066	4-25-130	NEW-C	83-19-007
4-12-020	REP-P	83-15-066	4-20-011	NEW-E	83-14-032	4-25-130	NEW	83-22-032
4-12-021	NEW-E	83-14-032	4-20-020	AMD	83-09-049	4-25-140	NEW-P	83-15-066
4-12-030	REP-E	83-14-032	4-20-020	REP-E	83-14-032	4-25-140	NEW-C	83-19-007
4-12-030	REP-P	83-15-066	4-20-020	REP-P	83-15-066	4-25-140	NEW	83-22-032
4-12-031	NEW-E	83-14-032	4-20-021	NEW-E	83-14-032	4-25-141	NEW	83-22-032
4-12-040	REP-E	83-14-032	4-20-030	REP-E	83-14-032	4-25-180	NEW-P	83-15-066
4-12-040	REP-P	83-15-066	4-20-030	REP-P	83-15-066	4-25-180	NEW-C	83-19-007
4-12-041	NEW-E	83-14-032	4-20-031	NEW-E	83-14-032	4-25-180	NEW	83-22-032
4-12-060	REP-E	83-14-032	4-20-045	REP-E	83-14-032	4-25-181	NEW	83-22-032
4-12-060	REP-P	83-15-066	4-20-045	REP-P	83-15-066	4-25-182	NEW	83-22-032
4-12-061	NEW-E	83-14-032	4-20-046	NEW-E	83-14-032	4-25-183	NEW	83-22-032

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
4-25-184	NEW	83-22-032	16-212-050	AMD	83-06-063	16-228-260	NEW-P	83-12-044
4-25-220	NEW-P	83-15-066	16-212-060	AMD-P	83-03-047	16-228-260	NEW	83-16-045
4-25-220	NEW	83-21-030	16-212-060	AMD	83-06-063	16-228-265	NEW-P	83-12-044
4-25-260	NEW-P	83-15-066	16-212-065	AMD-P	83-03-047	16-228-265	NEW	83-16-045
4-25-260	NEW	83-21-030	16-212-065	AMD	83-06-063	16-228-270	NEW-P	83-12-044
4-25-270	NEW-P	83-15-066	16-212-070	AMD-P	83-03-047	16-228-270	NEW	83-16-045
4-25-270	NEW	83-21-030	16-212-070	AMD	83-06-063	16-228-275	NEW-P	83-12-044
4-25-300	NEW-P	83-15-066	16-212-080	AMD-P	83-03-047	16-228-275	NEW	83-16-045
4-25-300	NEW	83-21-030	16-212-080	AMD	83-06-063	16-228-280	NEW-P	83-12-044
4-25-320	NEW-P	83-15-066	16-212-085	REP-P	83-03-047	16-228-280	NEW	83-16-045
4-25-320	NEW	83-21-030	16-212-085	REP	83-06-063	16-228-282	NEW-P	83-12-044
4-25-360	NEW-P	83-15-066	16-212-085	REP	83-06-063	16-228-282	NEW	83-16-045
4-25-360	NEW	83-21-030	16-212-090	AMD-P	83-03-047	16-228-285	NEW	83-16-045
12-40-001	NEW-P	83-08-039	16-212-090	AMD	83-06-063	16-228-900	NEW-P	83-12-044
12-40-010	NEW-P	83-08-039	16-212-110	AMD-P	83-12-063	16-228-900	NEW	83-16-045
12-40-010	NEW	83-11-041	16-212-110	AMD-E	83-13-010	16-230-001	REP-E	83-13-076
12-40-020	NEW-P	83-08-039	16-212-110	AMD	83-15-036	16-230-010	AMD-E	83-13-076
12-40-020	NEW	83-11-041	16-212-120	AMD-P	83-03-047	16-230-015	AMD-E	83-13-076
12-40-030	NEW-P	83-08-039	16-212-120	AMD	83-06-063	16-230-020	REP-E	83-13-076
12-40-030	NEW	83-11-041	16-212-130	AMD-P	83-12-063	16-230-030	AMD-E	83-13-076
12-40-040	NEW-P	83-08-039	16-212-130	AMD-E	83-13-010	16-230-030	AMD-E	83-14-005
12-40-040	NEW	83-11-041	16-212-130	AMD	83-15-036	16-230-040	REP-E	83-13-076
12-40-050	NEW-P	83-08-039	16-212-140	REP-P	83-03-047	16-230-050	REP-E	83-13-076
12-40-050	NEW	83-11-041	16-212-140	REP	83-06-063	16-230-050	REP-E	83-13-076
12-40-060	NEW-P	83-08-039	16-212-140	REP-P	83-03-047	16-230-060	REP-E	83-13-076
12-40-060	NEW	83-11-041	16-212-150	REP-P	83-03-047	16-230-075	AMD-E	83-13-076
12-40-070	NEW-P	83-08-039	16-212-150	REP	83-06-063	16-230-080	REP-E	83-13-076
12-40-070	NEW	83-11-041	16-212-160	AMD-P	83-12-063	16-230-081	NEW-E	83-13-076
12-40-080	NEW-P	83-08-039	16-212-160	AMD-E	83-13-010	16-230-082	NEW-E	83-16-039
12-40-080	NEW	83-11-041	16-212-160	AMD	83-15-036	16-230-083	NEW-E	83-13-076
12-40-090	NEW-P	83-08-039	16-212-170	AMD-P	83-12-063	16-230-084	NEW-E	83-16-039
12-40-090	NEW	83-11-041	16-212-170	AMD-E	83-13-010	16-230-085	REP-E	83-13-076
12-40-100	NEW-P	83-08-039	16-212-170	AMD	83-15-036	16-230-086	NEW-E	83-16-039
12-40-100	NEW	83-11-041	16-212-180	AMD-P	83-12-063	16-230-088	NEW-E	83-16-039
12-40-110	NEW-P	83-08-039	16-212-180	AMD-E	83-13-010	16-230-090	REP-E	83-13-076
12-40-110	NEW	83-11-041	16-212-180	AMD	83-15-036	16-300-010	AMD-P	83-08-065
12-40-120	NEW-P	83-08-039	16-212-195	AMD-P	83-12-063	16-300-010	AMD	83-11-029
12-40-120	NEW	83-11-041	16-212-195	AMD-E	83-13-010	16-300-020	AMD-P	83-08-065
12-40-130	NEW-P	83-08-039	16-212-195	AMD	83-15-036	16-300-020	AMD	83-11-029
12-40-130	NEW	83-11-041	16-212-200	REP-P	83-03-047	16-300-025	NEW-P	83-08-065
12-40-140	NEW-P	83-08-039	16-212-200	REP	83-06-063	16-300-025	NEW	83-11-029
12-40-140	NEW	83-11-041	16-212-210	REP-P	83-03-047	16-304-001	REP-P	83-08-066
12-40-150	NEW-P	83-08-039	16-212-210	REP	83-06-063	16-304-001	REP	83-11-030
12-40-150	NEW	83-11-041	16-212-215	NEW-P	83-12-063	16-304-020	AMD-P	83-08-066
12-40-160	NEW-P	83-08-039	16-212-215	NEW-E	83-13-010	16-304-020	AMD	83-11-030
12-40-160	NEW	83-11-041	16-212-215	NEW	83-15-036	16-304-030	REP-P	83-08-066
12-40-170	NEW-P	83-08-039	16-212-220	NEW-P	83-12-063	16-304-030	REP	83-11-030
12-40-170	NEW	83-11-041	16-212-220	NEW-E	83-13-010	16-304-040	AMD-P	83-08-066
16-30-030	AMD-P	83-03-050	16-212-220	NEW	83-15-036	16-304-040	AMD	83-11-030
16-30-030	AMD	83-07-028	16-212-225	NEW-P	83-12-063	16-316-215	AMD-P	83-08-067
16-54-040	AMD-E	83-05-016	16-212-225	NEW-E	83-13-010	16-316-215	AMD	83-11-031
16-54-040	AMD-P	83-06-064	16-212-230	NEW-P	83-15-036	16-316-270	AMD-E	83-08-064
16-54-040	AMD	83-09-009	16-212-230	NEW-E	83-13-010	16-316-270	AMD-E	83-10-039
16-54-082	AMD	83-04-030	16-212-235	NEW	83-15-036	16-316-350	AMD-P	83-08-067
16-54-082	AMD-E	83-04-031	16-212-235	NEW-E	83-13-010	16-316-350	AMD	83-11-031
16-54-082	AMD-E	83-05-016	16-212-235	NEW	83-15-036	16-316-474	AMD-P	83-08-067
16-54-082	AMD-P	83-06-064	16-224-025	NEW-P	83-12-063	16-316-474	AMD	83-11-031
16-54-082	AMD	83-09-009	16-224-025	NEW-E	83-13-010	16-316-484	AMD-P	83-08-067
16-86-015	AMD-P	83-02-061	16-224-025	NEW	83-15-036	16-316-484	AMD	83-11-031
16-86-015	AMD	83-06-002	16-224-030	AMD-P	83-12-063	16-316-724	AMD-E	83-21-055
16-86-030	AMD-P	83-03-051	16-224-030	AMD-E	83-13-010	16-316-820	AMD-P	83-08-067
16-86-030	AMD	83-07-029	16-224-030	AMD	83-15-036	16-316-820	AMD	83-11-031
16-125-001	REP-P	83-17-105	16-224-040	AMD-P	83-12-063	16-316-830	AMD-P	83-08-067
16-125-001	REP-W	83-21-005	16-224-040	AMD-E	83-13-010	16-316-901	NEW-E	83-17-053
16-125-110	REP-P	83-17-105	16-224-040	AMD	83-15-036	16-316-906	NEW-E	83-17-053
16-125-110	REP-W	83-21-005	16-228	AMD-C	83-15-037	16-316-911	NEW-E	83-17-053
16-125-200	NEW-P	83-17-105	16-228-003	REP-P	83-12-044	16-316-916	NEW-E	83-17-053
16-125-200	NEW-W	83-21-005	16-228-235	NEW-P	83-12-044	16-316-921	NEW-E	83-17-053
16-125-210	NEW-P	83-17-105	16-228-235	NEW	83-16-045	16-400-001	REP-P	83-03-058
16-125-210	NEW-W	83-21-005	16-228-240	NEW-P	83-12-044	16-400-001	REP	83-06-048
16-212-010	AMD-P	83-03-047	16-228-240	NEW	83-16-045	16-400-003	REP-P	83-03-058
16-212-010	AMD	83-06-063	16-228-245	NEW-P	83-12-044	16-400-003	REP	83-06-048
16-212-030	AMD-P	83-03-047	16-228-245	NEW	83-16-045	16-400-004	REP-P	83-03-058
16-212-030	AMD	83-06-063	16-228-250	NEW-P	83-12-044	16-400-005	REP-P	83-03-058
16-212-040	REP-P	83-03-047	16-228-250	NEW	83-16-045	16-400-005	REP	83-06-048
16-212-040	REP	83-06-063	16-228-255	NEW-P	83-12-044	16-400-006	REP-P	83-03-058
16-212-050	AMD-P	83-03-047	16-228-255	NEW	83-16-045	16-400-006	REP	83-06-048

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
67-75-070	NEW-E	83-21-078	98-12-040	NEW	83-02-063
67-75-070	NEW-P	83-22-027	98-14-080	NEW	83-02-063
67-75-075	NEW-E	83-21-078	98-14-090	NEW	83-02-063
67-75-075	NEW-P	83-22-027	98-70-010	AMD-P	83-21-091
82-28-010	AMD-E	83-17-097	106-116-042	AMD	83-13-034
82-28-010	AMD-P	83-21-087	106-116-103	AMD	83-13-034
82-28-020	AMD-E	83-17-097	106-116-201	AMD	83-13-034
82-28-020	AMD-P	83-21-087	106-116-203	AMD	83-13-034
82-28-030	AMD-E	83-17-097	106-116-213	AMD	83-13-034
82-28-030	AMD-P	83-21-087	106-116-310	AMD	83-13-034
82-28-040	AMD-E	83-17-097	106-116-403	AMD	83-13-034
82-28-040	AMD-P	83-21-087	106-116-404	AMD	83-13-034
82-28-050	AMD-E	83-17-097	106-116-514	AMD	83-13-034
82-28-050	AMD-P	83-21-087	106-116-601	AMD	83-13-034
82-28-060	AMD-E	83-17-097	106-116-603	AMD	83-13-034
82-28-060	AMD-P	83-21-087	106-140-151	REP-E	83-07-024
82-28-06001	AMD-E	83-17-097	106-140-151	REP-P	83-08-070
82-28-06001	AMD-P	83-21-087	106-140-151	REP	83-11-033
82-28-070	AMD-E	83-17-097	113-10-100	AMD-P	83-21-093
82-28-070	AMD-P	83-21-087	113-12-010	AMD-P	83-21-093
82-28-080	AMD-E	83-17-097	113-12-020	REP-P	83-21-093
82-28-080	AMD-P	83-21-087	113-12-080	AMD-P	83-21-093
82-28-090	AMD-E	83-17-097	113-12-085	NEW-P	83-21-093
82-28-090	AMD-P	83-21-087	113-12-100	AMD-P	83-21-093
82-28-100	AMD-E	83-17-097	113-12-120	AMD-P	83-21-093
82-28-100	AMD-P	83-21-087	113-12-150	AMD-P	83-21-093
82-28-110	AMD-E	83-17-097	114-12-135	NEW-P	83-13-116
82-28-110	AMD-P	83-21-087	114-12-135	NEW	83-17-031
82-28-120	AMD-E	83-17-097	114-12-135	AMD-E	83-19-008
82-28-120	AMD-P	83-21-087	114-12-135	REP-P	83-19-069
82-28-130	AMD-E	83-17-097	114-12-135	REP	83-22-060
82-28-130	AMD-P	83-21-087	114-12-136	NEW-P	83-19-069
82-28-135	AMD-E	83-17-097	114-12-136	NEW	83-22-060
82-28-135	AMD-P	83-21-087	114-12-140	REP-P	83-13-116
82-28-140	AMD-E	83-17-097	114-12-140	REP	83-17-031
82-28-140	AMD-P	83-21-087	114-12-160	AMD-P	83-21-092
82-28-150	AMD-E	83-17-097	118-03-010	AMD-P	83-13-112
82-28-150	AMD-P	83-21-087	118-03-010	AMD	83-16-025
82-28-160	AMD-E	83-17-097	118-03-050	AMD-P	83-13-112
82-28-160	AMD-P	83-21-087	118-03-050	AMD	83-16-025
82-28-170	AMD-E	83-17-097	118-06-010	NEW-E	83-20-061
82-28-170	AMD-P	83-21-087	118-06-010	NEW-P	83-22-056
82-28-180	AMD-E	83-17-097	118-06-020	NEW-E	83-20-061
82-28-180	AMD-P	83-21-087	118-06-020	NEW-P	83-22-056
82-28-190	AMD-E	83-17-097	118-06-030	NEW-E	83-20-061
82-28-190	AMD-P	83-21-087	118-06-030	NEW-P	83-22-056
82-28-200	AMD-E	83-17-097	118-06-040	NEW-E	83-20-061
82-28-200	AMD-P	83-21-087	118-06-040	NEW-P	83-22-056
82-28-210	AMD-E	83-17-097	118-06-050	NEW-E	83-20-061
82-28-210	AMD-P	83-21-087	118-06-050	NEW-P	83-22-056
82-28-220	AMD-E	83-17-097	118-06-060	NEW-E	83-20-061
82-28-220	AMD-P	83-21-087	118-06-060	NEW-P	83-22-056
82-28-230	AMD-E	83-17-097	118-06-070	NEW-E	83-20-061
82-28-230	AMD-P	83-21-087	118-06-070	NEW-P	83-22-056
82-36-030	AMD	83-03-003	118-06-080	NEW-E	83-20-061
82-50-010	REP-P	83-15-049	118-06-080	NEW-P	83-22-056
82-50-010	REP	83-17-118	118-07-010	NEW-E	83-20-062
82-50-011	NEW-E	83-15-003	118-07-010	NEW-P	83-22-057
82-50-011	NEW-P	83-15-049	118-07-020	NEW-E	83-20-062
82-50-011	NEW	83-17-118	118-07-020	NEW-P	83-22-057
82-50-020	REP-P	83-15-049	118-07-030	NEW-E	83-20-062
82-50-020	REP	83-17-118	118-07-030	NEW-P	83-22-057
82-50-021	NEW-E	83-15-003	118-07-040	NEW-E	83-20-062
82-50-021	NEW-P	83-15-049	118-07-040	NEW-P	83-22-057
82-50-021	NEW	83-17-118	118-07-050	NEW-E	83-20-062
82-50-030	REP-P	83-15-049	118-07-050	NEW-P	83-22-057
82-50-030	REP	83-17-118	118-07-060	NEW-E	83-20-062
82-50-031	NEW-P	83-15-049	118-07-060	NEW-P	83-22-057
82-50-031	NEW	83-17-118	118-08-010	NEW-E	83-20-063
82-50-032	NEW-P	83-15-049	118-08-010	NEW-P	83-22-058
82-50-032	NEW	83-17-118	118-08-020	NEW-E	83-20-063
82-50-040	REP-P	83-15-049	118-08-020	NEW-P	83-22-058
82-50-040	REP	83-17-118	118-08-030	NEW-E	83-20-063
82-50-041	NEW-E	83-15-003	118-08-030	NEW-P	83-22-058
82-50-041	NEW-P	83-15-049	118-08-040	NEW-E	83-20-063
82-50-041	NEW	83-17-118	118-08-040	NEW-P	83-22-058
98-12-030	NEW	83-02-063	118-08-050	NEW-E	83-20-063
118-08-050	NEW-P	83-22-058			
118-08-060	NEW-E	83-20-063			
118-08-060	NEW-P	83-22-058			
118-08-070	NEW-E	83-20-063			
118-08-070	NEW-P	83-22-058			
118-09-010	NEW-E	83-20-064			
118-09-010	NEW-P	83-22-059			
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118-09-020	NEW-P	83-22-059			
118-09-030	NEW-E	83-20-064			
118-09-030	NEW-P	83-22-059			
118-09-040	NEW-E	83-20-064			
118-09-040	NEW-P	83-22-059			
118-09-050	NEW-E	83-20-064			
118-09-050	NEW-P	83-22-059			
118-10-010	REP-E	83-20-064			
118-10-010	REP-P	83-22-059			
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118-10-030	REP-E	83-20-064			
118-10-030	REP-P	83-22-059			
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131-16-020	AMD-P	83-16-057			
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131-16-061	AMD-P	83-16-057			
131-16-061	AMD	83-20-042			
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132A-120-015	AMD	83-14-068			
132A-120-040	AMD-P	83-09-041			
132A-120-040	AMD	83-14-068			
132A-120-045	AMD-P	83-09-041			
132A-120-045	AMD	83-14-068			
132A-120-050	AMD-P	83-09-041			
132A-120-050	AMD	83-14-068			
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132A-120-060	AMD	83-14-068			
132A-160-005	AMD-P	83-09-041			
132A-160-005	AMD	83-14-068			
132A-160-010	REP-P	83-09-041			
132A-160-010	REP	83-14-068			
132A-160-015	AMD-P	83-09-041			
132A-160-015	AMD	83-14-068			
132A-160-020	AMD-P	83-09-041			
132A-160-020	AMD	83-14-068			
132A-165-005	NEW-P	83-09-041			
132A-165-005	NEW	83-14-068			
132A-165-015	NEW-P	83-09-041			
132A-165-015	NEW	83-14-068			
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132A-165-025	NEW	83-14-068			
132A-165-035	NEW-P	83-09-041			
132A-165-035	NEW	83-14-068			
132A-165-045	NEW-P	83-09-041			
132A-165-045	NEW	83-14-068			
132A-165-055	NEW-P	83-09-041			
132A-165-055	NEW	83-14-068			
132A-280-010	AMD-P	83-09-041			
132A-280-010	AMD	83-14-068			
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132E-160-010	REP	83-10-025			
132E-160-020	REP-P	83-05-020			
132E-160-020	REP	83-10-025			
132E-160-030	REP-P	83-05-020			
132E-160-030	REP	83-10-025			
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132E-160-050	REP	83-10-025	132F-104-120	REP-P	83-09-044	132L-112-010	REP	83-07-067
132E-160-060	REP-P	83-05-020	132F-104-120	REP	83-13-058	132L-112-020	REP-P	83-03-072
132E-160-060	REP	83-10-025	132F-104-811	AMD-P	83-09-044	132L-112-020	REP	83-07-067
132E-160-070	REP-P	83-05-020	132F-104-811	AMD	83-13-058	132L-112-030	REP-P	83-03-072
132E-160-070	REP	83-10-025	132F-104-812	AMD-P	83-09-044	132L-112-030	REP	83-07-067
132E-160-080	REP-P	83-05-020	132F-104-812	AMD	83-13-058	132L-112-040	REP-P	83-03-072
132E-160-080	REP	83-10-025	132F-104-813	AMD-P	83-09-044	132L-112-040	REP	83-07-067
132E-160-090	REP-P	83-05-020	132F-104-813	AMD	83-13-058	132L-112-200	REP-P	83-03-072
132E-160-090	REP	83-10-025	132F-104-814	AMD-P	83-09-044	132L-112-200	REP	83-07-067
132E-160-100	REP-P	83-05-020	132F-104-814	AMD	83-13-058	132L-112-205	REP-P	83-03-072
132E-160-100	REP	83-10-025	132F-104-815	AMD-P	83-09-044	132L-112-205	REP	83-07-067
132E-160-110	REP-P	83-05-020	132F-104-815	AMD	83-13-058	132L-112-210	REP-P	83-03-072
132E-160-110	REP	83-10-025	132F-104-817	AMD-P	83-09-044	132L-112-210	REP	83-07-067
132E-160-120	REP-P	83-05-020	132F-104-817	AMD	83-13-058	132L-112-220	REP-P	83-03-072
132E-160-120	REP	83-10-025	132F-104-819	AMD-P	83-09-044	132L-112-220	REP	83-07-067
132E-160-130	REP-P	83-05-020	132F-104-819	AMD	83-13-058	132L-112-230	REP-P	83-03-072
132E-160-130	REP	83-10-025	132F-120	AMD-C	83-06-001	132L-112-230	REP	83-07-067
132E-160-140	REP-P	83-05-020	132F-120-020	AMD-P	83-22-082	132L-112-240	REP-P	83-03-072
132E-160-140	REP	83-10-025	132F-120-030	AMD-P	83-22-082	132L-112-240	REP	83-07-067
132E-160-150	REP-P	83-05-020	132F-120-040	AMD-P	83-22-082	132L-112-250	REP-P	83-03-072
132E-160-150	REP	83-10-025	132F-120-041	NEW-P	83-22-082	132L-112-250	REP	83-07-067
132E-160-160	REP-P	83-05-020	132F-120-042	NEW-P	83-22-082	132L-112-270	REP-P	83-03-072
132E-160-160	REP	83-10-025	132F-120-043	NEW-P	83-22-082	132L-112-270	REP	83-07-067
132E-160-170	REP-P	83-05-020	132F-120-050	AMD-P	83-22-082	132L-112-280	REP-P	83-03-072
132E-160-170	REP	83-10-025	132F-120-070	AMD-P	83-22-082	132L-112-280	REP	83-07-067
132E-160-180	REP-P	83-05-020	132F-120-080	AMD-P	83-22-082	132L-112-290	REP-P	83-03-072
132E-160-180	REP	83-10-025	132F-120-090	AMD-P	83-22-082	132L-112-290	REP	83-07-067
132E-160-190	REP-P	83-05-020	132F-120-100	AMD-P	83-22-082	132L-112-900	REP-P	83-03-072
132E-160-190	REP	83-10-025	132F-120-110	AMD-P	83-22-082	132L-112-900	REP	83-07-067
132E-160-200	REP-P	83-05-020	132F-120-120	AMD-P	83-22-082	132L-112-901	REP-P	83-03-072
132E-160-200	REP	83-10-025	132F-120-130	AMD-P	83-22-082	132L-112-901	REP	83-07-067
132E-160-210	REP-P	83-05-020	132F-120-150	AMD-P	83-22-082	132L-112-902	REP-P	83-03-072
132E-160-210	REP	83-10-025	132F-120-160	AMD-P	83-22-082	132L-112-902	REP	83-07-067
132E-160-220	REP-P	83-05-020	132F-120-170	AMD-P	83-22-082	132L-112-903	REP-P	83-03-072
132E-160-220	REP	83-10-025	132F-120-180	AMD-P	83-22-082	132L-112-903	REP	83-07-067
132E-160-230	REP-P	83-05-020	132F-120-190	AMD-P	83-22-082	132L-112-904	REP-P	83-03-072
132E-160-230	REP	83-10-025	132F-120-200	AMD-P	83-22-082	132L-112-904	REP	83-07-067
132E-160-240	REP-P	83-05-020	132F-120-210	NEW-P	83-22-082	132L-112-905	REP-P	83-03-072
132E-160-240	REP	83-10-025	132F-120-510	REP-P	83-22-082	132L-112-905	REP	83-07-067
132E-160-250	REP-P	83-05-020	132F-200-010	NEW-P	83-09-044	132L-112-906	REP-P	83-03-072
132E-160-250	REP	83-10-025	132F-200-010	NEW	83-13-058	132L-112-906	REP	83-07-067
132E-160-260	REP-P	83-05-020	132G-120-010	AMD	83-07-020	132L-112-907	REP-P	83-03-072
132E-160-260	REP	83-10-025	132G-120-030	AMD	83-07-020	132L-112-907	REP	83-07-067
132E-160-270	REP-P	83-05-020	132G-120-040	AMD	83-07-020	132L-112-908	REP-P	83-03-072
132E-160-270	REP	83-10-025	132G-120-060	AMD	83-07-020	132L-112-908	REP	83-07-067
132E-160-280	REP-P	83-05-020	132G-120-061	NEW	83-07-020	132L-112-909	REP-P	83-03-072
132E-160-280	REP	83-10-025	132G-120-062	NEW	83-07-020	132L-112-909	REP	83-07-067
132E-160-290	REP-P	83-05-020	132G-120-063	NEW	83-07-020	132L-112-910	REP-P	83-03-072
132E-160-290	REP	83-10-025	132G-120-064	NEW	83-07-020	132L-112-910	REP	83-07-067
132E-160-300	REP-P	83-05-020	132G-120-065	NEW	83-07-020	132L-112-911	REP-P	83-03-072
132E-160-300	REP	83-10-025	132G-120-070	AMD	83-07-020	132L-112-911	REP	83-07-067
132E-160-310	REP-P	83-05-020	132G-120-080	AMD	83-07-020	132L-112-912	REP-P	83-03-072
132E-160-310	REP	83-10-025	132G-120-090	AMD	83-07-020	132L-112-912	REP	83-07-067
132E-160-320	REP-P	83-05-020	132G-120-100	AMD	83-07-020	132L-112-913	REP-P	83-03-072
132E-160-320	REP	83-10-025	132G-120-110	AMD	83-07-020	132L-112-913	REP	83-07-067
132E-160-330	REP-P	83-05-020	132H-105-030	AMD	83-05-051	132L-112-914	REP-P	83-03-072
132E-160-330	REP	83-10-025	132H-120-200	AMD-P	83-07-040	132L-112-914	REP	83-07-067
132E-160-340	REP-P	83-05-020	132H-120-200	AMD	83-12-012	132L-112-915	REP-P	83-03-072
132E-160-340	REP	83-10-025	132H-200-010	NEW-P	83-13-074	132L-112-915	REP	83-07-067
132E-160-350	REP-P	83-05-020	132H-200-010	NEW	83-18-001	132L-112-916	REP-P	83-03-072
132E-160-350	REP	83-10-025	132H-200-020	NEW-P	83-13-074	132L-112-916	REP	83-07-067
132E-160-360	REP-P	83-05-020	132H-200-020	NEW	83-18-001	132L-112-917	REP-P	83-03-072
132E-160-360	REP	83-10-025	132H-200-100	NEW-P	83-13-074	132L-112-917	REP	83-07-067
132E-161-010	NEW-P	83-05-037	132H-200-100	NEW	83-18-001	132L-112-918	REP-P	83-03-072
132E-161-010	NEW	83-10-026	132K-112-010	AMD-P	83-17-088	132L-112-918	REP	83-07-067
132F-01-010	NEW-P	83-09-044	132K-112-010	AMD-W	83-19-005	132L-112-919	REP-P	83-03-072
132F-01-010	NEW	83-13-058	132K-112-015	REP-P	83-21-028	132L-112-919	REP	83-07-067
132F-01-020	NEW-P	83-09-044	132K-112-015	AMD-P	83-17-088	132L-112-920	REP-P	83-03-072
132F-01-020	NEW	83-13-058	132K-112-015	AMD-W	83-19-005	132L-112-920	REP	83-07-067
132F-104	AMD-P	83-09-044	132K-112-015	REP-P	83-21-028	132L-112-921	REP-P	83-03-072
132F-104	AMD	83-13-058	132K-112-020	AMD-P	83-17-088	132L-112-921	REP	83-07-067
132F-104-030	AMD-P	83-09-044	132K-112-020	AMD-W	83-19-005	132L-112-922	REP-P	83-03-072
132F-104-030	AMD	83-13-058	132K-112-020	REP-P	83-21-028	132L-112-922	REP	83-07-067
132F-104-100	REP-P	83-09-044	132K-112-025	AMD-P	83-17-088	132L-112-923	REP-P	83-03-072
132F-104-100	REP	83-13-058	132K-112-025	AMD-W	83-19-005	132L-112-923	REP	83-07-067
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132L-116-030	REP 83-07-067	132Y-126-003	NEW-P 83-22-052	133-50-020	NEW 83-10-041
132L-116-030	REP-P 83-03-072	132Y-126-004	NEW-P 83-22-052	136-110-010	NEW-E 83-19-042
132L-116-030	REP 83-07-067	132Y-126-005	NEW-P 83-22-052	136-110-020	NEW-E 83-19-042
132L-116-040	REP-P 83-03-072	132Y-126-006	NEW-P 83-22-052	136-110-030	NEW-E 83-19-042
132L-116-040	REP 83-07-067	132Y-126-007	NEW-P 83-22-052	136-110-040	NEW-E 83-19-042
132L-116-050	REP-P 83-03-072	132Y-126-008	NEW-P 83-22-052	136-110-050	NEW-E 83-19-042
132L-116-050	REP 83-07-067	133-10	NEW-C 83-07-003	136-130-010	NEW-E 83-19-038
132L-128-010	REP-P 83-03-072	133-10	NEW 83-10-041	136-130-020	NEW-E 83-19-038
132L-128-010	REP 83-07-067	133-10-010	NEW-P 83-03-061	136-130-030	NEW-E 83-19-038
132L-128-025	REP-P 83-03-072	133-10-010	NEW 83-10-041	136-130-040	NEW-E 83-19-038
132L-128-025	REP 83-07-067	133-10-020	NEW-P 83-03-061	136-130-050	NEW-E 83-19-038
132L-128-030	REP-P 83-03-072	133-10-020	NEW 83-10-041	136-130-060	NEW-E 83-19-038
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132L-128-040	REP-P 83-03-072	133-10-030	NEW 83-10-041	136-150-010	NEW-E 83-15-039
132L-128-040	REP 83-07-067	133-20	NEW-C 83-07-003	136-150-020	NEW-E 83-15-039
132L-128-050	REP-P 83-03-072	133-20	NEW 83-10-041	136-150-030	NEW-E 83-15-039
132L-128-050	REP 83-07-067	133-20-010	NEW-P 83-03-061	136-150-040	NEW-E 83-15-039
132L-128-060	REP-P 83-03-072	133-20-010	NEW 83-10-041	136-150-050	NEW-E 83-15-039
132L-128-060	REP 83-07-067	133-20-020	NEW-P 83-03-061	136-150-090	NEW-E 83-15-039
132L-128-070	REP-P 83-03-072	133-20-020	NEW 83-10-041	136-150-100	NEW-E 83-15-039
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132L-128-080	REP-P 83-03-072	133-20-030	NEW 83-10-041	136-160-020	NEW-E 83-19-039
132L-128-080	REP 83-07-067	133-20-040	NEW-P 83-03-061	136-160-030	NEW-E 83-19-039
132L-128-090	REP-P 83-03-072	133-20-040	NEW 83-10-041	136-160-040	NEW-E 83-19-039
132L-128-090	REP 83-07-067	133-20-050	NEW-P 83-03-061	136-160-050	NEW-E 83-19-039
132L-140-020	AMD-P 83-12-043	133-20-050	NEW 83-10-041	136-160-060	NEW-E 83-19-039
132L-140-020	AMD 83-17-022	133-20-060	NEW-P 83-03-061	136-170-010	NEW-E 83-19-040
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132Q-276-010	NEW-P 83-06-009	133-20-070	NEW-P 83-03-061	136-170-030	NEW-E 83-19-040
132Q-276-010	NEW 83-10-004	133-20-070	NEW 83-10-041	136-170-040	NEW-E 83-19-040
132Q-276-020	NEW-P 83-06-009	133-20-080	NEW-P 83-03-061	136-220-010	NEW-E 83-19-041
132Q-276-020	NEW 83-10-004	133-20-080	NEW 83-10-041	136-220-020	NEW-E 83-19-041
132Q-276-030	NEW-P 83-06-009	133-20-090	NEW-P 83-03-061	136-220-030	NEW-E 83-19-041
132Q-276-030	NEW 83-10-004	133-20-090	NEW 83-10-041	137-36	NEW-C 83-06-011
132Q-276-040	NEW-P 83-06-009	133-20-100	NEW-P 83-03-061	137-36	NEW-W 83-08-007
132Q-276-040	NEW 83-10-004	133-20-100	NEW 83-10-041	137-36	NEW-E 83-08-063
132Q-276-050	NEW-P 83-06-009	133-20-110	NEW-P 83-03-061	137-36-010	NEW-P 83-02-049
132Q-276-050	NEW 83-10-004	133-20-110	NEW 83-10-041	137-36-010	NEW-E 83-02-051
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132Q-276-070	NEW-P 83-06-009	133-30	NEW-C 83-07-003	137-36-010	NEW-E 83-15-004
132Q-276-070	NEW 83-10-004	133-30	NEW 83-10-041	137-36-010	NEW-P 83-17-136
132Q-276-080	NEW-P 83-06-009	133-30-010	NEW-P 83-03-061	137-36-010	NEW 83-20-035
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132Q-276-090	NEW-P 83-06-009	133-30-020	NEW-P 83-03-061	137-36-020	NEW-P 83-02-049
132Q-276-090	NEW 83-10-004	133-30-020	NEW 83-10-041	137-36-020	NEW-E 83-02-051
132Q-276-100	NEW-P 83-06-009	133-30-030	NEW-P 83-03-061	137-36-020	NEW-W 83-08-007
132Q-276-100	NEW 83-10-004	133-30-030	NEW 83-10-041	137-36-020	NEW-E 83-08-063
132Q-276-110	NEW-P 83-06-009	133-30-040	NEW-P 83-03-061	137-36-020	NEW-E 83-15-004
132Q-276-110	NEW 83-10-004	133-30-040	NEW 83-10-041	137-36-020	NEW-P 83-17-136
132Q-276-120	NEW-P 83-06-009	133-30-050	NEW-P 83-03-061	137-36-020	NEW 83-20-035
132Q-276-120	NEW 83-10-004	133-30-050	NEW 83-10-041	137-36-020	NEW-E 83-20-038
132Q-276-130	NEW-P 83-06-009	133-30-060	NEW-P 83-03-061	137-36-030	NEW-P 83-02-049
132Q-276-130	NEW 83-10-004	133-30-060	NEW 83-10-041	137-36-030	NEW-E 83-02-051
132Q-276-140	NEW-P 83-06-009	133-30-070	NEW-P 83-03-061	137-36-030	NEW-W 83-08-007
132Q-276-140	NEW 83-10-004	133-30-070	NEW 83-10-041	137-36-030	NEW-E 83-08-063
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132Y-100-008	AMD 83-22-053	133-40	NEW-C 83-07-003	137-36-030	NEW 83-20-035
132Y-100-020	AMD-P 83-16-056	133-40	NEW 83-10-041	137-36-030	NEW-E 83-20-038
132Y-100-020	AMD 83-22-053	133-40-010	NEW-P 83-03-061	137-36-040	NEW-P 83-02-049
132Y-100-032	AMD-P 83-16-056	133-40-010	NEW 83-10-041	137-36-040	NEW-E 83-02-051
132Y-100-032	AMD 83-22-053	133-40-020	NEW-P 83-03-061	137-36-040	NEW-W 83-08-007
132Y-100-072	AMD-P 83-16-056	133-40-020	NEW 83-10-041	137-36-040	NEW-E 83-08-063
132Y-100-072	AMD 83-22-053	133-40-030	NEW-P 83-03-061	137-36-040	NEW-E 83-15-004
132Y-100-080	AMD-P 83-16-056	133-40-030	NEW 83-10-041	137-36-040	NEW-P 83-17-136
132Y-100-080	AMD 83-22-053	133-40-040	NEW-P 83-03-061	137-36-040	NEW 83-20-035
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132Y-100-096	AMD 83-22-053	133-40-050	NEW-P 83-03-061	137-36-050	NEW-P 83-02-049
132Y-100-104	AMD-P 83-16-056	133-40-050	NEW 83-10-041	137-36-050	NEW-E 83-02-051
132Y-100-104	AMD 83-22-053	133-40-060	NEW-P 83-03-061	137-36-050	NEW-W 83-08-007
132Y-100-108	AMD-P 83-16-056	133-40-060	NEW 83-10-041	137-36-050	NEW-E 83-08-063
132Y-100-108	AMD 83-22-053	133-50	NEW-C 83-07-003	137-36-050	NEW-E 83-15-004
132Y-100-112	AMD-P 83-16-056	133-50	NEW 83-10-041	137-36-050	NEW-P 83-17-136
132Y-100-112	AMD 83-22-053	133-50-010	NEW-P 83-03-061	137-36-050	NEW 83-20-035

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137-36-060	NEW-E	83-02-051	137-48-060	NEW-P	83-17-135	140-12-030	NEW-P	83-02-054
137-36-060	NEW-W	83-08-007	137-48-060	NEW	83-20-036	140-12-030	NEW	83-06-035
137-36-060	NEW-E	83-08-063	137-48-060	NEW-E	83-20-037	140-12-040	NEW-P	83-02-054
137-36-060	NEW-E	83-15-004	137-48-070	NEW-P	83-02-048	140-12-040	NEW	83-06-035
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137-36-070	NEW-P	83-02-049	137-48-070	NEW-E	83-15-004	140-12-060	NEW	83-06-035
137-36-070	NEW-E	83-02-051	137-48-070	NEW-P	83-17-135	140-12-070	NEW-P	83-02-054
137-36-070	NEW-W	83-08-007	137-48-070	NEW	83-20-036	140-12-070	NEW	83-06-035
137-36-070	NEW-E	83-08-063	137-48-070	NEW-E	83-20-037	140-12-080	NEW-P	83-02-054
137-36-070	NEW-E	83-15-004	137-48-080	NEW-P	83-02-048	140-12-080	NEW	83-06-035
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137-36-070	NEW-E	83-20-038	137-48-080	NEW-E	83-08-063	140-12-100	NEW-P	83-02-054
137-36-080	NEW-E	83-20-038	137-48-080	NEW-E	83-15-004	140-12-100	NEW	83-06-035
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137-37-010	NEW-P	83-08-006	137-48-080	NEW	83-20-036	140-12-110	NEW	83-06-035
137-37-010	NEW-W	83-16-017	137-48-080	NEW-E	83-20-037	142-30-010	AMD-P	83-04-048
137-37-020	NEW-P	83-08-006	137-48-090	NEW-E	83-08-063	142-30-010	AMD-E	83-08-018
137-37-020	NEW-W	83-16-017	137-48-090	NEW-E	83-15-004	142-30-010	AMD	83-08-019
137-37-020	NEW-W	83-16-017	137-48-090	NEW-P	83-17-135	154-04-010	AMD-E	83-09-020
137-37-030	NEW-P	83-08-006	137-48-090	NEW	83-20-036	154-04-010	AMD-P	83-09-021
137-37-030	NEW-W	83-16-017	137-48-090	NEW-E	83-20-037	154-04-010	AMD-C	83-10-050
137-37-040	NEW-P	83-08-006	137-48-090	NEW-E	83-20-037	154-04-010	AMD	83-13-044
137-37-040	NEW-W	83-16-017	137-48-100	NEW-E	83-20-037	154-04-010	AMD	83-13-044
137-37-050	NEW-P	83-08-006	137-49-010	REP-E	83-07-006	154-04-035	NEW-E	83-09-020
137-37-050	NEW-W	83-16-017	137-49-010	NEW-W	83-07-007	154-04-035	NEW-P	83-09-021
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137-37-060	NEW-W	83-16-017	137-50	NEW-W	83-08-007	154-04-035	NEW	83-13-044
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137-48	NEW-W	83-08-007	137-54-010	NEW-E	83-13-015	154-04-040	AMD-P	83-09-021
137-48	NEW-E	83-08-063	137-54-020	NEW-E	83-13-015	154-04-040	AMD-C	83-10-050
137-48-010	NEW-P	83-02-048	137-54-030	NEW-E	83-13-015	154-04-040	AMD	83-13-044
137-48-010	NEW-E	83-02-050	137-54-040	NEW-E	83-13-015	154-04-050	AMD-E	83-09-020
137-48-010	NEW-W	83-08-007	137-54-050	NEW-E	83-13-015	154-04-050	AMD-P	83-09-021
137-48-010	NEW-E	83-08-063	137-54-060	NEW-E	83-13-015	154-04-050	AMD-C	83-10-050
137-48-010	NEW-E	83-15-004	137-54-070	NEW-E	83-13-015	154-04-050	AMD	83-13-044
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137-48-010	NEW-E	83-20-037	137-56-250	AMD	83-10-042	154-04-070	AMD-C	83-10-050
137-48-020	NEW-P	83-02-048	137-70-040	AMD-P	83-22-006	154-04-070	AMD	83-13-044
137-48-020	NEW-E	83-02-050	139-14-010	AMD-E	83-22-007	154-04-075	NEW-E	83-09-020
137-48-020	NEW-W	83-08-007	139-14-010	AMD-C	83-04-009	154-04-075	NEW-P	83-09-021
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137-48-020	NEW-E	83-15-004	139-14-010	AMD	83-07-046	154-04-075	NEW	83-13-044
137-48-020	NEW-P	83-17-135	139-20-010	REP-C	83-04-008	154-04-090	AMD-E	83-09-020
137-48-020	NEW	83-20-036	139-20-010	REP-E	83-04-012	154-04-090	AMD-P	83-09-021
137-48-020	NEW-E	83-20-037	139-20-020	REP	83-07-044	154-04-090	AMD-C	83-10-050
137-48-030	NEW-P	83-02-048	139-20-020	NEW-C	83-04-007	154-04-090	AMD	83-13-044
137-48-030	NEW-E	83-02-050	139-20-020	NEW-E	83-04-013	154-04-100	AMD-E	83-09-020
137-48-030	NEW-W	83-08-007	139-20-020	NEW	83-07-045	154-04-100	AMD-P	83-09-021
137-48-030	NEW-E	83-08-063	140-08-010	NEW-P	83-02-053	154-04-100	AMD-C	83-10-050
137-48-030	NEW-E	83-15-004	140-08-010	NEW	83-06-034	154-04-100	AMD	83-13-044
137-48-030	NEW-P	83-17-135	140-08-020	NEW-P	83-02-053	154-12-010	AMD-E	83-09-020
137-48-030	NEW	83-20-036	140-08-020	NEW	83-06-034	154-12-010	AMD-P	83-09-021
137-48-030	NEW-E	83-20-037	140-08-030	NEW-P	83-02-053	154-12-010	AMD-C	83-10-050
137-48-040	NEW-P	83-02-048	140-08-030	NEW	83-06-034	154-12-010	AMD	83-13-044
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137-48-040	NEW-E	83-15-004	140-08-050	NEW	83-06-034	154-12-015	NEW	83-13-044
137-48-040	NEW-P	83-17-135	140-08-060	NEW-P	83-02-053	154-12-020	AMD-E	83-09-020
137-48-040	NEW	83-20-036	140-08-060	NEW	83-06-034	154-12-020	AMD-P	83-09-021
137-48-040	NEW-E	83-20-037	140-08-070	NEW-P	83-02-053	154-12-020	AMD-C	83-10-050
137-48-050	NEW-P	83-02-048	140-08-070	NEW	83-06-034	154-12-020	AMD	83-13-044
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137-48-050	NEW-E	83-15-004	140-08-090	NEW	83-06-034	154-12-030	AMD	83-13-044
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137-48-050	NEW	83-20-036	140-08-100	NEW	83-06-034	154-12-090	AMD-P	83-09-021
137-48-050	NEW-E	83-20-037	140-08-110	NEW-P	83-02-053	154-12-090	AMD-C	83-10-050
137-48-060	NEW-P	83-02-048	140-08-110	NEW	83-06-034	154-12-090	AMD	83-13-044
137-48-060	NEW-E	83-02-050	140-12-010	NEW-P	83-02-054	154-12-100	AMD-E	83-09-020
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154-12-105	NEW-P 83-09-021	173-19-190	AMD-P 83-10-061	173-134-085	REP 83-12-060
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154-12-105	NEW 83-13-044	173-19-190	AMD 83-17-032	173-134-090	REP 83-12-060
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154-12-110	AMD-P 83-09-021	173-19-2208	AMD-C 83-17-113	173-134-100	REP 83-12-060
154-12-110	AMD-C 83-10-050	173-19-2208	AMD-C 83-20-059	173-134-110	REP-P 83-07-079
154-12-110	AMD 83-13-044	173-19-2208	AMD 83-21-019	173-134-110	REP 83-12-060
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154-16-010	AMD-P 83-09-021	173-19-240	AMD 83-14-086	173-134-120	REP 83-12-060
154-16-010	AMD-C 83-10-050	173-19-2503	AMD-P 83-02-065	173-134-130	REP-P 83-07-079
154-16-010	AMD 83-13-044	173-19-2503	AMD 83-07-080	173-134-130	REP 83-12-060
154-16-020	AMD-E 83-09-020	173-19-2505	AMD-P 83-02-064	173-134-140	REP-P 83-07-079
154-16-020	AMD-P 83-09-021	173-19-2505	AMD-P 83-03-069	173-134-140	REP 83-12-060
154-16-020	AMD-C 83-10-050	173-19-2505	AMD 83-07-019	173-134-160	REP-P 83-07-079
154-16-020	AMD 83-13-044	173-19-2521	AMD-P 83-02-065	173-134-160	REP 83-12-060
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154-20-010	AMD 83-13-044	173-19-2521	AMD-C 83-12-016	173-134A-020	NEW 83-12-060
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154-20-020	AMD-P 83-09-021	173-19-2521	AMD-C 83-14-011	173-134A-030	NEW 83-12-060
154-20-020	AMD-C 83-10-050	173-19-2521	AMD 83-15-014	173-134A-040	NEW-P 83-07-079
154-20-020	AMD 83-13-044	173-19-2521	AMD-P 83-17-114	173-134A-040	NEW 83-12-060
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154-48-010	AMD-C 83-10-050	173-19-260	AMD 83-08-002	173-134A-060	NEW-P 83-07-079
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154-68-020	AMD-C 83-10-050	173-19-3508	AMD 83-12-017	173-134A-080	NEW-P 83-07-079
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172-129-020	REP-P 83-14-021	173-19-3908	AMD-P 83-22-080	173-134A-120	NEW 83-12-060
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172-129-036	REP-P 83-14-021	173-44-010	NEW-P 83-15-044	173-134A-140	NEW 83-12-060
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172-129-050	REP-P 83-14-021	173-44-020	NEW 83-18-020	173-134A-160	NEW-P 83-07-079
172-129-060	REP-P 83-14-021	173-44-030	NEW-P 83-15-044	173-134A-160	NEW 83-12-060
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172-156-050	REP-P 83-20-078	173-134-030	REP-P 83-07-079	173-216-130	NEW-P 83-17-111
172-156-060	REP-P 83-20-078	173-134-030	REP 83-12-060	173-216-140	NEW-P 83-17-111
172-156-070	REP-P 83-20-078	173-134-040	REP-P 83-07-079	173-220	REVIEW 83-13-028
172-156-080	REP-P 83-20-078	173-134-040	REP 83-12-060	173-220-090	AMD-P 83-07-078
172-325	NEW-P 83-20-078	173-134-050	REP-P 83-07-079	173-220-090	AMD 83-10-063
173-15-010	NEW-P 83-21-096	173-134-050	REP 83-12-060	173-240-010	AMD-P 83-17-134
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173-19-1104	AMD 83-14-003	173-134-070	REP-P 83-07-079	173-240-050	AMD-P 83-17-134
173-19-1104	AMD-P 83-22-080	173-134-070	REP 83-12-060	173-240-060	AMD-P 83-17-134

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173-240-075	NEW-P	83-17-134	173-303-395	AMD-P	83-21-090	173-400-070	AMD	83-09-036
173-240-080	AMD-P	83-17-134	173-303-400	AMD-P	83-21-090	173-400-075	AMD-P	83-03-070
173-240-090	AMD-P	83-17-134	173-303-420	NEW-P	83-21-090	173-400-075	AMD	83-09-036
173-240-095	NEW-P	83-17-134	173-303-430	NEW-P	83-21-090	173-400-080	REP-P	83-03-070
173-240-100	AMD-P	83-17-134	173-303-440	NEW-P	83-21-090	173-400-080	REP	83-09-036
173-240-104	NEW-P	83-17-134	173-303-500	AMD-P	83-21-090	173-400-090	REP-P	83-03-070
173-240-105	REP-P	83-17-134	173-303-505	NEW-P	83-21-090	173-400-090	REP	83-09-036
173-240-110	AMD-P	83-17-134	173-303-510	AMD-P	83-21-090	173-400-100	AMD-P	83-03-070
173-240-120	AMD-P	83-17-134	173-303-515	NEW-P	83-21-090	173-400-100	AMD	83-09-036
173-240-130	AMD-P	83-17-134	173-303-520	AMD-P	83-21-090	173-400-110	AMD-P	83-03-070
173-240-140	AMD-P	83-17-134	173-303-550	NEW-P	83-21-090	173-400-110	AMD	83-09-036
173-240-150	AMD-P	83-17-134	173-303-560	NEW-P	83-21-090	173-400-115	AMD-P	83-03-070
173-240-160	AMD-P	83-17-134	173-303-575	AMD-P	83-21-090	173-400-115	AMD	83-09-036
173-240-170	AMD-P	83-17-134	173-303-600	AMD-P	83-21-090	173-400-120	AMD-P	83-03-070
173-240-180	AMD-P	83-17-134	173-303-610	AMD-P	83-21-090	173-400-120	AMD	83-09-036
173-301	AMD-C	83-03-068	173-303-620	AMD-P	83-21-090	173-400-130	REP-P	83-03-070
173-301	AMD	83-09-017	173-303-630	AMD-P	83-21-090	173-400-130	REP	83-09-036
173-301	REVIEW	83-13-028	173-303-640	AMD-P	83-21-090	173-400-135	REP-P	83-03-070
173-301-110	AMD	83-09-017	173-303-645	NEW-P	83-21-090	173-400-135	REP	83-09-036
173-301-180	AMD	83-09-017	173-303-650	AMD-P	83-21-090	173-400-140	REP-P	83-03-070
173-301-181	AMD	83-09-017	173-303-655	NEW-P	83-21-090	173-400-140	REP	83-09-036
173-301-320	NEW	83-09-017	173-303-660	AMD-P	83-21-090	173-400-140	REP-P	83-03-070
173-303	REVIEW	83-13-028	173-303-665	NEW-P	83-21-090	173-400-150	REP-P	83-09-036
173-303-010	AMD-P	83-21-090	173-303-670	AMD-P	83-21-090	173-400-150	REP	83-03-070
173-303-016	NEW-P	83-21-090	173-303-700	AMD-P	83-21-090	173-400-160	REP-P	83-03-070
173-303-017	NEW-P	83-21-090	173-303-800	AMD-P	83-21-090	173-400-160	REP	83-09-036
173-303-020	AMD-P	83-21-090	173-303-801	AMD-P	83-21-090	173-400-170	REP-P	83-03-070
173-303-030	AMD-P	83-21-090	173-303-802	NEW-P	83-21-090	173-400-170	REP	83-09-036
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173-303-045	AMD-P	83-21-090	173-303-805	AMD-P	83-21-090	173-403	REVIEW	83-13-028
173-303-050	AMD-P	83-21-090	173-303-806	NEW-P	83-21-090	173-403	AMD-C	83-16-020
173-303-060	AMD-P	83-21-090	173-303-807	NEW-P	83-21-090	173-403-010	NEW-P	83-03-070
173-303-070	AMD-P	83-21-090	173-303-808	NEW-P	83-21-090	173-403-010	NEW	83-09-013
173-303-071	AMD-P	83-21-090	173-303-810	NEW-P	83-21-090	173-403-020	NEW-P	83-03-070
173-303-072	NEW-P	83-21-090	173-303-815	AMD-P	83-21-090	173-403-020	NEW	83-09-013
173-303-075	AMD-P	83-21-090	173-303-820	AMD-P	83-21-090	173-403-030	NEW-P	83-03-070
173-303-081	AMD-P	83-21-090	173-303-825	AMD-P	83-21-090	173-403-030	NEW	83-09-013
173-303-082	AMD-P	83-21-090	173-303-830	AMD-P	83-21-090	173-403-030	AMD-P	83-13-118
173-303-084	AMD-P	83-21-090	173-303-910	AMD-P	83-21-090	173-403-030	AMD	83-18-010
173-303-090	AMD-P	83-21-090	173-303-950	NEW-P	83-21-090	173-403-050	NEW-P	83-03-070
173-303-100	AMD-P	83-21-090	173-303-9901	AMD-P	83-21-090	173-403-050	NEW	83-09-013
173-303-101	AMD-P	83-21-090	173-303-9903	AMD-P	83-21-090	173-403-050	AMD-P	83-13-118
173-303-102	AMD-P	83-21-090	173-303-9904	AMD-P	83-21-090	173-403-050	AMD	83-18-010
173-303-103	AMD-P	83-21-090	173-303-9905	AMD-P	83-21-090	173-403-060	NEW-P	83-13-118
173-303-104	AMD-P	83-21-090	173-305-010	NEW-P	83-22-079	173-403-060	NEW	83-18-010
173-303-110	AMD-P	83-21-090	173-305-015	NEW-P	83-22-079	173-403-070	NEW-P	83-13-118
173-303-120	AMD-P	83-21-090	173-305-020	NEW-P	83-22-079	173-403-070	NEW	83-18-010
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173-303-140	AMD-P	83-21-090	173-305-040	NEW-P	83-22-079	173-403-075	NEW	83-18-010
173-303-141	AMD-P	83-21-090	173-305-050	NEW-P	83-22-079	173-403-080	NEW-P	83-13-118
173-303-145	AMD-P	83-21-090	173-305-060	NEW-P	83-22-079	173-403-080	NEW	83-18-010
173-303-160	AMD-P	83-21-090	173-305-070	NEW-P	83-22-079	173-403-090	NEW-P	83-13-118
173-303-161	NEW-P	83-21-090	173-305-080	NEW-P	83-22-079	173-403-090	NEW	83-18-010
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173-303-180	AMD-P	83-21-090	173-310	REVIEW	83-13-028	173-403-100	NEW	83-09-013
173-303-190	AMD-P	83-21-090	173-320-010	NEW	83-12-062	173-403-110	NEW-P	83-03-070
173-303-200	AMD-P	83-21-090	173-320-020	NEW	83-12-062	173-403-110	NEW	83-09-013
173-303-210	AMD-P	83-21-090	173-320-030	NEW	83-12-062	173-403-110	AMD-P	83-13-118
173-303-220	AMD-P	83-21-090	173-320-040	NEW	83-12-062	173-403-120	AMD	83-18-010
173-303-230	AMD-P	83-21-090	173-320-050	NEW	83-12-062	173-403-120	NEW-P	83-03-070
173-303-240	AMD-P	83-21-090	173-320-060	NEW	83-12-062	173-403-120	NEW	83-09-013
173-303-250	AMD-P	83-21-090	173-320-070	NEW	83-12-062	173-403-130	NEW-P	83-03-070
173-303-260	AMD-P	83-21-090	173-320-080	NEW	83-12-062	173-403-130	NEW	83-09-013
173-303-270	AMD-P	83-21-090	173-400	REVIEW	83-13-028	173-403-140	NEW-P	83-03-070
173-303-275	AMD-P	83-21-090	173-400-010	AMD-P	83-03-070	173-403-140	NEW	83-09-013
173-303-280	AMD-P	83-21-090	173-400-010	AMD	83-09-036	173-403-150	NEW-P	83-03-070
173-303-290	AMD-P	83-21-090	173-400-020	AMD-P	83-03-070	173-403-150	NEW	83-09-013
173-303-300	AMD-P	83-21-090	173-400-020	AMD	83-09-036	173-403-160	NEW-P	83-03-070
173-303-310	AMD-P	83-21-090	173-400-030	AMD-P	83-03-070	173-403-160	NEW	83-09-013
173-303-320	AMD-P	83-21-090	173-400-030	AMD	83-09-036	173-403-170	NEW-P	83-03-070
173-303-330	AMD-P	83-21-090	173-400-040	AMD-P	83-03-070	173-403-170	NEW	83-09-013
173-303-340	AMD-P	83-21-090	173-400-040	AMD	83-09-036	173-403-180	NEW-P	83-03-070
173-303-350	AMD-P	83-21-090	173-400-050	AMD	83-03-070	173-403-180	NEW	83-09-013
173-303-360	AMD-P	83-21-090	173-400-050	AMD	83-09-036	173-403-190	NEW-P	83-03-070
173-303-370	AMD-P	83-21-090	173-400-060	AMD-P	83-03-070	173-403-190	NEW	83-09-013
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173-405-021	AMD	83-09-036	173-514-060	NEW-P	83-19-070	174-107-340	NEW	83-16-009
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173-405-035	NEW	83-18-010	173-531A	REVIEW	83-13-028	174-107-360	NEW	83-16-009
173-405-040	AMD-P	83-03-070	173-545	NEW-C	83-10-062	174-107-370	NEW-P	83-11-018
173-405-040	AMD	83-09-036	173-545-010	NEW-P	83-09-053	174-107-370	NEW	83-16-009
173-405-061	AMD-P	83-03-070	173-545-010	NEW	83-13-016	174-107-380	NEW-P	83-11-018
173-405-061	AMD	83-09-036	173-545-020	NEW-P	83-09-053	174-107-380	NEW	83-16-009
173-405-077	AMD-P	83-03-070	173-545-020	NEW	83-13-016	174-107-400	NEW-P	83-11-018
173-405-077	AMD	83-09-036	173-545-030	NEW-P	83-09-053	174-107-400	NEW	83-16-009
173-405-078	AMD-P	83-03-070	173-545-030	NEW	83-13-016	174-107-410	NEW-P	83-11-018
173-405-078	AMD	83-09-036	173-545-040	NEW-P	83-09-053	174-107-410	NEW	83-16-009
173-405-086	AMD-P	83-03-070	173-545-040	NEW	83-13-016	174-107-420	NEW-P	83-11-018
173-405-086	AMD	83-09-036	173-545-050	NEW-P	83-09-053	174-107-420	NEW	83-16-009
173-405-090	REP-P	83-03-070	173-545-050	NEW	83-13-016	174-107-430	NEW-P	83-11-018
173-405-090	REP	83-09-036	173-545-060	NEW-P	83-09-053	174-107-430	NEW	83-16-009
173-405-101	REP-P	83-03-070	173-545-060	NEW	83-13-016	174-107-440	NEW-P	83-11-018
173-405-101	REP	83-09-036	173-545-070	NEW-P	83-09-053	174-107-440	NEW	83-16-009
173-410	REVIEW	83-13-028	173-545-070	NEW	83-13-016	174-107-450	NEW-P	83-11-018
173-410	AMD-C	83-16-020	173-545-080	NEW-P	83-09-053	174-107-450	NEW	83-16-009
173-410-021	AMD-P	83-03-070	173-545-080	NEW	83-13-016	174-107-460	NEW-P	83-11-018
173-410-021	AMD	83-09-036	173-545-090	NEW-P	83-09-053	174-107-460	NEW	83-16-009
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173-410-040	AMD-P	83-03-070	173-545-100	NEW	83-13-016	174-107-500	NEW-P	83-11-018
173-410-040	AMD	83-09-036	173-563	REVIEW	83-13-028	174-107-500	NEW	83-16-009
173-410-067	AMD-P	83-03-070	173-801	REVIEW	83-13-028	174-107-510	NEW-P	83-11-018
173-410-067	AMD	83-09-036	174-107-100	NEW-P	83-11-018	174-107-510	NEW	83-16-009
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173-410-071	AMD	83-09-036	174-107-110	NEW-P	83-11-018	174-107-520	NEW	83-16-009
173-410-086	AMD-P	83-03-070	174-107-110	NEW	83-16-009	174-107-530	NEW-P	83-11-018
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173-410-090	REP-P	83-03-070	174-107-120	NEW	83-16-009	174-107-540	NEW-P	83-11-018
173-410-090	REP	83-09-036	174-107-130	NEW-P	83-11-018	174-107-540	NEW	83-16-009
173-410-091	REP-P	83-03-070	174-107-130	NEW	83-16-009	174-107-550	NEW-P	83-11-018
173-410-091	REP	83-09-036	174-107-140	NEW-P	83-11-018	174-107-550	NEW	83-16-009
173-415	REVIEW	83-13-028	174-107-140	NEW	83-16-009	174-108-010	REP-P	83-16-022
173-415-020	AMD-P	83-03-070	174-107-150	NEW-P	83-11-018	174-108-020	REP-P	83-16-022
173-415-020	AMD	83-09-036	174-107-150	NEW	83-16-009	174-108-030	REP-P	83-16-022
173-415-030	AMD-P	83-03-070	174-107-160	NEW-P	83-11-018	174-108-041	REP-P	83-16-022
173-415-030	AMD	83-09-036	174-107-160	NEW	83-16-009	174-108-051	REP-P	83-16-022
173-415-050	AMD-P	83-03-070	174-107-170	NEW-P	83-11-018	174-108-06001	REP-P	83-16-022
173-415-050	AMD	83-09-036	174-107-170	NEW	83-16-009	174-108-06003	REP-P	83-16-022
173-415-070	AMD-P	83-03-070	174-107-180	NEW-P	83-11-018	174-108-06005	REP-P	83-16-022
173-415-070	AMD	83-09-036	174-107-180	NEW	83-16-009	174-108-06007	REP-P	83-16-022
173-415-080	AMD-P	83-03-070	174-107-180	NEW	83-11-018	174-108-06009	REP-P	83-16-022
173-415-080	AMD	83-09-036	174-107-190	NEW	83-16-009	174-108-06011	REP-P	83-16-022
173-415-090	REP-P	83-03-070	174-107-190	NEW	83-11-018	174-108-07001	REP-P	83-16-022
173-415-090	REP	83-09-036	174-107-200	NEW-P	83-16-009	174-109-010	NEW-P	83-17-137
173-422-010	AMD-P	83-18-059	174-107-200	NEW	83-11-018	174-109-010	NEW-C	83-21-052
173-422-020	AMD-P	83-18-059	174-107-210	NEW	83-16-009	174-109-010	NEW-C	83-22-038
173-422-030	AMD-P	83-18-059	174-107-210	NEW	83-11-018	174-109-020	NEW-P	83-17-137
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173-422-050	AMD-P	83-18-059	174-107-220	NEW	83-11-018	174-109-020	NEW-C	83-22-038
173-422-060	AMD-P	83-18-059	174-107-230	NEW-P	83-16-009	174-109-030	NEW-P	83-17-137
173-422-070	AMD-P	83-18-059	174-107-230	NEW	83-11-018	174-109-030	NEW-C	83-21-052
173-422-080	AMD-P	83-18-059	174-107-240	NEW	83-16-009	174-109-030	NEW-C	83-22-038
173-422-090	AMD-P	83-18-059	174-107-240	NEW	83-11-018	174-109-040	NEW-P	83-17-137
173-422-100	AMD-P	83-18-059	174-107-250	NEW-P	83-16-009	174-109-040	NEW-C	83-21-052
173-422-120	AMD-P	83-18-059	174-107-250	NEW	83-11-018	174-109-040	NEW-C	83-22-038
173-422-140	AMD-P	83-18-059	174-107-260	NEW-P	83-16-009	174-109-050	NEW-P	83-17-137
173-422-145	NEW-P	83-18-059	174-107-260	NEW	83-11-018	174-109-050	NEW-C	83-21-052
173-422-160	AMD-P	83-18-059	174-107-270	NEW-P	83-16-009	174-109-050	NEW-C	83-22-038
173-422-170	AMD-P	83-18-059	174-107-270	NEW	83-11-018	174-109-060	NEW-P	83-17-137
173-422-175	NEW-P	83-18-059	174-107-280	NEW-P	83-16-009	174-109-060	NEW-C	83-21-052
173-490	REVIEW	83-13-028	174-107-280	NEW	83-11-018	174-109-060	NEW-C	83-22-038
173-508	REVIEW	83-13-028	174-107-290	NEW-P	83-16-009	174-109-070	NEW-P	83-17-137
173-509	REVIEW	83-13-028	174-107-290	NEW	83-11-018	174-109-070	NEW-C	83-21-052
173-510	REVIEW	83-13-028	174-107-300	NEW-P	83-16-009	174-109-070	NEW-C	83-22-038
173-512	REVIEW	83-13-028	174-107-300	NEW	83-11-018	174-109-080	NEW-P	83-17-137
173-513	REVIEW	83-13-028	174-107-310	NEW-P	83-16-009	174-109-080	NEW-C	83-21-052
173-514-010	NEW-P	83-19-070	174-107-310	NEW	83-11-018	174-109-080	NEW-C	83-22-038
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174-109-100	NEW-C	83-22-038	174-116-135	REP-P	83-16-083	180-16-225	AMD-P	83-08-043
174-109-200	NEW-P	83-17-137	174-116-135	REP	83-20-016	180-16-225	AMD	83-13-002
174-109-200	NEW-C	83-21-052	174-116-140	REP-P	83-16-083	180-22-250	AMD-P	83-13-097
174-109-200	NEW-C	83-22-038	174-116-140	REP	83-20-016	180-22-255	AMD-P	83-13-097
174-109-300	NEW-P	83-17-137	174-116-150	REP-P	83-16-083	180-22-265	AMD-P	83-13-097
174-109-300	NEW-C	83-21-052	174-116-150	REP	83-20-016	180-22-270	AMD-P	83-13-097
174-109-300	NEW-C	83-22-038	174-116-160	REP-P	83-16-083	180-22-275	AMD-P	83-13-097
174-109-300	NEW-C	83-17-137	174-116-160	REP	83-20-016	180-22-285	AMD-P	83-13-097
174-109-400	NEW-C	83-21-052	174-116-170	REP-P	83-16-083	180-22-290	AMD-P	83-13-097
174-109-400	NEW-C	83-22-038	174-116-170	REP	83-20-016	180-22-295	AMD-P	83-13-097
174-109-500	NEW-P	83-17-137	174-116-180	REP-P	83-16-083	180-25-005	NEW-P	83-17-125
174-109-500	NEW-C	83-21-052	174-116-180	REP	83-20-016	180-25-005	NEW	83-21-064
174-109-500	NEW-C	83-22-038	174-116-260	NEW-P	83-16-083	180-25-010	NEW-P	83-17-125
174-109-600	NEW-P	83-17-137	174-116-260	NEW	83-20-016	180-25-010	NEW	83-21-064
174-109-600	NEW-C	83-21-052	174-124-020	REP-P	83-16-022	180-25-015	NEW-P	83-17-125
174-109-600	NEW-C	83-22-038	174-124-030	REP-P	83-16-022	180-25-015	NEW	83-21-064
174-116	AMD-P	83-16-083	174-124-040	REP-P	83-16-022	180-25-020	NEW-P	83-17-125
174-116-010	AMD-P	83-16-083	174-124-050	REP-P	83-16-022	180-25-020	NEW	83-21-064
174-116-010	AMD	83-20-016	174-124-120	REP-P	83-16-022	180-25-025	NEW-P	83-17-125
174-116-011	NEW-P	83-16-083	174-136-015	AMD	83-05-034	180-25-025	NEW	83-21-064
174-116-011	NEW	83-20-016	174-136-016	AMD	83-05-034	180-25-030	NEW-P	83-17-125
174-116-020	AMD-P	83-16-083	174-136-018	AMD	83-05-034	180-25-030	NEW	83-21-064
174-116-020	AMD	83-20-016	174-136-019	AMD	83-05-034	180-25-035	NEW-P	83-17-125
174-116-030	AMD-P	83-16-083	174-148-010	REP-P	83-17-137	180-25-035	NEW	83-21-064
174-116-030	AMD	83-20-016	174-148-010	REP-C	83-21-052	180-25-040	NEW-P	83-17-125
174-116-040	AMD-P	83-16-083	174-148-010	REP-C	83-22-038	180-25-040	NEW	83-21-064
174-116-040	AMD	83-20-016	174-148-015	REP-P	83-17-137	180-25-045	NEW-P	83-17-125
174-116-041	NEW-P	83-16-083	174-148-015	REP-C	83-21-052	180-25-045	NEW	83-21-064
174-116-041	NEW	83-20-016	174-148-015	REP-C	83-22-038	180-25-050	NEW-P	83-17-125
174-116-042	NEW-P	83-16-083	174-148-030	REP-P	83-17-137	180-25-050	NEW	83-21-064
174-116-042	NEW	83-20-016	174-148-030	REP-C	83-21-052	180-26-005	NEW-P	83-17-126
174-116-043	NEW-P	83-16-083	174-148-030	REP-C	83-22-038	180-26-005	NEW	83-21-065
174-116-043	NEW	83-20-016	174-148-040	REP-P	83-17-137	180-26-010	NEW-P	83-17-126
174-116-044	NEW-P	83-16-083	174-148-040	REP-C	83-21-052	180-26-010	NEW	83-21-065
174-116-044	NEW	83-20-016	174-148-040	REP-C	83-22-038	180-26-015	NEW-P	83-17-126
174-116-045	NEW-P	83-16-083	174-148-050	REP-P	83-17-137	180-26-015	NEW	83-21-065
174-116-045	NEW	83-20-016	174-148-050	REP-C	83-21-052	180-26-020	NEW-P	83-17-126
174-116-046	NEW-P	83-16-083	174-148-050	REP-C	83-22-038	180-26-020	NEW	83-21-065
174-116-046	NEW	83-20-016	174-148-060	REP-P	83-17-137	180-26-025	NEW-P	83-17-126
174-116-050	AMD-P	83-16-083	174-148-060	REP-C	83-21-052	180-26-025	NEW	83-21-065
174-116-050	AMD	83-20-016	174-148-060	REP-C	83-22-038	180-26-030	NEW-P	83-17-126
174-116-060	AMD-P	83-16-083	174-148-070	REP-P	83-17-137	180-26-030	NEW	83-21-065
174-116-060	AMD	83-20-016	174-148-070	REP-C	83-21-052	180-26-035	NEW-P	83-17-126
174-116-070	AMD-P	83-16-083	174-148-080	REP-P	83-22-038	180-26-040	NEW-P	83-17-126
174-116-070	AMD	83-20-016	174-148-080	REP-C	83-17-137	180-26-040	NEW	83-21-065
174-116-071	NEW-P	83-16-083	174-148-080	REP-C	83-21-052	180-27-005	NEW-P	83-17-127
174-116-071	NEW	83-20-016	174-148-080	REP-C	83-22-038	180-27-005	NEW	83-21-066
174-116-072	NEW-P	83-16-083	174-148-085	REP-P	83-17-137	180-27-010	NEW-P	83-17-127
174-116-072	NEW	83-20-016	174-148-085	REP-C	83-21-052	180-27-010	NEW	83-21-066
174-116-080	AMD-P	83-16-083	174-148-085	REP-C	83-22-038	180-27-015	NEW-P	83-17-127
174-116-080	AMD	83-20-016	174-148-090	REP-P	83-17-137	180-27-015	NEW	83-21-066
174-116-090	REP-P	83-16-083	174-148-090	REP-C	83-21-052	180-27-020	NEW-P	83-17-127
174-116-090	REP	83-20-016	174-148-090	REP-C	83-22-038	180-27-020	NEW	83-21-066
174-116-091	NEW-P	83-16-083	174-148-100	REP-P	83-17-137	180-27-025	NEW-P	83-17-127
174-116-091	NEW	83-20-016	174-148-100	REP-C	83-21-052	180-27-025	NEW	83-21-066
174-116-092	NEW-P	83-16-083	174-148-100	REP-C	83-22-038	180-27-030	NEW-P	83-17-127
174-116-092	NEW	83-20-016	174-148-110	REP-P	83-17-137	180-27-030	NEW	83-21-066
174-116-105	REP-P	83-16-083	174-148-110	REP-C	83-21-052	180-27-035	NEW-P	83-17-127
174-116-105	REP	83-20-016	174-148-110	REP-C	83-22-038	180-27-035	NEW	83-21-066
174-116-115	REP-P	83-16-083	174-148-120	REP-P	83-17-137	180-27-040	NEW-P	83-17-127
174-116-115	REP	83-20-016	174-148-120	REP-C	83-21-052	180-27-040	NEW	83-21-066
174-116-119	NEW-P	83-16-083	174-148-120	REP-C	83-22-038	180-27-045	NEW-P	83-17-127
174-116-119	NEW	83-20-016	174-162-300	AMD-P	83-08-004	180-27-045	NEW	83-21-066
174-116-121	NEW-P	83-16-083	174-162-300	AMD	83-12-001	180-27-050	NEW-P	83-17-127
174-116-121	NEW	83-20-016	174-162-305	AMD-P	83-08-004	180-27-050	NEW	83-21-066
174-116-122	NEW-P	83-16-083	174-162-305	AMD	83-12-001	180-27-055	NEW-P	83-17-127
174-116-122	NEW	83-20-016	180-08-003	NEW-P	83-17-124	180-27-055	NEW	83-21-066
174-116-123	NEW-P	83-16-083	180-08-003	NEW	83-21-063	180-27-057	NEW-P	83-17-127
174-116-123	NEW	83-20-016	180-08-005	AMD-P	83-17-124	180-27-057	NEW	83-21-066
174-116-124	NEW-P	83-16-083	180-08-005	AMD	83-21-063	180-27-060	NEW-P	83-17-127
174-116-124	NEW	83-20-016	180-10-003	AMD-P	83-05-038	180-27-060	NEW	83-21-066
174-116-125	AMD-P	83-16-083	180-10-003	AMD	83-08-016	180-27-065	NEW-P	83-17-127
174-116-125	AMD	83-20-016	180-16-166	REP-C	83-05-023	180-27-065	NEW	83-21-066
174-116-126	NEW-P	83-16-083	180-16-166	REP-C	83-08-042	180-27-070	NEW-P	83-17-127
174-116-126	NEW	83-20-016	180-16-166	REP	83-13-004	180-27-070	NEW	83-21-066

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180-27-075	NEW 83-21-066	180-29-145	NEW-P 83-17-128	180-33-045	AMD 83-21-071
180-27-080	NEW-P 83-17-127	180-29-145	NEW 83-21-067	180-33-050	AMD-P 83-17-132
180-27-080	NEW 83-21-066	180-29-150	NEW-P 83-17-128	180-33-050	AMD 83-21-071
180-27-085	NEW-P 83-17-127	180-29-150	NEW 83-21-067	180-33-055	AMD-P 83-17-132
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180-27-095	NEW-P 83-17-127	180-29-160	NEW-P 83-17-128	180-33-060	AMD 83-21-071
180-27-095	NEW 83-21-066	180-29-160	NEW 83-21-067	180-36-005	AMD-P 83-08-044
180-27-100	NEW-P 83-17-127	180-29-165	NEW-P 83-17-128	180-36-005	AMD 83-13-001
180-27-100	NEW 83-21-066	180-29-165	NEW 83-21-067	180-39-005	NEW 83-13-004
180-27-105	NEW-P 83-17-127	180-29-170	NEW-P 83-17-128	180-39-010	NEW 83-13-004
180-27-105	NEW 83-21-066	180-29-170	NEW 83-21-067	180-39-015	NEW 83-13-004
180-27-110	NEW-P 83-17-127	180-30-003	NEW-P 83-17-129	180-39-020	NEW 83-13-004
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180-27-115	NEW-P 83-17-127	180-31-005	NEW-P 83-17-130	180-39-030	NEW 83-13-004
180-27-115	NEW 83-21-066	180-31-005	NEW 83-21-068	180-39-035	NEW 83-13-004
180-27-120	NEW-P 83-17-127	180-31-010	NEW-P 83-17-130	180-42	NEW-C 83-05-023
180-27-120	NEW 83-21-066	180-31-010	NEW 83-21-068	180-42	NEW-C 83-08-042
180-27-125	NEW-P 83-17-127	180-31-015	NEW-P 83-17-130	180-42-005	NEW-C 83-08-042
180-27-125	NEW 83-21-066	180-31-015	NEW 83-21-068	180-42-010	NEW-C 83-08-042
180-29-005	NEW-P 83-17-128	180-31-020	NEW-P 83-17-130	180-42-015	NEW-C 83-08-042
180-29-005	NEW 83-21-067	180-31-020	NEW 83-21-068	180-42-020	NEW-C 83-08-042
180-29-010	NEW-P 83-17-128	180-31-025	NEW-P 83-17-130	180-42-025	NEW-C 83-08-042
180-29-010	NEW 83-21-067	180-31-025	NEW 83-21-068	180-42-030	NEW-C 83-08-042
180-29-015	NEW-P 83-17-128	180-31-030	NEW-P 83-17-130	180-42-035	NEW-C 83-08-042
180-29-015	NEW 83-21-067	180-31-030	NEW 83-21-068	180-52-015	AMD-P 83-13-096
180-29-020	NEW-P 83-17-128	180-31-035	NEW-P 83-17-130	180-52-015	AMD 83-16-049
180-29-020	NEW 83-21-067	180-31-035	NEW 83-21-068	180-52-040	AMD-P 83-13-096
180-29-025	NEW-P 83-17-128	180-31-040	NEW-P 83-17-130	180-52-040	AMD 83-16-049
180-29-025	NEW 83-21-067	180-31-040	NEW 83-21-068	180-52-050	AMD-P 83-13-096
180-29-030	NEW-P 83-17-128	180-32-005	NEW-P 83-17-131	180-52-050	AMD 83-16-049
180-29-030	NEW 83-21-067	180-32-005	NEW 83-21-070	180-52-060	AMD-P 83-13-096
180-29-035	NEW-P 83-17-128	180-32-010	NEW-P 83-17-131	180-52-060	AMD 83-16-049
180-29-035	NEW 83-21-067	180-32-010	NEW 83-21-070	180-52-065	AMD-P 83-13-096
180-29-040	NEW-P 83-17-128	180-32-015	NEW-P 83-17-131	180-52-065	AMD 83-16-049
180-29-040	NEW 83-21-067	180-32-015	NEW 83-21-070	180-56-023	NEW-P 83-08-061
180-29-045	NEW-P 83-17-128	180-32-020	NEW-P 83-17-131	180-56-023	NEW 83-13-005
180-29-045	NEW 83-21-067	180-32-020	NEW 83-21-070	180-90-125	NEW-P 83-17-133
180-29-050	NEW-P 83-17-128	180-32-025	NEW-P 83-17-131	180-90-160	AMD-P 83-17-133
180-29-050	NEW 83-21-067	180-32-025	NEW 83-21-070	180-100-020	REP-P 83-08-045
180-29-055	NEW-P 83-17-128	180-32-030	NEW-P 83-17-131	180-100-020	REP 83-13-003
180-29-055	NEW 83-21-067	180-32-030	NEW 83-21-070	182-08-120	AMD-P 83-18-065
180-29-060	NEW-P 83-17-128	180-32-035	NEW-P 83-17-131	182-08-120	AMD-E 83-18-066
180-29-060	NEW 83-21-067	180-32-035	NEW 83-21-070	182-08-120	AMD-C 83-22-008
180-29-065	NEW-P 83-17-128	180-32-040	NEW-P 83-17-131	182-08-120	AMD 83-22-042
180-29-065	NEW 83-21-067	180-32-040	NEW 83-21-070	182-08-160	AMD-E 83-13-106
180-29-070	NEW-P 83-17-128	180-32-045	NEW-P 83-17-131	182-08-160	AMD-P 83-18-065
180-29-075	NEW-P 83-17-128	180-32-045	NEW 83-21-070	182-08-160	AMD-E 83-19-001
180-29-075	NEW 83-21-067	180-32-050	NEW-P 83-17-131	182-08-160	AMD-C 83-22-008
180-29-080	NEW-P 83-17-128	180-32-050	NEW 83-21-070	182-08-160	AMD 83-22-042
180-29-080	NEW 83-21-067	180-32-055	NEW-P 83-17-131	182-12-115	AMD-E 83-07-065
180-29-085	NEW-P 83-17-128	180-32-055	NEW 83-21-070	182-12-115	AMD-P 83-08-017
180-29-085	NEW 83-21-067	180-32-060	NEW-P 83-17-131	182-12-115	AMD 83-12-007
180-29-090	NEW-P 83-17-128	180-32-060	NEW 83-21-070	182-12-170	REP-P 83-18-065
180-29-090	NEW 83-21-067	180-32-065	NEW-P 83-17-131	182-12-170	REP-E 83-18-066
180-29-095	NEW-P 83-17-128	180-32-065	NEW 83-21-070	182-12-170	REP-C 83-22-008
180-29-095	NEW 83-21-067	180-32-070	NEW-P 83-17-131	182-12-170	REP 83-22-042
180-29-100	NEW-P 83-17-128	180-32-070	NEW 83-21-070	187-10-210	REP-P 83-06-054
180-29-100	NEW 83-21-067	180-33-005	AMD-P 83-17-132	187-10-220	REP-P 83-06-054
180-29-105	NEW-P 83-17-128	180-33-005	AMD 83-21-071	187-10-230	REP-P 83-06-054
180-29-105	NEW 83-21-067	180-33-007	NEW-P 83-17-132	187-10-240	REP-P 83-06-054
180-29-107	NEW-P 83-17-128	180-33-007	NEW 83-21-071	187-10-250	REP-P 83-06-054
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180-29-110	NEW-P 83-17-128	180-33-010	AMD 83-21-071	187-10-270	REP-P 83-06-054
180-29-110	NEW 83-21-067	180-33-015	AMD-P 83-17-132	187-10-280	REP-P 83-06-054
180-29-115	NEW-P 83-17-128	180-33-015	AMD 83-21-071	187-10-290	REP-P 83-06-054
180-29-115	NEW 83-21-067	180-33-020	AMD-P 83-17-132	187-10-300	REP-P 83-06-054
180-29-120	NEW-P 83-17-128	180-33-020	AMD 83-21-071	187-10-310	REP-P 83-06-054
180-29-120	NEW 83-21-067	180-33-025	AMD-P 83-17-132	187-10-320	REP-P 83-06-054
180-29-125	NEW-P 83-17-128	180-33-025	AMD 83-21-071	187-10-500	REP-P 83-06-054
180-29-125	NEW 83-21-067	180-33-030	AMD-P 83-17-132	192-12-025	AMD-P 83-20-065
180-29-130	NEW-P 83-17-128	180-33-030	AMD 83-21-071	192-12-025	AMD-E 83-20-066
180-29-130	NEW 83-21-067	180-33-035	AMD-P 83-17-132	192-20-010	AMD-P 83-21-083
180-29-135	NEW-P 83-17-128	180-33-035	AMD 83-21-071	194-16	REP-C 83-17-112
180-29-135	NEW 83-21-067	180-33-040	AMD-P 83-17-132	194-16-010	REP-P 83-15-044
180-29-140	NEW-P 83-17-128	180-33-040	AMD 83-21-071	194-16-010	REP 83-18-020

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197-11-99060	NEW-P 83-17-116	197-11-99380	NEW-W 83-22-081	212-43-095	NEW 83-03-028
197-11-99060	NEW-W 83-22-081	197-11-99444	NEW-P 83-17-116	212-43-100	NEW 83-03-028
197-11-99065	NEW-P 83-17-116	197-11-99444	NEW-W 83-22-081	212-43-105	NEW 83-03-028
197-11-99065	NEW-W 83-22-081	204-10-020	AMD-P 83-07-013	212-43-110	NEW 83-03-028
197-11-99070	NEW-P 83-17-116	204-10-020	AMD 83-11-028	212-43-115	NEW 83-03-028
197-11-99070	NEW-W 83-22-081	204-10-055	NEW-P 83-17-079	212-43-120	NEW 83-03-028
197-11-99075	NEW-P 83-17-116	204-10-055	NEW 83-21-080	212-43-125	NEW 83-03-028
197-11-99075	NEW-W 83-22-081	204-24-030	AMD-E 83-03-014	212-43-130	NEW 83-03-028
197-11-99080	NEW-P 83-17-116	204-24-030	AMD-P 83-17-079	212-43-135	NEW 83-03-028
197-11-99080	NEW-W 83-22-081	204-24-030	AMD 83-21-080	212-45-001	NEW-P 83-03-027
197-11-99090	NEW-P 83-17-116	204-24-040	AMD-E 83-03-014	212-45-001	NEW 83-06-022
197-11-99090	NEW-W 83-22-081	204-24-040	AMD-P 83-17-079	212-45-005	NEW-P 83-03-027
197-11-99101	NEW-P 83-17-116	204-24-040	AMD 83-21-080	212-45-005	NEW 83-06-022
197-11-99101	NEW-W 83-22-081	204-24-050	AMD-E 83-03-014	212-45-010	NEW-P 83-03-027
197-11-99110	NEW-P 83-17-116	204-24-050	AMD-P 83-17-079	212-45-010	NEW 83-06-022
197-11-99110	NEW-W 83-22-081	204-24-050	AMD 83-21-080	212-45-015	NEW-P 83-03-027
197-11-99120	NEW-P 83-17-116	204-24-070	AMD-E 83-03-014	212-45-015	NEW 83-06-022
197-11-99120	NEW-W 83-22-081	204-24-070	AMD-P 83-17-079	212-45-020	NEW-P 83-03-027
197-11-99122	NEW-P 83-17-116	204-24-070	AMD 83-21-080	212-45-020	NEW 83-06-022
197-11-99122	NEW-W 83-22-081	204-39-030	AMD-P 83-17-078	212-45-025	NEW-P 83-03-027
197-11-99125	NEW-P 83-17-116	204-39-030	AMD 83-21-080	212-45-025	NEW 83-06-022
197-11-99125	NEW-W 83-22-081	204-66-140	AMD-P 83-07-084	212-45-030	NEW-P 83-03-027
197-11-99130	NEW-P 83-17-116	204-66-140	AMD 83-11-028	212-45-030	NEW 83-06-022
197-11-99130	NEW-W 83-22-081	204-76-030	AMD-P 83-17-078	212-45-035	NEW-P 83-03-027
197-11-99140	NEW-P 83-17-116	204-76-030	AMD 83-21-080	212-45-035	NEW 83-06-022
197-11-99140	NEW-W 83-22-081	204-76-040	AMD-P 83-17-078	212-45-040	NEW-P 83-03-027
197-11-99150	NEW-P 83-17-116	204-76-040	AMD 83-21-080	212-45-040	NEW 83-06-022
197-11-99150	NEW-W 83-22-081	204-76-050	AMD-P 83-17-078	212-45-045	NEW-P 83-03-027
197-11-99160	NEW-P 83-17-116	204-76-050	AMD 83-21-080	212-45-045	NEW 83-06-022
197-11-99160	NEW-W 83-22-081	204-76-060	AMD-P 83-17-078	212-45-050	NEW-P 83-03-027
197-11-99170	NEW-P 83-17-116	204-76-060	AMD 83-21-080	212-45-050	NEW 83-06-022
197-11-99170	NEW-W 83-22-081	204-76-070	AMD-P 83-17-078	212-45-055	NEW-P 83-03-027
197-11-99190	NEW-P 83-17-116	204-76-070	AMD 83-21-080	212-45-055	NEW 83-06-022
197-11-99190	NEW-W 83-22-081	204-90	NEW-C 83-05-001	212-45-060	NEW-P 83-03-027
197-11-99201	NEW-P 83-17-116	204-90-010	NEW 83-11-028	212-45-060	NEW 83-06-022
197-11-99201	NEW-W 83-22-081	204-90-020	NEW 83-11-028	212-45-065	NEW-P 83-03-027
197-11-99203	NEW-P 83-17-116	204-90-030	NEW 83-11-028	212-45-065	NEW 83-06-022
197-11-99203	NEW-W 83-22-081	204-90-040	NEW 83-11-028	212-45-070	NEW-P 83-03-027
197-11-99205	NEW-P 83-17-116	204-90-050	NEW 83-11-028	212-45-070	NEW 83-06-022
197-11-99205	NEW-W 83-22-081	204-90-060	NEW 83-11-028	212-45-075	NEW-P 83-03-027
197-11-99210	NEW-P 83-17-116	204-90-070	NEW 83-11-028	212-45-075	NEW 83-06-022
197-11-99210	NEW-W 83-22-081	204-90-080	NEW 83-11-028	212-45-080	NEW-P 83-03-027
197-11-99215	NEW-P 83-17-116	204-90-090	NEW 83-11-028	212-45-080	NEW 83-06-022
197-11-99215	NEW-W 83-22-081	204-90-100	NEW 83-11-028	212-45-085	NEW-P 83-03-027
197-11-99220	NEW-P 83-17-116	204-90-110	NEW 83-11-028	212-45-085	NEW 83-06-022
197-11-99220	NEW-W 83-22-081	204-90-120	NEW 83-11-028	212-45-090	NEW-P 83-03-027
197-11-99222	NEW-P 83-17-116	204-90-130	NEW 83-11-028	212-45-090	NEW 83-06-022
197-11-99222	NEW-W 83-22-081	204-90-140	NEW 83-11-028	212-45-095	NEW-P 83-03-027
197-11-99225	NEW-P 83-17-116	204-92-010	NEW-P 83-17-079	212-45-095	NEW 83-06-022
197-11-99225	NEW-W 83-22-081	204-92-010	NEW 83-21-080	212-45-100	NEW-P 83-03-027
197-11-99230	NEW-P 83-17-116	204-92-020	NEW-P 83-17-079	212-45-100	NEW 83-06-022
197-11-99230	NEW-W 83-22-081	204-92-020	NEW 83-21-080	212-45-105	NEW-P 83-03-027
197-11-99235	NEW-P 83-17-116	204-92-030	NEW-P 83-17-079	212-45-105	NEW 83-06-022
197-11-99235	NEW-W 83-22-081	204-92-030	NEW 83-21-080	212-45-110	NEW-P 83-03-027
197-11-99240	NEW-P 83-17-116	204-92-040	NEW-P 83-17-079	212-45-110	NEW 83-06-022
197-11-99240	NEW-W 83-22-081	204-92-040	NEW 83-21-080	212-45-115	NEW-P 83-03-027
197-11-99245	NEW-P 83-17-116	204-92-050	NEW-P 83-17-079	212-45-115	NEW 83-06-022
197-11-99245	NEW-W 83-22-081	204-92-050	NEW 83-21-080	220-12-001	REP-P 83-20-093
197-11-99260	NEW-P 83-17-116	212-43-001	NEW 83-03-028	220-12-002	REP-P 83-20-093
197-11-99260	NEW-W 83-22-081	212-43-005	NEW 83-03-028	220-12-010	AMD-P 83-20-093
197-11-99270	NEW-P 83-17-116	212-43-010	NEW 83-03-028	220-12-020	AMD-P 83-20-093
197-11-99270	NEW-W 83-22-081	212-43-015	NEW 83-03-028	220-16-028	AMD-P 83-20-093
197-11-99280	NEW-P 83-17-116	212-43-020	NEW 83-03-028	220-16-040	REP-P 83-20-093
197-11-99280	NEW-W 83-22-081	212-43-025	NEW 83-03-028	220-16-040	REP-W 83-22-016
197-11-99290	NEW-P 83-17-116	212-43-030	NEW 83-03-028	220-16-045	REP-P 83-20-093
197-11-99290	NEW-W 83-22-081	212-43-035	NEW 83-03-028	220-16-051	AMD-P 83-20-093
197-11-99325	NEW-P 83-17-116	212-43-040	NEW 83-03-028	220-16-07500A	NEW-E 83-18-052
197-11-99325	NEW-W 83-22-081	212-43-045	NEW 83-03-028	220-16-080	REP-P 83-20-093
197-11-99340	NEW-P 83-17-116	212-43-050	NEW 83-03-028	220-16-080	REP-W 83-22-016
197-11-99340	NEW-W 83-22-081	212-43-055	NEW 83-03-028	220-16-120	REP-P 83-20-093
197-11-99350	NEW-P 83-17-116	212-43-060	NEW 83-03-028	220-16-120	REP-W 83-22-016
197-11-99350	NEW-W 83-22-081	212-43-065	NEW 83-03-028	220-16-125	AMD-P 83-20-093
197-11-99360	NEW-P 83-17-116	212-43-070	NEW 83-03-028	220-16-135	REP-P 83-20-093
197-11-99360	NEW-W 83-22-081	212-43-075	NEW 83-03-028	220-16-200	REP-P 83-20-093
197-11-99370	NEW-P 83-17-116	212-43-080	NEW 83-03-028	220-16-200	REP-W 83-22-016
197-11-99370	NEW-W 83-22-081	212-43-085	NEW 83-03-028	220-16-205	REP-P 83-20-093

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
220-16-205	REP-W	83-22-016	220-28-306	NEW-E	83-16-012	220-30-125	NEW-P	83-20-093
220-16-210	REP-P	83-20-093	220-28-306	REP-E	83-16-027	220-30-125	NEW-W	83-22-016
220-16-210	REP-W	83-22-016	220-28-307	NEW-E	83-16-027	220-30-130	NEW-P	83-20-093
220-16-211	REP-P	83-20-093	220-28-307	REP-E	83-16-044	220-30-130	NEW-W	83-22-016
220-16-211	REP-W	83-22-016	220-28-308	NEW-E	83-16-044	220-30-135	NEW-P	83-20-093
220-16-215	REP-P	83-20-093	220-28-308	REP-E	83-17-002	220-30-135	NEW-W	83-22-016
220-16-215	REP-W	83-22-016	220-28-309	NEW-E	83-17-002	220-30-140	NEW-P	83-20-093
220-16-220	REP-P	83-20-093	220-28-309	REP-E	83-17-017	220-30-140	NEW-W	83-22-016
220-16-220	REP-W	83-22-016	220-28-310	NEW-E	83-17-017	220-30-145	NEW-P	83-20-093
220-16-225	REP-P	83-20-093	220-28-310	REP-E	83-17-042	220-30-145	NEW-W	83-22-016
220-16-225	REP-W	83-22-016	220-28-311	NEW-E	83-17-042	220-30-150	NEW-P	83-20-093
220-16-230	REP-P	83-20-093	220-28-311	REP-E	83-17-052	220-30-150	NEW-W	83-22-016
220-16-230	REP-W	83-22-016	220-28-312	NEW-E	83-17-052	220-30-155	NEW-P	83-20-093
220-16-235	REP-P	83-20-093	220-28-312	REP-E	83-17-076	220-30-155	NEW-W	83-22-016
220-16-235	REP-W	83-22-016	220-28-313	NEW-E	83-17-076	220-30-160	NEW-P	83-20-093
220-16-240	AMD-P	83-20-093	220-28-313	REP-E	83-17-087	220-30-160	NEW-W	83-22-016
220-16-275	REP-P	83-20-093	220-28-314	NEW-E	83-17-087	220-30-165	NEW-P	83-20-093
220-16-275	REP-W	83-22-016	220-28-314	REP-E	83-18-003	220-30-165	NEW-W	83-22-016
220-16-300	REP-P	83-20-093	220-28-315	NEW-E	83-18-003	220-30-170	NEW-P	83-20-093
220-16-300	REP-W	83-22-016	220-28-315	REP-E	83-18-054	220-30-170	NEW-W	83-22-016
220-16-305	REP-P	83-20-093	220-28-316	NEW-E	83-18-054	220-30-175	NEW-P	83-20-093
220-16-305	REP-W	83-22-016	220-28-316	REP-E	83-19-004	220-30-175	NEW-W	83-22-016
220-16-315	AMD-P	83-20-093	220-28-317	NEW-E	83-19-004	220-30-300	NEW-P	83-20-093
220-16-340	AMD-P	83-20-093	220-28-317	REP-E	83-19-010	220-30-300	NEW-W	83-22-016
220-16-380	NEW-P	83-20-093	220-28-318	NEW-E	83-19-010	220-30-310	NEW-P	83-20-093
220-16-380	NEW-W	83-22-016	220-28-318	REP-E	83-19-027	220-30-310	NEW-W	83-22-016
220-20-010	AMD-P	83-20-093	220-28-319	NEW-E	83-19-027	220-30-320	NEW-P	83-20-093
220-20-010	AMD-W	83-22-016	220-28-319	REP-E	83-19-053	220-30-320	NEW-W	83-22-016
220-20-01000I	NEW-E	83-13-027	220-28-320	NEW-E	83-19-053	220-30-330	NEW-P	83-20-093
220-20-015	REP-P	83-20-093	220-28-320	REP-E	83-20-006	220-30-330	NEW-W	83-22-016
220-20-015	REP-W	83-22-016	220-28-321	NEW-E	83-20-006	220-30-370	NEW-P	83-20-093
220-20-016	REP-P	83-20-093	220-28-321	REP-E	83-20-025	220-30-370	NEW-W	83-22-016
220-20-016	REP-W	83-22-016	220-28-322	NEW-E	83-20-025	220-30-400	NEW-P	83-20-093
220-20-02000A	NEW-E	83-18-050	220-28-322	REP-E	83-20-040	220-30-400	NEW-W	83-22-016
220-20-02000A	REP-E	83-21-097	220-28-323	NEW-E	83-20-040	220-30-410	NEW-P	83-20-093
220-22-010	REP-P	83-20-093	220-28-323	REP-E	83-20-068	220-30-410	NEW-W	83-22-016
220-22-010	REP-W	83-22-016	220-28-324	NEW-E	83-20-068	220-30-420	NEW-P	83-20-093
220-22-020	REP-P	83-20-093	220-28-324	REP-E	83-21-017	220-30-420	NEW-W	83-22-016
220-22-020	REP-W	83-22-016	220-28-325	NEW-E	83-21-017	220-30-430	NEW-P	83-20-093
220-22-02000A	NEW-E	83-21-097	220-28-325	REP-E	83-21-023	220-30-430	NEW-W	83-22-016
220-22-030	REP-P	83-20-093	220-28-326	NEW-E	83-21-023	220-30-500	NEW-P	83-20-093
220-22-030	REP-W	83-22-016	220-28-326	REP-E	83-21-032	220-30-500	NEW-W	83-22-016
220-22-400	AMD-P	83-20-093	220-28-327	NEW-E	83-21-032	220-30-510	NEW-P	83-20-093
220-22-410	AMD-P	83-20-093	220-28-327	REP-E	83-21-057	220-30-510	NEW-W	83-22-016
220-24-010	REP-P	83-20-093	220-28-328	NEW-E	83-21-057	220-30-520	NEW-P	83-20-093
220-24-010	REP-W	83-22-016	220-28-328	REP-E	83-21-098	220-30-520	NEW-W	83-22-016
220-24-020	REP-P	83-20-093	220-28-329	NEW-E	83-21-098	220-30-530	NEW-P	83-20-093
220-24-020	REP-W	83-22-016	220-28-329	REP-E	83-22-010	220-30-530	NEW-W	83-22-016
220-24-02000T	NEW-E	83-10-022	220-28-330	NEW-E	83-22-010	220-30-570	NEW-P	83-20-093
220-24-02000T	REP-E	83-10-040	220-28-330	REP-E	83-22-030	220-30-570	NEW-W	83-22-016
220-24-02000U	NEW-E	83-10-040	220-28-331	NEW-E	83-22-030	220-30-575	NEW-P	83-20-093
220-24-02000U	REP-E	83-14-037	220-28-331	REP-E	83-22-047	220-30-575	NEW-W	83-22-016
220-24-02000V	NEW-E	83-14-037	220-28-332	NEW-E	83-22-047	220-30-600	NEW-P	83-20-093
220-24-02000V	REP-E	83-17-013	220-30-010	NEW-P	83-20-093	220-30-600	NEW-W	83-22-016
220-24-02000W	NEW-E	83-17-013	220-30-010	NEW-W	83-22-016	220-30-610	NEW-P	83-20-093
220-24-02000W	REP-E	83-17-044	220-30-020	NEW-P	83-20-093	220-30-610	NEW-W	83-22-016
220-24-02000X	NEW-E	83-17-044	220-30-020	NEW-W	83-22-016	220-30-620	NEW-P	83-20-093
220-24-02000X	REP-E	83-18-007	220-30-050	NEW-P	83-20-093	220-30-620	NEW-W	83-22-016
220-24-02000Y	NEW-E	83-18-007	220-30-050	NEW-W	83-22-016	220-30-700	NEW-P	83-20-093
220-24-030	REP-P	83-20-093	220-30-055	NEW-P	83-20-093	220-30-700	NEW-W	83-22-016
220-24-030	REP-W	83-22-016	220-30-055	NEW-W	83-22-016	220-30-710	NEW-P	83-20-093
220-28-003GOG	NEW-E	83-15-027	220-30-060	NEW-P	83-20-093	220-30-710	NEW-W	83-22-016
220-28-073EOF	NEW-E	83-07-070	220-30-060	NEW-W	83-22-016	220-30-720	NEW-P	83-20-093
220-28-073EOF	REP-E	83-11-015	220-30-065	NEW-P	83-20-093	220-30-720	NEW-W	83-22-016
220-28-073HOA	NEW-E	83-21-021	220-30-065	NEW-W	83-22-016	220-30-800	NEW-P	83-20-093
220-28-073HOA	REP-E	83-22-012	220-30-070	NEW-P	83-20-093	220-30-800	NEW-W	83-22-016
220-28-073HOB	NEW-E	83-22-012	220-30-070	NEW-W	83-22-016	220-30-810	NEW-P	83-20-093
220-28-301	NEW-E	83-09-035	220-30-075	NEW-P	83-20-093	220-30-810	NEW-W	83-22-016
220-28-301	REP-E	83-10-007	220-30-075	NEW-W	83-22-016	220-30-820	NEW-P	83-20-093
220-28-302	NEW-E	83-10-007	220-30-100	NEW-P	83-20-093	220-30-820	NEW-W	83-22-016
220-28-302	REP-E	83-13-008	220-30-100	NEW-W	83-22-016	220-30-900	NEW-P	83-20-093
220-28-303	NEW-E	83-13-008	220-30-110	NEW-P	83-20-093	220-30-900	NEW-W	83-22-016
220-28-303	REP-E	83-14-064	220-30-110	NEW-W	83-22-016	220-30-910	NEW-P	83-20-093
220-28-304	NEW-E	83-14-064	220-30-115	NEW-P	83-20-093	220-30-910	NEW-W	83-22-016
220-28-304	REP-E	83-15-028	220-30-115	NEW-W	83-22-016	220-30-920	NEW-P	83-20-093
220-28-305	NEW-E	83-15-028	220-30-120	NEW-P	83-20-093	220-30-920	NEW-W	83-22-016
220-28-305	REP-E	83-16-012	220-30-120	NEW-W	83-22-016	220-32-020	REP-P	83-20-093

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
220-32-020	REP-P	83-22-016	220-36-024	AMD	83-13-054	220-47-254	REP-P	83-20-093
220-32-02200I	NEW-E	83-04-005	220-36-024	REP-P	83-20-093	220-47-254	REP-P	83-22-016
220-32-02200J	NEW-E	83-21-076	220-36-024	REP-W	83-22-016	220-47-255	REP-P	83-20-093
220-32-030	REP-P	83-20-093	220-36-025	AMD-P	83-07-055	220-47-255	REP-W	83-22-016
220-32-030	REP-P	83-22-016	220-36-025	AMD	83-10-015	220-47-256	REP-P	83-20-093
220-32-03000G	NEW-E	83-05-025	220-36-025	AMD-P	83-20-093	220-47-256	REP-W	83-22-016
220-32-03000H	NEW-E	83-13-023	220-36-025	AMD-W	83-22-016	220-47-257	REP-P	83-20-093
220-32-03000H	REP-E	83-20-050	220-36-02500A	NEW-E	83-07-041	220-47-257	REP-W	83-22-016
220-32-03000I	NEW-E	83-20-050	220-36-02500B	NEW-E	83-14-094	220-47-258	REP-P	83-20-093
220-32-031	REP-P	83-20-093	220-36-02500C	NEW-E	83-17-038	220-47-258	REP-W	83-22-016
220-32-031	REP-P	83-22-016	220-36-02500C	REP-E	83-20-033	220-47-259	REP-P	83-20-093
220-32-032	REP-P	83-20-093	220-36-02500D	NEW-E	83-20-033	220-47-259	REP-W	83-22-016
220-32-032	REP-P	83-22-016	220-36-02500E	NEW-E	83-21-077	220-47-260	REP-P	83-20-093
220-32-033	REP-P	83-20-093	220-40-020	REP-P	83-20-093	220-47-260	REP-W	83-22-016
220-32-033	REP-P	83-22-016	220-40-020	REP-W	83-22-016	220-47-261	REP-P	83-20-093
220-32-034	REP-P	83-20-093	220-40-021	AMD-P	83-10-080	220-47-261	REP-W	83-22-016
220-32-034	REP-P	83-22-016	220-40-021	AMD	83-13-054	220-47-262	REP-P	83-20-093
220-32-036	REP-P	83-20-093	220-40-021	REP-P	83-20-093	220-47-262	REP-W	83-22-016
220-32-036	REP-P	83-22-016	220-40-021	REP-W	83-22-016	220-47-263	REP-P	83-20-093
220-32-04000Q	NEW-E	83-03-030	220-40-02100A	NEW-E	83-18-050	220-47-263	REP-W	83-22-016
220-32-04000Q	REP-E	83-04-053	220-40-02100A	REP-E	83-20-005	220-47-264	REP-P	83-20-093
220-32-04000R	NEW-E	83-04-053	220-40-02100B	NEW-E	83-19-043	220-47-264	REP-W	83-22-016
220-32-04000S	NEW-E	83-20-070	220-40-02100B	REP-E	83-20-005	220-47-265	REP-P	83-20-093
220-32-04100F	NEW-E	83-11-035	220-40-02100C	NEW-E	83-20-005	220-47-265	REP-W	83-22-016
220-32-05100A	NEW-E	83-20-077	220-40-02100C	REP-E	83-20-026	220-47-266	REP-P	83-20-093
220-32-05100U	NEW-E	83-05-008	220-40-02100D	NEW-E	83-20-026	220-47-266	REP-W	83-22-016
220-32-05100U	NEW-E	83-15-008	220-40-02100D	REP-E	83-20-041	220-47-267	REP-P	83-20-093
220-32-05100U	REP-E	83-15-016	220-40-02100E	NEW-E	83-20-041	220-47-267	REP-W	83-22-016
220-32-05100V	NEW-E	83-15-016	220-40-02100E	REP-E	83-21-033	220-47-268	REP-P	83-20-093
220-32-05100V	REP-E	83-15-026	220-40-02100F	NEW-E	83-21-033	220-47-268	REP-W	83-22-016
220-32-05100W	NEW-E	83-15-026	220-40-02100F	REP-E	83-21-097	220-47-301	REP-P	83-20-093
220-32-05100W	REP-E	83-18-025	220-40-02100G	NEW-E	83-21-097	220-47-301	REP-W	83-22-016
220-32-05100X	NEW-E	83-18-025	220-40-02100G	REP-E	83-22-018	220-47-302	REP-P	83-20-093
220-32-05100X	REP-E	83-20-004	220-40-02100H	NEW-E	83-22-018	220-47-302	REP-W	83-22-016
220-32-05100Y	NEW-E	83-20-004	220-40-022	AMD-P	83-10-080	220-47-303	REP-P	83-20-093
220-32-05100Y	REP-E	83-20-048	220-40-022	AMD	83-13-054	220-47-303	REP-W	83-22-016
220-32-05100Z	NEW-E	83-20-048	220-40-022	REP-P	83-20-093	220-47-304	REP-P	83-20-093
220-32-05100Z	REP-E	83-20-077	220-40-022	REP-W	83-22-016	220-47-304	REP-W	83-22-016
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220-32-055	AMD-W	83-22-016	220-40-024	AMD	83-13-054	220-47-307	AMD	83-14-020
220-32-05500G	NEW-E	83-11-013	220-40-024	REP-P	83-20-093	220-47-307	REP-P	83-20-093
220-32-05700P	NEW-E	83-03-030	220-40-024	REP-W	83-22-016	220-47-307	REP-W	83-22-016
220-32-05700P	REP-E	83-04-053	220-40-02400A	NEW-E	83-22-018	220-47-311	AMD-P	83-11-039
220-32-05700Q	NEW-E	83-04-053	220-40-025	REP-P	83-20-093	220-47-311	AMD	83-14-020
220-32-05700Q	REP-E	83-06-023	220-40-025	REP-W	83-22-016	220-47-311	REP-P	83-20-093
220-32-05700R	NEW-E	83-06-023	220-44-020	AMD-P	83-20-093	220-47-311	REP-W	83-22-016
220-32-05700S	NEW-E	83-20-070	220-44-020	AMD-W	83-22-016	220-47-312	AMD-P	83-11-039
220-32-05800K	NEW-E	83-18-025	220-44-030	AMD-P	83-20-093	220-47-312	AMD	83-14-020
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220-32-05900D	REP-E	83-13-072	220-44-04000A	REP-E	83-03-007	220-47-313	AMD	83-14-020
220-32-05900E	NEW-E	83-13-035	220-44-04000B	REP-E	83-03-007	220-47-313	REP-P	83-20-093
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220-32-05900F	NEW-E	83-13-072	220-44-04000C	REP-E	83-06-032	220-47-314	REP-P	83-20-093
220-32-05900F	REP-E	83-18-026	220-44-04000D	NEW-E	83-06-032	220-47-314	REP-W	83-22-016
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220-36-021	AMD	83-13-054	220-44-050	AMD-P	83-20-093	220-47-402	REP-P	83-20-093
220-36-021	REP-P	83-20-093	220-44-050	AMD-W	83-22-016	220-47-402	REP-W	83-22-016
220-36-021	REP-W	83-22-016	220-44-05000A	NEW-E	83-13-048	220-47-403	REP-P	83-20-093
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220-36-022	REP-W	83-22-016	220-47-253	REP-P	83-20-093	220-47-413	REP-W	83-22-016
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220-47-50101	REP-W	83-22-016	220-52-010	AMD-W	83-22-016	220-56-235	AMD	83-07-043
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220-47-810	REP-E	83-19-026	220-52-07300A	NEW-E	83-09-027	220-56-372	AMD	83-07-043
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220-47-815	REP-E	83-21-022	220-56-11500C	NEW-E	83-15-019	220-57-135	AMD-P	83-03-071
220-47-816	NEW-E	83-21-022	220-56-116	AMD-P	83-03-071	220-57-135	AMD	83-07-043
220-47-816	REP-E	83-21-056	220-56-116	AMD	83-07-043	220-57-13500C	NEW-E	83-16-002
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220-57-35500A	NEW-E	83-21-016	220-69-23501	AMD-P	83-20-093	220-110-160	NEW-P	83-06-062
220-57-36500A	NEW-E	83-21-016	220-69-237	AMD-P	83-20-093	220-110-160	NEW	83-09-019
220-57-38000C	NEW-E	83-19-051	220-69-240	AMD-P	83-20-093	220-110-170	NEW-P	83-06-062
220-57-38500F	NEW-E	83-16-002	220-69-241	AMD-P	83-20-093	220-110-170	NEW	83-09-019
220-57-38500F	REP-E	83-18-049	220-69-242	AMD-P	83-20-093	220-110-180	NEW-P	83-06-062
220-57-38500G	NEW-E	83-18-049	220-69-245	AMD-P	83-20-093	220-110-180	NEW	83-09-019
220-57-390	AMD-P	83-03-071	220-69-250	AMD-P	83-20-093	220-110-190	NEW-P	83-06-062
220-57-390	AMD	83-07-043	220-69-251	REP-P	83-20-093	220-110-190	NEW	83-09-019
220-57-415	AMD-P	83-03-071	220-69-252	REP-P	83-20-093	220-110-200	NEW-P	83-06-062
220-57-415	AMD	83-07-043	220-69-253	REP-P	83-20-093	220-110-200	NEW	83-09-019
220-57-44000A	NEW-E	83-21-016	220-69-254	AMD-P	83-20-093	220-110-210	NEW-P	83-06-062
220-57-460	AMD-P	83-03-071	220-69-25401	REP-P	83-20-093	220-110-210	NEW	83-09-019
220-57-460	AMD	83-07-043	220-69-25501	AMD-P	83-20-093	220-110-220	NEW-P	83-06-062
220-57-46000K	NEW-E	83-16-002	220-69-260	AMD-P	83-20-093	220-110-220	NEW	83-09-019
220-57-46000K	REP-E	83-18-049	220-69-261	REP-P	83-20-093	220-110-220	REVIEW	83-21-020
220-57-46000L	NEW-E	83-18-049	220-69-262	AMD-P	83-20-093	220-110-230	NEW-P	83-06-062
220-57-47300A	NEW-E	83-18-048	220-69-263	REP-P	83-20-093	220-110-230	NEW	83-09-019
220-57-485	AMD-P	83-03-071	220-69-264	AMD-P	83-20-093	220-110-240	NEW-P	83-06-062
220-57-485	AMD	83-07-043	220-69-26401	AMD-P	83-20-093	220-110-240	NEW	83-09-019
220-57-495	AMD-P	83-03-071	220-69-26501	AMD-P	83-20-093	220-110-250	NEW-P	83-06-062
220-57-495	AMD	83-07-043	220-69-270	AMD-P	83-20-093	220-110-250	NEW	83-09-019
220-57-50500H	NEW-E	83-12-029	220-69-272	AMD-P	83-20-093	220-110-260	NEW-P	83-06-062
220-57-50500H	REP-E	83-13-023	220-69-273	AMD-P	83-20-093	220-110-260	NEW	83-09-019
220-57-51000C	NEW-E	83-21-016	220-69-274	AMD-P	83-20-093	220-110-270	NEW-P	83-06-062
220-57-515	AMD-P	83-03-071	220-69-280	AMD-P	83-20-093	220-110-270	NEW	83-09-019
220-57-515	AMD	83-07-043	220-74-022	AMD-P	83-20-093	220-110-280	NEW-P	83-06-062
220-57-520	AMD-P	83-03-071	220-74-022	AMD-W	83-22-016	220-110-280	NEW	83-09-019
220-57-520	AMD	83-07-043	220-76-010	AMD-P	83-20-093	220-110-290	NEW-P	83-06-062
220-57-52000D	NEW-E	83-21-075	220-76-010	AMD-W	83-22-016	220-110-290	NEW	83-09-019
220-57-525	AMD-P	83-03-071	220-80-090	AMD-P	83-20-093	220-110-300	NEW-P	83-06-062
220-57-525	AMD	83-07-043	220-85-015	AMD-P	83-20-093	220-110-300	NEW	83-09-019
220-57-52500D	NEW-E	83-21-075	220-85-015	AMD-W	83-22-016	220-110-310	NEW-P	83-06-062
220-57A-012	AMD-P	83-03-071	220-85-050	AMD-P	83-20-093	220-110-310	NEW	83-09-019
220-57A-012	AMD	83-07-043	220-85-050	AMD-W	83-22-016	220-110-320	NEW-P	83-06-062
220-57A-015	AMD-P	83-03-071	220-85-070	AMD-P	83-20-093	220-110-320	NEW	83-09-019
220-57A-015	AMD	83-07-043	220-85-070	AMD-W	83-22-016	220-110-330	NEW-P	83-06-062
220-57A-015	REP-E	83-08-040	220-85-110	AMD-P	83-20-093	220-110-330	NEW	83-09-019
220-57A-01500A	NEW-E	83-08-040	220-85-110	AMD-W	83-22-016	220-110-340	NEW-P	83-06-062
220-57A-040	AMD-P	83-03-071	220-95-026	AMD-P	83-20-093	220-110-340	NEW	83-09-019
220-57A-040	AMD	83-07-043	220-95-026	AMD-W	83-22-016	220-110-350	NEW-P	83-06-062
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230-02-030	AMD	83-19-024	230-20-205	REP	83-19-024	232-16-650	NEW	83-18-043
230-02-110	AMD-P	83-19-023	230-20-240	NEW-P	83-10-001	232-16-660	NEW-P	83-14-079
230-02-250	AMD-P	83-10-001	230-20-240	NEW	83-13-050	232-16-660	NEW	83-18-043
230-02-250	AMD	83-13-050	230-20-240	AMD-P	83-22-046	232-16-670	NEW-P	83-14-079
230-04-020	AMD-P	83-17-122	230-20-245	REP-P	83-16-008	232-16-670	NEW	83-18-043
230-04-020	AMD	83-21-073	230-20-245	REP	83-19-024	232-16-680	NEW-P	83-14-079
230-04-050	AMD-P	83-17-122	230-20-246	NEW-P	83-16-008	232-16-680	NEW	83-18-043
230-04-050	AMD	83-21-073	230-20-246	NEW	83-19-024	232-16-690	NEW-P	83-14-079
230-04-060	AMD-P	83-17-122	230-20-251	REP-P	83-22-046	232-16-690	NEW	83-18-043
230-04-060	AMD	83-21-073	230-20-310	REP-P	83-08-048	232-28-105	REP-P	83-12-052
230-04-061	NEW-P	83-22-046	230-20-310	REP	83-11-034	232-28-105	REP	83-17-021
230-04-065	AMD	83-06-077	230-20-320	REP-P	83-08-048	232-28-106	NEW-P	83-12-052
230-04-075	AMD-P	83-16-008	230-20-320	REP	83-11-034	232-28-106	NEW	83-17-021
230-04-075	AMD	83-19-024	230-20-325	NEW-P	83-08-048	232-28-10601	NEW-E	83-17-101
230-04-140	AMD-P	83-17-122	230-20-325	NEW	83-11-034	232-28-10601	REP-E	83-21-002
230-04-140	AMD	83-21-073	230-20-330	REP-P	83-08-048	232-28-205	REP-P	83-08-078
230-04-145	AMD-P	83-17-122	230-20-330	REP	83-11-034	232-28-205	REP	83-15-058
230-04-145	AMD	83-21-073	230-20-340	REP-P	83-08-048	232-28-20502	NEW-E	83-06-030
230-04-200	REP-P	83-22-046	230-20-340	REP	83-11-034	232-28-206	NEW-P	83-06-058
230-04-201	NEW-P	83-22-046	230-20-605	AMD	83-06-077	232-28-206	NEW-P	83-08-078
230-04-230	AMD-P	83-22-046	230-30-080	AMD-P	83-16-008	232-28-206	NEW	83-09-023
230-04-260	AMD-P	83-22-046	230-30-080	AMD	83-19-024	232-28-207	NEW	83-15-058
230-04-305	REP-P	83-22-046	230-40-050	AMD-P	83-19-023	232-28-207	REP-P	83-14-080
230-04-340	AMD-P	83-16-008	230-40-062	REP-P	83-08-048	232-28-405	REP	83-18-040
230-04-340	AMD	83-19-024	230-40-062	REP	83-11-034	232-28-406	NEW-P	83-14-080
230-04-452	REP	83-06-077	230-40-063	NEW-P	83-08-048	232-28-406	NEW	83-18-040
230-08-010	AMD-P	83-10-001	230-40-063	NEW	83-11-034	232-28-407	NEW	83-17-102
230-08-010	AMD	83-13-050	230-40-450	NEW	83-06-077	232-28-505	REP-P	83-12-050
230-08-010	AMD-P	83-19-023	230-60-070	REP-P	83-16-008	232-28-505	REP	83-18-042
230-08-015	AMD	83-06-077	230-60-070	REP	83-19-024	232-28-506	NEW-P	83-12-050
230-08-020	REP-P	83-06-072	232-12-019	AMD-P	83-14-082	232-28-506	NEW	83-18-042
230-08-020	REP	83-10-002	232-12-019	AMD	83-21-003	232-28-60416	REP-P	83-14-081
230-08-025	NEW-P	83-06-072	232-12-044	AMD-E	83-08-055	232-28-60416	REP-E	83-17-050
230-08-025	NEW	83-10-002	232-12-044	AMD-P	83-08-076	232-28-60416	REP	83-18-041
230-08-030	REP-P	83-06-072	232-12-044	AMD	83-12-055	232-28-60420	NEW-E	83-15-018
230-08-030	REP	83-10-002	232-12-04501	NEW-E	83-03-017	232-28-60420	REP-E	83-18-039
230-08-070	NEW-P	83-08-048	232-12-047	AMD-P	83-08-077	232-28-60421	NEW-P	83-14-081
230-08-070	NEW	83-11-034	232-12-051	AMD-P	83-12-004	232-28-605	AMD-E	83-06-038
230-08-080	AMD-P	83-10-001	232-12-137	AMD-P	83-12-053	232-28-605	AMD-P	83-06-057
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230-08-090	AMD-P	83-19-023	232-12-157	AMD-P	83-14-082	232-28-605	AMD-E	83-09-024
230-08-120	AMD	83-06-077	232-12-157	AMD	83-21-003	232-28-605	AMD	83-09-025
230-08-125	NEW	83-06-077	232-12-181	AMD-P	83-08-075	232-28-605	AMD	83-12-005
230-08-160	AMD	83-06-077	232-12-24401	NEW-P	83-06-056	232-28-605	AMD-E	83-12-006
230-12-020	NEW-P	83-04-067	232-12-24401	NEW	83-09-022	232-28-605	AMD-E	83-12-039
230-12-020	NEW	83-08-051	232-12-294	REP-P	83-06-060	232-28-60501	NEW-E	83-02-043
230-12-050	AMD-P	83-10-001	232-12-294	REP	83-09-026	232-28-60503	NEW-E	83-04-039
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230-20-015	NEW-P	83-06-072	232-14-010	NEW	83-09-026	232-28-60507	NEW-E	83-08-054
230-20-015	NEW-E	83-06-078	232-14-010	REVIEW	83-21-039	232-28-60508	NEW-P	83-12-054
230-20-015	NEW	83-10-002	232-16-150	REP-P	83-12-051	232-28-60508	NEW	83-15-056
230-20-060	NEW-P	83-08-049	232-16-150	REP	83-15-059	232-28-60509	NEW-E	83-16-048
230-20-060	NEW-E	83-08-050	232-16-170	REP-P	83-12-051	232-28-60510	NEW-E	83-21-001
230-20-060	AMD-E	83-09-033	232-16-170	REP	83-15-059	232-28-606	NEW-P	83-14-083
230-20-060	AMD-E	83-15-022	232-16-190	REP-P	83-12-051	232-28-607	NEW-P	83-14-083
230-20-061	NEW-P	83-16-082	232-16-190	REP	83-15-059	232-28-608	NEW-P	83-14-083
230-20-061	NEW	83-19-024	232-16-230	REP-P	83-12-051	232-28-609	NEW-P	83-14-083
230-20-061	REP-P	83-22-046	232-16-230	REP	83-15-059	232-28-610	NEW-P	83-14-083
230-20-063	NEW-P	83-22-046	232-16-240	REP-P	83-12-051	232-28-611	NEW-P	83-14-083
230-20-070	AMD-P	83-19-023	232-16-240	REP	83-15-059	232-28-612	NEW-P	83-14-083
230-20-100	AMD-P	83-10-001	232-16-260	REP-P	83-12-051	232-28-613	NEW-P	83-14-083
230-20-100	AMD	83-13-050	232-16-260	REP	83-15-059	232-28-704	REP	83-06-061
230-20-125	NEW-P	83-10-001	232-16-350	REP-P	83-12-051	232-28-705	NEW	83-06-061
230-20-125	NEW-P	83-17-122	232-16-350	REP	83-15-059	232-28-804	REP-P	83-06-059
230-20-150	REP-P	83-04-067	232-16-390	REP-P	83-12-051	232-28-804	REP	83-15-057
230-20-150	REP	83-08-051	232-16-390	REP	83-15-059	232-28-805	NEW-P	83-06-059
230-20-170	AMD-P	83-10-001	232-16-500	REP-P	83-12-051	232-28-805	NEW	83-15-057
230-20-170	AMD	83-13-050	232-16-500	REP	83-15-059	232-32-145	NEW-E	83-03-048
230-20-170	AMD-P	83-17-122	232-16-510	REP-P	83-12-051	232-32-146	NEW-E	83-03-049
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236-12-011	AMD-E	83-13-109	248-16-045	AMD-P	83-09-001	248-18-330	AMD-P	83-10-056
236-12-011	AMD	83-16-026	248-16-045	AMD	83-13-068	248-18-330	REP-P	83-22-065
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236-12-014	NEW-E	83-13-109	248-16-050	AMD	83-13-068	248-18-335	NEW-P	83-10-058
236-12-014	NEW	83-16-026	248-16-052	REP-P	83-09-001	248-18-335	NEW	83-13-061
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236-48-004	AMD	83-18-004	248-16-055	AMD-P	83-09-001	248-18-336	NEW	83-13-061
236-48-005	AMD-P	83-15-053	248-16-055	AMD	83-13-068	248-18-500	AMD-P	83-14-022
236-48-005	AMD	83-18-004	248-16-056	AMD-P	83-09-001	248-18-500	AMD	83-19-058
236-48-011	AMD-P	83-15-053	248-16-056	AMD	83-13-068	248-18-520	AMD-P	83-14-022
236-48-011	AMD	83-18-004	248-16-058	REP-P	83-09-001	248-18-520	AMD	83-19-058
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236-48-012	AMD-P	83-15-053	248-16-060	AMD-P	83-09-001	248-18-525	AMD	83-19-058
236-48-012	AMD	83-18-004	248-16-060	AMD	83-13-068	248-18-539	AMD-P	83-14-022
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236-48-024	AMD	83-18-004	248-16-090	AMD-P	83-09-001	248-18-555	AMD	83-19-056
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236-48-051	AMD-P	83-15-053	248-16-105	NEW	83-13-068	248-18-565	AMD-P	83-14-022
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236-48-079	AMD	83-18-004	248-16-120	AMD	83-13-068	248-18-607	AMD-P	83-14-022
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236-48-085	NEW	83-18-004	248-16-140	AMD-P	83-09-001	248-18-615	AMD	83-19-058
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236-48-096	AMD-P	83-15-053	248-16-150	AMD	83-13-068	248-18-640	AMD-P	83-14-022
236-48-096	AMD	83-18-004	248-16-160	AMD-P	83-09-001	248-18-640	AMD	83-19-058
236-48-097	AMD-P	83-15-053	248-16-160	AMD	83-13-068	248-18-645	AMD-P	83-14-022
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236-48-099	AMD-P	83-15-053	248-16-170	AMD	83-13-068	248-18-655	AMD-P	83-14-022
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236-48-166	AMD-P	83-15-053	248-16-213	AMD	83-13-068	248-18-680	AMD-P	83-14-022
236-48-166	AMD	83-18-004	248-16-215	AMD-P	83-09-001	248-18-680	AMD	83-19-058
236-48-167	AMD-P	83-15-053	248-16-215	AMD	83-13-068	248-18-685	AMD-P	83-04-059
236-48-167	AMD	83-18-004	248-16-222	AMD-P	83-09-001	248-18-685	AMD	83-07-048
236-48-192	AMD-P	83-15-053	248-16-222	AMD	83-13-068	248-18-690	AMD-P	83-14-022
236-48-192	AMD	83-18-004	248-16-223	AMD-P	83-09-001	248-18-690	AMD	83-19-058
236-48-197	AMD-P	83-15-053	248-16-223	AMD	83-13-068	248-18-695	AMD-P	83-14-022
236-48-197	AMD	83-18-004	248-16-226	AMD-P	83-09-001	248-18-695	AMD	83-19-058
236-48-198	AMD-P	83-15-053	248-16-226	AMD	83-13-068	248-18-718	AMD	83-03-026
236-48-198	AMD	83-18-004	248-16-227	AMD-P	83-09-001	248-19-220	AMD-E	83-22-074
236-48-240	AMD-P	83-15-053	248-16-227	AMD	83-13-068	248-19-230	AMD-E	83-22-074
236-48-240	AMD	83-18-004	248-16-228	AMD-P	83-09-001	248-21-035	AMD-P	83-03-042
236-48-250	NEW-P	83-15-053	248-16-228	AMD	83-13-068	248-21-035	AMD	83-07-015
236-48-250	NEW	83-18-004	248-16-230	AMD-P	83-09-001	248-22-036	AMD-P	83-06-010
236-48-251	NEW-P	83-15-053	248-16-230	AMD	83-13-068	248-22-036	AMD	83-10-079
236-48-251	NEW	83-18-004	248-16-235	NEW-P	83-09-001	248-23-050	AMD-P	83-06-010
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236-48-252	NEW	83-18-004	248-18-001	AMD-P	83-14-022	248-29-020	AMD-P	83-03-043
236-48-253	NEW-P	83-15-053	248-18-001	AMD	83-19-058	248-29-020	AMD	83-07-016
236-48-253	NEW	83-18-004	248-18-180	AMD-P	83-04-059	248-29-050	AMD-P	83-03-044
236-48-254	NEW-P	83-15-053	248-18-180	AMD	83-07-048	248-29-050	AMD	83-07-017
236-48-254	NEW	83-18-004	248-18-190	AMD-P	83-22-065	248-30-080	AMD-P	83-13-102
236-49-060	NEW-P	83-15-053	248-18-215	AMD-P	83-14-022	248-30-080	AMD	83-18-002
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236-49-061	NEW-P	83-15-053	248-18-220	AMD-P	83-14-022	248-30-100	AMD	83-18-002
236-49-061	NEW	83-18-004	248-18-220	AMD	83-19-058	248-30-110	AMD-P	83-13-102
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248-54-005	NEW	83-19-002	248-54-650	REP-P	83-07-060	248-96-090	AMD	83-13-014
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248-54-015	NEW	83-19-002	248-54-660	REP-P	83-07-060	248-96-094	NEW	83-13-014
248-54-025	NEW-P	83-07-060	248-54-660	REP	83-19-002	248-96-095	AMD-P	83-07-061
248-54-025	NEW	83-19-002	248-54-670	REP-P	83-07-060	248-96-095	AMD	83-13-014
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248-54-065	NEW	83-19-002	248-54-710	REP-P	83-07-060	248-96-130	AMD	83-13-014
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248-54-095	NEW	83-19-002	248-54-730	REP-P	83-07-060	248-96-150	NEW	83-13-014
248-54-105	NEW-P	83-07-060	248-54-730	REP	83-19-002	248-96-160	AMD-P	83-07-061
248-54-105	NEW	83-19-002	248-54-740	REP-P	83-07-060	248-96-160	AMD	83-13-014
248-54-115	NEW-P	83-07-060	248-54-740	REP	83-19-002	248-96-175	AMD-P	83-07-061
248-54-115	NEW	83-19-002	248-54-750	REP-P	83-07-060	248-96-175	AMD	83-13-014
248-54-125	NEW-P	83-07-060	248-54-750	REP	83-19-002	248-96-180	AMD-P	83-07-061
248-54-125	NEW	83-19-002	248-54-760	REP-P	83-07-060	248-96-180	AMD	83-13-014
248-54-135	NEW-P	83-07-060	248-54-760	REP	83-19-002	248-124-010	AMD-P	83-22-064
248-54-135	NEW	83-19-002	248-54-770	REP-P	83-07-060	248-160-010	NEW-P	83-07-073
248-54-145	NEW-P	83-07-060	248-54-770	REP	83-19-002	248-160-010	NEW	83-12-049
248-54-145	NEW	83-19-002	248-54-780	REP-P	83-07-060	248-160-020	NEW-P	83-07-073
248-54-155	NEW-P	83-07-060	248-54-780	REP	83-19-002	248-160-020	NEW	83-12-049
248-54-155	NEW	83-19-002	248-54-790	REP-P	83-07-060	248-160-030	NEW-P	83-07-073
248-54-165	NEW-P	83-07-060	248-54-790	REP	83-19-002	248-160-030	NEW	83-12-049
248-54-165	NEW	83-19-002	248-54-800	REP-P	83-07-060	248-160-040	NEW-P	83-07-073
248-54-175	NEW-P	83-07-060	248-54-800	REP	83-19-002	248-160-040	NEW	83-12-049
248-54-175	NEW	83-19-002	248-54-810	REP-P	83-07-060	248-990-990	AMD	83-04-011
248-54-185	NEW-P	83-07-060	248-54-810	REP	83-19-002	248-990-990	AMD-P	83-16-084
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248-54-195	NEW-P	83-07-060	248-54-820	REP	83-19-002	250-18-020	AMD-P	83-10-065
248-54-195	NEW	83-19-002	248-54-830	REP-P	83-07-060	250-18-020	AMD	83-13-092
248-54-205	NEW-P	83-07-060	248-54-830	REP	83-19-002	250-18-025	AMD-P	83-10-065
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248-54-215	NEW-P	83-07-060	248-54-840	REP	83-19-002	250-18-030	AMD-E	83-09-010
248-54-215	NEW	83-19-002	248-54-850	REP-P	83-07-060	250-18-030	AMD-P	83-09-043
248-54-225	NEW-P	83-07-060	248-54-850	REP	83-19-002	250-18-030	AMD	83-13-092
248-54-225	NEW	83-19-002	248-96-010	AMD-P	83-07-061	250-44-050	AMD-P	83-10-064
248-54-235	NEW-P	83-07-060	248-96-010	AMD	83-13-014	250-44-050	AMD	83-14-041
248-54-235	NEW	83-19-002	248-96-011	AMD-P	83-07-061	250-44-110	AMD-P	83-10-064
248-54-245	NEW-P	83-07-060	248-96-011	AMD	83-13-014	250-44-110	AMD	83-14-041
248-54-245	NEW	83-19-002	248-96-012	REP-P	83-07-061	250-44-130	AMD	83-14-041
248-54-255	NEW-P	83-07-060	248-96-012	REP	83-13-014	250-44-150	AMD-P	83-10-064
248-54-255	NEW	83-19-002	248-96-015	REP-P	83-07-061	250-55-030	AMD-P	83-16-080
248-54-265	NEW-P	83-07-060	248-96-015	REP	83-13-014	250-55-030	AMD	83-20-007
248-54-265	NEW	83-19-002	248-96-016	REP-P	83-07-061	250-60-010	NEW-E	83-19-017
248-54-275	NEW-P	83-07-060	248-96-016	REP	83-13-014	250-60-010	NEW-P	83-20-034
248-54-275	NEW	83-19-002	248-96-018	AMD-P	83-07-061	250-60-020	NEW-E	83-19-017
248-54-285	NEW-P	83-07-060	248-96-018	AMD	83-13-014	250-60-020	NEW-P	83-20-034
248-54-285	NEW	83-19-002	248-96-020	AMD-P	83-07-061	250-60-030	NEW-E	83-19-017
248-54-550	REP-P	83-07-060	248-96-020	AMD	83-13-014	250-60-030	NEW-P	83-20-034
248-54-550	REP	83-19-002	248-96-025	NEW-P	83-07-061	250-60-040	NEW-E	83-19-017
248-54-560	REP-P	83-07-060	248-96-025	NEW	83-13-014	250-60-040	NEW-P	83-20-034
248-54-560	REP	83-19-002	248-96-040	AMD-P	83-07-061	250-60-050	NEW-E	83-19-017
248-54-570	REP-P	83-07-060	248-96-040	AMD	83-13-014	250-60-050	NEW-P	83-20-034
248-54-570	REP	83-19-002	248-96-045	REP-P	83-07-061	250-60-060	NEW-E	83-19-017
248-54-575	REP-P	83-07-060	248-96-045	REP	83-13-014	250-60-060	NEW-P	83-20-034
248-54-575	REP	83-19-002	248-96-046	AMD-P	83-07-061	250-60-070	NEW-E	83-19-017
248-54-580	REP-P	83-07-060	248-96-046	AMD	83-13-014	250-60-070	NEW-P	83-20-034
248-54-580	REP	83-19-002	248-96-047	NEW-P	83-07-061	250-60-080	NEW-E	83-19-017
248-54-590	REP-P	83-07-060	248-96-047	NEW	83-13-014	250-60-080	NEW-P	83-20-034
248-54-590	REP	83-19-002	248-96-050	AMD-P	83-07-061	250-60-090	NEW-E	83-19-017
248-54-600	REP-P	83-07-060	248-96-050	AMD	83-13-014	250-60-090	NEW-P	83-20-034
248-54-600	REP	83-19-002	248-96-060	AMD-P	83-07-061	250-60-100	NEW-E	83-19-017
248-54-610	REP-P	83-07-060	248-96-060	AMD	83-13-014	250-60-100	NEW-P	83-20-034
248-54-610	REP	83-19-002	248-96-070	REP-P	83-07-061	250-60-110	NEW-E	83-19-017
248-54-620	REP-P	83-07-060	248-96-070	REP	83-13-014	250-60-110	NEW-P	83-20-034
248-54-620	REP	83-19-002	248-96-075	AMD-P	83-07-061	250-60-120	NEW-E	83-19-017
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251-04-020	AMD-C	83-04-066	251-22-240	AMD	83-20-020	261-40-150	AMD	83-06-036
251-04-020	AMD	83-07-056	251-22-245	AMD-P	83-16-077	261-40-160	AMD	83-06-036
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251-04-020	AMD-C	83-22-061	260-14-010	AMD	83-19-054	261-40-201	NEW	83-06-036
251-04-020	AMD-P	83-22-062	260-32-360	AMD-P	83-05-027	261-40-202	NEW	83-06-036
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251-08-100	AMD-P	83-22-062	260-70-100	AMD-P	83-13-115	261-40-230	AMD	83-06-036
251-09-020	AMD-E	83-14-058	260-70-100	AMD-P	83-16-074	261-40-300	AMD	83-06-036
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251-09-090	AMD	83-20-020	261-06-020	AMD	83-06-036	261-40-420	REP	83-06-036
251-10-060	AMD-P	83-16-077	261-06-030	AMD	83-06-036	261-40-425	REP	83-06-036
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251-18-347	NEW-P	83-22-062	261-12	AMD	83-06-036	262-01-020	NEW-E	83-20-047
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251-22-040	AMD	83-20-020	261-20-074	NEW	83-06-036	263-12-115	AMD-P	83-22-067
251-22-045	AMD-P	83-16-077	261-20-080	AMD	83-06-036	263-12-115	AMD-E	83-22-068
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251-22-056	AMD	83-20-020	261-30-020	REP	83-06-036	263-12-160	NEW-P	83-22-067
251-22-059	AMD-P	83-16-077	261-30-030	REP	83-06-036	275-16-030	AMD-E	83-15-001
251-22-059	AMD	83-20-020	261-30-040	REP	83-06-036	275-16-030	AMD-P	83-15-007
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251-22-060	AMD	83-10-029	261-30-050	REP	83-06-036	275-19-020	AMD-P	83-18-034
251-22-060	AMD-P	83-16-077	261-30-060	REP	83-06-036	275-19-030	AMD-P	83-18-034
251-22-060	AMD	83-20-020	261-30-070	REP	83-06-036	275-19-145	NEW-P	83-18-034
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251-22-070	AMD	83-20-020	261-30-074	REP	83-06-036	275-19-185	NEW-P	83-18-034
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251-22-080	AMD	83-20-020	261-30-100	REP	83-06-036	275-19-550	NEW	83-18-027
251-22-090	AMD-P	83-16-077	261-30-110	REP	83-06-036	275-19-610	AMD-P	83-18-034
251-22-090	AMD	83-20-020	261-40-015	AMD	83-06-036	275-19-630	NEW-P	83-18-034
251-22-091	AMD-P	83-16-077	261-40-020	AMD	83-06-036	275-19-700	AMD-P	83-18-034
251-22-091	AMD	83-20-020	261-40-025	REP	83-06-036	275-19-750	NEW-P	83-18-034
251-22-165	AMD-P	83-16-077	261-40-030	AMD	83-06-036	275-19-760	NEW-P	83-18-034
251-22-165	AMD	83-20-020	261-40-100	AMD	83-06-036	275-19-770	NEW-P	83-18-034
251-22-170	AMD-P	83-16-077	261-40-115	AMD	83-06-036	275-19-810	AMD-P	83-18-034
251-22-170	AMD	83-20-020	261-40-120	AMD	83-06-036	275-19-820	AMD-P	83-18-034
251-22-200	AMD-P	83-04-065	261-40-125	AMD	83-06-036	275-19-830	AMD-P	83-18-034
251-22-200	AMD	83-10-029	261-40-130	AMD	83-06-036	275-20-030	AMD-E	83-15-010
251-22-200	AMD-P	83-16-077	261-40-135	AMD	83-06-036	275-20-030	AMD-P	83-15-011

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
275-20-030	AMD	83-18-028	275-38-630	REP-P	83-14-044	275-56-035	NEW	83-09-002
275-25-010	AMD	83-03-011	275-38-630	REP-E	83-14-057	275-56-040	NEW-P	83-03-065
275-25-020	AMD	83-03-011	275-38-630	REP	83-17-074	275-56-040	NEW-E	83-03-066
275-25-030	AMD	83-03-011	275-38-635	REP-P	83-14-044	275-56-040	NEW	83-09-002
275-25-340	AMD	83-03-011	275-38-635	REP-E	83-14-057	275-56-050	NEW-P	83-03-065
275-25-530	AMD	83-03-011	275-38-635	REP	83-17-074	275-56-050	NEW-E	83-03-066
275-25-700	REP	83-03-011	275-38-640	REP-P	83-14-044	275-56-050	NEW	83-09-002
275-25-710	REP	83-03-011	275-38-640	REP-E	83-14-057	275-56-055	NEW-P	83-03-065
275-25-720	REP	83-03-011	275-38-640	REP	83-17-074	275-56-055	NEW-E	83-03-066
275-25-730	REP	83-03-011	275-38-642	REP-P	83-14-044	275-56-055	NEW	83-09-002
275-25-740	REP	83-03-011	275-38-642	REP-E	83-14-057	275-56-060	NEW-P	83-03-065
275-25-750	REP	83-03-011	275-38-642	REP	83-17-074	275-56-060	NEW-E	83-03-066
275-25-760	REP	83-03-011	275-38-642	REP-P	83-14-044	275-56-060	NEW	83-09-002
275-25-770	REP	83-03-011	275-38-642	REP-E	83-14-057	275-56-065	NEW-P	83-03-065
275-25-810	AMD	83-03-011	275-38-642	REP	83-17-074	275-56-065	NEW-E	83-03-066
275-25-820	REP	83-03-011	275-38-830	REP-P	83-14-044	275-56-065	NEW	83-09-002
275-25-830	REP	83-03-011	275-38-830	REP-E	83-14-057	275-56-070	NEW-P	83-03-065
275-25-840	AMD	83-03-011	275-38-830	REP	83-17-074	275-56-070	NEW-E	83-03-066
275-26-005	NEW	83-05-017	275-38-831	NEW-P	83-14-044	275-56-070	NEW	83-09-002
275-26-010	NEW	83-05-017	275-38-831	NEW-E	83-14-057	275-56-070	NEW-P	83-03-065
275-26-012	NEW	83-05-017	275-38-831	NEW	83-17-074	275-56-070	NEW-E	83-03-066
275-26-015	NEW	83-05-017	275-38-845	AMD-P	83-14-044	275-56-070	NEW	83-09-002
275-26-020	NEW	83-05-017	275-38-845	AMD-E	83-14-057	275-56-075	NEW-P	83-03-065
275-26-022	NEW	83-05-017	275-38-845	AMD	83-17-074	275-56-075	NEW-E	83-03-066
275-26-025	NEW	83-05-017	275-38-846	NEW-P	83-14-044	275-56-075	NEW	83-09-002
275-26-030	NEW	83-05-017	275-38-846	NEW-E	83-14-057	275-56-075	NEW-P	83-03-065
275-26-032	NEW	83-05-017	275-38-846	NEW	83-17-074	275-56-080	NEW-E	83-03-066
275-26-050	NEW	83-05-017	275-38-846	NEW	83-17-074	275-56-080	NEW	83-09-002
275-26-055	NEW	83-05-017	275-38-855	REP-P	83-14-044	275-56-080	NEW-P	83-03-065
275-26-060	NEW	83-05-017	275-38-855	REP-E	83-14-057	275-56-080	NEW-E	83-03-066
275-26-065	NEW	83-05-017	275-38-855	REP	83-17-074	275-56-085	NEW-P	83-03-065
275-26-070	NEW	83-05-017	275-38-860	AMD-P	83-14-044	275-56-085	NEW	83-09-002
275-26-075	NEW	83-05-017	275-38-860	AMD-E	83-14-057	275-56-090	NEW-P	83-03-065
275-26-080	NEW	83-05-017	275-38-860	AMD	83-17-074	275-56-090	NEW-E	83-03-066
275-26-085	NEW	83-05-017	275-38-865	AMD-P	83-14-044	275-56-090	NEW	83-09-002
275-26-090	NEW	83-05-017	275-38-865	AMD-E	83-14-057	275-56-095	NEW-P	83-03-065
275-26-095	NEW	83-05-017	275-38-865	AMD	83-17-074	275-56-095	NEW-E	83-03-066
275-26-097	NEW	83-05-017	275-38-870	AMD-P	83-14-044	275-56-095	NEW	83-09-002
275-26-500	NEW	83-05-017	275-38-870	AMD-E	83-14-057	275-56-100	NEW-P	83-03-065
275-26-520	NEW	83-05-017	275-38-870	AMD	83-17-074	275-56-100	NEW-E	83-03-066
275-26-530	NEW	83-05-017	275-38-875	AMD-P	83-14-044	275-56-100	NEW	83-09-002
275-26-540	NEW	83-05-017	275-38-875	AMD-E	83-14-057	275-56-105	NEW-P	83-03-065
275-26-550	NEW	83-05-017	275-38-875	AMD	83-17-074	275-56-105	NEW-E	83-03-066
275-26-560	NEW	83-05-017	275-38-880	AMD-P	83-14-044	275-56-105	NEW	83-09-002
275-26-570	NEW	83-05-017	275-38-880	AMD-E	83-14-057	275-56-110	NEW-P	83-03-065
275-36-010	AMD	83-06-013	275-38-880	AMD	83-17-074	275-56-110	NEW-E	83-03-066
275-36-020	AMD	83-06-013	275-38-886	NEW-P	83-14-044	275-56-110	NEW	83-09-002
275-36-030	AMD	83-06-013	275-38-886	NEW-E	83-14-057	275-56-115	NEW-P	83-03-065
275-36-040	AMD	83-06-013	275-38-886	NEW	83-17-074	275-56-115	NEW-E	83-03-066
275-36-061	AMD	83-06-013	275-55-020	AMD-P	83-22-009	275-56-115	NEW	83-09-002
275-36-065	NEW	83-06-013	275-55-161	AMD-P	83-22-009	275-56-120	NEW-P	83-03-065
275-36-071	AMD	83-06-013	275-55-263	AMD-P	83-22-009	275-56-120	NEW-E	83-03-066
275-36-081	AMD	83-06-013	275-55-271	AMD-P	83-22-009	275-56-120	NEW	83-09-002
275-36-091	AMD	83-06-013	275-55-281	AMD-P	83-22-009	275-56-125	NEW-P	83-03-065
275-36-101	AMD	83-06-013	275-55-291	AMD-P	83-22-009	275-56-125	NEW-E	83-03-066
275-36-110	AMD	83-06-013	275-55-293	AMD	83-03-010	275-56-125	NEW	83-09-002
275-36-120	AMD	83-06-013	275-55-293	AMD-P	83-22-009	275-56-130	NEW-P	83-03-065
275-36-130	AMD	83-06-013	275-55-297	AMD-P	83-22-009	275-56-130	NEW-E	83-03-066
275-36-140	AMD	83-06-013	275-55-301	AMD-P	83-22-009	275-56-130	NEW	83-09-002
275-36-150	AMD	83-06-013	275-55-331	AMD-P	83-22-009	275-56-135	NEW-P	83-03-065
275-36-153	NEW	83-06-013	275-55-371	AMD-P	83-22-009	275-56-135	NEW-E	83-03-066
275-36-160	AMD	83-06-013	275-56-005	NEW-P	83-03-065	275-56-135	NEW	83-09-002
275-36-170	AMD	83-06-013	275-56-005	NEW-E	83-03-066	275-56-140	NEW-P	83-03-065
275-36-180	AMD	83-06-013	275-56-005	NEW	83-09-002	275-56-140	NEW-E	83-03-066
275-36-190	AMD	83-06-013	275-56-010	NEW-P	83-03-065	275-56-140	NEW	83-09-002
275-36-210	REP	83-06-013	275-56-010	NEW-E	83-03-066	275-56-145	NEW-P	83-03-065
275-36-211	NEW	83-06-013	275-56-010	NEW	83-09-002	275-56-145	NEW-E	83-03-066
275-36-260	NEW	83-06-013	275-56-015	NEW-P	83-03-065	275-56-145	NEW	83-09-002
275-36-270	NEW	83-06-013	275-56-015	NEW-E	83-03-066	275-56-150	NEW-P	83-03-065
275-36-275	NEW	83-06-013	275-56-015	NEW	83-09-002	275-56-150	NEW-E	83-03-066
275-36-280	NEW	83-06-013	275-56-020	NEW-P	83-03-065	275-56-150	NEW	83-09-002
275-36-285	NEW	83-06-013	275-56-020	NEW-E	83-03-066	275-56-155	NEW-P	83-03-065
275-36-290	NEW	83-06-013	275-56-025	NEW	83-09-002	275-56-155	NEW-E	83-03-066
275-36-295	NEW	83-06-013	275-56-025	NEW-P	83-03-065	275-56-155	NEW	83-09-002
275-36-300	NEW	83-06-013	275-56-025	NEW-E	83-03-066	275-56-160	NEW-P	83-03-065
275-36-305	NEW	83-06-013	275-56-030	NEW	83-09-002	275-56-160	NEW-E	83-03-066
275-36-310	NEW	83-06-013	275-56-030	NEW-P	83-03-065	275-56-160	NEW	83-09-002
			275-56-030	NEW-E	83-03-066	275-56-165	NEW-P	83-03-065
			275-56-035	NEW-P	83-03-065	275-56-165	NEW-E	83-03-066
			275-56-035	NEW-E	83-03-066	275-56-170	NEW	83-09-002
						275-56-170	NEW-P	83-03-065

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
275-56-170	NEW-E	83-03-066	275-56-300	NEW-P	83-03-065	275-56-425	NEW-P	83-03-065
275-56-170	NEW	83-09-002	275-56-300	NEW-E	83-03-066	275-56-425	NEW-E	83-03-066
275-56-175	NEW-P	83-03-065	275-56-300	NEW	83-09-002	275-56-425	NEW	83-09-002
275-56-175	NEW-E	83-03-066	275-56-305	NEW-P	83-03-065	275-56-430	NEW-P	83-03-065
275-56-175	NEW	83-09-002	275-56-305	NEW-E	83-03-066	275-56-430	NEW-E	83-03-066
275-56-180	NEW-P	83-03-065	275-56-305	NEW	83-09-002	275-56-430	NEW	83-09-002
275-56-180	NEW-E	83-03-066	275-56-307	NEW-P	83-03-065	275-56-435	NEW-P	83-03-065
275-56-180	NEW	83-09-002	275-56-307	NEW-E	83-03-066	275-56-435	NEW-E	83-03-066
275-56-185	NEW-P	83-03-065	275-56-310	NEW-P	83-03-065	275-56-435	NEW	83-09-002
275-56-185	NEW-E	83-03-066	275-56-310	NEW-E	83-03-066	275-56-440	NEW-P	83-03-065
275-56-185	NEW	83-09-002	275-56-310	NEW	83-09-002	275-56-440	NEW-E	83-03-066
275-56-190	NEW-P	83-03-065	275-56-315	NEW-P	83-03-065	275-56-445	NEW	83-09-002
275-56-190	NEW-E	83-03-066	275-56-315	NEW-E	83-03-066	275-56-445	NEW-P	83-03-065
275-56-190	NEW	83-09-002	275-56-315	NEW	83-09-002	275-56-445	NEW-E	83-03-066
275-56-195	NEW-P	83-03-065	275-56-320	NEW-P	83-03-065	275-56-445	NEW	83-09-002
275-56-195	NEW-E	83-03-066	275-56-320	NEW-E	83-03-066	275-56-450	NEW	83-09-002
275-56-195	NEW	83-09-002	275-56-320	NEW	83-09-002	275-87	REP-C	83-06-011
275-56-200	NEW-P	83-03-065	275-56-325	NEW-P	83-03-065	275-87	REP-W	83-08-007
275-56-200	NEW-E	83-03-066	275-56-325	NEW-E	83-03-066	275-87	REP-E	83-08-063
275-56-200	NEW	83-09-002	275-56-325	NEW	83-09-002	275-87-005	REP-P	83-02-049
275-56-205	NEW-P	83-03-065	275-56-330	NEW-P	83-03-065	275-87-005	REP-E	83-02-051
275-56-205	NEW-E	83-03-066	275-56-330	NEW-E	83-03-066	275-87-005	REP-W	83-08-007
275-56-205	NEW	83-09-002	275-56-330	NEW	83-09-002	275-87-005	REP-E	83-08-063
275-56-210	NEW-P	83-03-065	275-56-335	NEW-P	83-03-065	275-87-005	REP-E	83-15-004
275-56-210	NEW-E	83-03-066	275-56-335	NEW-E	83-03-066	275-87-005	REP-P	83-17-136
275-56-210	NEW	83-09-002	275-56-335	NEW	83-09-002	275-87-005	REP	83-20-035
275-56-215	NEW-P	83-03-065	275-56-340	NEW-P	83-03-065	275-87-005	REP-E	83-20-038
275-56-215	NEW-E	83-03-066	275-56-340	NEW-E	83-03-066	275-87-010	REP-P	83-02-049
275-56-215	NEW	83-09-002	275-56-340	NEW	83-09-002	275-87-010	REP-E	83-02-051
275-56-220	NEW-P	83-03-065	275-56-345	NEW-P	83-03-065	275-87-010	REP-W	83-08-007
275-56-220	NEW-E	83-03-066	275-56-345	NEW-E	83-03-066	275-87-010	REP-E	83-08-063
275-56-220	NEW	83-09-002	275-56-345	NEW	83-09-002	275-87-010	REP-E	83-15-004
275-56-225	NEW-P	83-03-065	275-56-350	NEW-P	83-03-065	275-87-010	REP-P	83-17-136
275-56-225	NEW-E	83-03-066	275-56-350	NEW-E	83-03-066	275-87-010	REP	83-20-035
275-56-225	NEW	83-09-002	275-56-350	NEW	83-09-002	275-87-010	REP-E	83-20-038
275-56-230	NEW-P	83-03-065	275-56-355	NEW-P	83-03-065	275-87-015	REP-P	83-02-049
275-56-230	NEW-E	83-03-066	275-56-355	NEW-E	83-03-066	275-87-015	REP-E	83-02-051
275-56-230	NEW	83-09-002	275-56-355	NEW	83-09-002	275-87-015	REP-W	83-08-007
275-56-235	NEW-P	83-03-065	275-56-360	NEW-P	83-03-065	275-87-015	REP-E	83-08-063
275-56-235	NEW-E	83-03-066	275-56-360	NEW-E	83-03-066	275-87-015	REP-E	83-15-004
275-56-235	NEW	83-09-002	275-56-360	NEW	83-09-002	275-87-015	REP-P	83-17-136
275-56-240	NEW-P	83-03-065	275-56-365	NEW-P	83-03-065	275-87-015	REP	83-20-035
275-56-240	NEW-E	83-03-066	275-56-365	NEW-E	83-03-066	275-87-015	REP-E	83-20-038
275-56-240	NEW	83-09-002	275-56-365	NEW	83-09-002	275-87-020	REP-P	83-02-049
275-56-245	NEW-P	83-03-065	275-56-370	NEW-P	83-03-065	275-87-020	REP-E	83-02-051
275-56-245	NEW-E	83-03-066	275-56-370	NEW-E	83-03-066	275-87-020	REP-W	83-08-007
275-56-245	NEW	83-09-002	275-56-370	NEW	83-09-002	275-87-020	REP-E	83-08-063
275-56-245	NEW-P	83-03-065	275-56-375	NEW-P	83-03-065	275-87-020	REP-E	83-15-004
275-56-250	NEW-E	83-03-066	275-56-375	NEW-E	83-03-066	275-87-020	REP-P	83-17-136
275-56-250	NEW	83-09-002	275-56-375	NEW	83-09-002	275-87-020	REP	83-20-035
275-56-255	NEW-P	83-03-065	275-56-380	NEW-P	83-03-065	275-87-020	REP-E	83-20-038
275-56-255	NEW-E	83-03-066	275-56-380	NEW-E	83-03-066	275-87-025	REP-P	83-02-049
275-56-255	NEW	83-09-002	275-56-380	NEW	83-09-002	275-87-025	REP-E	83-02-051
275-56-260	NEW-P	83-03-065	275-56-385	NEW-P	83-03-065	275-87-025	REP-W	83-08-007
275-56-260	NEW-E	83-03-066	275-56-385	NEW-E	83-03-066	275-87-025	REP-E	83-08-063
275-56-260	NEW	83-09-002	275-56-385	NEW	83-09-002	275-87-025	REP-E	83-15-004
275-56-265	NEW-P	83-03-065	275-56-390	NEW-P	83-03-065	275-87-025	REP-P	83-17-136
275-56-265	NEW-E	83-03-066	275-56-390	NEW-E	83-03-066	275-87-025	REP	83-20-035
275-56-265	NEW	83-09-002	275-56-390	NEW	83-09-002	275-87-025	REP-E	83-20-038
275-56-270	NEW-P	83-03-065	275-56-395	NEW-P	83-03-065	275-96	REP-C	83-06-011
275-56-270	NEW-E	83-03-066	275-56-395	NEW-E	83-03-066	275-96	REP-W	83-08-007
275-56-270	NEW	83-09-002	275-56-395	NEW	83-09-002	275-96	REP-E	83-08-063
275-56-275	NEW-P	83-03-065	275-56-400	NEW-P	83-03-065	275-96-005	REP-P	83-02-048
275-56-275	NEW-E	83-03-066	275-56-400	NEW-E	83-03-066	275-96-005	REP-E	83-02-050
275-56-275	NEW	83-09-002	275-56-400	NEW	83-09-002	275-96-005	REP-W	83-08-007
275-56-280	NEW-P	83-03-065	275-56-405	NEW-P	83-03-065	275-96-005	REP-E	83-08-063
275-56-280	NEW-E	83-03-066	275-56-405	NEW-E	83-03-066	275-96-005	REP-E	83-15-004
275-56-280	NEW	83-09-002	275-56-405	NEW	83-09-002	275-96-005	REP-P	83-17-135
275-56-285	NEW-P	83-03-065	275-56-410	NEW-P	83-03-065	275-96-005	REP	83-20-036
275-56-285	NEW-E	83-03-066	275-56-410	NEW-E	83-03-066	275-96-005	REP-E	83-20-037
275-56-285	NEW	83-09-002	275-56-410	NEW	83-09-002	275-96-010	REP-P	83-02-048
275-56-290	NEW-P	83-03-065	275-56-415	NEW-P	83-03-065	275-96-010	REP-E	83-02-050
275-56-290	NEW-E	83-03-066	275-56-415	NEW-E	83-03-066	275-96-010	REP-W	83-08-007
275-56-290	NEW	83-09-002	275-56-415	NEW	83-09-002	275-96-010	REP-E	83-08-063
275-56-295	NEW-P	83-03-065	275-56-420	NEW-P	83-03-065	275-96-010	REP-E	83-15-004
275-56-295	NEW-E	83-03-066	275-56-420	NEW-E	83-03-066	275-96-010	REP-P	83-17-135
275-56-295	NEW	83-09-002	275-56-420	NEW	83-09-002	275-96-010	REP	83-20-036

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
275-96-010	REP-E	83-20-037	275-96-065	REP-E	83-15-004	296-15-265	NEW-P	83-21-079
275-96-015	REP-P	83-02-048	275-96-065	REP-P	83-17-135	296-17	AMD-P	83-20-084
275-96-015	REP-E	83-02-050	275-96-065	REP	83-20-036	296-17-310	AMD-P	83-20-084
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296-22-082	AMD-P	83-13-121	296-23-020	AMD	83-16-066	296-23-50014	NEW-P	83-20-094
296-22-082	AMD	83-16-066	296-23-025	AMD-P	83-13-121	296-23-50015	NEW-P	83-20-094
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296-22-087	AMD	83-16-066	296-23-035	AMD-P	83-13-121	296-23-615	AMD	83-16-066
296-22-091	AMD-P	83-13-121	296-23-035	AMD	83-16-066	296-23-715	AMD-P	83-13-121
296-22-091	AMD	83-16-066	296-23-040	AMD-P	83-13-121	296-23-715	AMD	83-16-066
296-22-105	AMD-P	83-13-121	296-23-040	AMD	83-16-066	296-23-720	AMD-P	83-13-121
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296-22-115	AMD	83-16-066	296-23-050	AMD-P	83-13-121	296-23-725	AMD	83-16-066
296-22-116	AMD-P	83-13-121	296-23-050	AMD	83-16-066	296-23-900	AMD-P	83-13-121
296-22-116	AMD	83-16-066	296-23-065	AMD-P	83-13-121	296-23-900	AMD	83-16-066
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296-22-125	AMD-P	83-13-121	296-23-079	AMD	83-16-066	296-23-9408	REP-P	83-20-094
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296-22-180	AMD-P	83-13-121	296-23-07903	AMD	83-16-066	296-24-13503	REP-C	83-13-007
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296-22-230	AMD	83-16-066	296-23-20102	AMD-P	83-13-121	296-24-16521	AMD-P	83-05-024
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308-16-280	REP-C	83-14-031	308-33-100	REP	83-17-031	308-52-310	REP	83-17-031
308-16-280	REP	83-15-013	308-33-105	NEW-P	83-13-116	308-52-315	NEW-P	83-13-116
308-16-310	AMD-E	83-11-011	308-33-105	NEW	83-17-031	308-52-315	NEW	83-17-031
308-16-310	AMD-P	83-11-045	308-33-105	AMD-E	83-19-008	308-52-315	AMD-E	83-19-008
308-16-310	AMD-C	83-14-031	308-33-105	AMD-P	83-19-069	308-52-315	AMD-P	83-19-069
308-16-310	AMD	83-15-013	308-33-105	AMD	83-22-060	308-52-315	AMD	83-22-060
308-16-370	REP-E	83-11-025	308-36-080	REP-P	83-13-116	308-52-500	AMD-P	83-03-045
308-16-370	REP-P	83-11-045	308-37-115	NEW-P	83-08-020	308-52-500	AMD	83-07-014
308-16-370	REP-C	83-14-031	308-37-130	AMD	83-04-050	308-52-502	NEW-P	83-03-045
308-16-370	REP	83-15-013	308-37-135	NEW	83-04-050	308-52-502	NEW	83-07-014
308-16-420	REP-P	83-13-116	308-40-102	AMD-P	83-04-049	308-52-504	AMD-P	83-03-045
308-16-420	REP	83-17-031	308-40-102	AMD	83-08-021	308-52-504	AMD	83-07-014
308-16-500	NEW-P	83-13-116	308-40-110	AMD-P	83-04-049	308-52-520	REP-P	83-03-045
308-16-500	NEW	83-17-031	308-40-110	AMD	83-08-021	308-52-520	REP	83-07-014
308-16-500	AMD-E	83-19-008	308-40-120	REP-P	83-13-116	308-52-550	REP-P	83-03-045
308-16-500	AMD-P	83-19-069	308-40-120	REP	83-17-031	308-52-550	REP	83-07-014
308-16-500	AMD	83-22-060	308-40-125	NEW-P	83-13-116	308-52-560	REP-P	83-03-045
308-24-485	NEW-P	83-13-116	308-40-125	NEW	83-17-031	308-52-560	REP	83-07-014
308-24-485	NEW	83-17-031	308-41-020	REP-P	83-13-116	308-53-020	NEW-P	83-13-116
308-24-485	AMD-E	83-19-008	308-41-020	REP	83-17-031	308-53-020	NEW	83-17-031
308-24-485	AMD-P	83-19-069	308-41-025	NEW-P	83-13-116	308-53-080	AMD-P	83-06-073
308-24-485	AMD	83-22-060	308-41-025	NEW	83-17-031	308-53-080	AMD	83-10-052
308-24-490	REP-P	83-13-116	308-42-025	REP	83-05-032	308-53-085	AMD-P	83-06-073
308-24-490	REP	83-17-031	308-42-030	AMD	83-05-032	308-53-085	AMD	83-10-052
308-25-020	AMD-P	83-04-070	308-42-040	AMD	83-05-032	308-53-310	REP-P	83-13-116
308-25-020	AMD	83-07-051	308-42-045	AMD	83-05-032	308-53-310	REP	83-17-031
308-25-020	AMD-E	83-17-063	308-42-060	AMD	83-05-032	308-54-310	REP-P	83-13-116
308-25-030	AMD-E	83-17-063	308-42-070	NEW	83-05-032	308-54-310	REP	83-17-031
308-25-060	REP-P	83-13-116	308-42-075	NEW-P	83-13-116	308-54-315	NEW-P	83-13-116
308-25-060	REP	83-17-031	308-42-075	NEW	83-17-031	308-54-315	NEW	83-17-031
308-25-065	NEW-P	83-13-116	308-42-100	REP-P	83-13-116	308-55-010	REP-P	83-13-116
308-25-065	NEW	83-17-031	308-42-100	REP	83-17-031	308-55-010	REP	83-17-031
308-25-070	AMD-E	83-17-063	308-48-010	AMD	83-04-020	308-55-025	NEW-P	83-13-116
308-26-020	REP-P	83-13-116	308-48-020	REP	83-04-021	308-55-025	NEW	83-17-031
308-26-020	REP	83-17-031	308-48-030	AMD	83-04-020	308-90-010	NEW-E	83-10-051
308-26-040	NEW-P	83-13-116	308-48-090	REP	83-04-021	308-90-010	NEW-P	83-11-044
308-26-040	NEW	83-17-031	308-48-110	AMD	83-04-020	308-90-010	NEW	83-14-061
308-29-040	REP-P	83-13-116	308-48-115	REP	83-04-021	308-90-020	NEW-E	83-10-051
308-29-040	REP	83-17-031	308-48-165	NEW	83-04-020	308-90-020	NEW-P	83-11-044
308-29-045	NEW-P	83-13-116	308-48-170	REP	83-04-021	308-90-020	NEW	83-14-061
308-29-045	NEW	83-17-031	308-48-175	REP	83-04-021	308-90-030	NEW-E	83-10-051
308-29-045	AMD-P	83-19-069	308-48-190	AMD	83-04-020	308-90-030	NEW-P	83-11-044
308-29-045	AMD	83-22-060	308-48-19001	REP	83-04-021	308-90-030	NEW	83-14-061
308-31-010	AMD	83-03-032	308-48-200	AMD	83-04-020	308-90-040	NEW-E	83-10-051
308-31-015	NEW-P	83-20-052	308-48-250	NEW-P	83-13-116	308-90-040	NEW-P	83-11-044
308-31-020	AMD-P	83-20-052	308-48-250	NEW	83-17-031	308-90-040	NEW	83-14-061
308-31-030	NEW	83-03-032	308-48-310	REP-P	83-13-116	308-90-050	NEW-E	83-10-051
308-31-040	NEW	83-03-032	308-48-310	REP	83-17-031	308-90-050	NEW-P	83-11-044
308-31-050	NEW	83-03-032	308-49-100	NEW	83-04-021	308-90-050	NEW	83-14-061
308-31-055	NEW-P	83-13-116	308-49-120	NEW	83-04-021	308-90-060	NEW-E	83-10-051
308-31-055	NEW	83-17-031	308-49-130	NEW	83-04-021	308-90-060	NEW-P	83-11-044
308-31-055	AMD-E	83-19-008	308-49-140	NEW	83-04-021	308-90-060	NEW	83-14-061
308-31-055	AMD-P	83-19-069	308-49-150	NEW	83-04-021	308-90-070	NEW-E	83-10-051

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
308-90-070	NEW-P 83-11-044	308-93-130	NEW-W 83-13-105	308-93-450	NEW-P 83-20-089
308-90-070	NEW 83-14-061	308-93-130	NEW-P 83-20-089	308-93-460	NEW-E 83-19-062
308-90-080	NEW-E 83-10-051	308-93-140	NEW-E 83-10-021	308-93-460	NEW-P 83-20-089
308-90-080	NEW-P 83-11-044	308-93-140	NEW-P 83-11-043	308-93-470	NEW-E 83-19-062
308-90-080	NEW 83-14-061	308-93-140	NEW-W 83-13-105	308-93-470	NEW-P 83-20-089
308-90-090	NEW-E 83-10-051	308-93-140	NEW-E 83-19-062	308-93-480	NEW-E 83-19-062
308-90-090	NEW-P 83-11-044	308-93-140	NEW-P 83-20-089	308-93-480	NEW-P 83-20-089
308-90-090	NEW 83-14-061	308-93-150	NEW-E 83-10-021	308-93-490	NEW-E 83-19-062
308-90-100	NEW-E 83-10-051	308-93-150	NEW-P 83-11-043	308-93-490	NEW-P 83-20-089
308-90-100	NEW-P 83-11-044	308-93-150	NEW-W 83-13-105	308-93-500	NEW-E 83-19-062
308-90-100	NEW 83-14-061	308-93-150	NEW-E 83-19-062	308-93-500	NEW-P 83-20-089
308-90-110	NEW-E 83-10-051	308-93-150	NEW-P 83-20-089	308-93-510	NEW-E 83-19-062
308-90-110	NEW-P 83-11-044	308-93-160	NEW-E 83-10-021	308-93-510	NEW-P 83-20-089
308-90-110	NEW 83-14-061	308-93-160	NEW-P 83-11-043	308-93-520	NEW-E 83-19-062
308-93-010	NEW-E 83-10-021	308-93-160	NEW-W 83-13-105	308-93-520	NEW-P 83-20-089
308-93-010	NEW-P 83-11-043	308-93-160	NEW-E 83-19-062	308-93-530	NEW-E 83-19-062
308-93-010	NEW-E 83-19-062	308-93-160	NEW-P 83-20-089	308-93-530	NEW-P 83-20-089
308-93-010	NEW-W 83-13-105	308-93-170	NEW-E 83-10-021	308-93-540	NEW-E 83-19-062
308-93-010	NEW-P 83-20-089	308-93-170	NEW-P 83-11-043	308-93-540	NEW-P 83-20-089
308-93-020	NEW-E 83-10-021	308-93-170	NEW-W 83-13-105	308-93-550	NEW-E 83-19-062
308-93-020	NEW-P 83-11-043	308-93-170	NEW-E 83-19-062	308-93-550	NEW-P 83-20-089
308-93-020	NEW-E 83-19-062	308-93-170	NEW-P 83-20-089	308-93-560	NEW-E 83-19-062
308-93-020	NEW-W 83-13-105	308-93-180	NEW-E 83-19-062	308-93-560	NEW-P 83-20-089
308-93-020	NEW-P 83-20-089	308-93-180	NEW-P 83-20-089	308-93-570	NEW-E 83-19-062
308-93-030	NEW-E 83-10-021	308-93-180	NEW-E 83-19-062	308-93-570	NEW-P 83-20-089
308-93-030	NEW-P 83-11-043	308-93-190	NEW-P 83-20-089	308-93-580	NEW-E 83-19-062
308-93-030	NEW-E 83-19-062	308-93-190	NEW-P 83-20-089	308-93-580	NEW-P 83-20-089
308-93-030	NEW-W 83-13-105	308-93-200	NEW-E 83-19-062	308-93-590	NEW-E 83-19-062
308-93-030	NEW-P 83-20-089	308-93-200	NEW-P 83-20-089	308-93-590	NEW-P 83-20-089
308-93-040	NEW-E 83-10-021	308-93-210	NEW-E 83-19-062	308-93-600	NEW-E 83-19-062
308-93-040	NEW-P 83-11-043	308-93-210	NEW-P 83-20-089	308-93-600	NEW-P 83-20-089
308-93-040	NEW-E 83-19-062	308-93-220	NEW-E 83-19-062	308-93-610	NEW-E 83-19-062
308-93-040	NEW-W 83-13-105	308-93-220	NEW-P 83-20-089	308-93-610	NEW-P 83-20-089
308-93-040	NEW-P 83-20-089	308-93-230	NEW-E 83-19-062	308-93-620	NEW-E 83-19-062
308-93-050	NEW-E 83-10-021	308-93-240	NEW-E 83-19-062	308-93-620	NEW-P 83-20-089
308-93-050	NEW-P 83-11-043	308-93-240	NEW-P 83-20-089	308-93-630	NEW-E 83-19-062
308-93-050	NEW-E 83-19-062	308-93-250	NEW-E 83-19-062	308-93-630	NEW-P 83-20-089
308-93-050	NEW-W 83-13-105	308-93-250	NEW-P 83-20-089	308-93-640	NEW-E 83-19-062
308-93-050	NEW-P 83-20-089	308-93-260	NEW-E 83-19-062	308-93-640	NEW-P 83-20-089
308-93-060	NEW-E 83-10-021	308-93-260	NEW-P 83-20-089	308-95-010	NEW-P 83-04-068
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308-93-060	NEW-E 83-19-062	308-93-270	NEW-P 83-20-089	308-95-010	NEW 83-12-025
308-93-060	NEW-W 83-13-105	308-93-280	NEW-E 83-19-062	308-95-020	NEW-P 83-04-068
308-93-060	NEW-P 83-20-089	308-93-280	NEW-P 83-20-089	308-95-020	NEW-E 83-06-029
308-93-070	NEW-E 83-10-021	308-93-290	NEW-E 83-19-062	308-95-020	NEW 83-12-025
308-93-070	NEW-P 83-11-043	308-93-290	NEW-P 83-20-089	308-95-030	NEW-P 83-04-068
308-93-070	NEW-E 83-19-062	308-93-300	NEW-E 83-19-062	308-95-030	NEW-E 83-06-029
308-93-070	NEW-W 83-13-105	308-93-300	NEW-P 83-20-089	308-95-030	NEW 83-12-025
308-93-070	NEW-P 83-20-089	308-93-310	NEW-E 83-19-062	308-96A-400	NEW-P 83-05-055
308-93-080	NEW-E 83-10-021	308-93-310	NEW-P 83-20-089	308-96A-400	NEW 83-08-052
308-93-080	NEW-P 83-11-043	308-93-320	NEW-E 83-19-062	308-99-010	NEW-P 83-15-064
308-93-080	NEW-E 83-19-062	308-93-320	NEW-P 83-20-089	308-99-010	NEW-C 83-18-012
308-93-080	NEW-W 83-13-105	308-93-330	NEW-E 83-19-062	308-99-010	NEW 83-19-009
308-93-080	NEW-P 83-20-089	308-93-330	NEW-P 83-20-089	308-99-020	NEW-P 83-15-064
308-93-090	NEW-E 83-10-021	308-93-340	NEW-E 83-19-062	308-99-020	NEW-C 83-18-012
308-93-090	NEW-P 83-11-043	308-93-340	NEW-P 83-20-089	308-99-020	NEW 83-19-009
308-93-090	NEW-E 83-19-062	308-93-350	NEW-E 83-19-062	308-99-030	NEW-P 83-15-064
308-93-090	NEW-W 83-13-105	308-93-350	NEW-P 83-20-089	308-99-030	NEW-C 83-18-012
308-93-090	NEW-P 83-20-089	308-93-360	NEW-E 83-19-062	308-99-030	NEW 83-19-009
308-93-100	NEW-E 83-10-021	308-93-360	NEW-P 83-20-089	308-99-040	NEW-P 83-15-064
308-93-100	NEW-P 83-11-043	308-93-370	NEW-E 83-19-062	308-99-040	NEW-C 83-18-012
308-93-100	NEW-E 83-19-062	308-93-370	NEW-P 83-20-089	308-99-040	NEW 83-19-009
308-93-100	NEW-W 83-13-105	308-93-380	NEW-E 83-19-062	308-115-400	REP-P 83-13-116
308-93-100	NEW-P 83-20-089	308-93-380	NEW-P 83-20-089	308-115-400	REP 83-17-031
308-93-110	NEW-E 83-10-021	308-93-390	NEW-E 83-19-062	308-115-405	NEW-P 83-13-116
308-93-110	NEW-P 83-11-043	308-93-390	NEW-P 83-20-089	308-115-405	NEW 83-17-031
308-93-110	NEW-E 83-19-062	308-93-400	NEW-E 83-19-062	308-116-005	REP-P 83-22-077
308-93-110	NEW-W 83-13-105	308-93-400	NEW-P 83-20-089	308-116-010	REP-P 83-22-077
308-93-110	NEW-P 83-20-089	308-93-410	NEW-E 83-19-062	308-116-020	REP-P 83-22-077
308-93-120	NEW-E 83-10-021	308-93-410	NEW-P 83-20-089	308-116-024	REP-P 83-22-077
308-93-120	NEW-P 83-11-043	308-93-420	NEW-E 83-19-062	308-116-034	REP-P 83-22-077
308-93-120	NEW-E 83-19-062	308-93-420	NEW-P 83-20-089	308-116-038	REP-P 83-22-077
308-93-120	NEW-W 83-13-105	308-93-430	NEW-E 83-19-062	308-116-040	REP-P 83-22-077
308-93-120	NEW-P 83-20-089	308-93-430	NEW-P 83-20-089	308-116-052	REP-P 83-22-077
308-93-130	NEW-E 83-10-021	308-93-440	NEW-E 83-19-062	308-116-058	REP-P 83-22-077
308-93-130	NEW-P 83-11-043	308-93-440	NEW-P 83-20-089	308-116-082	REP-P 83-22-077
308-93-130	NEW-E 83-19-062	308-93-450	NEW-E 83-19-062	308-116-092	REP-P 83-22-077

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308-116-102	REP-P 83-22-077	308-127-100	NEW-P 83-21-046	314-12-125	NEW-P 83-06-027
308-116-160	REP-P 83-22-077	308-127-100	NEW-E 83-21-047	314-12-125	NEW-P 83-10-032
308-116-280	REP-P 83-22-077	308-127-110	NEW-P 83-21-046	314-12-125	NEW-W 83-10-045
308-116-295	AMD-P 83-02-062	308-127-110	NEW-E 83-21-047	314-12-125	NEW 83-18-070
308-116-295	AMD 83-05-033	308-127-120	NEW-P 83-21-046	314-16	REVIEW 83-11-026
308-116-295	REP-P 83-22-077	308-127-120	NEW-E 83-21-047	314-16-120	AMD-P 83-03-013
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308-116-310	REP-P 83-13-116	308-127-130	NEW-E 83-21-047	314-16-122	AMD-P 83-10-059
308-116-310	REP 83-17-031	308-127-140	NEW-P 83-21-046	314-16-122	AMD 83-13-055
308-116-325	NEW-P 83-13-116	308-127-140	NEW-E 83-21-047	314-16-145	NEW-P 83-09-016
308-116-325	NEW 83-17-031	308-127-150	NEW-P 83-21-046	314-16-145	NEW 83-12-022
308-117-010	NEW-P 83-22-077	308-127-150	NEW-E 83-21-047	314-16-196	NEW-P 83-07-066
308-117-020	NEW-P 83-22-077	308-127-200	NEW-P 83-21-046	314-16-196	NEW-P 83-10-031
308-117-030	NEW-P 83-22-077	308-127-200	NEW-E 83-21-047	314-16-196	NEW-W 83-10-046
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308-117-110	NEW-P 83-22-077	308-138-060	REP 83-17-031	314-32	REVIEW 83-11-026
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308-117-130	NEW-P 83-22-077	308-138-080	NEW 83-17-031	314-37-010	NEW 83-04-017
308-117-140	NEW-P 83-22-077	308-138A-020	AMD-P 83-12-048	314-37-010	AMD-P 83-15-062
308-117-150	NEW-P 83-22-077	308-138A-020	AMD 83-16-024	314-37-010	AMD-C 83-17-108
308-117-160	NEW-P 83-22-077	308-138A-025	AMD-P 83-12-048	314-37-010	AMD-C 83-18-069
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308-117-300	NEW-P 83-22-077	308-138B-105	NEW 83-16-024	314-40	REVIEW 83-11-026
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308-120-180	AMD-P 83-20-090	308-138B-170	AMD 83-16-024	314-48	REVIEW 83-11-026
308-120-260	REP-P 83-13-116	308-151-080	AMD-P 83-04-029	314-52	REVIEW 83-11-026
308-120-260	REP 83-17-031	308-151-080	AMD 83-07-050	314-52-110	AMD-P 83-03-013
308-120-270	NEW-P 83-08-073	308-151-100	AMD-P 83-04-029	314-52-110	AMD-C 83-06-025
308-120-270	NEW 83-12-026	308-151-100	AMD 83-07-050	314-52-110	AMD-P 83-21-086
308-120-275	NEW-P 83-13-116	308-152-010	REP-P 83-13-116	314-52-114	NEW-P 83-21-085
308-120-275	NEW 83-17-031	308-152-010	REP 83-17-031	314-56	REVIEW 83-11-026
308-120-345	NEW 83-04-051	308-152-015	NEW-P 83-13-116	314-60	REVIEW 83-11-026
308-120-400	AMD-P 83-12-031	308-152-015	NEW 83-17-031	314-62	REVIEW 83-11-026
308-120-400	AMD 83-16-065	308-152-015	AMD-E 83-19-008	314-64	REVIEW 83-11-026
308-120-600	NEW-P 83-12-031	308-152-015	AMD-P 83-19-069	314-68	REVIEW 83-11-026
308-120-600	NEW-P 83-20-090	308-152-015	AMD 83-22-060	314-72	REVIEW 83-11-026
308-120-601	NEW-P 83-12-031	308-156-010	AMD-P 83-16-063	314-76	REVIEW 83-11-026
308-120-601	NEW-P 83-20-090	308-156-010	AMD 83-19-055	315-02-020	AMD-P 83-12-057
308-120-602	NEW-P 83-12-031	308-156-020	AMD-P 83-16-063	315-02-020	AMD-P 83-16-079
308-120-602	NEW-P 83-20-090	308-156-020	AMD 83-19-055	315-02-020	AMD 83-19-019
308-120-603	NEW-P 83-12-031	308-156-030	AMD-P 83-16-063	315-02-210	REP-P 83-08-047
308-120-603	NEW-P 83-20-090	308-156-030	AMD 83-19-055	315-02-210	REP-C 83-10-069
308-120-604	NEW-P 83-12-031	308-156-040	REP-P 83-16-063	315-02-210	REP 83-13-082
308-120-604	NEW-P 83-20-090	308-156-040	REP 83-19-055	315-04-010	AMD-P 83-22-069
308-120-605	NEW-P 83-12-031	308-156-045	NEW-P 83-16-063	315-04-040	AMD 83-05-029
308-120-605	NEW-P 83-20-090	308-156-045	NEW 83-19-055	315-04-050	REP-P 83-08-047
308-120-606	NEW-P 83-12-031	308-156-050	NEW-P 83-16-063	315-04-050	REP-C 83-10-069
308-120-606	NEW-P 83-20-090	308-156-050	NEW 83-19-055	315-04-050	REP 83-13-082
308-120-607	NEW-P 83-12-031	308-156-055	NEW-P 83-16-063	315-04-070	AMD-P 83-16-079
308-120-607	NEW-P 83-20-090	308-156-055	NEW 83-19-055	315-04-070	AMD-E 83-17-028
308-120-608	NEW-P 83-12-031	308-156-060	AMD-P 83-16-063	315-04-070	AMD 83-19-019
308-120-608	NEW-P 83-20-090	308-156-060	AMD 83-19-055	315-04-070	AMD-P 83-22-069
308-120-609	NEW-P 83-12-031	308-156-070	AMD-P 83-16-063	315-04-090	AMD-E 83-03-041
308-122-275	NEW-P 83-13-116	308-156-070	AMD 83-19-055	315-04-090	AMD 83-05-029
308-122-275	NEW 83-17-031	308-156-080	AMD-P 83-16-063	315-04-100	AMD-P 83-22-069
308-122-460	REP-P 83-13-116	308-156-080	AMD 83-19-055	315-04-120	AMD-P 83-22-069
308-122-460	REP 83-17-031	308-156-090	AMD-P 83-16-063	315-04-125	NEW-P 83-22-069
308-122-500	AMD-P 83-11-042	308-156-090	AMD 83-19-055	315-04-140	AMD-P 83-22-069
308-122-505	AMD-P 83-11-042	308-156-100	AMD-P 83-16-063	315-04-180	AMD-P 83-16-079
308-127-010	NEW-P 83-21-046	308-156-100	AMD 83-19-055	315-04-180	AMD 83-19-019
308-127-010	NEW-E 83-21-047	314-04	REVIEW 83-11-026	315-04-190	AMD-E 83-03-041
308-127-020	NEW-P 83-21-046	314-08	REVIEW 83-11-026	315-04-190	AMD 83-05-029
308-127-020	NEW-E 83-21-047	314-12	REVIEW 83-11-026	315-04-190	AMD-E 83-21-034
308-127-030	NEW-P 83-21-046	314-12-020	AMD-P 83-16-071	315-04-190	AMD-P 83-22-070
308-127-030	NEW-E 83-21-047	314-12-020	AMD 83-18-071	315-04-200	AMD-P 83-03-046
308-127-040	NEW-P 83-21-046	314-12-110	AMD-P 83-21-041	315-04-200	AMD 83-07-022

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
315-04-220	NEW-E	83-03-041	315-11-062	NEW-P	83-05-053	315-12-110	NEW-C	83-08-081
315-04-220	NEW	83-05-029	315-11-062	NEW-C	83-08-080	315-12-110	NEW-C	83-10-068
315-06-020	AMD	83-03-034	315-11-062	NEW-E	83-08-086	315-12-110	NEW	83-13-080
315-06-040	AMD-P	83-22-070	315-11-062	NEW-C	83-10-070	315-12-120	NEW-C	83-05-028
315-06-050	AMD-E	83-03-041	315-11-062	NEW-C	83-13-078	315-12-120	NEW-C	83-08-081
315-06-050	AMD	83-05-029	315-11-062	NEW-E	83-13-084	315-12-120	NEW-C	83-10-068
315-06-060	NEW	83-03-034	315-11-062	NEW	83-17-010	315-12-120	NEW	83-13-080
315-06-060	NEW-E	83-04-019	315-11-070	NEW-P	83-10-067	315-12-130	NEW-C	83-05-028
315-06-080	AMD	83-03-033	315-11-070	NEW-C	83-13-079	315-12-130	NEW-C	83-08-081
315-06-080	NEW-E	83-04-019	315-11-070	NEW-E	83-13-085	315-12-130	NEW-C	83-10-068
315-06-120	NEW-E	83-03-041	315-11-070	NEW	83-17-011	315-12-130	NEW	83-13-080
315-06-120	NEW	83-05-029	315-11-071	NEW-P	83-10-067	315-12-140	NEW-C	83-05-028
315-06-120	AMD-P	83-22-069	315-11-071	NEW-C	83-13-079	315-12-140	NEW-C	83-08-081
315-06-160	AMD	83-05-029	315-11-071	NEW-E	83-13-085	315-12-140	NEW-C	83-10-068
315-06-180	AMD-P	83-16-079	315-11-071	NEW	83-17-011	315-12-140	NEW	83-13-080
315-06-180	AMD	83-19-019	315-11-071	AMD-E	83-19-020	315-12-150	NEW-C	83-05-028
315-10-020	AMD-E	83-03-041	315-11-071	AMD-P	83-19-072	315-12-150	NEW-C	83-08-081
315-10-020	AMD	83-05-029	315-11-072	NEW-P	83-10-067	315-12-150	NEW-C	83-10-068
315-10-030	AMD	83-03-034	315-11-072	NEW-C	83-13-079	315-12-150	NEW	83-13-080
315-10-030	AMD-E	83-08-083	315-11-072	NEW-E	83-13-085	315-20-010	NEW-P	83-08-074
315-10-030	AMD-P	83-12-057	315-11-072	NEW	83-17-011	315-20-010	NEW-C	83-10-073
315-10-030	AMD-E	83-13-086	315-11-080	NEW-P	83-16-078	315-20-010	NEW	83-13-081
315-10-030	AMD	83-16-029	315-11-080	NEW	83-19-018	315-20-020	NEW-P	83-08-074
315-10-060	NEW-E	83-21-034	315-11-081	NEW-P	83-16-078	315-20-020	NEW-C	83-10-073
315-10-060	NEW-P	83-22-070	315-11-081	NEW	83-19-018	315-20-020	NEW	83-13-081
315-11-010	NEW	83-03-034	315-11-082	NEW-P	83-16-078	315-20-030	NEW-P	83-08-074
315-11-010	NEW-E	83-04-019	315-11-082	NEW	83-19-018	315-20-030	NEW-C	83-10-073
315-11-020	NEW	83-03-034	315-11-090	NEW-P	83-22-070	315-20-040	NEW-P	83-08-074
315-11-020	NEW-E	83-04-019	315-11-091	NEW-P	83-22-070	315-20-040	NEW-C	83-10-073
315-11-030	NEW	83-03-034	315-11-092	NEW-P	83-22-070	315-20-040	NEW	83-13-081
315-11-030	NEW-E	83-04-019	315-11-100	NEW-P	83-22-071	315-20-050	NEW-P	83-08-074
315-11-040	NEW-E	83-03-040	315-11-101	NEW-P	83-22-071	315-20-050	NEW-C	83-10-073
315-11-040	NEW	83-05-030	315-11-102	NEW-P	83-22-071	315-20-050	NEW	83-13-081
315-11-041	NEW-E	83-03-040	315-12-010	NEW-C	83-05-028	315-20-060	NEW-P	83-08-074
315-11-041	NEW-P	83-04-069	315-12-010	NEW-C	83-08-081	315-20-060	NEW-C	83-10-073
315-11-041	NEW	83-07-023	315-12-010	NEW-C	83-10-068	315-20-060	NEW	83-13-081
315-11-041	NEW-E	83-08-084	315-12-010	NEW	83-13-080	315-20-070	NEW-P	83-08-074
315-11-042	NEW-E	83-03-040	315-12-020	NEW-C	83-05-028	315-20-070	NEW-C	83-10-073
315-11-042	NEW	83-05-030	315-12-020	NEW-C	83-08-081	315-20-070	NEW	83-13-081
315-11-042	NEW-E	83-05-031	315-12-020	NEW-C	83-10-068	315-20-080	NEW-P	83-08-074
315-11-050	NEW-E	83-05-031	315-12-020	NEW	83-13-080	315-20-080	NEW-C	83-10-073
315-11-050	NEW-P	83-05-052	315-12-030	NEW-C	83-05-028	315-20-080	NEW	83-13-081
315-11-050	NEW-E	83-08-085	315-12-030	NEW-C	83-08-081	315-20-090	NEW-P	83-08-074
315-11-050	NEW-C	83-08-079	315-12-030	NEW-C	83-10-068	315-20-090	NEW-C	83-10-073
315-11-050	NEW-C	83-13-077	315-12-030	NEW	83-13-080	315-20-090	NEW	83-13-081
315-11-050	NEW-E	83-13-083	315-12-040	NEW-C	83-05-028	315-20-090	NEW-P	83-08-074
315-11-050	NEW	83-17-009	315-12-040	NEW-C	83-08-081	315-20-100	NEW-C	83-10-073
315-11-051	NEW-E	83-05-031	315-12-040	NEW-C	83-10-068	315-20-100	NEW	83-13-081
315-11-051	NEW-P	83-05-052	315-12-040	NEW	83-13-080	315-20-110	NEW-P	83-08-074
315-11-051	NEW-E	83-08-085	315-12-050	NEW-C	83-05-028	315-20-110	NEW-C	83-10-073
315-11-051	NEW-C	83-08-079	315-12-050	NEW-C	83-08-081	315-20-110	NEW	83-13-081
315-11-051	NEW-C	83-10-072	315-12-050	NEW-C	83-10-068	315-20-120	NEW-P	83-08-074
315-11-051	NEW-C	83-13-077	315-12-050	NEW	83-13-080	315-20-120	NEW-C	83-10-073
315-11-051	NEW-E	83-13-083	315-12-060	NEW-C	83-05-028	315-20-120	NEW	83-13-081
315-11-051	NEW	83-17-009	315-12-060	NEW-C	83-08-081	315-20-130	NEW-P	83-08-074
315-11-052	NEW-E	83-05-031	315-12-060	NEW-C	83-10-068	315-20-130	NEW-C	83-10-073
315-11-052	NEW-P	83-05-052	315-12-060	NEW	83-13-080	315-20-130	NEW	83-13-081
315-11-052	NEW-E	83-08-085	315-12-070	NEW-C	83-05-028	315-20-140	NEW-P	83-08-074
315-11-052	NEW-C	83-08-079	315-12-070	NEW-C	83-08-081	315-20-140	NEW-C	83-10-073
315-11-052	NEW-C	83-10-072	315-12-070	NEW-C	83-10-068	315-20-140	NEW	83-13-081
315-11-052	NEW-C	83-13-077	315-12-070	NEW	83-13-080	315-20-150	NEW-P	83-08-074
315-11-052	NEW-E	83-13-083	315-12-080	NEW-C	83-05-028	315-20-150	NEW-C	83-10-073
315-11-052	NEW	83-17-009	315-12-080	NEW-C	83-08-081	315-20-150	NEW	83-13-081
315-11-060	NEW-P	83-05-053	315-12-080	NEW-C	83-10-068	315-30-010	NEW-P	83-22-072
315-11-060	NEW-C	83-08-080	315-12-080	NEW	83-13-080	315-30-020	NEW-P	83-22-072
315-11-060	NEW-E	83-08-086	315-12-090	NEW-C	83-05-028	315-30-030	NEW-P	83-22-072
315-11-060	NEW-C	83-10-070	315-12-090	NEW-C	83-08-081	315-30-040	NEW-P	83-22-072
315-11-060	NEW-C	83-13-078	315-12-090	NEW-C	83-10-068	315-30-050	NEW-P	83-22-072
315-11-060	NEW-E	83-13-084	315-12-090	NEW	83-13-080	315-30-060	NEW-P	83-22-072
315-11-060	NEW	83-17-010	315-12-100	NEW-C	83-05-028	315-30-070	NEW-P	83-22-072
315-11-061	NEW-P	83-05-053	315-12-100	NEW-P	83-05-054	315-31-020	NEW-P	83-22-072
315-11-061	NEW-C	83-08-080	315-12-100	NEW-C	83-08-081	315-31-030	NEW-P	83-22-072
315-11-061	NEW-E	83-08-086	315-12-100	NEW-C	83-08-082	315-31-040	NEW-P	83-22-072
315-11-061	NEW-C	83-10-070	315-12-100	NEW-C	83-10-068	315-31-050	NEW-P	83-22-072
315-11-061	NEW-C	83-13-078	315-12-100	NEW-C	83-10-071	315-31-060	NEW-P	83-22-072
315-11-061	NEW-E	83-13-084	315-12-100	NEW	83-13-080	326-02-010	NEW-E	83-18-011
315-11-061	NEW	83-17-010	315-12-110	NEW-C	83-05-028	326-02-010	NEW-P	83-19-066

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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
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326-02-020	NEW-E	83-18-011	332-10-190	AMD-P	83-20-080	332-24-056	AMD-P	83-07-068
326-02-020	NEW-P	83-19-066	332-12-310	AMD-C	83-05-004	332-24-056	AMD	83-10-036
326-02-020	NEW	83-22-045	332-12-310	AMD-C	83-06-040	332-24-060	AMD-P	83-07-068
326-02-030	NEW-E	83-18-011	332-12-310	AMD	83-07-039	332-24-060	AMD	83-10-036
326-02-030	NEW-P	83-19-066	332-18	REVIEW	83-13-098	332-24-063	AMD-P	83-07-068
326-02-030	NEW	83-22-045	332-20	AMD-C	83-17-104	332-24-063	AMD	83-10-036
326-20-010	NEW-E	83-18-011	332-20-010	AMD-P	83-15-038	332-24-065	REP-P	83-07-068
326-20-010	NEW-P	83-19-066	332-20-010	AMD	83-21-018	332-24-065	REP	83-10-036
326-20-010	NEW	83-22-045	332-20-020	AMD-P	83-15-038	332-24-070	AMD-P	83-07-068
326-20-020	NEW-E	83-18-011	332-20-020	AMD	83-21-018	332-24-070	AMD	83-10-036
326-20-020	NEW-P	83-19-066	332-20-030	AMD-P	83-15-038	332-24-080	REP-P	83-07-068
326-20-020	NEW	83-22-045	332-20-030	AMD	83-21-018	332-24-080	REP	83-10-036
326-20-030	NEW-E	83-18-011	332-20-040	REP-P	83-15-038	332-24-090	AMD-E	83-07-021
326-20-030	NEW-P	83-19-066	332-20-040	REP	83-21-018	332-24-090	AMD-P	83-07-068
326-20-030	NEW	83-22-045	332-20-050	AMD-P	83-15-038	332-24-090	AMD-E	83-09-015
326-20-040	NEW-E	83-18-011	332-20-050	AMD	83-21-018	332-24-090	AMD	83-10-036
326-20-040	NEW-P	83-19-066	332-20-060	REP-P	83-15-038	332-24-090	AMD-E	83-11-001
326-20-040	NEW	83-22-045	332-20-060	REP	83-21-018	332-24-095	NEW-P	83-07-068
326-20-050	NEW-E	83-18-011	332-20-070	REP-P	83-15-038	332-24-095	NEW	83-10-036
326-20-050	NEW-P	83-19-066	332-20-070	REP	83-21-018	332-24-250	REP-P	83-07-068
326-20-050	NEW	83-22-045	332-20-080	REP-P	83-15-038	332-24-250	REP	83-10-036
326-20-060	NEW-E	83-18-011	332-20-080	REP	83-21-018	332-24-260	REP-P	83-07-068
326-20-060	NEW-P	83-19-066	332-20-090	REP-P	83-15-038	332-24-260	REP	83-10-036
326-20-060	NEW	83-22-045	332-20-090	REP	83-21-018	332-24-270	REP-P	83-07-068
326-20-070	NEW-E	83-18-011	332-20-100	REP-P	83-15-038	332-24-270	REP	83-10-036
326-20-070	NEW-P	83-19-066	332-20-100	REP	83-21-018	332-24-280	REP-P	83-07-068
326-20-070	NEW	83-22-045	332-20-110	REP-P	83-15-038	332-24-280	REP	83-10-036
326-20-080	NEW-E	83-18-011	332-20-110	REP	83-21-018	332-24-290	REP-P	83-07-068
326-20-080	NEW-P	83-19-066	332-20-120	REP-P	83-15-038	332-24-290	REP	83-10-036
326-20-080	NEW	83-22-045	332-20-120	REP	83-21-018	332-24-300	REP-P	83-07-068
326-20-090	NEW-E	83-18-011	332-20-130	REP-P	83-15-038	332-24-300	REP	83-10-036
326-20-090	NEW-P	83-19-066	332-20-130	REP	83-21-018	332-24-500	AMD-P	83-21-088
326-20-090	NEW	83-22-045	332-20-140	REP-P	83-15-038	332-26-020	NEW-E	83-14-065
326-20-100	NEW-E	83-18-011	332-20-140	REP	83-21-018	332-26-030	NEW-E	83-14-065
326-20-100	NEW-P	83-19-066	332-20-150	REP-P	83-15-038	332-26-040	NEW-E	83-14-065
326-20-100	NEW-W	83-22-039	332-20-150	REP	83-21-018	332-26-050	NEW-E	83-14-065
326-20-110	NEW-E	83-18-011	332-20-160	AMD-P	83-15-038	332-26-084	NEW-E	83-09-015
326-20-110	NEW-P	83-19-066	332-20-160	AMD	83-21-018	332-30-109	AMD-P	83-16-076
326-20-110	NEW	83-22-045	332-20-170	AMD-P	83-15-038	332-30-109	AMD	83-21-004
326-20-120	NEW-E	83-18-011	332-20-170	AMD	83-21-018	332-30-115	AMD-P	83-16-076
326-20-120	NEW-P	83-19-066	332-20-180	AMD-P	83-15-038	332-30-115	AMD	83-21-004
326-20-120	NEW	83-22-045	332-20-180	AMD	83-21-018	332-30-116	NEW-P	83-16-076
326-20-130	NEW-E	83-18-011	332-20-190	REP-P	83-15-038	332-30-116	NEW	83-21-004
326-20-130	NEW-P	83-19-066	332-20-190	REP	83-21-018	332-30-142	AMD	83-02-055
326-20-130	NEW	83-22-045	332-20-191	NEW-P	83-15-038	332-30-200	NEW-E	83-17-068
326-20-140	NEW-E	83-18-011	332-20-191	NEW	83-21-018	332-30-200	NEW-P	83-20-079
326-20-140	NEW-P	83-19-066	332-20-200	AMD-P	83-15-038	332-30-200	NEW-E	83-20-081
326-20-140	NEW	83-22-045	332-20-200	AMD	83-21-018	332-30-205	NEW-E	83-17-068
326-20-150	NEW-E	83-18-011	332-20-210	AMD-P	83-15-038	332-30-205	NEW-P	83-20-079
326-20-150	NEW-P	83-19-066	332-20-210	AMD	83-21-018	332-30-205	NEW-E	83-20-081
326-20-150	NEW	83-22-045	332-20-215	NEW-P	83-15-038	332-30-210	NEW-E	83-17-068
326-20-160	NEW-E	83-18-011	332-20-215	NEW	83-21-018	332-30-210	NEW-P	83-20-079
326-20-160	NEW-P	83-19-066	332-20-220	AMD-P	83-15-038	332-30-210	NEW-E	83-20-081
326-20-160	NEW	83-22-045	332-20-220	AMD	83-21-018	332-30-215	NEW-E	83-17-068
326-20-170	NEW-E	83-18-011	332-20-230	AMD-P	83-15-038	332-30-215	NEW-P	83-20-079
326-20-170	NEW-P	83-19-066	332-20-230	AMD	83-21-018	332-30-215	NEW-E	83-20-081
326-20-170	NEW	83-22-045	332-20-240	REP-P	83-15-038	332-30-220	NEW-E	83-17-068
326-20-180	NEW-E	83-18-011	332-20-240	REP	83-21-018	332-30-220	NEW-P	83-20-079
326-20-180	NEW-P	83-19-066	332-20-250	AMD-P	83-15-038	332-30-220	NEW-E	83-20-081
326-20-180	NEW	83-22-045	332-20-250	AMD	83-21-018	332-30-225	NEW-E	83-17-068
326-20-190	NEW-E	83-18-011	332-20-260	AMD-P	83-15-038	332-30-225	NEW-P	83-20-079
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388-72-575	REP-P	83-05-003	388-81-044	NEW-E	83-22-028	388-93-015	AMD-P	83-07-053
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388-72-580	REP-P	83-05-003	388-82-115	AMD	83-17-005	388-93-035	AMD-P	83-07-053
388-72-580	REP	83-08-023	388-82-125	AMD-P	83-09-046	388-93-035	AMD	83-10-077
388-72-585	REP-P	83-05-003	388-82-125	REP	83-12-059	388-93-060	AMD-P	83-07-053
388-72-585	REP	83-08-023	388-82-126	AMD-P	83-13-066	388-93-060	AMD	83-10-077
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388-72-590	REP	83-08-023	388-82-126	AMD	83-17-006	388-93-080	AMD	83-10-077
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388-72-600	REP	83-08-023	388-83-006	AMD-E	83-14-047	388-95	AMD	83-12-059
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388-72-625	REP	83-08-023	388-83-200	NEW	83-08-024	388-95-035	REP	83-12-059
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388-72-635	REP	83-08-023	388-84-120	AMD-E	83-14-047	388-95-045	REP	83-12-059
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388-73	AMD-C	83-16-006	388-86-005	AMD-E	83-12-036	388-95-055	REP	83-12-059
388-73	AMD-C	83-17-069	388-86-005	AMD-P	83-12-037	388-95-060	REP-P	83-09-046
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458-20-156	AMD	83-07-033	458-20-206	AMD	83-08-026	458-40-18690	NEW-P	83-11-037
458-20-159	AMD-P	83-04-064	458-20-209	AMD-P	83-05-048	458-40-18690	NEW-E	83-14-039
458-20-159	AMD	83-07-033	458-20-209	AMD	83-08-026	458-40-18690	NEW	83-14-040
458-20-161	AMD-P	83-04-064	458-20-210	AMD-P	83-05-048	458-40-18691	NEW-P	83-11-037
458-20-161	AMD	83-07-033	458-20-210	AMD	83-08-026	458-40-18691	NEW-E	83-14-039
458-20-162	AMD-P	83-04-064	458-20-211	AMD-P	83-05-048	458-40-18691	NEW	83-14-040
458-20-162	AMD	83-07-033	458-20-211	AMD	83-08-026	458-40-18692	NEW-P	83-11-037
458-20-163	AMD-P	83-04-064	458-20-214	AMD-P	83-05-048	458-40-18692	NEW-E	83-14-039
458-20-163	AMD	83-07-033	458-20-214	AMD	83-08-026	458-40-18692	NEW	83-14-040
458-20-164	AMD-P	83-14-059	458-20-215	AMD-P	83-05-048	458-40-18693	NEW-P	83-11-037
458-20-164	AMD-E	83-14-060	458-20-215	AMD	83-08-026	458-40-18693	NEW-E	83-14-039
458-20-164	AMD	83-17-099	458-20-218	AMD-P	83-05-048	458-40-18693	NEW	83-14-040

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
460-34A-080	NEW	83-19-035	460-36A-155	NEW-P	83-15-041	460-90-400	REP	83-06-076
460-34A-085	NEW-P	83-15-042	460-36A-155	NEW	83-19-036	460-90-410	REP-P	83-03-056
460-34A-085	NEW	83-19-035	460-36A-160	NEW-P	83-15-041	460-90-410	REP	83-06-076
460-34A-090	NEW-P	83-15-042	460-36A-160	NEW	83-19-036	460-90-420	REP-P	83-03-056
460-34A-090	NEW	83-19-035	460-36A-165	NEW-P	83-15-041	460-90-420	REP	83-06-076
460-34A-095	NEW-P	83-15-042	460-36A-165	NEW	83-19-036	460-90-430	REP-P	83-03-056
460-34A-095	NEW	83-19-035	460-36A-170	NEW-P	83-15-041	460-90-430	REP	83-06-076
460-34A-100	NEW-P	83-15-042	460-36A-170	NEW	83-19-036	460-90-440	REP-P	83-03-056
460-34A-100	NEW	83-19-035	460-36A-175	NEW-P	83-15-041	460-90-440	REP	83-06-076
460-34A-105	NEW-P	83-15-042	460-36A-175	NEW	83-19-036	460-90-450	REP-	83-03-056
460-34A-105	NEW	83-19-035	460-36A-180	NEW-P	83-15-041	460-90-450	RE†	83-06-076
460-34A-110	NEW-P	83-15-042	460-36A-180	NEW	83-19-036	460-90-460	REP-P	83-03-056
460-34A-110	NEW	83-19-035	460-36A-185	NEW-P	83-15-041	460-90-460	REP	83-06-076
460-34A-112	NEW-P	83-15-042	460-36A-185	NEW	83-19-036	460-90-470	REP-P	83-03-056
460-34A-112	NEW	83-19-035	460-36A-190	NEW-P	83-15-041	460-90-470	REP	83-06-076
460-34A-115	NEW-P	83-15-042	460-36A-190	NEW	83-19-036	460-90-480	REP-P	83-03-056
460-34A-115	NEW	83-19-035	460-36A-195	NEW-P	83-15-041	460-90-480	REP	83-06-076
460-34A-120	NEW-P	83-15-042	460-36A-195	NEW	83-19-036	460-90-490	REP-P	83-03-056
460-34A-120	NEW	83-19-035	460-46A-020	AMD-P	83-12-038	460-90-490	REP	83-06-076
460-34A-125	NEW-P	83-15-042	460-46A-020	AMD	83-15-025	460-90-500	REP-P	83-03-056
460-34A-125	NEW	83-19-035	460-46A-040	AMD-P	83-12-038	460-90-500	REP	83-06-076
460-34A-130	NEW-P	83-15-042	460-46A-080	AMD-P	83-12-038	460-90-510	REP-P	83-03-056
460-34A-130	NEW	83-19-035	460-46A-080	AMD	83-15-025	460-90-510	REP	83-06-076
460-34A-135	NEW-P	83-15-042	460-46A-085	AMD-P	83-12-038	460-90-900	REP-P	83-03-056
460-34A-135	NEW	83-19-035	460-46A-085	AMD	83-15-025	460-90-900	REP	83-06-076
460-34A-200	NEW-P	83-15-042	460-46A-085	AMD	83-15-025	460-90A-010	NEW-P	83-03-056
460-34A-200	NEW	83-19-035	460-46A-090	AMD-P	83-12-038	460-90A-010	NEW	83-06-076
460-36A-010	REP-P	83-15-041	460-46A-090	AMD	83-15-025	460-90A-020	NEW-P	83-03-056
460-36A-010	REP	83-19-036	460-46A-091	NEW-P	83-12-038	460-90A-020	NEW	83-06-076
460-36A-015	REP-P	83-15-041	460-46A-091	NEW	83-15-025	460-90A-030	NEW-P	83-03-056
460-36A-015	REP	83-19-036	460-46A-095	AMD-P	83-12-038	460-90A-030	NEW-P	83-06-076
460-36A-020	REP-P	83-15-041	460-46A-095	AMD	83-15-025	460-90A-030	NEW	83-06-076
460-36A-020	REP	83-19-036	460-46A-155	AMD-P	83-12-038	460-90A-040	NEW-P	83-03-056
460-36A-025	REP-P	83-15-041	460-46A-155	AMD	83-15-025	460-90A-040	NEW	83-06-076
460-36A-025	REP	83-19-036	460-65A-010	NEW	83-03-024	460-90A-050	NEW-P	83-03-056
460-36A-030	REP-P	83-15-041	460-65A-020	NEW	83-03-024	460-90A-050	NEW	83-06-076
460-36A-030	REP	83-19-036	460-65A-030	NEW	83-03-024	460-90A-060	NEW-P	83-03-056
460-36A-035	REP-P	83-15-041	460-65A-040	NEW	83-03-024	460-90A-060	NEW	83-06-076
460-36A-035	REP	83-19-036	460-65A-100	NEW	83-03-024	460-90A-070	NEW-P	83-03-056
460-36A-040	REP-P	83-15-041	460-65A-105	NEW	83-03-024	460-90A-070	NEW	83-06-076
460-36A-040	REP	83-19-036	460-65A-110	NEW	83-03-024	460-90A-080	NEW-P	83-03-056
460-36A-045	REP-P	83-15-041	460-65A-115	NEW	83-03-024	460-90A-080	NEW	83-06-076
460-36A-045	REP	83-19-036	460-65A-125	NEW	83-03-024	460-90A-090	NEW-P	83-03-056
460-36A-050	REP-P	83-15-041	460-90-100	REP-P	83-03-056	460-90A-090	NEW	83-06-076
460-36A-050	REP	83-19-036	460-90-100	REP	83-06-076	460-90A-100	NEW-P	83-03-056
460-36A-055	REP-P	83-15-041	460-90-110	REP-P	83-03-056	460-90A-100	NEW	83-06-076
460-36A-055	REP	83-19-036	460-90-110	REP	83-06-076	460-90A-105	NEW-P	83-03-056
460-36A-060	REP-P	83-15-041	460-90-120	REP-P	83-03-056	460-90A-105	NEW	83-06-076
460-36A-060	REP	83-19-036	460-90-120	REP	83-06-076	460-90A-110	NEW-P	83-03-056
460-36A-065	REP-P	83-15-041	460-90-122	REP-P	83-03-056	460-90A-110	NEW	83-06-076
460-36A-065	REP	83-19-036	460-90-122	REP	83-06-076	460-90A-120	NEW-P	83-03-056
460-36A-070	REP-P	83-15-041	460-90-125	REP-P	83-03-056	460-90A-120	NEW	83-06-076
460-36A-070	REP	83-19-036	460-90-125	REP	83-06-076	460-90A-130	NEW-P	83-03-056
460-36A-075	REP-P	83-15-041	460-90-130	REP-P	83-03-056	460-90A-130	NEW	83-06-076
460-36A-075	REP	83-19-036	460-90-130	REP	83-06-076	460-90A-140	NEW-P	83-03-056
460-36A-100	NEW-P	83-15-041	460-90-140	REP-P	83-03-056	460-90A-140	NEW	83-06-076
460-36A-100	NEW	83-19-036	460-90-140	REP	83-06-076	460-90A-150	NEW-P	83-03-056
460-36A-105	NEW-P	83-15-041	460-90-150	REP-P	83-03-056	460-90A-150	NEW	83-06-076
460-36A-105	NEW	83-19-036	460-90-150	REP	83-06-076	461-08-180	AMD-C	83-04-037
460-36A-110	NEW-P	83-15-041	460-90-160	REP-P	83-03-056	461-08-180	AMD	83-06-031
460-36A-110	NEW	83-19-036	460-90-160	REP	83-06-076	463-28-060	AMD-E	83-04-023
460-36A-115	NEW-P	83-15-041	460-90-170	REP-P	83-03-056	463-28-060	AMD-P	83-04-047
460-36A-115	NEW	83-19-036	460-90-170	REP	83-06-076	463-28-060	AMD-C	83-08-014
460-36A-120	NEW-P	83-15-041	460-90-180	REP-P	83-03-056	463-28-060	AMD	83-08-031
460-36A-120	NEW	83-19-036	460-90-180	REP	83-06-076	468-10-232	NEW-P	83-16-015
460-36A-125	NEW-P	83-15-041	460-90-190	REP-P	83-03-056	468-10-232	NEW	83-19-016
460-36A-125	NEW	83-19-036	460-90-190	REP	83-06-076	468-10-234	NEW-P	83-16-015
460-36A-130	NEW-P	83-15-041	460-90-200	REP-P	83-03-056	468-10-234	NEW	83-19-016
460-36A-130	NEW	83-19-036	460-90-200	REP	83-06-076	468-18-080	AMD-E	83-10-009
460-36A-135	NEW-P	83-15-041	460-90-300	REP-P	83-03-056	468-18-080	AMD-P	83-10-010
460-36A-135	NEW	83-19-036	460-90-300	REP	83-06-076	468-18-080	AMD	83-13-099
460-36A-140	NEW-P	83-15-041	460-90-310	REP-P	83-03-056	468-30-060	AMD-P	83-15-030
460-36A-140	NEW	83-19-036	460-90-310	REP	83-06-076	468-30-060	AMD	83-19-012
460-36A-145	NEW-P	83-15-041	460-90-320	REP-P	83-03-056	468-38-010	AMD-P	83-12-009
460-36A-145	NEW	83-19-036	460-90-320	REP	83-06-076	468-38-010	AMD-E	83-12-010
460-36A-150	NEW-P	83-15-041	460-90-330	REP-P	83-03-056	468-38-010	AMD	83-16-018
460-36A-150	NEW	83-19-036	460-90-330	REP	83-06-076	468-38-070	AMD-P	83-12-009
			460-90-400	REP-P	83-03-056	468-38-070	AMD-E	83-12-010

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
468-38-070	AMD	83-16-018	468-42-202	REP	83-09-038	468-310	STMT	83-21-042
468-38-080	REP-P	83-11-032	468-42-224	REP-P	83-06-070	468-310-010	NEW-P	83-15-023
468-38-090	REP-P	83-11-032	468-42-224	REP	83-09-038	468-310-010	NEW-E	83-15-024
468-38-090	AMD-P	83-12-009	468-42-270	REP-P	83-06-070	468-310-010	NEW	83-19-014
468-38-090	AMD-E	83-12-010	468-42-270	REP	83-09-038	468-310-010	AMD-E	83-19-015
468-38-090	AMD	83-16-018	468-42-272	REP-P	83-06-070	468-310-020	NEW-P	83-15-023
468-38-120	AMD-P	83-12-009	468-42-272	REP	83-09-038	468-310-020	NEW-E	83-15-024
468-38-120	AMD-E	83-12-010	468-42-290	REP-P	83-06-070	468-310-020	NEW	83-19-014
468-38-120	AMD	83-16-018	468-42-290	REP	83-09-038	468-310-020	AMD-E	83-19-015
468-38-290	AMD-P	83-12-009	468-42-291	REP-P	83-06-070	468-310-030	NEW-P	83-15-023
468-38-290	AMD-E	83-12-010	468-42-291	REP	83-09-038	468-310-030	NEW-E	83-15-024
468-38-290	AMD	83-16-018	468-42-302	REP-P	83-06-070	468-310-030	NEW	83-19-014
468-38-440	REP-P	83-16-069	468-42-302	REP	83-09-038	468-310-030	AMD-E	83-19-015
468-38-440	REP	83-19-013	468-42-308	REP-P	83-06-070	468-310-040	NEW-P	83-15-023
468-42-002	REP-P	83-06-070	468-42-308	REP	83-09-038	468-310-040	NEW-E	83-15-024
468-42-002	REP	83-09-038	468-42-395	REP-P	83-06-070	468-310-040	NEW	83-19-014
468-42-003	REP-P	83-06-070	468-42-395	REP	83-09-038	468-310-050	NEW-P	83-15-023
468-42-003	REP	83-09-038	468-42-401	REP-P	83-06-070	468-310-050	NEW-E	83-15-024
468-42-004	REP-P	83-06-070	468-42-401	REP	83-09-038	468-310-050	NEW	83-19-014
468-42-004	REP	83-09-038	468-42-410	REP-P	83-06-070	468-310-050	AMD-E	83-19-015
468-42-005	REP-P	83-06-070	468-42-410	REP	83-09-038	468-310-060	NEW-P	83-15-023
468-42-005	REP	83-09-038	468-42-501	REP-P	83-06-070	468-310-060	NEW-E	83-15-024
468-42-006	REP-P	83-06-070	468-42-501	REP	83-09-038	468-310-060	NEW	83-19-014
468-42-006	REP	83-09-038	468-42-504	REP-P	83-06-070	468-310-070	NEW-P	83-15-023
468-42-007	REP-P	83-06-070	468-42-504	REP	83-09-038	468-310-070	NEW-E	83-15-024
468-42-007	REP	83-09-038	468-42-507	REP-P	83-06-070	468-310-070	NEW	83-19-014
468-42-009	REP-P	83-06-070	468-42-507	REP	83-09-038	468-310-080	NEW-P	83-15-023
468-42-009	REP	83-09-038	468-42-509	REP-P	83-06-070	468-310-080	NEW-E	83-15-024
468-42-011	REP-P	83-06-070	468-42-509	REP	83-09-038	468-310-080	NEW	83-19-014
468-42-011	REP	83-09-038	468-42-512	REP-P	83-06-070	468-310-080	AMD-E	83-19-015
468-42-012	REP-P	83-06-070	468-42-512	REP	83-09-038	468-310-090	NEW-P	83-15-023
468-42-012	REP	83-09-038	468-42-514	REP-P	83-06-070	468-310-090	NEW-E	83-15-024
468-42-014	REP-P	83-06-070	468-42-514	REP	83-09-038	468-310-090	NEW	83-19-014
468-42-014	REP	83-09-038	468-42-515	REP-P	83-06-070	468-310-090	AMD-E	83-19-015
468-42-020	REP-P	83-06-070	468-42-515	REP	83-09-038	468-310-100	NEW-P	83-15-023
468-42-020	REP	83-09-038	468-42-516	REP-P	83-06-070	468-310-100	NEW-E	83-15-024
468-42-022	REP-P	83-06-070	468-42-516	REP	83-09-038	468-310-100	NEW	83-19-014
468-42-022	REP	83-09-038	468-42-520	REP-P	83-06-070	468-310-100	AMD-E	83-19-015
468-42-023	REP-P	83-06-070	468-42-520	REP	83-09-038	478-120-020	AMD-P	83-22-073
468-42-023	REP	83-09-038	468-42-522	REP-P	83-06-070	478-120-030	AMD-P	83-22-073
468-42-024	REP-P	83-06-070	468-42-522	REP	83-09-038	478-120-040	AMD-P	83-22-073
468-42-024	REP	83-09-038	468-42-525	REP-P	83-06-070	478-120-050	AMD-P	83-22-073
468-42-027	REP-P	83-06-070	468-42-525	REP	83-09-038	478-120-060	AMD-P	83-22-073
468-42-027	REP	83-09-038	468-42-526	REP-P	83-06-070	478-120-070	AMD-P	83-22-073
468-42-028	REP-P	83-06-070	468-42-526	REP	83-09-038	478-120-080	AMD-P	83-22-073
468-42-028	REP	83-09-038	468-42-527	REP-P	83-06-070	478-120-090	AMD-P	83-22-073
468-42-031	REP-P	83-06-070	468-42-527	REP	83-09-038	478-120-100	AMD-P	83-22-073
468-42-031	REP	83-09-038	468-42-539	REP-P	83-06-070	478-120-110	REP-P	83-22-073
468-42-090	REP-P	83-06-070	468-42-539	REP	83-09-038	478-120-120	AMD-P	83-22-073
468-42-090	REP	83-09-038	468-42-542	REP-P	83-06-070	478-120-130	AMD-P	83-22-073
468-42-097	REP-P	83-06-070	468-42-542	REP	83-09-038	479-01-010	AMD-P	83-18-018
468-42-097	REP	83-09-038	468-42-543	REP-P	83-06-070	479-01-010	AMD	83-22-021
468-42-099	REP-P	83-06-070	468-42-543	REP	83-09-038	479-01-020	AMD-P	83-18-018
468-42-099	REP	83-09-038	468-42-901	REP-P	83-06-070	479-01-020	AMD	83-22-021
468-42-101	REP-P	83-06-070	468-42-901	REP	83-09-038	479-01-030	AMD-P	83-18-018
468-42-101	REP	83-09-038	468-42-906	REP-P	83-06-070	479-01-030	AMD	83-22-021
468-42-104	REP-P	83-06-070	468-42-906	REP	83-09-038	480-10	REVIEW	83-11-003
468-42-104	REP	83-09-038	468-42-908	REP-P	83-06-070	480-12	REVIEW	83-11-003
468-42-106	REP-P	83-06-070	468-42-908	REP	83-09-038	480-12-180	AMD-P	83-03-054
468-42-106	REP	83-09-038	468-46-040	AMD-P	83-04-056	480-12-180	AMD	83-06-017
468-42-125	REP-P	83-06-070	468-46-040	AMD	83-07-025	480-12-190	AMD-P	83-03-054
468-42-125	REP	83-09-038	468-50-010	REP-P	83-06-069	480-12-190	AMD	83-06-017
468-42-129	REP-P	83-06-070	468-50-010	REP	83-09-038	480-12-322	NEW-P	83-07-072
468-42-129	REP	83-09-038	468-58-120	NEW-E	83-07-026	480-12-322	NEW-C	83-10-028
468-42-151	REP-P	83-06-070	468-300-010	AMD-P	83-04-052	480-12-322	NEW	83-12-028
468-42-151	REP	83-09-038	468-300-010	READOPT	83-07-062	480-12-350	AMD-P	83-16-030
468-42-153	REP-P	83-06-070	468-300-020	AMD-P	83-04-052	480-12-350	AMD-E	83-16-031
468-42-153	REP	83-09-038	468-300-020	READOPT	83-07-062	480-12-350	AMD	83-18-072
468-42-161	REP-P	83-06-070	468-300-030	AMD-P	83-04-052	480-30	REVIEW	83-11-003
468-42-161	REP	83-09-038	468-300-030	READOPT	83-07-062	480-30-095	AMD-P	83-03-053
468-42-164	REP-P	83-06-070	468-300-040	AMD-P	83-04-052	480-30-095	AMD	83-06-018
468-42-164	REP	83-09-038	468-300-040	READOPT	83-07-062	480-30-100	AMD-P	83-03-053
468-42-167	REP-P	83-06-070	468-300-070	AMD-P	83-04-052	480-30-100	AMD	83-06-018
468-42-167	REP	83-09-038	468-300-070	READOPT	83-07-062	480-40	REVIEW	83-11-003
468-42-169	REP-P	83-06-070	468-300-410	AMD-P	83-10-005	480-40-070	AMD-P	83-03-052
468-42-169	REP	83-09-038	468-300-410	AMD-E	83-10-006	480-40-070	AMD	83-06-019
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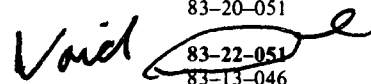
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