

JANUARY 2, 1986

OLYMPIA, WASHINGTON

ISSUE 86-01



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## CITATION

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

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DENNIS W. COOPER  
Code Reviser

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# 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.

1985 – 1986

DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue No.	Closing Dates <sup>1</sup>			Distribution Date	First Agency Action Date <sup>3</sup>
	Non-OTS & 30 p. or more	Non-OTS & 11 to 29 p.	OTS <sup>2</sup> or 10 p. max. Non-OTS		
For Inclusion in—	File no later than—			Count 20 days from—	For hearing/adoption on or after
85-18	Aug 7	Aug 21	Sep 4	Sep 18	Oct 8
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85-22	Oct 9	Oct 23	Nov 6	Nov 20	Dec 10
85-23	Oct 23	Nov 6	Nov 20	Dec 4	Dec 24
85-24	Nov 6	Nov 20	Dec 4	Dec 18	Jan 7, 1986
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86-01	Nov 21	Dec 5	Dec 19, 1985	Jan 2, 1986	Jan 22
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<sup>1</sup>All documents are due at the code reviser's office by 5:00 p.m. on the applicable closing date for inclusion in a particular issue of the Register; see WAC 1-12-035 or 1-13-035.

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

<sup>3</sup>No proceeding may be held on any rule until twenty days have passed from the distribution date of the Register in which notice thereof was contained." RCW 28B.19.030(4) and 34.04.025(4). These dates represent the twentieth day after the distribution date of the applicable Register.

**WSR 86-01-001**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 2313—Filed December 5, 1985]

I, Lee D. Bomberger, acting director of the Division of Administration and Personnel, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Eligibility—AFDC—Work incentive program/employment and training, amending WAC 388-24-107.

This action is taken pursuant to Notice No. WSR 85-21-047 filed with the code reviser on October 14, 1985. 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 74.04.400 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 December 4, 1985.

By Lee D. Bomberger, Acting Director  
Division of Administration and Personnel

AMENDATORY SECTION (Amending Order 2033, filed 11/2/83)

**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))~~ search program unless such individual is:

(a) A dependent child under age sixteen or age sixteen but not yet nineteen and is attending full time, or has been accepted for enrollment as a full-time student for the next school term, in an elementary or secondary school, or the equivalent level of vocational or technical training, and reasonably expected to complete such course 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;

(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 personally providing care for the child ~~((; with only brief and infrequent absences from the child))~~ is exempt, unless the caretaker is a full-time day college student as defined by the school; ~~((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; or

(i) A full-time VISTA (volunteers in service to America) participant who was determined eligible for AFDC prior to becoming a VISTA volunteer.

(2) 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.)

(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.

(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.

(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.

(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.

**WSR 86-01-002**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 2314—Filed December 5, 1985]

I, Lee D. Bomberger, acting director of the Division of Administration and Personnel, do promulgate and

adopt at Olympia, Washington, the annexed rules relating to Medical assistance—Application, amending WAC 388-84-110.

This action is taken pursuant to Notice No. WSR 85-21-060 filed with the code reviser on October 16, 1985. 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 December 4, 1985.

By Lee D. Bomberger, Acting Director  
Division of Administration and Personnel

AMENDATORY SECTION (Amending Order 1725, filed 12/3/81)

WAC 388-84-110 APPLICATION—DISPOSITION. (1) Timely determination standards are:

- (a) Sixty days for applicants based on disability,
- (b) Forty-five days for all other categories,
- (c) Certain unusual circumstances beyond the administrative control of the CSO may delay a decision on an application.

(2) For cash assistance, approval of the medical assistance is concurrent.

(3) Applicants for medical assistance will be notified of departmental action by means of a notification of eligibility letter.

(4) Approval, denial, or withdrawal of the application for ((a categorically needy individual)) medical assistance, medical care services, or the limited casualty program will follow cash assistance standards and criteria in chapter 388-38 WAC. ((The denial notice will include the right to a fair hearing.

~~(5) Withdrawal of an application will follow WAC 388-38-172.)~~

**WSR 86-01-003**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
[Filed December 5, 1985]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Labor and Industries intends to adopt, amend, or repeal rules concerning this notice proposes to add several new sections to and amend several existing sections of chapter 296-30 WAC, crime victim compensation program. The amendments clarify and simplify the existing rules and delete some existing sections that will be unnecessary when statutory amendments become effective January 1, 1986. The new sections define who is a family member eligible to receive counseling for sexual assault pursuant

to RCW 7.68.070(12), what constitutes unjust enrichment to the person responsible for the victim's injuries under RCW 7.68.070(15), and what factors the department will consider if it is asked to waive, modify or adjust the debt owed to the department by a person found to have committed the crime. The rules also clarify that treatment of a crime victim by a medical or counseling service provider constitutes acceptance of the department's medical aid rules and fees.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on December 11, 1985.

The authority under which these rules are proposed is RCW 7.68.030 and chapter 34.04 RCW.

The specific statute these rules are intended to implement is RCW 7.68.020, 7.68.050, 7.68.060(2), 7.68.070(4), (12) and (15), 7.68.080 and 7.68.120.

This notice is connected to and continues the matter in Notice No. WSR 85-21-085 filed with the code reviser's office on October 23, 1985.

Dated: December 5, 1985

By: Richard A. Davis  
Director

**WSR 86-01-004**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
[Filed December 5, 1985]

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 new chapter 296-310 WAC, farm labor contracting rules. The rules: Describe the procedures for applying for and renewing farm labor contracting licenses; specify the requirements for a license to transport agricultural employees; set the amount of the contractor's bond and license fees; and specify when a license may be denied, revoked, or suspended. The rules describe the procedures for filing complaints. They specify how the Department of Labor and Industries shall notify violators of a violation of the law, and describe the procedures for appeal of the notice of violation and of the hearing on appeal. The rules also clarify the law's provisions for filing suit against a contractor and for collecting judgments. Finally, WAC 296-310-240 sets the civil penalties the department will impose for violations of the law.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on December 11, 1985.

The authority under which these rules are proposed is RCW 19.30.130.

The specific statute these rules are intended to implement is RCW 19.30.020, 19.30.050, 19.30.\_\_\_\_ (section 12, chapter 280, Laws of 1985), 19.30.\_\_\_\_ (section 15, chapter 280, Laws of 1985) and 19.30.\_\_\_\_ (section 16, chapter 280, Laws of 1985).

This notice is connected to and continues the matter in Notice No. WSR 85-21-086 filed with the code reviser's office on October 23, 1985.

Dated: December 5, 1985  
By: Richard A. Davis  
Director

**WSR 86-01-005**  
**NOTICE OF PUBLIC MEETINGS**  
**SEATTLE COMMUNITY COLLEGE DISTRICT**  
[Memorandum—December 3, 1985]

The 1986 schedule of meetings for the board of trustees of Seattle Community College District is as follows:

January 21, 1986	6:00 p.m.	North Seattle Community College
February 18, 1986	6:00 p.m.	Seattle Central Community College
March 18, 1986	6:00 p.m.	South Seattle Community College
April 15, 1986	6:00 p.m.	North Seattle Community College
May 20, 1986	6:00 p.m.	Seattle Central Community College
June 17, 1986	6:00 p.m.	South Seattle Community College
July 15, 1986	Vacation	NO MEETING
August 19, 1986	6:00 p.m.	Seattle Community College District
September 16, 1986	6:00 p.m.	North Seattle Community College
October 21, 1986	6:00 p.m.	Seattle Central Community College
November 18, 1986	6:00 p.m.	South Seattle Community College
December 16, 1986	6:00 p.m.	Seattle Community College District
Seattle Community College District 300 Elliott Avenue West Seattle, WA 98119		North Seattle Community College 9600 College Way North Seattle, WA 98103
Seattle Central Community College 1701 Broadway Seattle, WA 98122		South Seattle Community College 6000 16th Avenue S.W. Seattle, WA 98106

**WSR 86-01-006**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
[Filed December 5, 1985]

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 foster care, amending chapter 388-70 WAC.

It is the intention of the secretary to adopt these rules on an emergency basis on December 31, 1985;

that the agency will at 10:00 a.m., Friday, January 24, 1986, in the Auditorium, Office Building #2, 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 29, 1986.

The authority under which these rules are proposed is RCW 74.08.090.

The specific statute these rules are intended to implement is chapter 74.13 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 24, 1986.

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

Lee D. Bomberger, Acting 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 Administrative Regulations Section, at State Office Building #2, 12th and Franklin, Olympia, WA, phone (206) 753-7015 by January 10, 1986. The meeting site is in a location which is barrier free.

Dated: December 4, 1985  
By: Lee D. Bomberger, Acting Director  
Division of Administration and Personnel

**STATEMENT OF PURPOSE**

This statement is filed pursuant to RCW 34.04.045.

Re: WAC 388-70-013, 388-70-042, 388-70-044 and 388-70-048.

Purpose of the Rule Change: Emphasize that exceptions to policy may be obtained to the three month voluntary placement limitation; and to revise foster care and receiving home rates.

Reasons These Rules are Necessary: To clarify exceptions to policy options at the request of the Office of Support Enforcement; and to affect rates already changed by legislative action.

Statutory Authority: Chapter 74.13 RCW.

Summary of the Rule or Rule Change: WAC 388-70-013, emphasis of exception to policy option for three month voluntary placement requirement; and 388-70-042, 388-70-044 and 388-70-048, increase of regular foster care rates and receiving home daily rates.

Person Responsible for Drafting, Implementation and Enforcement of the Rule or Rule Change: John Weeden, Program Manager, Division of Children and Family Services, mailstop OB-41, phone 753-6761.

Person or Organization (if other than DSHS) who Propose These Rules: None.

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

Economic Impact Statement: Not required.

AMENDATORY SECTION (Amending Order 1849, filed 7/30/82)

WAC 388-70-013 AUTHORIZATION FOR FOSTER CARE PLACEMENT. A child may be placed in foster care only under the following circumstances:

(1) The child has been placed in temporary residential care after having been taken into custody pursuant to chapter 13.32A RCW, Runaway Youth Act. A child shall in no event remain in temporary residential care for more than seventy-two hours from the time of initial contact with the law enforcement officer, except as otherwise provided in this section.

(2) A petition, by child, ((parent(s))) parent or parents, or the department requesting alternative residential placement for the child has been filed pursuant to RCW 13.32A.120 or 13.32A.140, or approved

pursuant to RCW 13.32A.170, or upon a child having been admitted directly by RCW 13.32A.090.

(3) A child has been placed in shelter care as provided in the following:

(a) The child has been taken into custody(;) and placed in shelter care when there is probable cause to believe, pursuant to RCW 26.44.050, that the child is abused or neglected and the child would be injured or could not be taken into custody as provided in RCW 13.34.050.

(b) A petition has been filed with the juvenile court alleging the child is dependent; that the child's health, safety, and welfare will be seriously endangered if not taken into custody and the juvenile court enters an order placing the child in shelter care. See RCW 13.34.050 and 13.34.060.

(c) No child shall be held longer than seventy-two hours, excluding Sundays and holidays, after such child is taken into custody, unless a court order has been entered for continued shelter care.

(d) No child shall be detained for longer than thirty days without a court order, authorizing continued shelter care.

(4) A juvenile court has determined a child is dependent and the court's order of disposition issued pursuant to RCW 13.34.130 removes the child from his or her home.

(5) A juvenile court has terminated the parent and child relationship pursuant to chapter 13.34 RCW(;) and placed the custody of the child with the department or a licensed child placing agency.

(6) The child and his or her (~~parent(s)~~) parent or parents agree to the arrangement and/or continuation of alternative residential placement pursuant to RCW 74.13.031, as evidenced by a written consent to placement subject to limitations in subsection (8) of this section.

(7) If a child is to be placed in group care, such placement shall only be made when the department has assessed the child's and family's needs and determined (~~that~~) group care is the most appropriate placement option.

(a) The department will only provide financial support for a child's group care placement when the placement is in a licensed group care facility, and

(b) The department has custody of the child(;) and the authority to remove the child in a cooperative manner after at least seventy-two hours notice to the child care provider; such notice may be waived in emergency situations.

(8) The child's (~~parent(s)~~) parent or parents or legal (~~guardian(s)~~) guardian or guardians has voluntarily requested, on forms prescribed by the department, the placement of the child by the department or a licensed child placement agency into foster care and the department concurs (~~that~~) such placement is currently necessary, provided that the maximum time period for the voluntary placement shall be three months. The placement may be extended if an exception to policy is approved per WAC 388-20-010. Such requests shall comply with foster care placement criteria as developed by the department.

#### AMENDATORY SECTION (Amending Order 2242, filed 6/18/85)

WAC 388-70-042 PAYMENT STANDARDS—REGULAR FOSTER FAMILY CARE. (~~Effective July 1, 1984~~) Foster care payment standards shall be as follows. Effective May 1, 1985, exceptions to the standards may be approved by a DCFS administrator or designee.

(1) The board payment for foster care of a child in a family foster home is one hundred thirty-four dollars and (~~forty-four~~) thirty-five cents per month for a child less than six years of age, one hundred (~~sixty-nine~~) seventy-four dollars and (~~forty-five~~) fifty-three cents per month for children six through eleven years of age, and two hundred (~~three~~) nine dollars and (~~fifty-seven~~) sixty-eight cents per month for a child twelve and over. For the purposes of determining the payment for board, the child's birthdate is considered to be the first of the month in which his or her birthday occurs.

(2) Foster parents shall be provided (~~eighteen~~) twenty-eight dollars and (~~sixty-seven~~) sixty-five cents per month for personal incidentals including school supplies for children less than age six; thirty-one dollars and seventeen cents for children age six through eleven years; and thirty-three dollars and forty-five cents for a child twelve and over. A monthly clothing allowance of twenty-one dollars (~~and thirty-eight cents~~) is paid for children under twelve years, while twenty-four dollars and (~~twenty-three~~) ninety-five cents is paid for children twelve years and older.

(3) An initial clothing allowance for children placed in foster care is provided to supplement a child's clothing supply, where necessary, at the time a child is placed in foster care. This allowance may not exceed

one hundred dollars unless otherwise authorized by a DCFS administrator.

(4) Additional individual child-specific amounts may be authorized by a DCFS administrator or his or her designee.

#### AMENDATORY SECTION (Amending Order 2242, filed 6/18/85)

WAC 388-70-044 PAYMENT STANDARDS—RECEIVING HOME CARE—STANDARDS FOR USING. (1) The purpose and/or use of a receiving home is to allow the department or private agency to care for a child in a foster family home on a temporary, emergent, or interim basis in order that there be sufficient time for the development of a plan including the involvement of the child whenever possible.

(2) There are two types of receiving homes:

(a) Regular receiving homes for children age zero through seventeen, and

(b) Specialized receiving homes for children age twelve through seventeen who are runaways or in conflict with their parents.

(3) Receiving homes supported by the department shall be limited to the number the DCFS administrator determines necessary in his or her geographical area. The criteria to be followed are:

(a) Each DCFS office or private agency shall document need for a receiving home and present the request in writing, giving the specifics, to the DCFS administrator.

(b) All receiving homes shall be licensed as foster family homes.

(c) The need for a receiving home or homes must carry a direct relationship to the department's or private agency's type of program and service responsibilities.

(d) The intent of the service is to allow the department or private agency to develop and carry out a suitable plan for the child.

(4) Length of stay guidelines for receiving homes are as follows:

(a) Regular receiving homes provide care up to thirty days;

(b) Specialized receiving homes provide care up to fifteen days.

(5) Every six months the DCFS administrator shall receive a written report on each receiving home, resubstantiating continued use and need.

(6) Foster family homes regularly providing care for children on a temporary, emergent, or interim basis and are available for placement twenty-four hours per day shall be designated as regular or specialized receiving homes.

(a) Regular receiving homes shall be paid (~~thirty-two~~) thirty-three dollars and (~~thirty-five~~) thirty-two cents per month for each bed available for the emergency placement of children. In addition, the daily rate for receiving home care shall be (~~eleven~~) twelve dollars and (~~thirty-four~~) twenty cents per day per child.

(b) Specialized receiving homes shall be paid (~~sixty-five~~) sixty-seven dollars and (~~twenty-one~~) seventeen cents per month for each bed available for the emergency placement of children. In addition, the daily rate for specialized receiving home care shall be (~~fifteen~~) sixteen dollars and (~~sixty-seven~~) sixty-six cents per day per child.

(7) Other foster homes occasionally providing temporary, emergent, or interim care shall not be designated as receiving homes nor receive the retainer fee, but shall be reimbursed for such care at the receiving home rate of (~~eleven~~) twelve dollars and (~~thirty-four~~) twenty cents per day per child.

(c) Payments in excess of the standards in subsection (6)(a) and (b) of this section may be authorized by the DCFS administrator or his or her designee for individual, child-specific situations.

(8) Temporary or emergency care for a child shall not exceed thirty days. After thirty days, the rate for children remaining in care in a receiving home shall be that for regular full-time foster care except as authorized by the DCFS administrator. Clothing and personal incidentals are purchased for the child in receiving home care as needed.

(9) Private group care facilities may, at the discretion of the DCFS administrator, be utilized to provide interim care for children and youths requiring care in a group setting. Unless an alternate agreement is made, contracted group care facilities shall be paid for providing interim care at their established daily rate.

#### AMENDATORY SECTION (Amending Order 2242, filed 6/18/85)

WAC 388-70-048 PAYMENT STANDARDS—SPECIALIZED RATE FOSTER FAMILY CARE—CHILD WITH SPECIAL NEEDS. In addition to the basic rate for regular foster family home care specified in this chapter, an additional amount may be paid for the specialized care of a child with special needs as determined by the department. The additional amounts are:



- (1) Children with ((behavior)) behavior-  
al/emotional problems \$ ((+36.53)) 140.63  
per month
- (2) Intellectually/physically  
handicapped children \$ ((+36.53)) 140.63  
per month
- ((3)) Emotionally handicapped children \$ -136.53  
per month))

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 86-01-007**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
[Order 2311—Filed December 5, 1985]

I, Lee D. Bomberger, [acting] director of the Division of Administration and Personnel, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Standards of assistance—Supplemental security income (SSI) program, amending WAC 388-29-295.

This action is taken pursuant to Notice No. WSR 85-21-068 filed with the code reviser on October 18, 1985. 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 December 2, 1985.

By Lee D. Bomberger, Acting Director  
Division of Administration and Personnel

AMENDATORY SECTION (Amending Order 2215, filed 3/13/85)

WAC 388-29-295 STANDARDS OF ASSISTANCE—SUPPLEMENTAL SECURITY INCOME (SSI) PROGRAM. Effective January 1, ((+1985)) 1986, standards of SSI assistance paid to eligible individuals and couples are:

	Standard	Federal Benefit	State Supplement
<b>Area I</b>			
Living alone			
Individuals	<del>363.30</del>	<del>325.00</del>	<del>38.30</del>
	364.00	336.00	28.00
Couples			
Both eligible	<del>525.40</del>	<del>488.00</del>	<del>37.40</del>
	526.00	504.00	22.00

	Standard	Federal Benefit	State Supplement
<b>Area II</b>			
Living alone			
Individuals	<del>342.85</del>	<del>325.00</del>	<del>17.85</del>
	343.55	336.00	7.55
Couples			
Both eligible	<del>495.45</del>	<del>488.00</del>	<del>7.45</del>
	504.00	504.00	0
With essential person			
	<del>495.45</del>	<del>488.00</del>	<del>7.45</del>
	504.00	504.00	0
With ineligible spouse			
	<del>495.45</del>	<del>325.00</del>	<del>170.45</del>
	496.15	336.00	160.15
Shared living			
Individuals	<del>229.35</del>	<del>216.67</del>	<del>12.68</del>
	229.81	224.00	5.81
Couples			
Both eligible	<del>341.91</del>	<del>325.34</del>	<del>16.57</del>
	342.30	336.00	6.30
With essential person			
	<del>341.91</del>	<del>325.34</del>	<del>16.57</del>
	342.30	336.00	6.30
With ineligible spouse			
	<del>341.91</del>	<del>216.67</del>	<del>125.24</del>
	342.30	224.00	118.30

**WSR 86-01-008**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Institutions)**  
[Order 2312—Filed December 5, 1985]

I, Lee D. Bomberger, acting director of the Division of Administration and Personnel, do promulgate and adopt at Olympia, Washington, the annexed rules relating to IMR program and reimbursement system, amending chapter 275-38 WAC.

This action is taken pursuant to Notice No. WSR 85-21-032 filed with the code reviser on October 10, 1985. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

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

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

APPROVED AND ADOPTED December 4, 1985.

By Lee D. Bomberger, Acting Director  
Division of Administration and Personnel

AMENDATORY SECTION (Amending Order 2213, filed 3/6/85)

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

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

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

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

(5) Effective October 1, 1984, the depreciation base for assets acquired in a change of ownership entered into on or after ((September 30)) July 18, 1984, shall not exceed the lower of the purchase price of the new owner or the acquisition cost base of the owner of the assets ((as of)) on or after July 18, 1984. Costs (including legal fees, accounting and administrative costs, travel costs, and the cost of feasibility studies) attributable to the negotiation or settlement of the assets acquired in the change of ownership, where any payment has previously been made by Title XIX, shall not be allowed.

AMENDATORY SECTION (Amending Order 1853, filed 8/3/82)

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

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

(3) Building improvements shall be depreciated over the remaining useful life of the building, as modified by the improvement, but not less than fifteen years, except as follows: For boarding home licensed facility building improvements required by the Fire Safety Evaluation System (FSES) of the Life Safety Code of 1984, the improvements shall be depreciated over a period of not less than five years. This exception shall require prior approval by the department.

(4) Improvements to leased property which are the responsibility of the contractor under the terms of the lease shall be depreciated over the useful life of the improvement, except as follows: For boarding home licensed facility building improvements required by the Fire Safety Evaluation System (FSES) of the Life Safety Code of 1984, the improvements shall be depreciated over a period of not less than five years. This exception shall require prior approval by the department.

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

NEW SECTION

WAC 275-38-813 HANDLING OF GAINS AND LOSSES UPON RETIREMENT OF DEPRECIABLE ASSETS. This section shall apply in the place of WAC 275-38-812 effective October 1, 1984. Effective October 1, 1984, assets acquired in a change of ownership entered into on or after July 18, 1984, shall be subject to the following depreciation recapture provisions.

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

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

(3) If the retired asset is not replaced, or if the contractor is terminating the contract, the gain or loss shall be spread over the actual life of the asset up to the date of retirement, provided a loss will only be so spread if the contractor has made a reasonable effort to recover at least the outstanding book value of the asset. The difference between reimbursement actually paid for depreciation and the reimbursement for depreciation having been paid with the base adjusted to reflect the gain or loss, will be computed. Where the difference results from a

gain, the difference shall be recovered by the department.

AMENDATORY SECTION (Amending Order 2213, filed 3/6/85)

WAC 275-38-860 RESIDENT CARE AND HABILITATION COST CENTER RATE. (1) For C and D level facilities, the resident care and habilitation cost center will reimburse for resident living services, habilitative and training services, recreation services, and nursing services in accordance with applicable federal and state regulation.

(2) For E level facilities, the resident care and habilitation cost center will reimburse for resident living services, habilitative and training services, recreation services, and nursing services in accordance with applicable federal and state regulation. The cost center will also reimburse for resident care and training staff performing administration and operations functions specified in WAC 275-38-870.

(3) A facility's resident care and habilitation cost center rate shall be determined as follows:

(a) The facility's most recent desk-reviewed costs per resident day shall be adjusted for inflation except those costs for resident care and training (RCT) and recreation staff.

(b) ~~((A resident care and training (RCT) staff (add-on) and recreation staff shall be determined by multiplying the number of reimbursed RCT and recreation staff hours per resident day reported in the facility's (1983) 1984 cost report by (sixty-one) the greater of seven dollars and twenty-nine cents or the 1984 reported cost for RCT and recreation staff per reported hour.~~

(i) As part of a contractor's resident care and habilitation cost center payment for October 1985, a contractor will receive a one-time distribution of RCT and recreation staff compensation enhancement.

(ii) The distribution will be the contractor's 1984 desk-reviewed RCT and recreation staff hours divided by the number of days in the contractor's 1984 cost report, multiplied by ninety-two days, and multiplied by the difference between seven dollars and twenty-nine cents and the contractor's 1984 cost for RCT and recreation staff per hour where the contractor's 1984 cost per RCT and recreation staff hour is less than seven dollars and twenty-nine cents.

(c) The amounts determined in subsections (3)(a) and ~~((3))~~(b) of this section shall be summed to establish the facility's rate.

AMENDATORY SECTION (Amending Order 2213, filed 3/6/85)

WAC 275-38-863 ADMINISTRATION, OPERATIONS, AND PROPERTY COST CENTER RATE. Effective ~~((January))~~ October 1, 1985, the administration, operations, and property cost center rate shall consist of the sum of three rate components: Food, administration and operations, and property. The food rate component shall be established pursuant to WAC 275-38-865. The administration and operations rate

component shall be established pursuant to WAC 275-38-870. The property rate component shall be established pursuant to WAC 275-38-875.

AMENDATORY SECTION (Amending Order 2213, filed 3/6/85)

WAC 275-38-875 PROPERTY RATE COMPONENT. The property ((reimbursement)) rate component will reimburse for ((both leased and owner-operated facilities will not exceed the predicted cost plus 1.75 standard deviations of)) the necessary and ordinary costs of leases, depreciation, and interest ((, of owner-operated facilities utilizing a multiple regression formula developed by the bureau of nursing home affairs pursuant to WAC 388-96-743. Depreciation and interest costs of owner-operated facilities, for mortgages entered into prior to July 1, 1979, will be reimbursed to the extent the depreciation and interest costs do not exceed the reimbursement rate payable for the property cost center as of June 30, 1979, or July 1, 1979, whichever is higher, adjusted to meet any discrepancies as determined by the federal government between the reimbursements made and the approved state Medicaid plan, and adjusted for any approved capitalized additions or replacements. Any leased facility operated as an intermediate care facility for the mentally retarded prior to July 1, 1979, will be reimbursed to the extent that the property cost exceed the upper limit of the multiple regression formula)). A facility's property rate component shall be the facility's most recent desk-reviewed cost per resident day.

**WSR 86-01-009**

**ADOPTED RULES**

**DEPARTMENT OF**

**SOCIAL AND HEALTH SERVICES**

**(Public Assistance)**

[Order 2315—Filed December 5, 1985]

I, Lee D. Bomberger, acting director of the Division of Administration and Personnel, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Food stamps—Income—Definitions, amending WAC 388-54-725.

This action is taken pursuant to Notice No. WSR 85-21-061 filed with the code reviser on October 16, 1985. 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 December 4, 1985.

By Lee D. Bomberger, Acting Director  
Division of Administration and Personnel

AMENDATORY SECTION (Amending Order 2235, filed 5/15/85)

## WAC 388-54-725 INCOME—DEFINITIONS.

(1) Earned income shall include:

(a) All wages and salaries of an employee.

(b) Total gross income from a self-employment enterprise including the total gain from the sale of any capital goods or equipment related to the business, excluding the cost of doing business.

(i) Payments from a roomer or boarder.

(ii) Returns on rental property, only if the household member is engaged in management of said property at least an average of twenty hours a week.

(c) Training allowances from vocational and rehabilitative programs recognized by federal, state, or local governments, such as WIN ((or CETA)), to the extent training allowances are not a reimbursement.

(d) Payments under Title I (VISTA, University Year for Action, etc.) of the Domestic Volunteer Service Act of 1973 (P.L. 93-113 ((Statute)), as amended).

(e) Payments of earned income tax credit (EIC).

(2) Unearned income shall include but not be limited to:

(a) Payments received from federally-aided public assistance programs, general assistance, or other assistance programs based on need.

(b) Moneys withheld from public assistance for purposes of recouping an overpayment resulting from the household's intentional failure to comply with the public assistance program's requirement.

(c) An annuity, pension, retirement, veteran's, or disability benefit; workmen's or unemployment compensation; and old-age ((or)), survivor's, or Social Security benefits; or strike benefits.

(d) The total payment to a household on behalf of a ((legally-assigned)) foster child or adult.

(e) Support and alimony payments from nonhousehold members made directly to the household.

(f) Scholarships, educational grants (including loans on which repayment is deferred), fellowships, and veteran's education benefits in excess of amounts excluded. ((Such income shall be averaged over the period it is intended to cover:))

(g) Payments received from government-sponsored programs.

(h) Dividends, interest, royalties, and all other direct money payments which are gain or benefit.

(i) Gross income minus cost of doing business derived from rental property in which a household member is not actively engaged in the management of the property at least twenty hours a week.

(j) Child support refund payments received by AFDC recipients from the office of support enforcement.

(3) The following items shall be disregarded as income:

(a) Moneys ((withheld)) from any source voluntarily ((or involuntarily from an assistance payment except for a mandatory deduction resulting from the household's failure to comply, earned income, or other source)) returned to repay a prior overpayment received from that same source.(b) Mandatory deductions from sources other than AFDC, refugee, GA-U, and GA-S grants to repay a prior overpayment from that same source.(c) Child support payments received by AFDC recipients which must be transferred to support enforcement.

**WSR 86-01-010**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 2316—Filed December 5, 1985]

I, Lee D. Bomberger, acting director of the Division of Administration and Personnel, do promulgate and adopt at Olympia, Washington, the annexed rules relating to mandatory monthly reporting, amending WAC 388-24-044.

This action is taken pursuant to Notice No. WSR 85-21-014 filed with the code reviser on October 7, 1985. 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 December 4, 1985.

By Lee D. Bomberger, Acting Director  
 Division of Administration and Personnel

AMENDATORY SECTION (Amending Order 2169, filed 11/14/84)

WAC 388-24-044 MANDATORY MONTHLY REPORTING. (1) As a condition of continuing eligibility for AFDC, certain recipients must return to the department a completed monthly report by the fifth day of the month following the month for which the report describes the household circumstances. Recipients ((reporting)) required to report monthly are those who:

(a) Are currently employed, or

(b) ~~((Were employed in the two months prior to the month of application, or~~~~(c) Terminate employment.~~~~(d) Recipients in subsection (1)(b) and (c) of this section shall be required to report for three months))~~ Have recent work history.(2) Recent work history is defined as having received earnings in one of the two months prior to the payment month.(3) Recipients with recent work history are required to report for three months, including the last month of earnings.(4) Approved applicants with recent work history shall be required to report for two months beginning the month following the month of opening.

(5) The first report month for newly employed recipients shall be the month following the month the department becomes aware of the earnings.

(6) Recipients, for purposes of mandatory monthly reporting, include recipients having earned income deemed to them from individuals living with them who have earned income or recent work history.

~~((2))~~ (7) Failure to return a completed report by the fifth day of the month shall result in termination except as provided in subsection ~~((3))~~ (8) of this section.

~~((3))~~ (8) If the recipient furnishes the completed report to the department within ten days from the date of a termination notice pursuant to subsections (1) and ~~((2))~~ (7) of this section, the department shall:

(a) Accept the replacement form; and

(b) Reinstate assistance if the information on the replacement form indicates the recipient is still eligible.

~~((4))~~ (9) If the information on the replacement form indicates the recipient is ineligible or eligible for an amount less than the prior month's payment, the department ~~((must))~~ shall give adequate notice to the recipient.

(10) Requirements in subsections (3), (4), (5), and (6) of this section are effective with monthly reports generated in November 1985.

**WSR 86-01-011**  
**PROPOSED RULES**  
**DEPARTMENT OF ECOLOGY**  
[Filed December 5, 1985]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Ecology intends to adopt, amend, or repeal rules concerning Skokomish-Dosewallips instream resources protection program, chapter 173-516 WAC;

that the agency will at 2:00 p.m., Thursday, February 13, 1986, in the Department of Ecology Headquarters, Room 131, St. Martins Campus, Lacey, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is chapter 43.21A RCW, Department of Ecology.

The specific statute these rules are intended to implement is chapter 90.54 RCW, Water Resources Act of 1971 and chapter 90.22 RCW, minimum water flows and levels.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before February 13, 1986.

This notice is connected to and continues the matter in Notice No. WSR 85-20-054 filed with the code reviser's office on September 26, 1985.

Dated: December 5, 1985  
By: Phillip C. Johnson  
Deputy Director

**WSR 86-01-012**  
**EMERGENCY RULES**  
**PUGET SOUND**

**WATER QUALITY AUTHORITY**

[Order 85-01, Resolution No. 1—Filed December 6, 1985]

Be it resolved by the Puget Sound Water Quality Authority, that it does adopt the annexed rules relating to procedures operations, communications, and public record access for the Puget Sound Water Quality Authority. These rules adopt general requirements for authority meetings, their times and frequency, the voting majorities necessary for decision making, the terms of officers, and how to access the public records of the authority, including an immediate review process for denial of access to those records.

We, the Puget Sound Water Quality Authority, 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 authority is a new agency and needs these rules to run its meetings and make its public records available to the general public.

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

This rule is promulgated pursuant to RCW 42.17.250 through 42.17.320 and chapter 451, Laws of 1985 (chapter 90.70 RCW), and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED November 20, 1985.

By Katherine Fletcher  
Chair

NEW SECTION

*WAC 400-06-010 PURPOSE The purpose of this chapter is to describe the Authority, its procedures and operations, communications to ensure compliance by the Authority with the provisions of chapter 42.17 RCW (Initiative 276), and in particular, to implement Sections 25 through 32 of that Act, dealing with public records.*

NEW SECTION

*WAC 400-06-020 DEFINITIONS (1) The terms "person," "public record," and "writing" shall have the meaning as stated in RCW 42.17.020.*

*(2) "Authority" means the Puget Sound Water Quality Authority.*

*(3) "Chair" means the Chair of the Authority as stated in Section 3, Chapter 451, Laws of 1985, Chapter 90.70 RCW.*

*(4) "Public Records Officer" means the Authority staff member so designated by the Chair.*

(5) "Voting member" means the seven members of the Authority appointed by the Governor.

#### NEW SECTION

**WAC 400-06-030 AUTHORITY OPERATIONS AND PROCEDURES** (1) The Authority was created by the enactment of Chapter 451, Laws of 1985, Chapter 90.70 RCW for the principal purpose of establishing a planning mechanism for improving and maintaining the water quality of Puget Sound. The legislation also provides for a public participation process for the development of the Comprehensive Water Quality Management Plan for Puget Sound (Plan), a biennial State of the Sound report, methods for staffing the Authority and mechanisms to assure compliance with the Plan.

(2) The duties, responsibilities and powers of the Authority are set forth in sections 4 through 9 of Chapter 451, Laws of 1985, Chapter 90.70 RCW. Provisions for establishing the Authority and the appointment of members are in Section 3, Chapter 451, Laws of 1985, Chapter 90.70 RCW.

(3) The Authority meets at least monthly to consider and act upon major policy matters, planning decisions, and routine business of the Authority. All meetings are conducted in accordance with the Open Public Meetings Act (Chapter 42.30 RCW) the Administrative Procedures Act (Chapter 34.04 and 1.08 RCW), and Roberts Rules of Parliamentary procedure. Any official action of the Authority shall require the affirmative vote of a majority of the voting members present so long as there are at least four voting members present, except that the adoption of the Plan and any substantial revision to the Plan shall require the affirmative vote of a majority of all voting members of the Authority.

#### NEW SECTION

**WAC 400-06-050 PUGET SOUND WATER QUALITY AUTHORITY OFFICERS — TERMS** The officers of the Authority shall be the Chair and the Vice-Chair. The Vice-Chair shall be elected by a majority vote of the voting members of the Authority and shall serve for a term of one year. The Chair of and other members of the Authority shall serve for terms as provided in Chapter 451, Laws of 1985, Chapter 90.70 RCW.

#### NEW SECTION

**WAC 400-06-060 PUGET SOUND WATER QUALITY AUTHORITY—REGULAR MEETINGS** Regular meetings of the Authority shall be held on the third Wednesday of each calendar month usually beginning at 9:30 a.m. and running until 3:30 p.m. The meetings shall be held at a place designated by the Chair of the Authority. Provided that, if the Authority deems it necessary to meet more or less frequently, the Authority shall give notice of those meetings as required by law.

#### NEW SECTION

**WAC 400-06-070 PUGET SOUND WATER QUALITY AUTHORITY—DESCRIPTION OF**

**ORGANIZATION** The Authority pursuant to Section 3, Chapter 451, Laws of 1985, Chapter 90.70 RCW, is composed of seven members appointed by the Governor and confirmed by the Senate. The commissioner of public lands and the director of ecology serve as ex-officio, non-voting members of the Authority. The administrative office of the Authority and its staff is 217 Pine Street, Suite 1100, Seattle, Washington 98101.

#### NEW SECTION

**WAC 400-06-090 PUBLIC RECORDS AVAILABLE** All public records of the agency, as defined in WAC 400-06-020, are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by RCW 42.17.310.

#### NEW SECTION

**WAC 400-06-100 OFFICE HOURS** Public records shall be available for inspection and copying during the customary office hours of the agency. For the purposes of this chapter, the customary office hours shall be from 8 a.m. to noon and from 1 p.m. to 5 p.m., Monday through Friday, excluding legal holidays.

#### NEW SECTION

**WAC 400-06-110 REQUESTS FOR PUBLIC RECORDS** In accordance with requirements of chapter 42.17 RCW 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 Authority which shall be available at its office. The form shall be presented to the public records officer, or to any member of the Authority's staff, if the public records officer is not available, at the office of the agency during customary office hours. The request shall include the following information:

(a) The name, address, telephone numbers, and organization represented, if any, of the person requesting the record;

(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; and

(e) If the requested matter is not identifiable by reference to the Authority's 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.

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 400-06-120 *COPYING* No fee shall be charged for the inspection of public records. The Authority shall charge a fee of twenty-five cents per page of copy for providing copies of public records and for use of the Authority's copy equipment. This charge is the amount necessary to reimburse the Authority for its actual costs incident to such copying.

NEW SECTION

WAC 400-06-130 *EXEMPTIONS* (1) The Authority reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 400-06-110 is exempt under the provisions of RCW 42.17.310.

(2) In addition, pursuant to RCW 42.17.260(1), the Authority reserves the right to delete identifying details when it makes available or publishes any public record, in any cases where 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 records withheld.

NEW SECTION

WAC 400-06-140 *REVIEW OF DENIALS OF PUBLIC RECORDS REQUEST* (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 Chair who shall consider the matter and either affirm or reverse such denial. The request shall be returned with a final decision, within two business days following the original denial.

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

NEW SECTION

WAC 400-06-150 *PROTECTION OF PUBLIC RECORDS* (1) No person shall knowingly alter, deface, or destroy public records of the Authority.

(2) Original copies of public records of the Authority shall not be removed from the offices of the Authority.

(3) Care and safekeeping of public records of the Authority, furnished pursuant to a request for inspection or copying, shall be the sole responsibility of the requestor.

(4) Records furnished for public inspection or copying shall be returned in good condition and in the same file sequence or organization as when furnished.

(5) Boisterous or otherwise disruptive conduct by those requesting public records of the Authority shall not be permitted.

NEW SECTION

WAC 400-06-160 *RECORDS INDEX* (1) A chronological index is maintained providing identifying information as to all governmental records issued, adopted, or promulgated on or after August 21, 1985, which are deemed by the Authority to fall within the purview of the RCW 42.17.260 and which are not exempted under the provisions of RCW 42.17.310.

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

NEW SECTION

WAC 400-06-170 *COMMUNICATIONS* All communications regarding the actions or decisions of the Authority:

(1) Pertaining to the administration or enforcement of Chapter 42.17 or these rules shall be addressed to the Public Records Officer, Puget Sound Water Quality Authority, Suite 1100, 217 Pine Street, Seattle, Washington 98101; and

(2) Relating to the development of the Plan shall be addressed to Director of Planning, Puget Sound Water Quality Authority, Suite 1100, 217 Pine Street, Seattle, Washington 98101.

NEW SECTION

WAC 400-06-180 *REQUEST FOR PUBLIC RECORD—FORM*

STATE OF WASHINGTON  
PUGET SOUND WATER QUALITY AUTHORITY  
REQUEST FOR PUBLIC RECORD

Date of Request: \_\_\_\_\_

Requested By: \_\_\_\_\_

\_\_\_\_\_

Public Records or Information Requested: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Requester Read and Sign:

I understand that I must abide by the Rules and Regulations published by the PSWQA for the protection of public records, a copy of which I have read and understand.

I understand that I will be charged twenty-five cents per copy for all standard letter size copies I desire and that other size publications are available at cost.

Requester's Signature \_\_\_\_\_

Completed by Authority Public Records Officer:

Date of Receipt: \_\_\_\_\_

Number of Copies: \_\_\_\_\_

Amount Received: \$ \_\_\_\_\_

Reason if Authority is Unable to Comply: \_\_\_\_\_

Public Records Officer Signature: \_\_\_\_\_

Public records of the agency are provided for inspection and copying subject to the following regulations:

- (1) No person shall knowingly alter, deface, or destroy public records of the Authority.
- (2) Original copies of public records of the agency shall not be removed from the offices of the Authority.
- (3) Care and safekeeping of public records of the Authority, furnished pursuant to a request for inspection or copying, shall be the sole responsibility of the requestor.
- (4) Records furnished for public inspection or copying shall be returned in good condition and in the same file sequence or organization as when furnished.
- (5) Boisterous or otherwise disruptive conduct by those requesting public records of the Authority shall not be permitted.

I have read, understand, and will comply with the above-stated regulations.

\_\_\_\_\_  
(Signature and date)

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

**WSR 86-01-013**  
**EMERGENCY RULES**  
**PUGET SOUND**  
**WATER QUALITY AUTHORITY**

[Order 85-02, Resolution No. 2—Filed December 6, 1985]

Be it resolved by the Puget Sound Water Quality Authority, that it does adopt the annexed rules relating to chapter 400-04 WAC, SEPA procedures and policies for the Puget Sound Water Quality Authority. These rules adopt general requirements for environmental review including timing and limitations on action during

SEPA process and specific requirements regarding categorical exemptions, threshold determinations, the preparation of environmental impact statements, public notice and commenting, use of existing environmental documents and SEPA and agency decisions.

We, the Puget Sound Water Quality Authority, 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 authority is a new agency and needs these rules to be able to implement the State Environmental Policy Act.

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

This rule is promulgated pursuant to RCW 43.21C-.120 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED November 20, 1985.  
By Katherine Fletcher  
Chair

**PUGET SOUND WATER QUALITY AUTHORITY**  
**STATE ENVIRONMENTAL POLICY ACT**  
**PROCEDURES**

NEW SECTION

WAC 400-04-010 AUTHORITY. The Puget Sound Water Quality Authority adopts these procedures under the State Environmental Policy Act (SEPA), RCW 43.21C.120 and the SEPA rules, WAC 197-11-904.

NEW SECTION

WAC 400-04-040 ADDITIONAL DEFINITIONS. (1) "Authority" shall mean the agency of the Puget Sound Water Quality Authority consisting of the seven-member Authority appointed by the governor and/or agency staff. (2) "Chair" shall mean the Authority member appointed by the Governor as Chair of the Authority.

NEW SECTION

WAC 400-04-504 AVAILABILITY OF ENVIRONMENTAL DOCUMENTS. (1) There shall be established at the offices of the Authority a file containing all official Authority SEPA documents. Agencies and the public shall have access to this file.

NEW SECTION

WAC 400-04-510 PUBLIC NOTICE. When these rules require notice to be given under this section, the Authority shall inform the public and other agencies that an environmental document is being prepared or is



available, and (a) public hearing(s), if any, will be held by the following notice procedures:

(1) Publish notice in at least one newspaper of general circulation in each county, city, or general area in which the proposal is located or which the proposal affects;

(2) Notifying the news media via news releases, public service announcements and personal contact; and

(3) Sending notice to the official Authority mailing list. The official Authority list shall be kept on file and be available for inspection by the public. Individual members of the Authority's advisory bodies shall receive notice.

(4) Any other of the notice procedures listed in WAC 197-11-510, as appropriate.

#### NEW SECTION

WAC 400-04-680 APPEALS. There shall be no administrative appeals of Authority SEPA determinations. Any person may informally request, either orally or in writing, the responsible official to reconsider a determination. The official shall reconsider the determination and provide a response, but as this is not a formal appeal as described by RCW 43.21C.075 and WAC 197-11-680, the official is not required to make a record or furnish reasons for the decision. Any informal request to reconsider an Authority SEPA determination shall be made within 30 days of the determination.

#### NEW SECTION

WAC 400-04-902 AUTHORITY SEPA POLICIES. The Authority adopts by reference the state environmental policy as set forth in SEPA, RCW 43.21C.020. To carry out this policy, the Authority will use all practicable means consistent with other essential considerations of state policy to improve and coordinate plans, functions, and resources, and to mitigate adverse impacts resulting from proposals to the end that the state and its citizens may:

(1) Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;

(2) Assure for all people of Washington safe, healthful, productive, and aesthetically and culturally pleasing surroundings;

(3) Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable or unintended consequences;

(4) Preserve important historic, cultural, and natural aspects of our national heritage;

(5) Maintain, wherever possible, an environment which supports diversity and variety of individual choice;

(6) Achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities;

(7) Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources;

(8) Manage public waters and adjacent lands, fisheries, wetlands, and other natural resources wisely.

#### NEW SECTION

WAC 400-04-910 DESIGNATION OF RESPONSIBLE OFFICIAL. The Authority's Chair, or the Chair's designee, shall serve as responsible official.

#### NEW SECTION

WAC 400-04-995 SEVERABILITY. If any provisions of this chapter or its application to any person or circumstance is held invalid, the remainder of this chapter, or the application of the provision to other person or circumstances, shall not be affected.

#### NEW SECTION

WAC 400-04-020 ADOPTION BY REFERENCE. The Authority hereby adopts by reference the following sections of the 1984 SEPA rules, Chapter 197-11 of the Washington Administrative Code.

##### Part One — Purpose/Authority

###### WAC

197-11-030 Policy.

##### Part Two — General Requirements

###### WAC

197-11-040 Definitions.

197-11-050 Lead Agency.

197-11-055 Timing of the SEPA Process.

197-11-060 Content of Environmental Review.

197-11-070 Limitations on Actions During SEPA Process.

197-11-080 Incomplete or Unavailable Information.

197-11-090 Supporting Documents.

197-11-100 Information Required of Applicants.

##### Part Three — Categorized Exemptions and Threshold Determination.

###### WAC

197-11-300 Purpose of this Part.

197-11-305 Categorical Exemptions.

197-11-310 Threshold Determination Required.

197-11-315 Environmental Checklist.

197-11-330 Threshold Determination Process.

197-11-335 Additional Information.

197-11-340 Determination of Nonsignificance.

197-11-350 Mitigated DNS.

197-11-360 Determination of Significance (DS)/Initiation of Scoping.

197-11-390 Effect of Threshold Determination.

##### Part Four — Environmental Impact Statement (EIS)

###### WAC

197-11-400 Purpose of EIS.

197-11-402 General Requirements.

197-11-405 EIS Types.

197-11-406 EIS Timing.

197-11-408 Scoping.

197-11-410 Expanded Scoping.

197-11-420 EIS Preparation.

197-11-425 *Style and Size.*  
 197-11-430 *Format.*  
 197-11-435 *Cover Letter or Memo.*  
 197-11-440 *EIS Contents.*  
 197-11-442 *Contents of EIS on Non-Project Proposals.*  
 197-11-443 *EIS Contents When Prior Non-Project EIS.*  
 197-11-444 *Elements of the Environment.*  
 197-11-448 *Relationship of EIS to other Considerations.*  
 197-11-450 *Cost-Benefit Analysis.*  
 197-11-455 *Issuance of DEIS.*  
 197-11-460 *Issuance of FEIS.*

*Part Five — Commenting*

WAC

197-11-500 *Purpose of this Part.*  
 197-11-502 *Inviting Comment.*  
 197-11-504 *Availability and Cost of Environmental Documents.*  
 197-11-508 *SEPA Register.*  
 197-11-535 *Public Hearings and Meetings.*  
 197-11-545 *Effect of No Comment.*  
 197-11-550 *Specificity of Comments.*  
 197-11-560 *FEIS Response to Comments.*  
 197-11-570 *Consulted Agency Costs to Assist Lead Agency.*

*Part Six — Using Existing Environmental Documents*

WAC

197-11-600 *When to Use Existing Environmental Documents.*  
 197-11-610 *Use of NEPA Documents.*  
 197-11-620 *Supplemental Environmental Impact Statement — Procedures.*  
 197-11-625 *Addenda — Procedures.*  
 197-11-630 *Adoption — Procedures*  
 197-11-635 *Incorporation by Reference — Procedures.*  
 197-11-640 *Combining Documents.*

*Part Seven — SEPA and Agency Decisions*

WAC

197-11-650 *Purpose of this Part.*  
 197-11-655 *Implementation.*  
 197-11-660 *Substantive Authority and Mitigation.*

*Part Eight — Definitions.*

WAC

197-11-700 *Definitions.*  
 197-11-702 *Act.*  
 197-11-704 *Action.*  
 197-11-706 *Addendum.*  
 197-11-708 *Adoption.*  
 197-11-710 *Affected Tribe.*  
 197-11-712 *Affecting.*  
 197-11-714 *Agency.*  
 197-11-716 *Applicant.*  
 197-11-718 *Built Environment.*  
 197-11-720 *Categorical Exemption.*  
 197-11-722 *Consolidated Appeal.*

197-11-724 *Consulted Agency.*  
 197-11-726 *Cost-Benefit Analysis.*  
 197-11-728 *County/City.*  
 197-11-730 *Decisionmaker.*  
 197-11-732 *Department.*  
 197-11-734 *Determination of Non-significance (DNS).*  
 197-11-736 *Determination of Significance (DS).*  
 197-11-738 *EIS.*  
 197-11-740 *Environment.*  
 197-11-742 *Environmental Checklist.*  
 197-11-744 *Environmental Document.*  
 197-11-746 *Environmental Review.*  
 197-11-748 *Environmentally Sensitive Area.*  
 197-11-750 *Expanded Scoping.*  
 197-11-752 *Impacts.*  
 197-11-754 *Incorporation by Reference.*  
 197-11-756 *Lands Covered by Water.*  
 197-11-758 *Lead Agency.*  
 197-11-760 *License.*  
 197-11-762 *Local Agency.*  
 197-11-764 *Major Action.*  
 197-11-766 *Mitigated DNS.*  
 197-11-768 *Mitigation.*  
 197-11-770 *Natural Environment.*  
 197-11-772 *NEPA.*  
 197-11-774 *Non-Project.*  
 197-11-776 *Phased Review.*  
 197-11-778 *Preparation.*  
 197-11-780 *Private Project.*  
 197-11-782 *Probable.*  
 197-11-784 *Proposal.*  
 197-11-786 *Reasonable Alternative.*  
 197-11-788 *Responsible Official.*  
 197-11-790 *SEPA.*  
 197-11-792 *Scope.*  
 197-11-793 *Scoping.*  
 197-11-794 *Significant.*  
 197-11-796 *State Agency.*  
 197-11-798 *Threshold Determination.*  
 197-11-799 *Underlying Governmental Action.*

*Part Nine — Categorical Exemptions.*

WAC

197-11-800 *Categorical Exemptions.*  
 197-11-880 *Emergencies.*  
 197-11-890 *Petitioning DOE to Change Exemptions.*

*Part Ten — Agency Compliance.*

WAC

197-11-900 *Purpose of this Part.*  
 197-11-912 *Procedures on Consulted Agencies.*  
 197-11-914 *SEPA Fees and Costs.*  
 197-11-916 *Application to On-going Action.*  
 197-11-918 *Lack of Agency Procedures.*  
 197-11-920 *Agencies with Environmental Expertise.*  
 197-11-922 *Lead Agency Rules*  
 197-11-924 *Determining the Lead Agency.*

- 197-11-926 *Lead Agency for Governmental Proposals.*
- 197-11-928 *Lead Agency for Public and Private Proposals.*
- 197-11-930 *Lead agency for private projects with one agency with jurisdiction.*
- 197-11-932 *Lead agency for private projects requiring licenses from more than one agency, when one of the agencies is a county/city.*
- 197-11-934 *Lead agency for private projects requiring licenses from a local agency, not a county/city, and one or more state agencies.*
- 197-11-936 *Lead agency for private projects requiring licenses from more than one state agency.*
- 197-11-938 *Lead agencies for specific proposals.*
- 197-11-940 *Transfer of lead agency status to a state agency.*
- 197-11-942 *Agreements on lead agency status.*
- 197-11-944 *Agreements on division of lead agency duties.*
- 197-11-946 *DOE Resolution of Lead Agency Disputes.*
- 197-11-948 *Assumption of Lead Agency Status.*

*Part Eleven — Forms*

**WAC**

- 197-11-960 *Environmental Checklist.*
- 197-11-965 *Adoption Notice.*
- 197-11-970 *Determination of Non-significance (DNS).*
- 197-11-980 *Determination of Significance and Scoping Notice.*
- 197-11-985 *Notice of Assumption of Lead Agency Status.*
- 197-11-990 *Notice of Action.*

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

**WSR 86-01-014**  
**ADOPTED RULES**  
**DEPARTMENT OF PERSONNEL**  
**(Personnel Board)**

[Order 239—Filed December 6, 1985]

Be it resolved by the State Personnel Board, acting at the Department of Personnel, 600 South Franklin, Olympia, WA 98504, that it does adopt the annexed rules relating to:

- Amd WAC 356-15-020 Work period designations.  
 Amd WAC 356-15-030 Overtime provisions and compensation.

This action is taken pursuant to Notice No. WSR 85-21-111 filed with the code reviser on October 23, 1985. 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 41.06.150 which directs that the State Personnel Board has authority to implement the provisions of the Fair Labor Standards Act, section 7(k).

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 14, 1985.

By Leonard Nord  
 Secretary

AMENDATORY SECTION (Amending Order 212, filed 12/19/84)

WAC 356-15-020 WORK PERIOD DESIGNATIONS. The personnel board shall assign a specific work period designation to each classification. The personnel board may authorize a work period designation which differs from the class-wide designation for specific positions having atypical working conditions. When two or more designations are indicated for a job classification, the first designation listed shall constitute the class-wide designation. Each position shall be assigned only one designation. The work period designation for persons on "in-training" and "underfill" appointments shall be the same as that of the position to which they are appointed.

(1) Scheduled (S):

(a) Standard: Full time positions with conditions of employment which may be completed within five consecutive work days, each having the same starting time and lasting not more than eight working hours, and occurring within the same workweek.

(b) Alternate: Full time positions with conditions of employment which may be completed within:

(i) Five work days lasting not more than eight working hours within the same workweek but which, because of operational necessity, cannot be scheduled with the same daily starting time or with consecutive days off; or

(ii) Four work days lasting not more than ten working hours each within the same workweek; or

(iii) Ten consecutive work days with four consecutive days off; or

(iv) Ten work days lasting not more than eight working hours and occurring within a scheduled fourteen consecutive day period. Positions are restricted to employees in the registered nurse class series who work in an institutional hospital primarily engaged in the care of residents.

(v) Continuous five work-days-per-week shifts which rotate each 28 days to a different schedule of regular days and hours per week. The rotation involves extended or shortened time off between the ending shift of one schedule and the beginning shift of the next, but does not require more than eight hours work in any one 24-hour period within a schedule, nor more than ~~((52))~~ 52 ~~52~~ 40-hour workweeks per year. Positions are limited to communications officers and scheduled commercial vehicle enforcement officers of the state patrol.

After giving written notice to the employee and the certified exclusive representative, the employer may implement an alternate schedule provided the employer can document a program need for the alternate schedule or the alternate schedule is mutually agreeable to the employer and employee.

(c) Unlisted: Full time positions for which the director of personnel has approved a schedule or scheduling plan not allowed above. Such unlisted schedules may be approved by the director of personnel when both the agency and the affected employees are in agreement. Approval by the exclusive representative shall constitute approval of employees within a certified bargaining unit.

(2) Nonscheduled (NS): Full time positions with conditions of employment which necessitate adjustment of hours by employees within forty working hours within the workweek. These positions normally have no scheduled starting and/or quitting time, but management may designate specific tasks which require assigned hours.

(3) Exceptions (E): In determining which positions are designated in the "exceptions" work period, the personnel board shall consider the following factors:

(a) Positions which meet the definition (chapter 356-05 WAC) of administrative personnel, agricultural personnel, executive personnel, housed personnel, law enforcement personnel, professional personnel.

(b) Positions which have historically been paid overtime by the state.

(c) Positions which have direct counterparts in private industry or other governmental jurisdictions and which have an historical or prevailing practice of paying overtime.

(d) Other factors it may deem to be appropriate.

(4) Law Enforcement (L): Positions which meet the law enforcement criteria of section 7(k) of the Fair Labor Standards Act.

AMENDATORY SECTION (Amending Order 194, filed 12/30/83)

WAC 356-15-030 OVERTIME PROVISIONS AND COMPENSATION. (1) The following conditions constitute overtime:

(a) For full-time employees, work in excess of the workshift within the work day.

(b) Work in excess of forty working hours in one workweek or eighty working hours in a scheduled fourteen consecutive day period as authorized under WAC 356-15-020 (1)(b)(iv).

(c) Work on a holiday (except Sunday when it is within the assigned workshift).

(d) Work on a scheduled day off.

(e) ((~~Law enforcement work in excess of 240 hours in a work period of 28 consecutive days (60 hours in a work period of 7 consecutive days or in the case of any work period between 7 and 28 days, a proportionate number of hours in such a work period))~~) Time worked in excess of the 28-day work period by law enforcement positions.

(2) Scheduled work period employees shall receive overtime compensation for work which meets subsection (1)(a) through (d) of this section. However, an agency is

not obligated to pay overtime due to a change in the work day or workweek, when such change is in response to a written request from an employee for employee convenience.

(3) Nonscheduled work period employees shall receive overtime compensation for work which meets subsection (1)(b) through (d) of this section and may be paid overtime compensation for work which meets subsection (1)(b) of this section.

(4) Exceptions work period employees are not required to be compensated beyond their regular monthly rate of pay for work which meets subsection (1)(a) through (d) of this section. However, they may be compensated or granted exchange time for any of those conditions if their appointing authority deems it appropriate.

(a) If overtime compensation is authorized, the appointing authority may fix the rate, not to exceed one and one-half times the employee's regular rate of pay. As indicated in subsection (5) of this section, the agency and the employee may agree to use compensatory time off in lieu of cash; in that event, the rules covering liquidation of compensatory time apply.

(b) Exchange time may be authorized for any number of hours worked beyond the exceptions work period employee's normal hours of work. For those hours authorized, the rate shall be equal hours off for those worked. Exchange time can be accrued to a limit determined by each agency, not to exceed 174 hours.

(c) Employees must be allowed, and may be required, to use all exchange time in excess of 80 hours prior to each April 1 and October 1, or other semi-annual dates fixed by an agency and made known to its employees and the director of personnel by that agency's director. As an exception to the above, the director of personnel may establish a single annual date based on the special needs of the requesting agency. Employees must exhaust their exchange time before using compensatory time or vacation leave unless this would result in a loss of accumulated leave.

(d) Employee absence on approved exchange time shall be considered as time worked for payroll purposes.

(e) Exchange time has no cash liquidation value. However, employees voluntarily terminating from state service or transferring to another agency must be offered the opportunity to postpone their cessation of employment by the granting agency until their accumulated, authorized exchange time has been used. Employees who were separated due to a reduction in force or disability separation are entitled to reinstatement of accumulated exchange time if they are rehired on a permanent basis by the granting agency within three years of separation.

~~((f) Law enforcement employees shall receive overtime compensation for work that meets subsection (1)(e) of this section and at the rate of time and one-half.))~~

(5) Law enforcement positions have a 160-hour, 28-day work period, rather than a 40-hour work week.

(a) When the combination of credited work hours (vacation, sick leave, holidays, or compensatory time) and actual work hours exceeds 160 hours, the employee shall be compensated at time and one-half rates in cash or compensatory time at the option of the agency.

(b) Overtime compensation for actual work in excess of 171 hours in a work period may be in the form of compensatory time off if the employee and the agency agree.

(c) Assigned, actual work on a holiday shall be considered as work in excess of 160 hours.

(d) For the positions receiving assignment pay for an extended work period, the following special provisions apply:

(i) These law enforcement classes or positions have a 171-hour, 28-day work period, for which they receive four ranges (approximately ten percent) above the base salary range.

(ii) When the combination of credited work hours and actual work hours exceeds 171 hours, the employee shall be compensated at time and one-half rates. Compensation may be in the form of compensatory time off if the employee and the agency agree.

(iii) Assigned, actual work on a holiday shall be considered as work in excess of 171 hours.

(6) Unless otherwise provided in the work period designations or other personnel board decisions, the rate of overtime compensation for scheduled and nonscheduled work period employees shall be time-and-one-half.

Overtime compensation shall be paid in either cash or compensatory time off, provided that such compensation is paid in a manner consistent with the overtime liquidation provisions of the merit system rules.

~~((Only when an agency and the employee agree may compensatory time off be used in lieu of cash compensation for overtime))~~ Compensatory time off may be used in lieu of cash compensation for overtime only when an agency and the employee agree, except as provided for law enforcement officers in subsection (5) of this section. When compensatory time is utilized by scheduled or nonscheduled work period employees it shall be compensated at the rate of time-and-one-half.

**WSR 86-01-015**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
 [Order 85-193—Filed December 6, 1985]

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

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 this regulation is needed for the interim period until the permanent regulation takes effect.

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 December 6, 1985.

By Gene DiDonato  
for William R. Wilkerson  
Director

**NEW SECTION**

*WAC 220-52-07400D SEA URCHIN—AREAS AND SEASONS. Notwithstanding the provisions of WAC 220-52-074, effective immediately until further notice, it is unlawful to take or possess sea urchins taken for commercial purposes except from Puget Sound Marine Fish-Shellfish Management and Catch Reporting Areas 20B and 22A, except for those areas shown as closed in WAC 220-52-073, and those waters of the Strait of Juan de Fuca easterly of a line projected due north from the mouth of Rasmussen Creek (approximately seven miles east of Neah Bay) and westerly of a line projected due north from the mouth of the East Twin River.*

**WSR 86-01-016**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
 [Order 85-35—Filed December 9, 1985]

I, Richard Davis, director of the Department of Labor and Industries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to administrative actions following discharge or other discriminatory action against an employee because such employee has filed or communicated to the employer an intent to file a claim for compensation or exercises any rights provided under Title 51 RCW.

This action is taken pursuant to Notice No. WSR 85-21-104 filed with the code reviser on October 23, 1985. 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 8, chapter 347, Laws of 1985, and is intended to administratively implement that statute.

This rule is promulgated under the general rule-making authority of the Department of Labor and Industries as authorized in RCW 51.04.020.

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 December 9, 1985.  
By Richard A. Davis  
Director

NEW SECTION

WAC 296-15A-010 DEFINITIONS. For the purposes of this chapter, the following words shall have these meanings: (1) "Director" shall mean the director of the department of labor and industries of the state of Washington.

(2) "Employee" shall have the same meaning as that defined in 51.08.180 and 51.08.185.

(3) "Employer" shall have the same meaning as defined in RCW 51.08.070.

NEW SECTION

WAC 296-15A-020 FILING A COMPLAINT OF DISCRIMINATION. (1) Any employee who believes that he or she has been discharged or otherwise discriminated against by an employer in violation of this section may file a complaint with the director alleging discrimination within ninety days of the date of the alleged violation. Upon receipt of such complaint, the director shall cause an investigation to be made as the director deems appropriate. Within ninety days of the receipt of the complaint filed under this section, the director shall notify the complainant of his or her determination. If upon investigation, it is determined that this section has been violated, the director shall bring an action in the superior court of the county in which the violation is alleged to have occurred.

(2) Who may file. A complaint of discrimination may be filed by the employee.

(3) Nature of filing. A complaint must be filed in writing; however, no particular form of complaint is required.

(4) Place of filing. The complaint should be filed with the director of the department of labor and industries. The complaint should be sent to the Director of the Department of Labor and Industries, Olympia, Washington 98504.

**WSR 86-01-017**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
[Order 85-194—Filed December 9, 1985]

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 coho salmon protection needs have been met.

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 December 9, 1985.

By Gene DiDonato  
for William R. Wilkerson  
Director

REPEALER

*The following section of the Washington Administrative Code is repealed effective 12:01 a.m. January 1, 1986:*

WAC 220-36-02500R CLOSED AREAS—  
CHEHALIS RIVER. (85-179)

**WSR 86-01-018**  
**ADOPTED RULES**  
**SUPERINTENDENT OF PUBLIC INSTRUCTION**  
[Order 85-13—Filed December 9, 1985]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Washington state honors award program, chapter 392-210 WAC.

This action is taken pursuant to Notice No. WSR 85-21-098 filed with the code reviser on October 23, 1985. 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 28A.03 RCW and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED December 9, 1985.

By Frank B. Brouillet  
Superintendent of Public Instruction

Chapter 392-210 WAC  
**STUDENT TESTING AND EVALUATION—**  
**WASHINGTON STATE HONORS AWARD PRO-**  
**GRAM**

WAC	
392-210-005	Authority.
392-210-010	Purpose.
392-210-015	Criteria for the selection of Washington state honors award students.

- 392-210-020 Determination of the Washington state honors award academic achievement index.
- 392-210-025 Credits earned in academic core subjects.
- 392-210-030 Enrollment in academic core subjects during grade twelve required.
- 392-210-035 Notification of students eligible for honors award.
- 392-210-040 Notification of Washington honors award recipients.
- 392-210-045 Washington honors award certificate.
- 392-210-050 Notification to local business and community representatives.
- 392-210-055 Special consideration for 1985-86 school year.

#### NEW SECTION

WAC 392-210-005 **AUTHORITY.** The authority for this chapter is chapter 28A.03 RCW which authorizes the superintendent of public instruction to develop rules and regulations for the establishment and administration of the Washington state honors award program.

#### NEW SECTION

WAC 392-210-010 **PURPOSE.** The purpose of this chapter is to set forth the policies and procedures for the administration of the Washington state honors award program.

#### NEW SECTION

WAC 392-210-015 **CRITERIA FOR THE SELECTION OF WASHINGTON STATE HONORS AWARD STUDENTS.** The Washington state honors award program shall recognize the top ten percent of the students in the state in each year's high school graduating class who have demonstrated outstanding academic achievement. Outstanding academic achievement shall be determined by the following criteria:

(1) An academic achievement index based upon a combination of the combined high school grade point average (calculated as provided in WAC 180-57-055) in the academic core subjects of English, mathematics, science, social studies, and foreign language and the combined verbal and quantitative composite scores on the Washington pre-college test;

(2) Credits (as defined in WAC 180-51-050) earned in grades nine through eleven in the academic core subjects of English, mathematics, science, social studies, and foreign language;

(3) Completion of at least seventy-five percent of the graduation requirements for the high school in which the candidate is enrolled; and

(4) Enrollment in at least three academic core subjects in grade twelve.

In order to be considered for a Washington honors award, students must have taken the Washington pre-college test prior to enrollment in grade twelve and be enrolled in a participating high school as indicated by the principal on forms provided by the superintendent of public instruction.

#### NEW SECTION

WAC 392-210-020 **DETERMINATION OF THE WASHINGTON STATE HONORS AWARD ACADEMIC ACHIEVEMENT INDEX.** The superintendent of public instruction shall calculate the academic achievement index based upon an equivalent numeric weighting of the combined high school grade point average in academic core subjects and the combined verbal and quantitative composite scores on the Washington pre-college test. The superintendent of public instruction shall determine the top ten percent of each year's graduating class based upon a ranking of all participating students on the academic achievement index.

#### NEW SECTION

WAC 392-210-025 **CREDITS EARNED IN ACADEMIC CORE SUBJECTS.** To be considered for a Washington state honors award, a student must have earned, during grades nine through eleven, at least seventy-five percent of the credits required for graduation from his or her high school including a minimum of ten credits in the academic core subjects as follows:

English	3 credits
Mathematics	2 credits
Science	2 credits
Social Studies	2 credits
Foreign Language	1 credit

Each participating high school principal shall verify, on forms provided by the superintendent of public instruction, that each candidate has completed at least seventy-five percent of the school's total graduation credit requirements. The superintendent of public instruction shall require each student's high school transcript to be verified to assure that each student has earned the minimum credits in each of the academic core subjects. All participating high schools shall make available the grades nine through eleven transcripts for all participating students on or before August 15 of each year.

#### NEW SECTION

WAC 392-210-030 **ENROLLMENT IN ACADEMIC CORE SUBJECTS DURING GRADE TWELVE REQUIRED.** To be considered for a Washington state honors award, a student must be enrolled in at least three of the academic core subjects of English, mathematics, science, social studies, and foreign language during the first term of the senior year, excluding summer term. The minimum enrollment requirement shall be verified in writing by the participating high school principal before November 1 of each school year, on forms provided by the superintendent of public instruction.

#### NEW SECTION

WAC 392-210-035 **NOTIFICATION OF STUDENTS ELIGIBLE FOR HONORS AWARD.** Commencing with the ninth grade, and each year thereafter, each participating high school shall provide, no later

than October 1, each enrolled student with a copy of the eligibility criteria for the Washington state honors award. The superintendent of public instruction shall provide schools with a suggested format that may be used to notify students.

#### NEW SECTION

WAC 392-210-040 NOTIFICATION OF WASHINGTON HONORS AWARD RECIPIENTS. On or before December 15 of each school year the superintendent of public instruction shall provide to each participating school principal the names of those enrolled students who have been selected for a Washington honors award.

#### NEW SECTION

WAC 392-210-045 WASHINGTON HONORS AWARD CERTIFICATE. The superintendent of public instruction shall prepare annually for each honors award recipient a suitable printed certificate which shall describe the purposes of the award, indicate the year in which the award was given, identify the student and his or her high school, and be signed by the superintendent of public instruction. The certificate for each honors award recipient shall be delivered to the participating high school principal on or before April 1 of each school year. Each participating principal shall provide for issuing the certificate to each recipient at the regular high school commencement or other appropriate time prior to high school commencement.

#### NEW SECTION

WAC 392-210-050 NOTIFICATION TO LOCAL BUSINESS AND COMMUNITY REPRESENTATIVES. The principal of each participating school shall encourage local businesses and community organizations to recognize the accomplishments of the Washington honors award recipients.

#### NEW SECTION

WAC 392-210-055 SPECIAL CONSIDERATION FOR 1985-86 SCHOOL YEAR. The provisions of WAC 392-210-020 and 392-210-030 through 392-210-045 notwithstanding, for the 1985-86 school year the timelines for notification of students and schools and other program requirements may be adjusted by the superintendent of public instruction as required to initiate the Washington honors award program.

### WSR 86-01-019

#### ADOPTED RULES

#### SUPERINTENDENT OF PUBLIC INSTRUCTION

[Order 85-14—Filed December 9, 1985]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Finance—Special allocations, instructions, and requirements, chapter 392-140 WAC.

This action is taken pursuant to Notice No. WSR 85-21-097 filed with the code reviser on October 23, 1985. 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 28A.41-.170 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 December 9, 1985.

By Frank B. Brouillet  
Superintendent of Public Instruction

#### NEW SECTION

WAC 392-140-042 RAP, GRADES SEVEN THROUGH NINE—APPLICABLE PROVISIONS. The provisions of WAC 392-140-042 through 392-140-066 shall be applicable to the distribution of state categorical apportionment funds to districts for the grades seven through nine remediation program established in section 509, chapter 6, Laws of 1985 1st ex. sess.

#### NEW SECTION

WAC 392-140-043 RAP, GRADES SEVEN THROUGH NINE—DEFINITION—EDUCATIONALLY DEPRIVED. As used in WAC 392-140-042 through 392-140-066, the term "educationally deprived" shall mean students whose educational attainment in basic skills achievement, as documented by placement testing, is below the level that is appropriate for the student's chronological grade level.

#### NEW SECTION

WAC 392-140-044 RAP, GRADES SEVEN THROUGH NINE—DEFINITION—PLACEMENT TEST. As used in WAC 392-140-042 through 392-140-066, the term "placement test" shall mean an objective test(s) administered by a district for the purpose of diagnosing the basic skills achievement levels and remediation needs of individual students.

AMENDATORY SECTION (Amending Order 84-38, filed 10/2/84)

WAC 392-140-046 ((1984-85)) RAP, GRADES SEVEN THROUGH NINE—DEFINITION—SUPPLEMENTAL INSTRUCTIONAL ASSISTANCE. As used in ((this chapter)) WAC 392-140-042 through 392-140-066, the term "supplemental instructional assistance" shall mean instruction in reading, math, or communication skills designed and implemented consistent with supplemental service models approved for ECIA Chapter 1 Regular, i.e., classroom, limited pullout, replacement, add-on, and/or locally designed models.



AMENDATORY SECTION (Amending Order 84-38, filed 10/2/84)

WAC 392-140-047 ((1984-85)) RAP, GRADES SEVEN THROUGH NINE—DEFINITION—LIKE SERVICES. As used in ((this chapter)) WAC 392-140-042 through 392-140-066, the term "like services" shall mean programs conducted pursuant to chapter 28A.13 RCW which provides services designed to meet the special educational needs of participating students. However, the term "like services" does not include communication disorder or physical or occupational therapy services if the student is receiving no other special education instruction.

AMENDATORY SECTION (Amending Order 84-38, filed 10/2/84)

WAC 392-140-048 ((1984-85)) RAP, GRADES SEVEN THROUGH NINE—DEFINITION—((DISCRETIONARY)) REMEDIATION PROGRAM. As used in ((this chapter)) WAC 392-140-042 through 392-140-066, the term "((discretionary)) remediation program" shall mean providing supplemental instructional assistance in reading, math, or communication skills to any students in grades seven through nine who are ((in the bottom quartile on a nationally normed standardized test)) educationally deprived and who are not receiving like services in programs established in chapter 28A.13 RCW.

AMENDATORY SECTION (Amending Order 84-38, filed 10/2/84)

WAC 392-140-049 ((1984-85)) RAP, GRADES SEVEN THROUGH NINE—DEFINITION—ELIGIBLE STUDENTS. As used in ((this chapter)) WAC 392-140-042 through 392-140-066, the term "eligible students" means students in grades seven through nine who ((score in the lowest quartile on a nationally normed standardized test in reading, math or communication skills)) are educationally deprived and are not receiving like services under the provisions of chapter 28A.13 RCW.

AMENDATORY SECTION (Amending Order 84-38, filed 10/2/84)

WAC 392-140-050 ((1984-85)) RAP, GRADES SEVEN THROUGH NINE—DISTRICT APPLICATION. Each district that seeks an allocation from the state for the ((discretionary)) remediation program shall submit for approval an annual application on forms provided by the superintendent of public instruction.

AMENDATORY SECTION (Amending Order 84-38, filed 10/2/84)

WAC 392-140-051 ((1984-85)) RAP, GRADES SEVEN THROUGH NINE—BOARD APPROVAL. The district's annual application shall be approved by formal action of the district's board of directors.

AMENDATORY SECTION (Amending Order 84-38, filed 10/2/84)

WAC 392-140-052 ((1984-85)) RAP, GRADES SEVEN THROUGH NINE—CONTENT OF DISTRICT APPLICATION. The district's annual application shall contain the following:

(1) Planned expenditures by program activity and object;

(2) Instructional program description which describes the supplementary services to be offered to eligible students;

((2)) (3) Estimated number of students to be served;

((3)) (4) Assurances that the total expenditure of program moneys will be for purposes specified in the statute and these administrative codes.

AMENDATORY SECTION (Amending Order 84-38, filed 10/2/84)

WAC 392-140-053 ((1984-85)) RAP, GRADES SEVEN THROUGH NINE—PROGRAM REQUIREMENT—NOTIFICATION OF PARENTS. The district shall notify parents of participating students of the involvement of their child in the remediation assistance program.

AMENDATORY SECTION (Amending Order 84-38, filed 10/2/84)

WAC 392-140-054 ((1984-85)) RAP, GRADES SEVEN THROUGH NINE—PROGRAM REQUIREMENT—ALLOWABLE EXPENDITURES. School districts shall expend ((discretionary)) remediation assistance program revenue only in the allowable objects of expenditure as specified for the remediation program ((in the accounting manual for the public school districts in the state of Washington)) on SPI Form 1000B, RAP 7-9.

AMENDATORY SECTION (Amending Order 84-38, filed 10/2/84)

WAC 392-140-055 ((1984-85)) RAP, GRADES SEVEN THROUGH NINE—PROGRAM REQUIREMENT—END OF YEAR REPORT. Districts shall submit to the superintendent of public instruction at the close of the program year an end-of-year report on forms provided by the superintendent of public instruction which includes number of students served by grade level, basic skills area, ethnicity, and gender.

AMENDATORY SECTION (Amending Order 84-38, filed 10/2/84)

WAC 392-140-056 ((1984-85)) RAP, GRADES SEVEN THROUGH NINE—PROGRAM REQUIREMENT—ANNUAL PROGRAM EVALUATION. The ((district shall use a nationally normed standardized test score)) Title I Evaluation and Reporting System (TIERS) shall be used by districts to evaluate educational achievement of students participating in the ((discretionary)) remediation assistance program. Resulting data shall be reported annually to the superintendent of public instruction on provided forms.

AMENDATORY SECTION (Amending Order 84-38, filed 10/2/84)

WAC 392-140-057 ((1984-85)) RAP, GRADES SEVEN THROUGH NINE—DEFINITION—DISTRICT 7-9 FTE ENROLLMENT. As used in ((this chapter)) WAC 392-140-042 through 392-140-066, the term "district 7-9 FTE enrollment" shall mean that current year enrollment reported pursuant to WAC 392-121-105(3) by the district for grades seven through nine.

AMENDATORY SECTION (Amending Order 84-38, filed 10/2/84)

WAC 392-140-058 ((1984-85)) RAP, GRADES SEVEN THROUGH NINE—DEFINITION—DISTRICT EIGHTH GRADE RAP PERCENTAGE. As used in ((this chapter)) WAC 392-140-042 through 392-140-066, the term "district eighth grade RAP percentage" shall mean the percentage of students who scored in the lowest quartile of the eighth grade basic skills test conducted in the ((1983-84)) previous school year pursuant to RCW 28A.03.360.

AMENDATORY SECTION (Amending Order 84-38, filed 10/2/84)

WAC 392-140-059 ((1984-85)) RAP, GRADES SEVEN THROUGH NINE—DEFINITION—DISTRICT ((HANDICAPPED)) SPECIFIC LEARNING DISABLED ENROLLMENT FOR AGES ((SEVEN TO)) TWELVE THROUGH FOURTEEN. As used in ((this chapter)) WAC 392-140-042 through 392-140-066, "district ((handicapped)) specific learning disabled enrollment for age ((seven to)) twelve through fourteen" shall mean that current year resident district enrollment reported ((by the district)) pursuant to WAC ((392-171-135 excluding those students reported pursuant to WAC 392-122-135 (1) and (3)) 392-171-406 for students whose chronological age is ((seven to)) twelve through fourteen years inclusive.

AMENDATORY SECTION (Amending Order 84-38, filed 10/2/84)

WAC 392-140-061 ((1984-85)) RAP, GRADES SEVEN THROUGH NINE—DEFINITION—((DISTRICT GRADES SEVEN THROUGH NINE—DEFINITION—)) DISTRICT GRADES SEVEN THROUGH NINE SERVICE POPULATION. As used in ((this chapter)) WAC 392-140-042 through 392-140-066, "district grades seven through nine remediation service population" shall mean the result obtained from the following calculation:

(1) Multiply the district 7-9 FTE enrollment by the district eighth grade RAP percentage;

(2) ((Multiply the district handicapped enrollment for ages seven through fourteen by the like services factor)) Determine the district specific learning disabled enrollment for ages twelve through fourteen which exceeds four percent of the district 7-9 FTE enrollment;

(3) Subtract the result obtained in subsection (2) of this section from the result obtained in subsection (1) of this section; and

(4) In the event the result obtained in subsection (3) of this section is a negative number, the district shall not receive moneys for the purposes of WAC ((392-140-045)) 392-140-042 through ((392-140-064)) 392-140-066.

AMENDATORY SECTION (Amending Order 84-38, filed 10/2/84)

WAC 392-140-062 ((1984-85)) RAP, GRADES SEVEN THROUGH NINE—DEFINITION—GRADES SEVEN THROUGH NINE PER STUDENT SUPPORT LEVEL. As used in ((this chapter)) WAC 392-140-042 through 392-140-066, the term "grades 7-9 per student support level" shall mean the ((amount of money calculated by the superintendent of public instruction based upon the state's total service population and available appropriation authority. In no case shall the per student support level exceed three hundred dollars)) per pupil allocation established in the state appropriation act for the grades seven through nine state remediation assistance program.

AMENDATORY SECTION (Amending Order 84-38, filed 10/2/84)

WAC 392-140-063 ((1984-85)) RAP, GRADES SEVEN THROUGH NINE—DISTRICT ALLOCATION. The district allocation shall be determined by the superintendent of public instruction by multiplying the result obtained in WAC 392-140-061 by the result obtained in WAC 392-140-062.

AMENDATORY SECTION (Amending Order 84-38, filed 10/2/84)

WAC 392-140-064 ((1984-85)) RAP, GRADES SEVEN THROUGH NINE—DISTRIBUTION OF STATE MONEYS FOR THE STATE REMEDIATION ASSISTANCE PROGRAM GRADES SEVEN THROUGH NINE. The superintendent of public instruction shall apportion to districts the amount calculated per district in WAC 392-140-063 in monthly payments according to the schedule depicted in RCW 28A.48.010 that shall be adjusted in intervals to reflect the changes in each district's ((1984-85)) grades seven through nine annual average full time equivalent enrollment, ((1984-85 handicapped enrollment for)) and the district specific learning disabled enrollment for ages ((seven to)) twelve through fourteen ((, and the 1984-85 like services factor)) which exceeds four percent of the district 7-9 FTE enrollment.

NEW SECTION

WAC 392-140-065 GENERAL PROVISION—CARRYOVER PROHIBITION. State remediation moneys shall be governed by the carryover prohibition contained in WAC 392-122-900.

NEW SECTION

WAC 392-140-066 GENERAL PROVISION—MAXIMUM CONTROL FACTOR—PRORATION. The maximum rate of allocation specified in WAC 392-140-062 will be subject to the proration provision contained in WAC 392-122-905.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 392-140-045 1984-85 RAP, GRADES SEVEN THROUGH NINE—APPLICABLE PROVISIONS.

WAC 392-140-060 1984-85 RAP, GRADES SEVEN THROUGH NINE—DEFINITION—LIKE SERVICES FACTOR.

**WSR 86-01-020****ADOPTED RULES****SUPERINTENDENT OF PUBLIC INSTRUCTION**

[Order 85-15—Filed December 9, 1985]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Finance—Apportionment for part-time public school attendance, chapter 392-134 WAC.

This action is taken pursuant to Notice No. WSR 85-21-096 filed with the code reviser on October 23, 1985. 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 28A.41.140 [28A.41.140] and 28A.41.145 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 December 9, 1985.

By Frank B. Brouillet  
Superintendent of Public Instruction

NEW SECTION

WAC 392-134-002 AUTHORITY. The authority for this chapter is RCW 28A.41.145 which authorizes the superintendent of public instruction to adopt rules and regulations regarding part-time public school attendance.

NEW SECTION

WAC 392-134-003 PURPOSE. The purpose of this chapter is to implement the part-time public school attendance law.

AMENDATORY SECTION (Amending Order 80-6, filed 4/15/80)

WAC 392-134-005 DEFINITIONS. As used in this chapter the term: (1) "Ancillary service" shall mean any cocurricular service or activity, any health care service or activity, and any other services or activities, except "courses," for or in which preschool through twelfth grade students are enrolled by a public school. The term shall include, but not be limited to, counseling, psychological services, testing, remedial instruction, speech and hearing therapy, health care services, tutorial services such as home or hospital instruction for the physically disabled, and sports activities;

(2) "Course" shall mean any instructional curricular service or activity in which preschool through twelfth grade students are enrolled by a public school;

(3) "Part-time public school student" shall mean a student who is enrolled in a public school for less time than a "full-time equivalent student" as defined in chapter 392-121 WAC, as now or hereafter amended, and shall include:

(a) Private school students to the extent they are also enrolled in a public school as a student thereof for the purpose of taking any course or receiving any ancillary service, or any combination of courses and ancillary services which is not available in the student's private school of attendance; ~~((and))~~

(b) Any student who is enrolled exclusively in a public school for the purpose of taking courses or receiving ancillary services and/or participating in a work training program approved by the board of directors of the district; and

(c) Any student who is participating in home-based instruction to the extent that the student is also enrolled in a public school for the purpose of taking any course or receiving any ancillary service, or any combination of courses and ancillary services.

(4) "Private school" shall mean any nonpublic vocational school and any nonpublic school which provides instruction in any of the grades kindergarten through twelve inclusive of nonpublic sectarian (religious) schools; ~~((and))~~

(5) "Private school student" shall mean a student who is enrolled in a private school "full-time" as defined by the private school of attendance; and

(6) "Home-based instruction" shall mean an instructional program established pursuant to RCW 28A.27.010(4).

AMENDATORY SECTION (Amending Order 80-6, filed 4/15/80)

WAC 392-134-015 ENROLLMENT PRACTICES AND CONDITIONS. ~~((+))~~ Requests for part-time attendance shall be processed by a public school only when made by the student, the student's parent(s), or the student's guardian(s) ~~((and,))~~;

~~((+))~~ In addition, the enrollment of a part-time public school student who otherwise attends a private school shall be conditioned upon the certification by the student or by the student's parent(s) or guardian(s) as may be required by the public school, that:

((a)) (1) The student is a private school student; and

((b)) (2) The course and/or ancillary service for which enrollment is requested is not available at the private school of attendance.

AMENDATORY SECTION (Amending Order 80-6, filed 4/15/80)

WAC 392-134-020 PROVISION OF EDUCATIONAL PROGRAM TO PART-TIME PUBLIC SCHOOL STUDENTS—REPORTS—SITES. (1) Courses, ancillary services, and any combination of courses and ancillary services shall be provided to part-time public school students at the same level and quality as provided by the public school to full-time students;

(2) Courses, ancillary services, and any combination of courses and ancillary services shall be provided to part-time public school students upon public school grounds or on sites which are controlled by a public school district and at the home or hospital where the student may be confined by reason of a physician disability or sickness. Courses and ancillary services shall not be provided upon or within any private sectarian (religious) school site or facility: PROVIDED, That field trips and special events incident to the public school program which include participation by both full-time and part-time public school students may be conducted by a public school upon or within private sectarian school facilities;

(3) No test result, grade, or other evaluation of a part-time public school student's abilities, needs, and/or performance which is generated by a public school in connection with the student's attendance may be transmitted or communicated by a public school to a private school except upon the written request of a minor student's parent(s) or guardian(s) or upon the written request of the student if the student is eighteen years of age or older; and,

(4) Transportation between a part-time public school student's private school and a public school in which he/she is enrolled may not be provided to the student at the expense of a public school district in whole or part: PROVIDED, That the following interschool transportation may be provided at the expense of a public school district:

(a) Transportation which is provided in connection with a part-time student's participation in field trips and special events permitted by subsection (2) ~~((above))~~ of this section; and

(b) The transportation of part-time public school students which:

(i) Is necessary to comply with a condition to the receipt of federal funds; and

(ii) Is paid or reimbursed for with the federal funds to which the condition is attached, not state or local tax funds or revenues.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 392-134-001 PURPOSES.

**WSR 86-01-021**

**ADOPTED RULES**

**SUPERINTENDENT OF PUBLIC INSTRUCTION**

[Order 85-16—Filed December 9, 1985]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Finance—Categorical apportionment, chapter 392-122 WAC.

This action is taken pursuant to Notice No. WSR 85-21-095 filed with the code reviser on October 23, 1985. 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 28A.41-.170 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 December 9, 1985.

By Frank B. Brouillet  
Superintendent of Public Instruction

NEW SECTION

WAC 392-122-106 DEFINITION—FORM P-223H. "Form P-223H" shall mean the report of school district handicapped headcount enrollment for eligible handicapped students as defined in WAC 392-122-135 submitted monthly by the school districts to the superintendent of public instruction for the school year for the purpose of calculating the handicapped program allocations. The count dates for handicapped student enrollments shall be the same as specified in WAC 392-121-105(2). This report shall indicate the handicapped enrollment by resident school district and serving school district.

NEW SECTION

WAC 392-122-107 DEFINITION—REPORT 1220. "Report 1220" shall mean the school district's handicapped allocation report calculated and prepared by the superintendent of public instruction using the district's eight-month average annual headcount enrollment as submitted on Form P-223H for the school year and the ratios and percentages established in the LEAP document for state handicapped programs as defined in WAC 392-122-105. For the purpose of handicapped allocations, the district's eight-month average annual headcount enrollment shall be the average of the enrollments for first school day of the second reporting month and the subsequent seven months.

AMENDATORY SECTION (Amending Order 84-36, filed 10/2/84)

WAC 392-122-115 DEFINITION—STATE HANDICAPPED PROGRAM—HANDICAPPED PROGRAM CLASSIFIED ((AVERAGE)) DERIVED BASE SALARY. "Handicapped program classified

((average)) derived base salary" means the handicapped program classified average salary for the current school year calculated and provided annually by the superintendent of public instruction for the purpose of distributing handicapped program allocations.

AMENDATORY SECTION (Amending Order 84-36, filed 10/2/84)

WAC 392-122-125 STATE HANDICAPPED PROGRAM—HANDICAPPED PROGRAM CLASSIFIED ((AVERAGE)) DERIVED BASE SALARY. State handicapped program moneys shall be allocated using each school district's handicapped program classified ((average)) derived base salary and its classified increment mix factor for classified state handicapped program staff as provided in the state operating appropriation act currently in effect and provided by the superintendent of public instruction for the purpose of distributing handicapped program allocations. The classified increment mix factor used for classified staff in each school district shall be determined using the procedure described in WAC 392-121-128 and 392-121-129. The classified increment mix factor and average salary computations shall be based on classified staff as reported on Form S-277 with work assignments in the state handicapped program.

NEW SECTION

WAC 392-122-131 STATE HANDICAPPED PROGRAM—BASIC EDUCATION BACKOUT. The district's basic education backout shall be calculated based on the percentages established in the LEAP document for state handicapped programs as defined in WAC 392-122-105.

NEW SECTION

WAC 392-122-132 STATE HANDICAPPED PROGRAM—SUBSTITUTE TEACHER PAY ALLOCATIONS. State handicapped program moneys for substitute teacher pay allocations shall be allocated to school districts for certificated staff units at the maximum rate established in the LEAP document for state handicapped programs as defined in WAC 392-122-105.

AMENDATORY SECTION (Amending Order 84-36, filed 10/2/84)

WAC 392-122-605 FORMULA FOR DISTRIBUTION OF STATE MONEYS FOR THE STATE REMEDIATION ASSISTANCE PROGRAM. (1) As used in this section, the term "fourth grade basic skills test" shall mean the approved fourth grade test administered by districts pursuant to RCW 28A.03.060.

(2) A district's entitlement for state moneys for the state remediation assistance program shall be calculated as follows:

(a) ((Multiplying)) Multiply the percentage of students taking the fourth grade basic skills test for last year that scored in the lowest quartile as determined by the nationally normed scores by the number of estimated

average annual full-time equivalent students enrolled in the district in grades two through six: PROVIDED, That if the district did not have any student score in the lowest quartile as defined above in the fourth grade basic skills test, the district shall use the average percentage of district students so scoring for the previous five years ((state-wide averages)); and

(b) Reduce the amount obtained in (a) of this subsection to the extent that the number of students ages seven through eleven resident to the district who are identified as specific learning disabled and served through programs established pursuant to chapter 28A.13 RCW exceeds four percent of the district full time equivalent enrollment in grades two through six; and

(c) Multiply the number of students obtained in ((the above calculation)) (b) of this subsection by the per pupil allocation established in the state appropriation act for the state remediation assistance program; and

((the)) (d) The product is the district's entitlement subject to WAC 392-122-610, 392-122-900 and its provision for enrollment adjustment.

AMENDATORY SECTION (Amending Order 84-36, filed 10/2/84)

WAC 392-122-610 DISTRIBUTION OF STATE MONEYS FOR THE STATE REMEDIATION ASSISTANCE PROGRAM. The superintendent of public instruction shall apportion to districts for the state remediation assistance program the amount calculated per district in WAC 392-122-605 in monthly payments according to the schedule depicted in RCW 28A.48.010 ((that)). Monthly payments to districts shall be adjusted ((in intervals)) during the year to ((accurately)) reflect the changes in each district's ((grades two through six)) annual average full time enrollment in grades two through six and eight-month annual average specific learning disabled headcount enrollment ages seven through eleven.

AMENDATORY SECTION (Amending Order 84-36, filed 10/2/84)

WAC 392-122-710 DISTRIBUTION OF STATE MONEYS FOR THE TRANSITIONAL BILINGUAL PROGRAM. The superintendent of public instruction shall apportion to districts for the state transitional bilingual program the amount calculated per district in WAC ((392-122-700)) 392-122-705 according to the apportionment schedule provided in RCW 28A.48.010. ((The amount apportioned may)) Monthly payments to districts shall be adjusted ((intermittently)) during the year to reflect changes in the district's reported eligible students as reported on the ((P223SN; Special needs enrollment reporting form)) P223, Monthly report of school district enrollment form.

AMENDATORY SECTION (Amending Order 84-36, filed 10/2/84)

WAC 392-122-900 GENERAL PROVISION—CARRYOVER PROHIBITION. Categorical apportionment moneys shall not be carried over by a school district from one school district fiscal year to another.

Moneys distributed by the superintendent of public instruction for a categorical program which remain unspent during the applicable school district fiscal year in expenditure classifications deemed allowable by the superintendent of public instruction including indirect expenditures and abatements listed on Year-End Financial Statement F-196 Part III, shall:

(1) At the end of the school year beginning during the first year of each biennium revert to the superintendent of public instruction for reallocation; and

(2) At the end of the school year beginning during the second year of each biennium revert to the state treasurer: PROVIDED, That if prior to recovery, insufficient moneys are available to fully fund those programs operating in the second year of the biennium, any moneys recovered shall first be allocated to fully fund these programs.

AMENDATORY SECTION (Amending Order 84-10, filed 6/13/84)

WAC 392-122-905 GENERAL PROVISION—MAXIMUM CONTROL FACTOR—PRORATION. The maximum rate of allocation specified in this chapter shall be allocated by the superintendent of public instruction to school districts unless the state appropriations for these programs are insufficient and it is necessary for the superintendent of public instruction to prorate all or a portion of these funds appropriated for allocation to school districts for such programs. All such prorations shall be announced to school districts through official agency bulletins or reports.

#### WSR 86-01-022

##### ADOPTED RULES

#### SUPERINTENDENT OF PUBLIC INSTRUCTION

[Order 85-17—Filed December 9, 1985]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Finance—General apportionment, chapter 392-121 WAC.

This action is taken pursuant to Notice No. WSR 85-21-094 filed with the code reviser on October 23, 1985. 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 28A.41-.055 and 28A.41.170 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 December 9, 1985.

By Frank B. Brouillet  
Superintendent of Public Instruction

AMENDATORY SECTION (Amending Order 80-29, filed 7/28/80)

WAC 392-121-110 ADDITIONAL DEFINITIONS. As used in this chapter, the terms:

(1) "Residence," "resident student" and "nonresident student" shall be defined as those terms are defined in WAC 392-137-010.

(2) "Part-time student" shall mean a student who is enrolled pursuant to chapter 392-134 WAC (part-time attendance and ancillary services) for less time than the minimum time required for a full-time-equivalent student: PROVIDED, Part-time students may be reported by a school district for apportionment purposes for the number of hours these students attend normal class periods or receive ancillary services as long as these hours would be reported for a public school student pursuant to WAC 392-121-105.

(3) "School day" shall mean a calendar day except school holidays on which all students enrolled in the school district are afforded the opportunity to be engaged in educational activity which is planned, supervised, and conducted by or under the supervision of the school district certificated staff, and on which day all or any portion of the students enrolled in the program actually participate in such educational activity.

(4) "School year" shall mean the annual period commencing on the first day of September of one calendar year and ending the last day of August of the next ensuing calendar year: PROVIDED, That for those school districts commencing basic education programs prior to September 1, school days scheduled prior to September 1 shall be considered to be within the school year that commences September 1.

#### WSR 86-01-023

##### ADOPTED RULES

#### SUPERINTENDENT OF PUBLIC INSTRUCTION

[Order 85-18—Filed December 9, 1985]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Finance—Salary compensation lid compliance, chapter 392-126 WAC.

This action is taken pursuant to Notice No. WSR 85-21-082 filed with the code reviser on October 23, 1985. 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 28A.58-.095 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 December 9, 1985.

By Frank B. Brouillet  
Superintendent of Public Instruction

AMENDATORY SECTION (Amending Order 84-32, filed 8/13/84)

WAC 392-126-120 DEFINITION—LEAP DOCUMENT ((5)) FOR BASIC EDUCATION STAFF SALARY ALLOCATIONS. As used in this chapter, "LEAP Document ((5)) for Basic Education Staff Salary Allocations" shall mean the computer tabulation of the derived base salaries for basic education certificated staff, and the average salaries for basic education classified staff as established in the 1983-85 state Operating Appropriations Act in effect at the time.

AMENDATORY SECTION (Amending Order 84-32, filed 8/13/84)

WAC 392-126-245 DEFINITION—CERTIFICATED STAFF MIX FACTOR. As used in this chapter, "certificated staff mix factor" shall mean the same as the term defined in WAC 392-121-121.

AMENDATORY SECTION (Amending Order 84-32, filed 8/13/84)

WAC 392-126-250 DEFINITION—DISTRICT CERTIFICATED STAFF MIX FACTOR. As used in this chapter, "district certificated staff mix factor" shall mean the same as the term defined in WAC 392-121-125.

AMENDATORY SECTION (Amending Order 84-32, filed 8/13/84)

WAC 392-126-255 DEFINITION—DISTRICT CERTIFICATED DERIVED BASE SALARY. As used in this chapter, "certificated district derived base salary" shall mean the salary amount calculated as follows:

(1) Divide a district's certificated staff highest annual salaries for the current school year by the district's number of full-time equivalent basic education certificated staff for the current school year to obtain an average salary amount for the current school year;

(2) The average salary amount is then divided by the district certificated staff mix factor for the current school year; and

(3) The quotient obtained is the district certificated derived base salary for the current school year for purpose of salary compliance.

AMENDATORY SECTION (Amending Order 84-32, filed 8/13/84)

WAC 392-126-260 DEFINITION—MAXIMUM ALLOWED BASIC EDUCATION CERTIFICATED DERIVED BASE SALARY. As used in this chapter, "maximum allowed basic education certificated derived base salary" shall mean the appropriate district certificated derived base salary shown on LEAP Document ((5 improved by \$1,089.97)) for Basic Education Staff Salary Allocations for the ((+1984-85)) current school year. In the event that maximum allowed basic education certificated derived base salary is less than the district's reported prior school year certificated derived base salary,

the district may request on Form 1043 that the superintendent of public instruction use the reported prior school year certificated derived base salary instead of that calculated in this section for the purpose of determining compliance with this chapter. The dollar amount shown in this section is for purpose of calculating compliance only and is not necessarily the amount authorized for salary increases in the ((+1984-85)) current school year.

AMENDATORY SECTION (Amending Order 84-32, filed 8/13/84)

WAC 392-126-265 DEFINITION—MAXIMUM ALLOWED CERTIFICATED INSURANCE BENEFITS. As used in this chapter, "maximum allowed certificated insurance benefits" shall mean the insurance benefit amount specified in the state Operating Appropriations Act ((of one hundred seventy-nine dollars)) multiplied by twelve months per full-time equivalent staff unit for the ((+1984-85)) current school year. In the event that the district's reported prior school year actual average annual insurance benefit per full-time equivalent staff unit exceeds the insurance benefit amount authorized in the Operating Appropriations Act multiplied by twelve months, the district's maximum allowed certificated insurance benefits shall be the district's reported prior school year actual average annual insurance benefits.

AMENDATORY SECTION (Amending Order 84-32, filed 8/13/84)

WAC 392-126-285 DEFINITION—FORM 1043. As used in this chapter, "Form 1043" shall mean the form distributed by the superintendent of public instruction on which the school district may request the district's reported prior school year certificated derived base salary or prior school year insurance benefits be used for the purpose of determining compliance and submit to the superintendent of public instruction pursuant to WAC 392-126-260 and 392-126-265.

NEW SECTION

WAC 392-126-336 DEFINITION—DISTRICT 1440 CLASSIFIED INSURANCE BENEFIT FACTOR. As used in this chapter, "district 1440 classified insurance benefit factor" shall mean the insurance benefit factor for each district calculated as follows:

(1) Determine the district's number of full-time equivalent basic education classified staff for the current school year based on 2080 hours per year equals one full-time equivalent staff pursuant to WAC 392-121-115(4);

(2) Determine the district's number of full-time equivalent basic education classified staff for the current school year based on 1440 hours per year equals one full-time equivalent staff, with no individual employee counted for more than one full-time equivalent staff;

(3) Divide the result in subsection (2) of this section by the result in subsection (1) of this section; and

(4) The result is the district 1440 classified insurance benefit factor for the current school year for purpose of salary compliance.

AMENDATORY SECTION (Amending Order 84-32, filed 8/13/84)

WAC 392-126-355 DEFINITION—DISTRICT CLASSIFIED (~~(ADJUSTED)~~) DERIVED BASE SALARY. As used in this chapter, "district classified (~~(adjusted)~~) derived base salary" shall mean the salary amount calculated as follows:

(1) Divide the district's classified staff highest average annual salaries for the current school year by the district's number of full-time equivalent basic education classified staff for the current school year to obtain the average classified salary for the current school year;

(2) Divide the result obtained in subsection (1) of this section by the (~~(state-supported)~~) district classified increment mix factor (~~(adjustment)~~) for the current school year; and

(3) The result obtained is the district classified (~~(adjusted)~~) derived base salary for the current school year for purpose of salary compliance.

AMENDATORY SECTION (Amending Order 84-32, filed 8/13/84)

WAC 392-126-360 DEFINITION—MAXIMUM ALLOWED BASIC EDUCATION CLASSIFIED (~~(ADJUSTED)~~) DERIVED BASE SALARY. As used in this chapter, "maximum allowed basic education classified (~~(adjusted)~~) derived base salary" shall mean the appropriate district average salary shown on LEAP Document (~~(5-improved by \$1,155.91)~~) for Basic Education Staff Salary Allocations for the (~~(1984-85)~~) current school year divided by the district classified increment mix factor for the prior school year. In the event that the maximum allowed basic education classified (~~(adjusted)~~) derived base salary is less than the district's reported prior school year classified (~~(adjusted)~~) derived base salary, the district may request on Form 1048 that the superintendent of public instruction use the reported prior school year classified (~~(adjusted)~~) derived base salary instead of that calculated in this section for the purpose of determining compliance with this chapter. The dollar amount shown in this section is for purpose of calculating compliance only and is not necessarily the amount authorized for salary increases in the (~~(1984-85)~~) current school year.

AMENDATORY SECTION (Amending Order 84-32, filed 8/13/84)

WAC 392-126-365 DEFINITION—MAXIMUM ALLOWED CLASSIFIED INSURANCE BENEFITS. As used in this chapter, "maximum allowed classified insurance benefits" shall mean the insurance benefit amount authorized in the state Operating Appropriations Act (~~(of one hundred seventy-nine dollars)~~) multiplied by twelve months multiplied by the district 1440 classified insurance benefit factor per full-time equivalent staff unit for the (~~(1984-85)~~) current school year. In the event that the district's reported prior school

year actual average annual insurance benefit per full-time equivalent staff unit exceeds the insurance benefit amount authorized in the Operating Appropriations Act multiplied by twelve months multiplied by the district 1440 classified insurance benefit factor, the district's maximum allowed classified insurance benefits shall be the district's reported prior school year actual average annual insurance benefits. For the purpose of establishing the maximum allowed classified insurance benefits for classified employees, a full-time equivalent employee is an employee contracted to work 1,440 hours per year or more for the (~~(1984-85)~~) current school year.

AMENDATORY SECTION (Amending Order 84-32, filed 8/13/84)

WAC 392-126-385 DEFINITION—FORM 1048. As used in this chapter, "Form 1048" shall mean the form distributed by the superintendent of public instruction on which the school district may request the district's reported prior school year classified (~~(adjusted)~~) derived base salary or prior school year insurance benefits be used for the purpose of determining compliance and submit to the superintendent of public instruction pursuant to WAC 392-126-360 and 392-126-365.

AMENDATORY SECTION (Amending Order 84-32, filed 8/13/84)

WAC 392-126-505 SALARY-COMPENSATION LID COMPLIANCE—COMPLIANCE OF CERTIFICATED INSURANCE BENEFITS. Insurance benefit increases granted certificated employees shall constitute a portion of the district's salary increase whenever a district's contribution to employee insurance benefits will exceed, by virtue of the increase, the amount per month per full-time equivalent certificated staff unit authorized in the Appropriations Act for the current school year. If insurance benefits granted certificated employees in the prior school year were in excess of the maximum allowed certificated insurance benefit level for the current school year, then only that part granted to employees for the current school year in excess of the prior school year maximum allowed certificated insurance benefit level shall constitute a portion of the district's salary increase for the current school year.

In the event that the district's insurance benefits granted certificated employees exceeds the maximum allowed certificated insurance benefit, the district may certify to the superintendent of public instruction on Form 1042 that:

(1) For those certificated employees whose prior school year insurance benefits exceeded the maximum allowed certificated insurance benefits for the current school year, the average of those employees' current school year insurance benefits does not exceed the average of these employees' prior school year insurance benefits; and

(2) For those certificated employees whose prior school year insurance benefits were equal to or less than the maximum allowed certificated insurance benefits, the average of these employees' current school year insurance benefits does not exceed (~~(one hundred seventy-~~



~~nine dollars~~) the amount specified for the current school year in the Operating Appropriations Act multiplied by twelve (~~(months)~~).

AMENDATORY SECTION (Amending Order 84-32, filed 8/13/84)

WAC 392-126-620 SALARY-COMPENSATION LID COMPLIANCE—REPORTING CYCLE—DETERMINATION OF VIOLATION AFTER REVIEW—CERTIFICATED STAFF. Following the informal review, the superintendent of public instruction shall have ~~((ten))~~ twenty calendar days to make a determination as to whether or not the district is in violation of the salary-compensation lid for certificated staff. The superintendent of public instruction shall notify, in writing, any district that is in violation of the salary-compensation lid and shall withhold the amount of the penalty unless or until such time as the district demonstrates compliance pursuant to WAC 392-126-630.

AMENDATORY SECTION (Amending Order 84-32, filed 8/13/84)

WAC 392-126-700 SALARY-COMPENSATION LID COMPLIANCE—COMPLIANCE OF AVERAGE CLASSIFIED SALARIES. Unless compliance is demonstrated by the provisions of WAC 392-126-710, compliance with the salary-compensation lid shall be calculated as follows:

For basic education classified staff, if the district's reported classified ~~((adjusted))~~ derived base salary exceeds the district's maximum allowed classified ~~((adjusted))~~ derived base salary the district shall be considered in violation of the salary-compensation lid for the current school year: PROVIDED, That the compliance calculation made after the district submits additional information to the superintendent of public instruction on Form 1045 pursuant to WAC 392-126-810 may exclude persons not employed in a district because of RIF as defined in WAC 392-126-125: PROVIDED FURTHER, That the compliance calculation made after the district submits additional information to the superintendent of public instruction on Form 1046 pursuant to WAC 392-126-810 may exclude new positions as defined in WAC 392-126-130.

AMENDATORY SECTION (Amending Order 84-32, filed 8/13/84)

WAC 392-126-705 SALARY-COMPENSATION LID COMPLIANCE—COMPLIANCE OF CLASSIFIED INSURANCE BENEFITS. Insurance benefit increases granted classified employees shall constitute a portion of the district's salary increase whenever a district's contribution to employee insurance benefits will exceed, by virtue of the increase, the amount per month per full-time equivalent classified staff unit authorized in the Operating Appropriations Act for the current school year multiplied by the district 1440 classified insurance benefit factor. If insurance benefits granted classified employees in the prior school year were in excess of the maximum allowed classified insurance benefit level for the current school year, then only that part

granted to employees for the current school year in excess of the prior school year maximum allowed classified insurance benefit level shall constitute a portion of the district's salary increase for the current school year.

In the event that the district's insurance benefits granted classified employees exceeds the maximum allowed classified insurance benefit, the district may certify to the superintendent of public instruction on Form 1047 that:

(1) For those classified employees whose prior school year insurance benefits exceeded the maximum allowed classified insurance benefits for the current school year, the average of these employees' current school year insurance benefits does not exceed the average of these employees' prior school year insurance benefits; and

(2) For those classified employees whose prior school year insurance benefits were equal to or less than the maximum allowed classified insurance benefits, the average of these employees' current school year insurance benefits does not exceed ~~((one hundred seventy-nine dollars))~~ the amount specified for the current school year in the Operating Appropriations Act multiplied by twelve (~~(months)~~) multiplied by the district 1440 classified insurance benefit factor.

AMENDATORY SECTION (Amending Order 84-32, filed 8/13/84)

WAC 392-126-710 SALARY-COMPENSATION LID COMPLIANCE—NO INCREASES CONSTITUTE COMPLIANCE—CLASSIFIED STAFF. If the superintendent of public instruction has determined that a district's classified ~~((adjusted))~~ derived base salary for the current school year exceeds the maximum allowed classified ~~((adjusted))~~ derived base salary pursuant to WAC 392-126-700, or a district's payment for insurance benefits for classified staff exceeds the amounts specified for the current school year in the Operating Appropriations Act multiplied by the district 1440 classified insurance benefit factor, the district may certify to the superintendent of public instruction on Form 1047 that it gave no salary increase pursuant to WAC 392-126-700 or insurance benefit increase pursuant to WAC 392-126-705, and the superintendent of public instruction shall not withhold basic education funds from that district for that year.

The school district shall have on file appropriate documentation supporting that no job classification as certified above received an increase in salary or insurance benefits. Such documentation may include but not be limited to district salary schedules, bargaining agreements, employee contracts or copies of school district board minutes.

AMENDATORY SECTION (Amending Order 84-32, filed 8/13/84)

WAC 392-126-820 SALARY-COMPENSATION LID COMPLIANCE—REPORTING CYCLE—DETERMINATION OF VIOLATION AFTER REVIEW—CLASSIFIED STAFF. Following the informal review, the superintendent of public instruction shall

have ((ten)) twenty calendar days to make a determination as to whether or not the district is in violation of the salary-compensation lid for classified staff. The superintendent of public instruction shall notify, in writing, any district that is in violation of the salary-compensation lid and shall withhold the amount of the penalty unless or until such time as the district demonstrates compliance pursuant to WAC 392-126-830.

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 392-126-350 DEFINITION—STATE-SUPPORTED CLASSIFIED INCREMENT MIX FACTOR ADJUSTMENT.

**WSR 86-01-024**  
**NOTICE OF PUBLIC MEETINGS**  
**PUBLIC WORKS BOARD**  
[Memorandum—December 9, 1985]

1986 Meeting Schedule

The Public Works Board will meet on the second Tuesday of each month, except November, when it will meet on the third Tuesday, as indicated:

January 14	Sea-Tac	9:00 a.m.
February 11	Sea-Tac	9:00 a.m.
March 11	Sea-Tac	9:00 a.m.
April 8	Sea-Tac	9:00 a.m.
May 13	Sea-Tac	9:00 a.m.
June 10	Sea-Tac	9:00 a.m.
July 8	Sea-Tac	9:00 a.m.
August 12	Sea-Tac	9:00 a.m.
September 9	Sea-Tac	9:00 a.m.
October 14	Sea-Tac	9:00 a.m.
November 18	Sea-Tac	9:00 a.m.
December 10	Sea-Tac	9:00 a.m.

For further information on these meetings, contact:

Public Works Board  
Department of Community Development  
Ninth and Columbia Building  
Mailstop GH-51  
Olympia, Washington 98504-5141  
(206) 753-2200 or 1-800-562-5677

**WSR 86-01-025**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
[Filed December 10, 1985]

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

Amd WAC 388-15-170 General and seasonal day care services.  
Rep WAC 388-15-173 Parent participation—Day care.

A public hearing relating to these proposed rules was held in Olympia on November 26, 1985. The purpose of this notice is to schedule an additional hearing for the purpose of receiving additional public testimony;

that the agency will at 7:00 p.m., Monday, December 23, 1985, in the Studio, Central Area Motivation Program, 722 18th Avenue, Seattle, WA, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on December 31, 1985.

The authority under which these rules are proposed is RCW 74.08.090.

The specific statute these rules are intended to implement is chapter 74.13 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 23, 1985.

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

Lee D. Bomberger, Acting Director  
Division of Administration and Personnel  
Department of Social and Health Services  
Mailstop OB 14  
Olympia, WA 98504

This notice is connected to and continues the matter in Notice No. WSR 85-21-021 filed with the code reviser's office on October 9, 1985.

Dated: December 9, 1985  
By: Lee D. Bomberger, Acting Director  
Division of Administration and Personnel

**WSR 86-01-026**  
**ADOPTED RULES**  
**LIQUOR CONTROL BOARD**  
[Order 171, Resolution No. 180—Filed December 11, 1985]

Be it resolved by the Washington State Liquor Control Board, acting at the Offices of the Liquor Control Board, 5th Floor, Capital Plaza Building, 1025 East Union Avenue, Olympia, WA 98504, that it does adopt the annexed rules relating to Packages—Classification, WAC 314-20-030.

This action is taken pursuant to Notice No. WSR 85-22-070 filed with the code reviser on November 6, 1985. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Washington State Liquor Control Board as authorized in RCW 66.08.030.

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 December 11, 1985.

By Robert D. Hannah  
Member of the Board

AMENDATORY SECTION (Amending Order 135, Resolution No. 144, filed 12/7/83, effective 2/15/84)

WAC 314-20-030 PACKAGES—CLASSIFICATION. (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 case quantities from the 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), 1/6 barrels (5.16 gallons). Packaged beer—Maximum capacity for individual containers, 170 fluid ounces: PROVIDED, HOWEVER, That beer manufactured in a foreign country may be imported and sold within the state in barrel 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, United States Treasury Department.

(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 86-01-027**

**ADOPTED RULES**

**DEPARTMENT OF  
LABOR AND INDUSTRIES**

[Order 85-34—Filed December 11, 1985]

I, Richard A. Davis, director of the Department of Labor and Industries, do promulgate and adopt at Room 334, General Administration Building, Olympia,

Washington, the annexed rules relating to new chapter 296-310 WAC, farm labor contracting rules. The rules: Describe the procedures for applying for and renewing farm labor contracting licenses; specify the requirements for a license to transport agricultural employees; set the amount of the contractor's bond and license fees; and specify when a license may be denied, revoked, or suspended. The rules describe the procedures for filing complaints. They specify how the Department of Labor and Industries shall notify violators of a violation of the law, and describe the procedures for appeal of the notice of violation and of the hearing on appeal. The rules also clarify the law's provisions for filing suit against a contractor and for collecting judgments. Finally, WAC 296-310-240 sets the civil penalties the department will impose for violations of the law.

This action is taken pursuant to Notice No. WSR 86-01-004 filed with the code reviser on December 5, 1985. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 19.30.130 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 December 11, 1985.

By Richard A. Davis  
Director

#### NEW SECTION

WAC 296-310-010 DEFINITIONS. For the purposes of this chapter:

(1) "Agricultural employee" means any person who renders personal services to, or under the direction of, an agricultural employer in connection with the employer's agricultural activity.

(2) "Agricultural employer" means any person engaged in agricultural activity, including the growing, producing, or harvesting of farm or nursery products, or engaged in the forestation or reforestation of lands, which includes but is not limited to the planting, transplanting, tubing, precommercial thinning, and thinning of trees and seedlings, the clearing, piling, and disposal of brush and slash, the harvest of Christmas trees, and other related activities.

(3) "Bonded contractor" means a contractor who obtained a surety bond in order to comply with RCW 19.30.030(5).

(4) "Contractor" means a farm labor contractor.

(5) "Department" means the department of labor and industries.

(6) "Director" means the director of the department of labor and industries.

(7) "Employee" means an agricultural employee.

(8) "Farm labor contractor" means any person, or his or her agent or subcontractor, who, for a fee, performs any farm labor contracting activity.

(9) "License" means a farm labor contractor license.

(10) "Secured contractor" means a contractor who assigned a savings account to, or deposited cash or other security with, the department in order to comply with RCW 19.30.030(5).

(11) "Security" means a savings account assigned to, or cash or other security deposited with, the department.

#### NEW SECTION

WAC 296-310-020 APPLICATION FOR INITIAL AND RENEWED LICENSES. (1) To obtain a license, a contractor must:

- (a) Complete an application for a license;
- (b) Provide the information required by RCW 19.30.030 (1), (6), and (7);
- (c) Obtain a surety bond or provide other acceptable security to the department. If the contractor obtains a bond, it must submit the original bond to the department;
- (d) Obtain insurance and supply the information required by WAC 296-310-040(2) if the contractor seeks a license to transport workers; and

(e) Pay the fee set by WAC 296-310-060.

(2) The department shall send a renewal notice to the contractor's last recorded address at least forty-five days before the contractor's license expires. The contractor may renew its license if it submits the renewal notice and provides the materials required in subsection (1)(b), (c), (d) if appropriate, and (e) of this section.

(3) The contractor must submit all materials to the department in one package. Each of the materials must name the contractor exactly as it is named on the application for license or the renewal notice. If the contractor is renewing its license, each of the materials must include the contractor's license number. If any of the materials are missing, do not properly name the contractor, or do not include the license number, the department shall refuse to license or renew the license of the contractor.

(4) The bond and the insurance policy must expire no sooner than the expiration date of the license for which the contractor has applied.

(5) Applications for issuance or renewal of a license must be sent to:

Department of Labor and Industries  
ESAC Division  
General Administration Building  
Olympia WA 98504

#### NEW SECTION

WAC 296-310-030 DENIAL OF LICENSE. (1) The department may refuse to issue or renew a license for the reasons listed in RCW 19.30.050 and 19.30.060. If the department refuses a license for any of these reasons, it shall serve on the contractor a notice of denial of license. The notice of denial of license shall:

(a) Describe concisely the ground for denial of the license; and

(b) Specify the statutory authority for the denial.

The notice of denial shall inform the contractor that it may request a hearing pursuant to WAC 296-310-160 on the denial. The notice shall specify that if no hearing

is requested within thirty days of the date of issuance of the notice the director shall issue a final, unappealable order denying the license.

(2) The department also shall refuse to issue a license to or renew the license of a contractor who fails to comply with WAC 296-310-020. The department shall inform the contractor of the problem either in writing or, if appropriate, orally. Because compliance with WAC 296-310-020 involves technical requirements that are entirely within the control of the contractor, no hearing shall be granted on a failure to comply.

#### NEW SECTION

WAC 296-310-040 REQUIREMENTS FOR A LICENSE TO TRANSPORT EMPLOYEES. (1) A contractor who intends to transport employees must obtain liability insurance. The department shall require public liability and property damage insurance that provides coverage, for each single occurrence and for each vehicle used to transport employees, in the following minimum amounts:

(a) \$50,000 for injury or damage to property;

(b) \$100,000 for injury or damage, including death, to any one person; and

(c) \$500,000 for injury or damage, including death, to more than one person.

(2) The contractor must also provide to the department evidence of the insurance policy or policies.

#### NEW SECTION

WAC 296-310-050 AMOUNT OF BOND OR SECURITY. (1) A contractor must provide a bond or security in the following minimum amount:

(a) If the contractor employs or intends to employ:

(i) From one to ten employees: \$5,000

(ii) From eleven to fifty employees: \$10,000

(iii) From fifty-one to one hundred employees: \$15,000

(iv) Over one hundred employees: \$20,000

(b) If the contractor does not employ agricultural employees, but only recruits, solicits, supplies, transports, or hires employees for another person, and that person takes complete responsibility for payment of wages to the employees, the contractor shall obtain a \$5,000 bond or other security.

(2) If the contractor obtains a two-year license, the bond or security shall be twice the minimum amounts stated in subsection (1) of this section.

(3) The department may order the contractor to obtain a bond or security for an amount greater than the minimums set by subsections (1) and (2) of this section if the security or bond is insufficient to satisfy the contractor's potential liability for the license period. If the department determines that an increased bond is necessary, it shall serve on the contractor a notice to increase bond or security. The notice shall:

(a) Describe concisely the reasons an increase in the bond or security is necessary;

(b) Specify the statutory authority for the required increase; and

(c) Grant the contractor thirty days from the date of issuance of the notice to obtain and provide to the department the increased bond or security.

The notice shall inform the contractor that it may request a hearing pursuant to WAC 296-310-160 on the order to increase the bond or security. The notice shall specify that if no hearing is requested within thirty days of the date of issuance of the notice the director shall issue a final, unappealable order requiring the contractor to submit the increased bond or security. The notice shall also specify that, if the contractor neither appeals nor obtains the increased bond or security within the thirty days, the department shall suspend the contractor's license.

(4) If the director issues a final, unappealed decision raising the amount of the bond or security, the raised amount shall be required for all license periods after the date of issuance of the final decision unless the decision specifically states otherwise. A contractor may, if the circumstances that led to the increased amount change, file with the department a written petition to lower the amount. The petition shall specify the grounds that justify a lowering of the bond or security. The department shall investigate the petition and shall issue a new notice stating its decision on the bond amount. The contractor, if aggrieved, may appeal this new notice as provided in subsection (3) of this section.

#### NEW SECTION

WAC 296-310-060 FEES. (1) The fee for a one-year license is:

- |   |          |
|---|----------|
| (a) For a contractor engaged in forestation or reforestation: | \$100.00 |
| (b) For all other contractors:                                | \$35.00  |
| (2) The fee for a two year license is:                        |          |
| (a) For a contractor engaged in forestation or reforestation: | \$200.00 |
| (b) For all other contractors:                                | \$70.00  |

#### NEW SECTION

WAC 296-310-070 DUPLICATE LICENSES. If a contractor loses its license, or if the license is stolen or destroyed, the contractor may obtain a duplicate license upon application to the department. The application must specify the reason a duplicate is necessary.

The duplicate license shall be stamped prominently with the word "duplicate." A new contractor license number shall be supplied to the contractor.

#### NEW SECTION

WAC 296-310-080 LENGTH OF LICENSE PERIOD. A contractor who is obtaining its initial license shall be licensed for one year only. A contractor who is renewing its license may choose to obtain either a one-year or two-year license, unless the department informs the contractor that it may obtain only a one-year license.

All one-year licenses shall expire on December 31 of the year of issuance. All two-year licenses shall expire on December 31 of the year following the year of issuance.

#### NEW SECTION

WAC 296-310-090 CHANGE IN BUSINESS STRUCTURE, NAME, ADDRESS, OR NUMBER OF EMPLOYEES. (1) If a contractor changes its business structure (for example, if it changes from a partnership to a corporation, or if the partners in a partnership change), the contractor must apply for a new license in the manner required by WAC 296-310-020. If a contractor does not obtain a new license after a change in its business structure, its previous license may be invalid.

(2) If a contractor changes its name or address, it must notify the department within ten days.

(3) If a contractor begins employing agricultural employees, or increases the number of its employees, so that the bond or security is insufficient for that number of employees, the contractor must obtain a new bond or security in the amount required by WAC 296-310-050 and submit it to the department. The department need not issue a notice to increase the amount of bond or security in this situation.

#### NEW SECTION

WAC 296-310-100 CANCELLATION OF INSURANCE OR BOND. (1) No surety company may cancel any bond issued to a contractor pursuant to RCW 19.30.040, unless the contractor previously submits another bond or other security, for the same amount, that covers the contractor's liability for the same period as that for the bond that is to be cancelled.

(2) A cancellation of a surety bond or insurance policy is effective thirty days after the department receives the cancellation notice, if the cancellation notice contains the following information:

- The name of the contractor, exactly as it appears on the contractor's license;
- The contractor's license number;
- The contractor's business address;
- The number of the bond or insurance policy that is to be cancelled;
- The effective date of the bond or insurance policy that is to be cancelled; and

(f) If the cancellation is of a surety bond, a certification that the contractor has previously obtained and submitted to the department a new bond or other security as required by subsection (1) of this section.

(3) To help the department process cancellations, the information in subsection (2) of this section should be provided in the order shown.

(4) The insurance and bonding companies should send cancellation notices to the department by certified or registered mail.

#### NEW SECTION

WAC 296-310-110 REFUND OF SECURITY DEPOSITED WITH THE DEPARTMENT. (1) If a contractor is secured, the department shall release its interest in the security three years after the contractor's last license expired. The department shall not release its interest, however, if an unsatisfied judgment or claim is outstanding against the contractor.

(2) The department shall in any case release its interest in the security if the contractor provides a surety bond in the same amount that covers all of the periods in which the contractor was licensed for the previous three years, plus for the contractor's current license period if applicable.

#### NEW SECTION

**WAC 296-310-120 REVOCATION OR SUSPENSION OF LICENSE.** (1) The department may revoke a contractor's license for the reasons listed in RCW 19.30.050(1) and 19.30.060. If the department revokes a license, it shall serve on the contractor a notice of revocation. The notice of revocation shall:

(a) Describe concisely the ground for the revocation; and  
(b) Specify the statutory authority for the revocation.

The notice of revocation shall inform the contractor that it may request a hearing on the revocation. The notice shall specify that if no hearing is requested within thirty days after the date of issuance of the notice, the director shall issue a final, unappealable order revoking the contractor's license. The hearing may be requested pursuant to WAC 296-310-160.

(2) A contractor is entitled to retain its license only if it remains in compliance with the bonding and insurance requirements of RCW 19.30.030 and 19.30.040. If a contractor's surety bond or other security is impaired or becomes insufficient, the contractor's insurance policy is cancelled, or the contractor transports employees without insurance, the department shall suspend the contractor's license until the contractor obtains a new bond, other security, or insurance policy, eliminates the impairment to the bond or security, or ceases to transport workers. The contractor may not do business while its license is suspended.

The department shall inform the contractor in writing of the suspension and of the steps the contractor must take to remove the suspension. The contractor may not appeal a suspension of licensing.

#### NEW SECTION

**WAC 296-310-130 SUBMISSION OF COMPLAINT.** Any person may submit to the department a complaint alleging a violation of chapter 19.30 RCW or challenging an application for a license. The complaint must describe the alleged violation or ground for denying a license, and must identify the alleged violator or applicant. It would aid the department's investigation if the complaint also specifies:

- (1) The name and address of the complainant; and
- (2) The address of the alleged violator or applicant.

#### NEW SECTION

**WAC 296-310-140 INVESTIGATION OF COMPLAINT.** The department shall investigate a complaint unless the complaint was submitted more than three years after the date of the alleged violation. The department shall not investigate any complaint filed more than three years after the date of the violation.

#### NEW SECTION

**WAC 296-310-150 NOTICE OF VIOLATION.**

(1) If the department determines that there is reasonable cause to believe that chapter 19.30 RCW has been violated, the department shall serve on the violator a notice of violation. The notice of violation shall:

- (a) Describe concisely the violation;
- (b) Specify which statute was violated;
- (c) If known, identify the employees who were affected by the violation;
- (d) If known and applicable, state the amount of unpaid wages or damages the violator owes;
- (e) State the penalty, if any, the department will assess for the violation; and
- (f) State whether the contractor's license is being revoked as a result of the violation.

(2) If the notice alleges that the contractor owes unpaid wages or damages, the department shall serve a copy of the notice of violation on the violator's surety bond company.

(3) The notice of violation shall inform the violator and, if applicable, its surety that they may request a hearing on the violation, the amount of unpaid wages or damages owed, or the penalty assessed. The notice shall specify that if no hearing is requested within thirty days after the date the notice was issued the director shall issue a final, unappealable order finding that the violation did occur, ordering the violator to pay any unpaid wages or damages, and assessing penalties.

#### NEW SECTION

**WAC 296-310-160 APPEAL OF NOTICES.** (1)

The contractor or violator, or the violator's surety if the surety has an interest in the matter, may request a hearing on the matter asserted in a notice of denial of license, a notice of revocation, a notice of increased bond amount, or a notice of violation. One original and four copies of the request must be filed with the director within thirty days after the date the department issued the notice. A party requesting a hearing on a notice of violation must also serve a copy of the request on the surety or the violator as appropriate.

(2) The request for hearing must be in writing and must specify:

- (a) The name and address of the party requesting the hearing;
- (b) The name and date of issuance of the notice that is being appealed;
- (c) The matters contained in the notice that the requestor believes are erroneous;
- (d) The reasons the notice is erroneous; and
- (e) If a surety is appealing a notice of violation, the name and address of the violating contractor.

#### NEW SECTION

**WAC 296-310-170 HEARING ON APPEAL OF NOTICE.** (1) The director may hear an appeal personally or may delegate the authority to hold the hearing and draft a proposed decision to an administrative law judge pursuant to chapter 34.12 RCW. The plaintiff at the hearing shall be the department and the defendants

shall be the contractor or the violator and its surety. The department shall have the burden of proving, by a preponderance of the evidence, that the matters stated in the notice occurred.

(2) Any person who has standing may, upon motion, be allowed to intervene as a plaintiff in a hearing on a notice of violation. Any interested person, whether or not admitted as a plaintiff, may submit written arguments and affidavits in any hearing.

(3) The hearing shall be conducted in accordance with the Uniform Procedure Rules, chapter 1-08 WAC.

(4) If the director presides over the hearing, the director shall issue a final decision that includes findings of fact and conclusions of law and, if appropriate for a violation, an order to pay unpaid wages, damages, or a penalty.

(5) If an administrative law judge presides over the hearing, she or he shall issue a proposed decision that includes findings of fact and conclusions of law and, if appropriate for a violation, an order to pay unpaid wages, damages, or a penalty. The proposed decision shall be served on the contractor or the violator and its surety, the department, and any persons who have intervened as plaintiffs. Any of these parties, if aggrieved by the proposed decision, may appeal to the director within thirty days after the date of issuance of the proposed decision. If none of the parties appeals within thirty days, the proposed decision may not be appealed either to the director or the courts. A copy of the proposed decision shall also be mailed to all persons who submitted written arguments or affidavits at the hearing.

(6) An appellant must file with the director an original and four copies of its notice of appeal. The notice of appeal must specify which findings and conclusions are erroneous. The appellant must attach to the notice the written arguments supporting its appeal.

The appellant must serve a copy of the notice of appeal and the arguments on the other parties. The respondent parties must file with the director their written arguments within thirty days after the date the notice of appeal and the arguments were served upon them.

(7) The director shall review the proposed decision in accordance with the Administrative Procedure Act, chapter 34.04 RCW. The director may: Require the parties to specify the portions of the record on which the parties rely; require the parties to submit additional information by affidavit or certificate; remand the matter to the administrative law judge for further proceedings; and require a department employee to prepare a summary of the record for the department to review. The director may allow the parties to present oral arguments as well as the written arguments. The director shall issue a final decision that can affirm, modify, or reverse the proposed decision.

(8) The director shall serve the final decision on all parties. Any aggrieved party may appeal the final decision to superior court pursuant to RCW 34.04.130 unless the final decision affirms an unappealed proposed decision. If no party appeals within the period set by RCW 34.04.130, the director's decision is conclusive and binding on all parties. The director shall also mail a copy

of the final decision to all persons who submitted written arguments or affidavits at the hearing.

#### NEW SECTION

**WAC 296-310-180 EFFECT OF FINAL DECISION.** If the director issues a final decision that includes a finding that a violator owes unpaid wages or damages, and the finding is not appealed or is affirmed by the courts, the finding and the decision are res judicata in any action by the department, or by any other person who was a plaintiff at the hearing, against the violator and its surety to recover the unpaid wages or damages. The finding and decision are not res judicata in any action by a person who was not a party at the hearing.

#### NEW SECTION

**WAC 296-310-190 SUIT BY DEPARTMENT FOR UNPAID WAGES OR DAMAGES.** (1) RCW 19.30.160(4) authorizes the department to sue a violator and its surety on behalf of an employee to recover unpaid wages and other damages. The department is not required to bring suit and, in its sole discretion, may decide not to do so in any case. The department also shall not sue on behalf of any employee who has already brought a suit against the violator and its surety in the matter.

(2) The department may file a suit against the violator and its surety at any time and without regard to whether administrative proceedings have been exhausted.

(3) The department may include in any suit a request for an injunction against the violator.

#### NEW SECTION

**WAC 296-310-200 PROCEDURES FOR FILING SUIT AGAINST A CONTRACTOR.** (1) A suit against a contractor and its bond or security for unpaid wages or damages may be brought in any court with jurisdiction. The venue may be in the county in which the claim arose, or in which either the damaged person or the defendant resides.

(2) When a contractor is sued, the plaintiff must serve the summons and complaint on the contractor and its surety by serving three copies of the summons and complaint by certified or registered mail on the department. The department shall not accept personal service of the summons and complaint.

(3) The department may be unable to process a summons and complaint if the summons and complaint do not contain the following information:

(a) The contractor's name exactly as it appears on the contractor's license;

(b) The contractor's business address;

(c) The names of the owners, partners, or officers of the contractor; and

(d) The contractor's license number.

If the suit names a surety as a defendant, the summons and complaint should also include:

(e) The name and address of the surety that issued the contractor's bond;

(f) The bond number; and

(g) The effective date of the bond.

If the information is insufficient for the department to identify the contractor or surety that is being sued, the department shall not attempt to serve the summons and complaint and shall return them to the plaintiff.

#### NEW SECTION

**WAC 296-310-210 COLLECTION OF JUDGMENTS.** (1) If a contractor is secured, a plaintiff who has received a final judgment against a contractor may satisfy the judgment out of the security held by the department.

(2) The department shall satisfy a final judgment if the plaintiff serves on the department three certified copies of the unsatisfied judgment. The plaintiff must include the following information with the copies of the judgment:

- (a) The name of the contractor, exactly as it appears on the contractor's license;
- (b) The contractor's business address;
- (c) The names of the owners, partners, or officers of the contractor;
- (d) The contractor's license number; and
- (e) The exact amount of the judgment awarded by the court, including attorney's fees and interest.

If the department does not receive sufficient information to enable it to pay the judgment, it shall inform the plaintiff that more information is needed.

(3) If a contractor is bonded, a plaintiff can satisfy a final judgment only against the contractor or the bonding company. The department can neither satisfy the judgment nor, unless the department itself is the plaintiff, force the contractor or the bonding company to pay the judgment. The plaintiff must join the bonding company in the suit if it wants the bonding company to pay the judgment.

#### NEW SECTION

**WAC 296-310-220 PRIORITY FOR PAYMENT OF JUDGMENTS.** RCW 19.30.170 contains two different provisions for priority in paying judgments from the contractor's bond or security.

(1) If a contractor is secured, the department shall satisfy final judgments against the contractor in the order the department receives the judgments.

(2) If a contractor is bonded, claims for unpaid wages and benefits are satisfied first, claims for damages are satisfied second, and claims for costs and attorney's fees are satisfied last. No claim in a lesser category may be satisfied until all pending claims in the preceding categories are satisfied, unless the total amount of all pending claims in the preceding categories is less than the amount of the bond that remains unimpaired.

#### NEW SECTION

**WAC 296-310-230 CIVIL PENALTIES.** (1) In determining the amount of any civil penalty to be imposed under RCW 19.30.160 the department shall consider the following factors:

- (a) Previous violations by the violator;
- (b) The history of the violator in taking all necessary measures to prevent or correct violations;

- (c) The magnitude and seriousness of the violation;
- (d) The remedial purpose of chapter 19.30 RCW;
- (e) Any mitigating circumstances; and
- (f) Any other factors the department considers relevant.

(2) It is the violator's responsibility to inform the department of mitigating evidence.

(3) The penalties for acting as a contractor without a license, or for transporting employees without an endorsement to do so, are:

- (a) Up to \$500 for the first violation;
- (b) Up to \$750 for the second violation; and
- (c) Up to \$1000 for the third and any further violations.

#### NEW SECTION

**WAC 296-310-240 ADJUSTMENT OF CONTROVERSIES.** (1) Upon receipt of a complaint or on its own motion, the department shall attempt to adjust equitably a controversy between a contractor and its employees.

(2) No particular form of proceeding is necessary for resolving disputes. The supervisor of employment standards shall, in each case, use his or her best judgment in designing a procedure. However, in every case in which the supervisor determines that a hearing should be held, the supervisor shall notify the affected persons, or their representatives, of the time, date, place, and purpose of the hearing.

(3) A hearing shall be informal and shall not be subject to chapter 34.04 RCW. The supervisor's suggestions for resolution are advisory and not binding, and may not be appealed to any person or court.

(4) The director may delegate the resolution of any particular case to a person other than the supervisor of employment standards. That person shall have the same authority as the supervisor to determine the form of the proceeding.

#### NEW SECTION

**WAC 296-310-250 FILING AND SERVICE.** All papers required to be filed with the director under this chapter or chapter 19.30 RCW shall be addressed to Director, Department of Labor and Industries, General Administration Building, Olympia, WA 98504.

Filing and service may be made as provided in WAC 1-08-090 through 1-08-140.

#### NEW SECTION

**WAC 296-310-260 LIABILITY OF PERSON WHO USES SERVICES OF UNLICENSED CONTRACTOR.** (1) A person who knowingly uses the services of an unlicensed contractor is liable for unpaid wages, damages, and civil and criminal penalties to the same extent as the unlicensed contractor.

(2) Pursuant to RCW 19.30.200, a person may prove lack of knowledge by proving that she or he relied on a license issued by the department under chapter 19.30 RCW, or upon the department's representation that the contractor was licensed. The department shall not make



oral representations that a contractor is or is not licensed. All representations by the department that a contractor is licensed shall be made in writing and shall be signed by the director or the employment standards supervisor or the assistant director. The department shall not accept reliance on a supposed oral representation as proof in any administrative enforcement proceeding.

#### NEW SECTION

WAC 296-310-270 INSPECTION OF RECORDS. A contractor or any person using a contractor's services shall allow a representative of the department to inspect at any reasonable time the records it is required to keep by chapter 19.30 RCW.

**WSR 86-01-028**  
ADOPTED RULES  
DEPARTMENT OF  
LABOR AND INDUSTRIES  
[Order 85-37—Filed December 11, 1985]

I, Richard A. Davis, director of the Department of Labor and Industries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to this notice proposes to add several new sections to and amend several existing sections of chapter 296-30 WAC, crime victim compensation program. The amendments clarify and simplify the existing rules and delete some existing sections that will be unnecessary when statutory amendments become effective January 1, 1986. The new sections define who is a family member eligible to receive counseling for sexual assault pursuant to RCW 7.68.070(12), what constitutes unjust enrichment to the person responsible for the victim's injuries under RCW 7.68.070(15), and what factors the department will consider if it is asked to waive, modify or adjust the debt owed to the department by a person found to have committed the crime. The rules also clarify that treatment of a crime victim by a medical or counseling service provider constitutes acceptance of the department's medical aid rules and fees.

This action is taken pursuant to Notice No. WSR 86-01-003 filed with the code reviser on December 5, 1985. 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 7.68 RCW and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED December 11, 1985.

By Richard A. Davis  
Director

Chapter 296-30 WAC  
RULES ((~~AND REGULATIONS~~)) FOR THE ADMINISTRATION OF THE CRIME VICTIM COMPENSATION PROGRAM

AMENDATORY SECTION (Amending Order 85-3, filed 1/15/85)

WAC 296-30-010 DEFINITIONS. Whenever used in these rules ((~~and regulations~~)), the following words ((~~shall have these meanings~~)) mean:

(1) "Innocent victim" means any person whose injury was not the direct, proximate result of his or her consenting to, provoking, or inciting the criminal act ((~~which~~)) that resulted in the injury.

(2) "Bodily injury" means any harmful or offensive touching, and ((~~is to~~)) includes severe emotional distress where no touching takes place when:

(a) Claimant is not the object of the criminal act and:  
(i) The distress is intentionally or recklessly inflicted;  
(ii) The distress is inflicted by extreme or outrageous conduct;

(iii) The claimant has a reasonable apprehension of imminent bodily harm;

(iv) The claimant is in the immediate vicinity of the criminal act at the time the criminal act takes place.

(b) Claimant is the victim of the criminal act and:

(i) The distress is intentionally inflicted;  
(ii) The distress is inflicted by outrageous or extreme conduct; and

(iii) The claimant had a reasonable apprehension of imminent bodily harm.

(3) "Private insurance" means sources of recompense available by contract, such as life ((~~and~~)) or disability insurance.

(4) "Public insurance" means any state or federal statutory welfare and insurance plan ((~~which provides recompense to~~)) that compensates victims or their beneficiaries as a result of the claimed injury or death. This does not include state, federal, or private deferred income retirement plans.

(5) The test used to define "the result of" as used in RCW 7.68.070 (3) (a) and (b) is two pronged. First, it must be determined that cause in fact exists, and second, it must then be determined that proximate cause exists.

(a) Cause in fact exists if "but for" the acts of the victim the ((~~injury producing~~)) crime that produced the injury would not have occurred.

(b) Proximate cause exists if, once cause in fact is found, it is determined that the acts of the victim:

(i) Resulted in a foreseeable injury to the victim;  
(ii) Played a substantial role in the injury; and  
(iii) Were the direct cause of the injury.

(6) "Institutions maintained and operated by department of social and health services" ((~~shall~~)) means those institutions in which the department of social and health services assumes responsibility for medical coverage of the institution's residents.

(7) "Reasonable cooperation" generally exists when the claimant is:

(a) Willing to talk to police and give information to aid in the investigation; and

(b) Willing to assist in the prosecution of the alleged criminal.

(8) (~~"First two hundred dollars" means that the claimant is not reimbursed for the first two hundred dollars of loss sustained and the claimant must suffer two hundred dollars in damages before she or he is eligible for benefits. The loss is the first \$200.00 of loss that is incurred by the claimant. If the \$200.00 includes both time loss and medical costs, the department will deduct the \$200.00 from the time loss. This provision does not apply to costs covered by RCW 7.68.170.~~) A person is "unjustly enriched" within the meaning of RCW 7.68.070(15) when it would be deficient in justice and fairness, or inequitable, to allow that person to obtain, or have control of or access to, benefits or compensation paid as a result of an injury to a victim of crime.

AMENDATORY SECTION (Amending Order 85-3, filed 1/15/85)

WAC 296-30-020 VEHICULAR ASSAULT AND VEHICULAR HOMICIDE. (~~The Crime Victim's Act~~) Chapter 7.68 RCW shall cover those people killed or injured as a result of a vehicular homicide or vehicular assault (~~only~~) that occurred after ((the)) July 24, 1983 ((effective date)) if there has been a conviction for the vehicular assault or vehicular homicide. Eligibility (~~under this section~~) occurs when the claimant's injury results in the assailant's conviction for vehicular assault or vehicular homicide, or when the claimant's injury is a direct result of the collision ((which)) that led to the vehicular assault or vehicular homicide conviction. The claimant's injury need not be the one ((which)) that led to the conviction.

AMENDATORY SECTION (Amending Order 85-3, filed 1/15/85)

WAC 296-30-050 DISTRIBUTION OF THIRD PARTY RECOVERIES. (1) (~~Prior to~~) Before July, 1977. Any claimant who receives crime victim's benefits is required to (~~fully~~) reimburse fully the department for all benefits paid to the claimant under (~~this act~~) chapter 7.68 RCW if the claimant recovers damages from the person or persons who committed the criminal act. The reimbursement is limited to (~~that~~) the amount recovered by the victim.

(2) After July, 1977 and before April 1, 1980. Any claimant who receives crime victim's benefits is required to (~~fully~~) reimburse fully the department for all benefits paid to the claimant under (~~this act~~) chapter 7.68 RCW if the claimant recovers damages from any liable party. The reimbursement is limited to that amount recovered by the victim.

(3) An injury((/)) or death that occurred on or after April 1, 1980 ((and any)), for which recovery was made before July 24, 1983. This amendment incorporated the industrial insurance third party recovery statutes RCW 51.24.050(=100) through 51.24.100 into ((the Crime Victim's Act)) chapter 7.68 RCW. The amendment changed the department's entitlement to reimbursement. For those victims injured or killed on or after April 1,

1980, and for which any recovery was made (~~(prior to)) before July 24, 1983, disbursement of ((any)) an award or settlement is as follows:~~

- (a) Reasonable attorney's fees.
- (b) Victim receives 25% of the balance.
- (c) The department shall receive the balance to the extent necessary to reimburse the department for benefits paid.
- (d) Any remaining balance is paid to the victim.
- (e) If any remaining balance is paid to the victim, no further crime victim benefits will be paid to the victim until the amount of benefits she or he continued to be eligible for equals the remaining balance paid at the time of settlement or award.

(4) Recoveries made on or after July 24, 1983. This (~~section~~) subsection applies to all claimants who receive an award or settlement from a liable third party on or after July 24, 1983. These awards shall be disbursed as follows:

- (a) Costs and reasonable attorney's fees paid proportionately by the victim and the department.
- (b) Victim then receives 25% of the balance.
- (c) Department receives the balance to the extent necessary to reimburse the department for its lien minus its share of attorney's fees.
- (d) Any remaining balance goes to the victim.
- (e) The department may compromise its lien for injuries (~~which~~) that were sustained on or after April 1, 1980.

(5) Steps for determining proportionate attorney's fees:

- (a) Determine the amount of the settlement((/)) or award obtained by the claimant.
- (b) Determine attorney's fees and costs.
- (c) For an open claim, determine the amount of the department's lien at the time of settlement((/)) or award. If the claim is closed at the time of the recovery, determine the claimant's full entitlement from the department.

(6) Calculate what percent of the total recovery equals the department's lien for open cases, and the claimant's entitlement for closed claims. This percent is the department's proportionate share.

((Ex.: ~~\$1,000 Recovery:~~  
~~\$ 200 Attorney's fees and costs.~~  
~~\$ 100 Department lien.~~  
~~\$ 20 Department's proportionate share of attorney's fees and costs.~~  
~~\$ 100 Equals 10% of the total recovery, thus the department's proportionate share of attorney's fees and costs is 10%.)~~)

<u>Ex. in a nondeficiency judgment</u>	
<u>\$ 1,000</u>	<u>Gross recovery</u>
<u>\$ 200</u>	<u>Attorney fees</u>
<u>\$ 100</u>	<u>Entitlement or claim costs</u>
<u>\$ 20</u>	<u>Department's proportionate share of attorney's fees and costs. The \$100 claim costs</u>

equals 10% of the total recovery. Thus, the department's proportionate share of attorney's fees are equal to 10% of \$200 or \$20

Ex. in deficiency judgments/recoveries	
\$ 1,000	Gross recovery
\$ 200	Attorney fees
\$ 2,000	Claim costs
<hr/>	
\$ 1,000	
\$ -200	Attorney fees
\$ 800	Claimant receives 25% of this figure = 200
\$ -200	Claimant 25% share
\$ 600	Balance remaining goes to the department and is used to determine if settlement/judgment is deficient. If this balance is deficient, as it is here, this figure is used to calculate the department's proportionate share of attorney's fees and costs.
60%	Department percent of attorney fees (\$6.00 = 60% of \$1,000 recovery)
\$ 120	Department's share of attorney fees
\$ +200	Claimant's 25% share
\$ 320	Claimant's total recovery
\$ 600	Balance
\$ -120	Attorney fees, department
\$ 480	Department's recovery

(7) Once the claim is closed, the department shall re-examine its proportionate share. If the claimant's final entitlement is greater than the amount of the department's lien at the time of recovery, the department shall reimburse the claimant for the department's increased percentage of the attorney's fees and costs.

Ex.:	\$ 1,000	Recovery.
	\$ 200	Attorney's fees and costs.
	\$ 100	Department's lien at time of recovery.
	\$ 20	Attorney's fees and costs paid at time of recovery.
	\$ 500	Claimant's total entitlement (50% of total recovery).
	\$ 100	Department's full proportionate share of attorney's fees and costs (50%, that amount determined by the claimant's entitlement).
	\$ 80	The amount that the department must reimburse the claimant for attorney's fees and costs.

AMENDATORY SECTION (Amending Order 85-3, filed 1/15/85)

WAC 296-30-060 REQUIREMENT TO REPORT CRIMINAL ACTS. (1) The following are examples under which the seventy-two hour reporting requirement in RCW 7.68.060(2) ~~((with))~~ may be tolled:

- (a) Unconsciousness or coma of victim.
- (b) Youth of victim (because of age the victim is unaware that a crime has been committed against her).
- (c) Rape trauma syndrome.
- (d) A report of an assault against a child made to children's protective services when ~~((such))~~ the report is made within seventy-two hours of when it reasonably could have been made.

(2) This list is not and should not be considered exhaustive but is for illustrative purposes.

AMENDATORY SECTION (Amending Order 85-3, filed 1/15/85)

WAC 296-30-080 ~~((MEDICAL AID))~~ COUNSELING FOR SEXUAL ASSAULT. ~~((RCW 7.68.080 is hereby interpreted to allow treatment as follows:))~~

(1) Pursuant to RCW 7.68.070(12), the department shall pay for counseling for victims of sexual assault and, when appropriate, for members of a victim's immediate family. An immediate family member shall be defined as the victim's parents, spouse, child(ren), siblings, grandparents, and those members of the same household who have assumed the rights and duties commonly associated with a family and who hold themselves out as a family unit.

(2) Counseling for the above defined family members is appropriate when:

- (a) The counseling is for the spouse, child, parent, or sibling of the victim who suffers psychological trauma as a result of the sexual assault; or
- (b) The family member and victim live in the same household and the family member suffers psychological trauma as a result of the sexual assault; or
- (c) The family member sees the assault; or
- (d) Counseling of the family member will aid in the victim's recovery.

(3) Evaluation and counseling must be done by a counselor with a MSW or equivalent degree ~~((in a related discipline))~~, a PhD psychologist, or a psychiatrist. The fee for an MSW or equivalent degree for 45-50 minutes(;) with report . . . . 40 units.

NEW SECTION

WAC 296-30-081 ACCEPTANCE OF RULES AND FEES. Providing medical or counseling services to an injured crime victim whose claim for crime victims benefits has been accepted by the department constitutes acceptance of the department's medical aid rules and compliance with its rules and fees. Maximum allowable fees shall be those fees contained in WAC 296-21-010 through 296-23-9408 and in WAC 296-30-080 less any available benefits of public or private collateral resources.

An injured victim shall not be billed for his or her accepted injury. The department shall be billed only after

available benefits of public or private insurance have been determined.

If the medical provider has billed the injured victim and is later notified that the department has accepted the victim's claim, the provider shall refund to the injured victim any amounts paid that are in excess of the amounts that the victim is entitled to from public or private insurers, and bill the department for services rendered at fee schedule rates if such rates are in excess of the public or private insurance entitlements.

#### NEW SECTION

WAC 296-30-120 FACTORS CONSIDERED IN ORDER TO MODIFY DEBT DUE DEPARTMENT. RCW 7.68.120 allows the department in the interest of justice or rehabilitation, to waive, modify, or adjust the debt owed to the department by any person found to have committed the criminal act for which crime victim benefits were paid. To determine whether or not the debt should be modified, waived or adjusted, the department shall consider the following factors:

- (1) The gravity of the offense;
- (2) Extent of injury to victim;
- (3) Type of crime;
- (4) circumstances surrounding the criminal act;
- (5) The assailant's attempts at rehabilitation:
  - (a) Rehabilitation program involvement;
  - (b) Employment efforts;
  - (c) Community involvement;
- (6) Ability to pay:
  - (a) Income;
  - (b) Necessary expenses;
  - (c) Number and ages of dependents;
- (7) Sentence imposed by the court.

#### AMENDATORY SECTION (Amending Order 85-3, filed 1/15/85)

WAC 296-30-130 LUMP SUM BENEFITS. (1) Lump sum benefits paid to the survivor(s) of an unemployed victim ~~((with))~~ shall be paid on a monthly basis if the survivor(s) is entitled to private or public death benefits. The death benefit payments ~~((with))~~ shall be deducted each month from the crime victim's death benefits. Crime victim's benefit payments ~~((with))~~ shall continue until the combined public or private death benefits and the crime victim's death benefits equal the total amount that the survivor(s) is eligible for under ~~((the Crime Victim's Act))~~ chapter 7.68 RCW.

(2) The amount of the monthly payments ~~((with-be))~~ is based on the state's average monthly wage and ~~((with be))~~ are determined by the percentages established in RCW 51.32.050.

(3) This lump sum payment ~~((with))~~ shall be adjusted upward by a factor of 8% to reflect the present and future value of the money.

(4) The survivor(s) of an employed victim are entitled to a maximum of ten thousand dollars in death benefits. These benefits ~~((with))~~ shall be paid in the same manner

as the benefits paid to the survivor(s) of an unemployed victim except that the monthly rate shall be determined by the deceased's regular rate of pay.

(5) This procedure was adopted to ensure equal treatment of survivor(s) in like circumstances.

#### AMENDATORY SECTION (Amending Order 85-3, filed 1/15/85)

WAC 296-30-170 PAYMENT FOR MEDICAL ((BENEFITS)) EXAMINATION OF VICTIMS OF SEXUAL ASSAULT. ((+)) A victim(s) of sexual assault ~~((shall be))~~ is entitled to ~~((benefits under this statute))~~ payment for the costs of a medical examination under RCW 7.68.170 regardless of whether she or he qualifies for benefits under ~~((this act, provided;))~~ chapter 7.68 RCW, if the hospital or emergency medical facility proves to the department that:

- ~~((a))~~ (1) The care was provided;
- ~~((b))~~ ~~The victim was not billed;~~ and
- ~~((c))~~ (2) The examination was performed ~~((for the purpose of gathering))~~ at least in part to gather medical evidence for possible prosecution of the assailant.

#### NEW SECTION

WAC 296-30-180 PAYMENT OF BENEFITS TO PREVENT UNJUST ENRICHMENT. RCW 7.68.070(15) prohibits the department from paying any benefits or compensation to the person who caused a crime victims injuries, or to any other person if that person would be unjustly enriched by the benefits. In some situations, as when a child is injured by a parent or a spouse by the other spouse, there is a danger that the injuring person will divert to her own use the benefits or compensation intended for the victim.

To prevent this possibility, the department may on its own motion or the motion of the victim or his or her guardian, request that the victim or other responsible adult establish (1) a trust for which the trustee shall be a neutral third person; or (2) a savings or checking account for which a neutral third person must cosign all withdrawals or checks. Crime victims compensation benefits shall then be deposited in the established account.

The department shall continue to pay medical providers directly.

#### WSR 86-01-029

#### NOTICE OF PUBLIC MEETINGS YAKIMA VALLEY COMMUNITY COLLEGE [Memorandum—December 9, 1985]

The regularly scheduled meetings of the Yakima Valley Community College board of trustees will be held on the first Thursday of each month at 4:00 p.m. in the College Board Room, Prior Hall, on the Yakima Valley Community College campus. The dates for the regularly scheduled meetings are as follows:

January 2, 1986  
 February 6, 1986  
 March 6, 1986  
 April 3, 1986  
 May 1, 1986  
 June 5, 1986  
 July 3, 1986  
 August 7, 1986  
 September 4, 1986  
 October 2, 1986  
 November 6, 1986  
 December 4, 1986

**WSR 86-01-033**  
**NOTICE OF PUBLIC MEETINGS**  
**INTERAGENCY COMMITTEE**  
**FOR OUTDOOR RECREATION**  
 [Memorandum—December 11, 1985]

The Interagency Committee for Outdoor Recreation adopted the following meetings schedule for 1986:

March 27-28	Olympia	Regular Meeting
July 24-25	Olympia	Regular Meeting
November 5-7	Place to be determined	Regular Meeting

**WSR 86-01-030**  
**NOTICE OF PUBLIC MEETINGS**  
**SEATTLE COMMUNITY COLLEGE DISTRICT**  
 [Memorandum—December 10, 1985]

Some members of the Seattle Community College District board of trustees will be meeting with Representative Helen Sommers to discuss legislative matters affecting the community colleges. This meeting will be held at 7:00 a.m., Tuesday, December 17, 1985, in the Warwick Hotel, 4th and Lenora, Seattle, WA.

**WSR 86-01-034**  
**NOTICE OF PUBLIC MEETINGS**  
**BOARD FOR VOLUNTEER FIREMEN**  
 [Memorandum—December 11, 1985]

The State Board for Volunteer Firemen has scheduled the following quarterly business meetings for 1986:

January 17, 1986	Secretary's office Temple of Justice	9:00 a.m.
April 18, 1986	Secretary's office Temple of Justice	9:00 a.m.
July 30, 1986	Will be held in conjunction with the Washington State Firefighter's Association's annual conference and fire school in Vancouver.	
October 3, 1986	Secretary's office Temple of Justice	9:00 a.m.

**WSR 86-01-031**  
**NOTICE OF PUBLIC MEETINGS**  
**EVERETT COMMUNITY COLLEGE**  
 [Memorandum—December 11, 1985]

The time and place of regular meetings for the Everett Community College board of trustees for 1986 will be as follows:

**Time:** Third Monday of each month, 4:30 p.m. (Except January and February holidays which fall on the third Monday. The regular meeting for January will be January 21. The regular meeting for February will be February 18.)

**Place:** Everett Community College campus.

**WSR 86-01-035**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Health)**  
 [Filed December 12, 1985]

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 childbirth centers, amending chapter 248-29 WAC;

that the agency will at 10:00 a.m., Friday, January 24, 1986, in the Auditorium, Office Building #2, 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 29, 1986.

The authority under which these rules are proposed is RCW 18.46.060.

The specific statute these rules are intended to implement is chapter 18.46 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 24, 1986.

**WSR 86-01-032**  
**NOTICE OF PUBLIC MEETINGS**  
**EDMONDS COMMUNITY COLLEGE**  
 [Memorandum—December 12, 1985]

Board of Trustees Meeting  
 Lynnwood Hall, Room 424  
 December 19, 1985  
 7:30 p.m., Thursday

The facilities for this meeting are free of mobility barriers and interpreters for deaf individuals and brailled or taped information for blind individuals will be provided upon request when adequate notice is given.

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

Lee D. Bomberger, Acting 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 Administrative Regulations Section, at State Office Building #2, 12th and Franklin, Olympia, WA, phone (206) 753-7015 by January 10, 1986. The meeting site is in a location which is barrier free.

Dated: December 10, 1985

By: Lee D. Bomberger, Acting Director  
Division of Administration and Personnel

#### STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Re: Amending chapter 248-29 WAC, Childbirth centers.

Purpose of the Rule: To provide health and safety standards for the organization, maintenance and operation of free-standing childbirth centers licensed by the state pursuant to chapter 18.46 RCW.

Amendments to These Rules are Necessary: To update standards first established in 1980.

Statutory Authority: Chapter 18.46 RCW.

Summary of Amendments to the Rule: The definition of low-risk maternal client was revised and clarified. Physician participation in quality assurance is now required. A requirement for sentinel birth defects reporting pursuant to RCW 70.58.320 was added. Tuberculosis screening requirements for personnel were updated to be consistent with the current recommendations of the Tuberculosis Control Program, Division of Health, DSHS.

Person Responsible for Enforcement of the Rule: John Gerth, Section Head, Facility Licensing and Certification Section, Division of Health, DSHS, mailstop ET-31, phone 753-5851.

Rule proposed by DSHS.

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

No economic impact statement is required under the Regulatory Fairness Act, Laws of 1982.

#### AMENDATORY SECTION (Amending Order 197, filed 5/2/80)

WAC 248-29-001 PURPOSE. Regulations relating to childbirth centers are hereby adopted pursuant to chapter 18.46 RCW. The purpose of these regulations is to provide health and safety standards for the organization, maintenance, and operation of childbirth centers and to set forth procedures for the issuance, denial, suspension, and/or revocation of licenses for facilities maintained and operated to provide birth services: PROVIDED, That birth takes place within the birth center.

#### AMENDATORY SECTION (Amending Order 197, filed 5/2/80)

WAC 248-29-010 DEFINITIONS. (1) "Administration of drugs" means an act in which a single dose of a prescribed drug or biological is given to a client by an authorized person in accordance with all laws and regulations governing such acts. The complete act of administration entails removing an individual dose from a previously dispensed, properly labeled container((f)), including a unit dose

container((g)), verifying it with the orders of a practitioner who is legally authorized to prescribe, giving the individual dose to the proper client and properly recording the time and dose given.

(2) "Authenticated or authentication" means authorization of a written entry in a record by means of a signature which shall include, minimally, first initial, last name, and title.

(3) "Bathing facility" means a bathtub or shower.

(4) "Birth center or childbirth center" means a type of maternity home which is a house, building, or equivalent((;)) organized to provide facilities and staff to support a birth service, provided that the birth service ((includes or)) is limited to low-risk maternal clients during the intrapartum period.

(5) "Birthing room" means a room designed, equipped, and arranged to provide for the care of a woman and newborn and to accommodate her support ((person(s))) person or persons during the process of vaginal childbirth, (the three stages of labor and recovery of a woman and newborn).

(6) "Birth service" means the prenatal, intrapartum, and postpartum care provided for individuals with uncomplicated pregnancy, labor, and vaginal birth, to include the newborn care during ((the recovery period)) transition and stabilization.

(7) ((Board)) means the Washington state board of health.

((B)) "Client" means a woman, fetus, and ((for)) newborn receiving care and services provided by a birth center during pregnancy and ((for)) childbirth and recovery.

((C)) (8) "Clinical staff" means physicians and midwives appointed by the governing body ((authority)) to practice within the birth center and governed by rules approved by the governing body.

((D)) (9) "Department" means the Washington state department of social and health services.

((E)) (10) "Governing body" means the ((individual or group which is legally)) person or persons responsible for establishing and approving the ((operation and maintenance)) purposes and policies of the childbirth center.

((F)) (11) "Hospital" means any institution, place, building, or agency which provides accommodations, facilities, and services over a continuous period of twenty-four hours or more, for observation, diagnosis, or care, of two or more individuals not related to the operator or suffering from any other condition which obstetrical, medical, or surgical services would be appropriate for care or diagnosis. "Hospital" as used in this definition does not include hotels, or similar places furnishing only food and lodging, or simply, domiciliary care; nor does it include clinics, physicians' offices where patients are not regularly kept as bed patients for twenty-four hours or more; nor does it include nursing homes, as defined and which comes under the scope of chapter 18.51 RCW; nor does it include maternity homes, which come within the scope of chapter 18.46 RCW; nor does it include psychiatric hospitals, which come under the scope of chapter 71.12 RCW; nor any other hospital or institution specifically intended for use and the diagnosis and care of those suffering from mental illness, ((metal)) mental retardation, convulsive disorders, or other abnormal mental conditions. Furthermore, nothing in this definition shall be construed as authorizing the supervision, regulation, or control of the remedial care or treatment of residents or patients in any hospital conducted for those who rely primarily upon treatment by prayer or spiritual means in accordance with creed or tenets of any well-recognized church or religious denomination.

((G)) (12) "Lavatory" means a plumbing fixture designed and equipped for handwashing purposes.

((H)) (13) "Low-risk maternal client" means an individual who:

(a) Is in general good health with uncomplicated prenatal course((;)) and participating in ongoing prenatal care;

(b) Is participating in an appropriate childbirth and infant care education program;

(c) Has no major medical problems;

(d) Has no previous ((significant)) major uterine wall surgery, caesarean section, or obstetrical complications likely to recur((; nor previous uterine wall surgery or Caesarean section));

(e) Has parity under six unless a justification for a variation is documented by clinical staff;

(f) Is not a nullipara of greater than ((thirty-six)) thirty-eight years of age unless a justification for a variation is documented by clinical staff;

(g) Is not less than sixteen years of age unless a justification for variation for ages fourteen through fifteen only is documented by clinical staff;

(h) Has no significant signs or symptoms of pregnancy-induced hypertension, ((toxaemia, hydramnios)) polyhydramnios or oligohydramnios, abruptio placenta, chorioamnionitis, ((malformed fetus,)) multiple gestation, intrauterine growth retardation, ((fetal)) meconium stained amniotic fluid, fetal ((distress)) complications, ((alcoholism or drug addiction)) or substance abuse;

(i) ((While in active labor,)) Demonstrates no significant signs or symptoms of anemia, active herpes genitalis, ((significant)) pregnancy-induced hypertension, placenta praevia, malpositioned fetus, or breech while in active labor;

(j) Is in labor, progressing normally;

(k) Is without prolonged ruptured membranes;

(l) Is not in ((premature)) preterm labor nor ((postmature)) post-term gestation;

(m) Is appropriate for a setting where ((anesthesia is limited to local infiltration of the perineum, or a pudendal block, and)) analgesia is limited; and

(n) Is appropriate for a setting where anesthesia is used in limited amounts and limited to local infiltration of the perineum or pudendal block.

((+5)) (14) "Maternity home" means any home, place, hospital, or institution in which facilities are maintained for the care of four or more women not related by blood or marriage to the operator during pregnancy or during or within ten days after delivery: PROVIDED(;) HOWEVER, That this chapter shall not apply to any hospital licensed under chapter 70.41 RCW, "hospital licensing ((rules)) and regulation(s)."

((+6)) (15) "Midwife" means an individual recognized by the Washington state board of nursing as a certified nurse midwife as provided in chapter 18.88 RCW, chapter 308-120 WAC ((308-120-310)), or an individual possessing a valid, current license to practice midwifery in the state of Washington as provided in chapter 18.50 RCW.

((+7)) (16) "New construction" means any of the following ((started after promulgation of these rules and regulations)):

(a) New buildings to be used as a birth center;

(b) ((Addition(s)) Addition or additions to an existing ((building(s)) building or buildings to be used as a ((birth)) childbirth center;

(c) ((Alteration(s)) Conversion of existing buildings or portions thereof for use as a childbirth center;

(d) Alterations or ((modification(s)) modifications other than minor alterations ((to a birth center or to a building or place that is intending to be licensed as a birth center)).

"Minor alterations" means any structural or ((functional)) physical modification within an existing birth center which does not change the approved use of a room or an area. Minor alterations performed under this definition do not require prior ((approval)) review of the department; however, this does not constitute a release from other applicable requirements.

((+8)) (17) "Personnel" means ((individual(s)) individuals employed by the birth center.

((+9)) (18) "Physician" means ((a doctor of medicine or a doctor of osteopathy duly)) an individual licensed ((in the state of Washington)) under provisions of chapter 18.71 RCW, "physicians," or chapter 18.57 RCW, "osteopathy—osteopathic medicine and surgery."

((+20)) (19) "Registered nurse" means ((a person)) an individual licensed under the provision of ((the law regulating the practice of registered nursing in the state of Washington,)) chapter 18.88 RCW, "registered nurses," who is practicing in accordance with the rules and regulations promulgated thereunder.

((+21)) (20) "Recovery" means that period or duration of time starting at birth and ending with discharge of a client from the birth center or the period of time between the birth and the time a client leaves the premises of the birth center.

((+22)) (21) "Shall" means compliance is mandatory.

((+23)) (22) "Should" means a suggestion or recommendation, but not a requirement.

((+24)) (23) "Support person" means the ((individual(s)) individual or individuals selected or chosen by a maternal client to provide emotional support and to assist her during the process of labor and childbirth.

((+25)) (24) "Toilet" means a room containing at least one water closet.

((+26)) (25) "Volunteer" means an individual who is an unpaid worker in the birth center, other than a support person.

((+27)) (26) "Water closet" means a plumbing fixture for defecation fitted with a seat and a device for flushing the bowl of the fixture with water.

#### AMENDATORY SECTION (Amending Order 255, filed 3/10/83)

WAC 248-29-020 LICENSURE. (1) Application for license—Fee.

(a) An application for a childbirth center license shall be submitted on forms furnished by the department. The application shall be signed by the legal representative of the governing body.

(b) The applicant shall furnish to the department full and complete information and promptly report any changes which would affect the current accuracy of such information as to the identity of each officer and director of the corporation, if the birth center is operated by a legally incorporated entity, profit or nonprofit, and of each partner if the birth center is operated through a legal partnership.

(c) Each application for license shall be accompanied by a license fee as established by the department under RCW 43.20A.055: PROVIDED, That no fee shall be required of charitable or nonprofit or government-operated birth centers. Upon receipt of the license fee, when required, the department shall issue a childbirth center license(;) if the applicant and the birth center facilities meet the requirements of this chapter.

(2) License renewal—Limitations—Display.

(a) A license, unless suspended or revoked, shall be renewed annually.

(i) Applications for renewal shall be on forms provided by the department and shall be filed ((by)) with the department not less than ten days prior to expiration.

(ii) Each application for renewal shall be accompanied by a license fee as established by the department under RCW 43.20A.055.

(iii) The department shall inspect and investigate each childbirth center as needed and at least annually to determine compliance with standards herein (chapter 248-29 WAC) and applicable standards of chapter 18.46 RCW.

(b) Each license shall be issued only for the premises and persons named. Licenses shall be transferrable or assignable only with written approval by the department.

(c) Licenses shall be posted in a conspicuous place(;) on the licensed premises.

(3) License—Denial, suspension, revocation. The department may, if the interests of the clients so demand, deny, suspend, or revoke a license when there has been failure or refusal to comply with the requirements established in chapter 248-29 WAC or applicable sections of chapter 18.46 RCW, in accordance with RCW 18.46.050 and chapter ((248-08 WAC)) 34.04 RCW.

(4) New construction—Major alterations.

(a) When new construction or major alteration is contemplated, the following shall be submitted to the department for review:

(i) A written program containing, at a minimum, information concerning services to be provided and operational methods to be used which will affect the extent of facilities required by these regulations;

(ii) Duplicate sets of preliminary plans which are drawn to scale and include: A plot plan showing streets, driveways, water, and sewage disposal systems, grade and location of ((building(s)) the building or buildings on the site; the plans for each floor of ((the building(s)) each building, existing and proposed, which designate the functions of each room and show all fixed equipment. The preliminary plans shall be accompanied by a statement as to the source of water supply and the method of sewage and garbage disposal and a general description of construction and materials, including interior finishes.

(b) Construction shall not be started until duplicate sets of final plans (drawn to scale) and specifications have been submitted to(;) and approved by the department. Final plans and specifications shall show complete details to be furnished to contractors for construction of buildings or major alterations in existing buildings. These shall include:

(i) Plot plans;

(ii) Plans for each floor of ((the building(s)) each building which designate the function of each room and show all fixed equipment and the planned location of beds and other furniture ((in patient sleeping rooms));

(iii) Interior and exterior elevations, building sections, and construction details;

(iv) Schedule of floors, wall, and ceiling finishes, and the types and sizes of doors and windows; plumbing, heating, ventilation, and electrical systems; and

(v) Specifications which fully describe workmanship and finishes.

(c) Adequate provisions shall be made for the safety and comfort of clients as construction work takes place in or near an occupied area.

(d) Construction shall take place in accordance with approved final plans and specifications. Only those changes which have been approved by the department may be incorporated into the construction project. Modified plans, additions, or changes incorporated into the construction project shall be submitted to the department for the department file on the project.

(5) Compliance with other regulations.

(a) Applicable rules and regulations adopted by the Washington state fire marshal.

(b) If there is no local plumbing code, the Uniform Plumbing Code of the National Association of Plumbing and Mechanical Officials shall be followed.

(c) Compliance with these regulations does not exempt birth centers from compliance with the local and state electrical codes or local fire, zoning, building, and plumbing codes.

#### AMENDATORY SECTION (Amending Order 197, filed 5/2/80)

WAC 248-29-030 GOVERNING BODY AND ADMINISTRATION. (1) The birth center shall have a governing body (~~which is responsible for overall operation and maintenance of the center~~).

(2) The governing body shall be responsible for provision of personnel, facilities, equipment, supplies, and special services needed to meet the needs of the clients.

(3) The governing body shall adopt policies for the care of clients within or on the premises of the birth center.

(4) The governing body shall appoint an administrator or director who shall be responsible for implementing the policies adopted by the governing body.

(5) The governing body shall establish and maintain a current written organizational plan which includes all positions and delineates responsibilities, authority, and relationship of positions within the birth center.

(6) The governing body shall have the authority and responsibility for appointments and reappointments of clinical staff and ensure that only members of the clinical staff shall admit clients to the birth center.

(a) Each birth center shall have designated physician participation in clinical services and in the quality assurance program.

(b) Each birth center shall have a written policy and program which shall stipulate the extent of physician participation in the services offered.

(c) Each physician and midwife appointed to the clinical staff shall provide evidence of current licensure in the state of Washington.

(d) The clinical staff shall develop and adopt bylaws, rules, and regulations subject to the approval of the governing body(;) which shall include requirements for clinical staff membership; delineation of clinical privileges and the organization of clinical staff.

(7) The governing body shall be responsible for ~~((documenting and implementing a program))~~ a quality assurance audit on a regular basis to review ((the care of patients within the center)) cases, minimally to include ongoing compliance with rules in chapter 248-29 WAC.

#### AMENDATORY SECTION (Amending Order 197, filed 5/2/80)

WAC 248-29-040 PERSONNEL, CLINICAL STAFF, AND VOLUNTEERS WHO WORK DIRECTLY WITH ~~((PATIENTS)) CLIENTS~~. (1) There shall be sufficient, qualified personnel and clinical staff to provide the services needed by ~~((client(s))) clients~~ and for safe maintenance and operation of the birth center.

(2) A physician ~~((certified by the American Board of Obstetrics and Gynecology or a physician who is otherwise))~~ qualified(, authorized) by training and ((recognized by peers)) experience in ((the)) obstetrics and gynecology with admitting privileges to a community ((as an experienced, competent practitioner in obstetrics and gynecology)) hospital shall be immediately available by phone twenty-four hours a day. ((A written agreement is recommended.))

(3) Appropriate personnel and clinical staff of the birth center shall be trained in infant and adult resuscitation. Clinical staff or personnel who have demonstrated and documented ability to perform ~~((neonatal)) infant and adult~~ resuscitation procedures shall be present during each birth.

(4) A physician or midwife shall be present at each birth. A second person(;) who is an employee or member of the clinical staff with resuscitation skills shall be immediately available during each birth.

(5) Appropriate, qualified personnel and/or clinical staff shall be present in the birth center at all times when clients are present.

#### AMENDATORY SECTION (Amending Order 256, filed 3/10/83)

WAC 248-29-050 BIRTH CENTER POLICIES AND PROCEDURES. Written policies and procedures shall include, but not be limited to:

(1) Definition of a low-risk maternal client who shall be eligible for birth services offered by the birth center.

(2) Definition of a client who shall be ineligible for birth services at the birth center.

(3) Identification and transfer of clients who, during the course of pregnancy, are determined to be ineligible.

(4) Identification and transfer of clients who, during the course of labor or recovery, are determined to be ineligible for continued care in the birth center.

(5) Written plans for consultation, backup services, transfer and transport of a newborn and(,or) maternal client to a hospital where appropriate care is available.

(6) Written informed consent which shall be obtained prior to the onset of labor and shall include evidence of an explanation by personnel of the birth services offered and potential risks.

(7) Provision for the education of clients, family, and support persons in childbirth and newborn care.

(8) Plans for immediate and long-term follow-up of clients after discharge from the birth center.

(9) Registration of birth and reporting of complications and anomalies, including sentinel birth defect reporting pursuant to RCW 70.58-.320 and chapter 248-164 WAC, as now or as hereafter amended.

(10) Prophylactic treatment of the eyes of the newborn in accordance with RCW 70.24.040, WAC 248-100-295 as now, or as hereafter, amended.

(11) Metabolic screening of newborns.

(a) Educational materials shall be provided to each client relative to metabolic screening and informed consent for metabolic screening. These materials shall be obtained from the genetics program of the department.

(b) There shall be a mechanism for weekly reporting of all live births to the genetics program of the department on forms provided by the genetics program.

(c) The birth center shall provide each client with instructions and a metabolic screening collection kit, ~~((t))~~obtained from the genetics program of the department(,). There shall be a procedure and/or evidence of a plan for follow-up so that blood samples are collected between the ~~((eighth)) seventh~~ and ~~((twelfth)) tenth~~ day of life.

(d) When parents refuse metabolic screening, there shall be provisions for a signed refusal statement which shall be sent to the genetics program of the department in lieu of the blood sample.

(12) Infection control to include consideration of housekeeping; cleaning, sterilization, sanitization, and storage of supplies and equipment, and health of personnel. Health records for personnel shall be kept in the facility and include documented evidence of a tuberculin skin test by the Mantoux method upon employment ~~((and annually unless medically contraindicated))~~. A copy of the health record shall be given to each employee upon termination of employment. A ((negative)) nonsignificant skin test ((shall consist of)) is defined as less than 10mm induration read at forty-eight to seventy-two hours. A ((positive)) significant skin test ((shall consist of)) is defined as 10mm of induration((, or greater,)) read at forty-eight to seventy-two hours. Positive reactors shall have a chest x-ray within ninety days of the first day of employment. Exemptions and specific requirements are as follows:

(a) New employees who can document a positive Mantoux test in the past shall ~~((have an initial screening in the form of a chest x-ray))~~ be excluded from screening;

(b) ~~((After entry, annual screening in the form of a skin test or chest x-ray shall not be required for reactors;~~

~~((c)) Those with positive skin tests ((who have completed)) and abnormal chest x-ray for tuberculosis shall complete the recommended course of preventive or curative treatment, as determined by the local health officer(, shall be exempted from testing);~~

~~((d)) Records of test results, x-rays, or exemptions to such, shall be kept by the facility;~~

~~((c)) (c) Employees with any communicable disease in an infectious stage shall not be on duty.~~



AMENDATORY SECTION (Amending Order 197, filed 5/2/80)

WAC 248-29-060 BIRTH CENTER EQUIPMENT AND SUPPLIES. (1) There shall be adequate and appropriate size and type equipment and supplies maintained for the maternal client and the newborn to include:

- (a) A bed suitable for labor, birth, and recovery;
  - (b) Separate oxygen with flow meters and masks or equivalent;
  - (c) Mechanical suction and bulb suction (immediately available);
  - (d) Resuscitation equipment to include resuscitation bags and oral airways(;;). Additionally, newborn equipment shall include appropriate laryngoscopes and endotracheal tubes ((appropriate for the newborn));
  - (e) Firm surfaces suitable for resuscitation;
  - (f) ~~((Emergency medications and intravenous fluids with supplies and equipment appropriate for administration;~~
  - ~~(g))~~ Fetal monitoring equipment, minimally to include a fetoscope or electronic monitor;
  - ~~((+))~~ (g) Equipment for monitoring and maintaining the optimum body temperature of the newborn. A radiant heat source appropriate for use in warming newborns shall be available. An appropriate newborn incubator should be available;
  - (i) A clock with a sweep second hand;
  - (j) Sterile suturing equipment and supplies;
  - (k) Adjustable examination light;
  - (l) Containers for soiled linen and waste materials which shall be closed or covered.
- (2) There shall be a telephone(;) or equivalent communication device.

AMENDATORY SECTION (Amending Order 197, filed 5/2/80)

WAC 248-29-070 RECORDS. (1) The birth center shall have a defined client record system, policies and procedures which provide for identification, security, confidentiality, control, retrieval, and preservation of client care data and information.

(2) There shall be a health record maintained for each maternal and newborn client to include:

- (a) Adequate notes describing the newborn and maternal status during prenatal, labor, birth, and recovery.
- (b) Documentation that metabolic screening instructions and specimen collection kits were provided or that the specimen was obtained and forwarded to the genetics program of the department.
- (c) Documentation and authentication by clinical staff and birth center personnel who administer drugs and treatments or make observations and assessments.

(3) Entries in the client record shall be typewritten or written legibly in ink.

(4) Documentation and record keeping shall include:

- (a) Completion of a birth certificate and, if applicable, a sentinel birth defect report.
- (b) Documentation of orders for medical treatment and/or medication.

AMENDATORY SECTION (Amending Order 197, filed 5/2/80)

WAC 248-29-080 PHARMACEUTICALS. (1) There shall be written prescriptions or orders signed by a practitioner legally authorized to prescribe for all drugs administered to clients within the birth center.

(2) There shall be policies and procedures addressing the receiving, transcribing, and implementing of orders for administration of drugs.

(3) Written policies shall be established addressing the type(;) and intended use of any drug to be used by patients within the facility.

(4) Anesthetic agents other than local anesthetics and pudendal blocks shall not be used.

(5) Drugs shall be administered by personnel or clinical staff licensed to administer drugs.

(6) ~~Drugs((-medications, and chemicals))~~ kept anywhere in the center shall be clearly labeled with drug name, strength, and expiration date.

(7) ~~Drugs((-chemicals, and medications))~~ shall be stored and secured in specifically designated cabinets, closets, drawers, or store-rooms and made accessible only to authorized persons.

(8) Poisonous chemicals, caustic materials, or drugs shall show appropriate warning or poison labels and shall be stored separately from other drugs. Drugs for external use shall be separated from drugs for internal use.

(9) If emergency drugs and intravenous fluids are maintained in the facility, these are considered an extension of the drug supply owned by the legally authorized prescribing practitioner; these drugs remain the responsibility of the legally authorized prescribing practitioner.

AMENDATORY SECTION (Amending Order 197, filed 5/2/80)

WAC 248-29-090 BIRTH CENTER—PHYSICAL ENVIRONMENT. (1) The birth center shall be maintained to provide a safe and clean environment.

(2) At least one birthing room shall be maintained which is adequate and appropriate to provide for the equipment, staff, supplies, and emergency procedures required for the physical and emotional care of a maternal client, her support ~~((person(s)))~~ person or persons, and the newborn during birth, labor, and the recovery period.

(a) Birthing rooms built, modified, or altered after July 31, 1980, shall have a gross floor space of ~~((+56))~~ one hundred fifty-six square feet or ~~((+4.5))~~ fourteen and one-half square meters and a minimum room dimension of ~~((+))~~ eleven feet.

(b) Birthing rooms shall be located to provide unimpeded, rapid access to an exit of the building which will accommodate emergency transportation vehicles.

(3) Adequate fixed or portable work surface areas shall be maintained for use in the birthing ~~((room(s)))~~ room or rooms.

(4) Toilet and bathing facilities.

(a) A toilet and lavatory shall be maintained in the vicinity of the birthing room or rooms.

(b) A bathing facility should be available for client use.

(c) All floor surfaces, wall surfaces, water closets, lavatories, tubs, and showers shall be kept clean and in good repair.

(5) There shall be provisions and facilities for secure storage of personal belongings and valuables of clients.

(6) There shall be provisions for visual privacy for each maternal client and her support ~~((person(s)))~~ person or persons.

(7) Hallways and doors providing access and entry into the birth center and birthing ~~((room(s)))~~ room or rooms shall be of adequate width and conformation to accommodate maneuvering of ambulance stretchers and wheelchairs.

(8) Water supply. There shall be an adequate supply of hot and cold running water under pressure for human consumption and other purposes which shall comply with chapter 248-54 WAC ((248-54-70+ and 248-54-740)), rules and regulations of the Washington state board of health regarding public water supplies.

(9) Heating and ventilation.

(a) A safe and adequate source of heat capable of maintaining a room temperature of at least ~~((72))~~ seventy-two degrees Fahrenheit shall be provided and maintained.

(b) Ventilation shall be sufficient to remove objectionable odors, excessive heat, and condensation.

(10) Lighting and power.

(a) There shall be provisions for emergency lighting.

(b) There shall be general lighting and provision for adequate examination lights in the birthing room.

(11) Linen and laundry.

(a) Soiled linen/laundry storage and sorting areas shall be physically separated from clean linen storage and handling areas, kitchen and eating facilities.

(b) Laundry equipment shall provide hot water at a temperature of ~~((+60))~~ one hundred sixty degrees Fahrenheit.

(12) Utility, housekeeping, garbage, and waste.

(a) There shall be utility and storage facilities designed and equipped for washing, disinfecting, storing, and other handling of equipment and medical supplies in a manner which ensures segregation of clean and sterile supplies and equipment from those that are soiled and/or contaminated.

(b) All sewage, garbage, refuse, and liquid waste shall be collected and disposed of in a manner to prevent the creation of an unsafe or unsanitary condition.

(13) Food storage and/or preparation.

(a) Food service and catering of food shall not be provided by the facility.

(b) When birth center policy provides for allowing the preparation ~~((and/))~~ or storage of personal food brought in by the client or families of clients for consumption by that family, there shall be an adequate electric or gas refrigerator capable of maintaining a temperature of ~~((45))~~ forty-five degrees Fahrenheit or lower and dishwashing facilities which provide hot water at a temperature of not less than ~~((+40))~~ one hundred forty degrees Fahrenheit.

**WSR 86-01-036**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
 [Order 85-36—Filed December 12, 1985]

I, R. A. Davis, director of the Department of Labor and Industries, do promulgate and adopt at the Department of Labor and Industries Offices, General Administration Building, Olympia, Washington, the annexed rules relating to rules applicable to the administration of retrospective rating plans and group insurance plans (chapter 296-17 WAC) for workers' compensation insurance underwritten by the Department of Labor and Industries and offered to employers on an optional basis. Basic premium ratios, minimum premium ratios, loss conversion factors, size group tables, coverage periods, application deadlines, and clarification of rules are set forth.

I, R. A. Davis, 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 currently, the rules governing retrospective rating plans and group insurance only allow employers to enroll in this optional program for a coverage year which begins July 1. The adoption of these emergency rules will allow employers to enroll in this program for a coverage year that will begin January 1, 1986.

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

This rule is promulgated pursuant to RCW 51.16.035 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 December 12, 1985.

By R. A. Davis  
 Director

AMENDATORY SECTION (Amending Order 85-8, filed 2/28/85, effective 7/1/85)

WAC 296-17-904 **DEFINITIONS.** The definitions in this section shall apply throughout WAC 296-17-905 through 296-17-91902.

(1) "Coverage period" means ~~((the))~~ a one-year period beginning ~~((July 1 and ending June 30))~~ the first day of either January, April, July, or October.

(2) "Group" means those members of an association who have elected to have a group dividend and/or retrospective premium calculated based on the combined premium and incurred loss data of the participants, and have satisfactorily complied with eligibility requirements for doing so.

(3) "Premium" means only that portion of the money collected from an employer for worker's compensation

(not to include any money paid in penalties or security deposits), which is deposited in the accident fund.

(4) "Standard premium" for a particular coverage period means premium collected or due for insurance coverage provided during the period, prior to any adjustments under a dividend or retrospective rating plan.

(5) "Incurred losses" for a coverage period means the estimated ultimate cost to the accident fund of claims arising from incidents occurring during the coverage period, subject to the special evaluation methods prescribed in WAC 296-17-915.

(6) "Loss development factor" means an actuarially determined factor which is multiplied times individual case basis estimates of claim costs to produce incurred losses for a firm or group of firms during a coverage period. Loss development factors allow for reopenings, aggravations, and any other individually unpredictable contingencies which may affect claim costs based on past experience of the accident fund as a whole.

(7) "Loss ratio" means incurred losses divided by standard premium.

(8) "Dividend" is a partial refund of standard premium based on a firm's standard premium and loss ratio ~~((for the coverage period))~~.

(9) "Retrospective premium" is a premium determined after a coverage period has ended, based on a firm's standard premium, incurred losses, and other pre-selected parameters for the coverage period.

(10) "Retrospective premium adjustment" is an additional assessment or refund of premium owing to an employer's retrospective premium as of a given evaluation date being more or less than the premium previously paid for the coverage period.

(11) "Performance adjustment factor" means an actuarially determined factor which is multiplied times incurred losses prior to application of the retrospective rating formula, to produce "adjusted incurred losses." This adjustment will produce net retrospective premium credits for participating risks in the aggregate when they have combined experience which is more favorable than total state fund experience for the same coverage period. Conversely, this adjustment will produce net retrospective premium penalties for participating risks when their combined experience is more adverse than total state fund experience for the same coverage period. The purpose of the performance adjustment factor is to retain a consistent economic incentive for those employers to improve their accident cost experience while participating in these plans.

AMENDATORY SECTION (Amending Order 85-8, filed 2/28/85, effective 7/1/85)

WAC 296-17-911 **GROUP DIVIDENDS.** Group dividends will be calculated provided:

(1) Employers qualify as a group as defined by WAC 296-17-910.

(2) Group submits a satisfactorily completed:

(a) Application for group dividend plan no later than:

(i) April 30 for the coverage period beginning the following July 1;

(ii) July 31 for the coverage period beginning the following October 1;

(iii) October 31 for the coverage period beginning the following January 1;

(iv) January 31 for the coverage period beginning the following April 1.

(b) Employer's authorization for release of insurance data and group membership enrollment application for each employer account to be enrolled ((no later than June 15)) by the 15th day of the month preceding the start of the coverage period;

(c) Group dividend agreement ((no later than June 15)) by the 15th day of the month preceding the start of the coverage period.

(3) A dividend is declared under provisions of WAC 296-17-905.

Employers associated with the group at any time during the term of the group dividend agreement will remain parties to the group dividend agreement for the balance of its term.

Members of the organization or association which do not elect to participate in the group dividend at the inception of the agreement shall not become participating members in the group during the term of the agreement.

Each employer included as a group member in the group dividend agreement will maintain an individual account with the department and will continue to pay quarterly premiums based on assigned risk classification(s) and individual experience rating.

The department ((with)) may withhold any member's pro rata share from the group's dividend and credit the employer's industrial insurance account when premiums, penalties, or assessments are owing the department.

Dividends will be calculated in accordance with WAC 296-17-905 and are subject to WAC 296-17-907 and 296-17-915.

The payment of the group dividend will be made by the department to the association and shall be distributed to the individual group members by the association.

AMENDATORY SECTION (Amending Order 85-8, filed 2/28/85, effective 7/1/85)

WAC 296-17-914 RETROSPECTIVE RATING FORMULA. Employers who elect to have their premium adjusted under a retrospective rating plan must submit an application on a form provided by the department. This application must be received by the department no later than ((June 15 for the coverage period beginning the following July 1)) the 15th day of the month preceding the start of the coverage period. The employer must preselect a "maximum premium ratio" ((from)) and either Plan A, A1, A2, A3, or ((Plan)) B.

The employer's retrospective premium shall be calculated from the formula:

Retrospective Premium =

(Basic Premium Ratio x Standard Premium)

+

(Loss Conversion Factor x Adjusted Incurred Losses)

In the above formula, the basic premium ratio and loss conversion factor are taken from PLAN A (WAC 296-17-91901) or PLAN B (WAC 296-17-91902) or PLAN A1 (WAC 296-17-91903) or PLAN A2 (WAC 296-17-91904) or PLAN A3 (WAC 296-17-91905) based on the employer's standard premium and preselected maximum premium ratio. Adjusted incurred losses equal incurred losses times the performance adjustment factor applicable to the coverage period. Evaluation of incurred losses will be done according to the methods prescribed in WAC 296-17-915.

The maximum retrospective premium is the product of the maximum premium ratio times the employer's standard premium. In the event that the retrospective premium formula produces a value greater than the maximum premium, the retrospective premium shall be reduced to the maximum premium.

Under Plans A1, A2, and A3, the minimum retrospective premium is the product of the minimum premium ratio times the employer's standard premium. If the retrospective premium formula produces a value less than the minimum premium, the retrospective premium shall be increased to the minimum premium.

Under Plan A, a firm may elect to forego the protection of a maximum premium ratio if its financial condition is sufficiently strong and stable so that it could qualify as a self-insurer under the department's guidelines for certification of self-insurers. The basic premium ratio effective ((for the coverage period beginning July 1, 1985, and ending June 30, 1986)) January 1, 1986, will be ((.05+)) .052 if the firm selects and qualifies for an unlimited maximum premium.

AMENDATORY SECTION (Amending Order 85-8, filed 2/28/85, effective 7/1/85)

WAC 296-17-916 RETROSPECTIVE PREMIUM ADJUSTMENTS—DUE AND PAYABLE. The initial retrospective premium adjustment will be calculated approximately twelve months from the close of the coverage period and annually thereafter for a period of four years. Provided a request is made within ninety days following promulgation of the fifth and final required retrospective premium adjustment by either the employer or department up to two subsequent annual retrospective premium adjustments on the coverage period will be made. The additional adjustments will be identified as the sixth and seventh adjustments and must be requested and made in succession.

Retrospective premium adjustments become due or payable within sixty days of notification of amount. Re-evaluation of incurred losses or premium audits will not delay retrospective premium adjustment payments. For employers participating on an individual retrospective rating plan, no retrospective premium adjustment refund check will be written for less than ten dollars. In lieu of refund checks, retrospective premium adjustments of less than ten dollars will be credited to the employer's industrial insurance account.

The department ((with)) may withhold any member's pro rata share from the group's retrospective premium adjustment refund and credit the employer's industrial

insurance account when premiums, penalties, or assessments are owing the department. For employers participating in an individual retrospective rating plan, retrospective premium adjustment refunds ((with)) may be credited to the employer's industrial insurance account when premiums, penalties, or assessments are owing the department.

**AMENDATORY SECTION** (Amending Order 85-8, filed 2/28/85, effective 7/1/85)

**WAC 296-17-917 QUALIFICATIONS FOR EMPLOYER GROUP PARTICIPATION IN RETROSPECTIVE RATING PLAN.** The department may enroll interested groups in the retrospective rating plan provided:

(1) Employers qualify as a group as defined by WAC 296-17-910.

(2) Employers have industrial insurance accounts in good standing with the department such that at the time the agreement is processed no outstanding premium, penalties, or assessments are due and quarterly reporting of payroll has been made in accordance with WAC 296-17-310.

(3) Group submits a satisfactorily completed:

(a) Application for group retrospective rating plan no later than:

(i) April 30 for the coverage period beginning the following July 1;

(ii) July 31 for the coverage period beginning the following October 1;

(iii) October 31 for the coverage period beginning the following January 1;

(iv) January 31 for the coverage period beginning the following April 1.

(b) Employer's authorization for release of insurance data and group membership enrollment application for each employer account to be enrolled by ((June 15)) the 15th day of the month preceding the start of the coverage period;

(c) Group retrospective rating plan agreement by ((June 15)) the 15th day of the month preceding the start of the coverage period.

(4) The group may be required to post a surety bond or other security deposit separate from the individual employer's cash deposits required for establishing industrial insurance accounts with the department:

(a) The group's surety bond must be on the prescribed forms authorized by the department;

(b) The group's surety bond shall be secured in one thousand dollar increments provided further that if the group's estimated maximum premium due falls within two increment ranges, a surety bond at the higher level increment shall be obtained;

(c) The group's surety bond shall remain in force and effect for the period required retrospective premium calculations are made.

The amount of such surety bond or other security deposit, if required, may be fixed by the department in any amount equal to or less than the difference between the group's estimated standard premium and the maximum premium due under the retrospective rating plan. Past

reporting data and current rate levels will be used to determine the estimated standard premium and maximum percentage retrospective premium due under the plan.

Each employer included as a group member in the group retrospective rating plan agreement will maintain an individual account with the department and will continue to pay quarterly premiums based on assigned risk classification(s) and individual experience rating.

Employers associated with the group at any time during the term of the group retrospective rating plan agreement will remain parties to the agreement for the balance of its term.

Members of the organization or association which do not elect to participate in the group retrospective rating plan at the inception of the agreement shall not become participating members in the group during the term of the agreement.

Final determination of an employer's eligibility to participate in a group plan under this section rests with the department subject to review under chapter 51.52 RCW.

The payment of the group retrospective premium adjustment will be made to or collected from the association. The distribution to the individual group members or collection from the individual group members will be done by the association.

Group retrospective premium adjustment will be calculated according to WAC 296-17-914 and is subject to WAC 296-17-915 and 296-17-916.

**AMENDATORY SECTION** (Amending Order 85-8, filed 2/28/85, effective 7/1/85)

**WAC 296-17-919 TABLE I.**

RETROSPECTIVE RATING PLANS A, A1, A2, A3, and B  
STANDARD PREMIUM SIZE RANGES  
Effective ((for the coverage period July 1, 1985, through June 30,)) January 1, 1986

Size Group Number	Standard Premium Range
<del>((84</del>	<del>\$ 3,230 - \$ 3,639</del>
83	3,640 - 4,109
82	4,110 - 4,639
81	4,640 - 5,239
80	5,240 - 5,919
79	5,920 - 6,629
78	6,630 - 7,259
77	7,260 - 7,879
76	7,880 - 8,549
75	8,550 - 9,259
74	9,260 - 9,929
73	9,930 - 10,599
72	10,600 - 11,399
71	11,400 - 12,199
70	12,200 - 13,099
69	13,100 - 13,999
68	14,000 - 15,099
67	15,100 - 16,199
66	16,200 - 17,399

Size Group Number	Standard Premium Range	Size Group Number	Standard Premium Range
65	17,400 - 18,599	8	3,020,000 - 3,882,999
64	18,600 - 19,999	7	3,883,000 - 5,154,999
63	20,000 - 21,399	6	5,155,000 - 7,203,999
62	21,400 - 22,999	5	7,204,000 & over))
61	23,000 - 24,599	84	\$ 4,296 - \$ 4,840
60	24,600 - 26,399	83	4,841 - 5,465
59	26,400 - 28,399	82	5,466 - 6,170
58	28,400 - 30,399	81	6,171 - 6,968
57	30,400 - 32,599	80	6,969 - 7,873
56	32,600 - 34,999	79	7,874 - 8,817
55	35,000 - 37,499	78	8,818 - 9,655
54	37,500 - 40,199	77	9,656 - 10,479
53	40,200 - 43,099	76	10,480 - 11,371
52	43,100 - 46,199	75	11,372 - 12,315
51	46,200 - 49,599	74	12,316 - 13,206
50	49,600 - 53,099	73	13,207 - 14,097
49	53,100 - 56,999	72	14,098 - 15,161
48	57,000 - 61,099	71	15,162 - 16,225
47	61,100 - 65,599	70	16,226 - 17,422
46	65,600 - 70,299	69	17,423 - 18,619
45	70,300 - 75,399	68	18,620 - 20,082
44	75,400 - 80,999	67	20,083 - 21,545
43	81,000 - 87,299	66	21,546 - 23,141
42	87,300 - 93,999	65	23,142 - 24,737
41	94,000 - 100,999	64	24,738 - 26,599
40	101,000 - 108,999	63	26,600 - 28,461
39	109,000 - 117,999	62	28,462 - 30,589
38	118,000 - 126,999	61	30,590 - 32,717
37	127,000 - 136,999	60	32,718 - 35,111
36	137,000 - 147,999	59	35,112 - 37,771
35	148,000 - 161,999	58	37,772 - 40,431
34	162,000 - 174,999	57	40,432 - 43,357
33	175,000 - 189,999	56	43,358 - 46,549
32	190,000 - 206,999	55	46,550 - 49,874
31	207,000 - 224,999	54	49,875 - 53,465
30	225,000 - 243,999	53	53,466 - 57,322
29	244,000 - 264,999	52	57,323 - 61,445
28	265,000 - 288,999	51	61,446 - 65,967
27	289,000 - 313,999	50	65,968 - 70,622
26	314,000 - 341,999	49	70,623 - 75,809
25	342,000 - 371,999	48	75,810 - 81,262
24	372,000 - 404,999	47	81,263 - 87,247
23	405,000 - 440,999	46	87,248 - 93,498
22	441,000 - 479,999	45	93,499 - 100,281
21	480,000 - 521,999	44	100,282 - 107,729
20	522,000 - 568,999	43	107,730 - 116,108
19	569,000 - 618,999	42	116,109 - 125,019
18	619,000 - 674,999	41	125,020 - 134,329
17	675,000 - 734,999	40	134,330 - 144,969
16	735,000 - 801,999	39	144,970 - 156,939
15	802,000 - 909,999	38	156,940 - 168,909
14	910,000 - 1,032,999	37	168,910 - 182,209
13	1,033,000 - 1,170,999	36	182,210 - 196,839
12	1,171,000 - 1,563,999	35	196,840 - 215,459
11	1,564,000 - 1,976,999	34	215,460 - 232,749
10	1,977,000 - 2,415,999	33	232,750 - 252,699
9	2,416,000 - 3,019,999	32	252,700 - 275,309

Size Group Number	Standard Premium Range	Size Group Number	Standard Premium Range
31	275,310 - 299,249	16	977,550 - 1,066,659
30	299,250 - 324,519	15	1,066,660 - 1,210,299
29	324,520 - 352,449	14	1,210,300 - 1,373,889
28	352,450 - 384,369	13	1,373,890 - 1,557,429
27	384,370 - 417,619	12	1,557,430 - 2,080,119
26	417,620 - 454,859	11	2,080,120 - 2,629,409
25	454,860 - 494,759	10	2,629,410 - 3,213,279
24	494,760 - 538,649	9	3,213,280 - 4,016,599
23	538,650 - 586,529	8	4,016,600 - 5,164,389
22	586,530 - 638,399	7	5,164,390 - 6,856,149
21	638,400 - 694,259	6	6,856,150 - 9,581,319
20	694,260 - 756,769	5	9,581,320 & over
19	756,770 - 823,269		
18	823,270 - 897,749		
17	897,750 - 977,549		

AMENDATORY SECTION (Amending Order 85-8, filed 2/28/85, effective 7/1/85)

WAC 296-17-91901 TABLE II.

RETROSPECTIVE RATING PLAN A  
BASIC PREMIUM RATIOS  
LOSS CONVERSION FACTOR = ((-560)) .692

Effective ((for the coverage period beginning July 1, 1985, through June 30;)) January 1, 1986

Maximum Premium Ratio:	1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size Group														
(84	.975	.957	.942	.931	.918	.910	.901	.895	.887	.880	.869	.858	.848	.829
83	.973	.954	.938	.924	.912	.902	.894	.886	.879	.872	.860	.848	.838	.817
82	.972	.950	.932	.917	.906	.895	.886	.879	.870	.863	.850	.838	.826	.805
81	.967	.946	.925	.913	.898	.889	.878	.869	.861	.854	.840	.828	.816	.794
80	.966	.940	.921	.906	.891	.880	.870	.861	.853	.845	.830	.818	.805	.782
79	.964	.937	.915	.899	.886	.873	.863	.853	.843	.836	.821	.807	.794	.769
78	.962	.932	.911	.895	.879	.866	.856	.846	.836	.826	.811	.797	.783	.757
77	.957	.929	.905	.888	.873	.861	.848	.839	.829	.819	.802	.786	.772	.746
76	.955	.927	.902	.884	.867	.853	.840	.829	.820	.808	.792	.776	.760	.732
75	.953	.920	.896	.877	.860	.844	.830	.820	.808	.799	.781	.764	.749	.720
74	.948	.917	.892	.869	.852	.837	.824	.811	.802	.789	.771	.753	.737	.708
73	.946	.911	.885	.864	.847	.831	.816	.803	.792	.781	.761	.743	.726	.694
72	.944	.908	.881	.858	.840	.823	.808	.794	.783	.771	.751	.731	.714	.682
71	.938	.901	.874	.850	.831	.814	.799	.785	.773	.761	.739	.721	.701	.669
70	.936	.898	.867	.842	.823	.806	.790	.776	.764	.750	.729	.707	.690	.654
69	.935	.892	.862	.838	.815	.797	.782	.767	.754	.740	.717	.696	.677	.641
68	.928	.888	.855	.829	.806	.788	.771	.756	.744	.730	.707	.684	.664	.628
67	.925	.881	.847	.821	.797	.779	.763	.747	.731	.720	.695	.673	.652	.615
66	.918	.873	.839	.813	.791	.770	.752	.737	.721	.710	.682	.660	.639	.602
65	.916	.870	.835	.808	.783	.762	.744	.728	.712	.699	.671	.648	.626	.588
64	.910	.862	.826	.800	.775	.752	.734	.717	.701	.686	.660	.636	.614	.576
63	.907	.855	.819	.790	.766	.743	.724	.707	.691	.675	.649	.624	.602	.562
62	.899	.851	.810	.783	.756	.733	.714	.696	.680	.665	.637	.610	.588	.548
61	.898	.843	.806	.773	.748	.724	.704	.687	.670	.654	.624	.599	.575	.535
60	.890	.836	.798	.765	.738	.713	.694	.675	.659	.642	.612	.586	.563	.520
59	.888	.833	.790	.756	.730	.705	.684	.666	.646	.629	.600	.572	.548	.507
58	.880	.825	.781	.747	.719	.694	.674	.652	.635	.617	.586	.560	.536	.492
57	.879	.817	.772	.737	.710	.684	.660	.640	.623	.606	.574	.545	.522	.480
56	.871	.813	.763	.729	.700	.674	.650	.631	.611	.592	.563	.533	.508	.466
55	.868	.805	.758	.718	.690	.663	.638	.619	.598	.580	.547	.521	.496	.453
54	.860	.795	.749	.709	.679	.653	.628	.605	.586	.569	.536	.507	.482	.440
53	.851	.786	.739	.699	.669	.642	.617	.594	.574	.554	.524	.494	.470	.427
52	.842	.777	.725	.688	.658	.628	.602	.582	.561	.543	.509	.482	.458	.415
51	.833	.767	.715	.677	.644	.617	.591	.567	.548	.530	.497	.468	.443	.402

Maximum Premium Ratio:	Maximum Premium Ratio														
	1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00	
50	.830	.758	.706	.667	.633	.605	.580	.556	.536	.516	.483	.455	.431	.389	
49	.822	.749	.695	.657	.622	.591	.564	.544	.522	.503	.470	.441	.416	.377	
48	.813	.739	.685	.642	.611	.579	.553	.529	.509	.490	.458	.429	.404	.364	
47	.803	.729	.674	.631	.596	.567	.541	.517	.494	.476	.443	.416	.390	.351	
46	.795	.719	.664	.619	.584	.552	.526	.505	.482	.464	.432	.403	.378	.340	
45	.786	.709	.648	.604	.568	.540	.513	.489	.470	.449	.416	.391	.368	.330	
44	.775	.693	.637	.593	.556	.524	.498	.477	.454	.436	.405	.379	.357	.320	
43	.766	.682	.620	.581	.544	.511	.486	.462	.442	.425	.394	.368	.346	.310	
42	.757	.672	.610	.564	.529	.500	.470	.450	.428	.411	.378	.354	.332	.299	
41	.747	.661	.600	.554	.517	.485	.458	.434	.414	.397	.366	.341	.320	.284	
40	.737	.645	.588	.538	.502	.472	.446	.422	.403	.382	.354	.327	.307	.273	
39	.727	.635	.572	.526	.489	.456	.431	.410	.388	.370	.339	.315	.294	.261	
38	.717	.624	.561	.514	.473	.445	.418	.394	.376	.358	.327	.302	.282	.250	
37	.700	.607	.544	.498	.461	.429	.402	.381	.360	.342	.315	.289	.269	.238	
36	.689	.596	.532	.481	.445	.416	.390	.366	.348	.331	.301	.278	.259	.227	
35	.671	.578	.514	.469	.432	.399	.375	.354	.333	.316	.288	.265	.246	.216	
34	.660	.560	.496	.451	.415	.387	.361	.339	.321	.304	.277	.255	.235	.207	
33	.641	.547	.484	.433	.402	.370	.345	.325	.307	.291	.264	.242	.225	.197	
32	.622	.528	.466	.421	.385	.358	.333	.311	.293	.278	.252	.231	.214	.188	
31	.604	.510	.449	.404	.369	.341	.318	.299	.282	.266	.242	.221	.206	.180	
30	.585	.492	.431	.391	.357	.329	.305	.286	.269	.254	.230	.211	.196	.172	
29	.567	.474	.417	.374	.339	.313	.290	.272	.256	.244	.221	.202	.188	.166	
28	.548	.456	.400	.357	.327	.301	.278	.260	.244	.229	.207	.191	.176	.153	
27	.537	.444	.383	.344	.310	.284	.262	.244	.228	.215	.192	.174	.159	.137	
26	.519	.427	.371	.328	.298	.268	.248	.229	.214	.200	.177	.160	.145	.123	
25	.499	.408	.353	.310	.281	.255	.232	.214	.199	.187	.164	.146	.132	.112	
24	.480	.390	.335	.297	.265	.240	.221	.204	.189	.177	.156	.140	.127	.107	
23	.461	.370	.317	.280	.252	.228	.209	.193	.178	.168	.148	.134	.121	.103	
22	.434	.351	.302	.263	.236	.215	.195	.183	.170	.159	.140	.126	.116	.099	
21	.413	.332	.284	.250	.224	.202	.185	.172	.160	.151	.135	.121	.111	.096	
20	.395	.313	.267	.237	.209	.190	.173	.162	.150	.140	.125	.113	.104	.090	
19	.377	.301	.250	.221	.195	.177	.161	.148	.138	.130	.116	.104	.096	.083	
18	.358	.283	.237	.204	.180	.162	.147	.136	.127	.118	.106	.097	.089	.078	
17	.339	.265	.220	.191	.168	.151	.136	.126	.117	.109	.098	.089	.082	.073	
16	.319	.246	.203	.175	.155	.138	.126	.116	.108	.101	.090	.082	.077	.068	
15	.300	.228	.190	.163	.142	.129	.116	.107	.100	.094	.084	.079	.073	.065	
14	.290	.216	.173	.153	.135	.122	.111	.102	.096	.090	.082	.077	.071	.064	
13	.280	.199	.162	.143	.128	.116	.106	.098	.093	.087	.080	.075	.070	.063	
12	.263	.181	.151	.135	.120	.110	.101	.096	.089	.085	.078	.072	.068	.062	
11	.251	.161	.137	.125	.113	.104	.097	.091	.085	.082	.075	.070	.067	.061	
10	.234	.143	.128	.116	.107	.098	.092	.087	.082	.079	.073	.068	.065	.060	
9	.215	.132	.118	.108	.100	.093	.087	.082	.079	.076	.071	.067	.064	.060	
8	.195	.121	.110	.101	.094	.087	.082	.079	.076	.073	.068	.065	.062	.059	
7	.167	.111	.102	.094	.088	.083	.079	.075	.073	.070	.066	.062	.061	.058	
6	.130	.100	.094	.087	.082	.078	.075	.072	.069	.067	.063	.061	.060	.057	
5	.098	.092	.086	.080	.077	.074	.070	.068	.066	.064	.061	.060	.058	.056	
84	.975	.955	.942	.929	.918	.910	.901	.895	.887	.881	.869	.858	.848	.829	
83	.973	.954	.938	.924	.912	.902	.894	.886	.879	.872	.860	.848	.838	.817	
82	.972	.950	.932	.918	.906	.895	.886	.879	.870	.863	.850	.838	.827	.806	
81	.967	.946	.925	.913	.899	.889	.878	.869	.862	.854	.840	.828	.816	.795	
80	.966	.940	.921	.906	.891	.881	.870	.862	.853	.845	.830	.818	.806	.781	
79	.964	.937	.915	.900	.884	.873	.863	.853	.844	.836	.821	.808	.794	.770	
78	.958	.932	.911	.895	.880	.866	.856	.845	.836	.827	.811	.797	.783	.757	
77	.957	.929	.905	.888	.873	.862	.848	.839	.827	.819	.802	.787	.772	.746	
76	.955	.927	.902	.884	.865	.853	.840	.829	.818	.809	.792	.774	.760	.733	
75	.954	.920	.896	.877	.860	.845	.830	.820	.809	.799	.781	.764	.749	.720	
74	.948	.918	.892	.869	.852	.837	.823	.811	.800	.790	.770	.754	.737	.708	
73	.946	.911	.885	.863	.845	.829	.816	.803	.790	.781	.760	.743	.726	.695	
72	.944	.908	.878	.858	.840	.824	.809	.794	.783	.772	.750	.732	.714	.682	
71	.938	.901	.874	.850	.831	.814	.799	.785	.772	.761	.739	.721	.701	.667	
70	.936	.899	.867	.843	.824	.807	.790	.776	.762	.751	.729	.707	.690	.654	
69	.935	.892	.859	.838	.815	.797	.782	.767	.753	.740	.717	.697	.678	.642	
68	.928	.884	.855	.829	.807	.789	.772	.756	.742	.731	.707	.684	.664	.628	
67	.925	.882	.847	.821	.797	.779	.763	.747	.732	.720	.694	.673	.652	.615	
66	.918	.873	.839	.813	.789	.770	.753	.737	.721	.710	.682	.661	.640	.601	
65	.917	.870	.835	.805	.783	.762	.744	.728	.712	.698	.671	.648	.628	.589	
64	.910	.863	.827	.800	.775	.753	.735	.717	.701	.686	.661	.636	.614	.576	
63	.907	.855	.819	.790	.766	.743	.724	.707	.691	.676	.649	.623	.603	.562	
62	.900	.851	.810	.783	.756	.734	.715	.697	.681	.665	.636	.610	.589	.549	

Maximum Premium Ratio:	1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size Group														
61	.898	.844	.807	.773	.748	.724	.704	.687	.670	.654	.625	.599	.575	.535
60	.890	.836	.798	.765	.738	.714	.695	.674	.657	.641	.612	.585	.562	.520
59	.888	.833	.790	.756	.730	.705	.684	.663	.646	.629	.598	.572	.549	.506
58	.881	.826	.781	.747	.719	.695	.674	.652	.635	.617	.587	.560	.536	.493
57	.879	.817	.772	.737	.710	.684	.661	.641	.624	.607	.574	.546	.522	.480
56	.871	.813	.763	.729	.700	.674	.650	.631	.609	.592	.561	.534	.509	.466
55	.863	.805	.754	.718	.690	.663	.639	.620	.598	.580	.548	.521	.495	.454
54	.860	.795	.745	.709	.680	.653	.628	.606	.587	.570	.536	.507	.482	.440
53	.851	.786	.736	.699	.665	.639	.617	.594	.572	.554	.522	.495	.470	.427
52	.842	.777	.725	.688	.656	.628	.603	.583	.561	.543	.510	.480	.457	.416
51	.833	.767	.716	.678	.645	.617	.591	.568	.549	.531	.498	.468	.444	.402
50	.825	.758	.706	.667	.633	.606	.580	.556	.534	.517	.483	.456	.429	.389
49	.822	.749	.696	.658	.623	.591	.565	.544	.522	.503	.470	.442	.417	.377
48	.813	.739	.685	.643	.608	.579	.553	.530	.510	.489	.457	.429	.405	.364
47	.803	.729	.675	.631	.596	.568	.541	.517	.495	.477	.444	.417	.390	.352
46	.795	.719	.664	.620	.585	.553	.526	.502	.482	.464	.432	.404	.379	.341
45	.786	.709	.648	.605	.569	.540	.514	.490	.467	.449	.417	.391	.369	.331
44	.775	.694	.638	.593	.556	.524	.499	.478	.455	.437	.406	.380	.357	.320
43	.766	.682	.621	.577	.541	.512	.486	.462	.443	.426	.394	.367	.347	.311
42	.757	.672	.610	.565	.530	.497	.471	.450	.428	.411	.379	.354	.333	.298
41	.747	.662	.600	.554	.514	.485	.459	.435	.415	.398	.367	.342	.320	.285
40	.737	.645	.589	.538	.502	.473	.446	.423	.401	.386	.354	.328	.306	.274
39	.727	.635	.572	.527	.490	.457	.431	.408	.389	.371	.340	.316	.295	.262
38	.717	.625	.561	.511	.474	.445	.419	.394	.376	.356	.328	.303	.282	.250
37	.700	.608	.544	.499	.462	.429	.403	.379	.361	.343	.314	.290	.270	.239
36	.689	.596	.533	.481	.445	.417	.390	.367	.349	.332	.301	.279	.258	.227
35	.671	.578	.515	.469	.428	.400	.375	.354	.334	.316	.289	.266	.247	.217
34	.653	.560	.497	.452	.416	.388	.362	.339	.321	.305	.276	.256	.236	.207
33	.642	.542	.484	.434	.399	.371	.346	.326	.306	.290	.264	.243	.225	.198
32	.623	.523	.466	.422	.386	.355	.334	.312	.294	.279	.253	.232	.215	.189
31	.605	.511	.449	.405	.370	.342	.318	.299	.282	.267	.243	.222	.207	.181
30	.586	.493	.431	.388	.357	.330	.306	.285	.268	.255	.230	.212	.197	.174
29	.568	.475	.418	.374	.340	.314	.291	.273	.257	.243	.220	.203	.189	.167
28	.549	.457	.401	.357	.324	.301	.279	.261	.244	.230	.207	.191	.177	.154
27	.537	.444	.384	.345	.311	.285	.262	.244	.229	.216	.193	.176	.160	.138
26	.519	.427	.371	.329	.295	.269	.249	.228	.215	.201	.178	.161	.145	.124
25	.499	.408	.353	.311	.281	.256	.233	.215	.200	.186	.165	.147	.133	.113
24	.480	.390	.335	.298	.265	.241	.222	.205	.189	.176	.157	.141	.128	.108
23	.454	.371	.317	.280	.253	.229	.210	.194	.179	.168	.149	.134	.122	.104
22	.435	.352	.299	.263	.237	.216	.196	.184	.171	.160	.141	.127	.116	.100
21	.408	.333	.285	.251	.225	.203	.186	.171	.161	.152	.134	.122	.112	.097
20	.388	.314	.268	.234	.209	.190	.174	.161	.151	.141	.125	.114	.105	.091
19	.377	.301	.251	.222	.196	.178	.162	.149	.139	.131	.116	.105	.097	.084
18	.358	.283	.238	.205	.181	.163	.148	.137	.127	.119	.106	.098	.090	.079
17	.339	.265	.221	.189	.169	.152	.137	.127	.117	.110	.098	.090	.083	.074
16	.319	.247	.204	.176	.154	.137	.127	.117	.108	.102	.091	.083	.078	.069
15	.300	.229	.190	.164	.143	.128	.117	.108	.101	.095	.086	.079	.074	.066
14	.291	.217	.174	.154	.134	.123	.112	.103	.097	.091	.083	.078	.072	.065
13	.275	.200	.163	.142	.129	.116	.107	.099	.094	.088	.081	.076	.071	.064
12	.263	.182	.152	.135	.121	.111	.102	.096	.089	.086	.079	.073	.069	.063
11	.246	.162	.138	.126	.114	.105	.098	.092	.086	.083	.076	.071	.068	.062
10	.235	.147	.129	.117	.107	.098	.093	.088	.083	.079	.074	.069	.066	.061
9	.216	.133	.119	.109	.101	.094	.088	.083	.079	.077	.072	.068	.065	.061
8	.189	.122	.111	.102	.095	.088	.083	.079	.077	.074	.069	.066	.063	.060
7	.160	.112	.101	.095	.088	.084	.079	.076	.074	.071	.067	.063	.062	.059
6	.131	.101	.095	.088	.083	.079	.076	.073	.070	.068	.064	.062	.061	.058
5	.131	.093	.087	.081	.078	.075	.071	.069	.067	.065	.062	.061	.059	.057



AMENDATORY SECTION (Amending Order 85-8, filed 2/28/85, effective 7/1/85)

WAC 296-17-91902 TABLE III.

RETROSPECTIVE RATING PLAN B  
BASIC PREMIUM RATIOS  
AND LOSS CONVERSION FACTORS

Effective ((for the coverage period beginning July 1, 1985, through June 30,) January 1, 1986

Maximum Premium Ratio:	1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size Group														
84 Basic Premium Ratio	.998	.996	.993	.991	.989	.987	.984	.982	.980	.978	.973	.969	.964	.956
Loss Conversion Factor	.002	.004	.007	.009	.011	.013	.016	.018	.020	.022	.027	.031	.036	.044
83 Basic Premium Ratio	.998	.995	.993	.990	.988	.985	.983	.980	.978	.975	.970	.966	.961	.951
Loss Conversion Factor	.002	.005	.007	.010	.012	.015	.017	.020	.022	.025	.030	.034	.039	.049
82 Basic Premium Ratio	.997	.995	.992	.989	.987	.984	.981	.978	.976	.973	.968	.962	.957	.946
Loss Conversion Factor	.003	.005	.008	.011	.013	.016	.019	.022	.024	.027	.032	.038	.043	.054
81 Basic Premium Ratio	.997	.994	.991	.988	.985	.982	.979	.976	.973	.970	.964	.959	.953	.941
Loss Conversion Factor	.003	.006	.009	.012	.015	.018	.021	.024	.027	.030	.036	.041	.047	.059
80 Basic Premium Ratio	.997	.994	.990	.987	.984	.981	.977	.974	.971	.968	.961	.955	.948	.935
Loss Conversion Factor	.003	.006	.010	.013	.016	.019	.023	.026	.029	.032	.039	.045	.052	.065
79 Basic Premium Ratio	.996	.993	.989	.986	.982	.979	.975	.972	.968	.965	.958	.951	.944	.930
Loss Conversion Factor	.004	.007	.011	.014	.018	.021	.025	.028	.032	.035	.042	.049	.056	.070
78 Basic Premium Ratio	.996	.992	.988	.984	.980	.976	.973	.969	.965	.961	.953	.945	.937	.922
Loss Conversion Factor	.004	.008	.012	.016	.020	.024	.027	.031	.035	.039	.047	.055	.063	.078
77 Basic Premium Ratio	.996	.991	.987	.982	.978	.973	.969	.964	.960	.955	.946	.937	.928	.910
Loss Conversion Factor	.004	.009	.013	.018	.022	.027	.031	.036	.040	.045	.054	.063	.072	.090
76 Basic Premium Ratio	.995	.990	.986	.981	.976	.971	.966	.961	.957	.952	.942	.932	.923	.904
Loss Conversion Factor	.005	.010	.014	.019	.024	.029	.034	.039	.043	.048	.058	.068	.077	.096
75 Basic Premium Ratio	.995	.990	.984	.979	.974	.969	.964	.958	.953	.948	.938	.927	.917	.896
Loss Conversion Factor	.005	.010	.016	.021	.026	.031	.036	.042	.047	.052	.062	.073	.083	.104
74 Basic Premium Ratio	.994	.989	.983	.977	.971	.966	.960	.954	.948	.943	.931	.920	.908	.885
Loss Conversion Factor	.006	.011	.017	.023	.029	.034	.040	.046	.052	.057	.069	.080	.092	.115
73 Basic Premium Ratio	.994	.987	.981	.974	.968	.962	.955	.949	.943	.936	.923	.911	.898	.872
Loss Conversion Factor	.006	.013	.019	.026	.032	.038	.045	.051	.057	.064	.077	.089	.102	.128
72 Basic Premium Ratio	.993	.986	.979	.972	.965	.958	.951	.944	.936	.929	.915	.901	.887	.859
Loss Conversion Factor	.007	.014	.021	.028	.035	.042	.049	.056	.064	.071	.085	.099	.113	.141
71 Basic Premium Ratio	.992	.984	.977	.969	.961	.953	.945	.938	.930	.922	.906	.891	.875	.844
Loss Conversion Factor	.008	.016	.023	.031	.039	.047	.055	.062	.070	.078	.094	.109	.125	.156
70 Basic Premium Ratio	.991	.983	.974	.966	.957	.948	.940	.931	.922	.914	.897	.879	.862	.828
Loss Conversion Factor	.009	.017	.026	.034	.043	.052	.060	.069	.078	.086	.103	.121	.138	.172
69 Basic Premium Ratio	.991	.981	.972	.962	.953	.944	.934	.925	.915	.906	.887	.869	.850	.812
Loss Conversion Factor	.009	.019	.028	.038	.047	.056	.066	.075	.085	.094	.113	.131	.150	.188
68 Basic Premium Ratio	.990	.980	.970	.960	.950	.940	.930	.920	.910	.900	.880	.860	.840	.800
Loss Conversion Factor	.010	.020	.030	.040	.050	.060	.070	.080	.090	.100	.120	.140	.160	.200
67 Basic Premium Ratio	.989	.979	.968	.957	.947	.936	.925	.915	.904	.893	.872	.851	.829	.787
Loss Conversion Factor	.011	.021	.032	.043	.053	.064	.075	.085	.096	.107	.128	.149	.171	.213
66 Basic Premium Ratio	.988	.977	.965	.954	.942	.931	.919	.908	.896	.885	.862	.839	.816	.770
Loss Conversion Factor	.012	.023	.035	.046	.058	.069	.081	.092	.104	.115	.138	.161	.184	.230
65 Basic Premium Ratio	.987	.975	.962	.950	.937	.925	.912	.900	.887	.875	.850	.825	.800	.750
Loss Conversion Factor	.013	.025	.038	.050	.063	.075	.088	.100	.113	.125	.150	.175	.200	.250
64 Basic Premium Ratio	.987	.973	.960	.946	.933	.919	.906	.892	.879	.865	.838	.811	.784	.731
Loss Conversion Factor	.013	.027	.040	.054	.067	.081	.094	.108	.121	.135	.162	.189	.216	.269
63 Basic Premium Ratio	.985	.971	.956	.942	.927	.913	.898	.884	.869	.855	.826	.797	.767	.709
Loss Conversion Factor	.015	.029	.044	.058	.073	.087	.102	.116	.131	.145	.174	.203	.233	.291
62 Basic Premium Ratio	.984	.969	.953	.938	.922	.906	.891	.875	.860	.844	.813	.781	.750	.688
Loss Conversion Factor	.016	.031	.047	.062	.078	.094	.109	.125	.140	.156	.187	.219	.250	.312
61 Basic Premium Ratio	.983	.966	.949	.932	.915	.898	.881	.864	.847	.830	.797	.763	.729	.661
Loss Conversion Factor	.017	.034	.051	.068	.085	.102	.119	.136	.153	.170	.203	.237	.271	.339

Maximum Premium Ratio:	1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size Group														
60	.982	.963	.945	.927	.908	.890	.872	.853	.835	.817	.780	.743	.707	.634
Loss Conversion Factor	.018	.037	.055	.073	.092	.110	.128	.147	.165	.183	.220	.257	.293	.366
59	.980	.960	.941	.921	.901	.881	.861	.842	.822	.802	.762	.723	.683	.604
Loss Conversion Factor	.020	.040	.059	.079	.099	.119	.139	.158	.178	.198	.238	.277	.317	.396
58	.979	.958	.936	.915	.894	.873	.851	.830	.809	.788	.745	.703	.660	.576
Loss Conversion Factor	.021	.042	.064	.085	.106	.127	.149	.170	.191	.212	.255	.297	.340	.424
57	.977	.954	.931	.909	.886	.863	.840	.817	.794	.771	.726	.680	.634	.543
Loss Conversion Factor	.023	.046	.069	.091	.114	.137	.160	.183	.206	.229	.274	.320	.366	.457
56	.976	.951	.927	.902	.878	.853	.829	.804	.780	.755	.706	.657	.608	.510
Loss Conversion Factor	.024	.049	.073	.098	.122	.147	.171	.196	.220	.245	.294	.343	.392	.490
55	.974	.948	.922	.896	.869	.843	.817	.791	.765	.739	.687	.635	.582	.478
Loss Conversion Factor	.026	.052	.078	.104	.131	.157	.183	.209	.235	.261	.313	.365	.418	.522
54	.972	.944	.916	.888	.860	.831	.803	.775	.747	.719	.663	.607	.550	.438
Loss Conversion Factor	.028	.056	.084	.112	.140	.169	.197	.225	.253	.281	.337	.393	.450	.562
53	.970	.940	.910	.880	.850	.820	.790	.760	.730	.701	.641	.581	.521	.401
Loss Conversion Factor	.030	.060	.090	.120	.150	.180	.210	.240	.270	.299	.359	.419	.479	.599
52	.968	.936	.904	.872	.840	.808	.776	.743	.711	.679	.615	.551	.487	.359
Loss Conversion Factor	.032	.064	.096	.128	.160	.192	.224	.257	.289	.321	.385	.449	.513	.641
51	.965	.931	.896	.862	.827	.793	.758	.724	.689	.655	.586	.517	.448	.310
Loss Conversion Factor	.035	.069	.104	.138	.173	.207	.242	.276	.311	.345	.414	.483	.552	.690
50	.963	.926	.889	.852	.816	.779	.742	.705	.668	.631	.557	.484	.410	.262
Loss Conversion Factor	.037	.074	.111	.148	.184	.221	.258	.295	.332	.369	.443	.516	.590	.738
49	.960	.921	.881	.842	.802	.762	.723	.683	.644	.604	.525	.446	.366	.208
Loss Conversion Factor	.040	.079	.119	.158	.198	.238	.277	.317	.356	.396	.475	.554	.634	.792
48	.958	.915	.873	.830	.788	.745	.703	.660	.618	.576	.491	.406	.321	.151
Loss Conversion Factor	.042	.085	.127	.170	.212	.255	.297	.340	.382	.424	.509	.594	.679	.849
47	.954	.909	.863	.817	.771	.726	.680	.634	.588	.543	.451	.360	.268	.085
Loss Conversion Factor	.046	.091	.137	.183	.229	.274	.320	.366	.412	.457	.549	.640	.732	.915
46	.951	.902	.852	.803	.754	.705	.656	.607	.557	.508	.410	.312	.213	.017
Loss Conversion Factor	.049	.098	.148	.197	.246	.295	.344	.393	.443	.492	.590	.688	.787	.983
45	.947	.894	.841	.788	.735	.682	.629	.576	.523	.470	.364	.258	.152	.000
Loss Conversion Factor	.053	.106	.159	.212	.265	.318	.371	.424	.477	.530	.636	.742	.848	.975
44	.943	.886	.829	.772	.715	.657	.600	.543	.486	.429	.315	.201	.086	.000
Loss Conversion Factor	.057	.114	.171	.228	.285	.343	.400	.457	.514	.571	.685	.799	.914	.944
43	.939	.877	.816	.754	.693	.631	.570	.508	.447	.385	.262	.140	.017	.000
Loss Conversion Factor	.061	.123	.184	.246	.307	.369	.430	.492	.553	.615	.738	.860	.983	.917
42	.933	.867	.800	.734	.667	.601	.534	.468	.401	.335	.202	.068	.000	.000
Loss Conversion Factor	.067	.133	.200	.266	.333	.399	.466	.532	.599	.665	.798	.932	.973	.892
41	.928	.856	.784	.712	.640	.568	.496	.424	.352	.280	.137	.000	.000	.000
Loss Conversion Factor	.072	.144	.216	.288	.360	.432	.504	.576	.648	.720	.863	.997	.942	.868
40	.922	.845	.767	.689	.612	.534	.457	.379	.301	.224	.068	.000	.000	.000
Loss Conversion Factor	.078	.155	.233	.311	.388	.466	.543	.621	.699	.776	.932	.964	.912	.843
39	.916	.831	.747	.663	.579	.494	.410	.326	.241	.157	.000	.000	.000	.000
Loss Conversion Factor	.084	.169	.253	.337	.421	.506	.590	.674	.759	.843	.993	.933	.886	.823
38	.909	.817	.726	.634	.543	.451	.360	.268	.177	.085	.000	.000	.000	.000
Loss Conversion Factor	.091	.183	.274	.366	.457	.549	.640	.732	.823	.915	.961	.903	.862	.803
37	.901	.802	.703	.603	.504	.405	.306	.207	.108	.008	.000	.000	.000	.000
Loss Conversion Factor	.099	.198	.297	.397	.496	.595	.694	.793	.892	.992	.930	.877	.838	.785
36	.892	.783	.675	.567	.459	.350	.242	.134	.026	.000	.000	.000	.000	.000
Loss Conversion Factor	.108	.217	.325	.433	.541	.650	.758	.866	.974	.967	.902	.854	.819	.768
35	.882	.764	.646	.528	.410	.292	.174	.056	.000	.000	.000	.000	.000	.000
Loss Conversion Factor	.118	.236	.354	.472	.590	.708	.826	.944	.971	.933	.874	.830	.798	.754
34	.870	.741	.611	.481	.352	.222	.092	.000	.000	.000	.000	.000	.000	.000
Loss Conversion Factor	.130	.259	.389	.519	.648	.778	.908	.984	.939	.901	.850	.810	.781	.741
33	.856	.712	.568	.424	.280	.137	.000	.000	.000	.000	.000	.000	.000	.000
Loss Conversion Factor	.144	.288	.432	.576	.720	.863	.998	.947	.907	.875	.825	.790	.764	.727

Maximum Premium Ratio:	1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size Group														
32	Basic Premium Ratio	.841	.681	.522	.362	.203	.043	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.159	.319	.478	.638	.797	.957	.959	.914	.878	.850	.805	.774	.749
31	Basic Premium Ratio	.824	.649	.473	.298	.122	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.176	.351	.527	.702	.878	.978	.926	.886	.855	.828	.786	.758	.736
30	Basic Premium Ratio	.803	.607	.410	.213	.017	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.197	.393	.590	.787	.983	.944	.896	.860	.831	.807	.770	.743	.723
29	Basic Premium Ratio	.780	.560	.340	.119	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.220	.440	.660	.881	.967	.913	.870	.835	.809	.788	.755	.732	.713
28	Basic Premium Ratio	.754	.508	.262	.017	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.246	.492	.738	.983	.933	.882	.843	.813	.790	.769	.739	.717	.700
27	Basic Premium Ratio	.723	.447	.170	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.277	.553	.830	.971	.903	.856	.820	.792	.770	.751	.721	.701	.684
26	Basic Premium Ratio	.689	.379	.068	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.311	.621	.932	.937	.875	.833	.798	.771	.750	.733	.705	.686	.670
25	Basic Premium Ratio	.646	.292	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.354	.708	.983	.903	.848	.807	.776	.752	.733	.716	.691	.672	.658
24	Basic Premium Ratio	.595	.190	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.405	.810	.943	.871	.820	.784	.758	.736	.719	.704	.681	.664	.652
23	Basic Premium Ratio	.520	.040	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.480	.960	.905	.839	.797	.765	.740	.722	.706	.691	.672	.658	.647
22	Basic Premium Ratio	.426	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.574	.960	.871	.814	.774	.747	.725	.707	.694	.682	.664	.651	.642
21	Basic Premium Ratio	.262	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.738	.916	.839	.788	.754	.730	.711	.696	.682	.673	.657	.645	.637
20	Basic Premium Ratio	.092	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.908	.882	.812	.769	.738	.714	.697	.683	.671	.663	.650	.638	.630
19	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.983	.854	.791	.748	.720	.698	.683	.671	.661	.652	.640	.631	.624
18	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.954	.829	.768	.731	.704	.685	.670	.660	.651	.643	.633	.624	.618
17	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.917	.804	.748	.713	.689	.673	.659	.649	.641	.635	.625	.618	.614
16	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.874	.778	.729	.698	.677	.661	.649	.640	.634	.628	.619	.613	.609
15	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.845	.757	.710	.683	.664	.651	.641	.633	.627	.622	.614	.611	.606
14	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.832	.742	.695	.671	.656	.645	.636	.630	.623	.619	.613	.608	.605
13	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.818	.727	.678	.661	.649	.639	.632	.626	.621	.617	.610	.606	.604
12	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.802	.709	.666	.653	.642	.634	.627	.622	.618	.614	.609	.604	.603
11	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.786	.689	.656	.645	.636	.629	.623	.619	.615	.612	.607	.603	.601
10	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.768	.671	.646	.638	.630	.625	.619	.616	.612	.609	.605	.602	.600
9	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.750	.648	.639	.632	.625	.620	.616	.613	.610	.607	.603	.601	.599
8	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.727	.639	.631	.626	.620	.616	.612	.610	.607	.605	.602	.600	.597
7	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.699	.630	.624	.619	.616	.612	.609	.607	.605	.603	.600	.598	.597
6	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.670	.623	.619	.614	.611	.608	.606	.604	.602	.601	.599	.597	.596
5	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.630	.617	.613	.610	.607	.605	.604	.601	.600	.599	.598	.596	.594

Maximum Premium Ratio:		1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size Group															
84	Basic Premium Ratio	.998	.997	.995	.993	.992	.990	.988	.987	.985	.983	.980	.977	.974	.967
	Loss Conversion Factor	.002	.003	.005	.007	.008	.010	.012	.013	.015	.017	.020	.023	.026	.033
83	Basic Premium Ratio	.998	.996	.995	.993	.991	.989	.987	.986	.984	.982	.978	.975	.971	.964
	Loss Conversion Factor	.002	.004	.005	.007	.009	.011	.013	.014	.016	.018	.022	.025	.029	.036
82	Basic Premium Ratio	.998	.996	.994	.992	.990	.988	.986	.984	.982	.980	.977	.973	.969	.961
	Loss Conversion Factor	.002	.004	.006	.008	.010	.012	.014	.016	.018	.020	.023	.027	.031	.039
81	Basic Premium Ratio	.998	.996	.994	.991	.989	.987	.985	.983	.981	.979	.974	.970	.966	.957
	Loss Conversion Factor	.002	.004	.006	.009	.011	.013	.015	.017	.019	.021	.026	.030	.034	.043
80	Basic Premium Ratio	.998	.995	.993	.991	.989	.986	.984	.982	.980	.977	.973	.968	.964	.955
	Loss Conversion Factor	.002	.005	.007	.009	.011	.014	.016	.018	.020	.023	.027	.032	.036	.045
79	Basic Premium Ratio	.998	.995	.993	.990	.988	.986	.983	.981	.978	.976	.971	.966	.961	.952
	Loss Conversion Factor	.002	.005	.007	.010	.012	.014	.017	.019	.022	.024	.029	.034	.039	.048
78	Basic Premium Ratio	.997	.995	.992	.989	.987	.984	.982	.979	.976	.974	.968	.963	.958	.947
	Loss Conversion Factor	.003	.005	.008	.011	.013	.016	.018	.021	.024	.026	.032	.037	.042	.053
77	Basic Premium Ratio	.997	.994	.991	.988	.985	.982	.979	.976	.973	.971	.965	.959	.953	.941
	Loss Conversion Factor	.003	.006	.009	.012	.015	.018	.021	.024	.027	.029	.035	.041	.047	.059
76	Basic Premium Ratio	.997	.994	.991	.988	.985	.982	.979	.975	.972	.969	.963	.957	.951	.939
	Loss Conversion Factor	.003	.006	.009	.012	.015	.018	.021	.025	.028	.031	.037	.043	.049	.061
75	Basic Premium Ratio	.997	.994	.990	.987	.984	.981	.978	.975	.971	.968	.962	.956	.949	.937
	Loss Conversion Factor	.003	.006	.010	.013	.016	.019	.022	.025	.029	.032	.038	.044	.051	.063
74	Basic Premium Ratio	.997	.993	.990	.986	.983	.979	.976	.972	.969	.965	.959	.952	.945	.931
	Loss Conversion Factor	.003	.007	.010	.014	.017	.021	.024	.028	.031	.035	.041	.048	.055	.069
73	Basic Premium Ratio	.996	.993	.989	.985	.981	.978	.974	.970	.966	.963	.955	.948	.940	.925
	Loss Conversion Factor	.004	.007	.011	.015	.019	.022	.026	.030	.034	.037	.045	.052	.060	.075
72	Basic Premium Ratio	.996	.992	.988	.983	.979	.975	.971	.967	.963	.959	.950	.942	.934	.917
	Loss Conversion Factor	.004	.008	.012	.017	.021	.025	.029	.033	.037	.041	.050	.058	.066	.083
71	Basic Premium Ratio	.995	.991	.986	.982	.977	.972	.968	.963	.958	.954	.945	.935	.926	.908
	Loss Conversion Factor	.005	.009	.014	.018	.023	.028	.032	.037	.042	.046	.055	.065	.074	.092
70	Basic Premium Ratio	.995	.990	.985	.980	.974	.969	.964	.959	.954	.949	.939	.928	.918	.898
	Loss Conversion Factor	.005	.010	.015	.020	.026	.031	.036	.041	.046	.051	.061	.072	.082	.102
69	Basic Premium Ratio	.994	.989	.983	.978	.972	.967	.961	.956	.950	.945	.933	.922	.911	.889
	Loss Conversion Factor	.006	.011	.017	.022	.028	.033	.039	.044	.050	.055	.067	.078	.089	.111
68	Basic Premium Ratio	.994	.988	.982	.977	.971	.965	.959	.953	.947	.941	.930	.918	.906	.883
	Loss Conversion Factor	.006	.012	.018	.023	.029	.035	.041	.047	.053	.059	.070	.082	.094	.117
67	Basic Premium Ratio	.994	.988	.981	.975	.969	.963	.957	.950	.944	.938	.926	.913	.901	.876
	Loss Conversion Factor	.006	.012	.019	.025	.031	.037	.043	.050	.056	.062	.074	.087	.099	.124
66	Basic Premium Ratio	.993	.987	.980	.973	.966	.960	.953	.946	.939	.933	.919	.906	.892	.865
	Loss Conversion Factor	.007	.013	.020	.027	.034	.040	.047	.054	.061	.067	.081	.094	.108	.135
65	Basic Premium Ratio	.993	.985	.978	.971	.964	.956	.949	.942	.935	.927	.913	.898	.884	.855
	Loss Conversion Factor	.007	.015	.022	.029	.036	.044	.051	.058	.065	.073	.087	.102	.116	.145
64	Basic Premium Ratio	.992	.984	.977	.969	.961	.953	.946	.938	.930	.922	.907	.891	.875	.844
	Loss Conversion Factor	.008	.016	.023	.031	.039	.047	.054	.062	.070	.078	.093	.109	.125	.156
63	Basic Premium Ratio	.992	.983	.975	.967	.959	.950	.942	.934	.925	.917	.900	.884	.867	.834
	Loss Conversion Factor	.008	.017	.025	.033	.041	.050	.058	.066	.075	.083	.100	.116	.133	.166
62	Basic Premium Ratio	.991	.982	.973	.964	.956	.947	.938	.929	.920	.911	.893	.876	.858	.822
	Loss Conversion Factor	.009	.018	.027	.036	.044	.053	.062	.071	.080	.089	.107	.124	.142	.178
61	Basic Premium Ratio	.990	.981	.971	.962	.952	.943	.933	.923	.914	.904	.885	.866	.847	.808
	Loss Conversion Factor	.010	.019	.029	.038	.048	.057	.067	.077	.086	.096	.115	.134	.153	.192
60	Basic Premium Ratio	.990	.979	.969	.958	.948	.937	.927	.917	.906	.896	.875	.854	.833	.791
	Loss Conversion Factor	.010	.021	.031	.042	.052	.063	.073	.083	.094	.104	.125	.146	.167	.209
59	Basic Premium Ratio	.989	.977	.966	.955	.943	.932	.920	.909	.898	.886	.864	.841	.818	.773
	Loss Conversion Factor	.011	.023	.034	.045	.057	.068	.080	.091	.102	.114	.136	.159	.182	.227
58	Basic Premium Ratio	.988	.975	.963	.951	.938	.926	.914	.901	.889	.877	.852	.827	.803	.753
	Loss Conversion Factor	.012	.025	.037	.049	.062	.074	.086	.099	.111	.123	.148	.173	.197	.247
57	Basic Premium Ratio	.987	.973	.960	.946	.933	.919	.906	.893	.879	.866	.839	.812	.785	.732
	Loss Conversion Factor	.013	.027	.040	.054	.067	.081	.094	.107	.121	.134	.161	.188	.215	.268

Maximum Premium Ratio:		1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size Group															
56	Basic Premium Ratio	.986	.971	.957	.942	.928	.913	.899	.884	.870	.855	.826	.797	.768	.710
	Loss Conversion Factor	.014	.029	.043	.058	.072	.087	.101	.116	.130	.145	.174	.203	.232	.290
55	Basic Premium Ratio	.984	.969	.953	.938	.922	.906	.891	.875	.860	.844	.813	.782	.750	.688
	Loss Conversion Factor	.016	.031	.047	.062	.078	.094	.109	.125	.140	.156	.187	.218	.250	.312
54	Basic Premium Ratio	.983	.967	.950	.933	.917	.900	.883	.867	.850	.833	.800	.767	.733	.667
	Loss Conversion Factor	.017	.033	.050	.067	.083	.100	.117	.133	.150	.167	.200	.233	.267	.333
53	Basic Premium Ratio	.982	.964	.947	.929	.911	.893	.876	.858	.840	.822	.787	.751	.717	.646
	Loss Conversion Factor	.018	.036	.053	.071	.089	.107	.124	.142	.160	.178	.213	.249	.283	.354
52	Basic Premium Ratio	.981	.962	.943	.924	.905	.887	.868	.849	.830	.811	.773	.735	.697	.622
	Loss Conversion Factor	.019	.038	.057	.076	.095	.113	.132	.151	.170	.189	.227	.265	.303	.378
51	Basic Premium Ratio	.980	.960	.940	.919	.899	.879	.859	.839	.819	.798	.758	.718	.677	.597
	Loss Conversion Factor	.020	.040	.060	.081	.101	.121	.141	.161	.181	.202	.242	.282	.323	.403
50	Basic Premium Ratio	.978	.957	.935	.913	.891	.870	.848	.826	.804	.783	.739	.696	.652	.565
	Loss Conversion Factor	.022	.043	.065	.087	.109	.130	.152	.174	.196	.217	.261	.304	.348	.435
49	Basic Premium Ratio	.977	.954	.930	.907	.884	.861	.837	.814	.791	.768	.721	.675	.628	.535
	Loss Conversion Factor	.023	.046	.070	.093	.116	.139	.163	.186	.209	.232	.279	.326	.372	.465
48	Basic Premium Ratio	.975	.950	.926	.901	.876	.851	.826	.801	.777	.752	.702	.652	.603	.503
	Loss Conversion Factor	.025	.050	.074	.099	.124	.149	.174	.199	.223	.248	.298	.348	.397	.497
47	Basic Premium Ratio	.973	.947	.920	.893	.867	.840	.814	.787	.760	.734	.680	.627	.574	.467
	Loss Conversion Factor	.027	.053	.080	.107	.133	.160	.186	.213	.240	.266	.320	.373	.426	.533
46	Basic Premium Ratio	.972	.943	.915	.887	.859	.830	.802	.774	.745	.717	.660	.604	.547	.434
	Loss Conversion Factor	.028	.057	.085	.113	.141	.170	.198	.226	.255	.283	.340	.396	.453	.566
45	Basic Premium Ratio	.970	.940	.910	.880	.850	.820	.790	.760	.730	.700	.640	.579	.519	.399
	Loss Conversion Factor	.030	.060	.090	.120	.150	.180	.210	.240	.270	.300	.360	.421	.481	.601
44	Basic Premium Ratio	.960	.936	.904	.872	.840	.808	.776	.744	.712	.680	.616	.552	.488	.360
	Loss Conversion Factor	.032	.064	.096	.128	.160	.192	.224	.256	.288	.320	.384	.448	.512	.640
43	Basic Premium Ratio	.966	.932	.898	.864	.829	.795	.761	.727	.693	.659	.591	.522	.454	.318
	Loss Conversion Factor	.034	.068	.102	.136	.171	.205	.239	.273	.307	.341	.409	.478	.546	.682
42	Basic Premium Ratio	.963	.926	.889	.853	.816	.779	.742	.705	.668	.631	.558	.484	.410	.263
	Loss Conversion Factor	.037	.074	.111	.147	.184	.221	.258	.295	.332	.369	.442	.516	.590	.737
41	Basic Premium Ratio	.960	.920	.880	.840	.799	.759	.719	.679	.639	.599	.519	.438	.358	.198
	Loss Conversion Factor	.040	.080	.120	.160	.201	.241	.281	.321	.361	.401	.481	.562	.642	.802
40	Basic Premium Ratio	.957	.913	.870	.826	.783	.739	.696	.652	.609	.565	.479	.392	.305	.131
	Loss Conversion Factor	.043	.087	.130	.174	.217	.261	.304	.348	.391	.435	.521	.608	.695	.869
39	Basic Premium Ratio	.953	.906	.859	.812	.765	.717	.670	.623	.576	.529	.435	.341	.246	.058
	Loss Conversion Factor	.047	.094	.141	.188	.235	.283	.330	.377	.424	.471	.565	.659	.754	.942
38	Basic Premium Ratio	.949	.898	.847	.796	.745	.694	.643	.592	.541	.490	.387	.285	.183	.000
	Loss Conversion Factor	.051	.102	.153	.204	.255	.306	.357	.408	.459	.510	.613	.715	.817	.993
37	Basic Premium Ratio	.944	.889	.833	.777	.721	.666	.610	.554	.498	.443	.331	.220	.108	.000
	Loss Conversion Factor	.056	.111	.167	.223	.279	.334	.390	.446	.502	.557	.669	.780	.892	.971
36	Basic Premium Ratio	.940	.880	.820	.761	.701	.641	.581	.521	.461	.402	.282	.162	.043	.000
	Loss Conversion Factor	.060	.120	.180	.239	.299	.359	.419	.479	.539	.598	.718	.838	.957	.951
35	Basic Premium Ratio	.935	.870	.804	.739	.674	.609	.544	.479	.413	.348	.218	.087	.000	.000
	Loss Conversion Factor	.065	.130	.196	.261	.326	.391	.456	.521	.587	.652	.782	.913	.988	.933
34	Basic Premium Ratio	.929	.858	.787	.717	.646	.575	.504	.433	.362	.291	.150	.008	.000	.000
	Loss Conversion Factor	.071	.142	.213	.283	.354	.425	.496	.567	.638	.709	.850	.992	.968	.916
33	Basic Premium Ratio	.922	.845	.767	.689	.612	.534	.456	.379	.301	.223	.068	.000	.000	.000
	Loss Conversion Factor	.078	.155	.233	.311	.388	.466	.544	.621	.699	.777	.932	.977	.945	.900
32	Basic Premium Ratio	.916	.832	.747	.663	.579	.495	.410	.326	.242	.158	.000	.000	.000	.000
	Loss Conversion Factor	.084	.168	.253	.337	.421	.505	.590	.674	.758	.842	.997	.958	.927	.885
31	Basic Premium Ratio	.908	.816	.724	.632	.540	.448	.356	.264	.172	.080	.000	.000	.000	.000
	Loss Conversion Factor	.092	.184	.276	.368	.460	.552	.644	.736	.828	.920	.972	.937	.911	.873
30	Basic Premium Ratio	.900	.799	.699	.598	.498	.397	.297	.196	.096	.000	.000	.000	.000	.000
	Loss Conversion Factor	.100	.201	.301	.402	.502	.603	.703	.804	.904	.999	.953	.920	.895	.862
29	Basic Premium Ratio	.889	.779	.668	.558	.447	.336	.226	.115	.005	.000	.000	.000	.000	.000
	Loss Conversion Factor	.111	.221	.332	.442	.553	.664	.774	.885	.995	.974	.934	.906	.882	.851

Maximum Premium Ratio:		1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size Group															
28	Basic Premium Ratio	.878	.757	.635	.513	.392	.270	.148	.027	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.122	.243	.365	.487	.608	.730	.852	.973	.977	.952	.915	.887	.865	.838
27	Basic Premium Ratio	.865	.730	.594	.459	.324	.189	.054	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.135	.270	.406	.541	.676	.811	.946	.981	.952	.929	.893	.866	.847	.819
26	Basic Premium Ratio	.849	.699	.548	.398	.247	.097	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.151	.301	.452	.602	.753	.903	.988	.954	.929	.906	.873	.849	.829	.802
25	Basic Premium Ratio	.832	.664	.497	.329	.161	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.168	.336	.503	.671	.839	.999	.961	.930	.906	.885	.855	.832	.814	.790
24	Basic Premium Ratio	.812	.624	.436	.247	.059	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.188	.376	.564	.753	.941	.971	.938	.911	.889	.874	.843	.822	.807	.785
23	Basic Premium Ratio	.788	.576	.363	.151	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.212	.424	.637	.849	.986	.947	.915	.892	.873	.856	.832	.814	.800	.781
22	Basic Premium Ratio	.757	.513	.270	.027	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.243	.487	.730	.973	.958	.924	.898	.875	.858	.844	.822	.806	.793	.777
21	Basic Premium Ratio	.719	.438	.158	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.281	.562	.842	.976	.933	.904	.880	.861	.844	.832	.813	.799	.788	.771
20	Basic Premium Ratio	.674	.348	.022	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.326	.652	.978	.952	.913	.884	.862	.846	.831	.820	.803	.790	.780	.766
19	Basic Premium Ratio	.622	.245	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.378	.755	.979	.926	.891	.865	.845	.831	.818	.807	.792	.780	.772	.760
18	Basic Premium Ratio	.562	.124	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.438	.876	.951	.904	.871	.849	.830	.816	.805	.796	.782	.772	.764	.755
17	Basic Premium Ratio	.479	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.521	.995	.926	.883	.853	.832	.816	.803	.794	.786	.773	.765	.759	.750
16	Basic Premium Ratio	.374	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.626	.962	.902	.863	.837	.818	.803	.793	.784	.777	.767	.759	.753	.746
15	Basic Premium Ratio	.226	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.774	.943	.879	.844	.822	.806	.793	.783	.775	.770	.760	.755	.749	.743
14	Basic Premium Ratio	.148	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.852	.918	.859	.830	.812	.798	.787	.779	.771	.766	.757	.752	.748	.742
13	Basic Premium Ratio	.058	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.942	.899	.839	.818	.803	.791	.782	.775	.767	.764	.755	.750	.746	.741
12	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.992	.877	.825	.808	.795	.784	.776	.770	.764	.760	.753	.748	.745	.740
11	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.972	.861	.811	.798	.787	.778	.771	.766	.761	.757	.751	.747	.743	.739
10	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.950	.831	.799	.789	.780	.773	.766	.761	.757	.754	.749	.745	.742	.738
9	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.930	.802	.791	.782	.773	.767	.762	.758	.754	.752	.747	.743	.741	.737
8	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.899	.791	.781	.774	.767	.762	.758	.754	.751	.749	.744	.742	.740	.736
7	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.865	.780	.773	.767	.762	.757	.754	.751	.748	.747	.743	.740	.739	.736
6	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.829	.773	.766	.760	.757	.752	.750	.747	.745	.744	.741	.739	.737	.735
5	Basic Premium Ratio	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Loss Conversion Factor	.779	.763	.758	.755	.751	.749	.747	.744	.742	.741	.738	.737	.736	.735

NEW SECTION

WAC 296-17-91903 TABLE IV.

RETROSPECTIVE RATING PLAN A1  
 MINIMUM PREMIUM RATIOS  
 BASIC PREMIUM RATIO = .052  
 LOSS CONVERSION FACTOR = .692  
 Effective January 1, 1986

Maximum Premium Ratio:	1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size Group														
84	.996	.990	.986	.982	.978	.973	.969	.966	.961	.957	.949	.941	.933	.919
83	.996	.989	.985	.981	.976	.971	.967	.963	.958	.954	.945	.936	.928	.913
82	.995	.989	.984	.979	.974	.969	.964	.960	.955	.950	.941	.932	.924	.908
81	.995	.988	.983	.978	.973	.966	.962	.957	.952	.947	.937	.927	.919	.902
80	.995	.987	.981	.976	.971	.964	.959	.955	.949	.944	.934	.923	.914	.896
79	.994	.986	.980	.975	.969	.962	.957	.952	.946	.940	.930	.919	.909	.891
78	.994	.985	.979	.973	.967	.960	.954	.949	.943	.937	.926	.914	.904	.885
77	.993	.984	.978	.972	.965	.958	.952	.946	.940	.933	.922	.910	.900	.880
76	.993	.984	.977	.970	.964	.956	.949	.943	.937	.930	.918	.905	.895	.874
75	.993	.983	.976	.969	.962	.953	.947	.941	.934	.914	.906	.901	.890	.868
74	.992	.982	.975	.967	.960	.951	.944	.938	.931	.923	.910	.896	.885	.863
73	.992	.981	.973	.966	.958	.949	.942	.935	.928	.920	.906	.892	.880	.857
72	.991	.980	.972	.965	.956	.947	.939	.932	.925	.916	.902	.888	.876	.851
71	.991	.980	.971	.963	.955	.945	.937	.929	.922	.913	.899	.883	.871	.846
70	.991	.979	.970	.962	.953	.942	.934	.927	.919	.910	.895	.879	.866	.840
69	.990	.978	.969	.960	.951	.940	.932	.924	.916	.906	.891	.874	.861	.834
68	.990	.977	.968	.959	.949	.938	.929	.921	.913	.903	.887	.870	.856	.829
67	.989	.976	.967	.957	.948	.936	.927	.918	.910	.899	.883	.866	.851	.823
66	.989	.976	.966	.956	.946	.934	.924	.915	.907	.896	.879	.861	.847	.817
65	.989	.975	.964	.954	.944	.932	.921	.913	.903	.893	.875	.857	.842	.812
64	.988	.974	.963	.953	.942	.929	.919	.910	.900	.889	.871	.852	.837	.806
63	.988	.973	.962	.951	.940	.927	.916	.907	.897	.886	.867	.848	.832	.801
62	.987	.972	.961	.950	.939	.925	.914	.904	.894	.882	.864	.844	.827	.795
61	.987	.971	.960	.948	.937	.923	.911	.901	.891	.879	.860	.839	.823	.789
60	.987	.971	.959	.947	.935	.921	.909	.899	.888	.875	.856	.835	.818	.784
59	.986	.970	.958	.945	.933	.918	.906	.896	.885	.872	.852	.830	.813	.778
58	.986	.969	.957	.944	.931	.916	.904	.893	.882	.869	.848	.826	.808	.772
57	.985	.968	.955	.942	.930	.914	.901	.890	.879	.865	.844	.821	.803	.767
56	.985	.967	.954	.941	.928	.912	.899	.887	.876	.862	.840	.817	.798	.761
55	.985	.967	.953	.940	.926	.910	.896	.885	.873	.859	.836	.813	.794	.757
54	.984	.966	.952	.938	.924	.908	.894	.882	.870	.856	.834	.810	.791	.753
53	.984	.965	.951	.937	.922	.905	.892	.880	.867	.853	.831	.807	.787	.750
52	.983	.964	.950	.935	.921	.903	.890	.878	.864	.851	.828	.804	.784	.746
51	.983	.963	.949	.934	.919	.901	.888	.875	.862	.848	.825	.801	.781	.742
50	.983	.963	.948	.932	.917	.899	.886	.873	.859	.845	.822	.798	.778	.739
49	.982	.962	.946	.931	.915	.897	.883	.871	.857	.843	.819	.795	.774	.735
48	.982	.961	.945	.929	.913	.895	.881	.868	.855	.840	.816	.792	.771	.732
47	.981	.960	.944	.928	.912	.894	.879	.866	.852	.837	.813	.789	.768	.728
46	.981	.959	.943	.926	.910	.892	.877	.863	.850	.835	.810	.786	.765	.725
45	.981	.958	.942	.925	.909	.890	.875	.861	.847	.832	.807	.783	.761	.721
44	.980	.958	.941	.923	.907	.888	.873	.859	.845	.829	.804	.780	.758	.718
43	.980	.957	.940	.922	.905	.886	.871	.856	.843	.827	.801	.777	.755	.714
42	.980	.956	.939	.921	.904	.884	.869	.854	.840	.824	.798	.774	.752	.710
41	.979	.956	.937	.919	.902	.882	.867	.852	.838	.821	.796	.771	.748	.707
40	.979	.955	.936	.918	.901	.881	.865	.849	.835	.819	.793	.768	.745	.703
39	.979	.954	.935	.916	.899	.879	.863	.847	.833	.816	.790	.765	.742	.700
38	.978	.954	.934	.915	.897	.877	.860	.845	.831	.813	.787	.762	.739	.696
37	.978	.953	.933	.914	.896	.875	.858	.842	.828	.811	.784	.759	.735	.693
36	.978	.952	.932	.912	.894	.873	.856	.840	.826	.808	.781	.756	.732	.689
35	.978	.951	.930	.911	.892	.871	.854	.838	.824	.806	.779	.754	.730	.687
34	.977	.950	.929	.909	.891	.870	.852	.836	.822	.804	.777	.752	.728	.686
33	.977	.950	.928	.908	.889	.868	.850	.834	.820	.802	.775	.750	.726	.684
32	.976	.949	.927	.906	.887	.866	.848	.832	.818	.799	.772	.748	.724	.682
31	.976	.948	.926	.905	.886	.865	.847	.830	.816	.797	.770	.746	.722	.681
30	.975	.947	.925	.904	.884	.863	.845	.828	.814	.795	.768	.744	.719	.679
29	.975	.946	.924	.902	.882	.861	.843	.826	.812	.793	.766	.742	.717	.677
28	.974	.946	.923	.901	.881	.859	.841	.824	.810	.791	.764	.740	.715	.675

Maximum Premium Ratio:	1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size Group														
27	.974	.945	.922	.899	.879	.858	.839	.822	.808	.789	.762	.738	.713	.674
26	.974	.944	.921	.898	.878	.856	.837	.821	.806	.787	.760	.736	.711	.672
25	.973	.943	.919	.897	.876	.854	.835	.819	.803	.784	.757	.733	.709	.670
24	.973	.942	.918	.895	.874	.853	.833	.817	.801	.782	.755	.731	.707	.669
23	.972	.942	.917	.894	.873	.851	.831	.815	.799	.780	.753	.729	.705	.667
22	.972	.941	.916	.892	.871	.849	.829	.813	.797	.778	.751	.727	.703	.665
21	.971	.940	.915	.891	.869	.848	.828	.811	.795	.776	.749	.725	.701	.664
20	.971	.939	.914	.890	.868	.846	.826	.809	.793	.774	.747	.723	.698	.662
19	.970	.938	.913	.888	.866	.844	.824	.807	.791	.771	.744	.721	.696	.660
18	.970	.938	.912	.887	.864	.842	.822	.805	.789	.769	.742	.719	.694	.658
17	.969	.937	.911	.885	.863	.841	.820	.803	.787	.767	.740	.717	.692	.657
16	.969	.936	.910	.884	.861	.839	.818	.801	.785	.765	.738	.715	.690	.655
15	.969	.936	.910	.884	.861	.839	.818	.801	.785	.765	.738	.715	.690	.655
14	.969	.936	.910	.884	.861	.839	.818	.801	.785	.765	.738	.715	.690	.655
13	.969	.936	.910	.884	.861	.839	.818	.801	.785	.765	.738	.715	.690	.655
12	.969	.936	.910	.884	.861	.839	.818	.801	.785	.765	.738	.715	.690	.655
11	.969	.936	.910	.884	.861	.839	.818	.801	.785	.765	.738	.715	.690	.655
10	.969	.936	.910	.884	.861	.839	.818	.801	.785	.765	.738	.715	.690	.655
9	.969	.936	.910	.884	.861	.839	.818	.801	.785	.765	.738	.715	.690	.655
8	.969	.936	.910	.884	.861	.839	.818	.801	.785	.765	.738	.715	.690	.655
7	.969	.936	.910	.884	.861	.839	.818	.801	.785	.765	.738	.715	.690	.655
6	.969	.936	.910	.884	.861	.839	.818	.801	.785	.765	.738	.715	.690	.655
5	.969	.936	.910	.884	.861	.839	.818	.801	.785	.765	.738	.715	.690	.655

**NEW SECTION**

WAC 296-17-91904 TABLE V.

RETROSPECTIVE RATING PLAN A2  
 MINIMUM PREMIUM RATIOS  
 AND BASIC PREMIUM RATIOS  
 LOSS CONVERSION FACTOR = .692  
 Effective January 1, 1986

Maximum Premium Ratio:	1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00	
Size Group															
84	Basic Premium Ratio	.514	.504	.497	.491	.485	.481	.477	.474	.470	.467	.461	.455	.450	.441
	Minimum Premium Ratio	.994	.986	.981	.975	.969	.964	.960	.955	.951	.944	.936	.927	.918	.902
83	Basic Premium Ratio	.513	.503	.495	.488	.482	.477	.473	.469	.466	.462	.456	.450	.445	.435
	Minimum Premium Ratio	.993	.985	.979	.973	.967	.962	.957	.951	.947	.940	.931	.921	.912	.894
82	Basic Premium Ratio	.512	.501	.492	.485	.479	.474	.469	.466	.461	.458	.451	.445	.440	.429
	Minimum Premium Ratio	.993	.984	.978	.971	.964	.959	.953	.947	.943	.936	.926	.916	.906	.887
81	Basic Premium Ratio	.510	.499	.489	.483	.476	.471	.465	.461	.457	.453	.446	.440	.434	.424
	Minimum Premium Ratio	.992	.983	.976	.969	.962	.956	.950	.944	.939	.931	.921	.910	.899	.880
80	Basic Premium Ratio	.509	.496	.487	.479	.472	.467	.461	.457	.453	.449	.441	.435	.429	.417
	Minimum Premium Ratio	.991	.982	.975	.967	.959	.953	.947	.940	.935	.927	.916	.904	.893	.873
79	Basic Premium Ratio	.508	.495	.484	.476	.468	.463	.458	.453	.448	.444	.437	.430	.423	.411
	Minimum Premium Ratio	.990	.981	.973	.965	.957	.950	.943	.936	.930	.923	.911	.898	.887	.865
78	Basic Premium Ratio	.505	.492	.482	.474	.466	.459	.454	.449	.444	.440	.432	.425	.418	.405
	Minimum Premium Ratio	.990	.980	.972	.963	.955	.947	.940	.933	.926	.919	.906	.893	.881	.858
77	Basic Premium Ratio	.505	.491	.479	.470	.463	.457	.450	.446	.440	.436	.427	.420	.412	.399
	Minimum Premium Ratio	.989	.979	.970	.960	.952	.944	.936	.929	.922	.914	.901	.887	.875	.851
76	Basic Premium Ratio	.504	.490	.477	.468	.459	.453	.446	.441	.435	.431	.422	.413	.406	.393
	Minimum Premium Ratio	.988	.978	.969	.958	.950	.941	.933	.926	.918	.910	.896	.881	.869	.844
75	Basic Premium Ratio	.503	.486	.474	.465	.456	.449	.441	.436	.431	.426	.417	.408	.401	.386
	Minimum Premium Ratio	.988	.977	.967	.956	.947	.938	.929	.922	.914	.906	.891	.876	.865	.836
74	Basic Premium Ratio	.500	.485	.472	.461	.452	.445	.438	.432	.426	.421	.411	.403	.395	.380



Maximum Premium Ratio:	1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00	
Size Group															
73	Minimum Premium Ratio	.987	.976	.966	.954	.945	.935	.926	.918	.910	.901	.886	.870	.856	.829
	Basic Premium Ratio	.499	.482	.469	.458	.449	.441	.434	.428	.421	.417	.406	.398	.389	.374
	Minimum Premium Ratio	.986	.975	.964	.952	.942	.933	.923	.915	.906	.897	.881	.864	.850	.822
72	Basic Premium Ratio	.498	.480	.465	.455	.446	.438	.431	.423	.418	.412	.401	.392	.383	.367
	Minimum Premium Ratio	.985	.974	.963	.950	.940	.930	.919	.911	.901	.893	.875	.858	.844	.814
71	Basic Premium Ratio	.495	.477	.463	.451	.442	.433	.426	.419	.412	.407	.396	.387	.377	.360
	Minimum Premium Ratio	.985	.972	.961	.948	.937	.927	.915	.907	.896	.888	.869	.852	.837	.806
70	Basic Premium Ratio	.494	.476	.460	.448	.438	.430	.421	.414	.407	.402	.391	.380	.371	.353
	Minimum Premium Ratio	.984	.971	.959	.945	.934	.923	.911	.903	.891	.882	.863	.845	.830	.799
69	Basic Premium Ratio	.494	.472	.456	.445	.434	.425	.417	.410	.403	.396	.385	.375	.365	.347
	Minimum Premium Ratio	.983	.969	.956	.943	.931	.919	.907	.898	.886	.877	.857	.839	.823	.791
68	Basic Premium Ratio	.490	.468	.454	.441	.430	.421	.412	.404	.397	.392	.380	.368	.358	.340
	Minimum Premium Ratio	.983	.968	.954	.940	.928	.916	.903	.893	.881	.872	.851	.833	.816	.783
67	Basic Premium Ratio	.489	.467	.450	.437	.425	.416	.408	.400	.392	.386	.373	.363	.352	.334
	Minimum Premium Ratio	.982	.966	.952	.937	.924	.912	.899	.889	.876	.866	.845	.826	.809	.775
66	Basic Premium Ratio	.485	.463	.446	.433	.421	.412	.403	.395	.387	.381	.367	.357	.346	.327
	Minimum Premium Ratio	.981	.965	.950	.934	.921	.908	.895	.884	.871	.861	.840	.820	.802	.767
65	Basic Premium Ratio	.485	.461	.444	.429	.418	.407	.398	.390	.382	.375	.362	.350	.340	.321
	Minimum Premium Ratio	.980	.963	.948	.931	.918	.904	.891	.879	.866	.856	.834	.814	.795	.759
64	Basic Premium Ratio	.481	.458	.440	.426	.414	.403	.394	.385	.377	.369	.357	.344	.333	.314
	Minimum Premium Ratio	.979	.961	.946	.928	.915	.900	.887	.874	.861	.850	.828	.807	.788	.751
63	Basic Premium Ratio	.480	.454	.436	.421	.409	.398	.388	.380	.372	.364	.351	.338	.328	.307
	Minimum Premium Ratio	.979	.960	.943	.926	.912	.896	.883	.870	.856	.845	.822	.801	.781	.744
62	Basic Premium Ratio	.476	.452	.431	.418	.404	.393	.384	.375	.367	.359	.344	.331	.321	.301
	Minimum Premium Ratio	.978	.958	.941	.923	.908	.893	.879	.865	.851	.840	.816	.795	.774	.736
61	Basic Premium Ratio	.475	.448	.430	.413	.400	.388	.378	.370	.361	.353	.339	.326	.314	.294
	Minimum Premium Ratio	.977	.957	.939	.920	.905	.889	.875	.860	.846	.834	.810	.788	.767	.728
60	Basic Premium Ratio	.471	.444	.425	.409	.395	.383	.374	.363	.355	.347	.332	.319	.307	.286
	Minimum Premium Ratio	.976	.955	.937	.917	.902	.885	.871	.856	.841	.829	.804	.782	.760	.720
59	Basic Premium Ratio	.470	.443	.421	.404	.391	.379	.368	.358	.349	.341	.325	.312	.301	.279
	Minimum Premium Ratio	.975	.954	.935	.914	.899	.881	.867	.851	.836	.823	.798	.775	.753	.712
58	Basic Premium Ratio	.467	.439	.417	.400	.386	.374	.363	.352	.344	.335	.320	.306	.294	.273
	Minimum Premium Ratio	.974	.952	.933	.911	.895	.877	.863	.846	.831	.818	.793	.769	.746	.704
57	Basic Premium Ratio	.466	.435	.412	.395	.381	.368	.357	.347	.338	.330	.313	.299	.287	.266
	Minimum Premium Ratio	.973	.951	.930	.908	.892	.873	.859	.842	.826	.813	.787	.763	.739	.696
56	Basic Premium Ratio	.462	.433	.408	.391	.376	.363	.351	.342	.331	.322	.307	.293	.281	.259
	Minimum Premium Ratio	.972	.949	.928	.905	.888	.869	.855	.837	.821	.807	.781	.756	.732	.689
55	Basic Premium Ratio	.458	.429	.403	.385	.371	.358	.346	.336	.325	.316	.300	.287	.274	.253
	Minimum Premium Ratio	.972	.947	.925	.903	.885	.866	.851	.832	.816	.802	.775	.750	.725	.681
54	Basic Premium Ratio	.456	.424	.399	.381	.366	.353	.340	.329	.320	.311	.294	.280	.267	.246
	Minimum Premium Ratio	.971	.946	.923	.900	.881	.862	.847	.827	.811	.797	.769	.744	.718	.676
53	Basic Premium Ratio	.452	.419	.394	.376	.359	.346	.335	.323	.312	.303	.287	.274	.261	.240
	Minimum Premium Ratio	.969	.944	.920	.897	.878	.858	.843	.823	.807	.792	.764	.739	.713	.671
52	Basic Premium Ratio	.447	.415	.389	.370	.354	.340	.328	.318	.307	.298	.281	.266	.255	.234
	Minimum Premium Ratio	.968	.942	.918	.894	.874	.855	.839	.818	.803	.787	.759	.734	.708	.666
51	Basic Premium Ratio	.443	.410	.384	.365	.349	.335	.322	.310	.301	.292	.275	.260	.248	.227
	Minimum Premium Ratio	.966	.940	.915	.891	.871	.851	.834	.814	.798	.783	.755	.729	.704	.662
50	Basic Premium Ratio	.439	.405	.379	.360	.343	.329	.316	.304	.293	.285	.268	.254	.241	.221
	Minimum Premium Ratio	.965	.938	.913	.888	.867	.847	.830	.810	.794	.778	.750	.724	.699	.657
49	Basic Premium Ratio	.437	.401	.374	.355	.338	.322	.309	.298	.287	.278	.261	.247	.235	.215
	Minimum Premium Ratio	.964	.935	.910	.885	.863	.844	.826	.805	.790	.774	.745	.719	.694	.652
48	Basic Premium Ratio	.433	.396	.369	.348	.330	.316	.303	.291	.281	.271	.255	.241	.229	.208
	Minimum Premium Ratio	.962	.933	.908	.883	.860	.840	.822	.801	.786	.770	.741	.714	.689	.647
47	Basic Premium Ratio	.428	.391	.364	.342	.324	.310	.297	.285	.274	.265	.248	.235	.221	.202
	Minimum Premium Ratio	.961	.931	.905	.880	.856	.837	.818	.797	.781	.765	.736	.710	.684	.642

Maximum Premium Ratio:		1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
46	Basic Premium Ratio	.424	.386	.358	.336	.319	.303	.289	.277	.267	.258	.242	.228	.216	.197
	Minimum Premium Ratio	.959	.929	.903	.877	.853	.833	.814	.793	.777	.761	.732	.705	.680	.637
45	Basic Premium Ratio	.419	.381	.350	.329	.311	.296	.283	.271	.260	.251	.235	.222	.211	.192
	Minimum Premium Ratio	.958	.927	.900	.874	.849	.829	.810	.789	.773	.756	.727	.700	.675	.632
44	Basic Premium Ratio	.414	.373	.345	.323	.304	.288	.276	.265	.254	.245	.229	.216	.205	.186
	Minimum Premium Ratio	.957	.925	.898	.871	.846	.826	.806	.785	.768	.752	.723	.695	.670	.627
43	Basic Premium Ratio	.409	.367	.337	.315	.297	.282	.269	.257	.248	.239	.223	.210	.200	.182
	Minimum Premium Ratio	.955	.923	.896	.868	.842	.822	.802	.780	.764	.748	.718	.690	.665	.622
42	Basic Premium Ratio	.405	.362	.331	.309	.291	.275	.262	.251	.240	.232	.216	.203	.193	.175
	Minimum Premium Ratio	.954	.921	.893	.865	.839	.819	.798	.776	.760	.743	.714	.685	.661	.617
41	Basic Premium Ratio	.400	.357	.326	.303	.283	.269	.256	.244	.234	.225	.210	.197	.186	.169
	Minimum Premium Ratio	.952	.919	.891	.863	.835	.815	.794	.772	.756	.739	.709	.680	.656	.612
40	Basic Premium Ratio	.395	.349	.321	.295	.277	.263	.249	.238	.227	.219	.203	.190	.179	.163
	Minimum Premium Ratio	.951	.916	.888	.860	.832	.812	.790	.768	.751	.734	.705	.676	.651	.607
39	Basic Premium Ratio	.390	.344	.312	.290	.271	.255	.242	.230	.221	.212	.196	.184	.174	.157
	Minimum Premium Ratio	.950	.914	.886	.857	.828	.808	.786	.764	.747	.730	.700	.671	.646	.603
38	Basic Premium Ratio	.385	.339	.307	.282	.263	.249	.236	.223	.214	.204	.190	.178	.167	.151
	Minimum Premium Ratio	.948	.912	.883	.854	.825	.804	.782	.760	.743	.726	.695	.666	.641	.598
37	Basic Premium Ratio	.376	.330	.298	.276	.257	.241	.228	.216	.207	.198	.183	.171	.161	.146
	Minimum Premium Ratio	.947	.910	.881	.851	.821	.801	.778	.755	.738	.721	.691	.661	.637	.593
36	Basic Premium Ratio	.371	.324	.293	.267	.249	.235	.221	.210	.201	.192	.177	.166	.155	.140
	Minimum Premium Ratio	.945	.908	.879	.848	.819	.797	.775	.751	.736	.717	.686	.658	.632	.588
35	Basic Premium Ratio	.362	.315	.284	.261	.240	.226	.214	.203	.193	.184	.171	.159	.150	.135
	Minimum Premium Ratio	.945	.906	.878	.847	.818	.796	.774	.750	.735	.716	.685	.658	.631	.587
34	Basic Premium Ratio	.353	.306	.275	.252	.234	.220	.207	.196	.187	.179	.164	.154	.144	.130
	Minimum Premium Ratio	.944	.904	.876	.846	.817	.795	.773	.749	.734	.715	.684	.657	.631	.588
33	Basic Premium Ratio	.347	.297	.268	.243	.226	.212	.199	.189	.179	.171	.158	.148	.139	.125
	Minimum Premium Ratio	.944	.904	.875	.844	.816	.794	.772	.748	.733	.715	.684	.657	.631	.588
32	Basic Premium Ratio	.338	.288	.259	.237	.219	.204	.193	.182	.173	.166	.153	.142	.134	.121
	Minimum Premium Ratio	.943	.903	.874	.843	.815	.793	.771	.747	.732	.714	.684	.657	.632	.589
31	Basic Premium Ratio	.329	.282	.251	.229	.211	.197	.185	.176	.167	.160	.148	.137	.130	.117
	Minimum Premium Ratio	.943	.903	.873	.842	.814	.792	.769	.746	.731	.714	.683	.656	.632	.590
30	Basic Premium Ratio	.319	.273	.242	.220	.205	.191	.179	.169	.160	.154	.141	.132	.125	.113
	Minimum Premium Ratio	.942	.902	.872	.840	.813	.791	.768	.745	.730	.713	.683	.656	.632	.591
29	Basic Premium Ratio	.310	.264	.235	.213	.196	.183	.172	.163	.155	.148	.136	.128	.121	.110
	Minimum Premium Ratio	.942	.902	.870	.839	.812	.790	.767	.744	.729	.713	.683	.656	.632	.591
28	Basic Premium Ratio	.301	.255	.227	.205	.188	.177	.166	.157	.148	.141	.130	.122	.115	.103
	Minimum Premium Ratio	.941	.901	.869	.838	.811	.789	.766	.743	.728	.712	.682	.655	.632	.592
27	Basic Premium Ratio	.295	.248	.218	.199	.182	.169	.157	.148	.141	.134	.123	.114	.106	.095
	Minimum Premium Ratio	.941	.900	.868	.837	.810	.788	.765	.742	.727	.712	.682	.655	.632	.592
26	Basic Premium Ratio	.286	.240	.212	.191	.174	.161	.151	.140	.134	.127	.115	.107	.099	.088
	Minimum Premium Ratio	.940	.900	.867	.835	.809	.787	.764	.741	.726	.712	.682	.655	.632	.593
25	Basic Premium Ratio	.276	.230	.203	.182	.167	.154	.143	.134	.126	.119	.109	.100	.093	.083
	Minimum Premium Ratio	.940	.899	.866	.834	.808	.786	.763	.740	.725	.711	.682	.654	.632	.594
24	Basic Premium Ratio	.266	.221	.194	.175	.159	.147	.137	.129	.121	.114	.105	.097	.090	.080
	Minimum Premium Ratio	.939	.899	.865	.833	.807	.785	.762	.739	.724	.711	.681	.654	.632	.595
23	Basic Premium Ratio	.253	.212	.185	.166	.153	.141	.131	.123	.116	.110	.101	.093	.087	.078
	Minimum Premium Ratio	.939	.898	.863	.831	.806	.784	.761	.738	.723	.710	.681	.654	.633	.596
22	Basic Premium Ratio	.244	.202	.176	.158	.145	.134	.124	.118	.112	.106	.097	.090	.084	.076
	Minimum Premium Ratio	.939	.898	.862	.830	.805	.783	.760	.737	.722	.710	.681	.653	.633	.596
21	Basic Premium Ratio	.230	.193	.169	.152	.139	.128	.119	.112	.107	.102	.093	.087	.082	.075
	Minimum Premium Ratio	.935	.897	.861	.829	.804	.782	.759	.736	.721	.709	.680	.653	.633	.597
20	Basic Premium Ratio	.220	.183	.160	.143	.131	.121	.113	.107	.102	.097	.089	.083	.079	.072
	Minimum Premium Ratio	.930	.896	.860	.828	.803	.781	.758	.735	.720	.709	.680	.653	.633	.598
19	Basic Premium Ratio	.215	.177	.152	.137	.124	.115	.107	.101	.096	.092	.084	.079	.075	.068
	Minimum Premium Ratio	.924	.891	.859	.826	.802	.780	.757	.734	.719	.708	.680	.652	.633	.599

Maximum Premium Ratio:		1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size Group															
18	Basic Premium Ratio	.205	.168	.145	.129	.117	.108	.100	.095	.090	.086	.079	.075	.071	.066
	Minimum Premium Ratio	.919	.887	.858	.825	.801	.779	.756	.733	.718	.708	.679	.652	.633	.599
17	Basic Premium Ratio	.196	.159	.137	.121	.111	.102	.095	.090	.085	.081	.075	.071	.068	.063
	Minimum Premium Ratio	.913	.882	.853	.824	.800	.778	.755	.732	.717	.708	.679	.652	.633	.599
16	Basic Premium Ratio	.186	.150	.128	.114	.103	.095	.090	.085	.080	.077	.072	.068	.065	.061
	Minimum Premium Ratio	.908	.877	.849	.822	.799	.777	.754	.731	.716	.707	.679	.651	.633	.599
15	Basic Premium Ratio	.176	.141	.121	.108	.098	.090	.085	.080	.077	.074	.069	.066	.063	.059
	Minimum Premium Ratio	.902	.872	.845	.820	.798	.776	.753	.730	.715	.707	.678	.651	.633	.599
14	Basic Premium Ratio	.172	.135	.113	.103	.093	.088	.082	.078	.075	.072	.068	.065	.062	.059
	Minimum Premium Ratio	.897	.868	.841	.817	.795	.774	.752	.729	.714	.706	.678	.651	.634	.598
13	Basic Premium Ratio	.164	.126	.108	.097	.091	.084	.080	.076	.073	.070	.067	.064	.062	.058
	Minimum Premium Ratio	.892	.863	.837	.813	.791	.771	.751	.728	.713	.706	.678	.650	.634	.598
12	Basic Premium Ratio	.158	.117	.102	.094	.087	.082	.077	.074	.071	.069	.066	.063	.061	.058
	Minimum Premium Ratio	.886	.858	.833	.810	.788	.769	.749	.727	.712	.705	.677	.650	.633	.597
11	Basic Premium Ratio	.149	.107	.095	.089	.083	.079	.075	.072	.069	.068	.064	.062	.060	.057
	Minimum Premium Ratio	.881	.853	.829	.806	.785	.766	.748	.726	.711	.705	.676	.650	.632	.597
10	Basic Premium Ratio	.144	.100	.091	.085	.080	.075	.073	.070	.068	.066	.063	.061	.059	.057
	Minimum Premium Ratio	.875	.849	.825	.802	.782	.763	.746	.725	.710	.704	.675	.650	.632	.597
9	Basic Premium Ratio	.134	.093	.086	.081	.077	.073	.070	.068	.066	.065	.062	.060	.059	.057
	Minimum Premium Ratio	.870	.844	.820	.799	.779	.761	.744	.724	.709	.704	.674	.649	.631	.596
8	Basic Premium Ratio	.121	.087	.082	.077	.074	.070	.068	.066	.065	.063	.061	.059	.058	.056
	Minimum Premium Ratio	.864	.839	.816	.795	.776	.758	.741	.723	.708	.704	.673	.649	.630	.596
7	Basic Premium Ratio	.106	.082	.077	.074	.070	.068	.066	.064	.063	.062	.060	.058	.057	.056
	Minimum Premium Ratio	.859	.834	.812	.792	.773	.755	.739	.722	.707	.703	.671	.649	.630	.596
6	Basic Premium Ratio	.092	.077	.074	.070	.068	.066	.064	.063	.061	.060	.058	.057	.057	.055
	Minimum Premium Ratio	.853	.830	.808	.788	.770	.753	.737	.721	.706	.695	.670	.648	.629	.595
5	Basic Premium Ratio	.092	.073	.070	.067	.065	.064	.062	.061	.060	.059	.057	.057	.056	.055
	Minimum Premium Ratio	.848	.825	.804	.785	.767	.750	.734	.720	.705	.693	.669	.648	.629	.595

**NEW SECTION**

WAC 296-17-91905 TABLE VI.

RETROSPECTIVE RATING PLAN A3  
 MINIMUM PREMIUM RATIOS  
 AND BASIC PREMIUM RATIOS  
 LOSS CONVERSION FACTOR = .692  
 Effective January 1, 1986

Maximum Premium Ratio:		1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size Group															
84	Basic Premium Ratio	.820	.813	.793	.783	.777	.766	.759	.732	.736	.727	.722	.706	.694	.673
	Minimum Premium Ratio	.986	.973	.964	.956	.948	.942	.935	.931	.924	.919	.909	.900	.891	.874
83	Basic Premium Ratio	.820	.812	.790	.780	.772	.760	.753	.728	.730	.721	.715	.698	.685	.663
	Minimum Premium Ratio	.985	.972	.962	.953	.944	.937	.931	.925	.919	.913	.903	.892	.883	.865
82	Basic Premium Ratio	.820	.810	.788	.776	.767	.755	.747	.724	.724	.715	.707	.690	.677	.653
	Minimum Premium Ratio	.984	.970	.958	.949	.940	.932	.925	.920	.913	.907	.896	.885	.876	.857
81	Basic Premium Ratio	.820	.808	.786	.772	.763	.750	.742	.720	.718	.709	.699	.683	.668	.643
	Minimum Premium Ratio	.981	.967	.954	.946	.936	.928	.920	.913	.907	.901	.889	.878	.868	.849
80	Basic Premium Ratio	.820	.806	.783	.768	.758	.745	.736	.716	.712	.703	.692	.675	.659	.633
	Minimum Premium Ratio	.981	.964	.951	.941	.931	.923	.915	.909	.901	.895	.882	.871	.860	.839
79	Basic Premium Ratio	.820	.804	.781	.765	.753	.739	.730	.712	.706	.697	.684	.667	.651	.622
	Minimum Premium Ratio	.979	.962	.948	.938	.927	.918	.910	.903	.895	.888	.876	.864	.852	.831
78	Basic Premium Ratio	.820	.803	.779	.761	.749	.734	.725	.708	.700	.691	.677	.659	.642	.612

Maximum Premium Ratio:	1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00	
Size Group															
	<i>Minimum Premium Ratio</i>	.976	.959	.945	.934	.924	.913	.905	.897	.890	.882	.869	.856	.844	.821
77	<i>Basic Premium Ratio</i>	.820	.801	.776	.757	.744	.729	.719	.704	.694	.684	.669	.641	.633	.602
	<i>Minimum Premium Ratio</i>	.975	.957	.942	.930	.919	.910	.900	.893	.884	.876	.862	.849	.836	.813
76	<i>Basic Premium Ratio</i>	.820	.799	.774	.754	.740	.724	.713	.700	.688	.678	.661	.644	.625	.592
	<i>Minimum Premium Ratio</i>	.974	.956	.940	.927	.915	.905	.895	.886	.878	.870	.855	.840	.828	.804
75	<i>Basic Premium Ratio</i>	.820	.797	.772	.750	.735	.718	.707	.696	.682	.672	.654	.636	.616	.582
	<i>Minimum Premium Ratio</i>	.974	.952	.936	.923	.911	.899	.889	.881	.872	.863	.848	.833	.820	.794
74	<i>Basic Premium Ratio</i>	.820	.795	.769	.746	.730	.713	.702	.692	.676	.666	.646	.628	.607	.572
	<i>Minimum Premium Ratio</i>	.970	.950	.934	.918	.906	.894	.884	.875	.866	.857	.840	.825	.811	.786
73	<i>Basic Premium Ratio</i>	.820	.794	.767	.743	.726	.708	.696	.688	.670	.660	.638	.620	.599	.562
	<i>Minimum Premium Ratio</i>	.969	.946	.929	.915	.902	.889	.879	.869	.859	.851	.833	.818	.803	.776
72	<i>Basic Premium Ratio</i>	.820	.792	.765	.739	.721	.703	.690	.684	.664	.654	.631	.613	.590	.552
	<i>Minimum Premium Ratio</i>	.968	.944	.925	.912	.898	.886	.874	.863	.854	.844	.826	.810	.795	.767
71	<i>Basic Premium Ratio</i>	.820	.790	.759	.734	.715	.697	.682	.674	.655	.645	.620	.602	.578	.540
	<i>Minimum Premium Ratio</i>	.965	.941	.923	.907	.893	.880	.868	.857	.847	.837	.819	.802	.786	.757
70	<i>Basic Premium Ratio</i>	.820	.788	.752	.729	.709	.690	.674	.665	.647	.636	.609	.591	.567	.529
	<i>Minimum Premium Ratio</i>	.964	.939	.919	.903	.889	.875	.862	.852	.841	.831	.812	.793	.778	.747
69	<i>Basic Premium Ratio</i>	.820	.785	.746	.723	.703	.684	.666	.655	.638	.626	.598	.579	.555	.517
	<i>Minimum Premium Ratio</i>	.963	.935	.914	.899	.883	.869	.857	.846	.835	.823	.804	.786	.770	.738
68	<i>Basic Premium Ratio</i>	.820	.783	.739	.718	.697	.677	.658	.645	.629	.617	.587	.568	.543	.505
	<i>Minimum Premium Ratio</i>	.959	.931	.912	.894	.878	.864	.851	.839	.828	.817	.797	.777	.760	.729
67	<i>Basic Premium Ratio</i>	.820	.779	.736	.712	.690	.670	.651	.636	.621	.608	.577	.558	.533	.495
	<i>Minimum Premium Ratio</i>	.957	.929	.907	.889	.873	.858	.845	.833	.821	.810	.789	.770	.752	.719
66	<i>Basic Premium Ratio</i>	.820	.776	.732	.707	.682	.663	.643	.628	.613	.599	.568	.548	.523	.485
	<i>Minimum Premium Ratio</i>	.954	.925	.903	.885	.868	.853	.839	.826	.814	.803	.781	.761	.744	.709
65	<i>Basic Premium Ratio</i>	.820	.772	.729	.701	.675	.655	.636	.619	.604	.590	.558	.537	.513	.475
	<i>Minimum Premium Ratio</i>	.953	.923	.900	.880	.864	.847	.833	.821	.808	.796	.773	.753	.735	.701
64	<i>Basic Premium Ratio</i>	.820	.768	.725	.695	.667	.648	.628	.610	.596	.581	.548	.527	.503	.465
	<i>Minimum Premium Ratio</i>	.949	.919	.895	.877	.859	.841	.827	.814	.801	.788	.766	.744	.726	.691
63	<i>Basic Premium Ratio</i>	.820	.764	.719	.690	.661	.641	.620	.601	.586	.571	.538	.517	.492	.454
	<i>Minimum Premium Ratio</i>	.948	.914	.891	.871	.853	.835	.820	.807	.794	.781	.758	.736	.718	.682
62	<i>Basic Premium Ratio</i>	.820	.759	.714	.684	.656	.634	.612	.592	.576	.562	.529	.507	.482	.444
	<i>Minimum Premium Ratio</i>	.944	.912	.886	.867	.848	.830	.815	.801	.788	.774	.750	.727	.708	.672
61	<i>Basic Premium Ratio</i>	.820	.755	.708	.679	.650	.627	.603	.582	.566	.552	.519	.496	.471	.433
	<i>Minimum Premium Ratio</i>	.943	.908	.884	.861	.843	.824	.808	.794	.781	.767	.743	.719	.699	.662
60	<i>Basic Premium Ratio</i>	.820	.750	.702	.673	.644	.620	.595	.573	.556	.542	.509	.486	.460	.422
	<i>Minimum Premium Ratio</i>	.939	.904	.879	.856	.837	.818	.802	.787	.773	.758	.734	.710	.690	.652
59	<i>Basic Premium Ratio</i>	.813	.743	.696	.664	.635	.611	.586	.564	.546	.532	.499	.475	.449	.411
	<i>Minimum Premium Ratio</i>	.937	.902	.874	.851	.832	.812	.795	.780	.766	.751	.725	.701	.681	.642
58	<i>Basic Premium Ratio</i>	.806	.737	.690	.655	.626	.602	.577	.555	.537	.522	.489	.464	.439	.401
	<i>Minimum Premium Ratio</i>	.934	.898	.869	.846	.825	.806	.789	.773	.759	.743	.718	.693	.672	.633
57	<i>Basic Premium Ratio</i>	.798	.730	.684	.645	.617	.593	.568	.545	.527	.511	.479	.452	.428	.390
	<i>Minimum Premium Ratio</i>	.932	.893	.864	.840	.820	.799	.781	.766	.752	.736	.709	.684	.663	.624
56	<i>Basic Premium Ratio</i>	.791	.723	.678	.636	.608	.584	.559	.536	.517	.501	.469	.441	.417	.379
	<i>Minimum Premium Ratio</i>	.928	.890	.859	.835	.814	.793	.775	.759	.743	.727	.701	.676	.654	.614
55	<i>Basic Premium Ratio</i>	.788	.717	.672	.629	.600	.575	.550	.526	.507	.491	.459	.432	.408	.370
	<i>Minimum Premium Ratio</i>	.924	.886	.854	.829	.808	.787	.768	.753	.736	.720	.692	.667	.645	.606
54	<i>Basic Premium Ratio</i>	.785	.710	.665	.623	.592	.566	.541	.517	.498	.481	.449	.423	.398	.361
	<i>Minimum Premium Ratio</i>	.922	.881	.849	.824	.802	.781	.761	.744	.729	.713	.685	.659	.637	.597
53	<i>Basic Premium Ratio</i>	.782	.704	.659	.616	.584	.556	.532	.507	.488	.470	.439	.413	.389	.352
	<i>Minimum Premium Ratio</i>	.918	.876	.844	.818	.794	.772	.755	.737	.720	.704	.677	.651	.629	.589
52	<i>Basic Premium Ratio</i>	.779	.697	.652	.609	.576	.547	.523	.497	.478	.460	.429	.404	.379	.343
	<i>Minimum Premium Ratio</i>	.913	.871	.838	.812	.789	.766	.747	.731	.713	.697	.669	.642	.621	.581
51	<i>Basic Premium Ratio</i>	.774	.691	.644	.600	.566	.537	.513	.487	.467	.450	.419	.394	.369	.333
	<i>Minimum Premium Ratio</i>	.908	.865	.833	.806	.782	.759	.740	.722	.706	.690	.662	.635	.613	.572
50	<i>Basic Premium Ratio</i>	.769	.685	.636	.591	.556	.527	.502	.477	.457	.440	.408	.383	.359	.323

Maximum Premium Ratio:		1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00
Size Group															
	<i>Minimum Premium Ratio</i>	.904	.861	.826	.800	.775	.753	.733	.715	.697	.681	.653	.627	.604	.564
49	<i>Basic Premium Ratio</i>	.763	.678	.627	.582	.546	.517	.492	.466	.446	.429	.398	.373	.349	.312
	<i>Minimum Premium Ratio</i>	.902	.856	.821	.795	.769	.744	.724	.708	.690	.673	.645	.619	.596	.556
48	<i>Basic Premium Ratio</i>	.758	.672	.619	.573	.536	.507	.481	.456	.435	.419	.387	.362	.339	.302
	<i>Minimum Premium Ratio</i>	.898	.850	.815	.786	.761	.737	.717	.699	.683	.665	.637	.611	.588	.548
47	<i>Basic Premium Ratio</i>	.749	.663	.607	.562	.525	.496	.470	.445	.424	.408	.377	.353	.330	.295
	<i>Minimum Premium Ratio</i>	.892	.845	.810	.780	.754	.731	.710	.692	.674	.657	.629	.603	.579	.540
46	<i>Basic Premium Ratio</i>	.740	.654	.595	.550	.513	.485	.459	.434	.414	.398	.367	.343	.321	.287
	<i>Minimum Premium Ratio</i>	.888	.839	.804	.773	.748	.723	.702	.683	.666	.650	.621	.595	.572	.533
45	<i>Basic Premium Ratio</i>	.731	.645	.583	.539	.502	.474	.448	.422	.403	.387	.357	.334	.312	.280
	<i>Minimum Premium Ratio</i>	.884	.834	.795	.765	.739	.715	.695	.676	.657	.641	.612	.587	.565	.526
44	<i>Basic Premium Ratio</i>	.722	.636	.571	.527	.490	.463	.437	.411	.392	.376	.347	.324	.303	.272
	<i>Minimum Premium Ratio</i>	.878	.826	.790	.758	.732	.706	.686	.669	.650	.633	.605	.580	.558	.519
43	<i>Basic Premium Ratio</i>	.714	.626	.561	.517	.479	.451	.426	.401	.382	.365	.337	.314	.293	.263
	<i>Minimum Premium Ratio</i>	.873	.820	.781	.750	.723	.699	.679	.659	.643	.627	.598	.572	.551	.513
42	<i>Basic Premium Ratio</i>	.705	.615	.551	.507	.467	.440	.414	.390	.371	.355	.327	.304	.284	.253
	<i>Minimum Premium Ratio</i>	.869	.814	.775	.743	.717	.691	.670	.652	.634	.618	.589	.564	.543	.504
41	<i>Basic Premium Ratio</i>	.697	.605	.540	.496	.456	.428	.403	.380	.361	.344	.316	.294	.274	.244
	<i>Minimum Premium Ratio</i>	.863	.809	.769	.737	.708	.684	.663	.644	.627	.610	.582	.557	.534	.496
40	<i>Basic Premium Ratio</i>	.688	.594	.530	.486	.444	.416	.391	.369	.350	.333	.306	.284	.264	.234
	<i>Minimum Premium Ratio</i>	.858	.800	.763	.728	.702	.677	.656	.636	.618	.603	.574	.548	.526	.489
39	<i>Basic Premium Ratio</i>	.677	.583	.519	.475	.434	.406	.380	.359	.340	.323	.296	.274	.255	.226
	<i>Minimum Premium Ratio</i>	.853	.795	.754	.722	.695	.668	.647	.628	.611	.594	.565	.541	.519	.481
38	<i>Basic Premium Ratio</i>	.666	.573	.508	.464	.424	.395	.370	.348	.329	.313	.286	.264	.246	.218
	<i>Minimum Premium Ratio</i>	.848	.790	.748	.713	.686	.661	.640	.620	.604	.585	.558	.533	.511	.473
37	<i>Basic Premium Ratio</i>	.654	.562	.497	.453	.413	.385	.359	.338	.319	.302	.276	.254	.237	.209
	<i>Minimum Premium Ratio</i>	.839	.781	.739	.707	.679	.652	.631	.611	.595	.577	.549	.525	.503	.466
36	<i>Basic Premium Ratio</i>	.643	.551	.486	.442	.403	.374	.348	.327	.308	.292	.266	.244	.228	.201
	<i>Minimum Premium Ratio</i>	.834	.774	.733	.697	.670	.645	.623	.604	.588	.570	.541	.518	.495	.458
35	<i>Basic Premium Ratio</i>	.631	.538	.473	.429	.392	.363	.338	.317	.299	.283	.257	.236	.220	.194
	<i>Minimum Premium Ratio</i>	.825	.765	.723	.690	.660	.636	.615	.596	.579	.561	.534	.510	.489	.452
34	<i>Basic Premium Ratio</i>	.618	.525	.461	.417	.380	.352	.328	.307	.289	.274	.249	.228	.212	.187
	<i>Minimum Premium Ratio</i>	.815	.755	.713	.681	.654	.629	.607	.588	.572	.555	.527	.504	.482	.447
33	<i>Basic Premium Ratio</i>	.606	.511	.448	.404	.369	.341	.317	.297	.280	.264	.240	.220	.203	.179
	<i>Minimum Premium Ratio</i>	.810	.746	.706	.671	.644	.620	.598	.580	.563	.546	.520	.497	.476	.441
32	<i>Basic Premium Ratio</i>	.593	.498	.435	.391	.357	.330	.307	.287	.270	.255	.231	.212	.195	.172
	<i>Minimum Premium Ratio</i>	.800	.736	.697	.664	.637	.611	.591	.572	.556	.539	.513	.490	.470	.436
31	<i>Basic Premium Ratio</i>	.578	.484	.422	.379	.345	.319	.296	.277	.260	.246	.222	.204	.188	.166
	<i>Minimum Premium Ratio</i>	.791	.730	.688	.655	.628	.604	.583	.565	.549	.532	.507	.484	.465	.431
30	<i>Basic Premium Ratio</i>	.563	.470	.409	.367	.333	.308	.285	.266	.251	.237	.214	.196	.181	.159
	<i>Minimum Premium Ratio</i>	.781	.720	.678	.646	.621	.597	.576	.557	.541	.525	.499	.478	.458	.427
29	<i>Basic Premium Ratio</i>	.548	.455	.396	.354	.321	.296	.274	.256	.241	.227	.205	.187	.174	.153
	<i>Minimum Premium Ratio</i>	.772	.711	.671	.638	.611	.588	.567	.550	.535	.518	.493	.473	.453	.422
28	<i>Basic Premium Ratio</i>	.533	.441	.383	.342	.309	.285	.263	.245	.231	.218	.196	.179	.167	.146
	<i>Minimum Premium Ratio</i>	.762	.702	.662	.629	.603	.580	.560	.543	.527	.511	.486	.466	.446	.415
27	<i>Basic Premium Ratio</i>	.519	.427	.369	.329	.297	.273	.251	.233	.219	.206	.185	.168	.156	.136
	<i>Minimum Premium Ratio</i>	.756	.695	.653	.622	.595	.572	.551	.533	.519	.503	.478	.457	.437	.406
26	<i>Basic Premium Ratio</i>	.504	.413	.355	.315	.284	.260	.239	.222	.208	.195	.174	.158	.145	.124
	<i>Minimum Premium Ratio</i>	.747	.686	.646	.614	.587	.563	.543	.525	.511	.494	.469	.449	.428	.398
25	<i>Basic Premium Ratio</i>	.490	.398	.341	.302	.272	.248	.227	.210	.196	.183	.162	.147	.133	.113
	<i>Minimum Premium Ratio</i>	.736	.676	.636	.604	.579	.555	.534	.517	.502	.485	.461	.440	.421	.392
24	<i>Basic Premium Ratio</i>	.475	.384	.327	.288	.259	.235	.215	.198	.184	.171	.151	.136	.123	.104
	<i>Minimum Premium Ratio</i>	.727	.666	.627	.597	.570	.547	.528	.511	.495	.479	.456	.436	.418	.389
23	<i>Basic Premium Ratio</i>	.454	.367	.312	.275	.247	.224	.205	.189	.176	.164	.145	.130	.119	.101
	<i>Minimum Premium Ratio</i>	.713	.657	.617	.587	.563	.540	.521	.505	.489	.474	.451	.432	.414	.386
22	<i>Basic Premium Ratio</i>	.434	.349	.298	.262	.235	.213	.195	.180	.167	.156	.138	.125	.114	.097

Maximum Premium Ratio:	1.05	1.10	1.15	1.20	1.25	1.30	1.35	1.40	1.45	1.50	1.60	1.70	1.80	2.00	
Size Group															
21	Minimum Premium Ratio	.704	.647	.608	.578	.554	.533	.513	.499	.484	.469	.446	.427	.410	.383
	Basic Premium Ratio	.408	.332	.283	.248	.222	.201	.184	.171	.159	.149	.132	.119	.110	.094
	Minimum Premium Ratio	.690	.637	.600	.571	.547	.526	.507	.491	.478	.464	.442	.424	.407	.381
20	Basic Premium Ratio	.388	.314	.268	.234	.209	.190	.174	.161	.150	.141	.125	.113	.105	.090
	Minimum Premium Ratio	.680	.627	.591	.562	.539	.518	.500	.485	.472	.458	.436	.419	.402	.377
19	Basic Premium Ratio	.374	.298	.251	.220	.196	.177	.162	.149	.139	.131	.116	.105	.097	.084
	Minimum Premium Ratio	.674	.620	.582	.555	.531	.511	.493	.478	.465	.451	.430	.413	.397	.372
18	Basic Premium Ratio	.355	.281	.237	.205	.181	.163	.148	.137	.127	.119	.106	.098	.090	.079
	Minimum Premium Ratio	.664	.611	.575	.546	.523	.503	.485	.471	.458	.444	.424	.409	.392	.369
17	Basic Premium Ratio	.337	.265	.221	.189	.169	.151	.137	.127	.117	.110	.098	.090	.083	.074
	Minimum Premium Ratio	.654	.601	.566	.537	.516	.497	.479	.465	.452	.439	.419	.404	.388	.366
16	Basic Premium Ratio	.318	.247	.204	.176	.154	.137	.127	.117	.108	.102	.091	.083	.078	.069
	Minimum Premium Ratio	.644	.592	.557	.530	.508	.488	.473	.459	.447	.434	.415	.399	.384	.362
15	Basic Premium Ratio	.300	.229	.190	.164	.143	.128	.117	.108	.101	.095	.086	.079	.074	.066
	Minimum Premium Ratio	.635	.583	.550	.524	.502	.484	.468	.455	.443	.430	.412	.397	.382	.361
14	Basic Premium Ratio	.291	.216	.174	.154	.134	.123	.112	.103	.097	.091	.083	.078	.072	.065
	Minimum Premium Ratio	.630	.577	.542	.519	.498	.481	.465	.452	.441	.428	.411	.397	.381	.360
13	Basic Premium Ratio	.275	.199	.163	.142	.129	.116	.107	.099	.094	.088	.081	.076	.071	.064
	Minimum Premium Ratio	.622	.568	.537	.513	.495	.478	.463	.450	.440	.427	.410	.396	.381	.360
12	Basic Premium Ratio	.263	.182	.151	.134	.121	.110	.102	.096	.089	.086	.078	.073	.069	.063
	Minimum Premium Ratio	.616	.559	.531	.510	.491	.475	.460	.449	.437	.426	.409	.394	.380	.359
11	Basic Premium Ratio	.246	.162	.138	.126	.114	.105	.098	.092	.086	.083	.076	.071	.068	.062
	Minimum Premium Ratio	.608	.549	.524	.505	.488	.472	.458	.447	.436	.424	.407	.393	.379	.359
10	Basic Premium Ratio	.229	.147	.129	.117	.107	.098	.093	.088	.083	.079	.074	.069	.066	.061
	Minimum Premium Ratio	.602	.542	.520	.501	.484	.469	.456	.445	.434	.422	.406	.392	.378	.358
9	Basic Premium Ratio	.211	.133	.119	.109	.101	.094	.088	.083	.079	.077	.071	.068	.065	.061
	Minimum Premium Ratio	.593	.535	.515	.497	.481	.467	.453	.442	.432	.421	.405	.392	.378	.358
8	Basic Premium Ratio	.189	.122	.111	.102	.095	.088	.083	.079	.077	.074	.069	.066	.063	.060
	Minimum Premium Ratio	.579	.529	.511	.493	.478	.464	.451	.440	.431	.420	.404	.391	.377	.358
7	Basic Premium Ratio	.160	.112	.101	.095	.088	.083	.079	.076	.074	.071	.067	.063	.062	.059
	Minimum Premium Ratio	.565	.524	.506	.490	.475	.462	.449	.439	.430	.418	.403	.389	.376	.357
6	Basic Premium Ratio	.130	.101	.095	.088	.083	.079	.075	.072	.070	.068	.064	.062	.060	.058
	Minimum Premium Ratio	.550	.519	.503	.486	.472	.459	.447	.437	.428	.417	.401	.389	.376	.357
5	Basic Premium Ratio	.099	.092	.087	.081	.078	.074	.071	.069	.067	.065	.062	.060	.059	.057
	Minimum Premium Ratio	.550	.515	.499	.483	.470	.457	.445	.435	.426	.415	.400	.388	.375	.356

**WSR 86-01-037  
EMERGENCY RULES  
BOARD FOR  
COMMUNITY COLLEGE EDUCATION**

[Order 105, Resolution No. 85-38—Filed December 13, 1985]

Be it resolved by the State Board for Community College Education, acting at Olympia, Washington, that it does adopt the annexed rules relating to regular meetings for calendar year 1986.

We, the State Board for Community College Education, 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 it was not possible to file the required notice of intent in

time to allow adoption of the meeting schedule as a permanent rule and comply with the January 1 filing deadline.

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

This rule is promulgated pursuant to RCW 28B.50-.070 and 42.30.075 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 December 5, 1985.

By Gilbert J. Carbone  
Assistant Director

**NEW SECTION**

**WAC 131-08-010 REGULAR MEETINGS OF THE STATE BOARD.** *The time and place of the regular meetings of the state board for calendar year 1986 are:*

January 22-23	South Seattle Community College
February 26-27	South Puget Sound Community College
April 2-3	Green River Community College
May 14-15	Spokane Falls Community College
June 18-19	Shoreline Community College
September 10-11	South Puget Sound Community College
October 22-23	Walla Walla Community College
December 3-4	Fort Steilacoom Community College

**WSR 86-01-038  
PROPOSED RULES  
DEPARTMENT OF LICENSING**

[Filed December 13, 1985]

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

Amd	WAC 308-124C-020	Required records.
Amd	WAC 308-124H-040	Approval of courses.
New	WAC 308-124H-043	Temporary approval of instructors.
Amd	WAC 308-124H-045	Recordkeeping.

that the agency will at 9:30 a.m., Monday, January 27, 1986, in the First Floor Examining Room, 1300 Quince Street, 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 18.85.040.

The specific statute these rules are intended to implement is RCW 18.85.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 6, 1986.

Written or oral submissions may also contain data, views, and arguments concerning the effect of the proposed rules or amendments of rules on economic values, pursuant to chapter 43.21H RCW.

The agency reserves the right to modify the text of these proposed rules before the hearing or in response to written or oral comments received before or during the hearing.

The agency 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:

Robert A. Salerno  
Department of Licensing  
Real Estate Division  
P.O. Box 247  
Olympia, WA 98504  
Phone (206) 753-6681

Dated: December 4, 1985

By: Joyce R. Dolliver  
Assistant Attorney General

**STATEMENT OF PURPOSE**

Title and Numbers of Rule Section(s) or Chapters: WAC 308-124C-020 Required records; 308-124H-040 Approval of courses; 308-124H-043 Temporary approval of instructors; and 308-124H-045 Recordkeeping.

Statutory Authority and Specific Statute Rules are Intended to Implement: RCW 18.85.040.

Summary of Rule: WAC 308-124C-020 clarifies the required information on the source document maintained at the broker's office; 308-124H-040 deletes language no longer required since instruction locations are no longer inspected; 308-124H-043 provides a means for temporary approval of instructors in case of emergencies; and 308-124H-045 deletes information which is not required.

Reasons Supporting Proposed Rule: WAC 308-124C-020 provides better guidance to brokers of what information must be on the source document retained at the broker's office; 308-124H-040 deletes superfluous language; 308-124H-043 provides a means for temporary approval of instructors in cases of emergencies when the previously approved instructor is unable to continue instructing; and 308-124H-045 deletes information which is not needed by the department.

Agency Personnel Responsible for Drafting, Implementation and Enforcement of the Rule: Theresa Anna Aragon, Director, Department of Licensing, Fourth Floor, Highways-Licenses Building, Olympia, WA 98504, 234-5029 scan, 753-5029 comm; Joan Baird, Assistant Director, Business and Professions, First Floor, Eastside Plaza Building, 1300 Quince Street, Olympia, WA 98502, 234-2241 scan, 753-2241 comm; and Robert A. Salerno, Administrator, Real Estate Division, Third Floor, Eastside Plaza Building, 1300 Quince Street, Olympia, WA 98502, 234-6681 scan, 753-6681 comm.

Name of Person or Organization Proposing Rule: Department of Licensing.

Agency Comments or Recommendations, if any, Regarding Statutory Language, Implementation, Enforcement and Fiscal Matters Pertaining to These Rules: None.

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

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

The department has reviewed the impact that the adoption of these rules would have on real estate brokers and salespersons and schools offering real estate courses. Real estate brokers and salespersons are most appropriately classed in SIC Code 6531. They account for more than 10 percent of the firms and individuals in this area. They are less than 20 percent of all firms and individuals in all industries. Cost for small business is estimated to be zero. Any impact that these proposed rules may have is intended to fall equally on all real estate brokers and salespersons.

AMENDATORY SECTION (Amending Order 136R, filed 10/11/85)

WAC 308-124C-020 REQUIRED RECORDS. The minimum real estate records the real estate broker shall be required to keep are as follows:

- (1) Bank trust account records:
  - (a) Duplicate receipt book or cash receipts journal recording all receipts;
  - (b) Prenumbered checks with check register, cash disbursements journal or check stubs;
  - (c) Validated duplicate bank deposit slips;
  - (d) Client's accounting ledger summarizing all moneys received and all moneys disbursed for each real estate or business opportunity transaction or each property management account, contract or mortgage collection account;
  - (e) In conjunction with (d) above, separate ledger sheets for each tenant (including security deposit), lessee, vendee or mortgagor;
  - (f) Reconciled bank statements and canceled checks for all trust bank accounts.
- (2) Other records:
  - (a) A transaction folder containing all agreements, contracts, documents, leases, closing statements and correspondence for each real estate or business opportunity transaction, and for each rental, lease, contract or mortgage collection account;
  - (b) Reconciled bank statements and cancelled checks for all bank accounts of the real estate firm;
  - (c) The original lease document may be maintained "on-site" for those brokers who utilize the services of a resident manager: PROVIDED, That a source document is maintained at the brokers office which contains the ((information filled in the blank spaces by the tenant and resident manager)) name and address of the tenant; address of the leased premises, if different from the tenant's address; duration of the lease; rental amount; the amount(s) of any and all deposits made by the tenant and the purpose of said deposits; the location where said deposits are being held; and any modification of the terms of the original lease document;
  - (d) The original lease document may be maintained at a branch office: PROVIDED, That a source document is maintained at the main office which contains the information filled in the blank spaces by the tenant and property manager.

AMENDATORY SECTION (Amending Order 136R, filed 10/11/85)

WAC 308-124H-040 APPROVAL OF COURSES. Each proprietary school, individual, association or agency seeking approval of a course or courses shall be required to file an application, on forms provided by the director, with the real estate administrator at least thirty days prior to the date of a regular meeting of the real estate commission. Applications which are completed and filed in a timely manner will be reviewed by the commission for recommendation to the director for consideration of approval or disapproval. The commission may recommend approval of courses solely for the broker requirement or solely for the second renewal requirement.

The director, with the advice of the real estate commission, may deny a course of instruction which, in the opinion of the director, does not meet the requirements of this chapter or meet the needs of the majority of licensees.

Upon approval or disapproval of a course or courses, the applicant will be so advised in writing by the director.

Any changes in the directors or ownership of schools must be submitted to the administrator within twenty days from date of such change for referral to the director and real estate commission for consideration of continued approval.

Any changes in course content or material must be submitted to the administrator no later than twenty days prior to the date of such change for referral to the director and the real estate commission for approval of the change.

Any change in qualified course instructors(~~(- or instruction location))~~) must be submitted to the administrator for approval by the director before implementing such change.

Approval may be withdrawn if the school or course is not conducted in accordance with this chapter or chapter 18.85 RCW, or the school, or its owners, managers or employees, directly or indirectly, solicits information from applicants for a real estate license following the administration of any real estate examination to discover the content of and/or answer to any examination question or questions.

NEW SECTION

WAC 308-124H-043 TEMPORARY APPROVAL OF INSTRUCTORS. If an emergency arises which prevents sufficient time to obtain the director's approval for a change in instructors as required in WAC 308-124H-040, then schools may obtain a substitute instructor to teach the course or courses until the emergency ends or the director has approved a change in instructors, whichever occurs first. The school shall obtain any and all substitute instructors from a list of approved instructors maintained by the real estate division of the department of licensing. Substitute instructors shall only teach a course in which they have been approved to teach. Instructors shall be re-approved biannually. The real estate division of the department of licensing shall maintain a list of courses in which instructors are approved to teach and the lists shall be updated to eliminate courses if an instructor is disapproved for teaching certain courses and to add courses if an instructor is approved for teaching additional courses.

AMENDATORY SECTION (Amending Order 136R, filed 10/11/85)

WAC 308-124H-045 RECORDKEEPING. Upon approval of a course or courses, each proprietary school, individual, association or agency shall, for a period of six years, establish and maintain for each student a complete, accurate and detailed record which shall include the student's attendance, total number of hours of instruction undertaken, and completed areas of study in real estate subjects prescribed by these regulations.

Upon request, a copy of these records shall be made available to the director or student for purposes of determining whether the student has satisfied the provisions of RCW 18.85.090 and/or 18.85.095.

Each approved school shall furnish to the real estate division the date and time of all scheduled offerings, along with a sample of the advertising and promotional materials to be used and a map giving directions to the school. On a monthly basis the school shall submit a schedule of all clock-hour offerings for the next month. In the event of a cancellation, change in place, time or date, immediate notification shall be made to the real estate division.

~~((Each school conducting an offering shall within the ten days following the end of the month in which they have conducted courses, submit to the real estate division, on a form prescribed by the division a listing of those individuals who were enrolled in the offering, with the grades and other information which may be required.))~~

It shall be the responsibility of the proprietary school, individual, association or agency to furnish each student with a grade report or transcript showing name of course, final grade, number of clock hours earned, and beginning and ending dates of each course attended.

**WSR 86-01-039****PROPOSED RULES****DEPARTMENT OF LICENSING**

[Filed December 13, 1985]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Licensing intends to adopt, amend, or repeal rules concerning the staggering of license renewal dates for motor vehicle wreckers, hulk haulers, scrap processors, vehicle dealers, vehicle salespersons, vehicle manufacturers, and motor vehicle transporters. In addition, the scrap processor section will be amended to delete the June 30 fixed license expiration provision and the vehicle licensing section will be amended to delete the fixed expiration dates for vehicle dealers, vehicle manufacturers and motor vehicle transporters;

that the agency will at 10:00 a.m., Wednesday, January 22, 1986, in the Highways-Licenses Building, 4th Floor Conference Room, Olympia, Washington 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 sections 2, 4, 6 and 8 of HB 399 (chapter 109, Laws of 1985), RCW 46.80.140, 46.79.080, 46.70.160, 46.76.070 and 46.16.225.

The specific statute these rules are intended to implement is the respective chapters above.

Dated: November 27, 1985

By: Donna Stringer  
Assistant Director

### STATEMENT OF PURPOSE

Name of Agency: Washington State Department of Licensing Dealer Division.

Statutory Authority: Sections 2, 4, 6 and 8 of HB 399, RCW 46.80.140, 46.79.080, 46.70.160, 46.76.070 and 46.16.225.

Summary of the Rules: They simply establish the WAC authority and a method for staggered licensing.

Purpose and Reason Proposed: To implement HB 339 [399], chapter 109, Laws of 1985. These rules are mandated by sections 2, 4, 6 and 8 of HB 399.

Responsible Departmental Personnel: Donna M. Stringer, Assistant Director, Vehicle Services, Second Floor, Highways-Licenses Building, Olympia, Washington, phone (206) 753-6914 comm or 234-6914 scan.

Proponents: Department of Licensing.

Small Business Economic Impact Statement: Not required since these rule changes do not impact small businesses as that term is defined by RCW 43.31.920.

#### NEW SECTION

WAC 308-61-205 EXPIRATION OF MOTOR VEHICLE WRECKER'S LICENSE. (1) A motor vehicle wrecker's license shall expire twelve consecutive months from the date of issuance for purposes of staggered licensing. During the initial licensing period the renewal dates shall be established by a random alphabetical selection commencing with a minimum license period of six months, extended month by month to a maximum of eighteen consecutive months as determined by the random selection process. Upon completion of the initial staggering of these licenses each subsequent renewal period shall be twelve consecutive months from the established date of the staggered issuance.

(2) Motor vehicle wrecker license plates shall expire on the same date as the expiration of the license.

#### NEW SECTION

WAC 308-61-305 EXPIRATION OF HULK HAULER LICENSE. (1) A hulk hauler's license shall expire twelve consecutive months from the date of issuance for purposes of staggered licensing. During the initial licensing period the renewal dates shall be established by a random alphabetical selection commencing with a minimum license period of six months, extended month by month to a maximum of eighteen consecutive months as determined by the random selection process. Upon completion of the initial staggering of these licenses each subsequent renewal period shall be twelve consecutive months from the established date of the staggered issuance.

(2) Motor vehicle hulk hauler license plates shall expire on the same date as the expiration of the license.

#### NEW SECTION

WAC 308-61-405 EXPIRATION OF SCRAP PROCESSOR LICENSE. (1) A scrap processor's license shall expire twelve consecutive months from the date of issuance for purposes of staggered licensing. During the initial licensing period the renewal dates shall be

established by a random alphabetical selection commencing with a minimum license period of six months, extended month by month to a maximum of eighteen consecutive months as determined by the random selection process. Upon completion of the initial staggering of these licenses each subsequent renewal period shall be twelve consecutive months from the established date of the staggered issuance.

(2) Any special license plates issued to a scrap processor shall expire on the same date as the expiration of the license.

#### NEW SECTION

WAC 308-66-135 EXPIRATION OF DEALER, SALESPERSON AND MANUFACTURER LICENSES. (1) Vehicle dealer, vehicle salesperson and vehicle manufacturer's license shall expire twelve consecutive months from the date of issuance for purposes of staggered licensing. During the initial licensing period the renewal dates shall be established by a random alphabetical selection commencing with a minimum license period of six months, extended month by month to a maximum of eighteen consecutive months as determined by the random selection process. Upon completion of the initial staggering of these licenses each subsequent renewal period shall be twelve consecutive months from the established date of the staggered issuance, subject to the provisions of chapter 46.70 RCW.

(2) Motor vehicle dealer license plates and vehicle manufacturer license plates shall expire on the same date as the expiration of the respective licenses.

#### NEW SECTION

WAC 308-80-015 EXPIRATION OF MOTOR VEHICLE TRANSPORTER LICENSE. (1) A motor vehicle transporter license shall expire twelve consecutive months from the date of issuance for purposes of staggered licensing. During the initial licensing period the renewal dates shall be established by a random alphabetical selection commencing with a minimum license period of six months, extended month by month to a maximum of eighteen consecutive months as determined by the random selection process. Upon completion of the initial staggering of these licenses each subsequent renewal period shall be twelve consecutive months from the established date of the staggered issuance.

(2) Motor vehicle transporter license plates shall expire on the same date as the license expires.

#### AMENDATORY SECTION (Amending Order DOL 684, filed 5/27/82)

WAC 308-61-400 SCRAP PROCESSOR—APPLICATION FOR LICENSE. The application for a scrap processor's license shall contain, in addition to any other information the department may require:

(1) A certification from the chief of police of a city over five thousand population, or from a member of the Washington state patrol in all other areas, that the applicant can be found at the address shown on the application.

(2) Evidence the application is approved by the local government planning and zoning authorities pursuant to the provisions of the State Environmental Act, chapter 43.21C RCW.

~~((A fee of twenty-five dollars shall accompany each original application. The license expires annually on June 30 and may be renewed prior to that date by filing an application and payment of a renewal fee of ten dollars. Failure to renew the license prior to June 30 will require payment of the original license fee of twenty-five dollars, instead of the ten dollar renewal fee.))~~

#### AMENDATORY SECTION (Amending Order MV-355, filed 5/10/76)

WAC 308-96A-260 STAGGERED LICENSING—ASSIGNMENT OF REGISTRATION YEAR FIRST TIME LICENSED. Vehicles licensed for the first time in this state after January 1, 1977, will have registration years assigned as follows:

(1) Fleet vehicles, prorated vehicles, vehicles that are eligible for and whose owners desire to purchase quarterly or monthly tonnage including trailers to be towed by such vehicles, and federal and international exempt vehicles will have a registration year beginning with January 1 of the year during which the vehicle is first registered and ending at midnight of December 31 of that same year.

(2) For hire vehicles will have a registration year beginning with July 1 of the current year and ending at midnight of June 30 of the next succeeding calendar year.

(3) Snowmobiles will have a registration year beginning with October 1 and ending at midnight September 30 of the next succeeding calendar year.

(4) Exempt vehicles and vehicles issued horseless carriage or restored vehicle plates are not required to have their licenses renewed so will not have a registration year assigned. This does not apply to federal exempt and to international exempt vehicles.

~~((5)) The registration year for dealer and manufacturer license plates will be February 1 through January 31.~~

~~(6) The registration year for transporter license plates will be January 1 through December 31.~~

(5) ~~((7))~~ All other vehicles, including those issued amateur radio operator plates, personalized plates, and ATV use permits will have a registration year beginning at 12:01 a.m. on the day that the vehicle is first licensed and ending at 12:01 a.m. on the same date of the next succeeding year: PROVIDED, That a license purchased on February 29 will have a renewal date of February 28.

(6) ~~((8))~~ In the event that the final day of a registration year falls on a Saturday, Sunday or legal holiday, such period shall extend through the end of the next business day.

**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 86-01-040**

**ADOPTED RULES**

**CHIROPRACTIC EXAMINING BOARD**

[Order PL 572—Filed December 13, 1985]

Be it resolved by the Washington State Chiropractic Examining Board, acting at Seattle, Washington, that it does adopt the annexed rules relating to Examinations—National board partial waiver, amending WAC 114-12-125.

This action is taken pursuant to Notice No. WSR 85-21-102 filed with the code reviser on October 23, 1985. 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 18.25.017 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED December 5, 1985.

By Michael R. Davenport, D.C.  
Chairman

AMENDATORY SECTION (Amending Order PL 533, filed 6/19/85)

WAC 114-12-125 EXAMINATIONS—NATIONAL BOARD PARTIAL WAIVER. (1) An applicant who has passed the following subjects on ~~((the))~~

their most recently taken National Board of Chiropractic Examiners examination will be considered to have satisfied the statutory requirement for examination in the equivalent subjects:

Washington Examination Subject	National Board Equivalent
Anatomy	Anatomy
Physiology	Physiology
Hygiene	Microbiology—Public Health
Neurology	Spinal Anatomy
Symptomatology	General Diagnosis
Spinal Pathology	Neuromuscular Skeletal Diagnosis

(2) In addition to any subjects waived, all applicants will be required to pass an examination by the Washington State Board of Chiropractic Examiners in the subjects of Principles of Chiropractic, x-ray and adjunctive technique. Each applicant must correctly answer seventy-five percent of all questions asked and seventy percent of the questions on any branch of examination given by the Washington State Board in order to be eligible for licensure.

**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 86-01-041**

**ADOPTED RULES**

**DEPARTMENT OF LICENSING  
(Podiatry Board)**

[Order PL 573—Filed December 13, 1985]

Be it resolved by the Washington State Board of Podiatry, acting at the Travelodge, Rooms A and B, 2824 South 188th Street, Seattle, WA 98188, that it does adopt the annexed rules relating to board officers, new section WAC 308-31-001.

This action is taken pursuant to Notice No. WSR 85-20-123 filed with the code reviser on October 2, 1985. 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 Board of Podiatry as authorized in RCW 18.22.015(8).

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 19, 1985.

By Louis P. Morris, D.P.M.  
Chairman

NEW SECTION

WAC 308-31-001 BOARD OFFICERS. In addition to electing a board member to serve as chairperson as required by RCW 18.22.014, the board shall also elect a vice-chairperson and a secretary from among its members.

The board shall schedule an annual election of members to the above named offices.

**WSR 86-01-042****ADOPTED RULES****EASTERN WASHINGTON UNIVERSITY**

[Order 85-01—Filed December 13, 1985]

I, Jean Beschel, chair, board of trustees of the Eastern Washington University do promulgate and adopt the annexed rules relating to:

- Amd WAC 172-144-010 Special charges—Financial responsibility—Purpose.  
 Amd WAC 172-144-020 Authority of the university to make deductions.  
 Amd WAC 172-144-040 Periodic deductions.  
 Amd WAC 172-144-050 Right to appeal assessed financial obligations.  
 Amd WAC 172-180-010 Introduction and purpose.  
 Amd WAC 172-180-020 Delegation of appointing authority power.  
 Amd WAC 172-180-040 Effective date.

This action is taken pursuant to Notice No. WSR 85-21-109 filed with the code reviser on October 23, 1985. 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 under the general rule-making authority of the Eastern Washington University as authorized in RCW 28B.35.120 and 43.21C.120.

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 December 2, 1985.

By Jean L. Beschel  
Chair

AMENDATORY SECTION (Amending Resolution 78-2, filed 5/5/78)

WAC 172-180-010 INTRODUCTION AND PURPOSE. In accordance with the requirements of WAC 251-12-010, through which the higher education personnel board of the state of Washington did authorize "appointing authorities" to demote, suspend, and reduce in salary or dismiss any employee under its jurisdiction for the causes stated in such rule, the board of trustees at Eastern Washington University hereby promulgates the following rules delegating the powers conferred upon it as an appointing authority. Such power is expressly derived from RCW ((28B.40.120)) 28B.39.120, which statute accords the board of trustees the power and duty to employ, discipline, and discharge university employees

within the limitations provided by law, and RCW (([28B.10.528] [28B.40.528])) 28B.10.528, which statute expressly accords the board of trustees the power, when exercised by resolution, to delegate to any designee powers and duties vested in or imposed upon the board by law.

**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 82-04, filed 11/3/82)

WAC 172-180-020 DELEGATION OF APPOINTING AUTHORITY POWER. In accordance with the statutory powers referred to in WAC 172-180-010 and in accordance with the rules promulgated by the higher education personnel board, the board of trustees of Eastern Washington University, in accordance with the resolution adopting this WAC chapter, hereby designates the following positions, and persons occupying such positions, as appointing authorities at Eastern Washington University:

- (1) The president;
- (2) The vice president and provost for academic affairs;
- (3) The vice provost for academic affairs;
- (4) The vice president for business and finance;
- (5) The vice president for extended programs;
- (6) The ((provost)) vice president for student services;
- (7) ((The vice president for administration;
- ((8))) The dean, college of letters and sciences;
- ((9)) (8) The dean, school of fine arts;
- ((10)) (9) The dean, school of human learning and development;
- ((11)) (10) The dean, ((division)) school of health sciences;
- ((12)) (11) The dean, school of business;
- ((13)) (12) The dean, school of social work and human services;
- ((14)) (13) The dean, school of public affairs;
- ((15)) (14) The dean, school of mathematical sciences and technology;
- (15) The university librarian; and
- (16) The executive assistant to the president (also the secretary of the board of trustees).

AMENDATORY SECTION (Amending Resolution 78-2, filed 5/5/78)

WAC 172-180-040 EFFECTIVE DATE. Upon the date this rule becomes effective, in accordance with the Higher Education Personnel Act, this rule shall supersede the resolution adopted by the board of trustees of Eastern Washington University dated ((March 20; 1973)) October 28, 1982.

AMENDATORY SECTION (Amending Order 73-12, filed 5/22/73)

WAC 172-144-010 PURPOSE. Commensurate with the privileges afforded individual students in the employ of Eastern Washington ((State College)) University, an employee has a financial responsibility to the

~~((college)) university~~ for legitimate financial obligations owed to the ~~((college)) university~~.

AMENDATORY SECTION (Amending Order 73-12, filed 5/22/73)

WAC 172-144-020 AUTHORITY OF THE ((COLLEGE)) UNIVERSITY TO MAKE DEDUCTIONS. (1) Except as provided in WAC 172-144-030, following ~~((thirty)) fifteen~~ calendar days' notice to the employee, the ~~((college)) university~~ may deduct from the net remuneration owed to the employee by the ~~((college)) university~~ for that particular pay period, the amount of any or all fees, charges, debts, fines, or other financial obligations owed to the ~~((college)) university~~, which shall include but are not limited to the following:

- (a) Enrollment fees;
- (b) Housing charges;
- (c) Short-term ~~((loan))~~ and long-term loans;
- (d) Personal telephone tolls charged to a ~~((college)) university~~ number;
- (e) Bookstore debts;
- (f) Parking fines;
- (g) Damages to ~~((college)) university~~ property;
- (h) Library fines.

(2) The ~~((thirty)) fifteen~~-day notice as provided for in WAC 172-144-020(1) shall contain a statement setting forth the manner in which the financial obligations were incurred by the employee and the amount assessed.

AMENDATORY SECTION (Amending Order 73-12, filed 5/22/73)

WAC 172-144-040 PERIODIC DEDUCTIONS. Should such deductions for any pay period produce a material and substantial hardship on the assessed employee, the ~~((college)) university~~ may enter into an agreement with the employee for a method of periodic deductions from the employee's paycheck until such financial obligations owed to the ~~((college)) university~~ have been satisfied.

AMENDATORY SECTION (Amending Order 73-12, filed 5/22/73)

WAC 172-144-050 RIGHT TO APPEAL ASSESSED FINANCIAL OBLIGATIONS. Every employee has the right to appeal a decision of any ~~((college)) university~~ department or division to assess a fee, fine, charge, debt, or other financial obligation for a determination of the validity and legitimacy of that charge. The appeal must be in writing and directed to the division or department head assessing the financial obligation. Notice shall be given within ten days after assessment of the charge. Following such notice, the employee shall be allowed an informal hearing with the head or appointed representative of the department or division assessing the obligation. The decision of such a hearing shall be final (~~PROVIDED, That in the event that such fee, charge, debt, fine, or other financial obligation shall exceed two hundred dollars, the assessed~~

~~employee may waive the appeal provision provided in this section and proceed under civil remedies~~)).

**WSR 86-01-043**  
**EMERGENCY RULES**  
**DEPARTMENT OF GAME**  
**(Game Commission)**  
 [Order 289—Filed December 13, 1985]

Be it resolved by the State Game Commission, acting at Olympia, Washington, conference call, that it does adopt the annexed rules relating to emergency declaration, dogs may be taken into custody or destroyed, WAC 232-12-04505. Dogs pursuing, harassing, attacking or killing deer or elk in certain counties may be taken into custody or destroyed.

We, the State Game Commission, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is deep and crusted snow has moved deer and elk into lowland areas and made them vulnerable to pursuit, harassment, attack or being killed by dogs running loose. Instances of deer being killed by dogs have been documented.

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

This rule is promulgated pursuant to RCW 77.12.315 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 December 13, 1985.  
 By Archie U. Mills  
 Chairman, Game Commission

NEW SECTION

WAC 232-12-04505 EMERGENCY DECLARATION, DOGS MAY BE TAKEN INTO CUSTODY OR DESTROYED. Pursuant to the determination by the Director of Game that a severe problem exists in Chelan, Douglas, Ferry, Kittitas, Okanogan, Pend Oreille, Spokane, Stevens and Yakima Counties, and Grant County north of Interstate 90, the State Game Commission declares that an emergency exists, and that effective December 13, 1985, in the aforementioned counties, it is lawful for wildlife agents to take into custody, or destroy if necessary, any dog found pursuing, harassing, attacking or killing deer or elk. Wildlife agents who take into custody or destroy a dog pursuant to this rule and RCW 77.12.315 are immune from civil or criminal liability arising from their actions.

**WSR 86-01-044**  
**PROPOSED RULES**  
**DEPARTMENT OF TRANSPORTATION**  
**(Transportation Commission)**  
 [Filed December 13, 1985]

Dated: December 12, 1985  
 By: Lue Clarkson  
 Administrator

**STATEMENT OF PURPOSE**

Title: The adoption of a revised schedule of tolls for the Washington state ferry system.

Statutory Authority: RCW 47.60.326.

Summary of Rule: To revise the fare schedule on the state ferry system to meet the changing economic factors, including costs of inflation and higher operational costs.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Don L. Sorte, Assistant Secretary for Marine Transportation.

Person or Organization Proposing Rule, and Whether Public, Private, or Governmental: Washington State Transportation Commission, governmental.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: No.

Small Business Economic Impact Statement: The department has considered this rule and determined that it does not affect more than 10% of one industry or 20% of all industry.

Notice is hereby given in accordance with the provisions of RCW 34.04.025, 47.60.326 and 47.56.030, that the Washington State Transportation Commission intends to adopt, amend, or repeal rules concerning the adoption of a revised schedule of tolls for the Washington state ferry system;

that the agency will at 10:00 a.m., Thursday, February 20, 1986, in Room 1D2, Transportation 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 February 20, 1986.

The authority under which these rules are proposed is RCW 47.56.030 and 47.60.326.

The specific statute these rules are intended to implement is RCW 47.60.326.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before February 20, 1986.

AMENDATORY SECTION (Amending Order 44, Resolution No. 241, filed 5/3/85)

WAC 468-300-010 FERRY PASSENGER TOLLS.

((Effective 12:01 a.m. June 16, 1985

ROUTES	Full Fare		Half Fare**		COMMUNITY TRANSPORTATION		PASSENGER SCHOOL COMMUNITY TRANSPORTATION	
	Full	Half	Full	Half	Rides	Rides	Ages	Ages
Fauntleroy-Southworth							12-20	5-11
Seattle-Bremerton								
Seattle-Winslow	1.55	.80			18.60	15.50		7.75
Pt. Townsend-Keystone								
Edmonds-Kingston								
Fauntleroy-Vashon								
Southworth-Vashon	2.00	1.00			12.00	10.00		5.00
Pt. Defiance-Fahlecquah								
Mukilteo-Clinton	1.00	.50			12.00	10.00		5.00
Anacortes to Lopez, Shaw, Orcas or Friday Harbor	4.35	2.20			26.10	21.75		10.90
Anacortes to Sidney and Sidney to all destinations	5.65	2.85			N/A	N/A		N/A
Between Lopez, Shaw, Orcas and Friday Harbor	N/C	N/C			N/C	N/C		N/C
From Lopez, Shaw, Orcas and Friday Harbor to Sidney@	2.00	1.00			N/A	N/A		N/A

@These fares rounded to the nearest multiple of \$ .25.)

Effective 12:01 a.m. (~~June 15~~) January 5, 1986

ROUTES	Full Fare (One Way)	Half Fare** (One Way)	COM- MU- TATION	PASSENGER SCHOOL COM- MU- TATION	
			20 Rides *****	***** 20 Rides Ages	12-20 5-11
Fauntleroy-Southworth Seattle-Bremerton Seattle-Winslow	<del>(1.60)</del> * 3.20	.80 1.60	<del>19.20</del> 19.20	<del>16.00</del> 16.00	<del>8.00</del> 8.00
Pt. Townsend-Keystone Edmonds-Kingston					
Fauntleroy-Vashon Southworth-Vashon Pt. Defiance-Tahlequah Mukilteo-Clinton	* 2.10	((+)) 1.05	12.60 *****	10.50	5.25
((Mukilteo-Clinton	1.05	.55	12.60	10.50	5.25))
Anacortes to Lopez, Shaw, Orcas or Friday Harbor	* 4.50	2.25	27.00	22.50	11.25
Anacortes to Sidney and Sidney to all destinations	5.85	2.95	N/A	N/A	N/A
Between Lopez, Shaw, Orcas***** and Friday Harbor	N/C	N/C	N/C	N/C	N/C
From Lopez, Shaw, Orcas and Friday Harbor@ to Sidney	2.25	1.25	N/A	N/A	N/A

@These fares rounded to the nearest multiple of \$ .25.

\*These routes operate on one-way only toll collection system.

\*\*Half Fare

Senior Citizens - Passengers and driver, age 65 and over, with proper identification establishing proof of age, may travel at half-fare tolls on any route. Includes passengers in vehicles licensed as stages and buses.

NOTE: Half-fare privilege does not include vehicle.

Children - Children under five years of age will be carried free when accompanied by parent or guardian. Children five through eleven years of age will be charged half-fare. Children twelve years of age will be charged full-fare.

Handicapped - Any individual who, by reason of illness, injury, congenital malfunction, or other incapacity or disability is unable without special facilities or special planning or design to utilize ferry system services, may travel at half-fare tolls on any route upon presentation of a WSF handicapped travel permit at time of travel. In addition, those handicapped persons who require attendant care while traveling on the ferries, and are so certified by their physician, may obtain an endorsement on their WSF handicapped travel permit and such endorsement shall allow the attendant to also travel at half fare.

NOTE: Half-fare privilege does not include vehicle.

\*\*\*School commutation tickets - Tickets are for the exclusive use of bona fide students under twenty-one years of age attending grade, junior high, and high schools. Student shall be required to present credentials at time of purchase. A letter indicating school attendance signed by school principal or authorized representative shall be considered proper credentials. Tickets are valid for transportation on school days only.

\*\*\*\*A combination ferry/bus public transit passenger monthly reusable ticket rate may be available for a particular route in conjunction with a public transit operating authority whenever it is determined by the transportation commission that said ticket is a necessary element of a transit operating plan designed to eliminate the necessity for assigning an additional ferry to such particular route; and that the resulting savings in ferry system operating and amortized capital costs exceed the total revenue lost as a result of this reduced rate as projected during the period of time during which such transit operating plan is projected to eliminate the need for an additional ferry. The equivalent ferry fare per ride with this special rate shall be one-half the equivalent fare per ride with the standard commutation book, and shall assume 40 one-way trips per month. The total cost of the ticket shall be the cost of the ferry portion, calculated as described above plus the cost of the bus portion as determined by the public transit operating authority, subject to the approval of the secretary of transportation. The ticket shall be valid only for passengers on board a bus; or for walk-on passengers on those routes which have connecting bus service as part of the transit operating plan. The assigning of an additional ferry to such particular route may be cause for removal of the special rate. If the conditions of eliminating the assignment of an additional ferry or realizing sufficient resulting savings cannot be met, the ticket may be sold for any route authorized by the secretary of transportation, at the full ferry commutation fare per ride based on forty one-way trips per month plus the cost of the bus portion.

\*\*\*\*\*On the Fauntleroy-Vashon route, a combination ferry/bus public transit monthly reusable ticket rate shall apply.

\*\*\*\*\*Commutation tickets shall be valid only for 90-days from date of purchase after which time the tickets shall not be accepted for passage. Washington state ferries shall enter into agreements with banks to sell commutation tickets.

\*\*\*\*\*Inter-island passenger fares included in Anacortes tolls.

PROMOTIONAL TOLLS

A promotional rate may be established at the discretion of the secretary of transportation for a specific discount (not to exceed 50 percent of full fare) and effective only at designated times on designated routes (not to exceed 100 days per year on any one route).

AMENDATORY SECTION (Amending Order 44, Resolution No. 241, filed 5/3/85)

WAC 468-300-020 AUTO, MOTORCYCLE AND BICYCLE FERRY TOLLS.

((Effective 12:01 a.m. June 16, 1985

	AUTO**		MOTORCYCLE		BICYCLE & RIDER		
	INCL. DRIVER		INCL. DRIVER		Full Fare One Way	Half Fare One Way	Commutation 20 Rides ***
	One Way	Commutation 20 Rides ***	One Way	Commutation 20 Rides ***			
Fauntleroy-Southworth Seattle-Bremerton Seattle-Winslow Pt. Townsend-Keystone Edmonds-Kingston	5.20	83.20	2.85	38.00	2.15	1.40	21.50
Fauntleroy-Vashon Southworth-Vashon Pt. Defiance-Tahlequah	7.00	56.00	3.80	25.35	3.00	2.00	15.00
Mukilteo-Clinton	3.50	56.00	1.90	25.35	1.50	1.00	15.00
		10 Rides					
Anacortes to Lopez, Shaw, Orcas or Friday Harbor	10.85 12.95 14.80	43.40 51.80 59.20	6.70 7.65 8.85	44.65 51.00 59.00	5.80	3.65	29.00
Anacortes to Sidney and Sidney to all destinations	24.35	N/A	12.25	N/A	8.00	5.10	N/A
Between Lopez, Shaw, Orcas and Friday Harbor ***** @	6.25	25.00	2.00	N/A	2.00	2.00	N/A
From Lopez, Shaw, Orcas and Friday Harbor to Sidney@	12.25	N/A	5.50	N/A	3.00	2.00	N/A

@These fares rounded to the nearest multiple of \$ .25.)

Effective 12:01 a.m. ((June 15)) January 5, 1986

	AUTO**		MOTORCYCLE		BICYCLE & RIDER		
	INCL. DRIVER		INCL. DRIVER		Full Fare One Way	Half Fare One Way	Commutation 20 Rides ***
	One Way	Commutation 20 Rides ***	One Way	Commutation 20 Rides ***			
Fauntleroy-Southworth Seattle-Bremerton Seattle-Winslow Pt. Townsend-Keystone Edmonds-Kingston	5.40	86.40	2.95	39.35	2.25	1.45	22.50
Fauntleroy-Vashon Southworth-Vashon Pt. Defiance-Tahlequah Mukilteo-Clinton	<del>(7.30)</del> 7.25	<del>58.40</del> 58.00	<del>3.90</del> 3.95	<del>26.00)</del> 26.35	3.10	2.10	15.50
((Mukilteo-Clinton	3.65	58.40	1.95	26.00	1.55	1.05	15.50))
		10 Rides					
Anacortes to Lopez, Shaw, Orcas or Friday Harbor	11.25 13.45 15.40	45.00 53.80 61.60	6.95 7.95 9.20	46.35 53.00 61.35	6.05	3.80	30.25
Anacortes to Sidney and Sidney to all destinations	25.30	N/A	12.75	N/A	8.30	5.40	N/A
Between Lopez, Shaw, Orcas and Friday Harbor ***** @	6.50	26.00	2.25	N/A	2.25	2.25	N/A
From Lopez, Shaw, Orcas@ and Friday Harbor to Sidney	12.75	N/A	5.75	N/A	3.25	2.25	N/A

@These fares rounded to the nearest multiple of \$ .25.

\*These routes operate on one-way only toll collection system.

\*\*Vanpools - A commuter vanpool which carries seven or more persons on a regular and expense-sharing basis for the purpose of travel to or from work or school and which is certified as such by a local organization approved by the Washington state ferry system, may purchase for a \$10 fee, a permit valid for a three-month period on Mondays through Fridays only and valid only during the hours shown on the permit. The permit for commuter pool agency vanpools shall be valid for one year. These hours are selectable by the purchaser but shall designate two periods of use each day not to exceed two hours per period. The permit so

purchased shall allow passage of the vehicle only during the valid periods. All riders in the van, including the driver, shall pay the applicable passenger fare. Except that the minimum total paid for all riders in the van shall not be less than the amount equal to seven times the applicable passenger fare.

\*\*\*Commutation tickets shall be valid only for 90-days from date of purchase after which time the ticket shall not be accepted for passage. Washington state ferries shall enter into agreements with banks to sell commutation tickets.

\*\*\*\*Tolls collected westbound only.

**SUMMER SURCHARGE**

A 20% surcharge shall be applied during the summer schedule period (beginning the third Sunday in June and ending the third Saturday in September) to regular, noncommutation auto and oversized vehicle rates only.

**PENALTY CHARGES**

Owner of vehicle without driver will be assessed a \$50.00 penalty charge.

Overhang on passenger vehicles will be assessed a penalty charge of 10¢ per lineal foot of overhang in addition to regular applicable tolls, except that no charge for overhang will be assessed when overall length of vehicle and overhang is less than twenty feet. A fraction of a foot of overhang in excess of six inches will be counted as one foot in assessment of charge for overhang.

**SPECIAL SCHOOL RATE**

School groups when traveling in authorized school vehicles for institution-sponsored activities shall be assessed a flat fee of \$1.00 per vehicles load of students and/or advisors and staff. The flat fee shall be in addition to regular vehicle and drive toll. Private vehicles need letter of authorization.

NOTE: Special school rate is \$2.00 on routes where one-way only toll systems are in effect. Special student Rate not available on Anacortes-Sidney, B.C. route beginning the third Sunday in June and ending the third Saturday in September due to limited space.

**PROMOTIONAL TOLLS**

A promotional rate may be established at the discretion of the secretary of transportation for a specified discount (not to exceed 50 percent of full fare) and effective only at designated times on designated routes (not to exceed 100 days per year on any one route).

**AMENDATORY SECTION (Amending Order 44, Resolution No. 241, filed 5/3/85)**

**WAC 468-300-030 OVERSIZED VEHICLE, STAGE AND BUS, NEWSPAPER, EXPRESS SHIPMENT AND MEDICAL SUPPLIES FERRY TOLLS.**

((Effective 12:01 a.m. June 16, 1985

ROUTES	OVERSIZED VEHICLES** 18' TO UNDER 28' LONG		OVERSIZED VEHICLES** 28' OR LONGER		STAGES AND BUSES INCL. DRIVER***	
	One-Way	Commutation 20 Rides *****	One-Way	Commutation 20 Rides *****	One-Way	Each Pass
Fauntleroy-Southworth Seattle-Bremerton Seattle-Winslow Edmonds-Kingston Pt. Townsend-Keystone	7.80	124.80	10.50	168.00	11.45	.80
Fauntleroy-Vashon Southworth-Vashon Pt. Defiance-Tahlequah *	10.70	85.60	14.70	117.60	14.60	1.10
Mukilteo-Clinton	5.35	85.60	7.35	117.60	7.30	.55
Anacortes to Lopez, Shaw, Orcas or Friday Harbor	19.10	76.40	25.25	101.00	31.15	2.15
Anacortes to Sidney and Sidney to all destinations	30.95	N/A	36.30	N/A	45.35	2.85
Between Lopez, Shaw, Orcas and@ Friday Harbor*****	10.25	N/A	10.25	N/A	10.25	N/C
From Lopez, Shaw, Orcas, and Friday Harbor to Sidney@	17.00	N/A	21.25	N/A	14.50	1.00

@These fares rounded to the nearest multiple of \$-.25.

(1) BULK NEWSPAPERS per 100 lbs. \$2.05

(Shipments exceeding 60,000 lbs. in any month shall be assessed \$1.00 per 100 lbs.)

Daily Newspapers, in bundles, and medical supplies, to be received and delivered without receipt and subject to owner's risk, will be transported between ferry terminals on regular scheduled sailings.

(2) EXPRESS SHIPMENTS per 100 lbs. \$19.55

(Shipments exceeding 100 lbs. assessed \$7.75 for each 25 lbs. or fraction thereof.)

Express shipments will be handled on scheduled sailings when no other means of shipment is available to shipper. Shipments must be of a size and weight requiring a minimum of handling by carrier's employees. Carrier reserves the right to refuse shipment of any item. Carrier assumes no liability for loss or damage to any shipment. Minimum rate for any shipment shall be the rate for 100 pounds.

San Juan Inter-Island express shipments will be handled @ \$2.65 per 100 lbs.

(3) MEDICAL SUPPLIES per 100 lbs. \$1.05

(Medical supplies exceeding 100 lbs. shall be assessed express shipment rates.))



Effective 12:01 a.m. ((June-15)) January 5, 1986

ROUTES	OVERSIZED VEHICLES** 18' TO UNDER 28' LONG		OVERSIZED VEHICLES** 28' OR LONGER		STAGES AND BUSES INCL. DRIVER***	
	One Way	Commutation 20 Rides *****	One Way	Commutation 20 Rides *****	One Way	((Each Pass))
Fauntleroy-Southworth Seattle-Bremerton Seattle-Winslow Edmonds-Kingston Pt. Townsend-Keystone	8.10	129.60	10.90	174.40	11.90	((-.90))
Fauntleroy-Vashon Southworth-Vashon	11.10	88.80	((15.30) 15.25	(122.40) 122.00	(15.20) 15.15	(1.20))
Pt. Defiance-Tahlequah Mukilteo-Clinton	}* }*					
((Mukilteo-Clinton	5.55	88.80	7.65	122.40	7.60	.60))
Anacortes to Lopez, Shaw, Orcas or Friday Harbor *	10 Rides 19.85	79.40	26.25	105.00	32.35	((2.30))
Anacortes to Sidney and Sidney to all destinations	32.15	N/A	37.70	N/A	47.10	((2.95))
Between Lopez, Shaw, Orcas and@ Friday Harbor*****	10.75	N/A	10.75	N/A	10.75	((N/E))
From Lopez, Shaw, Orcas, and Friday Harbor to Sidney@	17.50	N/A	22.00	N/A	15.00	((1.00))

@These fares rounded to the nearest multiple of \$ .25.

(1) BULK NEWSPAPERS per 100 lbs. \$2.15

(Shipments exceeding 60,000 lbs. in any month shall be assessed \$1.05 per 100 lbs.)

Daily Newspapers, in bundles, and medical supplies, to be received and delivered without receipt and subject to owner's risk, will be transported between ferry terminals on regular scheduled sailings.

(2) EXPRESS SHIPMENTS per 100 lbs. \$20.30

(Shipments exceeding 100 lbs. assessed \$8.05 for each 25 lbs. or fraction thereof.)

Express shipments will be handled on scheduled sailings when no other means of shipment is available to shipper. Shipments must be of a size and weight requiring a minimum of handling by carrier's employees. Carrier reserves the right to refuse shipment of any item. Carrier assumes no liability for loss or damage to any shipment. Minimum rate for any shipment shall be the rate for 100 pounds.

San Juan Inter-Island express shipments will be handled @ \$2.75 per 100 lbs.

(3) MEDICAL SUPPLIES per 100 lbs. \$1.10

\*These routes operate on one-way only toll collection system.

\*\*Includes motor homes, and mobile campers that exceed eight feet in height and 18' in length. Excludes trucks licensed over 8,000 lbs., passenger busses and stages. All oversize vehicles under 18' in length will be considered as regular car and driver.

\*\*\*Stages - A public transportation operator providing regularly scheduled week-day service for public necessity and convenience may pay a \$10 annual fee for each scheduled vehicle. This fee covers the fare for each trip of the vehicle and operator only. All occupants shall be assessed the applicable passenger rate per trip. The \$10 annual fee does not apply to vehicles providing chartered service or vehicles providing service for special events such as trips for recreational purposes.

- For vanpool fares, see WAC 468-300-020 under auto.

\*\*\*\*Half fare.

\*\*\*\*\*Commutation tickets shall be valid only for 90-days from date of purchase after which time the tickets shall not be accepted for passage.

Washington state ferries shall enter into agreements with banks to sell commutation tickets.

\*\*\*\*\*Toll collected westbound only.

SUMMER SURCHARGE

A 20% surcharge shall be applied during the summer schedule period (beginning the third Sunday in June and ending the third Saturday in September) to regular, noncommutation auto and oversized vehicle rates only.

PENALTY CHARGES

Owner of vehicle without driver will be assessed a \$50.00 penalty charge.

PROMOTIONAL DISCOUNTS

A promotional rate may be established at the discretion of the secretary of transportation for a specific discount (not to exceed 50 percent of full fare) and effective only at designated times on designated routes (not to exceed 100 days per year on any one route).

AMENDATORY SECTION (Amending Order 44, Resolution No. 241, filed 5/3/85)

WAC 468-300-040 TRUCKS AND TRUCKS WITH TRAILER FERRY TOLLS.

((Effective 12:01 a.m. June 16, 1985

ROUTES	INCL. DRIVER OVERALL UNIT LENGTH								Cost Per Ft. over 78 Ft.
	Class I ***	Class II	Class III	Class IV	Class V	Class VI	Class VII	Class VIII	
	Under 18'	18' to Under 28'	28' to Under 38'	38' to Under 48'	48' to Under 58'	58' to Under 68'	68' to Under 78'	Over 78'	
Fauntleroy-Southworth Seattle-Bremerton Seattle-Winslow Pt. Townsend-Keystone Edmonds-Kingston	5.20	8.80	17.40	26.05	34.65	43.30	51.90	51.90	.70
Fauntleroy-Vashon Southworth-Vashon Pt. Defiance-Tahlequah	7.00	12.30	24.40	36.50	48.50	60.60	72.70	72.70	.90
Mukilteo-Clinton	3.50	6.15	12.20	18.25	24.25	30.30	36.35	36.35	.45
**Anacortes to Lopez, Shaw, Orcas or Friday Harbor	10.85 12.95 14.80	21.00	41.70	62.40	83.10	103.90	124.60	124.60	1.75
Anacortes to Sidney **and Sidney to all destinations	24.35	31.95	53.90	75.90	97.90	119.95	141.95	141.95	1.95
**Between Lopez, Shaw, Orcas ***** @ and Friday Harbor	6.25	10.25	10.25	10.25	41.25	41.25	41.25	41.25	N/A
**From Lopez, Shaw, Orcas and Friday Harbor to Sidney@	13.00	18.75	31.75	44.75	57.50	70.50	83.50	83.50	1.00

@These fares rounded to the nearest multiple of \$-.25.)

Effective 12:01 a.m. ((June 15)) January 5, 1986

ROUTES	INCL. DRIVER OVERALL UNIT LENGTH								Cost Per Ft. over 78 Ft.
	Class I ***	Class II	Class III	Class IV	Class V	Class VI	Class VII	Class VIII	
	Under 18'	18' to Under 28'	28' to Under 38'	38' to Under 48'	48' to Under 58'	58' to Under 68'	68' to Under 78'	Over 78'	
Fauntleroy-Southworth Seattle-Bremerton Seattle-Winslow Pt. Townsend-Keystone Edmonds-Kingston	5.40	9.15	18.10	27.05	36.00	45.00	53.90	53.90	.75
Fauntleroy-Vashon Southworth-Vashon Pt. Defiance-Tahlequah Mukilteo-Clinton	* ((7.30)) 7.25	12.80	((25.40) 25.35	37.90	50.40	63.00 62.95	75.50 75.55	75.50 75.55	(1.00) .95
((Mukilteo-Clinton	3.65	6.40	12.70	18.95	25.20	31.50	37.75	37.75	(.50))
**Anacortes to Lopez, Shaw, Orcas * or Friday Harbor	11.25 13.45 15.40	21.80	43.35	64.85	86.35	107.95	129.45	129.45	1.80
Anacortes to Sidney **and Sidney to all destinations	25.30	33.20	56.00	78.85	101.70	124.65	147.50	147.50	2.05
**Between Lopez, Shaw, Orcas ***** @ and Friday Harbor	6.50	10.75	10.75	10.75	42.75	42.75	42.75	42.75	N/A

Effective 12:01 a.m. (~~June 15~~) January 5, 1986

ROUTES	INCL. DRIVER OVERALL UNIT LENGTH								Cost Per Ft. over 78 Ft.
	Class I *** Under 18'	Class II 18' to Under 28'	Class III 28' to Under 38' ****	Class IV 38' to Under 48'	Class V 48' to Under 58'	Class VI 58' to Under 68'	Class VII 68' to Under 78'	Class VIII Over 78'	

**From Lopez, Shaw, Orcas and Friday Harbor to Sidney@	13.50	19.50	33.00	46.50	59.75	73.25	86.75	86.75	1.00
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@These fares rounded to the nearest multiple of \$ .25.

\*These routes operate on one-way only toll collection system.

\*\*Commercial trucks are allowed stop-over at intermediate points upon payment of \$2.50 per stop-over.

\*\*\*Includes all trucks licensed 8,001 lbs. gross vehicle weight and above, except busses. Trucks under 8,001 lbs. will be classified as automobiles.

Also includes all trucks licensed 8,001 lbs. gross vehicle weight and above pulling trailers, unlicensed vehicles and road machinery on wheels. Vehicles not included in this class cannot be charged under this class.

\*\*\*\*UNITED STATES GOVERNMENT SPECIAL RATE - Special rates are available to the United States government through advance, bulk ticket purchase at the general offices of Washington state ferries. The per unit price is the same as the 28' to under 38', class III rate.

\*\*\*\*\*Toll collected westbound only.

**PENALTY CHARGES**

Owner of vehicle without driver will be assessed a \$50.00 penalty charge.

**DISCOUNT PERCENTAGES FROM REGULAR TOLL**

12 or more, one-way crossings within any consecutive six day period..... 25%

Emergency trips during nonservice hours - while at locations where crew is on duty charge shall be equal to the cost of fuel consumed to make emergency trip. Such trips shall only be offered as a result of official requests from an emergency services agency and only in the case of no reasonable alternative.

**AMENDATORY SECTION (Amending Order 44, Resolution No. 241, filed 5/3/85)**

**WAC 468-300-070 VEHICLE WITH TRAILER FERRY TOLLS.**

(Effective 12:01 a.m. June 16, 1985)

**Vehicle with Trailer Ferry Tolls\*\*\*\***

Under 18'	18' To 28'	28' To 38'	38' To 48'	48' And Over
Under 28'	Under 38'	Under 48'		

Seattle-Winslow					
Seattle-Bremerton					
Edmonds-Kingston	5.20	7.80	10.50	14.85	19.15
Pt. Townsend-Keystone					
Fauntleroy-Southworth					
*Fauntleroy-Vashon					
*Southworth-Vashon	7.00	10.70	14.70	20.80	26.90
*Pt. Defiance-Fahlequah					
Mukilteo-Clinton	3.50	5.35	7.35	10.40	13.45
Anacortes to Lopez,	10.85				
Shaw, Orcas *	12.95	19.10	25.25	35.60	45.95
or Friday Harbor	14.80				
Anacortes to Sidney					
and Sidney to all	24.35	30.95	36.30	47.30	58.30
destinations					
Between Lopez,					
Shaw, Orcas *****@	6.25	10.25	10.25	10.25	41.25
and Friday Harbor					
From Lopez, Shaw,					
Orcas and Friday	13.00	17.00	21.25	27.75	34.25
Harbor to Sidney@					

@These fares rounded to the nearest multiple of \$ .25.)

Effective 12:01 a.m. (~~June 15~~) January 5, 1986

		Vehicle with Trailer Ferry Tolls***				
		Under 18'	18' To Under 28'	28' To Under 38'	38' To Under 48'	48' And Over
Seattle-Winslow	}	5.40	8.10	10.90	15.45	19.90
Seattle-Bremerton						
Edmonds-Kingston						
Pt. Townsend-Keystone						
Fauntleroy-Southworth	}	<del>(7.30)</del> 7.25	11.10	<del>(15.30)</del> 15.25	21.60	<del>(27.90)</del> 27.95
(*)Fauntleroy-Vashon						
(*)Southworth-Vashon						
(*)Pt. Defiance-Tahlequah	}	3.65	5.55	7.65	10.80	13.95
Mukilteo-Clinton						
(Mukilteo-Clinton						
Anacortes to Lopez, Shaw, Orcas * or Friday Harbor	}	11.25	19.85	26.25	37.00	47.75
		13.45				
		15.40				
Anacortes to Sidney and Sidney to all destinations		25.30	32.15	37.70	49.15	60.55
Between Lopez, Shaw, Orcas ****@ and Friday Harbor		6.50	10.75	10.75	10.75	42.75
From Lopez, Shaw, Orcas and Friday Harbor to Sidney@		13.50	17.75	22.00	28.75	35.50

@These fares rounded to the nearest multiple of \$ .25.

\*These routes operate on one-way only toll collection system.

**PENALTY CHARGES**

Owner of vehicle without driver will be assessed a \$50.00 penalty charge.

**\*\*\*INCLUDES THE FOLLOWING VEHICLES PULLING TRAILERS:**

- Automobiles
- Trucks licensed under 8,001 lbs. (For trucks 8,001 lbs. and over, see WAC 468-300-020)
- Oversize vehicles
- Does not include motorcycles with trailers.

\*\*\*\*Toll collected westbound only.

Senior citizen discounts for the driver of the above vehicles shall apply.

Senior citizen discount is determined by subtracting full fare passenger rate and adding 1/2 passenger fare.

**WSR 86-01-045**

**NOTICE OF PUBLIC MEETINGS  
TACOMA COMMUNITY COLLEGE**

[Memorandum—December 10, 1985]

The dates for the meetings of the board of trustees of Tacoma Community College District 22 for 1986 are as follows:

- January 7 and 9
- February 11 and 13
- March 11 and 13
- April 8 and 10
- May 6 and 8
- June 10 and 11
- July 8 and 10
- August 12 and 14
- September 9 and 11
- October 7 and 9
- November 11 and 13
- December 9 and 11

**WSR 86-01-046**

**NOTICE OF PUBLIC MEETINGS  
SPOKANE COMMUNITY COLLEGES**

[Memorandum—December 11, 1985]

Notice is hereby given, pursuant to RCW 42.30.075, that the regular meetings of the board of trustees of Washington Community College District 17 (the Community Colleges of Spokane) during calendar year 1986 shall be held at 1:30 p.m. in the District Board Room at North 2000 Greene Street, Spokane, Washington on the following dates:

- Tuesday, January 21, 1986
- Tuesday, February 18, 1986
- Tuesday, March 18, 1986
- Tuesday, April 15, 1986
- Tuesday, May 20, 1986

Tuesday, June 17, 1986  
 Tuesday, July 15, 1986  
 Tuesday, August 19, 1986  
 Tuesday, September 9, 1986  
 Tuesday, October 21, 1986  
 Tuesday, November 11, 1986  
 Tuesday, December 9, 1986

**WSR 86-01-047****PROPOSED RULES****BOARD OF PILOTAGE COMMISSIONERS**

[Filed December 13, 1985]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Pilotage Commissioners intends to adopt, amend, or repeal rules concerning licensing of pilots, WAC 296-116-080;

that the agency will at 9:00 a.m., Thursday, February 13, 1986, in the Washington State Ferries Conference Room, Colman Dock, Seattle, Washington 98104, 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 88.16.035.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before February 6, 1986.

Dated: December 11, 1985

By: Marjorie T. Smitch  
Assistant Attorney General**STATEMENT OF PURPOSE**

Rule: WAC 296-116-080.

Statutory Authority: RCW 88.16.035.

Reason for Amendment: To increase the pilotage examination fee from one hundred to three hundred dollars and to make the fee nonrefundable. The examination fee will no longer be applied to the first year license fee; and to clarify that the applications for the examination will only be accepted following publication of the notice of examination.

This rule has been drafted by Marjorie T. Smitch, Assistant Attorney General, 5th Floor, Highways-Licenses Building, Olympia, WA 98504, (206) 753-6126.

This rule will be implemented by the Washington State Board of Pilotage Commissioners, Colman Dock, Seattle, WA 98104, (206) 464-7818.

This rule is proposed by the Board of Pilotage Commissioners.

Agency Comments: None.

Federal Law/Court Decision: None.

Small Business Economic Impact Statement: None required.

**AMENDATORY SECTION** (Amending Order 82-7, Resolution No. 82-7, filed 7/14/82)

WAC 296-116-080 LICENSING OF PILOTS. (1) No person shall be licensed by the board unless he has applied for a pilotage license and successfully completed: (a) The pilotage examination; (b)

familiarization trips required by the board; and (c) the pilotage training program, if applicable.

The majority of the entire board shall pass on the licensing of a pilot and licenses shall be signed by the chairperson. All applicants shall have and display a United States Government Masters License and a first class United States endorsement without restrictions on that license to pilot in whichever pilotage district the applicant desires a license. In addition all applicants shall have and display an endorsement to their masters license issued by the United States Coast Guard certifying competence as a radar observer.

(2) Prior to commencing familiarization trips, and the pilot training program, if applicable, an applicant must pass a written and oral examination given and graded by the board. The board shall hold examinations at such times as will ensure the maintenance of an efficient and competent pilotage service. Notice of the examination shall be published four months in advance by one paid advertisement in a major newspaper and written notice to one radio station, one television station, United Press International, and the Associated Press, as well as all pilots licensed by the board and all operators registered with the board. Applications will be accepted by the board immediately following the publication of the notice of the examination. The board may, in an emergency, call for an immediate examination ((of applicants who have an application on file with the board)) on less than four months notice.

(a) The examination may be taken by all qualified applicants who:

(i) Have had a license application on file with the board for at least one month prior to the examination. (This requirement may be waived upon the showing of good cause;)

(ii) Have tendered ~~(( $\pi$ ))~~ a nonrefundable examination fee of ~~((one))~~ three hundred dollars ~~((which will be applied to his first year license fee if successful and shall be returned to the applicant if he is unable to sit for the examination; and))~~.

(iii) Have had a physical examination by a physician designated by the board not more than thirty days prior to the examination to determine his physical fitness to be a pilot.

(b) The examination shall be in compliance with RCW 88.16.090 and shall consist of questions covering, but not limited to, the following subjects as they pertain to the pilotage district for which the examination is being given:

(i) Rules of the road as set forth in United States government publications;

(ii) Aids to navigation;

(iii) Courses, distances, and distance past abeam at change-of-course points, course points within channels, waterways, and navigable tributaries within the pilotage district for which the examination is being given;

(iv) Cable crossing areas;

(v) Dredged channel widths and depths;

(vi) Bridge signals - width, regulations, and closed periods;

(vii) Ship handling, docking and undocking problems, use of tow-boats and anchors, and seamanship;

(viii) Vessel traffic system regulations where applicable;

(ix) Ranges for determining compass error;

(x) Channel ranges;

(xi) Engine and rudder order commands for United States and foreign merchant vessels and United States naval vessels;

(xii) Operation and use of marine radar, including rapid plotting techniques;

(xiii) Calculation of currents and tides;

(xiv) Pier, wharf, or terminal locations and berth numbers; dock or pier headings, lengths, and minimum depths of water alongside;

(xv) Prohibited areas, restricted areas, and explosive anchorages;

(xvi) Use of navigational and bridge instruments;

(xvii) Anchorage locations;

(xviii) Duties of pilot;

(xix) Relationship between pilot and master;

(xx) Location and meaning of storm warning signals;

(xxi) Meaning of one and two flag signals;

(xxii) United States government public health quarantine regulations;

(xxiii) Harbor regulations;

(xxiv) Washington State Pilotage Act and rules of the board of pilotage commissioners;

(xxv) Chart knowledge, including chart symbols and abbreviations as set forth in the latest department of commerce NOS (National Ocean Survey) Chart No. 1.

(3) After successful completion of the examination, the board shall determine the number of familiarization trips which the applicant will have to make pursuant to RCW 88.16.090. Familiarization trips are ship movements over specified routes on which the applicant observes the route and the actions of the licensed pilot on board.

(4) After passing the examination, applicants for the Puget Sound pilotage district must enter and successfully complete a familiarization and training program. In this program applicants shall be required to pilot vessels under the supervision of Puget Sound pilots with more than five years experience. After every such assignment the supervisory pilots shall fill out, on a form provided by the board, an evaluation of the applicant's performance. After completion of the training period, the board shall evaluate the applicant's performance in shiphandling skills on the basis of these forms and other relevant information and decide whether the applicant should be licensed. Dependent on the applicant's experience level and grade of license, applicants in this training program shall pilot under such supervision for a minimum period of four months and seventy-five assignments and a maximum period of six months and one hundred assignments. Some or all of the familiarization trips required by RCW 88.16.090(7) may, at the board's discretion, be combined with trips during which the applicant is piloting the vessel under the supervision of a licensed pilot.

**WSR 86-01-048**

**PROPOSED RULES**

**DEPARTMENT OF PERSONNEL**

**(Personnel Board)**

[Filed December 13, 1985]

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 predissmissal process, new WAC 356-34-035;

that the agency will at 10:00 a.m., Thursday, January 9, 1986, in the 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 RCW 41.06.150.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 7, 1986.

This notice is connected to and continues the matter in Notice No. WSR 85-23-047 filed with the code reviser's office on November 18, 1985.

Dated: December 13, 1985

By: Leonard Nord  
Secretary

**WSR 86-01-049**

**EMERGENCY RULES**

**DEPARTMENT OF PERSONNEL**

**(Personnel Board)**

[Order 241—Filed December 13, 1985]

Be it resolved by the State Personnel Board, acting at the Department of Personnel, 600 South Franklin, Olympia, WA 98504, that it does adopt the annexed rules relating to:

Amd WAC 356-15-060 Shift premium provisions and compensation.

Amd WAC 356-15-100 Call-back provisions and compensation for work preceding or following a scheduled workshift.

We, the State Personnel Board, 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 changes to WAC 356-15-020 and 356-15-030 were filed in November 1985 regarding pay provisions for law enforcement personnel; similar changes were made to the above rules; would like the changes to be effective as soon as possible to avoid interruption in the pay process.

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

This rule is promulgated pursuant to RCW 41.06.150 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 December 12, 1985.

By Leonard Nord  
Secretary

AMENDATORY SECTION (Amending Order 224, filed 6/24/85)

**WAC 356-15-060 SHIFT PREMIUM PROVISIONS AND COMPENSATION.** (1) For purposes of this section, night shift and evening shift are defined as work shifts of eight or more hours which start by 3 a.m. or end at or after 10 p.m. respectively.

(2) Employees are entitled to shift premium in the amount specified in WAC 356-15-061 under the following circumstances only:

(a) Scheduled standard work period employees:

(i) For their scheduled hours which extend before 6 a.m. or after 6 p.m.

(ii) For all hours on their scheduled evening and/or night shift.

(iii) For all additional compensated hours worked by employees whose work schedules consist entirely of evening and/or night shifts.

(b) Scheduled alternate, unlisted, nonscheduled, ((and)) exceptions, and law enforcement work period employees:

(i) For conditions mentioned in (a) of this subsection, shift premium is payable.

(ii) Employees who are scheduled to work at least one, but not all, night or evening shifts each week, are entitled to shift premium for those scheduled evening or night shifts, and for all adjoining hours which are worked and compensated.

(c) Part-time employees:

(i) For all assigned hours of work after 6 p.m. and before 6 a.m.

(ii) For assigned full night or evening shifts, as defined in subsection (1) of this section.

(d) Intermittent and temporary employees are entitled to shift premium depending on whether their assignment fits into the part-time category ((c) of this subsection) or into one of the full-time categories ((a) or (b) of this subsection).

(3) Monthly shift premium rates: In cases where shift premium hours are regularly scheduled over a year, agencies may pay shift premium at a monthly rate which is equal for all months of the year. Such monthly rates shall be calculated by dividing twelve into the amount of shift premium an employee would earn in a year if the hourly rules in subsection (1) of this section were applied. This option is granted to simplify bookkeeping and is not authorized to establish shift premium rates higher or lower than those set by the board.

(4) Shift premium and overtime: When an employee is compensated for working overtime during hours for which shift premium is authorized in subsection (2)(a) through (c) of this section, the overtime rate shall be calculated on the combined basic salary and shift premium rate.

(5) Payment during leave periods: Employees eligible for shift premium for all or part of their regular shifts will receive the same proportion of shift premium for authorized periods of paid leave, i.e., vacation leave, sick leave, military leave, holiday leave, etc.

**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 206, filed 6/6/84)

#### WAC 356-15-100 CALL-BACK PROVISIONS AND COMPENSATION FOR WORK PRECEDING OR FOLLOWING A SCHEDULED WORKSHIFT.

(1) Scheduled work period employees shall be notified prior to their scheduled quitting time either to return to work after their workshift ends or to change the starting time of their next scheduled workshift.

(a) Failure to give such notice for such work shall be considered call-back and shall result in a penalty of three hours of pay at the straight time rate (or two hours at one-and-one-half times the regular rate of pay) in addition to all other compensation due. This penalty shall apply to each call.

(b) The appointing authority may cancel a call-back notification to work extra hours at any time but cancellation shall not waive the penalty cited in subsection (1) above.

(c) These provisions shall not apply to the mid-shift interval in a split shift and an employee called back while in standby status.

(2) Nonscheduled, ((and)) Exceptions, and Law Enforcement work period employees are not normally paid for call-back. However, if the appointing authority deems it appropriate, those employees may receive compensation, not to exceed the penalty cited above, for call-back.

#### **WSR 86-01-050**

#### **NOTICE OF PUBLIC MEETINGS UTILITIES AND TRANSPORTATION COMMISSION**

[Memorandum—December 13, 1985]

Notice is hereby given that commencing January 1, 1986, and continuing through its meeting of January 15, 1986, regular public meetings of the commission shall be held each Wednesday, commencing at 9:00 a.m., in the Commission's Hearing Room, Sixth Floor, Highways-Licenses Building, Olympia, Washington. Commencing with its meeting of January 22, 1986, the time and place of meetings will be as follows:

Regular public meetings of the commission shall be held each Wednesday, commencing at 9:00 a.m., in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 Evergreen Park Drive South, Olympia, Washington.

#### **WSR 86-01-051**

#### **EMERGENCY RULES DEPARTMENT OF FISHERIES**

[Order 85-195—Filed December 13, 1985]

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 this regulation is needed for the interim period until the permanent regulation takes effect.

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 December 12, 1985.

By William R. Wilkerson  
Director

#### NEW SECTION

WAC 220-32-02100A LAWFUL GEAR — SMELT Notwithstanding the provisions of WAC 220-32-021, WAC 220-32-025, and WAC 220-32-042, effective immediately until further notice, it is unlawful to fish commercially for Columbia River smelt in state waters or to possess Columbia River smelt taken from those

waters for commercial purposes except as provided in this section.

**LAWFUL GEAR:**

(1) It is lawful to fish commercially for Columbia River smelt in Salmon Management and Catch Reporting Areas 1A, 1B, 1C, 1D and 1E only with gill net gear, trawl gear and hand dip nets.

(2) It is lawful to fish commercially for Columbia River smelt in tributaries to Salmon Management and Catch Reporting Areas 1A, 1B, 1C, 1D and 1E only with hand dip nets.

**SPECIFICATIONS FOR LAWFUL GEAR:**

(3) Trawl gear –

It is unlawful to fish for Columbia River smelt with trawl gear except when the trawl gear meets the following specifications:

(a) the head rope of the trawl shall not exceed 25 feet in length;

(b) the foot rope or groundline of the trawl shall not exceed 25 feet in length;

(c) the dimensions of the trawl's otter doors shall not exceed 3 feet by 4 feet;

(d) the bag length of the trawl, as measured from the center of the head rope to the terminal end of the bunt, shall not exceed 35 feet;

(e) the bridal rope from the rear of the otter doors to the foot and head ropes shall not exceed 8 feet;

(f) each breast rope shall not exceed 5 feet; and

(g) mesh size used in the trawl shall not exceed 2 inches stretch measure.

It is unlawful to fish more than one trawl net from a boat at one time.

(4) Gill Net gear –

It is unlawful to fish for Columbia River smelt with gill net gear except when the gill net gear meets the following specifications:

(a) the mesh size used in the gill net shall not exceed 2 inches stretch measure; and

(b) the gill net's length shall not exceed 1500 feet.

(5) Dip Net gear –

It is unlawful to fish for Columbia River smelt with dip net gear except when the dip net gear meets the following specifications:

(a) the bag frame on the dip net shall not exceed 36 inches in diameter.

**LAWFUL SEASONS:**

(6) Trawl season –

It is unlawful to fish for Columbia River smelt with trawl gear except in the following areas during the specified times.

(a) Salmon Management and Catch Reporting Area 1A is open from 6 pm Monday to 6 pm Wednesday of each week from March 1 through March 31.

(b) Salmon Management and Catch Reporting Areas 1B, 1C, 1D and 1E are open 7 days per week from December 1 through March 31 of the following year for boats not exceeding 32 feet in length.

(7) Gill net season –

It is unlawful to fish for Columbia River smelt with gill net gear except in the following areas during the specified times.

(a) Salmon Management and Catch Reporting Areas 1A, 1B, 1C, 1D and 1E are open 7 days per week from December 1 of each year through March 31 of the following year.

(8) Dip net season –

It is unlawful to fish for Columbia River smelt with dip net gear except during the following open periods:

(a) Salmon Management and Catch Reporting Areas 1A, 1B, 1C, 1D and 1E are open 7 days per week from December 1 of each year through March 31 of the following year.

(b) Tributaries to Salmon Management and Catch Reporting Areas 1A, 1B, 1C, 1D and 1E are open 7 days per week from December 1 of each year through March 31 of the following year, except that it is unlawful to fish for smelt in the Cowlitz River upstream from a monument located at Peterson's Eddy, also known as Miller's Eddy or within one mile of any dam or other obstruction.

**WSR 86-01-052**

**EMERGENCY RULES**

**DEPARTMENT OF FISHERIES**

[Order 85-196—Filed December 13, 1985]

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 opening in Area 7B provides maximum opportunity to harvest surplus chum. Steelhead management needs prevail effective December 15, 1985. All other marine and freshwater 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 December 13, 1985.

By William R. Wilkerson  
Director

**NEW SECTION**

WAC 220-47-625 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 taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following restrictions:

\*Area 7B – Gill nets using 6-inch minimum mesh and purse seines may fish 24 hours per day through December 14. Effective December 15, closed. Fishery exclusion zones applicable to Area 7B commercial fisheries are described in WAC 220-47-307. Areas 4B, 5, 6, 6A, 6B, 6C, 6D, 7, 7A, 7C, 7D, 7E, 8, 8A, 8D, 9, 9A, 10, 10A, 10C, 10D, 10E, 10F, 10G, 11, 11A, 12, 12A, 12B, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K and all freshwater areas – Closed.

### REPEALER

The following section of the Washington Administrative Code is repealed effective immediately.

WAC 220-47-624 PUGET SOUND COMMERCIAL FISHERY RESTRICTIONS (85-192)

### WSR 86-01-053

#### EMERGENCY RULES

#### DEPARTMENT OF FISHERIES

[Order 85-197—Filed December 13, 1985]

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 Area 10 provide protection for chum returning to Suquamish Hatchery. Area 10C, 10D and Cedar River restrictions protect Lake Washington sockeye. Restrictions in the Skagit River protect spawning salmon stocks. Restrictions in the Samish River provide protection for natural chum returning to the Samish River of the high harvest rate in Area 7B.

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 December 13, 1985.

By William R. Wilkerson  
Director

### NEW SECTION

WAC 220-28-524 PUGET SOUND COMMERCIAL SALMON FISHERY RESTRICTIONS. Effective December 15, 1985, it is unlawful for treaty Indian fishermen to take, fish for, or possess salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following restrictions:

Area 10 – Effective through December 31, closed to all commercial fishing in that portion northwest of a line from the flashing buoy at the entrance to Agate Passage to the flashing light at the end of the Indianola dock.

\*Area 10C and Cedar River – Effective through December 31, closed to all commercial fishing.

\*Area 10D – Effective through December 31, closed to all commercial fishing in that portion within 250 yards of the eastern and northern shoreline of Lake Sammamish between the Sammamish River and Issaquah Creek.

\*Samish River – Effective through January 15, 1986, closed to all commercial fishing until further notice.

\*Skagit River (upstream of the Baker River) – Effective through December 31, closed to all commercial fishing.

### REPEALER

The following section of the Washington Administrative Code is repealed effective December 15, 1985.

WAC 220-28-523 PUGET SOUND COMMERCIAL SALMON FISHERY RESTRICTIONS (85-187)

### WSR 86-01-054

#### PROPOSED RULES

#### DEPARTMENT OF LABOR AND INDUSTRIES

[Filed December 16, 1985]

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 rules and fee schedule governing payment to doctors and other health care vendors rendering service to injured workers;

that the agency will at 9:00 a.m., Wednesday, January 8, 1986, in the Conference Room, First Floor, General Administration Building, 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 15, 1986.

The authority under which these rules are proposed is RCW 51.04.020(4) and 51.04.030.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 8, 1986.

This notice is connected to and continues the matter in Notice No. WSR 85-22-081 filed with the code reviser's office on November 6, 1985.

Dated: December 12, 1985  
 By: R. A. Davis  
 Director

**WSR 86-01-055**  
**NOTICE OF PUBLIC MEETINGS**  
**CRIMINAL JUSTICE TRAINING COMMISSION**  
 [Memorandum—December 13, 1985]

The Washington State Criminal Justice Training Commission has adopted the following schedule of meeting dates for 1986:

January 23, 1986	Washington State Criminal Justice Training Center 2450 South 142nd Seattle, WA
March 5 and 6, 1986	Criminal Justice Training Center Seattle
June 4 and 5, 1986	Tri-Cities
September 3 and 4, 1986	Ellensburg
December 3 and 4, 1986	Criminal Justice Training Center Seattle

**WSR 86-01-056**  
**ADOPTED RULES**  
**BELLEVUE COMMUNITY COLLEGE**  
 [Order 91, Resolution No. 169—Filed December 16, 1985]

Be it resolved by the board of trustees of Bellevue Community College, Community College District VIII, acting at 3000 Landerholm Circle S.E., P.O. Box 92700, Bellevue, WA 98009-2037, that it does adopt the annexed rules relating to the student code, chapter 132H-110 WAC (WAC 132H-120-200, 132H-120-220, 132H-120-230, 132H-120-330, 132H-120-340 and 132H-120-360 which address student discipline and appeal procedures and WAC 132H-120-490 which addresses procedural guidelines for liquor implementation).

This action is taken pursuant to Notice No. WSR 85-22-044 filed with the code reviser on November 1, 1985. 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 under the general rule-making authority of Bellevue Community College, Community College District VIII, as authorized in RCW 28B.50.140.

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 December 11, 1985.  
 By Paul N. Thompson  
 Secretary, Board of Trustees

**AMENDATORY SECTION** (Amending Order 84, Resolution No. 155, filed 4/13/81 [5/23/83])

WAC 132H-120-200 STUDENT RESPONSIBILITIES. Any student shall be subject to disciplinary action who either as a principal actor or aide or abettor:

(1) Materially and substantially interferes with the personal rights or privileges of others or the educational process of the college;

(2) Violates any provisions of this chapter; or

(3) Commits any of the following acts which are hereby prohibited:

(a) Possessing or consuming any form of liquor or alcoholic beverage except as a participant of legal age in a student program, banquet or educational program which has the special written authorization of the college president or his designee. (See WAC 132H-200-490)

~~((b) Procedural guidelines for liquor policy implementation are as follows:~~

~~(i) When approved by the president or his designee, alcoholic beverages may be served by a recognized student organization, college administrative unit or a community organization. Such groups must adhere to the stipulation of building use policies (chapter 132H-140 WAC) and fully meet all laws, rules and regulations as set forth in the Washington state liquor control board regulations, RCW 66.20.010, which permits consumption of spirits.~~

~~(ii) Approval for the serving of alcoholic beverages must be requested at least seven calendar days prior to the date of use. A student organization request (Form BCC 010-116 6-78) must be filed with the office of the dean of student programs and personnel services. If, in the judgment of the dean of student programs and personnel services, the request is congruent with the best interests of the student group and the college, the dean will forward the request to the president for final approval. All other requests (Form 010-116 (6-78) shall be filed with the office of the president. The request shall be approved or denied at least three calendar days prior to the proposed event. The application for utilization of alcoholic beverages must be completed by an authorized representative who accepts responsibility for compliance with the college and other governmental rules and regulations, where applicable, and agrees to be present at the function. The associate dean of student programs and activities or designee shall be available at all student functions involving alcoholic beverages and is empowered to make decisions that might arise covering college policies or procedures.~~

~~(iii) Upon approval for the use of alcoholic beverages at Bellevue Community College, it shall be the responsibility of the sponsor to obtain all necessary licenses from the Washington state liquor control board and to display such licenses at the time of the event.~~

~~(iv) Banquet events (sit-down dinners) are recognized as different in nature from student program events. At student program events, permission to serve alcoholic beverages shall be restricted to beer and light wine and~~

food appropriate for the event must be available. Banquet events shall be approved in accordance with Washington state liquor control board regulations, RCW 66.20.010, which permits the consumption of spirits.

(v) The matrix shall be set aside as the only location for the sale and/or consumption of beer and wine at student program-sponsored events. There shall be no out-of-room consumption of any alcoholic beverage at such program-sponsored events.

(vi) A driver's license with picture or a Washington state liquor control board identification card are the only acceptable identification sources in determining legal age.

(vii) The policing of identification cards shall be the responsibility of campus security if the function is a student program sponsored event.

(viii) No person who is under the influence of alcohol or dangerous substances or who is disorderly in conduct shall be allowed to serve, consume or dispense alcoholic beverages.

(ix) All sales and use of alcoholic beverages shall be governed by the Washington state law as interpreted by the Washington state liquor control board. The regulation shall be posted outside of the room where alcoholic beverages are consumed.

(x) No alcoholic beverages may be consumed outside the approved area for the event (building, room etc.).

(xi) Nonalcoholic beverages shall be available to persons under the legal age at all events where alcoholic beverages are permitted.

(xii) No state monies shall be used to purchase any alcoholic beverages or to pay any license fees or related expense. All revenues generated by the sale of alcoholic beverages shall be processed in accordance with normal College policy and procedures.

(xiii) To insure variety in programming, the use of alcoholic beverages shall be approved for only a limited number of major collegewide activities.)

((f)) (b) Using, possessing, selling or being under the influence of any narcotic drug or controlled substance as defined in RCW 69.50.101 now law or hereafter amended, or any dangerous drug as defined in RCW 69.50.308 as now law or hereafter amended, except when the use or possession of a drug is specifically prescribed as medication by an authorized medical doctor or dentist. For the purpose of this regulation, "sale" shall include the statutory meaning defined in RCW 69.04.005 as now law or hereafter amended.

((d)) (c) Entering any locked or otherwise closed college facility in any manner, at any time, without permission of the college employee or agent in charge thereof.

((e)) (d) Forgery, as defined in RCW 9.44.010 of any district record of instrument or tendering any forged record of instrument to any employee or agent of the district acting in his official capacity as such.

((f)) (e) Participation in an assembly which materially and substantially interferes with vehicular or pedestrian traffic, classes, hearings, meetings, the education and administrative functions of the college, or the private rights and privileges of others.

((g)) (f) Intentionally destroying or damaging any college facility or other public or private real or personal property.

((h)) (g) Failure to comply with directions of properly identified college officials acting in performance of their duties.

((i)) (h) Physical abuse of any person or conduct which is intended unlawfully to threaten imminent bodily harm or to endanger the health or safety of any person on college-owned or controlled property or at college-sponsored or supervised functions.

((j)) (i) Malicious damage to or malicious misuse of college property, or the property of any person where such property is located on the college campus.

((k)) (j) Possession or use of firearms, explosives, dangerous chemicals or other dangerous weapons or instrumentalities of the college campus, except for authorized college purposes or for law enforcement officers, unless written approval has been obtained from the dean of student programs and personnel services, or any other person designated by the president.

((l)) (k) Engaging in lewd, indecent or obscene behavior on college-owned or controlled property or at college-sponsored or supervised functions.

((m)) (l) Falsely setting off or otherwise tampering with any emergency safety equipment, alarm or other device established for the safety of individuals and/or college facilities.

((n)) (m) Being under the influence of liquor or alcoholic beverages or narcotic drugs while on college property or while participating in any college program, class or event or while in attendance in any class or college-sponsored or supervised activity.

((o)) (n) ((Engages)) Engaging in cheating, stealing, plagiarizing, or knowingly furnishing false information to the college.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

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

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

## WAC 132H-120-205 APPLICATION FOR UTILIZATION OF ALCOHOLIC BEVERAGES.

COMMUNITY COLLEGE DISTRICT VIII

((Bellevue Community College))

BELLEVUE COMMUNITY COLLEGE

((3000 Landerholm Circle S.E.))

3000 LANDERHOLM CIRCLE, S.E.

P.O. BOX 92700

((Bellevue, Washington 98007))

BELLEVUE, WASHINGTON 98009-2037

((APPLICATION FOR UTILIZATION OF ALCOHOLIC BEVERAGES))

APPLICATION FOR UTILIZATION OF ALCOHOLIC BEVERAGES

Authorized representative please complete the information requested and file with: ((1. Student Organization - Dean for Student Services and Development; 2. College Administrative Unit - President's Office; 3. Community Organization - President's Office.)) 1. Student Organization: Dean of Student Programs & Personnel Services; 2. College Administrative Unit: President's Office; 3. Community Organization: President's Office.

Granted ..... Denied ..... Granted ..... Denied .....  
Date ..... Date .....

.....  
((Dean for Student Services & Development)) President or Designee

Dean of Student Programs & Personnel Services

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

Reviser's note: RCW 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.

DATE OF EVENT ..... DATE OF REQUEST .....  
((NAME OF SPONSORING GROUP .....

SPONSORING GROUP ( ) Community Organization  
( ) College Personnel  
( ) Student Organization  
(check security requirements)

((AUTHORIZED BCC REPRESENTATIVE .....

ADDRESS ..... PHONE NO. ....

TYPE OF EVENT (Circle appropriate group: Student Organization; College ((Admin.)) Administrative Group; Community Organization. Describe function and the appropriate serving of food.)

FACILITY REQUESTED .....

((I have read "Procedural Guidelines for Liquor Policy Implementation" which are excerpted from WAC 132H-120-200 Student responsibilities and agree to abide by these regulations. I further agree to hold Bellevue Community College, Community College District VIII harmless from any claim, course of action, costs, liability or losses which may arise out of the provision of alcoholic beverages at this event and I agree to and assume total and complete responsibility for the total and complete adherence to all the rules and regulations that apply to the provision of alcoholic beverages at this event and to the forfeiture of the deposit paid if any such action is brought against Bellevue Community College, Community College District VIII or violation of rules occurs.))

I have read the WAC 132H-120-490 "Procedural Guidelines for Liquor Policy Implementation" on the reverse side of this form and agree to abide by these regulations. I further agree to indemnify and hold harmless Bellevue Community College, Community College District VIII, its officers, employees and agents (the "indemnitees") against and from any and all Liability, Loss or Damage the indemnitees may suffer as a result of claims, demands, costs, or judgments, including reasonable attorneys' fees against the indemnitees arising from the event described above in general, and in particular arising out of the use of alcoholic beverages at this event. I further agree to assume total and complete responsibility for the total and complete adherence to all the rules and regulations that apply to the provision of alcoholic beverages at this event and to the forfeiture of the deposit paid if any such action is brought against the above-named indemnitees or if violation of rules occur.

.....  
Name of Person Representing Sponsoring Group and Responsible for Purchasing Banquet License and Liquor.

.....  
Address

.....  
Phone No. Driver's License No.

.....  
Signature of BCC  
Authorized Representative

AMENDATORY SECTION (Amending Order 16, Resolution 173, filed 4/13/81 [3/15/73])

WAC 132H-120-220 ((COLLEGE DISCIPLINE COMMITTEE.)) RESPONSIBILITY/COLLEGE DISCIPLINE COMMITTEE. The Dean of Student Programs and Personnel Services is the college administrator responsible for student discipline. All discipline procedures will be initiated by the dean and he/she is responsible for assembling all facts on cases referred to his/her office, making provisions for suitable hearings, convening the College Discipline Committee, notifying students and others concerned, keeping confidential files and reports on cases, following up each discipline case until it is closed, and destroying out-of-date files on discipline cases.

The composition of the College Discipline Committee shall be as follows: The committee shall be established each fall. It will be composed of the following persons: (1) A faculty member appointed by the president of the college.

(2) A member of the faculty, appointed by the president of the Bellevue Community College professional association.

(3) Two representatives ((elected)) selected by the ((student personnel council members)) Student Services Council.

(4) Three (3) students. The three students will be appointed by the president of the student body association.

None of the above-named persons shall sit in any case in which he/she has a conflict of interest, is a complainant or witness, has a direct or personal interest, or has acted previously in an advisory capacity. Decisions in this regard, including the selection of alternates, shall be made by the College Discipline Committee as a whole.

The College Discipline Committee chairman will be elected by the members of the College Discipline Committee.

There shall be a list of alternates provided in the same manner and number in which membership was obtained.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

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.

## WAC 132H-120-230 INITIAL PROCEEDINGS.

While the primary purpose of college disciplinary actions, other than those requiring expulsion, are intended to be developmental rather than punitive, formal procedures must be specified to insure that students receive due process of law. (1) Initiation of prosecution. Students, faculty members, administrators and other employees of the district shall have concurrent authority to report violations which will be acted upon by the ~~((dean for student services and development))~~ Dean of Student Programs and Personnel Services or his/her designated representative. ~~((All disciplinary proceedings will be initiated by the dean for student services and development or his designated representative.))~~

(2) Requirements of notice. Any student charged in a report filed pursuant to WAC 132H-120-200 with a violation of the code of student rights and responsibilities shall be notified by the ~~((dean for student services and development))~~ Dean of Student Programs and Personnel Services or ~~((his))~~ his/her designated representative within three (3) academic calendar days after the filing of such a report, if possible. The notice shall not be ineffective if presented later due to the student's absence. Such notice shall:

(a) Inform the student that a report has been filed alleging that the student violated specific provisions of the code and the date of the violation;

(b) Set forth those provisions allegedly violated and inform the student as to what appears to be maximum penalties which might result from consideration of same;

(c) Specify the exact time and date the student is required to meet with the ~~((dean for student services and development))~~ Dean of Student Programs and Personnel Services;

(d) After considering the evidence in the case and interviewing the student accused of violating specific provisions of the code, the ~~((dean for student services and development))~~ Dean of Student Programs and Personnel Services or ~~((his))~~ his/her designee may take any of the following actions:

~~((1))~~ (i) Terminate the proceedings, exonerating the student.

~~((2))~~ (ii) Dismiss the case after whatever counseling and advice may be appropriate.

~~((3))~~ (iii) Impose the minor sanction directly (disciplinary warning) subject to the student's right of appeal described below. The student shall be notified of the action taken; this notification must be in writing. ~~((In the case of an unmarried student under 18 years of age being suspended or expelled, written notice shall also be sent to the parents or guardian of the student.))~~

~~((4))~~ (iv) Refer the matter to the College Discipline Committee. The student shall be notified in writing that the matter has been referred to the committee. In all cases, the student shall be advised of his rights by reference to the appropriate section of this document.

(e) If, after the preliminary conference with the student, the recommendation of the Dean of Student Programs and Personnel Services is for disciplinary action, the student shall receive the following in writing:

(i) Notification of the findings of the investigation and conclusion of the Dean of Student Programs and Personnel Services.

(ii) Notification of the disciplinary action which is to be recommended.

(iii) Notification that the student may either accept the disciplinary action, or, within seven (7) calendar days following receipt of the notification, file a written request for a hearing by the College Discipline Committee. If the request is not filed within the prescribed time, the right to do so is waived.

(iv) If the student does not request a hearing, the president or designee shall review the recommendation of the Dean of Student Programs and Personnel Services and within seven (7) calendar days announce a decision with regard to the disciplinary action to be taken.

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.

WAC 132H-120-330 APPEALS. An appeal by a student shall be made in writing and addressed to the chairman of the College Discipline Committee within ~~((15))~~ 7 days after the student has been notified of the action taken. In all proceedings where the student is not exonerated, there shall be one automatic review by a reviewing authority. (1) Disciplinary action by the ~~((dean for student services and development))~~ Dean of Student Programs and Personnel Services may be appealed to, and shall be reviewed by, the College Discipline Committee.

(2) Disciplinary action by the College Discipline Committee may be appealed to, and shall be reviewed by, the college President.

(3) Final authority in all disciplinary action shall rest with the Board of Trustees of the college.

WAC 132H-120-340 DISCIPLINARY TERMS. The following definitions of disciplinary terms have been established to provide consistency in the application of penalties: (1) Disciplinary warning: Formal action censuring a student for violation of college rules or regulations or for failure to satisfy the college's expectations regarding conduct. Disciplinary warnings are always made in writing to the student by the ~~((dean for student services and development))~~ Dean of Student Programs and Personnel Services. A disciplinary warning indicates to the student that continuation of the specific conduct involved or other misconduct will result in one of the more serious disciplinary actions described below.

(2) Disciplinary probation: Formal action placing conditions upon the student's continued attendance for violation of college rules or regulations or failure to satisfy the college's expectations regarding conduct. ~~((The college discipline committee will specify, in writing, the period of probation and the conditions.))~~ Disciplinary probation warns the student that any further misconduct will make him liable to suspension or expulsion from the college. Disciplinary probation may 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).~~

(3) Suspension: Formal action (~~by an authorized disciplinary agency~~) dismissing a student temporarily from the college for unacceptable conduct or violation of college rules or regulations. Suspension may be for an indefinite period, but the implication of the action is that the student may eventually return if evidence or other assurance is presented that the unacceptable conduct will not be repeated.

(4) Expulsion: Students may be expelled only on the approval of the president of the college and on the recommendation of the (~~dean for student services and development~~) Dean of Student Programs and Personnel Services or the College Discipline Committee. The notification expelling a student will indicate, in writing, the term of the expulsion and any conditions which must be met before readmission. 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.

(5) Registration denied: Formal action refusing to allow a student to register for subsequent quarters, for violation of college rules or regulations, or failure to satisfy the college's expectations regarding conduct, or failure to fulfill obligations to the college. Students may be denied registration only on the approval of the President and on the recommendation of the Dean of Student Programs and Personnel Services or College Discipline Committee. The initiating authority, in his written notification to the student, will detail the reasons for the denial of registration and the conditions to be met before registration will be allowed. Registration may be denied for a fixed or indefinite period. Future registration will not be allowed until the initiating authority is satisfied that the conditions have been met.

WAC 132H-120-360 REPORTING, RECORDING AND MAINTENANCE OF RECORDS. Records of all disciplinary cases shall be kept (~~by the office taking or initiating the action~~) in the Office of the Dean of Student Programs and Personnel Services. 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 for not more than 5 years. No record of proceedings wherein the student is exonerated, other than the fact of exoneration, shall be maintained in the student's file or other college repository after the date of the student's graduation.

**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.

## NEW SECTION

WAC 132H-120-490 PROCEDURAL GUIDELINES FOR LIQUOR POLICY IMPLEMENTATION. (1) When approved by the president or his designee, alcoholic beverages may be served by a recognized Student Organization, College Administrative Unit or a Community Organization. Such groups must

adhere to the stipulation of building use policies (Chapter 132H-140 WAC) and fully meet all laws, rules and regulations as set forth in the Washington State Liquor Control Board regulations, RCW 66.20.010, which permits consumption of spirits.

(2) Approval for the serving of alcoholic beverages must be requested at least seven calendar days prior to the date of use. A Student Organization request (Form BCC 010-116 (9-85) must be filed with the office of the Dean of Student Programs and Personnel Services. If, in the judgment of the Dean, the request is congruent with the best interests of the student group and the College, the Dean will forward the request to the president for final approval. All other requests (Form BCC 010-116(9-85) shall be filed with the Office of the President. The request shall be approved or denied at least three calendar days prior to the proposed event. The application for utilization of alcoholic beverages must be completed by an authorized representative who accepts responsibility for compliance with the College and other governmental rules and regulations, where applicable, and agrees to be present at the function. The Dean of Student Programs and Personnel Services shall designate an appropriate person to be available at all student functions involving alcoholic beverages and empower that person to make decisions that might arise covering College policies or procedures.

(3) Upon approval for the use of alcoholic beverages at Bellevue Community College, it shall be the responsibility of the sponsor to obtain all necessary licenses from the Washington State Liquor Control Board and to display such licenses at the time of the event.

(4) Banquet events (sit-down dinners) are recognized as different in nature from student program events. At student program events, permission to serve alcoholic beverages shall be restricted to beer and wine and food appropriate for the event must be available. Banquet events shall be approved in accordance with Washington State Liquor Control Board regulations, RCW 66.20.010, which permits the consumption of spirits.

(5) The Student Union Complex shall be set aside as the only location for the sale and/or consumption of beer and wine at student program-sponsored events. There shall be no consumption of any alcoholic beverage at such program sponsored events outside this complex.

(6) A driver's license with picture or a Washington State Liquor Control Board identification card are the only acceptable identification sources in determining legal age.

(7) The policing of identification cards shall be the responsibility of campus security if the function is a student program sponsored event.

(8) No person who is under the influence of alcohol or dangerous substances or who is disorderly in conduct shall be allowed to serve, consume or dispense alcoholic beverages.

(9) All sales and use of alcoholic beverages shall be governed by the Washington State law as interpreted by the Washington State Liquor Control Board. The regulation shall be posted outside of the room where alcoholic beverages are consumed.

(10) No alcoholic beverages may be consumed outside the approved area for the event (building, room etc.).

(11) Non alcoholic beverages shall be available to persons under the legal age at all events where alcoholic beverages are permitted.

(12) No state monies shall be used to purchase any alcoholic beverages or to pay any license fees or related expense. All revenues generated by the sale of alcoholic beverages shall be processed in accordance with normal College policy and procedures.

(13) To insure variety in programming, the use of alcoholic beverages shall be approved for only a limited number of major collegewide activities.

**Reviser's note:** The unnecessary underscoring in the above section occurred in the copy filed by the institution and appears herein pursuant to the requirements of RCW 34.08.040.

**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.

### WSR 86-01-057

#### NOTICE OF PUBLIC MEETINGS

#### SEATTLE COMMUNITY COLLEGE DISTRICT

[Memorandum—December 13, 1985]

The special meeting of the board of trustees of Seattle Community College District for December has been changed from Tuesday, December 17 to Wednesday, December 18, from 4:00 to 6:00 p.m., at South Seattle Community College, 6000 16th Avenue S.W., Seattle, WA 98106.

Following this, from 6:00 to 9:00 p.m., there will be a joint meeting with the Seattle Public School Board.

### WSR 86-01-058

#### PROPOSED RULES

#### GAMBLING COMMISSION

[Filed December 16, 1985]

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 rule WAC 230-30-005 and amendatory sections WAC 230-30-050, 230-30-070, 230-30-080, 230-30-103, 230-30-106 and 230-08-010;

that the agency will at 10:00 a.m., Thursday, March 13, 1986, in the Tye Motor Inn, 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 (4), (8), (11) and (14) and 9.46.110].

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before March 13, 1986.

This notice is connected to and continues the matter in Notice Nos. WSR 85-21-045 and 85-22-006 filed with the code reviser's office on October 14, 1985, and October 25, 1985.

Dated: December 16, 1985

By: Ronald O. Bailey  
Deputy Director

### WSR 86-01-059

#### PROPOSED RULES

#### GAMBLING COMMISSION

[Filed December 16, 1985]

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 amendatory section WAC 230-12-050;

that the agency will at 10:00 a.m., Thursday, February 13, 1986, in the Landmark Inn, Lynnwood, 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 9.46.030(1) and 9.46.070 (1), (9), (10)(d) and (11).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before February 13, 1986.

Dated: December 16, 1985

By: Ronald O. Bailey  
Deputy Director

#### STATEMENT OF PURPOSE

Title: WAC 230-12-050 No credit to be allowed.

Description of Purpose: Amends rule to permit players to use credit cards to pay for bingo cards.

Statutory Authority: RCW 9.46.030(1), 9.46.070 (1), (9), (10)(d) and (11).

Summary of Proposed Rules and Reasons Supporting Action: No credit to be allowed. Authorizes players to use credit cards to pay for the purchase of bingo cards.

Agency Personnel Responsible for Drafting, Implementing and Enforcing the Rules: Keith Kisor, Director, 234-0865 scan, 753-0865 comm; and Ronald O. Bailey, Deputy Director, 234-1075 scan, 753-1075 comm, Jefferson Building, 1110 South Jefferson, Olympia, WA 98504.

Proponents and Opponents: Gambling Commission staff proposes this rule amendment.

Agency Comments: The agency believes the proposed amendment is self-explanatory and need no further comment.

This rule was 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 this amendment.

AMENDATORY SECTION (Amending Order 51, filed 4/30/76)

WAC 230-12-050 NO CREDIT TO BE ALLOWED. No license, or any of its members or employees, or any operator, conducting, or in any way participating in the conduct of any of the activities which are authorized by RCW 9.46.030 or by commission rule, shall allow a person to play that activity on credit, or shall grant a loan or gift of any kind at any time to a person playing the activity. When a person is charged consideration for the privilege of playing the activity that consideration shall be collected in full, by cash, credit card or check, in advance: **PROVIDED**, That the consideration paid for the opportunity to play a punchboard or pull tab series may be collected immediately after the play is completed only when such consideration is five dollars or less: **PROVIDED FURTHER**, That where a bona fide charitable or bona fide nonprofit organization conducting any of the activities authorized by RCW 9.46.030 or commission rules has a regular billing system for all of the activities of its members with such organization, such billing system may be utilized in connection with the playing of any of the activities authorized hereunder if:

(1) The playing of such activity is limited to regular members of such organization who have become regular members prior to the commencement of such activity and whose qualifications for membership were not dependent upon, or in any way related to, the playing of such activity; and

(2) The commission has given its prior written consent to the use of such billing system in connection with the conduct of activities authorized under these rules.

**WSR 86-01-060****ADOPTED RULES****LOTTERY COMMISSION**

[Order 83—Filed December 16, 1985]

Be it resolved by the Washington State Lottery Commission, acting at Seattle, Washington, that it does adopt the annexed rules relating to:

Amd	WAC 315-02-080	Filing of adopted rules.
Amd	WAC 315-02-150	General license defined.
Amd	WAC 315-02-160	Licensed agent defined.
Amd	WAC 315-02-200	Provisional license defined.
Amd	WAC 315-04-010	Lottery retailers.
Amd	WAC 315-04-020	License application eligibility.
Amd	WAC 315-04-030	License application.
Amd	WAC 315-04-040	General license.
Amd	WAC 315-04-060	Provisional license.
Amd	WAC 315-04-090	License issuance eligibility.
Amd	WAC 315-04-110	Duplicate licenses.
Amd	WAC 315-04-120	Transfer of license prohibited.
Amd	WAC 315-04-125	Change of name or location.
Amd	WAC 315-04-130	Death or incapacity of licensee.
Amd	WAC 315-04-132	Change of business structure.
Amd	WAC 315-04-140	License not a vested right.
Amd	WAC 315-04-150	License to be displayed.
Amd	WAC 315-04-160	Display of material.
Amd	WAC 315-04-170	Tickets convenient to public.
Amd	WAC 315-04-180	Obligations of licensed agents.
Amd	WAC 315-04-190	Compensation.
Amd	WAC 315-04-210	Procedure if license is suspended or revoked.
Amd	WAC 315-04-220	Limited off premises sales permit.
Amd	WAC 315-06-020	Authorization to sell tickets.
Amd	WAC 315-06-030	Licensed agent's instructions.
Amd	WAC 315-06-035	Instant ticket purchase price and conditions.
Amd	WAC 315-06-040	Disclosure of probability of purchasing a winning ticket.
Amd	WAC 315-06-050	Location of sale.
Amd	WAC 315-06-060	Price of tickets—Limitations.
Amd	WAC 315-06-080	Certain purchases of tickets, gratuities and certain winning of prizes prohibited.
Amd	WAC 315-06-090	Slot machines prohibited.
Amd	WAC 315-06-100	Data processing terminals for dispensing of tickets authorized.

Amd	WAC 315-06-110	Conversion to data processing vending terminals.
Amd	WAC 315-06-120	Payment of prizes—General provisions.
Amd	WAC 315-06-150	Assignment of depository.
Amd	WAC 315-06-160	Licensed agent's identification card.
Amd	WAC 315-06-170	Deposits of lottery revenues.
Amd	WAC 315-06-180	Stolen or lost tickets.
Amd	WAC 315-06-190	Erroneous or mutilated tickets.
Amd	WAC 315-06-200	Returned tickets.
Amd	WAC 315-10-020	Definitions.
Amd	WAC 315-10-040	Confidentiality of tickets.
Amd	WAC 315-10-060	Official end of game.
Amd	WAC 315-20-010	Director may temporarily suspend license pending a hearing.
Amd	WAC 315-20-060	Waiver of hearing.
Amd	WAC 315-30-020	Definitions.
Amd	WAC 315-30-030	On-line games criteria.
Amd	WAC 315-30-060	Payment of prizes by on-line retailer.
Amd	WAC 315-30-070	Retailer settlement.
Amd	WAC 315-30-090	On-line retailer credit criteria.
Amd	WAC 315-31-050	Ticket purchases.

This action is taken pursuant to Notice No. WSR 85-21-107 filed with the code reviser on October 23, 1985. 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 67.70.040 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 December 6, 1985.

By Duane Kovacevich  
Deputy Director

AMENDATORY SECTION (Amending Order 66, filed 10/5/84)

WAC 315-02-080 FILING OF ADOPTED RULES. The commission hereby authorizes each of the following to act as an agent of the commission for the purpose of signing form CR-8 promulgated by the code reviser for the purpose of filing adopted rules:

- (1) Each member of the commission;
- (2) Director;
- (3) Deputy director(;
- ~~(4) Assistant director for operations and enforcement)).~~

AMENDATORY SECTION (Amending Order 3, filed 10/15/82)

WAC 315-02-150 GENERAL LICENSE DEFINED. "General license" means a license issued by the director which authorizes a (~~licensed agent~~) lottery retailer to conduct the routine sale of tickets at a fixed structure or facility.

AMENDATORY SECTION (Amending Order 3, filed 10/15/82)

WAC 315-02-160 (~~LICENSED AGENT~~) LOTTERY RETAILER DEFINED. "Lottery retailer,"



formerly known as "licensed agent" means a person licensed by the director or any retail outlet of the state liquor control board. The term "licensed agent" used in conjunction with the lottery in any context or document shall have the same meaning as "lottery retailer."

AMENDATORY SECTION (Amending Order 3, filed 10/15/82)

WAC 315-02-200 PROVISIONAL LICENSE DEFINED. "Provisional license" means a license issued by the director which temporarily authorizes a (~~licensed agent~~) lottery retailer to conduct the sale of tickets pending processing of the general license application or renewal.

AMENDATORY SECTION (Amending Order 72, filed 4/5/85)

WAC 315-04-010 (~~LICENSED AGENTS~~) LOTTERY RETAILERS. The director shall license as (~~licensed agents~~) lottery retailers such persons who 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~~) lottery retailers 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~~) lottery retailer need not be authorized to sell tickets for all games operated by the director. A (~~licensed agent~~) lottery retailer may be required to post a bond or cash in lieu of a bond in such terms and conditions as the director may require.

AMENDATORY SECTION (Amending Order 4, filed 10/15/82)

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

(1) No person may submit an application for licensure who is under 18 years of age.

(2) No person may submit an application who will be engaged exclusively in the business of selling tickets.

(3) No person may submit an application for licensure who is a member or employee of the commission or who is the spouse, child, brother, sister or parent residing as a member of the same household in the principal place of abode of any member or employee of the commission.

(4) No person may submit an application who is, or is owned or controlled by or affiliated with, a vendor or contractor of the commission or director for the development, operation, management, security or any other aspect of a specific game.

(5) No person may submit an application who is not legally registered and licensed to conduct business in the state of Washington.

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

AMENDATORY SECTION (Amending Order 2, filed 10/15/82)

WAC 315-04-030 LICENSE APPLICATION. Any eligible person may apply for a license to act as a (~~licensed agent~~) lottery retailer by first filing with the director an application on a form approved by the director, together with any supplement thereto, which shall include, but not be limited to, authorization to investigate criminal history, financial records and financial sources, said forms and supplements to be signed under oath.

AMENDATORY SECTION (Amending Order 72, filed 4/5/85)

WAC 315-04-040 GENERAL LICENSE. The director may issue a general license to an applicant who qualifies for licensure. The general license shall authorize the (~~licensed agent~~) lottery retailer to conduct the routine sale of tickets at the location specified on the general license. An addendum to the general or provisional license may be obtained as provided for in WAC 315-04-220, permitting the (~~licensed agent~~) lottery retailer to sell tickets in locations other than that specified on its license. The general license shall be valid until terminated by the lottery or the (~~licensed agent~~) lottery retailer, provided, the (~~licensed agent~~) lottery retailer shall provide periodic updates of license information as required by the director.

AMENDATORY SECTION (Amending Order 72, filed 4/5/85)

WAC 315-04-060 PROVISIONAL LICENSE.

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

(2) If the ownership of an existing (~~licensed agent~~) lottery retailer location changes, the director may issue a provisional license to the new owner. The provisional license shall expire twenty working days from the date of issuance if the director has not received the new owner's fully completed (~~licensed agent's~~) lottery retailer's application and authorization of a complete personal background check. If the required materials have been timely received by the director and a preliminary background check has been completed, the provisional license shall expire at the time of issuance of the general license or ninety days from the date the provisional license is issued, whichever occurs first.

AMENDATORY SECTION (Amending Order 14, filed 2/10/83)

WAC 315-04-090 LICENSE ISSUANCE ELIGIBILITY. (1) The director may issue a license to any

person to act as a ~~((licensed agent))~~ lottery retailer who meets the eligibility criteria established by chapter 7, Laws of 1982 2nd ex. sess., and these rules.

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

(a) The financial responsibility and security of the person and its business or activity;

(b) The background and reputation of the applicant in the community for honesty and integrity;

(c) The type of business owned or operated by the applicant to ensure consonance with the dignity of the state, the general welfare of the people and the operation and integrity of the lottery;

(d) The accessibility of the applicant's place of business or activity to the public;

(e) The sufficiency of existing licenses to serve the public convenience;

(f) The volume of expected sales;

(g) The veracity of the information supplied in the application for a ~~((licensed agent))~~ lottery retailer license; and

(h) The applicant's indebtedness to the state of Washington, local subdivisions of the state and/or the United States government.

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

AMENDATORY SECTION (Amending Order 72, filed 4/5/85)

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

AMENDATORY SECTION (Amending Order 58, filed 6/4/84)

WAC 315-04-120 TRANSFER OF LICENSE PROHIBITED. Any license issued by the director is personal to the ~~((licensed agent))~~ lottery retailer and may not be transferred to another person except in the event of the death or incapacity of licensee as provided in WAC 315-04-130.

AMENDATORY SECTION (Amending Order 72, filed 4/5/85)

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))~~ lottery retailer 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, the lottery shall issue a license in the new name or with the new location address.

AMENDATORY SECTION (Amending Order 72, filed 4/5/85)

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

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

(3) The license following transfer shall be void upon that person ceasing to hold such a court appointed or court confirmed position.

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

AMENDATORY SECTION (Amending Order 72, filed 4/5/85)

WAC 315-04-132 CHANGE OF BUSINESS STRUCTURE, OWNERSHIP, OR OFFICERS. (1) Every change of business structure of a person to whom a license has been issued must be reported to the lottery prior to the change. A change of business structure shall mean the change from one form of business organization to another, such as from sole proprietorship to partnership or corporation.

(2) Every substantial change of ownership of a person to whom a license has been issued must be reported to the lottery prior to the change. A substantial change of ownership shall mean the transfer of ten percent or more equity.

(3) Every change of officers of a person to whom a license has been issued must be reported to the lottery not later than ten days following the effective day of the change.

(4) If such change involves the addition or deletion of one or more owners or officers, the ~~((licensed agent))~~ lottery retailer shall submit a license application reflecting the change(s) and any other documentation the director may require.

(5) If such change involves the addition of one or more owners or officers who does not have on file with the lottery a current "personal information form," each such owner or officer shall submit a "personal information form." ~~((The lottery shall assess a fee for a background check pursuant to WAC 315-04-070.))~~

AMENDATORY SECTION (Amending Order 72, filed 4/5/85)

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))~~ lottery retailer 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))~~ lottery retailer in any capacity does not entitle that person to sell tickets or obtain materials for any particular game.

AMENDATORY SECTION (Amending Order 4, filed 10/15/82)

WAC 315-04-150 LICENSE TO BE DISPLAYED. Every ~~((licensed agent))~~ lottery retailer shall conspicuously display its license or a copy thereof, to be provided by the lottery, in an area visible to the general public where tickets are being sold.

AMENDATORY SECTION (Amending Order 68, filed 11/7/84)

WAC 315-04-160 DISPLAY OF MATERIAL. ~~((Licensed agents))~~ Lottery retailers shall display lottery point-of-sale material approved by the director in a manner which is readily seen by and available to the public. Upon request, the director may make additional point-of-sale materials available to ~~((licensed agents))~~ lottery retailers at no cost or at such costs as determined by the director. ~~((Licensed agents))~~ Lottery retailers may use and/or display other promotional and point-of-sale material, provided, it is in accord with the image and/or theme established by the lottery, including but not limited to design, script style, color scheme, and logo; and it is consonant with the dignity of the state. The director may require removal of objectionable material and/or its use be discontinued.

AMENDATORY SECTION (Amending Order 4, filed 10/15/82)

WAC 315-04-170 TICKETS CONVENIENT TO PUBLIC. (1) Every ~~((licensed agent))~~ lottery retailer shall make the purchase of tickets convenient and readily accessible to the public.

(2) Each ~~((licensed agent))~~ lottery retailer shall make tickets available for sale during its normal business hours at the location designated on its license.

AMENDATORY SECTION (Amending Order 51, filed 2/7/84)

WAC 315-04-180 OBLIGATIONS OF ~~((LICENSED AGENTS))~~ LOTTERY RETAILERS. (1) All tickets accepted by the ~~((licensed agent))~~ lottery retailer from its assigned depository shall be considered sold to the ~~((licensed agent))~~ lottery retailer (unless returned to the depository from which they were obtained within the time specified and as permitted by the director). The purchase price shall be paid to the depository, less the value of lower tier prizes in each book and any discount authorized by these rules.

(2) After acceptance, the ~~((licensed agent))~~ lottery retailer is responsible for the condition and security of the tickets and for any losses resulting from tickets

which become lost, stolen, mutilated, damaged or otherwise unsaleable. The director shall not reimburse the ~~((licensed agent))~~ lottery retailer for any losses which occur after acceptance of the tickets or for which the lottery has no duty or responsibility.

(3) Each ~~((licensed agent))~~ lottery retailer shall abide by the law, these rules and all other directives or instructions issued by the director.

(4) Each ~~((licensed agent))~~ lottery retailer grants to the director and the commission and employees of the commission an irrevocable license to enter upon the premises of the ~~((licensed agent))~~ lottery retailer in which tickets may be sold or any other location under the control of the ~~((licensed agent))~~ lottery retailer where the director may have good cause to believe lottery materials and/or tickets are stored or kept in order to inspect said lottery materials and/or tickets and the licensed premises.

(5) All property given, except tickets, to a ~~((licensed agent))~~ lottery retailer remains the property of the director, and, upon demand, the ~~((licensed agent))~~ lottery retailer agrees to deliver forthwith the same to the director.

(6) All books and records pertaining to the ~~((licensed agent's))~~ lottery retailer's lottery activities shall be made available for inspection and copying, during the normal business hours of the ~~((licensed agent))~~ lottery retailer and between 8:00 a.m. and 5:00 p.m., Monday through Friday, upon demand by the director or employees of the commission.

(7) All books and records pertaining to the ~~((licensed agent's))~~ lottery retailer's lottery activities shall be subject to seizure by the director or employees of the commission without prior notice.

(8) No ~~((licensed agent))~~ lottery retailer shall advertise or otherwise display advertising in any part of the ~~((licensed agent's))~~ lottery retailer's premises as a licensed location which may be considered derogatory or adverse to the operations or dignity of the lottery and the ~~((licensed agent))~~ lottery retailer shall remove any advertising forthwith if requested by the director.

AMENDATORY SECTION (Amending Order 66, filed 10/5/84)

WAC 315-04-190 COMPENSATION. (1) ~~((Licensed agents))~~ Lottery retailers shall be entitled to a five percent discount from the retail price of the instant game tickets established by rule for each game.

(2) ~~((Licensed agents))~~ Lottery retailers authorized to sell on-line tickets shall be entitled to a five percent discount from the total of gross on-line ticket sales less on-line ticket cancellations.

(3) ~~((Licensed agents))~~ Lottery retailers may receive additional compensation through incentive programs including but not limited to additional discounts, ~~((agent))~~ retailer games, ~~((agent))~~ retailer awards, and ~~((agent))~~ retailer bonuses.

AMENDATORY SECTION (Amending Order 4, filed 10/15/82)

WAC 315-04-210 PROCEDURE IF LICENSE IS SUSPENDED OR REVOKED. Upon revocation or suspension of a (~~licensed agent's~~) lottery retailer's license for any reasons whatsoever, the (~~licensed agent~~) lottery retailer must appear at its assigned depository or before the director or his or her designee, by a date designated by the director for the purpose of rendering a final lottery accounting, the surrender of the (~~licensed agent's~~) lottery retailer's license, his or her identification card and other lottery property. Upon the (~~licensed agent's~~) lottery retailer's failure to appear by the designated date to render a final accounting, or otherwise to surrender the license, identification card and other lottery property as instructed, the depository shall immediately notify the director by telephone and confirm in writing.

AMENDATORY SECTION (Amending Order 75, filed 6/10/85)

WAC 315-04-220 LIMITED OFF PREMISES SALES PERMIT. (1) The director may permit any (~~licensed agent~~) lottery retailer who has been issued a general or provisional license to sell tickets in locations other than that specified on its license and to employ persons to make such sales provided that:

(a) A (~~licensed agent~~) lottery retailer requesting a "limited off premises sales permit" shall submit an application, completed in its entirety, using a form approved by the director.

(b) An application for a "limited off premises sales permit" for instant lottery tickets must be submitted to the lottery a minimum of thirty days prior to the event to provide adequate time for processing. An application for a "limited off premises sales permit" for on-line games must be submitted a minimum of sixty days prior to the event to provide adequate time for processing. Applications received after these time limits may not be approved.

(c) The geographical area and type of location in which such sales are requested shall be individually approved by the director.

(d) Each (~~licensed agent~~) lottery retailer making such sales shall be individually approved by the director and shall display identification in such form and manner as shall be prescribed by the director.

(e) The (~~licensed agent~~) lottery retailer and its employees shall abide by such other instructions and restrictions as may be prescribed by the director to govern such sales.

(2) The (~~licensed agent's~~) lottery retailer's license shall bear an addendum with the phrase "limited off premises sales permitted," and the licensed agent shall display with its license the addendum which sets forth the terms and conditions under which such sales may be made. A photocopy of the addendum shall be posted at each location where off premises sales are permitted.

(3) (~~Licensed agents~~) Lottery retailers must redeem low-tier winning tickets sold at the off premises location

at that location and at their licensed location. The location of the licensed location must be posted at the off premises location. (~~Licensed agents~~) Lottery retailers must also provide claim forms to holders of high-tier winning tickets at both locations.

(4) The "limited off premises sales permit" shall be valid for not more than thirty days and may be renewed twice, if approved by the director, for periods not to exceed thirty days each.

(5) (~~Licensed agents~~) Lottery retailers granted "limited off premises sales permits" will not be required to conduct other licensed business activities at the off premises locations.

(6) (~~Licensed agents~~) Lottery retailers granted "limited off premises sales permits" shall bear all costs associated with such sales including but not limited to construction of booths, stands, etc.; telephone line installation; telephone line charges and installation of a dedicated electric circuit.

AMENDATORY SECTION (Amending Order 10, filed 1/14/83)

WAC 315-06-020 AUTHORIZATION TO SELL TICKETS. (~~Licensed agents~~) Lottery retailers are authorized, as limited by WAC 315-04-140, to sell tickets directly to the public. Retail outlets of the state liquor control board are not required to be licensed as (~~licensed agents~~) lottery retailers.

AMENDATORY SECTION (Amending Order 5, filed 10/15/82)

WAC 315-06-030 (~~LICENSED AGENT'S~~) LOTTERY RETAILER'S INSTRUCTIONS. Each (~~licensed agent~~) lottery retailer is to conform to the instructions and requirements established by the director for the delivery and return of tickets, the location and display of lottery materials, the conduct of a specific game, or other lottery business.

AMENDATORY SECTION (Amending Order 72, filed 4/5/85)

WAC 315-06-035 INSTANT TICKET PURCHASE PRICE AND CONDITIONS. (1) The (~~licensed agent's~~) lottery retailer's purchase price for each pack of instant tickets shall be the retail price of the pack less the value of the pack's low-tier prizes less the (~~agent~~) retailer discount authorized pursuant to WAC 315-04-190. (~~Licensed agents~~) Lottery retailers shall reimburse the lottery for each low-tier prize payment made by the lottery for winning tickets purchased from the (~~licensed agent~~) lottery retailer.

(2) (~~Licensed agents~~) Lottery retailers shall make payment to the lottery by business check, cashier's check, certified check, or money order. The director may designate the form of payment.

(3) The director shall establish payment terms for purchase of instant tickets and shall issue instructions for such payments to (~~licensed agents~~) lottery retailers.

AMENDATORY SECTION (Amending Order 42, filed 12/8/83)**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) Instructions to ~~((licensed agents))~~ lottery retailers 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)).~~

AMENDATORY SECTION (Amending Order 14, filed 2/10/83)

**WAC 315-06-050 LOCATION OF SALE.** Tickets may be sold by any person who is issued a license to act as a ~~((licensed agent))~~ lottery retailer at the location specified on the license, subject to the director's authority as set forth in sections 5 and 7, chapter 7, Laws of 1982 2nd ex. sess., and these rules.

No such sales shall be made on premises used primarily for residential purposes, in or on the property of any school, or in or upon the property of any facility operated primarily for providing welfare services to the poor or infirmed, or in any facility maintained solely for religious worship.

AMENDATORY SECTION (Amending Order 10, filed 1/14/83)

**WAC 315-06-060 PRICE OF TICKETS—LIMITATIONS.** No ~~((licensed agent))~~ lottery retailer may sell a ticket at a price greater or less than that established in accordance with these rules.

AMENDATORY SECTION (Amending Order 68, filed 11/7/84)

**WAC 315-06-080 CERTAIN PURCHASES OF TICKETS, GRATUITIES, AND CERTAIN WINNING OF PRIZES PROHIBITED.** Certain purchases of tickets, certain winning and sharing of prizes, and gratuities are prohibited as follows:

(1) A ticket shall not be purchased by, and a prize shall not be paid to any member or employee of the commission or to any spouse, child, brother, sister, or parent residing as a member of the same household in the principal place of abode of any member or employee

of the commission, or to any assistant attorney general assigned to advise the commission or director.

(2) A prize claimed by a holder of a winning ticket shall not be shared with any member or employee of the commission or any spouse, child, brother, sister, or parent residing as a member of the same household in the principal place of abode of any member or employee of the commission.

(3) No gratuities offered by prize winners, vendors, contractors, or others conducting business with the lottery, may be accepted by ~~((licensed agents))~~ lottery retailers or by any member or employee of the commission or any spouse, child, brother, sister, or parent residing as a member of the same household in the principal place of abode of any member or employee of the commission.

(4) A ticket shall not be purchased by, and a prize shall not be paid to any CPA accounting firm, or its employees, retained by the director of financial management pursuant to sections 31 and 32, chapter 7, Laws of 1982 2nd ex. sess. or any employee of the director of financial management performing a management review or audit of the commission or director.

(5) A ticket shall not be sold to or purchased by any person under the age of eighteen. Nothing in this section shall prohibit the purchase of a ticket for the purpose of making a gift by a person eighteen years of age or older to a person less than that age.

(6) A ticket shall not be purchased with food stamps or coupons and a ~~((licensed agent))~~ lottery retailer shall not accept as consideration for a ticket food stamps or coupons.

AMENDATORY SECTION (Amending Order 5, filed 10/15/82)

**WAC 315-06-090 SLOT MACHINES PROHIBITED.** The following coin-operated machines shall not be used in the conduct of games:

(1) Coin-operated, instant video games which pay out prizes, either by skill or chance; and

(2) Coin-operated slot machines which dispense lottery tickets unattended by a ~~((licensed sales agent))~~ lottery retailer.

AMENDATORY SECTION (Amending Order 5, filed 10/15/82)

**WAC 315-06-100 DATA PROCESSING TERMINALS FOR THE DISPENSING OF TICKETS AUTHORIZED.** On-line data-processing ticket vending terminals for use by ~~((licensed agents))~~ lottery retailers in the issuing of tickets may be used in the conduct of games.

AMENDATORY SECTION (Amending Order 5, filed 10/15/82)

**WAC 315-06-110 CONVERSION TO DATA PROCESSING VENDING TERMINALS.** The director reserves the right upon thirty days' notice to the ~~((licensed agent))~~ lottery retailer to convert any licensed location from a manual-type operation to an on-line data processing ticket vending terminal operation and from a vending terminal operation on either a rental or

purchase basis to a manual-type operation in the sale and distribution of tickets.

AMENDATORY SECTION (Amending Order 77, filed 7/30/85)

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 sign the back of the ticket and/or complete and sign a claim form approved by the director. The claimant shall submit the claim form and/or 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 or submit a request for reconstruction of an alleged winning ticket and sufficient evidence to enable reconstruction and that the claimant had submitted a claim for the prize, if any, for that ticket. The claimant, by submitting the claim or request for reconstruction, agrees to the following provisions:

(a) The discharge of the state, its officials, officers, and employees of all further liability upon payment of the prize; and

(b) The authorization to use the claimant's name 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 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~~) retailers, or from a (~~licensed agent~~) lottery retailer; 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 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~~) lottery retailer 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 validated by the director and a winner is determined. Provided, prizes paid for claims validated pursuant to WAC 315-10-070(2) shall not be paid prior to one hundred eighty-one days after the official end of that instant game. The date of the first installment payment of each prize to be paid in installment payments shall be the date the claim is validated. Subsequent installment payments shall be made as follows:

(a) If the prize was awarded as the result of a drawing conducted by the lottery, installment payments shall be made weekly, monthly, or annually from the date of the drawing in accordance with the type of prize awarded; or

(b) If the prize was awarded in a manner other than a drawing conducted by the lottery, installment payments shall be made weekly, monthly, or annually from the date the claim is validated 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 originally scheduled payment date thereafter.

(11) If any prize is payable for the life of the claimant, only a natural person may claim such a prize and, if claiming on behalf of a group, corporation or the like, the life of such natural person claiming the prize shall be the measuring life.

(12) The director's decisions and judgments in respect to the determination of a winning ticket or of any other dispute arising from the payment or awarding of prizes shall be final and binding upon all participants in the lottery.

(13) Each (~~licensed agent~~) lottery retailer shall pay all prizes authorized to be paid by the (~~licensed agent~~) lottery retailer 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.

AMENDATORY SECTION (Amending Order 5, filed 10/15/82)

WAC 315-06-150 ASSIGNMENT OF DEPOSITORY. Each ~~((licensed agent))~~ lottery retailer may be assigned a designated depository from which to take delivery of tickets, in which to deposit receipts from the sale of tickets, and otherwise to account for the ~~((licensed agent's))~~ lottery retailer's transactions. The depository shall be notified of each authorized ~~((licensed agent))~~ lottery retailer which it will service. Each depository may rely upon such notification in its dealings with the ~~((licensed agents))~~ lottery retailers until notified to the contrary by the director as long as the ~~((licensed agent))~~ lottery retailer presents a ~~((licensed agent))~~ lottery retailer form bearing an authorized signature and his or her ~~((licensed agent))~~ lottery retailer identification card.

AMENDATORY SECTION (Amending Order 14, filed 2/10/83)

WAC 315-06-160 ~~((LICENSED AGENT'S))~~ LOTTERY RETAILER'S IDENTIFICATION CARD. (1) The director will issue to each ~~((licensed agent))~~ lottery retailer an identification card which must be presented by it or its authorized representative when taking delivery of tickets from the authorized depositories. No depository shall issue any tickets until the ~~((licensed agent))~~ lottery retailer or its authorized representative presents its identification card and fulfills all instructions of the director.

(2) In the event the identification card is lost or otherwise misplaced the ~~((licensed agent))~~ lottery retailer must immediately notify by telephone its assigned depository and the director, and confirm the loss in writing within 24 hours to the director. The depository shall not, in any way, transact business with any person presenting himself or herself with the reported lost identification card until otherwise notified by the director.

(3) Each ~~((licensed agent))~~ lottery retailer shall give notice in writing to the ~~((licensed agent's))~~ lottery retailer's assigned depository and to the director the name and address of each person in his or her business who is authorized to request and to take delivery of tickets, to deposit receipts from the sale of tickets and to otherwise have dealings with the depository. Each authorized person must identify himself or herself to the depository by means of a ~~((licensed agent's))~~ lottery retailer's identification card received from the director before tickets are delivered. Each ~~((licensed agent))~~ lottery retailer is restricted to his or her assigned depository for the purpose of conducting lottery business in conformity to law, and these rules, unless otherwise instructed by the director.

(4) Upon the loss, mutilation or destruction of any identification card issued by the director, application for a duplicate must be made on a form approved by the director. A statement signed by the ~~((licensed agent))~~ lottery retailer which details the circumstances under which the identification card was lost, mutilated, or destroyed and certifies that such identification card was, in fact, lost, mutilated or destroyed, shall accompany such

application. ~~((The fee for the duplicate of an identification card shall be \$10.00.))~~ A mutilated identification card shall be surrendered to the director upon issuance or denial of a duplicate. A lost identification card, when found, must be immediately surrendered to the director.

AMENDATORY SECTION (Amending Order 5, filed 10/15/82)

WAC 315-06-170 DEPOSITS OF LOTTERY REVENUES. (1) Each ~~((licensed agent))~~ lottery retailer shall purchase the tickets distributed to it and the monies for payment of these tickets shall be deposited to the credit of the state lottery ~~((fund))~~ account in a designated depository. Deducted from the total purchase cost to the ~~((licensed agent))~~ lottery retailer, in such manner as the director may require shall be the amount, if any, which the ~~((licensed agent))~~ lottery retailer may pay as prizes and which it may retain as compensation for its services in accordance with these rules. The ~~((licensed agents))~~ lottery retailers shall be required to file with the director periodic reports of their respective receipts and transactions in the sale of tickets in such form as approved by the director.

(2) Each ~~((licensed agent))~~ lottery retailer shall account to its assigned depository for all proceeds resulting from its sales of tickets within such time as may be specified by the director for any particular type or kind of lottery which may be authorized by the commission.

AMENDATORY SECTION (Amending Order 36, filed 9/12/83)

WAC 315-06-180 STOLEN OR LOST TICKETS. A ~~((licensed agent))~~ lottery retailer is considered the owner of all tickets it accepts from the lottery and is responsible for ticket security and for maintaining a record of current ticket inventory.

AMENDATORY SECTION (Amending Order 5, filed 10/15/82)

WAC 315-06-190 ERRONEOUS OR MUTILATED TICKETS. (1) Tickets erroneously made out or in any way mutilated when received by a ~~((licensed agent))~~ lottery retailer are to be returned by the ~~((licensed agent))~~ lottery retailer immediately to the depository servicing said ~~((licensed agent))~~ lottery retailer. Credit may be allowed for said tickets but only at the point of original sale to the ~~((licensed agent))~~ lottery retailer. No credit shall be allowed if the authenticity of the ticket cannot be reasonably determined by the director.

(2) Unless the director is satisfied that a mutilated ticket is authentic, no credit or prize will be issued to the holder of said ticket.

AMENDATORY SECTION (Amending Order 5, filed 10/15/82)

WAC 315-06-200 RETURNED TICKETS. All tickets once returned by a ~~((licensed agent))~~ lottery retailer may not be reissued without prior approval of the director.

AMENDATORY SECTION (Amending Order 51, filed 2/7/84)

WAC 315-10-020 DEFINITIONS. (1) Ticket. The ticket purchased for participation in an instant game.

(2) Instant game. A game in which a ticket is purchased and upon removal of a latex covering on the front of the ticket, the ticket bearer determines his or her winnings, if any.

(3) Ticket bearer. The person who has signed the ticket or has possession of the unsigned ticket.

(4) Play (~~((numbers))~~) symbols. The numbers or symbols appearing in the designated areas under the removable covering on the front of the ticket. Play symbols were formerly called play numbers. Both terms shall have the same meaning.

(5) Validation number. The multi-digit number found on the ticket and on any ticket stub. There must be a validation number on the ticket or any stub.

AMENDATORY SECTION (Amending Order 3, filed 10/15/82)

WAC 315-10-040 CONFIDENTIALITY OF TICKETS. No (~~((licensed agent))~~) lottery retailer or its employees or agents shall attempt to ascertain the numbers or symbols appearing in the designated areas under the removable latex coverings or otherwise attempt to identify winning tickets.

AMENDATORY SECTION (Amending Order 72, filed 4/5/85)

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))~~) lottery retailer 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))~~) lottery retailer may continue to sell tickets for each instant game up to fourteen days after the official end of that game.

(3) A (~~((licensed agent))~~) lottery retailer 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 director's instructions to (~~((licensed agents))~~) lottery retailers 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.

AMENDATORY SECTION (Amending Resolution No. 24, filed 6/17/83)

WAC 315-20-010 DIRECTOR MAY TEMPORARILY SUSPEND LICENSE PENDING A

HEARING. (1) The director may temporarily suspend a license or addendum thereto issued pursuant to these rules pending a hearing upon suspension or revocation of the license, or issuance of a renewal thereof, when in the opinion of the director:

(a) The (~~((licensed agent))~~) lottery retailer has obtained the license or addendum by fraud, trick, misrepresentation, concealment, or through inadvertence or mistake; or

(b) The (~~((licensed agent))~~) lottery retailer has engaged in any act, practice or course of operation as would operate as a fraud or deceit on any person, or has employed any device, scheme or artifice to defraud any person; or

(c) The (~~((licensed agent))~~) lottery retailer has violated, failed, or refused to comply with any of the provisions, requirements, limitations, or duties imposed by chapter 67.70 RCW and any amendments thereto or any rules adopted by the commission pursuant thereto; or

(d) Immediate cessation of the licensed activities by the (~~((licensed agent))~~) lottery retailer is necessary for the protection or preservation of the welfare of the community within which these activities are being conducted.

(2) Notice of such temporary suspensions shall be served in accordance with WAC 10-08-110.

AMENDATORY SECTION (Amending Resolution No. 24, filed 6/17/83)

WAC 315-20-060 WAIVER OF HEARING. In any case involving violations of the lottery laws, rules or regulations, where the director deems it appropriate, the director may afford the (~~((licensed agent))~~) lottery retailer an opportunity to waive a formal hearing which he has timely requested. If the (~~((licensed agent))~~) lottery retailer so elects to waive formal hearing, he or she may then state in writing any matter in explanation or mitigation of the violations which he or she desires the director to consider in making his or her decision. The (~~((licensed agent))~~) lottery retailer at the time he or she submits the waiver, may also request to be present when the director meets to consider his or her decision in the matter. In the event the (~~((licensed agent))~~) lottery retailer elects to waive formal hearing he or she shall thereafter be bound by such election and may not thereafter request formal hearing.

AMENDATORY SECTION (Amending Order 72, filed 4/5/85)

WAC 315-30-020 DEFINITIONS. (1) On-line game. A lottery game in which a player pays a fee to a lottery (~~((agent))~~) retailer and selects a combination of digits, numbers, or symbols; type and amount 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 combination(s) in accordance with the rules of the specific game being played. Each ticket bearer whose valid ticket includes a winning combination shall be entitled to a prize if claim is submitted within the specified time period.



(2) On-line ((agent)) retailer. A ((licensed agent)) lottery retailer authorized by the lottery to sell on-line tickets. On-line ((agents)) retailers shall sell all lottery games including but not limited to instant game tickets offered by the lottery.

(3) On-line ticket. A computer-generated ticket issued by an on-line ((agent)) retailer to a player as a receipt for the combination a player has selected. That ticket shall be the only acceptable evidence of the combination of digits, numbers, or symbols selected. On-line tickets may be purchased only from on-line ((agents)) retailers.

(4) Ticket distribution machine (TDM). The computer hardware through which an on-line ((agent)) retailer enters the combination 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 selects the winning combination 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 a winning combination occurred.

(7) Winning combination. One or more digits, numbers, or symbols 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 twelve-digit number printed on the front of 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.

(11) Metropolitan area. Benton, Clark, Franklin, King, Kitsap, Pierce, Snohomish, Spokane, Thurston, Whatcom, and Yakima counties. (These geographic areas have been identified as the metropolitan statistical areas in the state of Washington by the Federal Committee on Standard Metropolitan Statistical Areas of the Office of Management and Budget.)

#### AMENDATORY SECTION (Amending Order 77, filed 7/30/85)

WAC 315-30-030 ON-LINE GAMES CRITERIA. (1) The base price of an on-line ticket shall not be less than \$.50 and not more than \$5.00.

(2) On the average 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 claiming a prize shall submit the apparent winning ticket as specified by the director. The ticket must be validated pursuant to WAC 315-30-050 by the lottery or an on-line ((agent)) retailer 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 ((within thirty days of the drawing)), the claimant shall present the winning on-line ticket to any on-line ((agent)) retailer or to the lottery.

(i) If the claim is presented to an on-line ((agent)) retailer, the on-line ((agent)) retailer 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)) retailer 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 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. Nonwinning tickets will not be returned to the claimant.

(ii) 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 apparent winning ticket to the lottery by 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. Nonwinning tickets will not be returned to the claimant.

(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 apparent winning ticket to the lottery by 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. Nonwinning tickets will not be returned to the claimant.

#### AMENDATORY SECTION (Amending Order 72, filed 4/5/85)

WAC 315-30-060 PAYMENT OF PRIZES BY ON-LINE ((AGENTS)) RETAILERS. (1) An on-line ((agent)) retailer shall pay to the ticket bearer on-line game prizes of \$600.00 or less for any validated claims presented ((within thirty days of the drawing)) to that on-line ((agent)) retailer regardless of where the on-line ticket was purchased. These prizes shall be paid during all normal business hours of that on-line ((agent)) retailer, provided, the on-line system is operational and claims can be validated. The on-line ((agent)) retailer shall not charge the claimant any fee for payment of the prize or for cashing a business check drawn on the ((licensed agent's)) lottery retailer's account.

(2) An on-line ((~~agent~~)) retailer may pay prizes in cash or by business check, certified check, or money order. An on-line ((~~agent~~)) retailer that pays a prize with a check which is dishonored may be subject to suspension or revocation of its license, pursuant to WAC 315-04-200.

AMENDATORY SECTION (Amending Order 44, filed 12/8/83)

WAC 315-30-070 ((~~AGENT~~)) RETAILER SETTLEMENT. (1) Each on-line ((~~agent~~)) retailer 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~~)) retailer shall make a deposit to that account at least once each week. The amount deposited shall be sufficient to cover monies due the lottery for that weekly accounting period. The lottery will withdraw by EFT the amount due the lottery on the day specified by the director. In the event the day specified for withdrawal falls on a legal holiday, withdrawal will be accomplished on the following business day.

AMENDATORY SECTION (Amending Order 72, filed 4/5/85)

WAC 315-30-090 ON-LINE ((~~AGENT~~)) RETAILER CREDIT CRITERIA. (1) The director shall deny an on-line license endorsement to any applicant whose credit is rated as poor or marginal as defined in this section.

(2) The director shall require on-line applicants whose credit is rated as minimum as defined in this section to obtain a surety bond or post cash in lieu of a bond under terms and conditions established by the director prior to issuance of the on-line license endorsement. Such surety bond must be secured from a company licensed to do business in the state of Washington. The bond or cash shall be in the amount of seven thousand five hundred dollars unless the director determines a higher amount is required.

(3) In the event the ((~~agent's~~)) retailer's credit is rated as poor or marginal subsequent to the issuance of the license endorsement the director may:

(a) Revoke or suspend ((~~an agent's~~)) a retailer's on-line license endorsement and/or;

(b) Require such an agent to secure a surety bond from a company licensed to do business in the state of Washington or post cash in lieu of a bond under terms and conditions established by the director. The surety bond or cash shall be in the amount of seven thousand five hundred dollars unless the director determines, based on sales volume and financial solvency of the ((~~agent~~)) retailer, a higher amount is required.

(4) Credit ratings are defined as follows:

(a) Business credit – includes currently reporting accounts payable and payment records up to six months prior to the lottery's credit check request. Accounts are evaluated by the percentage of the balance outstanding in each of the following categories: Zero to thirty days,

thirty-one to sixty days, sixty-one to ninety days, and ninety-one plus days.

(i) A "poor" credit rating indicates that at least half of the accounts are in the sixty-one days and over categories.

(ii) A "marginal" credit rating indicates that at least half of the accounts are in the thirty-one days and over categories.

(iii) A "minimum" credit rating indicates the information is insufficient for evaluation.

(iv) An "acceptable" credit rating indicates that the majority of current accounts are in the zero to thirty days payment category.

(b) Personal credit – includes current reporting personal accounts payable, including public financial record information up to seven years prior to the lottery's credit check request. A significant incident shall be defined as public record information which includes any lien, judgment, or bankruptcy or any similar incident which is publicly recorded and reflects on the individuals willingness and ability to pay creditors. A numerical rating of "one" represents excellent credit. A numerical rating of "nine" represents involuntary collection.

(i) A "poor" credit rating indicates at least half of the accounts are rated over "five", and/or the public record information indicates three or more significant incidents within the past three years.

(ii) A "marginal" credit rating indicates that at least half of the accounts are rated over "three", and/or the public record information indicates one or more significant incidents within the past three years.

(iii) A "minimum" credit rating indicates the information is insufficient for evaluation.

(iv) An "acceptable" credit rating indicates that the majority of the reporting accounts are rated under "three" and that there have been no significant incidents in the public record within the past three years.

AMENDATORY SECTION (Amending Order 44, filed 12/8/83)

WAC 315-31-050 TICKET PURCHASES. (1) Triple Choice tickets may be purchased or redeemed between 6:00 a.m. and 11:00 p.m. seven days a week, provided on-line ((~~agents~~)) retailers shall only sell and redeem tickets during their normal business hours.

(2) Triple Choice tickets may be purchased only from a ((~~licensed agent~~)) lottery retailer authorized by the director to sell on-line tickets.

(3) Each Triple Choice ticket shall contain the player's selection of digits, amount, type of play, and drawing date.

**WSR 86-01-061**

**ADOPTED RULES**

**LOTTERY COMMISSION**

[Order 84—Filed December 16, 1985]

Be it resolved by the Washington State Lottery Commission, acting at Seattle, Washington, that it does adopt the annexed rules relating to:

Rep	WAC 315-11-010	Definitions for Instant Game Number 1.
Rep	WAC 315-11-020	Criteria for Instant Game Number 1.
Rep	WAC 315-11-030	Ticket validation requirements.
Rep	WAC 315-11-040	Definitions for Instant Game Number 2.
Rep	WAC 315-11-041	Criteria for Instant Game Number 2.
Rep	WAC 315-11-042	Ticket validation requirements.
Rep	WAC 315-11-050	Definitions for Instant Game Number 3 ("Buried Treasure").
Rep	WAC 315-11-051	Criteria for Instant Game Number 3.
Rep	WAC 315-11-052	Ticket validation requirements.
Rep	WAC 315-11-060	Definitions for Instant Game Number 4 ("Baseball").
Rep	WAC 315-11-061	Criteria for Instant Game Number 4.
Rep	WAC 315-11-062	Ticket validation requirements.
Rep	WAC 315-11-070	Definitions for Instant Game Number 5 ("Magic Cards").
Rep	WAC 315-11-071	Criteria for Instant Game Number 5.
Rep	WAC 315-11-072	Ticket validation requirements.
Rep	WAC 315-11-080	Definitions for Instant Game Number 6 ("Money Match").
Rep	WAC 315-11-081	Criteria for Instant Game Number 6.
Rep	WAC 315-11-082	Ticket validation requirements.
Rep	WAC 315-11-090	Definitions for Instant Game Number 7 ("Holiday Cash").
Rep	WAC 315-11-091	Criteria for Instant Game Number 7.
Rep	WAC 315-11-092	Ticket validation requirements.
Rep	WAC 315-11-100	Definitions for Instant Game Number 8 ("Loose Change").
Rep	WAC 315-11-101	Criteria for Instant Game Number 8.
Rep	WAC 315-11-102	Ticket validation requirements for Instant Game Number 8.
Rep	WAC 315-11-110	Definitions for Instant Game Number 9 ("Cash Word").
Rep	WAC 315-11-111	Criteria for Instant Game Number 9.
Rep	WAC 315-11-112	Ticket validation requirements for Instant Game Number 9.
Rep	WAC 315-11-120	Definitions for Instant Game Number 10.
Rep	WAC 315-11-121	Criteria for Instant Game Number 10.
Rep	WAC 315-11-122	Ticket and stub validation requirements for Instant Game Number 10.
Rep	WAC 315-11-130	Definitions for Instant Game Number 11.
Rep	WAC 315-11-131	Criteria for Instant Game Number 11.
Rep	WAC 315-11-132	Ticket validation requirements for Instant Game Number 11.
Rep	WAC 315-11-134	Definitions for Instant Game Number 12 ("50,000 Match 3").
Rep	WAC 315-11-135	Criteria for Instant Game Number 12.
Rep	WAC 315-11-136	Ticket validation requirements for Instant Game Number 12.
Rep	WAC 315-11-137	Definitions for Instant Game Number 13 ("Holiday Cash").
Rep	WAC 315-11-138	Criteria for Instant Game Number 13.
Rep	WAC 315-11-139	Ticket validation requirements.
Rep	WAC 315-11-140	Definitions for Instant Game Number 14 ("Win for Life").
Rep	WAC 315-11-141	Criteria for Instant Game Number 14.
Rep	WAC 315-11-142	Ticket validation requirements for Instant Game Number 14.
Rep	WAC 315-11-150	Definitions for Instant Game Number 15 ("Jokers Wild").
Rep	WAC 315-11-151	Criteria for Instant Game Number 15.
Rep	WAC 315-11-152	Ticket validation requirements for Instant Game.

This action is taken pursuant to Notice No. WSR 85-21-108 filed with the code reviser on October 23, 1985. 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 67.70.040 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 December 6, 1985.

By Duane Kovacevich  
Deputy Director

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 315-11-010 DEFINITIONS FOR INSTANT GAME NUMBER 1.
- WAC 315-11-020 CRITERIA FOR INSTANT GAME NUMBER 1.
- WAC 315-11-030 TICKET VALIDATION REQUIREMENTS.
- WAC 315-11-040 DEFINITIONS FOR INSTANT GAME NUMBER 2.
- WAC 315-11-041 CRITERIA FOR INSTANT GAME NUMBER 2.
- WAC 315-11-042 TICKET VALIDATION REQUIREMENTS.
- WAC 315-11-050 DEFINITIONS FOR INSTANT GAME NUMBER 3 ("BURIED TREASURE").
- WAC 315-11-051 CRITERIA FOR INSTANT GAME NUMBER 3.
- WAC 315-11-052 TICKET VALIDATION REQUIREMENTS.
- WAC 315-11-060 DEFINITIONS FOR INSTANT GAME NUMBER 4 ("BASEBALL").
- WAC 315-11-061 CRITERIA FOR INSTANT GAME NUMBER 4.
- WAC 315-11-062 TICKET VALIDATION REQUIREMENTS.
- WAC 315-11-070 DEFINITIONS FOR INSTANT GAME NUMBER 5 ("MAGIC CARDS").
- WAC 315-11-071 CRITERIA FOR INSTANT GAME NUMBER 5.
- WAC 315-11-072 TICKET VALIDATION REQUIREMENTS.
- WAC 315-11-080 DEFINITIONS FOR INSTANT GAME NUMBER 6 ("MONEY MATCH").
- WAC 315-11-081 CRITERIA FOR INSTANT GAME NUMBER 6.
- WAC 315-11-082 TICKET VALIDATION REQUIREMENTS.
- WAC 315-11-090 DEFINITIONS FOR INSTANT GAME NUMBER 7 ("HOLIDAY CASH").
- WAC 315-11-091 CRITERIA FOR INSTANT GAME NUMBER 7.
- WAC 315-11-092 TICKET VALIDATION REQUIREMENTS.
- WAC 315-11-100 DEFINITIONS FOR INSTANT GAME NUMBER 8 ("LOOSE CHANGE").
- WAC 315-11-101 CRITERIA FOR INSTANT GAME NUMBER 8.

- WAC 315-11-102 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 8.
- WAC 315-11-110 DEFINITIONS FOR INSTANT GAME NUMBER 9 ("CASH WORD").
- WAC 315-11-111 CRITERIA FOR INSTANT GAME NUMBER 9.
- WAC 315-11-112 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 9.
- WAC 315-11-120 DEFINITIONS FOR INSTANT GAME NUMBER 10 ("BONANZA").
- WAC 315-11-121 CRITERIA FOR INSTANT GAME NUMBER 10.
- WAC 315-11-122 TICKET AND STUB VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 10.
- WAC 315-11-130 DEFINITIONS FOR INSTANT GAME NUMBER 11.
- WAC 315-11-131 CRITERIA FOR INSTANT GAME NUMBER 11.
- WAC 315-11-132 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 11.
- WAC 315-11-134 DEFINITIONS FOR INSTANT GAME NUMBER 12 ("50,000 MATCH 3").
- WAC 315-11-135 CRITERIA FOR INSTANT GAME NUMBER 12.
- WAC 315-11-136 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 12.
- WAC 315-11-137 DEFINITIONS FOR INSTANT GAME NUMBER 13 ("HOLIDAY CASH").
- WAC 315-11-138 CRITERIA FOR INSTANT GAME NUMBER 13.
- WAC 315-11-139 TICKET VALIDATION REQUIREMENTS.
- WAC 315-11-140 DEFINITIONS FOR INSTANT GAME NUMBER 14 ("WIN FOR LIFE").
- WAC 315-11-141 CRITERIA FOR INSTANT GAME NUMBER 14.
- WAC 315-11-142 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 14.
- WAC 315-11-150 DEFINITIONS FOR INSTANT GAME NUMBER 15 ("JOKERS WILD").
- WAC 315-11-151 CRITERIA FOR INSTANT GAME NUMBER 15.
- WAC 315-11-152 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 15.

**WSR 86-01-062**  
**EMERGENCY RULES**  
**LOTTERY COMMISSION**  
 [Order 85—Filed December 16, 1985]

Be it resolved by the Washington State Lottery Commission, acting at Seattle, Washington, that it does

adopt the annexed rules relating to prizes for Lotto, WAC 315-32-040.

We, the Washington State Lottery Commission, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is this amendment authorizes payment of larger total prizes under certain conditions without increased cost to the lottery. The player incentive created will increase sales and thereby generate additional revenues for the state. Delay in implementation would be contrary to public interest.

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

This rule is promulgated pursuant to RCW 67.70.040 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 December 6, 1985.  
 By Duane Kovacevich  
 Deputy Director

AMENDATORY SECTION (Amending Order 81, filed 11/5/85)

WAC 315-32-040 PRIZES FOR LOTTO. (1) The prize amounts to be paid to each Lotto player who selects a winning combination of numbers in the first, second, and third prize categories vary due to the parimutuel calculation of prizes. The prize amounts are based on the total amount in the prize pool for that Lotto drawing distributed over the number of winning tickets in each category. The prize amount to be paid in the fourth prize category is a fixed value and shall be the same regardless of the number of fourth prize winners.

<u>WINNING COMBINATIONS</u>	<u>PRIZE CATEGORIES</u>	<u>ODDS OF WINNING (ONE PLAY)</u>
All six winning numbers in one play	First Prize (Jackpot)	1:7,059,052
Any five but not six winning numbers in one play	Second Prize	1:30,960
Any four but not five or six winning numbers in one play	Third Prize	1:670
Any three but not four, five, or six winning numbers in one play	Fourth Prize	1:42

(2) Prize allocation. The prize allocation consists of forty-five percent of Lotto revenue. The prize allocation will be divided between the prize pool and the prize reserve as follows: Prize pool—forty-three percent of Lotto revenue and prize reserve—two percent of Lotto revenue.

(3) Prize amounts.

(a) First prize (jackpot). Fifty-eight percent of the prize pool is to be divided equally among all players who

selected all six winning numbers in one play (in any sequence). The director may increase the cash value of the jackpot by an amount not to exceed the amount added to the jackpot from the prior week's sales.

(b) Second prize. Ten percent of the prize pool is to be divided equally among all players who selected five of the six winning numbers in one play (in any sequence).

(c) Third prize. Nineteen percent of the prize pool is to be divided equally among all players who selected four of the six winning numbers in one play (in any sequence).

(d) Fourth prize. All players who selected three of the six winning numbers in one play (in any sequence) will receive a free ticket of \$1.00 value for a future purchase of Lotto or Daily Number Game tickets.

(e) Prize reserve. The prize reserve will be held for payment of prizes at the discretion of the director.

(f) All prize allocations will be rounded down to nearest dollar, and the remainder, if any, from the rounding process shall be placed in the prize reserve.

(g) The holder of a winning ticket may win only one prize per play in connection with the winning number drawn but shall be entitled only to the highest prize category won by those numbers.

(h) The holder of two or more jackpot winning tickets with a cumulative total cash value of \$250,000 or more may elect to receive a single prize based on the total cash value with prize payments in accordance with subsection (5)(a) or (b) or this section.

(i) In the event any player who has selected three, four, five, or six of the six winning numbers does not claim the prize won within one hundred eighty days after the drawing in which the prize was won, that player's prize shall be retained in the state lottery account for further use as prizes, pursuant to RCW 67.70.190.

(4) Roll-over feature.

(a) If no player selects all six winning numbers for any given drawing, the jackpot accumulated for that drawing will be added to the jackpot accumulation for the next drawing. This process is repeated until the jackpot is won.

(b) If no player selects five of the six winning numbers for any given drawing, the second prize allocation will be added to the jackpot accumulation for the next drawing or placed in the prize reserve for future consideration at the discretion of the director.

(c) If no player selects four of the six winning numbers for any given drawing, the third prize allocation will be added to the jackpot accumulation for the next drawing or placed in the prize reserve for future consideration at the discretion of the director.

(d) If no player selects three of the six winning numbers for any given drawing, the fourth prize allocation will be added to the jackpot accumulation for the next drawing or placed in the prize reserve for future consideration at the discretion of the director.

(5) Prize payments will be made in accordance with WAC 315-30-030(6), provided, fourth prize winning tickets submitted to the lottery for payment will receive \$1.00 in lieu of a free ticket.

(a) Each prize that has a cash value of \$500,000 or more shall be paid in twenty (~~equal~~) annual payments.

(b) Each prize that has a cash value from \$250,000 up to but not including \$500,000 shall be paid in ten (~~equal~~) annual payments, provided, if a cash value between \$250,000 and \$500,000 will fund a prize paid over twenty years of \$1,000,000 or more, the director may elect to pay the prize in twenty annual payments.

(c) Each prize that has a cash value of less than \$250,000 shall be paid in a single payment.

(d) For prizes paid over a period of years, the lottery will make the first annual payment. The remaining payments will be paid in the form designated by the director.

## WSR 86-01-063

### ADOPTED RULES

### DEPARTMENT OF TRANSPORTATION

[Order 99—Filed December 17, 1985]

I, Duane Berentson, secretary of transportation, do promulgate and adopt at Room 1D-9, Transportation Building, Olympia, Washington 98504, the annexed rules relating to outdoor advertising control, chapter 468-66 WAC.

This action is taken pursuant to Notice No. WSR 85-22-068 filed with the code reviser on November 6, 1985. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 47.42.060 which directs that the Department of Transportation has authority to implement the provisions of chapter 47.42 RCW, Highway Advertising Control Act—Scenic Vistas 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 December 16, 1985.

By A. D. Andreas  
Deputy Secretary

### AMENDATORY SECTION (Amending Order 96, filed 8/12/85)

WAC 468-66-010 DEFINITIONS. The following terms when used in these regulations shall have the following meanings:

(1) "Abandoned." A sign for which neither sign owner nor land owner claim any responsibility.

(2) "Act" shall mean the Highway Advertising Act of 1961, as amended and embodied in chapter 47.42 RCW.

(3) "Centerline of the highway" means a line equidistant from the edges of the median separating the main-traveled ways of a divided highway, or the centerline of the main-traveled way of a nondivided highway.

(4) "Commercial and industrial areas" means any area zoned commercial or industrial by a county or municipal code, or if unzoned by a county or municipal code, that area occupied by three or more separate and distinct commercial and/or industrial activities within a

space of five hundred feet and the area within five hundred feet of such activities on both sides of the highway. The area shall be measured from the outer edges of the regularly used buildings, parking lots, storage or processing areas of the commercial or industrial activity and not from the property lines of the parcels upon which such activities are located. Measurements shall be along or parallel to the edge of the main-traveled way of the highway. The following shall not be considered commercial or industrial activities:

- (a) Agricultural, forestry, grazing, farming, and related activities, including, but not limited to, wayside fresh produce stands;
- (b) Transient or temporary activities;
- (c) Railroad tracks and minor sidings;
- (d) Signs;
- (e) Activities more than six hundred and sixty feet from the nearest edge of the right of way;
- (f) Activities conducted in a building principally used as a residence.

Should any commercial or industrial activity, which has been used in defining or delineating an unzoned area, cease to operate for a period of six continuous months, any signs located within the former unzoned area shall become nonconforming and shall not be maintained by any person after May 10, 1974.

(5) "Commission" means the Washington state transportation commission.

(6) Discontinued. A sign shall be considered discontinued if, after receiving notice of absence of advertising content for (~~one hundred twenty days~~) three months, the permit holder fails to put advertising content on the sign (~~for a period of twelve months. Six months after the beginning of this twelve-month period, the permit holder shall receive a second copy of the original~~) within three months of the notice.

(7) "Entrance roadway" means any public road or turning roadway including acceleration lanes, by which traffic may enter the main-traveled way of a controlled access highway from the general road system within the state, including rest areas, view points, and sites used by the general public, irrespective of whether traffic may also leave the main-traveled way by such road or turning roadway.

(8) "Erect" means to construct, build, raise, assemble, place, affix, attach, create, paint, draw, or in any other way bring into being or establish.

(9) "Exit roadway" means any public road or turning roadway including deceleration lanes, by which traffic may leave the main-traveled way of a controlled access highway to reach the general road system within the state, including rest areas, view points, and sites used by the general public, irrespective of whether traffic may also enter the main-traveled way by such road or turning roadway.

(10) "Interstate system" means any state highway which is or does become part of the national system of interstate and defense highways as described in section 103(d) of Title 23, United States Code.

(11) "Legible" means capable of being read without visual aid by a person of normal visual acuity.

(12) "Maintain" means to allow to exist. A sign loses its right to remain as a nonconforming sign if its size is increased more than fifteen percent over its size on the effective date of the Scenic Vistas Act on May 10, 1971, or the effective date of control of a given route, whichever is applicable.

(13) "Main-traveled way" means the traveled way of a highway on which through traffic is carried. In the case of a divided highway, the traveled way of each of the separated roadways for traffic in opposite directions is a main-traveled way. It does not include such facilities as frontage roads, turning roadways, entrance roadways, exit roadways, or parking areas.

(14) "Person" means this state or any public or private corporation, firm, partnership, association, as well as any individual, or individuals.

(15) "Primary system" means any state highway which is or does become part of the federal-aid primary system as described in section 103(b) of Title 23, United States Code.

(16) "Scenic system" means:

(a) Any state highway within any public park, federal forest area, public beach, public recreation area, or national monument;

(b) Any state highway or portion thereof outside the boundaries of any incorporated city or town designated by the legislature as a part of the scenic system; or

(c) Any state highway or portion thereof, outside the boundaries of any incorporated city or town, designated by the legislature as a part of the scenic and recreational highway system except for the sections of highways specifically excluded in section 2, chapter 62, Laws of 1971 ex. sess.

(17) "Sign" means any outdoor sign, display, device, figure, painting, drawing, message, placard, poster, billboard, or other thing which is designed, intended or used to advertise or inform, any part of the advertising or informative contents of which is visible from any place on the main-traveled way of the interstate system or other state highway.

(18) "Trade name" shall include brand name, trademark, distinctive symbol, or other similar device or thing used to identify particular products or services.

(19) "Traveled way" means the portion of a roadway for the movement of vehicles, exclusive of shoulders.

(20) "Turning roadway" means a connecting roadway for traffic turning between two intersection legs of an interchange.

(21) "Visible" means capable of being seen (whether or not legible) without visual aid by a person of normal visual acuity.

(22) "Electronic sign" means an outdoor advertising sign, display, or device whose message may be changed by electrical or electronic process, and includes the device known as the electronically changeable message center for advertising on-premise activities (WAC 468-66-070).

(23) "Public service information" means a message on an electronic sign which provides the time, date, temperature, weather, or similar information.

(24) "Temporary agricultural directional sign" means a sign on private property adjacent to state highway

right of way to provide directional information to places of business offering for sale seasonal agricultural products harvested or produced on the property where the sale is taking place.

**AMENDATORY SECTION** (Amending DOT Order 10 and Comm. Order 1, Resolution No. 13, filed 12/20/78)

**WAC 468-66-150 PENALTIES.** (1) After hearing, as required by chapter 34.04 RCW (Administrative Procedure Act) and the rules and regulations of the department of transportation adopted pursuant thereto, any permit may be revoked without refund by the department for any of the following reasons:

(a) For the making of any false or misleading statements in the application for any permit, whether or not the same is material to or relied upon by the department in the issuance of such permit when such false or misleading statement or information shall remain uncorrected after the expiration of thirty days following written notification thereof.

(b) For allowing or suffering any sign to remain in a condition of disrepair or unreasonable state of repair after the expiration of thirty days following written notification thereof.

(c) For maintaining any sign, for which a permit has been issued, in violation of any provision of the act or these regulations after the expiration of thirty days following written notification thereof.

(d) For any convictions of a violation of the act or any of these regulations, any permit held by the convicted person may be revoked whether or not such violation is related to the sign for which the permit is revoked.

(e) For maintaining a discontinued sign as defined in WAC 468-66-010(6), or for not erecting a sign structure with advertising on a permitted site within six months of the date of permit issue. A notice of failure to erect the sign structure will be sent after three months, and the sign must be erected within three months of the notice.

(2) Notice whenever required herein shall be given to the person entitled thereto by registered mail at the last known address of such person which shall be such address as may be on file with the department, if any, otherwise the last address of such person shown by the tax records of the county in which the real property upon which the sign in question is maintained.

(3) Computation of time when dependent upon giving of notice shall relate to the day of mailing such notice rather than the day of receipt.

**WSR 86-01-064**

**ADOPTED RULES**

**DEPARTMENT OF TRANSPORTATION**

[Order 100—Filed December 17, 1985]

I, Duane Berentson, secretary of transportation, do promulgate and adopt at Room 1D9, Transportation Building, Olympia, Washington 98504, the annexed

rules relating to small businesses and minority contractors, chapter 468-14 WAC.

This action is taken pursuant to Notice No. WSR 85-21-075 filed with the code reviser on October 21, 1985. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 47.28.030(2) 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 December 16, 1985.

By A. D. Andreas  
Deputy Secretary

**AMENDATORY SECTION** (Amending DOT Order 10 and Comm. Order 1, Resolution No. 13, filed 12/20/78)

**WAC 468-14-050 BONDS—WITHHOLDING ON MONTHLY PROGRESS PAYMENTS.** No bid deposit or performance bond shall be required unless specified in the specifications, but it shall be specified in the bidding proposal that, each month, the contractor may be required to submit paid invoices showing that disbursements have been made to laborers, materialmen, mechanics and subcontractors due such persons from the previous progress payment. If such disbursements have not been made, the monthly progress payment shall be withheld pending receipt of the paid invoices.

**WSR 86-01-065**

**ADOPTED RULES**

**DEPARTMENT OF TRANSPORTATION**

[Order 101—Filed December 17, 1985]

I, Duane Berentson, secretary of transportation, do promulgate and adopt at Room 1D9, Transportation Building, Olympia, Washington 98504, the annexed rules relating to Transportation building—Works of art, repealing chapter 468-78 WAC.

This action is taken pursuant to Notice No. WSR 85-22-012 filed with the code reviser on October 28, 1985. 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 Transportation as authorized in RCW 47.01.101(5).

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 December 16, 1985.

By A. D. Andreas  
Deputy Secretary

**REPEALER**

The following chapter of the Washington Administrative Code is repealed:

- WAC 468-78-010 AUTHORITY.  
WAC 468-78-020 FUNDING.  
WAC 468-78-030 POWERS.

**WSR 86-01-066**  
**ADOPTED RULES**  
**DEPARTMENT OF TRANSPORTATION**  
**(Division of Aeronautics)**

[Order 102—Filed December 17, 1985]

I, Duane Berentson, secretary of transportation, do promulgate and adopt at Olympia, Washington, the annexed rules relating to aircraft registration, repealing chapter 12-16 WAC.

This action is taken pursuant to Notice No. WSR 85-21-063 filed with the code reviser on October 17, 1985. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 47.68.210 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED December 16, 1985.

By A. D. Andreas  
Deputy Secretary

**REPEALER**

The following chapter of the Washington Administrative Code is repealed:

- WAC 12-16, Registration and Indicia of Registration
1. WAC 12-16-001, Promulgation.
  2. WAC 12-16-002, Promulgation.
  3. WAC 12-16-030, Notifying commission of sale or conveyance.
  4. WAC 12-16-050, Display of indicia of registration.

**WSR 86-01-067**  
**PROPOSED RULES**  
**STATE TOXICOLOGIST**  
[Filed December 17, 1985]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Toxicologist intends to adopt, amend, or repeal rules relating to administration of breath tests with the BAC verifier infrared breath test instrument, chapter 448-12 WAC;

that the agency will at 1:30 p.m., Tuesday, January 28, 1986, in the Harborview Medical Center, Medical Examiner's Conference Room, 325 Ninth Avenue, 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 46.61.506.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 28, 1986.

Dated: December 16, 1985

By: Dr. Vidmantas A. Raisys  
Washington State Toxicologist

**STATEMENT OF PURPOSE**

Title: State Toxicologist—Breath alcohol testing.

Description of Purpose: To provide for implementation of a breath test program involving new equipment and procedures.

Statutory Authority: RCW 46.61.506.

Summary of Rule: These rules will allow for the implementation of new breath test instruments in the state of Washington. The existing WAC rules have need of the proposed amendments in order to provide for an efficient and reliable breath testing and DWI enforcement program.

Reasons Supporting Proposed Action: A new program for breath testing is being implemented involving new equipment and procedures. This will greatly advance the state's effort in dealing with the DWI problem.

Agency Personnel Responsible for Drafting: Ms. Susan Irwin, Prosecuting Attorney's Office, City of Bellevue, 11511 Main Street, Third Floor, Bellevue, WA 98009, 455-6829; Implementation: Dr. Vidmantas A. Raisys, State Toxicologist, Harborview Medical Center, 325 9th Avenue, Seattle, WA 98104, 223-3311; and Enforcement: Sergeant Rod G. Gullberg, Washington State Patrol Crime Lab, Public Safety Building, Seattle, WA 98104, 464-7074.

Person or Organization Proposing Rule: Dr. Vidmantas A. Raisys, Washington State Toxicologist, governmental organization.

**AMENDATORY SECTION** (Amending Order 85-01, filed 3/27/85)

WAC 448-12-210 BAC VERIFIER DATAMASTER, INFRARED BREATH TEST INSTRUMENT APPROVED. Pursuant to RCW 46.61.506 ((~~the~~)) the BAC Verifier ((~~Data Master~~)) DataMaster infrared breath test instrument is approved by the state toxicologist as a device for the measurement of a person's breath for blood alcohol concentration. A simulator will be attached to each instrument and will provide a known external standard ((~~for each test~~)) as defined in section 230. This simulator test will be run automatically between the two breath measurements. The simulator test will ensure the correct operation and calibration of the instrument. ((~~and thus will certify the instrument with each test~~)).

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

**AMENDATORY SECTION** (Amending Order 85-01, filed 3/27/85)

WAC 448-12-220 TEST DEFINED. The test of a person's breath for blood alcohol concentration by infrared test method shall



consist of the person ~~((to insufflate))~~ insufflating deep lung ~~(alveolar)~~ air samples at least twice into the instrument ~~((no less than two separate times))~~ sufficient to allow two separate measurements. There will be sufficient time between the provision of each sample by the person to permit the instrument to measure ((evaluate)) each sample individually. The two breath samples supplied by the individual shall constitute one test. An accurate test will be presumed if the results of each measurement is within plus or minus ten percent (10%) of the average of the two measurements. ~~((This shall be effective March 1, 1985.))~~

**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 85-01, filed 3/27/85)

WAC 448-12-230 ADMINISTRATION OF BREATH TEST ON BAC VERIFIER DATAMASTER INSTRUMENT. Pursuant to RCW 46.61.506, the state toxicologist approves the following method for performing the breath test on the BAC Verifier ~~((Data-Master))~~ DataMaster infrared breath testing instrument. To obtain a valid breath test, it must be determined (a) that the subject has had nothing to eat or drink for at least fifteen (15) minutes prior to the administration of the test, and (b) that the subject does not have any foreign substances, not to include dental work, fixed or removable, in his/her mouth at the beginning of the fifteen (15) minute observation period. Such determination shall be made by either an examination of the mouth or a denial by the subject that he/she has any foreign substances in his/her mouth. A test mouthpiece is not to be considered a foreign substance for purposes of this section.

In conducting the test, the operator ((must be sure the temperature of the solution in the simulator is 34 Centigrade, plus or minus .2 Centigrade, prior to the time the test is given.)) is to follow the instructions displayed by the instrument. The temperature of the solution in the simulator must be 34 Centigrade, plus or minus .2 Centigrade, prior to the time the test is given. The reading from the simulator test must be between .090 and .110 inclusive. ((The operator must follow the instructions displayed by the instrument or the instrument will not complete the test.)) The results of the procedure will be provided in the form of a printout. These results indicate the percent by weight of alcohol in the person's blood, which means the percent on a weight to volume basis.

**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 85-01, filed 3/27/85)

WAC 448-12-240 INSTRUCTORS. The state toxicologist shall certify persons found by him to be competent and qualified as instructors and those persons are authorized to administer breath tests using the BAC Verifier ~~((Data-Master))~~ DataMaster infrared breath testing instrument, and to train and certify as operators, on behalf of the toxicologist, those persons the instructor finds qualified to administer the breath test utilizing the BAC verifier ~~((Data-Master))~~ DataMaster Breath test instrument.

#### AMENDATORY SECTION (Amending Order 85-01, filed 3/27/85)

WAC 448-12-250 OPERATORS. The State toxicologist or instructors on his behalf shall certify as "operators" persons found by them to be competent and qualified to administer breath tests for blood alcohol concentration, utilizing the BAC Verifier ~~((Data-Master))~~ DataMaster infrared breath test instrument. A list of persons so certified shall be maintained in the office of the state toxicologist.

**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 85-01, filed 3/27/85)

WAC 448-12-270 PERMIT CARDS. The state toxicologist shall authorize the issuance to persons deemed qualified for the respective designation "operator" or "instructor" of a wallet-sized card bearing

his or her name and designation. Permit cards shall bear the signature or facsimile signature of the state toxicologist and be dated and may bear the instructor's signature. Such permits shall expire three years after the date on the card ~~((or June 30, 1986, whichever date is later in time))~~ unless renewed for a like three-year period.

**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 85-01, filed 3/27/85)

WAC 448-12-280 COURSE APPROVAL. Instructors prior to the conducting of a course for the training or retraining of operators for use of the infrared BAC Verifier ~~((Data-Master))~~ DataMaster breath test instrument shall submit to the state toxicologist for his approval the curriculum to be used in the course. If the curriculum is approved, subsequent courses embodying the same curriculum may be conducted without individual approval of each course.

#### AMENDATORY SECTION (Amending Order 85-01, filed 3/27/85)

WAC 448-12-300 INSTRUCTION. Individuals who have attended courses in the operation of the BAC Verifier ~~((Data-Master))~~ DataMaster infrared breath testing instrument ~~((as an operator, provided that such courses were instructed))~~ taught by an instructor qualified by the state toxicologist, ~~((shall))~~ upon certification of attendance and qualification, shall be designated as "Operators." ~~((be deemed for the designation "operator."))~~

**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 85-01, filed 3/27/85)

WAC 448-12-320 ADDRESS FOR CORRESPONDENCE. Individuals seeking certification in accordance with these rules or approval of equipment to administer the breath test for blood alcohol concentration shall direct their request to the State Toxicologist, Department of Laboratory Medicine, Harborview Medical Center ZA-88, 325 - 9th Avenue, Seattle, Washington 98104.

#### AMENDATORY SECTION (Amending Order 85-01, filed 3/27/85)

WAC 448-12-330 NAMES OF INSTRUCTORS. Pursuant to WAC 448-12-250, the state toxicologist will maintain a list of persons certified as BAC Verifier ~~((Data-Master))~~ DataMaster instructors. These names shall be made available to interested parties upon request to the state toxicologist at the address set forth in WAC 448-12-320.

#### AMENDATORY SECTION (Amending Order 85-01, filed 3/27/85)

WAC 448-12-340 EFFECTIVE DATE. WAC's 448-12-210 through 448-12-330 shall become effective as of May 1, 1985, and will remain in full force and effect until otherwise directed by the state toxicologist. The aforementioned WAC'S will be in effect concurrently with WAC's 448-12-010 through 448-12-100 until ~~((January 1, 1987; WAC's 448-12-010 through 448-12-100 shall be held to be replaced and of no force and effect after that date.))~~ further order of the state toxicologist. ((On January 1, 1987; WAC's 448-12-010 through 448-12-100 shall be held to be replaced and of no force and effect after that date.))

**Reviser's note:** RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

#### REPEALER

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

- (1) WAC 448-12-310 OPERATORS AND INSTRUCTORS

**WSR 86-01-068**  
**EMERGENCY RULES**  
**STATE TOXICOLOGIST**  
 [Order 85-02—Filed December 17, 1985]

I, Dr. Vidmantas A. Raisys, Washington State Toxicologist, do promulgate and adopt at the Medical Examiners Conference Room, Harborview Medical Center, Seattle, Washington, the annexed rules relating to administration of breath tests with the BAC verifier datamaster infrared breath test instrument, chapter 448-12 WAC.

I, Dr. Vidmantas A. Raisys, 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 law enforcement officers within the state of Washington will begin to use the new BAC verifier datamaster infrared breath test instrument during December 1985. To allow for this new program it is important that the existing WAC rules be amended immediately.

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

This rule is promulgated pursuant to RCW 46.61.506 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 December 16, 1985.

By Dr. Vidmantas A. Raisys  
 Washington State Toxicologist

AMENDATORY SECTION (Amending Order 85-01, filed 3/27/85)

WAC 448-12-210 **BAC VERIFIER DATAMASTER, INFRARED BREATH TEST INSTRUMENT APPROVED.** Pursuant to RCW 46.61.506 ~~((F))~~ the BAC Verifier ~~((Data Master))~~ DataMaster infrared breath test instrument is approved by the state toxicologist as a device for the measurement of a person's breath for blood alcohol concentration. A simulator will be attached to each instrument and will provide a known external standard ~~((for each test))~~ as defined in section 230. This simulator test will be run automatically between the two breath measurements. The simulator test will ensure the correct operation and calibration of the instrument. ~~((and thus will certify the instrument with each test)).~~

**Reviser's note:** RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 85-01, filed 3/27/85)

WAC 448-12-220 **TEST DEFINED.** The test of a person's breath for blood alcohol concentration by infrared test method shall consist of the person ~~((to insufflate))~~ insufflating deep lung (alveolar) air samples at least twice into the instrument ((no less than two separate times)) sufficient to allow two separate measurements. There will be sufficient time between the provision of each sample by the person to permit the instrument to measure ((evaluate)) each sample individually. The two breath samples supplied by the individual shall constitute one test. An accurate test will be presumed if the results of each measurement is within plus or minus ten percent (10%) of the average of the two measurements. ~~((This shall be effective March 1, 1985.))~~

**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 85-01, filed 3/27/85)

WAC 448-12-230 **ADMINISTRATION OF BREATH TEST ON BAC VERIFIER DATAMASTER INSTRUMENT.** Pursuant to RCW 46.61.506, the state toxicologist approves the following method for performing the breath test on the BAC Verifier ~~((Data Master))~~ DataMaster infrared breath testing instrument. To obtain a valid breath test, it must be determined (a) that the subject has had nothing to eat or drink for at least fifteen (15) minutes prior to the administration of the test, and (b) that the subject does not have any foreign substances, not to include dental work, fixed or removable, in his/her mouth at the beginning of the fifteen (15) minute observation period. Such determination shall be made by either an examination of the mouth or a denial by the subject that he/she has any foreign substances in his/her mouth. A test mouthpiece is not to be considered a foreign substance for purposes of this section.

In conducting the test, the operator ((must be sure the temperature of the solution in the simulator is 34 Centigrade, plus or minus .2 Centigrade, prior to the time the test is given.)) is to follow the instructions displayed by the instrument. The temperature of the solution in the simulator must be 34 Centigrade, plus or minus .2 Centigrade, prior to the time the test is given. The reading from the simulator test must be between .090 and .110 inclusive. ((The operator must follow the instructions displayed by the instrument or the instrument will not complete the test.)) The results of the procedure will be provided in the form of a printout. These results indicate the percent by weight of alcohol in the person's blood, which means the percent on a weight to volume basis.

**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 85-01, filed 3/27/85)

WAC 448-12-240 INSTRUCTORS. The state toxicologist shall certify persons found by him to be competent and qualified as instructors and those persons are authorized to administer breath tests using the BAC Verifier (~~(Data Master)~~) DataMaster infrared breath testing instrument, and to train and certify as operators, on behalf of the toxicologist, those persons the instructor finds qualified to administer the breath test utilizing the BAC verifier (~~(Data Master)~~) DataMaster Breath test instrument.

AMENDATORY SECTION (Amending Order 85-01, filed 3/27/85)

WAC 448-12-250 OPERATORS. The State toxicologist or instructors on his behalf shall certify as "operators" persons found by them to be competent and qualified to administer breath tests for blood alcohol concentration, utilizing the BAC Verifier (~~(Data Master)~~) DataMaster infrared breath test instrument. A list of persons so certified shall be maintained in the office of the state toxicologist.

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 85-01, filed 3/27/85)

WAC 448-12-270 PERMIT CARDS. The state toxicologist shall authorize the issuance to persons deemed qualified for the respective designation "operator" or "instructor" of a wallet-sized card bearing his or her name and designation. Permit cards shall bear the signature or facsimile signature of the state toxicologist and be dated and may bear the instructor's signature. Such permits shall expire three years after the date on the card (~~(or June 30, 1986, whichever date is later in time)~~) unless renewed for a like three-year period.

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 85-01, filed 3/27/85)

WAC 448-12-280 COURSE APPROVAL. Instructors prior to the conducting of a course for the training or retraining of operators for use of the infrared BAC Verifier (~~(Data Master)~~) DataMaster breath test instrument shall submit to the state toxicologist for his approval the curriculum to be used in the course. If the curriculum is approved, subsequent courses embodying the same curriculum may be conducted without individual approval of each course.

AMENDATORY SECTION (Amending Order 85-01, filed 3/27/85)

WAC 448-12-300 INSTRUCTION. Individuals who have attended courses in the operation of the BAC Verifier (~~(Data Master)~~) DataMaster infrared breath testing instrument (~~(as an operator, provided that such courses were instructed)~~) taught by an instructor qualified by the state toxicologist, (~~(shall)~~) upon certification of attendance and qualification, shall be designated as "Operators." (~~(be deemed for the designation "operator.")~~)

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 85-01, filed 3/27/85)

WAC 448-12-320 ADDRESS FOR CORRESPONDENCE. Individuals seeking certification in accordance with these rules or approval of equipment to administer the breath test for blood alcohol concentration shall direct their request to the State Toxicologist, Department of Laboratory Medicine, Harborview Medical Center ZA-88, 325 - 9th Avenue, Seattle, Washington 98104.

AMENDATORY SECTION (Amending Order 85-01, filed 3/27/85)

WAC 448-12-330 NAMES OF INSTRUCTORS. Pursuant to WAC 448-12-250, the state toxicologist will maintain a list of persons certified as BAC Verifier (~~(Data Master)~~) DataMaster instructors. These names shall be made available to interested parties upon request to the state toxicologist at the address set forth in WAC 448-12-320.

AMENDATORY SECTION (Amending Order 85-01, filed 3/27/85)

WAC 448-12-340 EFFECTIVE DATE. WAC's 448-12-210 through 448-12-330 shall become effective as of May 1, 1985, and will remain in full force and effect until otherwise directed by the state toxicologist. The aforementioned WACS will be in effect concurrently with WAC's 448-12-010 through 448-12-100 until (~~(January 1, 1987)~~) further order of the state toxicologist. (~~(On January 1, 1987, WAC's 448-12-010 through 448-12-100 shall be held to be replaced and of no force and effect after that date.)~~)

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

REPEALER

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

(1) WAC 448-12-310 OPERATORS AND INSTRUCTORS

**WSR 86-01-069**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
 [Filed December 17, 1985]

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 the amending of chapter 296-155 WAC, safety standards for construction work, amended in the following sections: WAC 296-155-003, 296-155-005, 296-155-010, 296-155-012, 296-155-020, 296-155-035, 296-155-100, 296-155-110, 296-155-120, 296-155-125, 296-155-130, 296-155-140, 296-155-155, 296-155-160, 296-155-165, 296-155-200, 296-155-201, 296-155-205, 296-155-212, 296-155-225, 296-155-230, 296-155-250, 296-155-260, 296-155-270, 296-155-275, 296-155-280, 296-155-300, 296-155-305, 296-155-325, 296-155-330, 296-155-335, 296-155-34911, 296-155-34912, 296-155-34913, 296-155-34914, 296-155-34920, 296-155-355, 296-155-360, 296-155-365, 296-155-370, 296-155-400, 296-155-405, 296-155-425, 296-155-430, 296-155-435, 296-155-440, 296-155-475, 296-155-480, 296-155-485, 296-155-500, 296-155-505, 296-155-510, 296-155-525, 296-155-530, 296-155-545, 296-155-570, 296-155-575, 296-155-576, 296-155-580, 296-155-605, 296-155-610, 296-155-615, 296-155-625, 296-155-650, 296-155-655, 296-155-660, 296-155-665, 296-155-66501, 296-155-66502, 296-155-680, 296-155-690, 296-155-695, 296-155-700, 296-155-705, 296-155-720, 296-155-725, 296-155-730, 296-155-750, 296-155-765, 296-155-775, 296-155-830 and 296-155-950.

The following new sections are proposed for chapter 296-155 WAC, safety standards for construction work:

New	WAC 296-155-009	Equipment not owned by, or under control of the employer.
New	WAC 296-155-203	Confined spaces.
New	WAC 296-155-20301	Definitions.
New	WAC 296-155-20303	Evaluation of potentially hazardous atmospheres.
New	WAC 296-155-20305	Entry into confined space.
New	WAC 296-155-20307	Confined space work on sewer systems under construction.
New	WAC 296-155-211	Leg protection.
New	WAC 296-155-363	Safety requirements for powder actuated fastening systems, in accordance with ANSI A10.3-1977, safety requirements for powder actuated fastening systems.
New	WAC 296-155-36301	Scope.
New	WAC 296-155-36303	Purpose.
New	WAC 296-155-36305	Definitions applicable to this section.
New	WAC 296-155-36307	Requirements.
New	WAC 296-155-36309	Power loads.
New	WAC 296-155-36311	Fasteners.
New	WAC 296-155-36313	Operation.
New	WAC 296-155-36315	Limitations of use.
New	WAC 296-155-36317	Maintenance and storage.
New	WAC 296-155-36319	Authorized instructor.
New	WAC 296-155-36321	Qualified operator.
New	WAC 296-155-367	Masonry saws.
New	WAC 296-155-407	Protective clothing.
New	WAC 296-155-48523	Manually propelled mobile ladder stands and scaffolds (towers).

New	WAC 296-155-48525	Manually propelled elevating work platforms.
New	WAC 296-155-48527	Self-propelled elevating work platforms.
New	WAC 296-155-48529	Boom supported elevating work platforms.
New	WAC 296-155-48531	Vehicle mounted elevating and rotating aerial devices.
New	WAC 296-155-48533	Crane and forklift suspended or elevated personnel platforms.
New	WAC 296-155-50503	Roofing brackets.
New	WAC 296-155-50505	Roofing, insulating and waterproofing.
New	WAC 296-155-515	Ramps, runways, and inclined walkways.
New	WAC 296-155-52505	Certification of cranes, derricks and other hoisting equipment.
New	WAC 296-155-52506	Advisory crane certification panel.
New	WAC 296-155-52507	Unit proof load test and inspection.
New	WAC 296-155-52508	Examination and inspection of cranes and derricks.
New	WAC 296-155-617	Servicing multipiece rim wheels.
New	WAC 296-155-61701	Scope.
New	WAC 296-155-61703	Definitions applicable to this section.
New	WAC 296-155-61705	Employee training.
New	WAC 296-155-61707	Tire servicing equipment.
New	WAC 296-155-61709	Wheel component acceptability.
New	WAC 296-155-61711	Safe operating procedure.
New	WAC 296-155-61713	Safe operating procedure single piece rim wheels.
New	WAC 296-155-65505	Sewage piping system.
New	WAC 296-155-66005	Borrow pits.
Rep	WAC 296-155-760	Concrete finishing.
Rep	WAC 296-155-850	Definitions applicable to this part.
Rep	WAC 296-155-855	General provisions.
Rep	WAC 296-155-860	Blaster qualifications.
Rep	WAC 296-155-865	Surface transportation of explosives.
Rep	WAC 296-155-870	Underground transportation of explosives.
Rep	WAC 296-155-875	Storage of explosives and blasting agents.
Rep	WAC 296-155-880	Loading of explosives or blasting agents.
Rep	WAC 296-155-885	Initiation of explosives charges—Electric blasting.
Rep	WAC 296-155-890	Use of safety fuse.
Rep	WAC 296-155-895	Use of detonating cord.
Rep	WAC 296-155-900	Firing the blast.
Rep	WAC 296-155-905	Inspection after blasting.
Rep	WAC 296-155-910	Misfire.
Rep	WAC 296-155-915	Underwater blasting.
Rep	WAC 296-155-920	Blasting in excavation work under compressed air;

that the agency will at 9:30 a.m., Monday, December 30, 1985, in the Auditorium, Office Building No. 2, 12th and Franklin, 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 January 18, 1986.

The authority under which these rules are proposed is RCW 49.17.040 and 49.17.050.

The specific statute these rules are intended to implement is RCW 49.17.050 (9) and (10) and 49.17.060(1).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 10, 1985.

Written or oral submissions may also contain data, views and arguments concerning the effect of the proposed rules or amendments of rules on economic values, pursuant to chapter 43.21H RCW.

The agency reserves the right to modify the text of these proposed rules before the formal decision for adoption or in response to written comments received before the deadline.

The agency may need to change the date for public hearing or adoption on short notice. To ascertain that the public hearing or adoption will take place as stated in this notice, an interested person may contact the person named below.

Correspondence relating to this notice and the proposed rules should be addressed to:

G. David Hutchins, Assistant Director  
Industrial Safety and Health Division  
Post Office Box 207  
Olympia, Washington 98504  
(206) 753-6500

This notice is connected to and continues the matter in Notice Nos. WSR 85-21-099 and 85-21-100 filed with the code reviser's office on October 23, 1985.

Dated: December 17, 1985

By: Joseph A. Dear  
Deputy Director

**WSR 86-01-070**  
**PROPOSED RULES**  
**BOARD OF HEALTH**  
[Filed December 17, 1985]

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 Tuberculosis testing—Certification, repealing WAC 248-100-175;

that the agency will at 9:30 a.m., Wednesday, February 12, 1986, in the Tacoma/Pierce County Department of Health, Auditorium, 3629 South "D" Street, Tacoma, 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 34.04.045.

The specific statute these rules are intended to implement is RCW 43.20.050.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before February 12, 1986.

Dated: December 17, 1985

By: John A. Beare, MD  
Director, Division of Health

**STATEMENT OF PURPOSE**

This statement is filed pursuant to RCW 34.04.045.

Re: Repealing WAC 248-100-175 Tuberculosis testing—Certification.

Purpose of the Rule Change: To eliminate unneeded and unproductive tuberculin skin testing.

Reason(s) this Rule Change is Necessary: This unproductive and unnecessary tuberculin skin testing

screening program is costly in both time and money to health departments, school employees and school administrators; in the last seven years the screening program has not identified one case of tuberculosis; and school employees are not a high risk group for developing tuberculosis.

Statutory Authority: RCW 43.20.050.

Summary of the Rule or Rule Change: Repeal the tuberculin skin testing requirements for school employees.

Person Responsible for Drafting, Implementation and Enforcement of Rule or Rule Change: Craig Studer, Supervisor, Tuberculosis Control Program, Office of Preventive Health Services, mailstop LP-16, phone (206) 753-5812.

Rule proposed by Tuberculosis Control Program, Division of Health, DSHS.

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

No economic impact statement required under the Regulatory Fairness Act, Laws of 1982.

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 248-100-175 TUBERCULOSIS TESTING—CERTIFICATION.

**WSR 86-01-071**  
**PROPOSED RULES**  
**BOARD OF HEALTH**  
[Filed December 17, 1985]

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

- Amd WAC 248-40-040 Funerals, care of bodies, and burial.
- Amd WAC 248-40-050 Transportation of dead bodies;

that the agency will at 9:30 a.m., Wednesday, February 12, 1986, in the Tacoma/Pierce County Department of Health, 3629 South "D" Street, Tacoma, 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 43.20.050.

The specific statute these rules are intended to implement is chapter 70.58 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before February 12, 1986.

This notice is connected to and continues the matter in Notice No. WSR 85-22-073 filed with the code reviser's office on November 6, 1985.

Dated: December 13, 1985

By: John A Beare, MD  
Director, Division of Health

**WSR 86-01-072**  
**PROPOSED RULES**  
**STATE EMPLOYEES INSURANCE BOARD**  
 [Filed December 18, 1985]

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 the amending of WAC 182-12-160;

that the agency will at 9:00 a.m., Friday, February 14, 1986, 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.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before February 10, 1986.

Dated: December 18, 1985  
 By: C. H. Shay  
 Assistant Benefits Manager

**STATEMENT OF PURPOSE**

WAC 182-12-160 State legislators.

Statutory Authority: Chapter 41-05 RCW.

WAC 182-12-160 currently makes state legislators eligible for SEIB retiree insurance. The proposed change extends such eligibility to all elected officials of any SEIB participating entity.

Responsible for Drafting, Implementation and Enforcement: C. H. Shay, Assistant Benefits Manager, phone 753-2364, scan 234-2364, Department of Personnel, Insurance Benefits Division, 1400 Evergreen Park Drive S.W., Olympia, WA 98504, mailstop FX-11.

Proposed by: State Employees Insurance Board.

Agency Comments: None.

Not necessary due to federal law or federal/state court action.

AMENDATORY SECTION (Amending Order 5646, filed 2/9/76)

WAC 182-12-160 ((~~STATE LEGISLATORS~~)) ELECTED OFFICIALS. ((~~State legislators~~)) All elected officials of any SEIB participating entity, as defined in WAC 182-12-111, who voluntarily or involuntarily leave ((~~state~~)) public office shall be considered as retired employees, whether or not they receive a benefit from a state retirement system.

**WSR 86-01-073**  
**EMERGENCY RULES**  
**STATE EMPLOYEES INSURANCE BOARD**  
 [Resolution No. 85-1—Filed December 18, 1985]

Be it resolved by the State Employees Insurance Board, acting at the Department of Personnel, Board Room, 600 South Franklin, Olympia, Washington, that it does adopt the annexed rules relating to state legislators, amending WAC 182-12-160.

We, the State Employees Insurance Board, 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 early effective date is needed to allow retiree insurance for elected officials leaving public office.

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 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 December 13, 1985.

By C. H. Shay  
 Assistant Benefits Manager

AMENDATORY SECTION (Amending Order 5646, filed 2/9/76)

WAC 182-12-160 ((~~STATE LEGISLATORS~~)) ELECTED OFFICIALS. ((~~State legislators~~)) All elected officials of any SEIB participating entity, as defined in WAC 182-12-111, who voluntarily or involuntarily leave ((~~state~~)) public office shall be considered as retired employees, whether or not they receive a benefit from a state retirement system.

**WSR 86-01-074**  
**PROPOSED RULES**  
**DEPARTMENT OF AGRICULTURE**  
 [Filed December 18, 1985]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Department of Agriculture intends to adopt, amend, or repeal rules concerning proposed amendment to chapter 16-654 WAC covering the method of sale and standardized size of containers and units of frozen desserts in the metric and inch-pound systems;

that the agency will at 9:00, Thursday, January 23, 1986, in the Large Conference Room, General Administration Building, Olympia, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on January 28, 1986.

The authority under which these rules are proposed is chapter 19.94 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 23, 1986.

Dated: December 16, 1985  
 By: James E. Wommack  
 Assistant Director

## STATEMENT OF PURPOSE

Description of Purpose: To provide for the sale of frozen desserts in packages of 5 quart size.

Agency Personnel to Contact: Jim Wommack, Assistant Director, Dairy and Food Division, 406 General Administration Building, Olympia, WA 98504, phone (206) 753-5042.

This amendment is proposed by the dairy industry.

Agency Comments: None.

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

Small Business Impact: None.

NEW SECTION

WAC 16-654-050 FROZEN DESSERTS. All frozen desserts as defined in WAC 16-144-010 shall be packaged for retail sale only in units of:

(1) Inch-Pound Volumes - one liquid pint, one liquid quart, one half gallon or one gallon. Packages larger than one gallon shall be sold in increments of one quart.

(2) Metric Volumes - 473 milliliters, 946 milliliters, 1.89 liters or 3.78 liters. Packages larger than 3.78 liters shall be sold in increments of 946 milliliters.

(3) Metric Volumes - 500 milliliters, 1 liter, 2 liters or 4 liters. Packages larger than 4 liters shall be sold in increments of one liter.

(4) Inch-Pound Weights - 4.5 pounds per gallon of ice cream, French custards and ice milk, and 6 pounds per gallon for sherbet and water ices.

(5) Metric Weight - 2.03 kilograms per 4 liters for ice cream, French custards and ice milk, 2.86 kilograms per 4 liters of sherbet and water ices.

NEW SECTION

WAC 16-654-060 NOVELTY ITEMS. Frozen Desserts packaged for retail sales in less than one pint or 473 milliliter containers shall be considered "novelty items" and may be sold in any size package that is labeled in conformance with WAC 16-666.

**WSR 86-01-075****PROPOSED RULES****DEPARTMENT OF AGRICULTURE**

[Filed December 18, 1985]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Department of Agriculture intends to adopt, amend, or repeal rules concerning proposed amendment to WAC 16-108-010 to increase egg assessment from two mills per dozen to two and one-half mills per dozen eggs;

that the agency will at 1:30 p.m., Wednesday, January 22, 1986, in the Small Conference Room, General Administration Building, Olympia, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on January 28, 1986.

The authority under which these rules are proposed is chapter 69.25 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 22, 1986.

Dated: December 6, 1985

By: James E. Wommack  
Assistant Director

## STATEMENT OF PURPOSE

Description of Purpose: To increase the egg assessment fee from two mills to two and one-half mills per dozen.

Agency Personnel to Contact: Jim Wommack, Assistant Director, Dairy and Food Division, 406 General Administration Building, Olympia, WA 98504, phone (206) 753-5042.

This amendment is proposed by the egg industry.

Agency Comments: None.

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

Small Business Impact: None.

Amending WAC 16-108-010 Rate, a fee of two and one-half mills per dozen is hereby established for Washington state egg seals and facsimile type Washington state egg seals imprinted on egg containers.

AMENDATORY SECTION (Amending Order 1824, filed 5/11/84)

WAC 16-108-010 RATE. A fee of two and one half mills per dozen eggs is hereby established for Washington State egg seals and facsimile type Washington State egg seals imprinted on egg containers.

**WSR 86-01-076****PROPOSED RULES****DEPARTMENT OF REVENUE**

[Filed December 18, 1985]

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 trade-ins, selling price, sellers' tax measures, amending WAC 458-20-247.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on January 28, 1986.

The authority under which these rules are proposed is RCW 82.32.300.

The specific statute these rules are intended to implement is chapter 38, Laws of 1985, amending RCW 82.08.010(1).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 22, 1986.

Dated: December 18, 1985

By: Matthew J. Coyle  
Acting Director

## STATEMENT OF PURPOSE

Title: WAC 458-20-247 Trade-ins, selling price, sellers' tax measures.

Description of Purpose: To implement chapter 38, Laws of 1985 (EHB 601) which allows retail sellers to advertise selling prices of goods and services at a price inclusive of retail sales tax under prescribed conditions.

Statutory Authority: RCW 82.32.300.

Specific Statute Rule is Intended to Implement: Chapter 38, Laws of 1985, amending RCW 82.08.010(1).

Reasons Supporting Proposed Action: Rule 247 presently contains the statutory definition of the term "selling price," which must be amended to provide for the statutory permission to advertise retail prices inclusive of tax under prescribed conditions. The only rule amendment is to correct the definition in the rule to comport with the statute. This is a ministerial change, not requiring a public hearing.

Agency Personnel Responsible for Drafting: Edward L. Faker, 415 General Administration Building, Olympia, WA 98504, phone 753-5579; Implementation: Garry G. Fujita, 415 General Administration Building, Olympia, WA 98504, phone 753-5544; and Enforcement: Department of Revenue, 415 General Administration Building, Olympia, WA 98504, phone 753-5540.

**AMENDATORY SECTION** (Amending Order ET 84-6, filed 12/21/84)

WAC 458-20-247 TRADE-INS, SELLING PRICE, SELLERS' TAX MEASURES. Initiative Measure No. 464, approved November 6, 1984 amended RCW 82.08.010(1), the statutory definition of "selling price," by excluding from that term the value of "trade-in property of like kind." The effective date of this exclusion is December 6, 1984. As a result, the retail sales tax measure on trade-in sales is reduced by the value of the property traded in. Thus, on and after the effective date, the value of "trade-in property" may be excluded from the measure of retail sales tax to be collected and reported by the seller who accepts the trade-in property as payment for new or used property sold. Actual delivery of the property to the buyer determines when the sale is made (see WAC 458-20-103). The initiative applies only to sales where the property is delivered to the purchaser on or after December 6, 1984.

Under RCW 82.08.010, as amended by the initiative, "the term 'selling price' means the consideration, whether money, credits, rights, or other property except trade-in property of like kind, expressed in terms of money, paid or delivered by a buyer to a seller, all without any deduction, on account of the cost of tangible property sold, the cost of materials used, labor costs, interest, discounts, delivery costs, taxes other than taxes imposed under this chapter if the seller advertises the price as including the tax or that the seller is paying the tax, or any other expense whatsoever paid or accrued and without any deduction on account of losses." (Amendatory language underscored.)

#### DEFINITIONS

Unless otherwise stated, the terms "tax," "taxable," and "nontaxable," as used in this rule, refer to retail sales tax only.

The terms, "trade-in," "traded-in," and "property traded-in" have their ordinary and common meaning. They mean property of like kind to that acquired in a retail sale which is applied, in whole or in part, toward the selling price.

The term "property of like kind" means articles of tangible property of the same generic classification. It refers to the class and kind of property, not to its grade or quality. The term includes all property within a general classification rather than within a specific category in the classification. Thus, as examples, it means furniture for furniture, motor vehicles for motor vehicles, licensed recreational land vehicles for licensed recreational land vehicles, appliances for appliances, auto parts for auto parts, audio/video equipment for audio/video equipment, and the like. These general classifications are determined by the nature of the property and its function or use. It may be that some kinds of property fit within more than one general classification. For example, a motor home is both a motor vehicle and a licensed recreational land vehicle. Thus, for purposes of this rule, a motor home may be taken as a trade-in on a travel trailer, truck, camper, or a truck with camper attached, and vice versa. Similarly, a travel trailer may be taken as trade-in on a motor home even though a travel trailer is not a motor vehicle; both are licensed recreational land vehicles. Conversely, a utility trailer may not be taken as trade-in on a travel trailer, for purposes of this rule, because a utility trailer is neither a motor vehicle nor a licensed recreational land vehicle. Similarly, a car may not be taken as trade-in on a camper and vice versa.

Under these definitions it is not required that a car be traded-in exclusively on another car in order to get the trade-in reduction of the

tax measure. It could, as well, be traded-in as part payment for a truck, motorcycle, motor home, or any other qualifying motor vehicle. Similarly, a sofa for a recliner chair, a pistol for a rifle, a sailboat for a motorboat, or a gold chain for a wrist watch are the kinds of generic trade-in transfers which would qualify. However, the exclusion of the value of property traded-in does not include such things as a motorcycle for a boat, a diamond ring for a television set, a battery for lumber, or farm machinery (including tractors and self propelled combines) for a car.

**VALUE OF PROPERTY TRADED-IN** — The seller and buyer establish the value of property traded-in. However, the parties may not overstate the value of the property traded-in in order to artificially lower the amount of sales of use tax due. Absent proof of a higher value, the property traded-in must be determined by the fair market value of similar property of like quality, quantity, and age, sold or traded under comparable conditions. It is the substance of the actual sale and trade-in transaction which will control the retail sales tax measure, regardless of any subsequent accounting adjustments to the seller's inventory records or books of account.

**RECORD KEEPING** — RCW 82.32.070 requires every person liable for any tax to keep and preserve records from which true tax liability can be determined. Before any exclusion from the selling price for the value of property traded-in will be allowed, the property traded-in must be specifically identified and clearly indicated as "trade-in," by model, serial number and year of manufacture where applicable, and the full trade-in value must be shown on the sales agreement or invoice given to the purchaser, with a copy retained in the seller's permanent sales records.

For example:

Less "trade-in" — 1983 G.E. Refrigerator/Freezer  
Model No. GE-RF0001, Serial No. 0001, \$300.

**ENCUMBERED PROPERTY TRADED-IN** — Sellers are allowed to consider as nontaxable the value of property traded-in even though ownership of the property may be encumbered by a conditional sale, retail installment contract, or security interest; provided that, the property traded-in must be actually transferred to the seller of the new or used property for which it is traded-in.

**CASUAL OR ISOLATED SALES** — The retail sales tax applies to all casual or isolated retail sales made by any person who is engaged in business activity, that is, a person required to be registered and reporting tax to the state. Persons who are not engaged in business activity, i.e., private persons, are not required to be registered and are not required to collect sales tax on their casual or isolated sales (see WAC 458-20-106). Registered persons who make casual or isolated sales (e.g., a law firm which sells its law books) may reduce the taxable selling price by the value of the property traded-in. The same record keeping requirements apply as explained earlier in this rule.

**RETAIL SERVICES** — The exclusion of the value of property traded-in from the selling price tax measure applies only to sales involving tangible property traded-in for tangible property sold. It does not apply to any transactions involving services which have been statutorily included as "sales at retail" (see RCW 82.04.050). Thus, for example, a construction contractor may not accept part payment in tangible property to thereby reduce the sales tax measure of the construction contract selling price. Similarly, a seller of tangible personal property may not accept retail services as part payment to thereby reduce the selling price tax measure. Such transfers neither qualify as trade-in transfers of tangible property nor "in-kind" transfers.

**TRADE-IN FOR RENTAL PROPERTY** — Under RCW 82.04.050, rentals or leases of tangible personal property are "retail sales." The term "selling price" as amended by Initiative 464 is also the tax measure for such rentals and leases. Thus, where tangible property is traded-in as part payment for the rental or lease of property of like kind (e.g., a used computer against the rental of a new one) the sales tax will apply to all payments after the value of the property traded-in has been depleted or consumed and the lessor of the property actually begins making charges for the lease or rental of tangible property.

When tangible personal property is rented or leased, the "selling price" includes all charges to the renter or lessee for the use of the property rented or leased, including charges designated as insurance, interest and other costs recovered stated separately from the regular rental fee. When tangible personal property is rented or leased under circumstances that the consideration paid does not represent a reasonable rental for the use of the articles so rented or leased, the "selling price" must be determined as nearly as possible according to the value of such use at the places of use of similar products of like quality and



character. In cases of doubt, all of the pertinent facts should be submitted to the department of revenue for an advisory determination.

**REAL PROPERTY TRANSFERS** — The trade-in exclusion does not apply to sales of real property. It also does not apply where real property is traded-in for tangible personal property.

#### BUSINESS AND OCCUPATION TAX

The trade-in exclusion affects only the measure of retail sales tax to be collected and paid. There is no trade-in exclusion for business and occupation tax. Thus, the gross receipts to be reported under the retailing classification of business and occupation tax continues to be the total value proceeding or accruing from the sale, including the value of property traded-in.

RCW 82.04.070 provides, "The term 'gross proceeds of sales' means the value proceeding or accruing from the sale of tangible personal property . . . without any deduction on account of the cost of property sold, the cost of materials used, labor costs, interest, discount paid, delivery costs, taxes or any other expense whatsoever paid or accrued and without any deduction on account of losses."

Also, the terms "selling price" and "gross proceeds of sales" include items of cost which are the direct obligation of the seller but which the seller may invoice separately to the purchaser. Examples of such costs are the cost of the contractor's performance bond, the cost of city or state business and occupation taxes of public utility taxes, the cost of insurance protecting the seller and the cost of freight in. The selling price can be payable in money or otherwise. If it is payable in whole or in part in property, each party is a seller of the property being transferred.

#### USE TAX

RCW 82.12.010 defines the measure of the use tax as the "value of the article used." Under certain circumstances that value is determined by the "selling price" of the article or property used. Also, this use tax statute provides that the meaning of words in chapter 82.08 RCW (retail sales tax) shall have full force as well with respect to the use tax chapter. Thus, the Initiative 464 amendment of the definition of "selling price" will apply equally for use tax purposes. Therefore, the measure of the use tax for tangible property upon which no retail sales tax has been paid (e.g., if it were purchased in another state with no sales tax) is the same "selling price" as defined for retail sales tax purposes. In such cases the value of the property traded-in will be excluded from the use tax measure.

The consumer-user, or any out-of-state seller who is registered in this state and collects this state's use tax, must retain the sales records reflecting property "traded-in," as explained earlier in this rule.

#### PREPARING TAX RETURNS

The gross amounts reported under column 2 on the combined excise tax return should be the same amounts under the retailing business and occupation tax (line 18) and the retail sales tax (line 19). The reduction of the "selling price" tax measure for property traded-in should be reflected as a deduction only under the retail sales tax (column 3, line 19). Until return forms are amended, this sales tax deduction should be shown on the back side of the form (line 19) under "other deductions" and explained as "traded-in sales."

### WSR 86-01-077

#### ADOPTED RULES

#### DEPARTMENT OF REVENUE

[Order 85-7—Filed December 18, 1985]

I, Matthew J. Coyle, acting director of the Department of Revenue, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Public utility tax—Energy conservation and cogeneration deductions, new section WAC 458-20-17901.

This action is taken pursuant to Notice Nos. WSR 85-16-106, 85-20-010 and 85-22-040 filed with the code reviser on August 7, 1985, September 20, 1985, and November 1, 1985. 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 Revenue as authorized in RCW 82.32.300.

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 December 18, 1985.

By Matthew J. Coyle  
Acting Director

#### NEW SECTION

**WAC 458-20-17901 PUBLIC UTILITY TAX—ENERGY CONSERVATION AND COGENERATION DEDUCTIONS.** In chapter 149, Laws of 1980 (RCW 80.28.024, 80.28.025, and 82.16.055), the legislature finds and declares that the potential for meeting future energy needs through conservation measures, including energy conservation loans, energy audits, and the use of renewable resources, such as solar energy, wind energy, wood, wood waste, municipal waste, agricultural products and wastes, hydroelectric energy, geothermal energy, and end-use waste heat, may not be realized without incentives to public and private utilities.

The legislature has implemented its intent by adding a new section to chapter 82.16 RCW, codified as RCW 82.16.055, for deductions relating to energy conservation or production from renewable resources, as follows:

(1) In computing tax under this chapter there shall be deducted from the gross income:

(a) An amount equal to the cost of production at the plant for consumption within the state of Washington of:

(i) Electrical energy produced or generated from cogeneration as defined in RCW 82.35.020; and

(ii) Electrical energy or gas produced or generated from renewable energy resources such as solar energy, wind energy, hydroelectric energy, geothermal energy, wood, wood wastes, municipal wastes, agricultural products and wastes, and end-use waste heat; and

(b) Those amounts expended to improve consumers' efficiency of energy end-use or to otherwise reduce the use of electrical energy or gas by the consumer.

(2) This section applies only to new facilities for the production or generation of energy from cogeneration or renewable energy resources or measures to improve the efficiency of energy end-use on which construction or installation is begun after June 12, 1980, and before January 1, 1990.

(3) Deductions under subsection (1)(a) of this section shall be allowed for a period not to exceed thirty years after the project is placed in operation.

(4) Measures or projects encouraged under this section shall at the time they are placed in service be reasonably expected to save, produce, or generate energy at a total incremental system cost per unit of energy delivered to end-use which is less than or equal to the incremental system cost per unit of energy delivered to end-use from similarly available conventional energy resources which utilize nuclear energy or fossil fuels and

which the gas or electric utility could acquire to meet energy demand in the same time period.

(5) The department of revenue, after consultation with the utilities and transportation commission in the case of investor-owned utilities, and the governing bodies of locally regulated utilities, shall determine the eligibility of individual projects and measures for deductions under this section.

The department of revenue has complied with the consultation requirements of RCW 82.16.055(5). The provisions of subsection (1)(a)(i) through (ii) of this section, deal with new facilities designed and intended for the production of energy. The department will rule upon eligibility of such facilities and the attendant cost of energy production for purposes of determining deductibility from the public utility tax upon an individual project basis using the cost figures reported on the appropriate Federal Energy Regulatory Commission (FERC) schedules that are required to be filed by public and private electric utilities and by private gas utilities. The allowable deductions consist of production expenses, eligible fuel costs and book depreciation of capital costs. Eligible fuel costs are all fuels if used for cogeneration or nonfossil fuel costs if not a cogeneration facility. Plans for the construction of such facilities and pertinent details, including energy production and production costs projections relative to the planned facility or construction details and energy production costs for facilities already in service must be submitted to the department for determination of eligibility for tax deductions.

Subsection (1)(b) and (4) of this section are applicable to projects conducted by utilities which are designed and projected to result in a reduction in the amount of electrical energy or gas used by the consumer.

Pursuant to subsection (5) of this section, the department of revenue has determined the eligibility of individual measures to improve consumers' efficiency of energy end-use or otherwise reduce the use of electrical energy or gas by the consumer. Such measures include residential and commercial buildings weatherization programs as well as energy end-user conservation programs, however designated and however funded or financed.

Under the general rules of statutory construction, tax exemption provisions must be strictly construed against the person claiming the exemption and in favor of imposing tax. Also, under such general rules the words and terms used in statutes must be given their common and ordinary meaning. By the terms of RCW 82.16.055 (1)(b) deductions are restricted to amounts expended for programs and measures which have as their purpose some reduction of energy use by utilities' customers. Some incidental and generally related costs which may be incurred in the development and implementation of energy conservation measures may be too remote from the purpose of improving energy efficiency or reducing consumers' energy consumption. For these reasons and pursuant to RCW 82.16.055(5) the department has consulted with publicly and privately operated utilities to determine the kinds of costs which will satisfy the statutory intent by achieving the purpose of reducing energy consumption.

Accordingly, the term "amounts expended to improve consumers' efficiency of energy end-use" means the costs incurred by public and private utilities which are exclusively attributable to the development and implementation of energy end-use conservation projects and measures. This term does not include the costs attributable to the operation of a public or private utility business which were incurred before, or are incurred separate from the development and implementation of energy conservation programs. A portion of expenditures for personnel and facilities serving both energy conservation purposes and other utility purposes may be deducted if the portion attributable to energy conservation is supported by direct cost accounting records prepared during the tax reporting period for which such energy conservation expenditures are claimed for deduction. However, merely estimating an allocable portion of costs or apportioning some percentage of total overhead expense claimed to be related to energy conservation projects or measures will not support a deduction. The accounting should be based on actual experience. For example, expenditures for personnel or such facilities as computers could be accounted for on a time-use basis. However the expenses are accounted for, the burden rests upon the utility company to clearly show the direct relationship between any costs claimed for deduction and the energy conservation projects or measures claimed to have generated such costs.

#### ELIGIBLE COSTS.

Under the remoteness test, the department has determined the following specific costs to be eligible for tax deduction:

1. CONSTRUCTION AND INSTALLATION. All costs actually incurred by a utility representing the value of materials and labor applied or installed in any facility of or for an energy end-user, whether provided by the utility itself or by third party prime or subcontractors. Such eligible costs include, but are not limited to:

a. Insulation for floors, ceilings, walls, water pipes and the complete installation thereof.

b. Weatherstripping, caulking, batting, and any similar materials applied for weatherization of facilities and the complete installation thereof.

c. Storm windows, insulated and other weather resistant glass or similar materials and installation.

d. Electric or gas thermostatic controls and installation.

e. Water heater wraps, shower head restrictors, and all similar devices installed to reduce heat loss or reduce the actual units of energy consumed, and the installation thereof.

f. Energy efficient lighting and installation.

2. ENERGY AUDITS AND POST INSTALLATION INSPECTION. All direct costs actually incurred for providing:

a. Energy audit training.

b. Auditor payroll.

c. Auditor uniforms.

d. Special tools and equipment specifically needed for carrying out audit programs.

e. Auditor and inspector private vehicle mileage allowance.

f. Post installation inspection, labor, and materials costs.

3. ADMINISTRATION. All administrative, clerical, professional, and technical salary and payroll costs actually and directly incurred for:

a. Conservation program management and supervision including but not limited to audit, BPA buy-back, commercial, solar, and loan programs.

b. Secretarial and clerical expense.

c. Data entry and information processing operators.

d. Engineering.

e. Outside legal expense and inhouse legal expense which is directly cost accounted.

f. General energy conservation employee training.

g. Conservation programs accounting and auditing.

h. Separate telephone and third party provided services separately billed.

4. CONSUMABLE SUPPLIES AND EQUIPMENT. The cost of consumable materials and equipment utilized in energy conservation programs and directly cost accounted or separately billed, including but not limited to:

a. Equipment rental.

b. Custom software programs.

c. Computer lease time.

d. Computer print-out paper.

e. Special conservation program stationery, program instruction and installation manuals and office clerical supplies.

f. Periodic costs of capital equipment and rolling stock if:

(i) Such equipment and rolling stock are attributable to an energy end-user conservation program; and

(ii) Such costs are incurred during the duration of such program.

g. Direct costs of repair and maintenance of the above items.

5. FINANCING. Deduction is allowed for all direct financing and loan expenses relative to:

a. Loan manager, supervisor, inspectors, secretaries, and clerks payroll which is directly cost accounted.

b. Net interest differential (loans to consumers at lower than the utilities' interest rates on such acquired funds).

6. ADVERTISING AND EDUCATION.

a. Information, dissemination, and advertising charges for radio, television, newspaper services, bill stuffers, brochures, handouts, displays, and related costs of producing and presenting such advertising materials, which are exclusively dedicated to promoting energy conservation projects and measures.

b. Community education and outreach efforts conducted for the exclusive purpose of promoting energy conservation and achieving reduction of end-user energy consumption.

#### INELIGIBLE COSTS.

The department has determined the following specific costs as being ineligible for tax deduction for the reason that they are too remote from the purpose of improving energy efficiency and reducing end-user's consumption:

a. Legislative services.

b. Dues, memberships and subscriptions.

c. Information, dissemination, and advertising charges for radio, television, newspaper services, bill stuffers, brochures, handouts, displays, and related costs of producing advertising materials which are not exclusively for the purpose of encouraging or promoting energy conservation.

d. Experimental programs. Caveat: If and when experimental programs and the facilities, projects, or measures developed through such experimentation, research, and development are actually placed in service or placed in the rate base, and upon written approval of eligibility by the department, the total of expenditures for such facilities, projects, or measures including experimental stage costs may be allowed for deduction.

e. Community education and outreach efforts which are not exclusively dedicated to energy conservation projects and measures.

f. Allocated facility costs which are not directly cost accounted.

g. Allocated vehicle rolling stock costs which are not directly cost accounted.

h. Convention, meals, and entertainment expense.

i. Out-of-state travel expenses, except that the percentage of such expenses allocable to miles traveled within this state will be allowed for deduction.

Utilities may deduct from the measure of public utility tax deductible expenses as set forth in this rule at the time such costs are actually incurred and may include such deductions on excise tax returns covering the period during which the costs were actually incurred. For purposes of reporting public utility tax liability, utilities must include and report Bonneville Power Administration (BPA) and other providers' cash grants, reimbursements, and buy-back payments attributable to energy conservation programs as gross income of the business when it is received. "Gross income of the business" shall also include the value of electrical energy units from BPA for performing approved energy conservation services.

Any recurring costs determined to be eligible for deduction under this rule shall cease to be eligible in whole or in part at time of termination of any energy conservation measure or project which originally authorized the deduction under RCW 82.16.055.

The question of the deductibility of any expenditures not expressly covered in this rule must be submitted to the department in writing for an express ruling before deduction may be taken.

#### **WSR 86-01-078**

#### **ADOPTED RULES**

#### **DEPARTMENT OF**

#### **SOCIAL AND HEALTH SERVICES**

#### **(Public Assistance)**

[Order 2318—Filed December 18, 1985]

I, Lee D. Bomberger, acting director of the Division of Administration and Personnel, do promulgate and adopt the annexed rules relating to Food stamps—Energy allowance, amending WAC 388-54-737.

This action is taken pursuant to Notice No. WSR 85-22-019 filed with the code reviser on October 30, 1985. 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 December 18, 1985.

By Lee D. Bomberger, Acting Director  
Division of Administration and Personnel

AMENDATORY SECTION (Amending Order 2072, filed 2/1/84)

WAC 388-54-737 INCOME—ENERGY ALLOWANCE. ((+)) The following energy allowance included in AFDC, continuing general assistance, and refugee assistance standards is excluded as food stamp income:

Household Size	Monthly Energy Allowance
1	\$((2+)) <u>30</u>
2	((27)) <u>39</u>
3	((32)) <u>46</u>
4	((39)) <u>56</u>
5	((44)) <u>63</u>
6	((50)) <u>72</u>
7	((59)) <u>84</u>
8 or more	((64)) <u>92</u>

~~((2) An energy allowance is not included in assistance standards for households receiving:~~

- ~~(a) Board and room payments;~~
- ~~(b) Supplied shelter; or~~
- ~~(c) Supplemental Security Income (SSI);~~
- ~~(3) Energy allowance payments treated as vendor payments shall not be counted as income or deducted as a utility deduction for the household:))~~

**WSR 86-01-079**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 2319—Filed December 18, 1985]

I, Lee D. Bomberger, acting director of the Division of Administration and Personnel, do promulgate and adopt the annexed rules relating to Adult family homes—Minimum licensing requirements, new chapter 388-76 WAC.

This action is taken pursuant to Notice No. WSR 85-22-018 filed with the code reviser on October 30, 1985. 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 74.08.044 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 December 18, 1985.

By Lee D. Bomberger, Acting Director  
Division of Administration and Personnel

Chapter WAC 388-76 WAC  
**ADULT FAMILY HOMES MINIMUM LICENSING REQUIREMENTS**

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

NEW SECTION

WAC 388-76-010 AUTHORITY. The following rules are adopted pursuant to chapter 74.15 RCW and RCW 74.08.044.

NEW SECTION

WAC 388-76-020 ADULT FAMILY HOMES. The rules in this chapter apply entirely to licensing adult family homes and replace and supersede any rules on licensing adult family homes which may be found in chapter 388-73 WAC.

NEW SECTION

WAC 388-76-030 DEFINITIONS. Those terms in chapter 74.15 RCW shall have the same meaning when used in this chapter except as otherwise provided herein.

(1) "Abuse" means the injury, sexual use, or sexual mistreatment of an individual resident by any person under circumstances indicating the health, welfare, and safety of the resident is harmed thereby.

(a) "Physical abuse" means damaging or potentially damaging nonaccidental acts or incidents which may result in bodily injury or death.

(b) "Emotional abuse" means verbal or nonverbal actions constituting harassment.

(2) "Adult family home" means the regular family abode of a person or persons licensed to provide therein full-time family care and supervision for from one to no more than four adults who are in need of personal and special care and who are not related to the person or persons providing care.

(3) "Adult in need of personal and special care" means a person age eighteen or over who, because of developmental disability, age, or physical or mental infirmity, requires some degree of supervision or health care beyond the level of board and room only.

(4) "Ambulatory resident" means a resident physically and mentally capable of walking unaided or is capable of independent mobility with the use of a cane, crutches, a walkerette, a walker, a wheelchair, or artificial limb. It

shall mean an individual able to walk or traverse a normal path to safety unaided by another individual. This definition shall not be interpreted to include an individual needing the assistance of another individual in order to get into and out of bed, to transfer to a chair or toilet, or to move from place to place.

(5) "Capacity" means the maximum number of persons permitted to be under care at a given time.

(6) "Developmentally disabled adult" means a person age eighteen or over who has been determined to be developmentally disabled by the department as defined in RCW 71.20.016.

(7) "Family care" means twenty-four-hour protective supervision and care given to an adult in need of personal and special care who has the standing of a member of the family, but not by birth, adoption, or marriage.

(8) "Infirmity" means a disability limiting normal activity but not causing an individual to require total inpatient medical or nursing care. An infirmity may be based on conditions including, but not limited to, physical handicap, mental illness, developmental disability, chemical addiction, or habituation or mental confusion, disability, or disturbance.

(9) "Neglect" means negligent treatment or maltreatment; an act or omission evincing a disregard of consequences of such a magnitude as to constitute a clear and present danger to a resident's health, welfare, and/or safety.

(10) "Other persons regularly on the premises" means relief caretakers, family members, and other relatives and friends of the sponsor who have regular unmonitored access to the residents in care.

(11) "Premises" means the abode, other buildings, and adjoining grounds over which the adult family home sponsor has direct control.

(12) "Relative" or "related" means parent, grandparents, brother, sister, uncle, aunt, and/or first cousin by birth, marriage, or adoption.

(13) "Resident" means an adult in need of personal and special care in an adult family home who is not related to the adult family home sponsor.

(14) "Sponsor or sponsors" means a person or persons licensed to personally provide full-time family care in the person or person's own home.

(15) "To sponsor" means to act as a sponsor.

#### NEW SECTION

WAC 388-76-040 APPLICATION FOR LICENSE INVESTIGATION. (1) Persons applying for an adult family home license under this chapter shall do so on forms and comply with procedures prescribed by the department. The application shall be made by and in the name of the person or persons who shall be the adult family home sponsor.

(2) The applicant shall submit such additional information as the department deems necessary for proper administration of this chapter. The department shall undertake such corollary investigations of applicant sponsors, relief caregivers, and members of sponsors' households as required, including accessing of criminal histories and law enforcement files.

(3) The department shall make an on-site inspection of the adult family home and premises of an applicant sponsor prior to disposition of an adult family home application.

#### NEW SECTION

WAC 388-76-050 LICENSING OF STATE EMPLOYEES. Department staff or any member of his or her household involved directly or in an administrative or supervisory capacity in the adult family home licensing process, or in placement of persons in a licensed adult family home, or in authorizing payment for such persons is prohibited from obtaining an adult family home license.

#### NEW SECTION

WAC 388-76-060 LIMITATIONS ON LICENSES. Licenses shall not be issued to an applicant for both children and adults in the same family home. Exceptions may be made only if it is clearly evident care of one category does not interfere with the quality of care to be provided to the other category of clients. In such circumstances, the total number of persons in care in both categories shall not exceed the number permitted by the most stringent capacity limitation of an adult family home.

#### NEW SECTION

WAC 388-76-070 GENERAL QUALIFICATIONS OF SPONSOR, PERSONS ON THE PREMISES. An adult family home sponsor shall be at least twenty-one years of age and reside in the adult family home. The sponsor and other persons regularly on the premises shall be persons of good character. The sponsor shall demonstrate he or she and other persons regularly on the premises have the understanding, language skills, physical health, emotional stability, personality, and professional skills suited to meet the physical, mental, emotional, and social needs of persons under care. The sponsor and other persons regularly on the premises shall not have been convicted of abuse and/or any crime involving physical harm to another person nor be a perpetrator of substantiated abuse.

#### NEW SECTION

WAC 388-76-090 LICENSURE—DENIAL, SUSPENSION, OR REVOCATION. (1) Disqualified applicants. Before granting a license and as a condition for continuance of a license, the department shall consider separately and jointly the ability of each applicant to sponsor an adult family home in accordance with the law and this chapter. If any one be deemed disqualified by the department in accordance with this chapter, the license may be denied, suspended, revoked, or not renewed.

(a) Any individual engaging in illegal use of drugs or excessive use of alcohol shall be disqualified.

(b) Any individual released from prison, or convicted of a felony, or any crime involving physical harm to another, or identified as a perpetrator of substantiated

abuse pursuant to chapter 26.44 RCW within seven years of the date of application for the license shall be disqualified if such conviction or identification is reasonably related to the competency of the person to exercise responsibilities for home management, supervision, and full-time family care and the department determines, after investigation, that such person has not been sufficiently rehabilitated subsequent to such conviction or identification to warrant public trust.

(c) Individuals who, in this state or elsewhere, have for cause been denied a license to operate a facility for the care of children, developmentally disabled or aged adults, or a hospital, or a nursing home, or a boarding home, or have had a license to operate such a facility suspended or revoked shall be disqualified: **PROVIDED HOWEVER,** That when such person demonstrates to the department and affirmatively establishes by clear, cogent, and convincing evidence his or her ability to operate an adult family home under this chapter, the department may waive this provision and license such an individual.

(2) An adult family home license shall be denied, suspended, revoked, or not renewed for failure to comply with the provisions of chapter 74.15 RCW, and rules contained in this chapter or for any of the following reasons:

(a) Obtaining or attempting to obtain a license by fraudulent means or misrepresentation;

(b) Committing, permitting, aiding, or abetting the commission of any illegal act on the premises;

(c) Committing, permitting, aiding, or abetting assault, abuse, neglect, exploitation, cruelty or indifferent care to residents;

(d) Failure to provide adequate supervision to residents;

(e) Allowing persons unqualified by training, experience, or temperament to care for residents;

(f) Misappropriation of the property of residents;

(g) Failure or inability to exercise fiscal responsibility and accountability in respect to operation of the adult family home;

(h) Refusal to admit authorized representatives of the department, local fire protection authority, or state fire marshal to inspect the premises; and

(i) Refusal to permit authorized representatives of the department to have access to the records relating to the operation of the adult family home or to permit authorized representatives to interview residents.

#### NEW SECTION

**WAC 388-76-100 LICENSE FEES.** At the time of the application for or renewal of a license, the licensee shall pay such license fee as may have been established by the department under RCW 43.20A.055.

#### NEW SECTION

**WAC 388-76-110 DISCRIMINATION PROHIBITED.** The sponsor shall comply with federal and state statutory and regulatory requirements regarding nondiscrimination.

#### NEW SECTION

**WAC 388-76-130 PERSONS SUBJECT TO LICENSING.** Persons are subject to licensing who provide or intend to provide twenty-four-hour family care in their own home for adults in need of personal and special care who are not their relatives in the following numbers:

(1) One through four developmentally disabled adults; or

(2) One through four state assistance recipients; or

(3) Three through four persons not developmentally disabled or recipients of state assistance.

#### NEW SECTION

**WAC 388-76-140 PERSONS NOT SUBJECT TO LICENSING.** In addition to those persons exempt from the licensing requirements as provided in chapter 74.15 RCW, the following persons are not required to be licensed:

(1) Persons caring for an adult in need of personal and special care in that adult's own home whether related or not; and

(2) Persons providing family care in their own home for one or two nondevelopmentally disabled adults not related to them and for whom the department has not authorized care (chapter 74.15 RCW; RCW 18.20.020; RCW 74.08.044).

#### NEW SECTION

**WAC 388-76-160 CAPACITY.** (1) An adult family home shall be licensed for no more than four adults. There shall be no more than four adults unrelated to the sponsor requiring full-time care on the premises at one time.

(2) No licensed adult family home may provide care for more than two persons suffering mental or physical handicaps of such severity as to require nursing care, and then only if the sponsor is qualified by training and/or experience to provide proper care and the person's treatment is under the supervision of a physician.

#### NEW SECTION

**WAC 388-76-170 SPONSORS' RESOURCES.** The sponsor or sponsors shall have sufficient resources to maintain their own family and home without the payments made for the persons in care. If both sponsors in a two-sponsor home or the single sponsor in a one-sponsor home are employed outside the home, the department must give written approval for placement there. Approval will be based on justification that the sponsor will be able to provide adequate twenty-four-hour care to the residents.

#### NEW SECTION

**WAC 388-76-180 SPONSOR ABSENCE FROM HOME.** (1) The sponsor or sponsors shall have a department-approved plan for provision of care for residents during any absence of the sponsor from the home.

(2) The sponsor or sponsors shall not place residents in another home temporarily or otherwise without the

approval of the department and guardian or responsible relative of the person under care (RCW 74.15.030).

#### NEW SECTION

**WAC 388-76-190 EFFECT OF LOCAL ORDINANCES.** Licenses are issued or denied on the basis of applicant's compliance with the department's minimum licensing requirements. The enforcement of local ordinances such as zoning regulations and local building codes is the responsibility of appropriate local officials (RCW 74.15.030).

#### NEW SECTION

**WAC 388-76-200 FIRE SAFETY.** (1) Every room used by persons under care, unless provided with two separate doors or one door leading directly to the outside, shall have a window opening freely and of sufficient size and free of obstructions so as to be readily available for emergency escape or rescue.

(2) Every occupied area shall have access to at least one exit not passing through rooms or spaces subject to being locked or blocked from the opposite side.

(3) No space shall be used for residential purposes accessible only by ladder, folding stairs, or a trap door.

(4) Every bathroom door lock shall be designed to permit the opening of the locked door from the outside in an emergency.

(5) Every closet door latch shall be such that the door can be opened from the inside.

(6) No stove or heater shall be so located as to block escape in case of malfunctioning and ensuing fire.

(7) Flammable, combustible, or poisonous material shall be stored away from exits and in areas not accessible to persons under care.

(8) Open flame devices, cooking appliances, and other similar products capable of igniting clothing shall not be left unattended or used in such a manner which could result in accidental ignition of clothing.

(9) Portable space heaters are prohibited.

(10) An adult family home shall have in effect and available to all relief caretakers a written plan for the protection of all persons in the event of fire and for their evacuation to areas of refuge when necessary. All persons in care shall be instructed in emergency evacuation procedures. Drills shall be conducted during the first week of each new admission and at bimonthly intervals thereafter to test equipment and practice procedure. A log of dates and times of fire drills shall be maintained by the sponsor.

(11) There shall be readily available an approved, operating 2A-rated fire extinguisher. Except for facilities licensed prior to June 3, 1983, an approved five pound or larger all purpose A.B.C. fire extinguisher will be acceptable. (Where local fire authorities require installation of a different type or size of fire extinguisher, the requirement of the local authority shall prevail.)

(12) An approved automatic smoke detector in working order shall be located in proximity to the area or areas where persons under care sleep. At a minimum, there will be one smoke detector in working order on each floor of a multilevel home.

(13) Smoke detectors and fire extinguishers shall be continuously maintained in proper working order.

(14) If questions arise concerning fire danger, the local fire protection authority shall be consulted and its recommendations followed.

(15) An adult family home located in a rural area where there is no public fire district shall affiliate with whatever fire safety organization is available.

#### NEW SECTION

**WAC 388-76-220 CORPORAL PUNISHMENT AND PHYSICAL RESTRAINTS.** Corporal punishment and physical restraints are prohibited.

#### NEW SECTION

**WAC 388-76-240 RESIDENT'S RECORDS AND INFORMATION.** Records and information concerning each person in care shall be maintained in such a manner as to preserve confidentiality. Records giving the following information on each person under care shall be maintained at the licensed adult family home:

(1) Identifying information, including name, birthdate, and dates of admission, absences, and discharge.

(2) Names, addresses, and telephone numbers of next-of-kin or other persons to be contacted in case of emergency.

(3) Health assessment at time of placement and subsequent revisions.

(4) Written consent (or court order) for providing medical care and emergency surgery, except as such care is otherwise authorized by law.

(5) Daily care plan including treatments, medications, observations, examinations, and physician's orders.

(6) Upon admission, an inventory of personal belongings. Inventory changes will be recorded and dated with a copy to resident and guardian or responsible relative, if any.

(7) Names, addresses, and telephone numbers of persons taking a person under care temporarily out of the adult family home.

(8) A summary upon discharge by the person responsible for the total plan of care, instructions given to the person providing continuing care, and a record of any referrals directed toward continuity of care.

(9) Appropriate information if the adult has died including the time and date of death, apparent cause of death, appropriate notification of the physician and relevant others (including the coroner if necessary), and the disposition of the body and personal effects.

#### NEW SECTION

**WAC 388-76-250 REPORTING OF ILLNESS, DEATH, INJURY, EPIDEMIC, OR ADULT ABUSE.** The sponsor shall report to the persons indicated the following events.

(1) To the department, next-of-kin, and interested friend or relative identified in the care plan any serious injury, trauma, or death of a person under care as soon as possible but no later than twenty-four hours after occurrence.

(2) To the local public health officer any occurrence of food poisoning or communicable disease as required by the state board of health.

(3) To the department evidence of abuse or neglect immediately by phone or in person with a written follow-up report within five days.

#### NEW SECTION

WAC 388-76-260 REPORTING CHANGES IN CIRCUMSTANCES. Adult family home sponsors shall report to the department changes in circumstances which might constitute grounds for reclassification of the home as to category of license, continued eligibility for license, or major changes in the license including the following:

(1) Changes in sponsor's address or location and phone number (license is valid only for address indicated on the license).

(2) Changes in the maximum number and range of care of persons licensee wishes to serve as compared to specifications in the license.

(3) The death, retirement, or incapacity of a licensee. (A license is valid only for the person named on the license.)

(4) Marriage or divorce of a sponsor or other change in household composition and relief caregiver affecting eligibility for license or number of persons that may be served.

(5) Occurrence of a fire on licensed premises within twenty-four hours.

(6) Major structural changes or damage to premises from any causes, and plans for major remodeling.

#### NEW SECTION

WAC 388-76-280 TRANSPORTATION. When a sponsor provides transportation for residents:

(1) The vehicle shall be in safe operating condition. The driver shall have a current driver's license.

(2) Sponsor or other driver shall carry auto insurance including liability and medical coverage.

(3) Seat belts or other appropriate safety devices shall be provided for and used by all passengers. The number of passengers shall not exceed the vehicle's seating capacity. Buses approved by the state patrol shall not be required to be equipped with seat belts.

#### NEW SECTION

WAC 388-76-290 CLOTHING. Sponsors are responsible to arrange for clothing for the persons under care. Clothing shall be neat, seasonable, and of such quality and design as to foster self-respect.

#### NEW SECTION

WAC 388-76-300 PERSONAL HYGIENE. Sponsors are responsible to provide or arrange for items needed for good grooming and personal hygiene for persons under care.

#### NEW SECTION

WAC 388-76-310 TRAINING. Sponsors are responsible for keeping themselves informed of the policies and the rules contained in this chapter. Completion of approved training for sponsors shall be required prior to licensure in the absence of documentation assuring the sponsor is qualified to provide care.

#### NEW SECTION

WAC 388-76-320 SITE. An adult family home shall be located on a well-drained site free from hazardous conditions, excessive noise, dust, smoke or odors, and be accessible to other facilities necessary to carry out the program.

#### NEW SECTION

WAC 388-76-325 TELEPHONE. There shall be at least one operating nonpay telephone on the premises accessible to residents for emergency incoming or outgoing use at all times.

#### NEW SECTION

WAC 388-76-330 SAFETY AND MAINTENANCE. (1) The premises and equipment shall be maintained in a clean and sanitary condition, free of hazards, and in good repair. Steps shall be provided with handrails as determined necessary by the department. Emergency lighting devices, such as flashlights, in working order shall be available and easily accessible to caretakers and residents.

(2) Sponsors shall be able to gain rapid access to any bedroom, toilet room, shower room, bathroom, or other room occupied by residents should emergency need arise.

#### NEW SECTION

WAC 388-76-340 WATER SAFETY. (1) Residents shall not be permitted to use swimming or other pools or hot tubs or spas, etc., on the premises without supervision.

(2) Swimming and other pools shall be inaccessible to persons in care when not in use.

(3) Hot tubs, spas, etc., shall be inaccessible when not in use.

#### NEW SECTION

WAC 388-76-350 FIREARMS. Firearms, if any, shall be kept in locked storage accessible only to authorized persons.

#### NEW SECTION

WAC 388-76-360 STORAGE. (1) Suitable space shall be provided and used for the storage of clothing and personal possessions of residents and for supplies, records and files, and bedding used in adult family home management.

(2) Cleaning supplies, toxic substances, poisons, aerosols, and items bearing warning labels shall be stored so as to be inaccessible to persons with limited mental capacity.



NEW SECTION

WAC 388-76-370 **BEDROOMS.** (1) Hallways, kitchens, living rooms, dining rooms, and unfinished basements shall not be used as bedrooms. Every bedroom shall be an outside room permitting entrance of natural light.

(2) Windows designated for escape and/or ventilation shall open and close freely. Window screens must be of such design that escape is not hindered and are adequate to prevent entrance of flies and other insects.

(3) Separate sleeping quarters shall be furnished for each sex.

(4) Multiple occupancy bedrooms shall provide not less than seventy square feet per occupant of floor area exclusive of closets. There shall be not less than thirty-six inches laterally between beds. Single occupancy bedrooms shall provide at least eighty square feet of floor space. There shall be no more than two residents to a bedroom.

(5) For each resident there shall be a bed at least thirty-six inches wide with a clean, firm mattress, pillow, sheets, blankets, and pillowcases. Pillows shall be covered with waterproof material or be of a washable type. Waterproof mattress covers shall be provided for incontinent persons.

(6) The upper bunk of doubledeck beds are prohibited for use by residents.

(7) Bedding shall be clean; sheets and pillowcases shall be laundered weekly.

(8) Residents may not share a bedroom with persons under eighteen years of age unless approved by the department.

(9) Residents may not share a bedroom with the sponsor or any member of the sponsor's family.

(10) Only rooms having unrestricted direct access to hallways, corridors, living rooms, day rooms, or common use areas shall be used as bedrooms.

(11) Only ambulatory residents and/or residents able to negotiate the adult family home fire escape system from other than ground floor level shall be assigned to other than ground floor level bedrooms.

NEW SECTION

WAC 388-76-380 **KITCHEN FACILITIES.** Adult family homes shall have facilities for the proper storage, preparation, and service of food.

NEW SECTION

WAC 388-76-390 **LAUNDRY.** The adult family home shall store soiled linen and clean linen separately. Unless laundry is sent out, or bedding and/or clothing are provided and laundered by responsible relatives or interested others, the adult family home shall have adequate operational laundry and drying equipment.

NEW SECTION

WAC 388-76-400 **TOILETS, LAVATORIES, AND BATHING FACILITIES.** (1) There shall be at least one indoor flush-type toilet, one bathing facility, and one lavatory with hot and cold or tempered running

water not to exceed one hundred twenty degrees Fahrenheit.

(2) Toilet and bathing facilities shall provide for privacy for persons of the opposite sex.

(3) There shall be a lavatory in each room containing a toilet or in an adjacent common-use area.

(4) All bathing facilities shall have a conveniently located grab bar unless other safety measures, such as nonskid pads, are approved by the department.

(5) Soap and individual towels or disposable towels or other hand-drying devices shall be easily accessible.

NEW SECTION

WAC 388-76-410 **LIGHTING.** All areas shall be appropriately lighted by natural or artificial means when in use. Light fixtures shall be located to provide for the comfort and safety of the persons under care. Lighting intensities shall be at least fifteen foot candles for all rooms and areas used for care, except for food service areas, which shall be thirty foot candles.

NEW SECTION

WAC 388-76-420 **PEST CONTROL.** The premises shall be kept free from rodents, flies, cockroaches, and other insects.

NEW SECTION

WAC 388-76-430 **SEWAGE AND LIQUID WASTES.** Sewage and liquid wastes shall be discharged into a public sewer system or into an independent sewage system approved by the local health authority or department. Discharge of sewage or liquid wastes directly on the ground, into bodies of water, or directly into ground water is prohibited.

NEW SECTION

WAC 388-76-440 **WATER SUPPLY.** A private water supply must be approved by the local health authority or department. Nonpotable water on the premises shall be labeled to avoid use.

NEW SECTION

WAC 388-76-450 **TEMPERATURE.** Temperature within the adult family home shall be maintained at not less than sixty-eight degrees Fahrenheit during waking hours, and at not less than sixty degrees Fahrenheit during sleeping hours. Use of portable space heaters is prohibited.

NEW SECTION

WAC 388-76-460 **VENTILATION.** The facility shall be ventilated to assure health and comfort of the persons under care.

NEW SECTION

WAC 388-76-465 **RESIDENT RIGHTS—SERVICES TO BE PROVIDED.** (1) Insofar as a general or specific nuisance or a danger to the individuals or others is not created, each resident shall have, in addition to

any rights not specifically withheld by law, the following rights:

(a) To be informed or to have an agent, designated by the resident, informed of his or her rights and the policies of the adult family home at the time of admission. A written copy of rights and policies shall be provided to each resident or designated agent.

(b) To be treated in a manner that respects his or her individual identity and human dignity and fosters constructive self-esteem.

(c) To be notified thirty days in advance if he or she requires transfer for medical or nursing care or for his or her welfare or that of other residents, except as prohibited by Titles XVIII, XIX or XX of the Social Security Act, unless an emergency condition requires immediate transfer, or there is failure to comply with written policy of the adult family home or to ensure orderly transfer or discharge. The notice of transfer or discharge and discharge planning shall be documented in the resident's record.

(d) To associate and communicate privately with persons of his or her choice; to send and receive uncensored correspondence through the mail; to have reasonable access to a telephone both to make and to receive personal calls.

(e) To manage personal financial affairs unless such person has been adjudicated to be incompetent in a court proceeding directed to that particular issue or pursuant to law.

(f) To retain and use personal clothing and possessions unless to do so would infringe upon the rights of other residents.

(g) To refuse to perform services for the facility unless these services are included in a plan of care.

(h) To be assured privacy for visits with relatives or guests.

(i) To voice grievances and recommend changes in policies and services to the sponsor and/or to outside representatives of his or her choice free from restraint, interference, coercion, discrimination, or reprisal.

(j) To be informed of phone numbers and addresses of the licensing agency or appropriate advocacy group or groups.

(k) To meet with and participate in activities of social, religious, and community groups at his or her discretion.

(l) To be free from physical, chemical, and psychological restraints unless authorized by law.

(m) To be free from exploitation, assault, abuse, and neglect.

(n) To have information contained in resident health records kept confidential with access only to authorized personnel and the department.

(o) To be given timely notice of changes in admission or retention policy and procedure.

(2) Each resident shall have at least one comfortable pillow and adequate, clean bedding. Clean sheets, a pillow case, towels and washcloths shall be provided as needed and at least each week.

(3) A resident shall be regularly observed for changes in physical, mental, and emotional functioning. When

observations reveal the resident has need for services unavailable in the adult family home, the sponsor or designee shall arrange for the transfer of the resident.

(4) Care services shall be conducted so as to attain or maintain each resident's highest degree of functioning possible and compatible with individual safety and welfare. The following services shall be provided when a resident requires such services:

(a) General health supervision, which means provision of the following services in accordance with a resident's particular needs including:

(i) To encourage a resident to self-administer medically prescribed drugs and treatment;

(ii) To encourage a resident to follow any medically prescribed modified diet, rest, or activity regimen;

(iii) To encourage and assist a resident to keep appointments for health care services, e.g., physicians, dentists, home health care services or clinics;

(iv) Encourage and assist a resident to see his or her health care practitioner if the resident manifests signs and symptoms of an illness or abnormality for which medical diagnosis and treatment seem indicated.

(b) Reminding and/or guidance, supervision, or assistance to a resident in:

(i) Personal hygienic care, dressing, grooming, and other activities;

(ii) Maintenance of functional aids or equipment, such as glasses, hearing aids, canes, crutches, walker, or wheelchair;

(iii) Maintenance of clothing and other personal effects;

(iv) Maintenance of personal living quarters in a manner conducive to safety and comfort.

(c) Encouraging, guiding, or assisting a resident to participate in social, recreational, diversional, vocational, church, or other activities within the family home and the community in accordance with his or her interests, tolerance, and abilities.

(5) Whenever a resident is believed to be ill or injured, the health care practitioner or other individual designated by the resident shall be notified immediately.

#### NEW SECTION

WAC 388-76-470 HEALTH CARE PLAN. All adult family homes providing direct care shall maintain current written medical policies and procedures including first aid, care of minor illnesses, action to be taken in event of medical emergencies, and general health practices.

#### NEW SECTION

WAC 388-76-480 FIRST AID. (1) An adult family home sponsor shall have current basic first aid training and cardiopulmonary resuscitation training. Verification of completion dates shall be maintained by the adult family home sponsor.

(2) First aid supplies, as needed to conform with first aid policies and procedures, and a first aid manual shall be readily available.

(3) There shall be written medical emergency policies and procedures readily available in the adult family home.

#### NEW SECTION

**WAC 388-76-490 MEDICATIONS CONTROLLED BY THE SPONSOR.** (1) All medications shall be kept in an orderly fashion in locked storage or otherwise made inaccessible to unauthorized persons and shall be refrigerated when so required.

(2) External medications shall be stored separately (separate compartments) from internal medications.

(3) Medications must be stored in the medication's original container.

(4) Medications shall be disbursed only on the written consent of the competent resident or other person having authority by court order to approve medical care.

(5) Only the sponsor or responsible designee shall deliver, disburse, or have access to medications except for self-administered medications as provided for in WAC 388-76-500.

(6) Prescription and nonprescription medications shall be disbursed only as specified on the prescription label or as otherwise authorized by a physician or other person legally authorized to prescribe medication.

"As needed" medications shall be approved by a physician or registered nurse prior to disbursement.

(7) A record shall be kept of all medications disbursed.

(8) Unused medications shall be properly disposed of.

#### NEW SECTION

**WAC 388-76-500 SELF-ADMINISTRATION OF MEDICATIONS.** Self-administration of medications by a resident shall be in accordance with the following:

(1) The resident shall be at least capable of administering his or her own medications properly with minimal guidance and assistance. If a resident requires minimal guidance or assistance, it shall be appropriately provided.

(2) A resident's medications shall be kept so the medications are not available to other residents.

(3) There shall be written policies and procedures for sponsors providing minimal guidance and assistance to residents with medications, when a resident requires such guidance and assistance.

#### NEW SECTION

**WAC 388-76-520 INFECTION CONTROL, COMMUNICABLE DISEASE.** (1) Persons with a communicable disease in an infectious stage shall not provide care or supervision in an adult family home.

(2) Each sponsor and other adult persons having regular contact with residents shall have a tuberculin skin test, by the Mantoux method, upon employment or licensing unless medically contraindicated.

(a) Persons whose TB skin test is positive (ten millimeters or more induration) shall have a chest x-ray within ninety days following the skin test.

(b) Routine periodic retesting or x-ray (biennial or otherwise) after the entry testing is not required.

(c) An entry test shall not be required of persons whose TB skin test has been documented as negative (less than ten millimeters) within the last two years nor shall routine periodic retesting or x-ray (biennial or otherwise) be required of such persons.

(2) A record of skin test results, x-rays, or exemptions to such will be kept in the adult family home.

#### NEW SECTION

**WAC 388-76-530 FOOD SERVICES.** (1) Food served by each adult family home shall be planned to meet the needs of residents, taking into consideration the residents' ages, developmental levels, individual preferences, individual metabolic differences, cultural background, and any handicapping condition. To promote a socializing environment during mealtimes, residents shall sit with the sponsor and eat from the same menu unless special diet and resident preference precludes it.

(2) The use of raw milk is prohibited.

(3) Nutrient concentrates, supplements, and modified diets (therapeutic and allergy diets) shall be served only on the written approval of a health care practitioner. The sponsor shall obtain from the resident, responsible relative, or physician a written list of any foods the resident cannot have. The list, with the resident's name, must be on file and the food not served to the resident.

(4) Food shall be served in accordance with the 1980 recommended dietary allowances of the Food and Nutrition Board, National Research Council, adjusted for age, sex, physical abilities, and activity of each person.

(5) A minimum of three meals in each twenty-four-hour period shall be provided. Deviation may be made from this minimum when a written request has been made to and approved in writing by the department. The time interval between the evening meal and breakfast shall be not more than fourteen hours.

(6) Residents may participate in food preparation provided food preparation is a part of a department-approved plan. Incompetent persons shall be supervised when in the kitchen.

#### **WSR 86-01-080**

#### **ADOPTED RULES**

#### **DEPARTMENT OF**

#### **SOCIAL AND HEALTH SERVICES**

#### **(Public Assistance)**

[Order 2320—Filed December 18, 1985]

I, Lee D. Bomberger, acting director of the Division of Administration and Personnel, do promulgate and adopt the annexed rules relating to Medical care—Drugs, amending chapter 388-91 WAC.

This action is taken pursuant to Notice No. WSR 85-22-049 filed with the code reviser on November 1, 1985. 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 December 18, 1985.

By Lee D. Bomberger, Acting Director  
Division of Administration and Personnel

AMENDATORY SECTION (Amending Order 2090, filed 4/10/84)

WAC 388-91-010 DRUGS—PERSONS ELIGIBLE. (1) A drug formulary will list all drug preparations which ~~((are))~~ may be provided without prior approval ~~((of medical consultant))~~. It will include a description of program limitations, rules ~~((and program policy))~~, policies, and penalties. The decision to place drugs in the division of medical assistance program drug formulary is based on these criteria:

(a) The drug must be established as a part of necessary and essential care for the condition for which it is to be used.

(b) The drug must be in general use by the physicians practicing in Washington.

(c) The drug must be of moderate cost. Generic forms will be used when listed under DSHS or federal maximum allowable cost (MAC) programs. When two preparations of equal effectiveness but disparate costs are presented, the less expensive one will be selected for the formulary.

(d) Drugs must not be classified "less than effective" by the food and drug administration.

(e) The drug must not be experimental.

(2) The following process is used to determine the acceptability of a drug preparation for possible listing in the formulary:

(a) Objective, scientific information and utilization data is reviewed for appropriateness according to the criteria in subsection (1) of this section, ~~((by the program medical staff,))~~ or,

(b) The secretary may appoint an advisory committee in accordance with RCW 43.20A.360 to review and advise the division of medical assistance on the acceptability of the drug preparation.

(c) The ~~((medical director or his designee))~~ division of medical assistance may make appropriate changes in the formulary consistent with subsection (1) of this section, and may accept recommendations of the advisory committee providing that action is in compliance with regulations governing the program and with acceptable management policies.

(d) Acceptable drugs will be included in the next subsequent edition of the formulary.

(3) In accordance with the department's rules and regulations drugs are provided for the necessary and essential medical care of recipients of medical assistance, medical care services and the limited casualty program.

AMENDATORY SECTION (Amending Order 2233, filed 5/15/85)

WAC 388-91-030 DRUGS—PRESCRIPTION CLAIM, FORM 525-106 (PHARMACY STATEMENT). (1) The department's official prescription claim, Form 525-106, must be used by the pharmacist. A supply may be obtained from provider services, division of medical assistance.

(2) Only four prescriptions may be entered on Form 525-106. Each prescription must bear specified unit and interval dosage.

(3) Only prescriptions for formulary drugs ~~((only))~~ may be refilled at the discretion and choice of the prescribing physician. The use of presigned prescription blanks to be filled out by the nursing home operators or pharmacists is prohibited. This practice shall be considered sufficient grounds for cancelling the vendor agreement of participating providers involved.

(4) To assure prompt payment, a coupon from the recipient's medical care identification booklet, Form DSHS 13-30, should be attached by the pharmacist to the individual's prescriptions. When a coupon is not available the provider may submit a billing without this coupon although the processing by the department may be somewhat slower. Payment will be made for all appropriate goods and/or services provided to eligible recipients.

(5) Accurate recording of all data on the pharmacy statement is essential. Any error or lack of clarity in the prescription national drug code (NDC) number or number of units dispensed will delay payment. Typed prescriptions are preferred and expedite payment.

AMENDATORY SECTION (Amending Order 2233, filed 5/15/85)

WAC 388-91-016 DRUGS—LIMITATIONS TO PAYMENT. (1) The department does not provide:

(a) Any drug regularly supplied as an integral part of program activity by other public agencies such as the ~~((U.S.))~~ United States Veterans' Administration, ~~((U.S.))~~ United States Department of Health and Human Services, Division of Indian Health, local health department, etc.;

(b) Drugs, biologicals, supplies, appliances, and equipment furnished by an extended care facility under Title XVIII of the Social Security Act;

(c) Drugs ordered for a hospitalized patient. These are to be furnished by the hospital;

(d) Drugs to individuals who have elected to be enrolled in a special group medical coverage contract which includes the provision of drugs as a part of the contract.

(e) Drugs listed in the federal register as "less than effective." Payment will not be made for such prescriptions under any circumstances.

(2) Prescribed nonformulary drugs will be allowed for unusual conditions only when approved by the ~~((local medical consultant))~~ department see WAC 388-91-020.

(3) The physician who provides a drug (oral or by injection) incidental to an office call may include a fee established by the ~~((division))~~ department on the basis of

the acquisition cost of the drug in addition to his office call fee. In the event the cost of the drug given the patient exceeds this fee, the physician may include on his invoice for his professional services to the patient the actual cost of the drug indicating name of manufacturer and strength of dosage.

(4) Payment shall not be made for a prescription ordered for an individual recipient and used to replace drugs drawn from the doctor's stock for the treatment of such recipient. Payment shall not be allowed for experimental or controversial medications (~~and those unrelated to the above~~).

AMENDATORY SECTION (Amending Order 2233, filed 5/15/85)

WAC 388-91-020 NONFORMULARY PRESCRIPTION DRUGS(~~(=MEDICAL CONSULTANT APPROVAL)~~). (1) (~~(Normal requests:)~~) A request for nonformulary (~~(prescription)~~) drugs must be submitted by the attending physician to the (~~(local medical consultant)~~) department for prior approval. The request must be (~~(to meet a medically mandatory condition)~~) supported by (~~(proper)~~) the medical diagnosis and include proper justification for the nonformulary drug.

(2) (~~(Emergency requests:)~~) Payment may be made for nonformulary drugs prescribed without prior approval only (~~(on)~~) in an acute emergency, and if the physician can substantiate that a nonformulary drug is mandatory. Justification must be (in) received by the (department's CSO) department within seventy-two hours for consideration (by the medical consultant).

AMENDATORY SECTION (Amending Order 1725, filed 12/3/81)

WAC 388-91-040 DRUGS—PRICING STANDARDS. (1) (~~(Whenever possible all drugs and prescriptions must be confined to those listed in the department's current drug formulary:)~~) Maximum cost allowed for all drugs, including generic drugs, will be determined by the department.

(2) The department shall not be charged more than the general public. Pricing practices such as granting discounts, special commissions, fees, etc., to patients, institutions, or corporations shall be taken into account by the department and the pharmacist in defining the charge to the general public.

(3) There shall be no differential in pricing prescriptions issued in less than manufacturer's size.

(4) The department will not pay more than the lower of ingredient cost plus a dispensing fee or the provider's usual and customary charge to the public. Ingredient cost will be set at the estimated acquisition cost, which is the department's best estimate of the price providers generally are paying for a drug. The dispensing fee will be set by taking into account the results of surveys and the costs of pharmacy operation. Reimbursement may also be made through exclusive service contracts for the provision of prescription drugs for nursing home patients.

(5) True unit dose systems recognized by the department require(s) each patient's medication to be delivered to the facility a minimum of five days a week or delivery of medical carts every other day with daily service available.

(6) Modified unit dose systems (also known as blister packs, "bingo" or punch cards) recognized by the department require each patient's medication be delivered in individually sealed single or multiple dose packages, and in quantities sufficient to meet specified minimums or one month's supply. Providers shall be paid a special dispensing fee per prescription. This special fee shall not apply to creams, ointments, ophthalmic preparations, and oral liquids.

AMENDATORY SECTION (Amending Order 1684, filed 7/29/81)

WAC 388-91-050 OUT-OF-STATE PRESCRIPTIONS. (1) Drugs provided residents of the state of Washington who are temporarily out of the state as defined in WAC 388-26-060 and 388-30-055 shall be authorized as part of medical care within the scope of WAC 388-86-115. Border situations as described by WAC (~~(388-82-030 (4) and (5))~~) 388-82-130 are not subject to out-of-state rules and are to be considered as care provided in the state of Washington.

(2) Drugs provided by out-of-state pharmacists (bordering cities excepted) shall require the approval of the (~~(local medical consultant)~~) department before payment can be made.

**WSR 86-01-081**

**NOTICE OF PUBLIC MEETINGS  
JOINT CENTER FOR  
HIGHER EDUCATION**

[Memorandum—December 13, 1985]

At a special meeting of the Joint Center for Higher Education in Spokane held December 11, 1985, the Center Administrative Board established the second Wednesday of each month as its regular meeting date for each month during 1986. Each meeting is to commence at 9:30 a.m. at the Main Center of the Spokane Chamber of Commerce, West 1020 Riverside Avenue, Spokane, Washington.

The meeting dates are reflected below:

January 8  
February 12  
March 12  
April 9  
May 14  
June 11  
July 9  
August 13  
September 10  
October 8  
November 12  
December 10

**WSR 86-01-082**  
**ADOPTED RULES**  
**APPLE ADVERTISING COMMISSION**  
 [Order 17—Filed December 18, 1985]

Be it resolved by the Washington State Apple Advertising Commission, acting at the Convention Center, Wenatchee, Washington, that it does adopt the annexed rules relating to collection procedures for delinquent assessments.

This action is taken pursuant to Notice No. WSR 85-21-007 filed with the code reviser on October 4, 1985. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Washington State Apple Advertising Commission as authorized in RCW 15.24.070(1).

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 December 12, 1985.

By James A. Cline  
 Chairman

AMENDATORY SECTION (Amending Order 16, filed 9/20/84)

WAC 24-12-012 COLLECTION OF ACCOUNTS. (1) The Commission shall obtain from the Department of Agriculture a record of all shipments of fresh apples and shall from this record periodically invoice all apple dealers and handlers shown thereon for assessments on apples levied pursuant to WAC 24-12-010. The date of the invoice shall be known as the billing date.

(2) Assessments not paid within twenty (20) days from the billing date shall be delinquent. (~~(; and the Commission shall thereupon send a notice of delinquency to the dealer or handler involved. A copy of the notice of delinquency shall be sent at the same time to the district inspection office of the Department of Agriculture.))~~ If the delinquent assessments are not paid within thirty-five (35) days from the billing date, a ((second)) notice of delinquency shall be sent to the dealer or handler involved with a copy to the district inspection office of the Department of Agriculture stating that if the delinquent assessments are not paid within forty-five (45) days from the billing date the dealer or handler involved will thereafter be put on a cash basis until the delinquent assessments are paid, ((and that if the delinquent assessments are not paid within sixty (60) days from the billing date, the Compliance Book of Compliance Certificates will be removed by the Department of Agriculture and inspection service will be withdrawn. Inspection service will be reinstated only upon mutual agreement of the Department of Agriculture and the Commission and after all delinquent assessments have been paid. Delinquent assessments not paid within thirty-five (35) days

~~of the billing date shall bear interest at the maximum legal rate, not to exceed 1-1/2% per month, and in case of suit to collect said delinquent assessments, the Commission shall be allowed, in addition to any other relief granted, reasonable attorney fees and its costs of suit.~~

~~(3) The foregoing procedure for collection of assessments shall apply to all shipments of apples disclosed by Department of Agriculture records on or after September 7, 1984.)) and that the Compliance Certificate Book will be removed by the Department of Agriculture, and if the delinquent assessments are not paid within sixty (60) days from the billing date, inspection service will be withdrawn.~~

If at any time an account thereafter is again unpaid in the same crop year shipping season for more than thirty-five (35) days from the billing date, the Commission may, without further notice, immediately place the dealer or handler on a cash basis for the remainder of the crop year shipping season, or such shorter period as the Commission may at its option specify, and the Compliance Certificate Book will be removed by the Department of Agriculture. If said subsequent delinquency shall continue more than sixty (60) days from the billing date, inspection service will be withdrawn.

Once withdrawn, inspection service will be reinstated only upon mutual agreement of the Department of Agriculture and the Commission and after all delinquent assessments have been paid.

(3) Delinquent assessments not paid within thirty-five (35) days of the billing date shall bear interest at the maximum legal rate, not to exceed 1-1/2% per month, and in case of suit to collect said delinquent assessments, the prevailing party shall, in addition to any other relief granted, be allowed an attorneys fee in such amount as the court in its discretion deems reasonable, together with costs of suit.

**WSR 86-01-083**  
**PROPOSED RULES**  
**DEPARTMENT OF LICENSING**  
**(Board of Funeral Directors and Embalmers)**  
 [Filed December 18, 1985]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Funeral Directors and Embalmers intends to adopt, amend, or repeal rules concerning registration fee for endorsement for crematory operations, WAC 308-48-790;

that the agency will at 5:30 p.m., Friday, January 31, 1986, in the Cascade Room, Vance Motor Inn, 18220 Pacific Highway South, 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 18.39.175(4) as amended by section 6, chapter 402, Laws of 1985.

The specific statute these rules are intended to implement is chapter 402, Laws of 1985.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 31, 1986.

Dated: December 18, 1985

By: Cynthia J. Jones  
Executive Secretary

### STATEMENT OF PURPOSE

Name of Agency: Washington State Board of Funeral Directors and Embalmers.

Purpose: To implement chapter 402, Laws of 1985, to provide for a registration fee and a renewal fee for endorsements for crematory operations.

Statutory Authority: Section 6, chapter 402, Laws of 1985.

Intended to Implement: Chapter 402, Laws of 1985.

Summary: Sets a registration fee, a renewal fee, and an expiration date for crematory endorsements.

Reason Proposed: Will enhance the board's ability to ensure the professionalism and public trust expected of those entrusted with the disposition of the human dead by cremation.

Responsible Departmental Personnel: The Washington State Board of Funeral Directors and Embalmers and the executive secretary for the board have the responsibility for drafting, implementing and enforcing these rules. The executive secretary is Cynthia J. Jones, 1300 Quince Street S.E., Olympia, Washington 98504, phone (206) 753-6936 comm, 234-6936 scan.

Proponents of the Proposed Rule: Washington State Board of Funeral Directors and Embalmers.

Federal Law or Federal or State Court Requirements: Not necessitated as the result of federal or state court action.

### NEW SECTION

WAC 308-48-790 REGISTRATION FEE FOR CREMATORY OPERATIONS. The registration fee and the annual renewal fee for an endorsement for crematory operations is twenty-five dollars. Crematory endorsements shall expire annually on June 30.

### WSR 86-01-084

#### ADOPTED RULES

#### DEPARTMENT OF LICENSING

#### (Board of Practical Nursing)

[Order PL 574—Filed December 18, 1985]

Be it resolved by the Washington State Board of Practical Nursing, acting at Olympia, Washington, that it does adopt the annexed rules relating to standards of conduct for discipline for licensed practical nurses, adopting new section WAC 308-117-025.

This action is taken pursuant to Notice No. WSR 85-21-103 filed with the code reviser on October 23, 1985. 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 18.78.050 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED December 13, 1985.

By Barbara Phillips  
Assistant Attorney General  
Board Counsel

### NEW SECTION

WAC 308-117-025 STANDARDS OF CONDUCT FOR DISCIPLINE FOR LICENSED PRACTICAL NURSES. The standards of conduct for discipline will serve as guidelines for the licensed practical nurse as to what is considered to be good licensed practical nurse practice. Violation of these standards may be grounds for action with regard to the license to practice practical nursing pursuant to RCW 18.78.135(9). Each individual, upon entering the practice of licensed practical nursing, assumes a measure of responsibility and trust and the corresponding obligation to adhere to the standards of conduct, which include, but are not limited to the following:

(1) The licensed practical nurse, functioning under the direction and supervision of other licensed health care professionals as provided in RCW 18.78.010(5), shall be responsible and accountable for his or her own nursing judgments, actions and competence.

(2) The licensed practical nurse shall practice practical nursing in the state of Washington only with a current Washington license.

(3) The licensed practical nurse shall not permit his or her license to be used by another person for any purpose.

(4) The licensed practical nurse shall have knowledge of the statutes and rules governing licensed practical nurse practice and shall function within the legal scope of licensed practical nurse practice.

(5) The licensed practical nurse shall not aid, abet or assist any other person in violating or circumventing the laws or rules pertaining to the conduct and practice of licensed practical nursing.

(6) The licensed practical nurse shall not disclose the contents of any licensing examination or solicit, accept or compile information regarding the contents of any examination before, during or after its administration.

(7) The licensed practical nurse shall delegate activities only to persons who are competent and qualified to undertake and perform the delegated activities, and shall not delegate to unlicensed persons those functions that are to be performed only by licensed nurses.

(8) The licensed practical nurse, in delegating functions, shall supervise the persons to whom the functions have been delegated.

(9) The licensed practical nurse shall act to safeguard clients from unsafe practices or conditions, abusive acts, and neglect.

(10) The licensed practical nurse shall report unsafe acts and practices, unsafe practice conditions, and illegal acts to the appropriate supervisory personnel or to the appropriate state disciplinary board.

(11) The licensed practical nurse shall respect the client's privacy by protecting confidential information, unless required by law to disclose such information.

(12) The licensed practical nurse shall make accurate, intelligible entries into records required by law, employment or customary practice of nursing, and shall not falsify, destroy, alter or knowingly make incorrect or unintelligible entries into client's records or employer or employee records.

(13) The licensed practical nurse shall not sign any record attesting to the wastage of controlled substances unless the wastage was personally witnessed.

(14) The licensed practical nurse shall observe and record the conditions of a client, and report significant changes to appropriate persons.

(15) The licensed practical nurse may withhold or modify client care which has been authorized by an appropriate health care provider, only after receiving directions from an appropriate person, unless in a life threatening situation.

(16) The licensed practical nurse shall leave a nursing assignment only after properly reporting to and notifying appropriate persons and shall not abandon clients.

(17) The licensed practical nurse shall not misrepresent his or her education and ability to perform nursing procedures safely.

(18) The licensed practical nurse shall respect the property of the client and employer and shall not take equipment, materials, property or drugs for his or her own use or benefit nor shall the licensed practical nurse solicit or borrow money, materials or property from clients.

(19) The licensed practical nurse shall not obtain, possess, distribute or administer legend drugs or controlled substances to any person, including self, except as directed by a person authorized by law to prescribe drugs.

(20) The licensed practical nurse shall not practice nursing while affected by alcohol or drugs, or by a mental, physical or emotional condition to the extent that there is an undue risk that he or she, as a licensed practical nurse, would cause harm to him or herself or other persons.

(21) It is inconsistent with good licensed practical nursing practice to perform functions below the minimum standards of competency as expressed in WAC 308-117-400.

**WSR 86-01-085**

**ADOPTED RULES**

**DEPARTMENT OF LICENSING  
(Veterinary Board of Governors)**

[Order PL 575—Filed December 18, 1985]

Be it resolved by the Washington State Veterinary Board of Governors, acting at Seattle, Washington, that it does adopt the annexed rules relating to veterinary code of ethics:

Amd WAC 308-150-009 Emergency treatment.

Rep	WAC 308-150-012	Provision of alternate veterinary services for clients.
New	WAC 308-150-013	Emergency services.
New	WAC 308-150-014	Honesty, integrity and fair dealing.

This action is taken pursuant to Notice No. WSR 85-22-079 filed with the code reviser on November 6, 1985. 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 18.92.030 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 December 10, 1985.  
By Stanley B. Coe, DVM  
Chairman

Chapter 308-150 WAC  
**VETERINARY BOARD OF GOVERNORS —  
VETERINARY CODE OF PROFESSIONAL  
CONDUCT/ETHICS**

AMENDATORY SECTION (Amending Order PL 351, filed 7/23/80)

~~WAC 308-150-009 EMERGENCY ((TREATMENT)) CARE OF ANIMALS OF UNKNOWN OWNERSHIP. The veterinarian shall endeavor to provide at least minimal treatment to alleviate the suffering of an animal presented in ((instances where no services have been requested or authorized, if the animal is presented to the veterinarian's clinic or facility during post-office hours)) the absence of the owner or his agent. ((After-hours emergency treatment is encouraged, but may be accepted or rejected by the veterinarian as determined by his or her professional judgment.))~~

NEW SECTION

WAC 308-150-013 EMERGENCY SERVICES. Emergency service shall be provided at all times. This requirement does not mean that a veterinary medical facility must be open to the public at all times but that the provision of professional services must be accomplished by appropriate means such as the assignment of staff or cooperation between practices or the after-hours emergency veterinary medical facility serving the area. In the absence of an emergency veterinary medical facility serving the area, the phone shall be answered at all times so that inquirers can be told if the veterinarian is available and, if not, where alternative emergency service is available.

NEW SECTION

WAC 308-150-014 HONESTY, INTEGRITY AND FAIR DEALING. A veterinarian shall conduct his/her practice on the highest plane of honesty, integrity and fair dealing with his/her clients in time and services rendered, and in the amount charged for services,



facilities, appliances and drugs. It is unprofessional and unethical for a veterinarian to attempt to mislead or deceive a client or to make untruthful statements or representations to a client.

### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 308-150-012 Provision of alternate veterinary services for clients.

### **WSR 86-01-086**

#### **ADOPTED RULES**

#### **DEPARTMENT OF LICENSING**

#### **(Board of Examiners for Nursing Home Administrators)**

[Order PL 576—Filed December 18, 1985]

Be it resolved by the Washington State Board of Examiners for Nursing Home Administrators, acting at Seattle, Washington, that it does adopt the annexed rules relating to registration of licenses, WAC 308-54-180.

This action is taken pursuant to Notice No. WSR 85-22-078 filed with the code reviser on November 6, 1985. 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 18.52.100(14) which directs that the Washington State Board of Examiners for Nursing Home Administrators has authority to implement the provisions of chapter 18.52 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 December 16, 1985.

By Ronald Klipping  
Chairman

### AMENDATORY SECTION (Amending Order PL 348—Filed 7/1/80)

WAC 308-54-180 REGISTRATION OF LICENSES. (1) Every person who holds a valid nursing home administrator's license shall reregister it annually with the director on dates specified by the director by making application for reregistration on forms provided by the director. Such reregistration shall be granted automatically upon receipt of the annual fee, provided, however, that the requirement of continuing education as described in WAC 308-54-150 is fully met.

(2) Any license holder not reregistered within thirty days after the date for reregistration specified by the director, will be charged a penalty fee as set forth in WAC 308-54-310 annually in addition to his annual registration fee. In the event that the license of an individual is not reregistered within ((three)) two years from the most recent date for reregistration, such license shall

lapse and the individual must again apply for licensing and meet all the requirements for a new applicant.

### **WSR 86-01-087**

#### **PROPOSED RULES**

#### **ARTS COMMISSION**

[Filed December 19, 1985]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Arts Commission intends to adopt, amend, or repeal rules concerning the commission's purpose, goals, organization, office location, office hours, procedures for public records requests, practice and procedures for commission and committee meetings, and general rules applicable to all programs and services;

that the agency will at 3:00 p.m., Friday, January 24, 1986, in the Carnegie Room, Carnegie's, South Franklin and East 7th, Olympia, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on Friday, March 21, 1986.

The authority under which these rules are proposed is RCW 43.46.040 and chapter 34.04 RCW.

The specific statute these rules are intended to implement is chapter 43.46 RCW, RCW 43.17.200, 43.17-.205, 43.17.210, 43.19.455, 28A.58.055, 28B.10.025 and 28B.10.027.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before Tuesday, January 21, 1986, at 5:00 p.m.

Dated: December 18, 1985

By: Michael A. Croman  
Executive Director

### STATEMENT OF PURPOSE

Description of Purpose: To establish rules in compliance with the provisions of chapters 42.17 and 42.30 RCW and RCW 43.46.040 as amended by chapter 3L, Laws of 1985.

Statutory Authority: Chapter 43.46 RCW, RCW 43-.17.200, 43.17.205, 43.17.210, 43.19.455, 28A.58.055, 28B.10.025 and 28B.10.027.

Summary of Rules: Describing the commission's purpose and goals, organization, office location and hours, procedures for public records requests, practice and procedures for commission and committee meetings, and general rules that apply to all programs and services.

Reasons Supporting Proposed Action: Ensures compliance with the provisions of chapters 42.17 and 42.30 RCW and RCW 43.46.040. Provides the public with general rules applying to agency programs and services.

Agency Personnel Responsible for Drafting, Implementing and Enforcing Rules: Michael A. Croman, Executive Director and Mary L. Frye, Assistant Director, 9th and Columbia Building, Room 110, Mailstop GH-11, Olympia, Washington 98504-4111, (206) 753-3860.

Proponents and Opponents: The Arts Commission proposes the rules.

Agency Comments: Proposed rules are in response to 1985 revisions to agency enabling legislation to adopt rules under the Administrative Procedure Act.

Federal Law/Court or State Court Action: These rules are not the result of federal law or federal or state court action.

Small Business Economic Impact Statement: The agency has determined that there would be no economic impact upon small businesses by the adoption of these rules.

Chapter 30-01 WAC  
WASHINGTON STATE ARTS COMMISSION

WAC

30-01-010	Purpose.
30-01-020	Authority.
30-01-030	Definitions.
30-01-040	Description of commission's purpose and goals.
30-01-050	Organization.
30-01-060	Office location and hours—Correspondence to staff.

NEW SECTION

WAC 30-01-010 PURPOSE. The purpose of this chapter is to ensure compliance by the Washington state arts commission with the provisions of chapter 42.17 RCW.

NEW SECTION

WAC 30-01-020 AUTHORITY. The Washington state arts commission is authorized by RCW 43.46.040 to adopt rules under the provisions of the Administrative Procedure Act, chapter 34.04 RCW.

NEW SECTION

WAC 30-01-030 DEFINITIONS. The following definitions shall apply throughout this title:

- (1) "Washington state arts commission" means the commission established pursuant to RCW 43.46.015.
- (2) "Commission" means the Washington state arts commission.
- (3) "Commissioners" means the members of the commission who are appointed pursuant to RCW 43.46.015.
- (4) "Chairperson" means that person elected pursuant to RCW 43.46.040.
- (5) "Executive director" means that person employed pursuant to RCW 43.46.045 to carry out the functions of that chapter.
- (6) "Staff" means those persons employed by the executive director pursuant to RCW 43.46.045.
- (7) "Committees" means those subgroups of the commission appointed by the chairperson as described in WAC 30-01-050(5).
- (8) "Committee chairpersons" means those persons appointed by the chairperson of the commission as described in WAC 30-01-050(3).
- (9) "Public records" include any writing containing information pertaining 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.
- (10) "Writing" means handwriting, typewriting, printing, photostating, 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.

NEW SECTION

WAC 30-01-040 DESCRIPTION OF COMMISSION'S PURPOSE AND GOALS. (1) The commission is charged with the conservation and development of the state's artistic resources as described in RCW 43.46.005. It is a citizens' commission consisting of nineteen members appointed by the governor and two members of the legislature. It is authorized by RCW 43.46.050 to study, plan, and advise the governor, state departments, and the legislature regarding cultural development. Through the authority granted by RCW 43.46.055, the

commission may administer any activity, and assist any person or agency in programs or projects related to the growth and development of the arts and humanities.

(2) Statement of purpose. The commission has adopted as its statement of purpose: To improve the growth, development, and preservation of the arts, striving in all programs to maintain the highest possible quality.

(3) Goals. The commission has adopted the following goals:

- (a) To improve the availability and access to the arts for all Washington residents;
- (b) To conserve and develop the state's artistic resources, its artists, works of art, and arts institutions;
- (c) To advocate society's need for the arts;
- (d) To enhance education through the involvement of professional artists in all arts disciplines in schools and other educational settings.

NEW SECTION

WAC 30-01-050 ORGANIZATION. (1) Officers. The officers of the commission shall be chairperson, first vice-chairperson, and second vice-chairperson.

(2) Election of officers. At each mid-year meeting of the calendar year, the current chairperson shall appoint a nominating committee. At the first meeting of each year, the nominating committee will report its recommendations for officers, after which nominations shall be open to the floor. An election shall be held by secret ballot and the member receiving the highest number of votes for each of the three positions shall be declared elected to the position for the coming year. The officers shall act as chairperson, first vice-chairperson, and second vice-chairperson until the next election or successors are elected. Vacancies may be filled by the chairperson between annual elections of officers.

(3) Duties of officers.

(a) The chairperson shall preside at all meetings of the commission, shall act as principal spokesperson for the commission, represent the commission between meetings, appoint standing and ad hoc committees, appoint committee chairpersons, remove members of committees, act as an ex officio member of all standing committees, provide a regular report to the commission regarding recent actions and activities, and perform other duties that pertain to the office. The chairperson shall lead commission activities in close partnership with the executive director, and coordinate with the executive director in the planning and arrangements for all meetings of the commission. The chairperson shall inform the executive director or prospective executive director of the terms of his/her employment and shall be responsible for the supervision of the executive director.

(b) The vice-chairperson shall act as chairperson in the absence or incapacity of the chairperson.

(c) The second vice-chairperson shall act as chairperson in the absence or incapacity of both the chairperson and the first vice-chairperson.

(4) Interim committee. The chairperson, first vice-chairperson, second vice-chairperson, and one commissioner at-large appointed by the chairperson shall constitute the interim committee. The interim committee may act on behalf of the commission between regular meetings when such action is necessary to authorize staff implementation of a required function in a timely manner. Any committee action shall be ratified at the next regular meeting of the commission.

(5) Committees. The chairperson shall appoint such committees as the commission or the chairperson shall deem necessary to carry on the business of the commission. A committee may act on behalf of the commission between regular meetings when such action is necessary to authorize staff implementation of a required function in a timely manner, and when such action has been specifically authorized in advance by a majority vote taken at a regular meeting of the commission. Any committee action shall be ratified at the next regular meeting of the commission.

NEW SECTION

WAC 30-01-060 OFFICE LOCATION AND HOURS—CORRESPONDENCE TO STAFF. (1) The official administrative location of the commission and its staff is at the Washington State Arts Commission, 9th and Columbia Building, Room 110, Olympia, Washington, 98504-4111. The commission office shall be open each day for the transaction of business from 8:00 a.m. to 5:00 p.m. (Saturdays, Sundays, and legal holidays excepted, and except for business relating to public records, which is governed by WAC 30-04-040.)

(2) Address for communications. All communications with the commission, including but not limited to the submission of materials pertaining to its operations and these rules, requests for copies of the commission's decisions and other matters shall be addressed as follows: Washington State Arts Commission, 9th and Columbia Building, Room 110, Mail Stop GH-11, Olympia, Washington, 98504-4111, 206/753-3860.

Chapter 30-04 WAC  
PUBLIC RECORDS

WAC

30-04-010	Purpose.
30-04-020	Public records available.
30-04-030	Public records officer.
30-04-040	Office hours.
30-04-050	Requests for public records.
30-04-060	Copying.
30-04-070	Exemptions.
30-04-080	Review of denials of public records requests.
30-04-090	Protection of public records.
30-04-100	Adoption of form.
30-04-110	Request for public record form.
30-04-120	Records index.

NEW SECTION

WAC 30-04-010 PURPOSE. The purpose of this chapter is to ensure compliance by the Washington state arts commission with the provisions of RCW 42.17.250 through 42.17.320 dealing with public records.

NEW SECTION

WAC 30-04-020 PUBLIC RECORDS AVAILABLE. All public records of the commission as defined in WAC 30-01-030(9), are available for public inspection and copying pursuant to these rules, except as otherwise provided by RCW 42.17.310 and WAC 30-04-070.

NEW SECTION

WAC 30-04-030 PUBLIC RECORDS OFFICER. The commission's public records shall be in the charge of the public records officer designated by the executive director. The person so designated shall be located in the office. The public records officer shall be responsible for the following: The implementation of commission policy in regard to the release of public records, coordinating the staff of the office in this regard, and generally insuring staff compliance with the public disclosure requirements of chapter 42.17 RCW.

NEW SECTION

WAC 30-04-040 OFFICE HOURS. Public records shall be available for inspection and copying during the customary office hours. For the purposes of this chapter, the customary office hours shall be from 9:00 a.m. to noon and from 1:00 p.m. to 4:00 p.m., Monday through Friday, (excluding Saturdays, Sundays, and legal holidays). All public records of the commission are located at the Washington State Arts Commission, 9th and Columbia Building, Room 110, Olympia, Washington.

NEW SECTION

WAC 30-04-050 REQUESTS FOR PUBLIC RECORDS. In accordance with the requirements of chapter 42.17 RCW, that agencies prevent unreasonable invasion 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 procedure:

(1) A request shall be made in writing upon a form prescribed herein which shall be available at the location indicated in WAC 30-04-040. The form shall be presented to the public records officer, or to another designated member of the staff if the public records officer is not available, during customary office hours. The request shall include the following information:

- The name of the person requesting the record;
- 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 public 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) The public records officer, or staff person assisting the member of the public making the request, will ascertain whether or not the information requested is exempt from public inspection and copying as outlined in WAC 30-04-070 and further defined in RCW 42.17.310. Included therein, but not limited to, are such exemptions as personal information that may violate the rights of privacy of the individual, national defense information, certain aspects of real estate appraisals as outlined in RCW 42.17.310 (1)(g), and other particular information.

(3) Only after a determination has been made that all or such portion of a public record as is not deleted may be inspected shall such public record or portion thereof be made available for inspection by a member of the public.

(4) In all cases, it shall be the obligation of the public records officer, or staffperson to whom the request is made, to:

(a) Locate the specific document(s) requested by the member of the public in the most timely manner possible;

(b) Assist the member of the public in appropriately identifying the public record requested;

(c) Protect and otherwise prevent damage to the public record being inspected and copied;

(d) Prevent disorganization of file folders or document containers;

(e) Remain in the company of the member of the public at all times during which a public document is being inspected, and provide the fullest assistance possible;

(f) Prevent excessive interference with the other essential functions of the agency.

(5) Only the staff and members of the commission may open files to gain access to commission records.

(6) No public record of the commission may be taken from the premises of the commission by a member of the public.

(7) Public inspection of commission records shall be done only in such locations as are approved by the public records officer, which locations must provide an opportunity for staff to ensure that no public record of the commission is damaged, destroyed, unreasonably disorganized or removed from its proper location or order by a member of the public.

(8) Public records of the commission may be copied only on the copying machine of the commission unless other arrangements are authorized by the public records officer.

NEW SECTION

WAC 30-04-060 COPYING. No fee shall be charged for the inspection of public records. The commission shall charge twenty-five cents per page for copies of public records and the use of commission copy equipment. This charge is the amount necessary to reimburse the commission for its actual cost incident to such copying. If the public records officer deems it more efficient to have copying done outside the agency, the charges will be based on the actual cost of such outside copying service.

NEW SECTION

WAC 30-04-070 EXEMPTIONS. (1) The commission reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 30-04-050 is exempt under the provisions of RCW 42.17.310.

(2) The commission reserves the right to allow the public to only inspect certain public records where there is reason to believe that the ability to copy such records would be a violation of contractual copy-right agreements.

(3) In addition, pursuant to RCW 42.17.260, the commission reserves the right to delete identifying details when it makes available or publishes any public record in any cases where there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by chapter 42.17 RCW. The public records officer will justify such deletion in writing.

(4) 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 withheld.

NEW SECTION

WAC 30-04-080 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 rendering a written request for review. The written request shall specifically refer to the written statement by the public records officer or other staffperson which constituted or accompanied the denial.

(2) Immediately after receiving a written request or review of a decision denying a public record, the public records officer or other staffperson denying the request shall refer it to the executive director or designee. The executive director shall immediately consider the matter and either affirm or reverse such denial. In any case, the request shall be returned with a final decision, within two days following the written request for review of the original denial.

(3) Administrative remedies shall not be considered exhausted until the executive director has returned the petition with a decision or until the close of the second business day following the request for review, whichever occurs first.

NEW SECTION

WAC 30-04-090 PROTECTION OF PUBLIC RECORDS. (1) Records are available for inspection and copying at the location and during office hours identified in WAC 30-04-040 and then only in the presence of an authorized staffperson of the commission and with the aid and assistance of such staffperson.

(2) The viewing of those records that require specialized equipment shall be limited to the availability of that equipment located at the commission office and the availability of authorized staff to operate that equipment.

(3) The viewing of those public records that require specialized equipment shall be by appointment only. The request for an appointment shall be made on the request for public record form as provided in WAC 30-04-100 and 30-04-110. Staff shall acknowledge such request for an appointment within two working days of the receipt of such request and will provide the requester with the date(s) that such an appointment could be kept by an authorized staffperson.

NEW SECTION

WAC 30-04-100 ADOPTION OF FORM. The commission hereby adopts for use by all persons requesting inspection or copies of its records, the form attached hereto as WAC 30-04-110, entitled "Request for Public Record Form."

NEW SECTION

WAC 30-04-110 REQUEST FOR PUBLIC RECORD FORM.

Form for Request for Public Record. Includes fields for Washington State Arts Commission address, requester name, phone, street address, city, state, zip, date of request, and time.

Completed by Arts Commission Office

Form for viewing records. Includes fields for number of copies requested/provided, appointment dates and times, amount received, and special equipment requirements.

AGREEMENTS: I have read, understand, and will comply with the rules of the Washington State Arts Commission governing the inspection and copying of public records. I also agree that any list of individuals and/or information provided me by the Commission shall not be used for any commercial purpose...

Form for signature and acknowledgement. Includes fields for signature of requester, date, and acknowledgement of receipt with date and time.

Form for signature of staff recipient and reason if agency is unable to comply.

WAC 30-04-110 (12/85) Washington State Arts Commission

NEW SECTION

WAC 30-04-120 RECORDS INDEX. The commission shall provide a current records index based on those records available in the commission office and outlined on the commission's schedule for archival of official agency records.

Table listing Chapter 30-08 WAC Practice and Procedure. Lists WAC codes (30-08-010 to 30-08-070) and their corresponding purposes (e.g., Uniform procedure rules, Commission meetings, etc.).

NEW SECTION

WAC 30-08-010 PURPOSE. The purpose of this chapter is to ensure compliance by the Washington state arts commission with the provisions of chapters 42.17 and 42.30 RCW, in particular those sections which deal with procedures and meetings.

**NEW SECTION**

**WAC 30-08-020 UNIFORM PROCEDURE RULES.** Practice and procedure in and before the commission are governed by the uniform procedural rules codified in the Washington Administrative Code, WAC 1-08-005 through 1-08-590, as now or hereafter amended, which rules the commission adopts as its own, subject to any additional rules the commission may choose to adopt. The commission reserves the right to make whatever determination is fair and equitable should any question not covered by its rules come before the commission, said determination to be in accordance with the spirit and intent of the law.

**NEW SECTION**

**WAC 30-08-030 COMMISSION MEETINGS.** (1) General schedule. The commission shall meet at least five times each year and at such other times as determined to be necessary. The meetings of the commission shall all be "regular" or "special meetings" as those designations are applied in chapter 42.30 RCW. Meetings may be called, subject to the notice requirements of chapter 42.30 RCW, at any time and place by the chairperson or a majority of the commissioners.

(2) Notice. Twenty days notice of all meetings shall be given by mailing a copy of the notice and draft agenda to each commissioner and to any person who has made a written request to the commission to receive meeting notices.

(3) Special or emergency meetings. The twenty-day notice may be waived for special or emergency meetings upon consent of a majority of the commission. In such cases, the provisions of RCW 42.30.080 will govern due notification of the time, place and business to be transacted.

(4) Executive session. An executive session may be called by the chairperson or a majority of the commission. Executive sessions shall deal only with matters authorized by chapter 42.30 RCW.

(5) Ballots by mail—Conference calls. Given the geographic distribution of the commissioners, the chairperson may call for a ballot by mail when an item calls for consideration by the full commission. The results of the vote shall be made available at the next regular meeting of the commission. The chairperson may also convene a meeting by conference call if the situation warrants immediate action by the full commission, subject to the notice requirements of chapter 42.30 RCW.

(6) Rules of order. The commission shall generally follow Robert's Rules of Order, newly revised, in conducting its business meetings.

(7) Quorum. A simple majority of the regularly appointed and acting members of the commission shall constitute a quorum. If all twenty-one positions are filled, the quorum shall be eleven.

(8) Voting rights. All officers of the commission shall have the right to vote on all matters before the commission, just as any other commissioner.

(9) Minutes. Minutes shall be kept of the proceedings of all commission meetings.

**NEW SECTION**

**WAC 30-08-040 COMMISSION MEETINGS—PUBLIC PARTICIPATION.** Any person or organization is encouraged to offer its points of view to the commission.

(1) Any person or organization wishing to make a formal presentation at a scheduled meeting of the commission shall notify the executive director in writing at least ten days prior to the time of the meeting. The commission or executive director may waive the ten-day notice period in the event the proposed presentation is of critical importance to the operation of the commission.

(a) Such notification shall contain the name of the person or organization that desires to make a presentation; the address and phone number of the person or organization; and the topic to be presented or discussed.

(b) Permission to make a presentation to the commission shall be granted by the executive director in consultation with the chairperson, as authorized by the commission.

(c) Confirmation of permission to make a presentation to the commission shall be made if at all possible, by the staff prior to the meeting of the commission, and shall include the date and time of the meeting, and the time set for the formal presentation.

(2) The chairperson shall have the discretion to recognize anyone in the audience who indicates at the time of the meeting a desire to speak at such meeting. Depending on the number of individuals wishing to

speak or the commission's sense of the business it must conduct, the chairperson may limit the time for comment to a reasonable period, but not less than five minutes.

**NEW SECTION**

**WAC 30-08-050 COMMISSION MEETING MATERIALS.** The commission and its staff will make every effort to make commission meeting materials available for viewing by the public at the time of the meeting, pursuant to WAC 30-04-010 through 30-04-120, except as otherwise provided by RCW 42.17.310. Due to the unpredictability of attendance at meetings, extra copies of meeting materials will be distributed until depleted. Requests can be made to the staff to provide copies by mail.

**NEW SECTION**

**WAC 30-08-060 COMMITTEE MEETINGS.** Committees shall follow the same procedures as the full commission.

**NEW SECTION**

**WAC 30-08-070 APPEAL PROCEDURE—AWARDS AND CONTRACTS.** The commission shall provide a procedure for applicants to appeal the commission's decisions when there is evidence that information available at the time of the commission's action was either not considered included in the review or was not clearly understood.

(1) Appeals may not be made based on new information not available at the time of the original decision.

(2) Appeals must be presented in writing to the executive director, outlining the nature of the appeal.

(3) The executive director, in consultation with the chairperson shall accept or reject the appeal.

(4) Upon confirmation that the appeal is legitimate, the executive director shall notify the commission and arrange for an appeals hearing at the next scheduled commission meeting. The appeal may be presented by the applicant at that time. The appeal must be presented in its entirety at that time and shall be considered final.

(5) The commission shall defer action to the next meeting of the commission, and must make it known to the applicant, at which time the final decision will be made.

(6) After final commission action on the appeal, the executive director or a designated staffperson shall notify the applicant of the decision in writing, within five working days after the date of the commission action.

(7) Administrative remedies shall not be considered exhausted until the applicant has received the written description of the commission's decision and action on the appeal or ten working days since the decision have passed, whichever occurs first.

(8) Appeals may not be made during the public portion of a commission meeting agenda and the commission shall not take action on any such presentations that may be made without the above review by the executive director and chairperson.

**Chapter 30-12 WAC  
GENERAL RULES****WAC**

30-12-010	Purpose.
30-12-020	Definitions.
30-12-030	Advisors and panels.
30-12-040	Support of individual artists.
30-12-050	Support of primary arts institutions.
30-12-060	Support of Washington artists and organizations.
30-12-070	Commissioning or purchase—Works of art.
30-12-080	Special audiences.
30-12-090	Native American arts.
30-12-100	Ethnic minorities.
30-12-110	Geographic distribution of services.
30-12-120	School, college and university activities.
30-12-130	Continuing support.
30-12-140	Conflict of interest—Subcontractor's board members.
30-12-150	Complimentary tickets.
30-12-160	Credits and endorsements of local programs.
30-12-170	Budget line items.

NEW SECTION

WAC 30-12-010 PURPOSE. The purpose of this chapter is to provide the public and the commission's constituents with those rules that apply generally to all commission programs and services, specifically, those that involve competitive application for support, awards or contracts for artistic services. In addition, each commission program or service has additional rules that apply. Those specific program rules are contained in chapters 30-16 through 30-52 WAC.

NEW SECTION

WAC 30-12-020 DEFINITIONS. In addition to the definitions found in WAC 30-01-030, the following definitions shall apply to this chapter:

- (1) "Art" shall be defined as:
  - (a) The production of the visual, literary, or performing arts;
  - (b) The study of these activities;
  - (c) The product of these activities.
- (2) "Professional artist" means a person generally recognized by critics and peers as a professional producing high quality work on a regular basis. Other indicators of professionalism include frequent or consistent exhibitions, performances, readings, publications, purchases by museums, commissions, honors and awards, and art training. Students enrolled in an on-going formal art education program and avocational practitioners are not considered professional. Hereinafter, professional artist will be referred to as "artist."
- (3) "Advisors and panels" means those individuals from which the commission as a part of its regular practice may seek advice in order to provide a comprehensive professional perspective in the decision-making process, but does not include commissioners or staff.
- (4) "Advisors" are individuals requested to make recommendations regarding programs, selections, and issues before the commission based on their expertise, training, or experience in a given field.
- (5) "Selection panels" recommend artists, artworks, or arts organizations for selection and contracting by the commission.
- (6) "Advisory panels" advise on commission directions and procedures.
- (7) "Endorsements" mean statements made in support of the activities of other organizations or individuals which may be used by the commission or the organizations or individuals to help promote local support or funding from other public and private sources.
- (8) "Support" means financial, technical, or information assistance provided by the commission and the staff to individuals or organizations.
- (9) "Primary arts institutions" are those organizations which:
  - (a) Serve as models of artistic and administrative achievement;
  - (b) Provide the highest quality of service to a broad segment of the public;
  - (c) Are recognized for their stature on a state, regional, or national level;
  - (d) Make a significant contribution to the arts discipline in which they specialize; and
  - (e) By the scope of their operations, generate a positive economic impact beyond their immediate locale.
- (10) "Complimentary tickets" are any free admissions provided by arts organizations to commissioners or staff.
- (11) A "Native American" is a person of recognized North American Indian descent through tribal affiliation or general tribal community recognition.

NEW SECTION

WAC 30-12-030 ADVISORS AND PANELS. (1) Advisory and selection panels are generally comprised of three to seven individuals whose expertise can address specific issues and program needs.

(2) Advisors and panel members are authorized to serve by the executive director, and may be reimbursed for their services and/or their travel expenses.

(3) Advisors and panels may refrain from making a recommendation, if, in their opinion, there is insufficient information or merit in the material under review.

(4) All advisor and panel recommendations are subject to the review and approval of the commission.

NEW SECTION

WAC 30-12-040 SUPPORT OF INDIVIDUAL ARTISTS. The commission recognizes the central role of the artist in the creation and

performance of artistic works. The commission will support and encourage these individuals through direct and indirect financial, technical, and information services.

NEW SECTION

WAC 30-12-050 SUPPORT OF PRIMARY ARTS INSTITUTIONS. The commission recognizes certain arts institutions as primary components of the state's cultural life deserving first consideration for financial support. The commission will provide general operations support. This assistance will contribute to the continued economic stability of the primary arts institutions and therefore full service to the general public.

NEW SECTION

WAC 30-12-060 SUPPORT OF WASHINGTON ARTISTS AND ORGANIZATIONS. The commission gives priority to projects involving resident artists and arts organizations; this does not preclude the use of outside artists/arts organizations capable of providing programs or services to Washington residents that are not available within Washington state or those that supplement the artists/arts organizations available in the state.

NEW SECTION

WAC 30-12-070 COMMISSIONING OR PURCHASE—WORKS OF ART. The commission believes that the means by which works of art are selected is of vital importance.

(1) Applications for the commissioning or purchase of works by professional, visual, performing or literary artists must include a selection procedure in which a jury comprised of professional artists and community representatives is involved.

(2) In instances where work is being commissioned or selected by a professional arts institution, the person or persons normally responsible for selection of artworks may be authorized to make the selection with advance approval of the executive director.

(3) Three customary selection procedures are approved by the commission:

(a) Open competition – Distribution of a request for proposals through the use of direct mailings and public notices in the media;

(b) Invitational competition – Direct invitations to known artists with not less than three invitations considered;

(c) Direct selection for purchase or commissioned work – Selection of one professional artist by a professional arts institution or arts professional normally responsible for selection of artworks.

NEW SECTION

WAC 30-12-080 SPECIAL AUDIENCES. The commission encourages projects designed to reach special audiences or citizens who are not regularly served by arts events. Whenever possible, the commission favors opportunities for these citizens to be served in the same manner as the general public, emphasizing mainstreaming versus special or exceptional treatment. These audiences may include the handicapped, institutionalized, elderly, or lower income groups.

NEW SECTION

WAC 30-12-090 NATIVE AMERICAN ARTS. The commission encourages the preservation and promotion of Native American art forms whether traditional or contemporary, existing or new creations. Preference will be given to Native American artists in projects involving their culture. Native American projects (visual arts, music, legends, dances, etc.) must clearly represent or be influenced by the Native American culture and heritage to be considered for support. Development of a project should include determination of proper ownership of any work involved, and written permission from the artist must precede any reproduction of works.

NEW SECTION

WAC 30-12-100 ETHNIC MINORITIES. The commission encourages projects by ethnic minorities who have been under-served by traditional funding sources. The commission is particularly supportive of projects that promote ethnic cultures through their traditional art forms and those that promote cross-cultural exposure within the community.

**NEW SECTION**

**WAC 30-12-110 GEOGRAPHIC DISTRIBUTION OF SERVICES.** The commission believes that access to the arts is equally important to all residents of the state. To make available arts opportunities among as many communities as possible, the commission may give special consideration to projects in communities which do not have reasonable access to high quality arts events or the resources to support them.

**NEW SECTION**

**WAC 30-12-120 SCHOOL, COLLEGE AND UNIVERSITY ACTIVITIES.** The commission provides financial support for activities sponsored by schools, colleges and universities only when the project will benefit and is made easily accessible to the general public. The proposed project must involve the community in planning and execution and significant attendance by the public must be demonstrated. The commission cannot support activities which might normally be considered a part of either regular or extra-curricular school programs. No course credit may be offered.

**NEW SECTION**

**WAC 30-12-130 CONTINUING SUPPORT.** Financial support from the commission must be considered by all recipients as supplementary to their normal sources of revenue and should not be expected to continue beyond the period of time as defined in any current contractual relationship with the commission.

**NEW SECTION**

**WAC 30-12-140 CONFLICT OF INTEREST—SUBCONTRACTOR'S BOARD MEMBERS.** The commission will consider financial support for projects that involve payments to members of the applicant's board of directors only if, it is clearly demonstrated that the services provided by the boardmember are within the individual's professional field, and that the contractual agreement has been authorized by the full board of the organization in accordance with its articles of incorporation and bylaws.

**NEW SECTION**

**WAC 30-12-150 COMPLIMENTARY TICKETS.** The following procedures are intended to guide the commission in its efforts to maintain an active liaison with its constituents, to appraise the work of the artistic community as it relates to commission programs, and to assure compliance with RCW 42.18.200 which defines the laws regarding the acceptance of anything of economic value by a state employee.

In the context of the commission's duties to evaluate its clients, commissioners or staff may request or accept complimentary tickets or free admissions to arts events which are presented by applicants for grants or events funded in whole or in part by the commission. In order for the receipt of complimentary tickets to be clearly within the work of the commission, the following conditions must be observed:

- (1) It must be necessary or appropriate to see an event in order to evaluate an applicant or recipient of financial support.
- (2) Performances or exhibitions of all applicants or recipients of financial support should be attended. If the number of applicants or recipients for support makes it impractical to attend performances or exhibitions of all, only those events involving excessive travel or which are clearly unnecessary to attend in order to evaluate the organization may be omitted.
- (3) There should be a limit on the number of commissioners or staff attending an event. Generally, free admissions shall be limited to two persons.
- (4) Those who attend an event must be prepared to evaluate it in the context of commission guidelines and rules.
- (5) A written evaluation, in a standard evaluation format, will be required from each commission or staff evaluator.
- (6) Each applicant or recipient of financial support will be required to provide the commission with two complimentary tickets to events, if so requested.
- (7) The executive director or designee will authorize on-site evaluations and appoint the person or persons to perform the evaluation based upon their expertise and ability to report on the case.
- (8) The executive director or his/her designee will notify the applicant or recipient of the assigned evaluation, the persons to perform the

evaluation and request that admission be provided at no cost to the evaluator(s) at a time convenient to the client and evaluator(s).

**NEW SECTION**

**WAC 30-12-160 CREDITS AND ENDORSEMENTS OF LOCAL PROGRAMS.** The commission recognizes its potential for serving its constituents by the inclusion of credits in promotional information or documentation, to encourage funding from other sources. These credits shall not be considered an endorsement of the organization but will constitute a factual accounting of past and/or present support to the organization by the commission.

**NEW SECTION**

**WAC 30-12-170 BUDGET LINE ITEMS.** The commission will not endorse state budget line items and legislative provisos requested by individual arts organizations.

**WSR 86-01-088**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
**(Board of Boiler Rules)**

[Order 85-26—Filed December 19, 1985]

Be it resolved by the Board of Boiler Rules, acting at Seattle, Washington, that it does adopt the annexed rules relating to WAC 296-104-010 definitions, (27), amended to include child care centers. The Board of Boiler Rules defined child care centers as facilities for the care of thirteen children or more not located in private family residences; WAC 296-104-015 board meetings, amended to allow the time and place of regular meetings to be set by the chairman of the board; WAC 296-104-200 standards for new construction, amended to follow the guidelines published by the American National Standards Institute, the American Society of Mechanical Engineers, and the Code of Federal Regulations; and WAC 296-104-201 Inspection of systems—Standard for water chillers, repealed.

This action is taken pursuant to Notice No. WSR 85-20-018 filed with the code reviser on September 23, 1985. 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 Board of Boiler Rules as authorized in RCW 70.79.040 and 70.79.050.

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 December 19, 1985.

By Howard Richardson  
Chair

**AMENDATORY SECTION** (Amending Order 72-11, filed 7/7/72)

**WAC 296-104-010 DEFINITIONS.** (1) "Director" shall mean the director of the department of labor and industries.

(2) "Board of boiler rules" shall mean the board created by law and empowered to make, alter, amend, and interpret rules and regulations for the safe and proper construction, installation, repair, and use of boilers and for the proper construction, installation, and repair of unfired pressure vessels in this state.

(3) "Chief inspector" shall mean the chief boiler inspector appointed under RCW 70.79.100.

(4) "Deputy inspector" shall mean a deputy inspector of boilers and unfired pressure vessels appointed by the chief boiler inspector of Washington under the provisions of RCW 70.79.120.

(5) "Special inspector" shall mean an inspector holding a Washington commission, who is regularly employed by an insurance company authorized to insure against loss from explosion of boilers and unfired pressure vessels in this state, or who is continuously employed by any company operating unfired pressure vessels in this state for the purpose of making inspections of unfired pressure vessels used or to be used by such company.

(6) "Inspector" shall mean the chief boiler inspector, a deputy inspector, or a special inspector.

(7) "Certificate of competency" shall mean a certificate issued to a person who has passed an examination prescribed by the board of boiler rules.

(8) "Department" as used herein shall mean the department of labor and industries of the state of Washington.

(9) "Owner" or "user" shall mean a person, firm, or corporation owning or operating any boiler or unfired pressure vessel within the state.

(10) "ASME Code" shall mean the boiler and pressure vessel code of the American Society of Mechanical Engineers with amendments and interpretations thereto made and approved by the council of the society which have been regularly adopted by the board of boiler rules in accordance with the provisions of RCW 70.79.030.

(11) "Existing installations" shall mean any boiler or unfired pressure vessel constructed, installed, placed in operation, or contracted for before January 1, 1952.

(12) "Approved" shall mean approved by the chief boiler inspector as evidenced by his issuance of an inspection certificate.

(13) "Standard boiler or unfired pressure vessel" shall mean a boiler or unfired pressure vessel which bears the ASME stamp.

(14) "Nonstandard boiler or unfired pressure vessel" shall mean a boiler or unfired pressure vessel that does not bear the ASME stamp.

(15) "Boiler" shall mean a closed vessel used for heating water or liquid or for generating steam or vapor by the direct application of heat.

(16) "Direct application of heat" shall mean the firing of any fuel, solid, liquid, or gaseous, including electrical elements of any description.

(17) "Power boiler" shall mean a boiler used to produce steam or vapor at a pressure exceeding 15 lbs. per square inch gage, or a boiler used for heating water or liquid to a pressure exceeding 160 psi. or to a temperature exceeding 250°F.

(18) "Low pressure heating boiler" shall mean a boiler operated at a pressure not exceeding 15 lbs. per square inch gage steam, or at a pressure not exceeding 160 lbs. per square inch and a temperature not exceeding 250°F. for water.

(19) "Hot water supply boiler" shall mean a low pressure boiler used to heat water to a temperature not exceeding 200°F.

(20) "Unfired steam boiler" shall mean a pressure vessel in which steam is generated by an indirect application of heat.

(21) "Unfired pressure vessel" shall mean a closed vessel in which pressure is obtained from an external source, or from an indirect application of heat, including steam or hot water coils, converters or heat exchangers.

(22) "Reinstalled boiler or unfired pressure vessel" shall mean a boiler or unfired pressure vessel removed from its original setting and reerected at the same location or at a new location without change of ownership.

(23) "Second hand boiler or unfired pressure vessel" shall mean a boiler or unfired pressure vessel of which both the location and ownership have changed after primary use.

(24) "Condemned boiler or unfired pressure vessel" shall mean a boiler or unfired pressure vessel that has been inspected and declared unsafe or disqualified by legal requirements by an inspector who has applied a stamping or marking designating its condemnation.

(25) "Internal inspection" shall mean an inspection made when a boiler or unfired pressure vessel is shut down and handholes, manholes, or other inspection openings are open or removed for inspection of the interior.

(26) "External inspection" shall mean an inspection made while a boiler or unfired pressure vessel is in operation and includes the inspection and demonstration of controls and safety devices.

(27) "Place of public assembly" shall mean a building used in whole or in part for occupation by persons for such purposes as worship, hospitals, education, instruction, entertainment, amusement, ((or)) waiting transportation, or child care centers.

Child care centers include those agencies which operate facilities for the care of thirteen children or more. No such center shall be located in a private family residence. The substantive rules of this code shall apply to all child care centers operated in the state of Washington.

(28) "Fusion welding" shall mean a process of welding metals in a molten, or molten and vaporous state, without the application of mechanical pressure or blows. Such welding may be accomplished by the oxy-acetylene or oxy-hydrogen flame or by the electric arc. Thermit welding shall be classified as fusion welding.

(29) "Major repair" shall mean one upon which the strength of a boiler or unfired pressure vessel depends.

(30) "Agriculture purposes" shall mean any act performed on a farm in production of crops or livestock, and shall include the storage of such crops and livestock in their natural state, but shall not be construed to include the processing or sale of crops or livestock.



(31) "Attendant" shall mean the person in charge of the operation of a boiler or unfired pressure vessel.

(32) "Automatic operation of a boiler" shall mean full control of feed water and fuel in order to maintain the pressure and temperature constant within the limits set. Controls must be such that the operation follows the demand without interruption. Manual restart may be required when the burner is off because of low water, flame failure, or power failure.

(33) "Alteration" is a structural modification of, or a departure from an original design or existing construction.

(34) "Repair" is a restoration of any damaged or impaired part to an effective and safe condition.

**AMENDATORY SECTION** (Amending Order 72-11, filed 7/7/72)

WAC 296-104-015 BOARD MEETINGS. The board of boiler rules shall hold its regular meetings on the third Tuesday of January, March, May, September and November of each year ~~((at the hour of 10 a.m. at the Office of the Chief Boiler Inspector, 300 West Harrison Street, Seattle, Washington)),~~ the time and place of each regular meeting to be set by the chairman of the board.

**AMENDATORY SECTION** (Amending Order 84-09, filed 5/10/84)

WAC 296-104-200 STANDARDS FOR NEW CONSTRUCTION. The standards for new construction are ~~((the 1980 edition of))~~ the ASME Boiler and Pressure Vessel Code, the 1980 edition of ANSI B31.3 for oil and chemical plants, and the 1983 edition of ANSI B31.1 for other nonnuclear construction, with all addenda ~~((made to each code before May 1, 1984))~~ as effectively made part of the above referenced ANSI sections of the codes. The ((1983)) last preceding code ((as applicable)) may be used on and after the date of issue and becomes mandatory twelve months after adoption by the board as defined in RCW 70.79.050(2). The board recognizes that the ASME Code states that new editions of the code become mandatory on issue and that subsequent addenda become mandatory six months after the date of issue. Also, in circumstances such as nuclear systems the time period for addenda becoming mandatory is defined in the Code of Federal Regulations.

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 296-104-201 INSPECTION OF SYSTEMS—STANDARD FOR WATER CHILLERS.

**WSR 86-01-089**

**NOTICE OF PUBLIC MEETINGS  
INVESTMENT BOARD**

[Memorandum—December 19, 1985]

The regular meetings of the State Investment Board for 1986 will begin at 9:00 a.m. on the following dates and at the following locations:

February 10, 1986

Transportation Building  
Transportation Commission  
Board Room  
Olympia, Washington

May 12, 1986

August 11, 1986

November 12, 1986

Unigard Financial Center  
Unigard Board Room  
18th Floor  
1215 4th Avenue  
Seattle, Washington

**WSR 86-01-090**

**PROPOSED RULES**

**DEPARTMENT OF LICENSING  
(Board of Registration for Architects)**

[Filed December 19, 1985]

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

Amd	WAC 308-12-050	Registration by reciprocity.
Amd	WAC 308-12-081	The seal.
New	WAC 308-12-135	Building designers; qualifications for examination.
New	WAC 308-12-140	Examination; qualifications of candidates.
New	WAC 308-12-145	Acceptable work experience.
New	WAC 308-12-150	Work experience defined;

that the agency will at 9:00 a.m., Friday, January 24, 1986, in the Peninsula Room, Airport Hilton, 17620 Pacific Highway South, Seattle, WA 98188, 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 18.08.340 and 18.08.350 (3)(a).

Dated: December 18, 1985

By: Sydney W. Beckett  
Executive Secretary

**STATEMENT OF PURPOSE**

Name of Agency: Washington State Board of Registration for Architects.

Description of Rules: WAC 308-12-050 Registration by reciprocity; 308-12-081 The seal; 308-12-135 Building designers; qualification for examination; 308-12-140 Examination; qualifications of candidates; 308-12-145 Acceptable work experience; and 308-12-150 Work experience defined.

Statutory Authority: RCW 18.08.350 (3)(c) and 18.08.340.

Summary of the Rules: WAC 308-12-050, to revise the conditions for reciprocal licensure following the passage of RCW 18.08.400; 308-12-081, this revision is a minor housekeeping change to conform with the change in RCW 18.08.370; 308-12-135, to define eligibility of building designers who wish to apply for architect exam; 308-12-140, to clarify that those persons who took the exam prior to July 28, 1985, remain eligible to take subsequent exams; 308-12-145, to define what constitutes full-time experience under supervision of an architect; and 308-12-150, to define what constitutes part-time work experience.

**Responsible Personnel:** In addition to the members of the board, the following board of registration personnel have knowledge of and responsibility for drafting, implementing and enforcing these rules: Sydney Beckett, Executive Secretary, P.O. Box 9649, Olympia, WA 98504, phone (206) 753-3873 comm, 234-3873 scan.

**Proponents:** Washington State Board for the Registration of Architects.

**Small Business Economic Impact Statement:** Not required and has not been filed since these rules do not impact small business as that term is defined by RCW 43.31.920.

AMENDATORY SECTION (Amending Order PL 560, filed 10/17/85)

WAC 308-12-050 REGISTRATION BY RECIPROCITY. Pursuant to RCW 18.08.400, (~~((section 11, chapter 37, Laws of 1985))~~) the board will recommend to the director that the director grant a certificate of registration to a registered architect in another state or territory of the United States, the District of Columbia, or another country provided:

(1) That such applicant presents evidence that the applicant has satisfactorily completed a written examination equivalent to the examination required of Washington state registrants. (~~((2) That the applicant presents))~~ Documentation of NCARB Certification may be accepted by the board as satisfactory evidence that the applicant's qualifications and experience are equivalent to the qualifications and experience required of a person registered under RCW 18.08.350 (~~((section 6, chapter 37, Laws of 1985))~~).

(2) That the applicant provides a written comparative analysis of Washington state law and the law of the applicant's base state, territory or country.

(3) That the board will require an oral examination of any candidate for registration by reciprocity, except that oral examination may be waived in cases where documentary or other evidence shows sufficient information for the board to reach judgment.

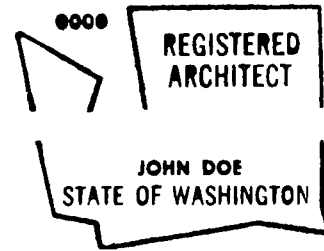
(4) That the applicant's base state, territory, (~~((state))~~) or country grants reciprocal privileges to architects registered in the state of Washington.

**Reviser's note:** RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order PL 560, filed 10/17/85)

WAC 308-12-081 THE SEAL Every architect licensed in the state of Washington shall have a seal of design authorized by the board, bearing the registrant's name, license number and the legend

"Registered Architect, State of Washington." The seal with the registrant's countersignature shall appear on every drawing filed with public authorities. A facsimile of the seal appears herewith.



No architect's (~~((staff))~~) stamp or countersignature shall be affixed to any drawings not prepared by the architect or his or her regularly employed subordinates, or reviewed by the architect. An architect who signs or seals drawings or specifications that he or she has reviewed is responsible to the same extent as if prepared by that architect.

**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.

NEW SECTION

WAC 308-12-135 BUILDING DESIGNERS; QUALIFICATION FOR EXAMINATION. A person applying to take the architect's examination under the provisions of RCW 18.08.350 (3)(c) shall:

(1) Be an owner of a building design firm whose principal place of business was located in the state of Washington as of July 28, 1985.

(2) Provide the board with satisfactory proof of ownership of a building design firm, the principal place of business of which was located in the state of Washington on July 28, 1985.

(3) Provide the board with satisfactory evidence that on or prior to July 28, 1985 such applicant's combination of ownership in a building design firm principally located in Washington and/or acceptable education is eight (8) years.

NEW SECTION

WAC 308-12-140 EXAMINATION; QUALIFICATIONS OF CANDIDATES. All candidates who had taken any part of the architectural examination prior to July 28, 1985 shall remain eligible to take the examination after July 28, 1985.

NEW SECTION

WAC 308-12-145 ACCEPTABLE WORK EXPERIENCE. The board shall accept all qualifying practical work experience up to the date of the examination for which the candidate is sitting.

NEW SECTION

WAC 308-12-150 WORK EXPERIENCE DEFINED. (1) In order to receive credit from the board for full-time practical architectural work experience, the applicant must be employed for at least thirty-five (35) hours per week for a minimum of ten (10) consecutive weeks.

(2) In order to receive credit from the board for part time practical architectural work experience, the applicant must be employed for at least twenty (20) hours per week in periods of six (6) or more consecutive months.

**WSR 86-01-091**  
**REVIEW OF RULES**  
**DEPARTMENT OF REVENUE**  
 [Filed December 19, 1985]

Notice is hereby given in accordance with the provisions of RCW 34.04.230, that the Department of Revenue intends to review the following rules: Valuation procedures, WAC 458-30-145.

The agency will at 10:00 a.m., Tuesday, January 28, 1986, in Room 304, Evergreen Plaza Building, 711 South Capitol Way, Olympia, conduct a public hearing on the rules.

The rules review committee's findings and the reasons for the findings were stated to this agency as follows:

At the last two Joint Administrative Rules Review Committee meetings on October 24 and November 19, the committee reviewed the department's rule regarding valuation of home sites on open space land, WAC 458-30-145(5).

Pursuant to its authority under RCW 34.04.230, the committee found by majority vote that WAC 458-30-145(5) is not within the intent of the legislature as expressed in RCW 84.34.020(2). WAC 458-30-145(5) states that "Land which is being used as a residential building site shall be valued at true and fair value." Thus, the sites for the farm owner's home and homes maintained for farm laborers are not eligible for open space valuation. The committee believes this interpretation is contrary to the definition of "farm and agricultural land" which states, in part: "Agricultural lands shall also include . . . the land on which appurtenances necessary to the production, preparation or sale of the agricultural products exist in conjunction with the lands producing such products." RCW 84.34.020(2). The residence of a farm laborer, for example, may be just as "necessary" to the production, preparation or sale of the product as a shop or other support building.

RCW 34.04.230 and 34.04.240 require the agency to file notice of a hearing on the rule within 30 days of receipt of this notice, and to follow certain other procedures.

Dated: December 19, 1985

By: Trevor W. Thompson  
 Assistant Director

**WSR 86-01-092**  
**NOTICE OF PUBLIC MEETINGS**  
**STATE BOARD OF EDUCATION**  
 [Memorandum—December 19, 1985]

The State Board of Education schedule of meeting dates and locations for the 1986 calendar year, filed with the state code reviser on November 27, 1985, (WSR 85-24-046) is amended as follows:

The location of the January State Board of Education has been changed. On January 30 and 31, 1986, the business meeting of the board will convene at 9:00 a.m. in the Fir Room of the Westwater Inn, Olympia,

Washington. The Committee of the Whole will meet Wednesday evening, convening at 7:30 p.m. in the State Board Conference Room of the Old Capitol Building, Olympia, Washington.

**WSR 86-01-093**  
**PROPOSED RULES**  
**STATE BOARD OF EDUCATION**  
 [Filed December 19, 1985]

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

Amd WAC 180-25-050 District authority to proceed.  
 Amd WAC 180-27-105 Support level—Insurance receipts.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on Friday, January 31, 1986.

The authority under which these rules are proposed is RCW 28A.47.830.

This notice is connected to and continues the matter in Notice Nos. WSR 85-20-113 and 85-20-114 filed with the code reviser's office on October 2, 1985.

Dated: December 19, 1985

By: Monica Schmidt  
 Secretary

AMENDATORY SECTION (Amending Order 11-83, filed 10/17/83)

WAC 180-27-105 SUPPORT LEVEL—INSURANCE RECEIPTS. It is a ~~((local))~~ school district, not a state, determination whether or not a school facility shall be insured. Should a district need to replace ~~((an uninsured))~~ or repair a school facility ~~((lost to))~~ destroyed or damaged by fire, it will be the district's financial responsibility to replace or repair the number of square feet ~~((lost to))~~ destroyed or damaged by the fire.

AMENDATORY SECTION (Amending Order 9-83, filed 10/17/83)

WAC 180-25-050 DISTRICT AUTHORITY TO PROCEED. Upon receipt of the state board of education approval, the school district is authorized to proceed as follows:

(1) Complete the development of educational specifications pursuant to chapter 180-26 WAC.

(2) Select a site and seek approval pursuant to chapter 180-26 WAC.

~~((3) Obtain capital funds through a combination of bonds, authorized or currently collectible, and/or authorized excess levies for the building and capital projects fund which together or separately would provide the district's share of the local project.))~~

**WSR 86-01-094**  
**PROPOSED RULES**  
**STATE BOARD OF EDUCATION**  
 [Filed December 19, 1985]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State Board of Education intends to adopt, amend, or repeal rules concerning chapters 180-25, 180-26 and 180-29 WAC;

that the agency will at 9:00 a.m., Thursday, January 30, 1986, in the Fir Room, Westwater Inn, 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 Friday, January 31, 1986.

The authority under which these rules are proposed is RCW 28A.47.830.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 30, 1986.

Dated: December 19, 1985

By: Monica Schmidt  
Secretary

#### STATEMENT OF PURPOSE

Rule: Chapters 180-25, 180-26 and 180-29 WAC.

Rule Section(s): WAC 180-25-043 State Board of Education commitment at project approval; 180-26-057 State Board of Education project commitment at preliminary funded status; and 180-29-1075 State Board of Education commitment when district is authorized to open bids.

Statutory Authority: RCW 28A.47.830.

Purpose of the Rule(s): Defines where in the state school construction assistance process the State Board of Education is committed to various rules which determine state support for construction.

Summary of the New Rule(s) and/or Amendments: Establishes commitments by the state and the State Board of Education to various rules based upon project progress through the state school construction assistance process.

Reasons Which Support the Proposed Action(s): Clarifies current administrative practice.

Person or Organization Proposing the Rule(s): SPI, government.

Agency Personnel Responsible for Drafting: Ralph E. Julnes, SPI, 3-2298; Implementation: Raymond Reid, SPI, 3-6702; and Enforcement: Perry Keithley, SPI, 3-6742.

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 Matter Pertaining to the Rule(s): [No information supplied by agency.]

#### NEW SECTION

WAC 180-25-043 STATE BOARD OF EDUCATION COMMITMENT AT PROJECT APPROVAL. State Board of Education project approval pursuant to WAC 180-25-040 defines the type of project and the maximum allowable square footage in which the state conditionally agrees to participate. There is no commitment whatsoever by the State Board of Education or the State to any project or to any amount of state assistance. The State Board of Education reserves the right to amend and/or repeal any rule(s) respecting state assistance in school building construction. Such rule changes may be made regardless of the negative and/or positive impact of such changes upon the eligibility of any project for state assistance and/or the extent of eligibility of any project for state assistance.

#### NEW SECTION

WAC 180-26-057 STATE BOARD OF EDUCATION PROJECT COMMITMENT AT PRELIMINARY FUNDED STATUS. When preliminary funding status for a project is requested and granted pursuant to WAC 180-26-050 and/or WAC 180-26-055, the State Board of Education commitment is limited to the eligibility of the project for state assistance, the eligible square footage, the maximum area cost allowance and the priority standing of the project as determined pursuant to the state building assistance rules in effect at the time such preliminary funding status is granted. This commitment is effective only for the initial one year period set forth at WAC 180-26-060. The State Board of Education otherwise reserves the right to amend and/or repeal any rule(s) respecting state assistance in school building construction. Such rule changes may be made regardless of the negative and/or positive impact of such changes upon the eligibility of any project and/or the extent of eligibility of any project for state assistance.

#### NEW SECTION

WAC 180-29-1075 STATE BOARD OF EDUCATION COMMITMENT WHEN DISTRICT IS AUTHORIZED TO OPEN BIDS. When a district is granted approval to open bids pursuant to WAC 180-29-107, the State Board of Education is committed as provided at WAC 180-29-107 as well as to all other State building assistance determinations including but not limited to, for example, additional state assistance, and professional fees, determined pursuant to state building assistance rules and regulations in effect at the time such approval to open bids is granted. This commitment is subject to the district's compliance with time limitation for requesting an authorization for contract award as set forth in WAC 180-29-108.

#### WSR 86-01-095

#### PROPOSED RULES DEPARTMENT OF ECOLOGY

[Filed December 19, 1985]

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

New	ch. 173-222 WAC	Wastewater discharge permit fees.
Amd	ch. 173-216 WAC	State waste discharge permit program.
Amd	ch. 173-220 WAC	National pollutant discharge elimination system permit program.

Chapter 173-222 WAC, wastewater discharge permit fees. Section 4 of Substitute House Bill 815 as enacted by the 1985 session of the Washington state legislature, mandates that the Department of Ecology "shall collect administrative expenses" from anyone requesting action of the department pertaining to the processing of applications for a national pollutant discharge elimination system (NPDES) permit or a state waste discharge permit. Administrative expenses are defined as "the total actual costs incurred by the department in processing such permit applications." The department, in response to this legislative mandate, has developed a permit fee regulation/permit fee schedule that establishes fees based on the average actual costs of various permit activities for a number of discharge categories. Statewide public hearings are scheduled for late January 1986 with adoption in early March 1986.

Chapter 173-216 WAC, state waste discharge permit program, and chapter 173-220 WAC, national pollutant discharge elimination system permit. Minor revisions to accommodate the delegation of the pretreatment and general permit programs;

that the agency will at (10 a.m. public workshop), 3:00 p.m., Wednesday, January 22, 1986, in the Spokane County AG Center, Room C, North 222 Havana, Spokane, WA, and at (10 a.m. public workshop), 3:00 p.m., Thursday, January 23, 1986, in the Pasco City Library, 1320 West Hopkins, Pasco, WA, and at (10 a.m. public workshop), 3:00 p.m., Friday, January 24, 1986, in the Grant County PUD #2 Auditorium, 312 West 3rd, Moses Lake, WA, and at (10 a.m. public workshop), 3:00 p.m., Tuesday, January 28, 1986, in the PUD District #1, Aqua Room, 1415 Freeway Drive, Mt. Vernon, WA, and at (10 a.m. public workshop), 3:00 p.m., Thursday, January 30, 1986, in the Energy Facility Site Evaluation Council Hearings Room, Building No. 1, 4224 6th Avenue S.E., Lacey, WA, conduct public hearings on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on March 3, 1986.

The authority under which these rules are proposed is chapter 43.21A RCW.

The specific statute these rules are intended to implement is chapter 90.48 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before February 7, 1986.

Dated: December 19, 1985

By: Phillip C. Johnson  
Deputy Director

#### STATEMENT OF PURPOSE

**Title:** Wastewater discharge permit fees; national pollutant discharge elimination system permit program; and state waste discharge permit program.

**Description of Purpose:** To adopt a fee schedule to recover administrative costs incurred by the department in the processing of certain types of permits and to make minor revisions to accommodate the delegation of the pretreatment and general permit programs.

**Summary of Rule:** To collect administrative expenses incurred in the processing of NPDES and state waste discharge permits, and to make minor revisions to accommodate the delegation of the pretreatment and general permit programs.

**Reasons Supporting Proposed Action:** Legislative and federal mandates.

**Agency Personnel Responsible for Drafting:** Jerry Thielen, 459-6076; **Implementation and Enforcement:** Marc Horton, 459-6053, Mailstop PV-11, Olympia.

**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:** The adoption of the wastewater discharge permit fee regulation will bring revenue into the state general fund.

**Whether Rule is Necessary as a Result of Federal Law or Federal or State Court Action:** N/A.

**Small Business Economic Impact Statement:** Shown below for wastewater discharge permit fees. Not applicable for other two rules.

The Regulatory Fairness Act, chapter 19.85 RCW, requires that rules which have an economic impact on more than 20% of all industries or more than 10% of the businesses in any one industry be reviewed and altered to minimize their impact upon small businesses. This regulatory proposal has been reviewed in light of that requirement. The conclusions of this review are summarized below.

This regulation has been developed in order to implement a statutory requirement imposed by the state legislature during its last session. Section 4 of Substitute House Bill 815 requires that the Department of Ecology establish fees to cover the actual administrative costs incurred in dealing with certain wastewater discharge permits. This regulation complies with that requirement by establishing a fee schedule in which the amount to be charged for processing permit applications, renewing permits, or modifying permits is directly related to the type and size of discharge and the complexity of the action in each case. This appears to be the fairest method available for establishing such fees.

It appears that this regulation has dealt with special problems which might be caused for small businesses to the extent possible. A separate category of discharge permits has been created for "minor industrial discharge(s) not requiring biological or chemical treatment < 0.5 MGD." The fees for various actions under this category are substantially lower than fees for similar actions under other categories of permits. We would expect that most of the actions involving small businesses would fall within this category. This may not hold true in every case—there may be instances where a small business would require an action falling under one of the more costly categories. However, given the constraints of the law, there does not appear to be much that can be done to mitigate such cases, should they arise.

#### Chapter 173-222 WAC WASTEWATER DISCHARGE PERMIT FEES

##### WAC

173-222-010	Purpose.
173-222-020	Definitions.
173-222-030	Discharge categories.
173-222-040	Complexity factors.
173-222-050	Permit fees.
173-222-060	Permit fee payment.
173-222-070	Retroactivity.
173-222-080	Periodic review.
173-222-090	Public notice.
173-222-100	Public hearings.
173-222-110	Agency initiated modifications.

##### NEW SECTION

WAC 173-222-010 **PURPOSE.** It is the purpose of this regulation to establish fees for permits issued by the department of ecology pursuant to RCW 90.48.160, 90.48.162, and 90.48.260. The collection of fees which reflects the administrative expenses incurred by the department of ecology in the processing of such permit applications is authorized by RCW 90.48.460.

##### NEW SECTION

WAC 173-222-020 **DEFINITIONS.** (1) "Department" means the department of ecology.

(2) "Director" means the director of the department of ecology or authorized representative.

(3) "NPDES permit" means the National Pollutant Discharge Elimination System permit issued pursuant to Section 402 of the Clean Water Act and RCW 90.48.260.

(4) "Major facility" means any NPDES permitted facility or activity classified as such by the Region 10 administrator of the Environmental Protection Agency in conjunction with the director.

(5) "Minor facility" means any NPDES permitted facility or activity not classified as a major facility.

(6) "Application fee" means that fee which must accompany the permit application.

(7) "Permit fee" means that fee charged for issuance, reissuance, or modification of a permit as defined by this regulation.

(8) "Permit issuance" means the issuance of a permit for a new source or to a source not previously permitted.

(9) "Permit reissuance" means the issuance of a permit for a currently permitted source.

(10) "Substantial modification" means the modification of a permit involving at least one complexity factor.

(11) "Administrative modification" means those revisions that do not involve a complexity factor such as, changes in reporting schedules, compliance schedules, and monitoring schedules.

**NEW SECTION**

WAC 173-222-030 DISCHARGE CATEGORIES. For the purpose of this regulation, discharges are classified according to the following categories:

(1) Category 1A is for major domestic NPDES permitted facilities with a permitted flow greater than fifteen million gallons per day.

(2) Category 1B is for major domestic NPDES permitted facilities with a permitted flow between one and fifteen million gallons per day.

(3) Category 1C is for minor domestic NPDES permitted facilities with a permitted flow of less than one million gallons per day.

(4) Category 1D is for all domestic state waste discharge permitted facilities with a discharge to ground water.

(5) Category 2A is for major industrial NPDES permitted facilities.

(6) Category 2B is for minor industrial NPDES permitted facilities and all state waste discharge permitted facilities, requiring biological and/or chemical treatment.

(7) Category 2C is for minor industrial NPDES permitted facilities and all state waste discharge permitted facilities, not requiring biological or chemical treatment with a permitted flow greater than or equal to 0.5 million gallons per day.

(8) Category 2D is for minor industrial NPDES permitted facilities and all state waste discharge permitted facilities not requiring biological or chemical treatment, with a permitted flow less than 0.5 million gallons per day, and/or with an intermittent discharge.

(9) Category 3A is for area wide, general NPDES permits.

(10) Category 3B is for coverage by a general NPDES permit.

**NEW SECTION**

WAC 173-222-040 COMPLEXITY FACTORS. (1) Complexity factors are those factors that must be addressed during permit processing that substantially increase staff time. For the purpose of this regulation, complexity factors are identified as follows:

- (a) Combined sewers.
- (b) Local pretreatment program.
- (c) Inflow and/or infiltration problems.
- (d) Receiving water quality based permit.
- (e) Groundwater monitoring.
- (f) Sludge management.
- (g) Level of treatment including: (i) Facility upgrade, (ii) system design capacity, (iii) seasonal variations in loading.
- (h) Fundamentally different factors.
- (i) Best Professional Judgment (BPJ) analysis.
- (j) 301(g) (nonconventional pollutant) variances.
- (k) 316(A) (thermal) variance.
- (l) Major change or variation in process or production.
- (m) Toxics monitoring.
- (n) Permit involving multiple industrial categories.

(2) Complexity factors subsection (1)(h) through (k) of this section are equal to two complexity factors for the purpose of computing the permit fee.

**NEW SECTION**

WAC 173-222-050 PERMIT FEES. (1) Application fee: \$100 (nonrefundable).

- (2) Permit fee:
  - (a) Permit fee schedule

Departmental Action	Discharge Categories							
	Domestic				Industrial			
	1A	1B	1C	1D	2A	2B	2C	2D
Permit Issuance	\$ 2,252	\$1,468	\$1,216	\$1,300	\$ 2,336	\$1,468	\$1,216	\$ 740
1 Complexity Factor	4,044	2,476	1,972	2,140	4,212	2,476	1,972	1,020
2 Complexity Factors	5,836	3,484	2,700	2,980	6,060	3,484	2,700	1,300
3 Complexity Factors	7,628	4,492	3,484	3,820	7,964	4,492	3,484	1,580
4 Complexity Factors	9,420	5,500	4,240	4,660	9,840	5,500	4,240	1,860
5 Complexity Factors	11,772	7,068	5,556	6,060	12,276	7,068	5,556	2,700
6 Complexity Factors	14,124	8,636	6,872	7,460	14,712	8,636	6,872	3,540
Permit Reissuance	1,720	1,104	1,020	1,048	1,636	1,104	1,020	656
1 Complexity Factor	2,980	1,748	1,580	1,636	2,812	1,748	1,580	852
2 Complexity Factors	4,240	2,364	2,140	2,224	3,988	2,364	2,140	1,020
3 Complexity Factors	5,500	3,036	2,700	2,812	5,164	3,036	2,700	1,244
4 Complexity Factors	6,760	3,680	3,260	3,400	6,340	3,680	3,260	1,440
5 Complexity Factors	8,580	4,884	4,380	4,548	8,076	4,884	4,380	2,196
6 Complexity Factors	10,400	6,088	5,500	5,696	9,812	6,088	5,500	2,952
Substantial Modification	1,720	1,104	1,020	1,048	1,636	1,104	1,020	656
1 Complexity Factor	2,980	1,748	1,580	1,636	2,812	1,748	1,580	852
2 Complexity Factors	4,240	2,364	2,140	2,224	3,988	2,364	2,140	1,020
3 Complexity Factors	5,500	3,036	2,700	2,812	5,164	3,036	2,700	1,244
Administrative Modifications	460	460	460	460	460	460	460	460

(b) The number of complexity factors that will be charged for any given permit is limited to four, regardless of the total number of complexity factors involved. Except for multiple discharge points (land and surface waters) in which case the department will charge up to six complexity factors.

(c) General permits.

(i) Area wide (Category 3A) permit fees will be based on an accounting of actual costs incurred by the department.

(ii) Requests for coverage by general permit (Category 3B): \$100 (nonrefundable).

(d) The fees identified in this section are based on averages of the total actual costs incurred by the department in processing each type of permit application. Total actual cost include salary, benefits, indirect, and clerical costs.

#### NEW SECTION

WAC 173-222-060 PERMIT FEE PAYMENT. (1) The application fee must accompany the permit application.

(2) Request for coverage by a general permit must be accompanied by the fee.

(3) The department will inform the applicant of applicable permit fees at least thirty days prior to permit action.

(4) The appropriate permit fee must be received by the department prior to the issuance, reissuance, or modification of said permit.

(5) The applicable permit fee shall be paid by check or money order payable to the department.

(6) When payment is made by check which is subsequently returned due to insufficient funds, the department will take appropriate action pursuant to RCW 90.48.140.

#### NEW SECTION

WAC 173-222-070 RETROACTIVITY. (1) Permit fees established per this regulation shall be retroactive to the effective date of the enabling legislation. This applies to all permit applications which were received after July 28, 1985.

(2) The department will notify permit holders of any requirement to pay retroactive fees pursuant to this regulation. Fees must be received by the department within sixty days of notification by the department and failure to do so will result in immediate action pursuant to RCW 90.48.140.

#### NEW SECTION

WAC 173-222-080 PERIODIC REVIEW. The department shall review biennially the data used to establish the fee schedule to determine if fees need to be adjusted.

#### NEW SECTION

WAC 173-222-090 PUBLIC NOTICE. It will continue to be the responsibility of the permit applicant to comply with all applicable public notice requirements pursuant to chapters 173-216 and 173-220 WAC.

#### NEW SECTION

WAC 173-222-100 PUBLIC HEARINGS. Public hearings required as the result of a permit application will be conducted by the department at no additional cost to the applicant.

#### NEW SECTION

WAC 173-222-110 AGENCY INITIATED MODIFICATIONS. There will be no charge to the permittee for modifications initiated by the department.

#### AMENDATORY SECTION (Amending Order DE 82-39, filed 12/1/82)

WAC 173-220-040 APPLICATION FOR PERMIT. (1) Any person presently discharging pollutants to navigable waters of the state must file an application with the department on a form prescribed by the department. For the purpose of satisfying the requirements of this subsection, any completed application filed with the Environmental Protection Agency prior to the approval by the administrator under section 402(b) of the FWPCA of this state permit program shall constitute a filing with the department.

(2) Any person proposing to commence a discharge of pollutants to navigable waters of this state must file an application with the department on a form prescribed by the department, (a) no less than 180 days in advance of the date on which it is desired to commence the discharge of pollutants, or (b) in sufficient time prior to commencement of the discharge of pollutants to insure compliance with the requirements of section 306 of the FWPCA and any other applicable water quality standards or effluent standards and limitations.

(3) The applicant must pay applicable fees pursuant to Wastewater discharge permit fees, chapter 173-222 WAC.

(4) The requirement for permit application will be satisfied if the discharger files:

- (a) A complete refuse act application; or
- (b) A complete application form which is appropriate for the type, category, or size of discharge; or
- (c) A complete notification of coverage by a general permit; and
- (d) Any additional information required by the department pertaining to pollutant discharge.

~~((4))~~ (5) The application form shall bear a certification of correctness to be signed:

- (a) In the case of corporations, by a responsible corporate officer.
- (b) In the case of a partnership, by a general partner.
- (c) In the case of sole proprietorship, by the proprietor.
- (d) In the case of a municipal, state, or other public facility, by either a principal executive officer or ranking elected official.

~~((5))~~ (6) No discharge of wastes into the navigable waters of the state is authorized until such time as an application has been approved and a permit issued consistent with the terms and conditions of this chapter.

#### AMENDATORY SECTION (Amending Order DE 82-39, filed 12/1/82)

WAC 173-220-045 GENERAL PERMITS. (1) The director may issue general permits to cover categories of dischargers as described under subsection (2) of this section. The area shall correspond to existing geographic or political boundaries, such as:

- (a) Designated planning areas under section 208 of the FWPCA;
- (b) Sewer districts or other special purpose districts;
- (c) City, county or state political boundaries;
- (d) State or county highway systems;
- (e) Standard metropolitan statistical areas as defined by the Federal Office of Management and Budget;
- (f) Urbanized areas as designated by the Bureau of the Census; or
- (g) Any other appropriate division or combination of boundaries.

(2) General permits may be written to cover the following within a described area:

- (a) Separate storm sewers;
- (b) Categories of point sources ~~((involving))~~ which:
- (i) Involve the same or substantially similar types of operations;
- ~~((tc) Point sources discharging))~~ (ii) Discharge the same types of wastes;

~~((td) Point sources that))~~ (iii) Require the same effluent limitations, operating conditions, or similar monitoring; ~~((or))~~ and ~~((te) Point sources which))~~ (iv) In the opinion of the director are more appropriately controlled under a general permit than under individual permits.

(3) General permits may be issued, modified, revoked and reissued, or terminated in accordance with ~~((WAC 173-220-190))~~ the other provisions of this chapter.

(4) The director may require any discharger authorized by a general permit to apply for and obtain an individual permit. Cases where an individual permit may be required include, but are not limited to the following:

- (a) The discharger is not in compliance with conditions of the general permit;
- (b) A change occurs in the technology or practices for control or abatement of pollutants applicable to the point source;
- (c) Effluent limitation guidelines are promulgated for point sources covered by the general permit;
- (d) A water quality management plan containing requirements applicable to such point sources is approved;
- (e) Effluent limitations more stringent than those contained in a general permit are necessary to meet water quality standards; or
- (f) Other causes listed in 40 CFR Part ~~((122.15, 122.16, or 122.59))~~ 122.62, 122.64, or 122.28 (b)(2)(A), as promulgated May 19, 1980.

(5) In cases where the director requires any owner or operator to apply for an individual permit, the owner or operator must be notified in writing that an individual permit application is required. This notice shall include a statement of why an individual permit is being required, an application form and a time limit for submitting the application.

(6) Any discharger authorized by a general permit may request to be excluded from coverage by the general permit by applying for an individual permit. The owner or operator shall submit to the director an application as described in WAC 173-220-040, with reasons supporting the request. The director shall either issue an individual permit or deny the request with a statement explaining the reason for denial.

(7) When an individual permit is issued to a discharger otherwise subject to a general permit, the applicability of the general permit to that permittee is automatically terminated on the effective date of the individual permit.

(8) Following issuance by the department of a general permit all dischargers who desire to be covered by the general permit shall notify the department on a form prescribed by the department. Unless the department responds in writing to the notification, coverage of a discharger by a general permit will automatically commence on the thirty-first day following the later of:

(a) The end of the thirty-day comment period required by WAC 173-220-050(2); or

(b) Receipt by the department of a completed notification of coverage.

(9) Any previously issued individual permit shall remain in effect until terminated in writing by the department, except that continuation of an expired individual permit (pursuant to WAC 173-220-180(5)), shall terminate upon coverage by the general permit.

(10) Where the department has determined that a discharger should not be covered by a general permit, it shall respond in writing within the time specified within subsection (8) of this section, to a notification of coverage stating the reason(s) why coverage cannot become effective and any actions needed to be taken by the discharger in order for coverage by the general permit to become effective.

AMENDATORY SECTION (Amending Order DE 82-39, filed 12/1/82)

WAC 173-220-060 FACT SHEETS. (1) For every major discharger and general permit the department shall prepare and, following public notice, shall send, upon request to any person, a fact sheet with respect to the draft permit determination described in the public notice. The contents of such fact sheets shall include at least the following information:

(a) A brief description of the type of facility or activity which is the subject of the application;

(b) A sketch or detailed description of the location of the discharge described in the application;

(c) A quantitative description of the discharge described in the application which includes at least the following:

(i) The rate or frequency of the proposed discharge, if the discharge is continuous, the average daily flow in gallons per day or million gallons per day;

(ii) For thermal discharges subject to the jurisdiction of the department, the average summer and winter temperatures in degrees Fahrenheit; and

(iii) The average daily discharge in pounds per day of any pollutants which are present in significant quantities or which are subject to limitations or prohibition under sections 301, 302, 306, or 307 of the FWPCA and regulations published thereunder;

(d) Tentative determination of conditions in a proposed permit;

(e) A brief summary of the basis for the draft permit determination;

(f) A brief citation, including a brief identification of the uses for which the receiving waters have been classified, of the water quality standards and effluent standards and limitations applied to the proposed discharge; and

(g) A fuller description of the procedures for the formulation of final determinations than that given in the public notice including:

(i) The 30-day comment period required by WAC 173-220-050(2);

(ii) Procedures for requesting a public hearing and the nature thereof; and

(iii) Any other procedures by which the public may participate in the formulation of the final determinations.

(2) The department shall add the name of any person or group upon request to a mailing list to receive copies of fact sheets.

AMENDATORY SECTION (Amending Order DE 84-19, filed 5/11/84)

WAC 173-220-150 OTHER TERMS AND CONDITIONS. (1) In addition to the requirements of WAC 173-220-130 and 173-220-140, each issued permit shall require that:

(a) All discharges authorized by the permit shall be consistent with the terms and conditions of the permit; any facility expansions, production increases or process modifications which would result in new or increased discharges of pollutants must be reported to the department by submission of a new application or supplement thereto; or, if such discharge does not violate effluent limitations specified in the permit, by submission to the department of notice of such new or increased discharges of pollutants; any discharge of any pollutant more frequent than or at a level in excess of that identified and authorized by the permit shall constitute a violation of the terms and conditions of the permit.

(b) The permit may be modified, suspended or revoked in whole or in part during its terms for cause including, but not limited to, the following:

(i) Violation of any term or condition of the permit;

(ii) Obtaining a permit by misrepresentation or failure to disclose fully all relevant facts; ~~(and)~~

(iii) A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge;

(iv) To incorporate an approved local pretreatment program into a POTW's permit; and

(v) Nonpayment of permit fees assessed pursuant to RCW 90.48.460.

(c) The permittee shall allow the department or its authorized representative upon the presentation of credentials and at reasonable times:

(i) To enter upon permittee's premises in which an effluent source is located or in which any records are required to be kept under terms and conditions of the permit subject to any access restrictions due to the nature of the project;

(ii) To have access to and copy at reasonable cost any records required to be kept under terms and conditions of the permit;

(iii) To inspect any monitoring equipment or method required in the permit; or

(iv) To sample any discharge of pollutants.

(d) That, if the permit is for a discharge from a publicly owned treatment works, the permittee shall provide notice to the department of the following:

(i) Any new introduction of pollutants into such treatment works from a source which would be a new source as defined in section 306 of the FWPCA if such source were discharging pollutants;

(ii) Except as to such categories and classes of point sources or discharges specified by the department, any new introduction of pollutants into such treatment works from a source which would be subject to section 301 of the FWPCA if such source were discharging pollutants;

(iii) Any substantial change in volume or character of pollutants being introduced into such treatment works by a source introducing pollutants into such works at the time of issuance of the permit.

Such notice shall include information on:

(I) The quality and quantity of effluent to be introduced into such treatment works; and

(II) Any anticipated impact of such change in the quantity or quality of effluent to be discharged from such publicly owned treatment works.

(e) The permittee shall at all times properly operate and maintain any facilities or systems of control installed by the permittee to achieve compliance with the terms and conditions of the permit. Where design criteria have been established, the permittee shall not permit flows or waste loadings to exceed approved design criteria, or approved revisions thereto.

(f) If a toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under section 307(a) of the FWPCA for a toxic pollutant which is present in the permittee's discharge and such standard or prohibition is more stringent than any limitation upon such pollutant in the permit, the department shall revise or modify the permit in accordance with the toxic effluent standard of prohibition and so notify the permittee.

(2) Every permit shall be conditioned to insure that any industrial user of any publicly owned treatment works will comply with sections 204(b), 307, and 308 of the FWPCA.



(3) Permits for domestic wastewater facilities shall be issued only to a public entity, except in the following circumstances:

(a) Facilities existing or approved for construction with private operation on or before the effective date of this chapter, until such time as the facility is expanded;

(b) Facilities that serve a single nonresidential, industrial, or commercial establishment. Commercial/industrial complexes serving multiple owners or tenants and multiple residential dwelling facilities such as mobile home parks, apartments, and condominiums are not considered single commercial establishments for the purpose of the preceding sentence.

(c) Facilities that are owned by nonpublic entities and under contract to a public entity shall be issued a joint permit to both the owner and the public entity.

**AMENDATORY SECTION** (Amending Order DE 84-02, filed 2/29/84)

**WAC 173-216-010 PURPOSE.** (1) The purpose of this chapter is to implement a state permit program, applicable to the discharge of waste materials from industrial, commercial, and municipal operations into ground and surface waters of the state and into municipal sewerage systems. However, this regulation excludes the point source discharge of pollutants into navigable waters of the state which is regulated by national pollutant discharge elimination system (NPDES) permit program, chapter 173-220 WAC. This regulation also excludes the injection of fluids through wells which is regulated by underground injection control program, chapter 173-218 WAC.

(2) Permits issued under this chapter are designed to satisfy the requirement for discharge permits under the Water Pollution Control Act, chapter 90.48 RCW and to implement applicable pretreatment (~~standards~~) requirements under section 307 of the Federal Water Pollution Control Act (33 U.S.C. § 1241 et seq.).

**AMENDATORY SECTION** (Amending Order DE 84-02, filed 2/29/84)

**WAC 173-216-020 POLICY ENUNCIATED.** (1) It shall be the policy of the department in carrying out the requirements of this chapter, to maintain the highest possible standards to ensure the purity of all waters of the state and to require the use of all known, available and reasonable methods to prevent and control the discharge of wastes into the waters of the state. Notwithstanding that standards of quality established for the waters of the state would not be violated, wastes and other materials shall not be allowed to enter such waters which will reduce the existing quality thereof, except in those situations where it is clear that overriding considerations of public interest will be served.

~~(2) ((Consistent with this policy, the disposal of waste materials from industrial, commercial, or municipal sources into wells will not be authorized by the department.~~

~~((3))~~ Consistent with this policy, the discharge of waste materials into municipal sewerage systems which would interfere with, pass through, or otherwise be incompatible with such systems or which would contaminate the sludge will not be permitted.

~~((4))~~ (3) Consistent with this policy, the department will act to prevent the disposal of wastes that present a risk to human health, including the potential, chronic effects of lifetime exposure to waste materials.

**AMENDATORY SECTION** (Amending Order DE 83-29, filed 11/18/83)

**WAC 173-216-030 DEFINITIONS.** For the purposes of this chapter the following definitions shall be applicable:

(1) "Beneficial uses" shall include, but not be limited to, use for domestic water, irrigation, fish, shellfish, game, and other aquatic life, municipal, recreation, industrial water, generation of electric power, and navigation.

(2) "Dangerous wastes" means any discarded, useless, unwanted, or abandoned nonradioactive substances, including but not limited to certain pesticides, or any residues or containers of such substances which are disposed of in such quantity or concentration as to pose a substantial present or potential hazard to human health, wildlife, or the environment because such wastes or constituents or combinations of such wastes:

(a) Have short-lived, toxic properties that may cause death, injury, or illness or have mutagenic, teratogenic, or carcinogenic properties; or

(b) Are corrosive, explosive, flammable, or may generate pressure through decomposition or other means (Hazardous Waste Disposal Act, chapter 70.105 RCW).

(3) "Department" means department of ecology.

(4) "Domestic wastewater" means water carrying human wastes, including kitchen, bath, and laundry wastes from residences, buildings, industrial establishments or other places, together with such ground water infiltration or surface waters as may be present (submission of plans and reports for construction of wastewater facilities, chapter 173-240 WAC).

(5) "Domestic wastewater facility" means all structures, equipment, or processes required to collect, carry away, treat, reclaim, or dispose of domestic wastewater together with such industrial waste as may be present. In case of subsurface sewage treatment and disposal, the term is restricted to mean those facilities treating and disposing of domestic wastewater only from:

(a) A septic tank with subsurface sewage treatment and disposal and an ultimate design capacity exceeding fourteen thousand five hundred gallons per day at any common point; or

(b) A mechanical treatment system or lagoon followed by subsurface disposal with an ultimate design capacity exceeding three thousand five hundred gallons per day at any common point (submission of plans and reports for construction of wastewater facilities, chapter 173-240 WAC).

(6) "FWPCA" means Federal Water Pollution Control Act as amended by 1981 amendment (33 U.S.C. § 466 et seq.).

(7) "Industrial wastewater" means water or liquid-carried waste from industrial or commercial processes, as distinct from domestic wastewater. These wastes may result from any process or activity of industry, manufacture, trade or business, from the development of any natural resource, or from animal operations such as feed lots, poultry houses, or dairies. The term includes contaminated stormwater and, also, leachate from solid waste facilities (Submission of plans and reports for construction of wastewater facilities, chapter 173-240 WAC).

(8) "Interfere with" means a discharge by an industrial user which, alone or in conjunction with discharges by other sources, inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal and which is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal by the POTW in accordance with the following statutory provisions and regulations or permits issued thereunder (or more stringent state or local regulations): Section 405 of the FWPCA, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including state regulations contained in any state sludge management plan prepared pursuant to Subtitle D or the SWDA, the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection Research and Sanctuaries Act.

(9) "Municipal sewerage system" or "publicly owned treatment works (POTW)" means a publicly owned domestic wastewater facility or a privately owned domestic wastewater facility that is under contract to a municipality.

~~((10))~~ (10) "NPDES" means National Pollutant Discharge Elimination System permit program under section 402 of FWPCA.

~~((11))~~ (11) "New source" means any building, structure, facility, or installation from which there is or may be a discharge, the construction of which commenced; after proposal of Pretreatment Standards under section 307(c) of the FWPCA which are applicable to such sources.

(12) "Pass through" means the discharge of pollutants through a municipal sewerage system into waters of the state in quantities or concentrations which are a cause of or significantly contribute to a violation of any requirement of water quality standards for waters of state of Washington, chapter 173-201 WAC, or of the NPDES or state waste discharge permit, including an increase in the magnitude or duration of a violation (section 307 of FWPCA). Failure to obtain approval of an application for a new or increased discharge or change in the nature of the discharge according to WAC 173-216-110(5) would constitute such a violation.

~~((13))~~ (13) "Person" includes any political subdivision, local, state or federal government agency, municipality, industry, public or private corporation, partnership, association, firm, individual, or any other entity whatsoever.

~~((14))~~ (14) "Pretreatment" means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature

of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW.

~~((15))~~ (15) "Pretreatment requirements" means any substantive or procedural state, local, or federal requirements or standards developed under chapter 90.48 RCW and sections 307 and/or 402 of the FWPCA.

~~((16))~~ (16) "Pretreatment standards," "categorical standards," or "standards," means any pollutant discharge limitations, including those developed under section 307(b) and (c) of the FWPCA and implemented through regulations in 40 CFR Subchapter N, that apply to the discharge of nondomestic wastes to POTWs. This term includes prohibitive discharge limits established pursuant to WAC 173-216-060.

~~((17))~~ (17) "Subsurface sewage treatment and disposal" means the physical, chemical, or biological treatment and disposal of domestic wastewater within the soil profile by placement beneath the soil surface in trenches, beds, seepage pits, mounds, or fills (submission of plans and reports for construction of wastewater facilities, chapter 173-240 WAC).

~~((18))~~ (18) "Waste materials" means any discarded, abandoned, unwanted or unrecovered material(s), except the following are not waste materials for the purposes of this chapter:

(a) Discharges into the ground or ground water of return flow, unaltered except for temperature, from a ground water heat pump used for space heating or cooling: PROVIDED, That such discharges do not have significant potential, either individually, or collectively, to affect ground water quality or uses.

(b) Discharges of stormwater that is not contaminated or potentially contaminated by industrial or commercial sources.

~~((19))~~ (19) "Waters of the state" means all lakes, rivers, ponds, streams, inland waters, ground waters, salt waters, and all other waters and water courses within the jurisdiction of the state of Washington.

~~((20))~~ (20) "Well" means any bored, drilled, driven or dug shaft where the depth is greater than the largest surface dimension and into which fluids are or may be emplaced. (20) In the absence of other definitions as set forth herein, the definitions as set forth in 40 CFR Part 403.3 shall be used for circumstances concerning the discharge of waste into sewerage systems.

#### AMENDATORY SECTION (Amending Order 84-51, filed 1/25/85)

WAC 173-216-050 DISCHARGES NOT SUBJECT TO PERMITS. (1) The following discharges are not subject to permits under this chapter:

(a) Discharges to municipal sewerage systems of domestic wastewater from residential, commercial, or industrial structures.

(b) Any industrial or commercial discharge to a municipal sewerage system for which authority to issue permits has been granted to the municipality under RCW 90.48.165.

(c) Any industrial or commercial discharge to a municipal sewerage system operating under, and in compliance with, the applicable requirements of a local pretreatment program approved under section 307 of FWPCA (~~(- so long as the person undertaking such discharge complies with the applicable requirements of the pretreatment program)~~) and WAC 173-216-150. In the event of noncompliance, this exemption no longer applies and the discharger is immediately subject to enforcement action under chapter 90.48 RCW for discharging without a waste discharge permit.

(d) Discharges to municipal sewerage systems of wastes from industrial or commercial sources whose wastewater is similar in character and strength to normal domestic wastewater: PROVIDED, That such discharges do not have the potential to adversely affect performance of the system. Examples of this type of discharge sources may include hotels, restaurants, laundries and food preparation establishments.

(e) Discharges for which an NPDES permit from the department is required pursuant to chapter 173-220 WAC.

(f) Discharges of domestic wastewater from a septic tank with subsurface sewage treatment and disposal and an ultimate design capacity less than or equal to fourteen thousand five hundred gallons per day. These systems are governed by on-site sewage disposal systems, chapter 248-96 WAC which is administered by the Washington state department of social and health services.

(g) Discharges of domestic wastewater from a mechanical treatment system or lagoon followed by subsurface disposal with an ultimate design capacity less than or equal to three thousand five hundred gallons per day. These systems are governed by on-site sewage disposal systems, chapter 248-96 WAC which is administered by the Washington state department of social and health services.

(2) A permit is required for any source subject to pretreatment standards promulgated under section 307 of FWPCA, unless exempted under subsections (1)(b) and (1)(c) of this section.

(3) These exemptions shall not relieve any discharger from the requirement to apply all known, available, and reasonable methods to prevent and control waste discharges to the waters of the state, nor the requirement to obtain approval of plans and reports for the construction of wastewater facilities. Nothing herein shall limit the authority of the department to take enforcement action for any unlawful discharge of waste materials or other violations of the Water Pollution Control Act, chapter 90.48 RCW.

#### AMENDATORY SECTION (Amending Order DE 83-29, filed 11/18/83)

WAC 173-216-060 PROHIBITED DISCHARGES. (1) The discharge restrictions and prohibitions of dangerous waste regulations, chapter 173-303 WAC shall apply to this chapter.

(2) In addition, the following are prohibited:

(a) ~~((The disposal through wells of dangerous wastes:~~

~~(b))~~ (b) The discharge into a municipal sewerage system of substances prohibited from such discharge by section 307 of FWPCA.

~~((c))~~ (c) All of the following discharges to a municipal sewerage system:

(i) Waste materials that pass through the treatment works untreated or interfere with its operation or performance.

(ii) Any liquids, solids or gases which by reason of their nature or quantity are or may be sufficient either alone or by interaction to cause fire or explosion or be capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for their maintenance and repair or be injurious in any other way to the operation of the system or the operating personnel.

(iii) Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the system.

(iv) Any wastewater having a pH less than 5.0 or greater than 11.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the system, unless the system is specifically designed to accommodate such discharge and the discharge is authorized by a permit under this chapter.

(v) Wastewater which would cause the influent temperature to exceed 40°C (104°F), unless the system is specifically designed to accommodate such discharge and the discharge is authorized by a permit under this chapter. In any case, any wastewater having a temperature which will interfere with the biological activity in the system is prohibited.

(vi) Any waste materials, including oxygen demanding waste materials (BOD, etc.), released in either a slug load or continuous discharge of such volume or strength as to cause interference to the system.

(vii) Any of the following discharges unless approved by the department under extraordinary circumstances, such as lack of direct discharge alternatives due to combined sewer service or need to augment sewage flows due to septic conditions:

(A) Noncontact cooling water in significant volumes.

(B) Stormwater, and other direct inflow sources.

(C) Wastewaters significantly affecting system hydraulic loading, which do not require treatment or would not be afforded a significant degree of treatment by the system.

#### AMENDATORY SECTION (Amending Order DE 83-29, filed 11/18/83)

WAC 173-216-070 APPLICATION FOR A PERMIT. (1) Any person not exempt under WAC 173-216-050, who proposes to discharge waste materials into waters of the state or into a municipal sewerage system, must file an application with the department at least sixty days prior to discharging, or in the case of an expiring permit, at least sixty days prior to the expiration of the permit.

(2) Applications for permits shall be on forms as prescribed by the department.

(3) The applicant must pay applicable fees pursuant to Wastewater discharge permit fees, chapter 173-222 WAC.

(4) The requirement for a permit application will be satisfied, if the discharger files:

(a) A completed permit application;

(b) When applicable, signature of approval by an authorized representative of the municipal sewerage system; and

(c) Any other information determined as necessary by the department.

((4)) (5) The application shall be signed in case of:

(a) Corporations, by a principal executive officer or at least the level of vice president;

(b) A partnership, by a general partner;

(c) A sole proprietorship, by the proprietor;

(d) A municipal, state, federal, or other public facility, by either a principal executive officer or ranking elected official.

((5)) (6) In the case of application by a corporation, the principal executive officer shall personally examine the application and certify its truth, accuracy, and completeness.

AMENDATORY SECTION (Amending Order DE 83-29, filed 11/18/83)

WAC 173-216-110 PERMIT TERMS AND CONDITIONS.

(1) Any permit issued by the department shall specify conditions necessary to prevent and control waste discharges into the waters of the state, including the following, whenever applicable:

(a) All known, available, and reasonable methods of prevention, control, and treatment;

(b) Pretreatment ((standards)) requirements under section 307 of the FWPCA;

(c) Requirements pursuant to other laws, including the state's Hazardous Waste Disposal Act, chapter 70.105 RCW, the Solid waste management—Recovery and recycling, chapter 70.95 RCW, the Resource Conservation and Recovery Act of 1976, Public Law 95.190 or any other applicable local ordinances, state, or federal statute, to the extent that they pertain to the prevention or control of waste discharges into the waters of the state;

(d) Any conditions necessary to meet applicable water quality standards for surface waters or to preserve or protect beneficial uses for ground waters;

(e) Requirements necessary to avoid conflict with a plan approved pursuant to section 208(b) of FWPCA;

(f) Any conditions necessary to prevent and control pollutant discharges from plant site runoff, spillage or leaks, sludge or waste disposal, or raw material storage;

(g) Any appropriate monitoring ((and)), reporting and record keeping requirements as specified by the department, including applicable requirements under sections 307 and 308 of FWPCA;

(h) Schedules of compliance, including those required under sections 301 and 307 of FWPCA, which shall set forth the shortest reasonable time period to achieve the specified requirements; and

(i) Prohibited discharge requirements as contained in WAC 173-216-060.

(2) The permits shall be for a fixed term, not exceeding five years.

(3) Representatives of the department shall have the right to enter at all reasonable times in or upon any property, public or private, for the purpose of inspecting and investigating conditions relating to the pollution or the possible pollution of any waters of the state. Reasonable times shall include normal business hours, hours during which production, treatment, or discharge occurs, or times when the department suspects a violation requiring immediate inspection. Representatives of the department shall be allowed to have access to, and copy at reasonable cost, any records required to be kept under terms and conditions of the permit, to inspect any monitoring equipment or method required in the permit and to sample the discharge, waste treatment processes, or internal waste streams.

(4) The permittee shall at all times be responsible for the proper operation and maintenance of any facilities or systems of control installed by the permittee to achieve compliance with the terms and conditions of the permit. Where design criteria have been established, the permittee shall not permit flows or waste loadings to exceed approved design criteria or approved revisions thereto.

(5) A new application, or supplement to the previous application, shall be submitted, along with required engineering plans and reports, whenever a new or increased discharge or change in the nature of the discharge is anticipated which is not specifically authorized by the current permit. Such application shall be submitted at least sixty days prior to any proposed changes.

(6) In the event the permittee is unable to comply with any of the permit terms and conditions due to any cause, the permittee shall:

(a) Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the violation, and correct the problem;

(b) Immediately notify the department of the failure to comply; and

(c) Submit a detailed written report to the department within thirty days, unless requested earlier by the department, describing the nature

of the violation, corrective action taken and/or planned, steps to be taken to prevent a recurrence, and any other pertinent information.

(7) In the case of discharge into a municipal sewerage system, the department shall consider in the final permit documents the requirements of the municipality operating the system.

(8) Permits for domestic wastewater facilities shall be issued only to a public entity, except in the following circumstances:

(a) Facilities existing or approved for construction with private operation on or before the effective date of this chapter, until such time as the facility is expanded;

(b) Facilities that serve a single nonresidential, industrial, or commercial establishment. Commercial/industrial complexes serving multiple owners or tenants and multiple residential dwelling facilities such as mobile home parks, apartments, and condominiums are not considered single commercial establishments for the purpose of the preceding sentence.

(c) Facilities that are owned by nonpublic entities and under contract to a public entity shall be issued a joint permit to both the owner and the public entity.

AMENDATORY SECTION (Amending Order DE 83-29, filed 11/18/83)

WAC 173-216-130 MODIFICATION, SUSPENSION, AND REVOCATION OF PERMITS. (1) Any permit issued under this chapter can be modified, suspended, or revoked, in whole or in part by the department for the following causes:

(a) Violation of any permit term or condition;

(b) Obtaining a permit by misrepresentation or failure to fully disclose all relevant facts;

(c) A material change in quantity or type of waste disposal; ((or))

(d) A material change in the condition of the waters of the state; or

(e) Nonpayment of permit fees assessed pursuant to RCW 90.48.460.

(2) The department may modify a permit, including the schedule of compliance or other conditions, if it determines good and valid cause exists, which includes promulgation of categorical standards.

NEW SECTION

WAC 173-216-150 DELEGATION OF AUTHORITY TO ISSUE PERMITS FOR DISCHARGES INTO SEWER SYSTEMS. Qualified cities, towns, and other municipal corporations who wish to administer a local permit program shall fulfill the requirements of chapter 173-208 WAC and 40 CFR Part 403.

**WSR 86-01-096**

**NOTICE OF PUBLIC MEETINGS**

**COMMISSION ON**

**MEXICAN AMERICAN AFFAIRS**

[Memorandum—December 18, 1985]

The Washington State Commission on Mexican American Affairs' 1986 meeting schedule, is as shown below:

February 10, 1986	Olympia
April 12, 1986	Spokane
June 14, 1986	Othello
August 9, 1986	Walla Walla
September 13, 1986	Sunnyside
December 13, 1986	Olympia

All meetings will begin at 11 a.m. and be held on Saturdays, with the exception of February 10, 1986, which will commence at 6 p.m. Meeting locations will vary locally.

**Table of WAC Sections Affected**

**KEY TO TABLE**

**Symbols:**

- AMD = Amendment of existing section
- NEW = New section not previously codified
- OBJEC = Notice of objection by Joint Administrative Rules Review Committee
- RE-AD = Readoption of existing section
- REP = Repeal of existing section
- REAFF = Order assuming and reaffirming rules
- REMOV = Removal of rule pursuant to RCW 34.04.050(5)
- RESCIND = Rescind previous emergency rule
- 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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4-25-040	AMD-P	85-02-066	16-42-01001	REP-W	85-10-020	16-228-265	AMD	85-17-044
4-25-040	AMD-C	85-06-008	16-42-01001	REP	85-15-024	16-228-270	REP-P	85-13-052
4-25-040	AMD-C	85-06-054	16-42-015	AMD-P	85-09-061	16-228-270	REP	85-17-044
4-25-040	AMD-E	85-17-032	16-42-015	AMD-W	85-10-020	16-228-275	AMD-P	85-13-052
4-25-040	AMD-E	85-17-074	16-42-015	AMD	85-15-024	16-228-275	AMD	85-17-044
4-25-040	AMD-P	85-19-091	16-42-017	NEW-P	85-09-061	16-228-280	REP-P	85-13-052
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4-25-140	AMD-C	85-06-054	16-42-02001	REP-W	85-10-020	16-228-285	REP	85-17-044
4-25-140	AMD	85-11-013	16-42-02001	REP	85-15-024	16-230-190	AMD-C	85-17-043
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24-12-012	AMD-P	85-21-007	50-20-010	AMD	85-19-053
24-12-012	AMD	86-01-082	50-20-050	AMD-E	85-15-074
25-15-010	NEW-E	85-20-008	50-20-050	AMD-P	85-16-056
25-15-020	NEW-E	85-20-008	50-20-050	AMD-C	85-19-044
25-15-030	NEW-E	85-20-008	50-20-050	AMD	85-19-053
25-15-040	NEW-E	85-20-008	50-20-055	AMD-E	85-15-074
25-15-050	NEW-E	85-20-008	50-20-055	AMD-P	85-16-056
25-15-060	NEW-E	85-20-008	50-20-055	AMD-C	85-19-044
25-15-070	NEW-E	85-20-008	50-20-055	AMD-P	85-19-088
25-15-080	NEW-E	85-20-008	50-20-055	AMD	85-22-014
25-15-090	NEW-E	85-20-008	50-20-090	NEW-E	85-15-074
25-15-100	NEW-E	85-20-008	50-20-090	NEW-P	85-16-056
25-15-110	NEW-E	85-20-008	50-20-090	NEW-C	85-19-044
25-15-120	NEW-E	85-20-008	50-20-090	NEW	85-19-053
30-01-010	NEW-P	86-01-087	50-24-100	AMD-P	85-16-116
30-01-020	NEW-P	86-01-087	50-24-100	AMD-C	85-19-045
30-01-030	NEW-P	86-01-087	50-24-100	AMD	85-19-052
30-01-040	NEW-P	86-01-087	50-44-030	AMD-P	85-16-116
30-01-050	NEW-P	86-01-087	50-44-030	AMD-C	85-19-045
30-01-060	NEW-P	86-01-087	50-44-030	AMD	85-19-052
30-04-010	NEW-P	86-01-087	50-48-020	AMD-P	85-16-116
30-04-020	NEW-P	86-01-087	50-48-020	AMD-C	85-19-045
30-04-030	NEW-P	86-01-087	50-48-020	AMD	85-19-052
30-04-040	NEW-P	86-01-087	51-10	AMD-P	85-02-055
30-04-050	NEW-P	86-01-087	51-10	AMD	85-03-095
30-04-060	NEW-P	86-01-087	51-10	AMD	85-07-036
30-04-070	NEW-P	86-01-087	51-12-100	NEW-P	85-18-068
30-04-080	NEW-P	86-01-087	51-12-100	NEW	85-24-028
30-04-090	NEW-P	86-01-087	51-12-101	NEW-P	85-18-068
30-04-100	NEW-P	86-01-087	51-12-101	NEW	85-24-028
30-04-110	NEW-P	86-01-087	51-12-102	NEW-P	85-18-068
30-04-120	NEW-P	86-01-087	51-12-102	NEW	85-24-028
30-08-010	NEW-P	86-01-087	51-12-103	NEW-P	85-18-068
30-08-020	NEW-P	86-01-087	51-12-103	NEW	85-24-028
30-08-030	NEW-P	86-01-087	51-12-104	NEW-P	85-18-068
30-08-040	NEW-P	86-01-087	51-12-104	NEW	85-24-028
30-08-050	NEW-P	86-01-087	51-12-105	NEW-P	85-18-068
30-08-060	NEW-P	86-01-087	51-12-105	NEW	85-24-028
30-08-070	NEW-P	86-01-087	51-12-106	NEW-P	85-18-068
30-12-010	NEW-P	86-01-087	51-12-106	NEW	85-24-028
30-12-020	NEW-P	86-01-087	51-12-107	NEW-P	85-18-068
30-12-030	NEW-P	86-01-087	51-12-107	NEW	85-24-028
30-12-040	NEW-P	86-01-087	51-12-108	NEW-P	85-18-068
30-12-050	NEW-P	86-01-087	51-12-108	NEW	85-24-028
30-12-060	NEW-P	86-01-087	51-12-109	NEW-P	85-18-068
30-12-070	NEW-P	86-01-087	51-12-109	NEW	85-24-028
30-12-080	NEW-P	86-01-087	51-12-110	NEW-P	85-18-068
30-12-090	NEW-P	86-01-087	51-12-110	NEW	85-24-028
30-12-100	NEW-P	86-01-087	51-12-200	NEW-P	85-18-068
30-12-110	NEW-P	86-01-087	51-12-200	NEW	85-24-028
30-12-120	NEW-P	86-01-087	51-12-201	NEW-P	85-18-068
30-12-130	NEW-P	86-01-087	51-12-201	NEW	85-24-028
30-12-140	NEW-P	86-01-087	51-12-202	NEW-P	85-18-068
30-12-150	NEW-P	86-01-087	51-12-202	NEW	85-24-028
30-12-160	NEW-P	86-01-087	51-12-203	NEW-P	85-18-068
30-12-170	NEW-P	86-01-087	51-12-203	NEW	85-24-028
50-12-010	REP-P	85-16-116	51-12-204	NEW-P	85-18-068
50-12-010	REP-C	85-19-045	51-12-204	NEW	85-24-028
50-12-010	REP	85-19-052	51-12-205	NEW-P	85-18-068
50-12-040	AMD-P	85-16-116	51-12-205	NEW	85-24-028
50-12-040	AMD-C	85-19-045	51-12-206	NEW-P	85-18-068
50-12-040	AMD	85-19-052	51-12-206	NEW	85-24-028
50-12-050	AMD-E	85-16-030	51-12-207	NEW-P	85-18-068
50-12-050	AMD-P	85-16-116	51-12-207	NEW	85-24-028
51-12-208	NEW-P	85-18-068			
51-12-208	NEW	85-24-028			
51-12-209	NEW-P	85-18-068			
51-12-209	NEW	85-24-028			
51-12-210	NEW-P	85-18-068			
51-12-210	NEW	85-24-028			
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51-12-212	NEW-P	85-18-068			
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51-12-213	NEW-P	85-18-068			
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51-12-214	NEW-P	85-18-068			
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51-12-220	NEW-P	85-18-068			
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51-12-222	NEW-P	85-18-068			
51-12-222	NEW	85-24-028			
51-12-223	NEW-P	85-18-068			
51-12-223	NEW	85-24-028			
51-12-300	NEW-P	85-18-068			
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51-12-301	NEW-P	85-18-068			
51-12-301	NEW	85-24-028			
51-12-302	NEW-P	85-18-068			
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51-12-303	NEW-P	85-18-068			
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51-12-304	NEW-P	85-18-068			
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51-12-305	NEW-P	85-18-068			
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51-12-306	NEW-P	85-18-068			
51-12-400	NEW-P	85-18-068			
51-12-400	NEW	85-24-028			
51-12-401	NEW-P	85-18-068			
51-12-401	NEW	85-24-028			
51-12-402	NEW-P	85-18-068			
51-12-402	NEW	85-24-028			
51-12-403	NEW-P	85-18-068			
51-12-403	NEW	85-24-028			
51-12-404	NEW-P	85-18-068			
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51-12-407	NEW-P	85-18-068			
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51-12-412	NEW-P	85-18-068			
51-12-412	NEW	85-24-028			
51-12-413	NEW-P	85-18-068			
51-12-413	NEW	85-24-028			
51-12-414	NEW-P	85-18-068			
51-12-414	NEW	85-24-028			
51-12-415	NEW-P	85-18-068			
51-12-415	NEW	85-24-028			

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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
51-12-416	NEW-P	85-18-068	67-25-185	REP-E	85-13-023	82-50-021	AMD	85-16-014
51-12-416	NEW	85-24-028	67-25-185	REP-P	85-15-077	98-40-010	NEW-P	85-14-108
51-12-417	NEW-P	85-18-068	67-25-185	REP	85-18-046	98-40-010	NEW	85-19-012
51-12-417	NEW	85-24-028	67-25-190	REP-E	85-13-023	98-40-020	NEW-P	85-14-108
51-12-418	NEW-P	85-18-068	67-25-190	REP-P	85-15-077	98-40-020	NEW	85-19-012
51-12-418	NEW	85-24-028	67-25-190	REP	85-18-046	98-40-030	NEW-P	85-14-108
51-12-419	NEW-P	85-18-068	67-25-200	REP-E	85-13-023	98-40-030	NEW	85-19-012
51-12-419	NEW	85-24-028	67-25-200	REP-P	85-15-077	98-40-040	NEW-P	85-14-108
51-12-420	NEW-P	85-18-068	67-25-200	REP	85-18-046	98-40-040	NEW	85-19-012
51-12-420	NEW	85-24-028	67-25-257	NEW-P	85-03-081	98-40-050	NEW-P	85-14-108
51-12-421	NEW-P	85-18-068	67-25-257	NEW	85-06-030	98-40-050	NEW	85-19-012
51-12-421	NEW	85-24-028	67-25-360	AMD-P	85-15-077	98-40-060	NEW-P	85-14-108
51-12-422	NEW-P	85-18-068	67-25-360	AMD	85-18-046	98-40-060	NEW	85-19-012
51-12-422	NEW	85-24-028	67-25-420	AMD-P	85-03-081	98-40-070	NEW-P	85-14-108
51-12-423	NEW-P	85-18-068	67-25-420	AMD	85-06-030	98-40-070	NEW	85-19-012
51-12-423	NEW	85-24-028	67-35-070	AMD-P	85-15-075	98-40-080	NEW-P	85-14-108
51-12-424	NEW-P	85-18-068	67-35-070	AMD	85-18-048	98-40-080	NEW	85-19-012
51-12-424	NEW	85-24-028	67-35-100	AMD-P	85-15-075	98-70-010	AMD-P	85-14-108
51-12-425	NEW-P	85-18-068	67-35-100	AMD	85-18-048	98-70-010	AMD	85-19-012
51-12-425	NEW	85-24-028	67-35-130	AMD-P	85-15-075	100-100-010	NEW	85-03-011
51-12-426	NEW-P	85-18-068	67-35-130	AMD	85-18-048	100-100-020	NEW	85-03-011
51-12-426	NEW	85-24-028	67-35-140	AMD-P	85-15-075	100-100-030	NEW	85-03-011
51-12-500	NEW-P	85-18-068	67-35-140	AMD	85-18-048	100-100-040	NEW	85-03-011
51-12-500	NEW	85-24-028	67-35-160	AMD-P	85-15-075	100-100-050	NEW	85-03-011
51-12-501	NEW-P	85-18-068	67-35-160	AMD-C	85-18-030	100-100-060	NEW	85-03-011
51-12-501	NEW	85-24-028	67-35-160	AMD	85-19-048	100-100-070	NEW	85-03-011
51-12-502	NEW-P	85-18-068	67-35-180	AMD-P	85-15-075	100-100-070	AMD-P	85-04-063
51-12-502	NEW	85-24-028	67-35-180	AMD	85-18-048	100-100-070	AMD	85-09-027
51-12-503	NEW-P	85-18-068	67-35-190	AMD-P	85-15-075	100-100-075	NEW	85-09-027
51-12-503	NEW	85-24-028	67-35-190	AMD	85-18-048	100-100-080	NEW	85-03-011
51-12-504	NEW-P	85-18-068	67-35-280	AMD-P	85-15-075	100-100-090	NEW	85-03-011
51-12-504	NEW	85-24-028	67-35-280	AMD	85-18-048	100-100-100	NEW	85-03-011
51-12-505	NEW-P	85-18-068	67-35-310	AMD-P	85-15-075	100-100-100	AMD-P	85-04-063
51-12-505	NEW	85-24-028	67-35-310	AMD	85-18-048	106-120	AMD-P	85-03-086
51-12-506	NEW-P	85-18-068	67-35-350	AMD-P	85-15-075	106-120	AMD	85-07-032
51-12-506	NEW	85-24-028	67-35-350	AMD	85-18-048	106-120-001	REP-P	85-03-086
51-12-507	NEW-P	85-18-068	67-35-460	AMD-P	85-15-075	106-120-001	REP	85-07-032
51-12-507	NEW	85-24-028	67-35-460	AMD	85-18-048	106-120-003	NEW-P	85-03-086
51-12-600	NEW-P	85-18-068	67-35-520	AMD-P	85-15-075	106-120-003	NEW	85-07-032
51-12-600	NEW	85-24-028	67-35-520	AMD	85-18-048	106-120-004	NEW-P	85-03-086
51-12-601	NEW-P	85-18-068	67-45-010	REP-E	85-09-039	106-120-004	NEW	85-07-032
51-12-601	NEW	85-24-028	67-45-010	REP-E	85-15-044	106-120-005	NEW-P	85-03-086
51-12-602	NEW-P	85-18-068	67-45-010	REP-P	85-15-076	106-120-005	NEW	85-07-032
51-12-602	NEW	85-24-028	67-45-010	REP	85-18-047	106-120-006	NEW-P	85-03-086
51-12-603	NEW-P	85-18-068	67-45-020	REP-E	85-09-039	106-120-006	NEW	85-07-032
51-12-603	NEW	85-24-028	67-45-020	REP-E	85-15-044	106-120-007	NEW-P	85-03-086
51-12-604	NEW-P	85-18-068	67-45-020	REP-P	85-15-076	106-120-007	NEW	85-07-032
51-12-604	NEW	85-24-028	67-45-020	REP	85-18-047	106-120-010	REP-P	85-03-086
51-12-605	NEW-P	85-18-068	67-45-030	REP-E	85-09-039	106-120-010	REP	85-07-032
51-12-605	NEW	85-24-028	67-45-030	REP-E	85-15-044	106-120-011	REP-P	85-03-086
51-12-606	NEW-P	85-18-068	67-45-030	REP-P	85-15-076	106-120-011	REP	85-07-032
51-12-606	NEW	85-24-028	67-45-030	REP	85-18-047	106-120-013	REP-P	85-03-086
51-12-607	NEW-P	85-18-068	67-45-040	REP-E	85-09-039	106-120-013	REP	85-07-032
51-12-607	NEW	85-24-028	67-45-040	REP-E	85-15-044	106-120-020	REP-P	85-03-086
51-12-608	NEW-P	85-18-068	67-45-040	REP-P	85-15-076	106-120-020	REP	85-07-032
51-12-608	NEW	85-24-028	67-45-040	REP	85-18-047	106-120-021	NEW-P	85-03-086
51-16-010	NEW-P	85-18-058	67-45-045	REP-E	85-09-039	106-120-021	NEW	85-07-032
51-16-010	NEW	85-24-029	67-45-045	REP-E	85-15-044	106-120-022	NEW-P	85-03-086
51-16-020	NEW-P	85-18-058	67-45-045	REP-P	85-15-076	106-120-022	NEW	85-07-032
51-16-020	NEW	85-24-029	67-45-045	REP	85-18-047	106-120-023	NEW-P	85-03-086
51-16-030	NEW-P	85-18-058	67-45-050	REP-E	85-09-039	106-120-023	NEW	85-07-032
51-16-030	NEW	85-24-029	67-45-050	REP-E	85-15-044	106-120-024	NEW-P	85-03-086
51-16-040	NEW-P	85-18-058	67-45-050	REP-P	85-15-076	106-120-024	NEW	85-07-032
51-16-040	NEW	85-24-029	67-45-050	REP	85-18-047	106-120-025	NEW-P	85-03-086
51-16-050	NEW-P	85-18-058	67-45-060	REP-E	85-09-039	106-120-025	NEW	85-07-032
51-16-050	NEW	85-24-029	67-45-060	REP-E	85-15-044	106-120-026	NEW-P	85-03-086
51-16-060	NEW-P	85-18-058	67-45-060	REP-P	85-15-076	106-120-026	NEW	85-07-032
51-16-060	NEW	85-24-029	67-45-060	REP	85-18-047	106-120-027	NEW-P	85-03-086
51-16-070	NEW-P	85-18-058	67-45-070	REP-E	85-09-039	106-120-027	NEW	85-07-032
51-16-070	NEW	85-24-029	67-45-070	REP-E	85-15-044	106-120-028	NEW-P	85-03-086
51-16-080	NEW	85-24-029	67-45-070	REP-P	85-15-076	106-120-028	NEW	85-07-032
51-16-090	NEW	85-24-029	67-45-070	REP	85-18-047	106-120-030	REP-P	85-03-086
67-25-005	AMD-P	85-03-081	67-45-075	REP-E	85-09-039	106-120-030	REP	85-07-032
67-25-005	AMD	85-06-030	67-45-075	REP-E	85-15-044	106-120-031	REP-P	85-03-086
67-25-180	REP-E	85-13-023	67-45-075	REP-P	85-15-076	106-120-031	REP	85-07-032
67-25-180	REP-P	85-15-077	67-45-075	REP	85-18-047	106-120-032	REP-P	85-03-086
67-25-180	REP	85-18-046	82-50-021	AMD-P	85-13-068	106-120-032	REP	85-07-032

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106-120-033	NEW-P	85-03-086	118-03-050	AMD	85-20-062	120-52-050	REP	85-15-013
106-120-033	NEW	85-07-032	118-03-070	AMD-P	85-17-003	120-52-070	REP-P	85-11-041
106-120-040	REP-P	85-03-086	118-03-070	AMD-E	85-17-004	120-52-070	REP	85-15-013
106-120-040	REP	85-07-032	118-03-070	AMD	85-20-062	120-52-090	REP-P	85-11-041
106-120-041	REP-P	85-03-086	118-03-090	AMD-P	85-17-003	120-52-090	REP	85-15-013
106-120-041	REP	85-07-032	118-03-090	AMD-E	85-17-004	131-08-010	NEW-P	85-24-014
106-120-042	REP-P	85-03-086	118-03-090	AMD	85-20-062	131-08-010	NEW-E	86-01-037
106-120-042	REP	85-07-032	118-03-110	AMD-P	85-17-003	131-16-005	AMD-P	85-16-103
106-120-043	REP-P	85-03-086	118-03-110	AMD-E	85-17-004	131-16-005	AMD	85-19-056
106-120-043	REP	85-07-032	118-03-110	AMD	85-20-062	131-16-011	AMD-P	85-16-103
106-120-050	REP-P	85-03-086	118-03-130	AMD-P	85-17-003	131-16-011	AMD-W	85-19-055
106-120-050	REP	85-07-032	118-03-130	AMD-E	85-17-004	131-24-040	NEW-P	85-16-102
106-120-051	REP-P	85-03-086	118-03-130	AMD	85-20-062	131-24-040	NEW	85-20-045
106-120-051	REP	85-07-032	118-03-150	AMD-P	85-17-003	132B-122-010	NEW-P	85-04-051
106-120-053	REP-P	85-03-086	118-03-150	AMD-E	85-17-004	132B-122-010	NEW	85-08-025
106-120-053	REP	85-07-032	118-03-150	AMD	85-20-062	132C-104-060	AMD-P	85-07-050
106-120-055	REP-P	85-03-086	118-03-170	AMD-P	85-17-003	132C-104-060	AMD	85-13-024
106-120-055	REP	85-07-032	118-03-170	AMD-E	85-17-004	132C-120-010	AMD-P	85-07-051
106-120-056	REP-P	85-03-086	118-03-170	AMD	85-20-062	132C-120-010	AMD	85-13-067
106-120-056	REP	85-07-032	118-03-190	AMD-P	85-17-003	132C-120-015	AMD-P	85-07-051
106-120-057	REP-P	85-03-086	118-03-190	AMD-E	85-17-004	132C-120-015	AMD	85-13-067
106-120-057	REP	85-07-032	118-03-190	AMD	85-20-062	132C-120-020	AMD-P	85-07-051
106-120-058	REP-P	85-03-086	118-03-210	AMD-P	85-17-003	132C-120-020	AMD	85-13-067
106-120-058	REP	85-07-032	118-03-210	AMD-E	85-17-004	132C-120-025	AMD-P	85-07-051
106-120-060	REP-P	85-03-086	118-03-210	AMD	85-20-062	132C-120-025	AMD	85-13-067
106-120-060	REP	85-07-032	118-03-230	AMD-P	85-17-003	132C-120-030	AMD-P	85-07-051
106-120-061	REP-P	85-03-086	118-03-230	AMD-E	85-17-004	132C-120-030	AMD	85-13-067
106-120-061	REP	85-07-032	118-03-230	AMD	85-20-062	132C-120-035	AMD-P	85-07-051
106-120-062	REP-P	85-03-086	118-03-250	AMD-P	85-17-003	132C-120-035	AMD	85-13-067
106-120-062	REP	85-07-032	118-03-250	AMD-E	85-17-004	132C-120-040	AMD-P	85-07-051
106-120-064	REP-P	85-03-086	118-03-250	AMD	85-20-062	132C-120-040	AMD	85-13-067
106-120-064	REP	85-07-032	118-03-270	AMD-P	85-17-003	132C-120-040	AMD-P	85-07-051
106-120-066	REP-P	85-03-086	118-03-270	AMD-E	85-17-004	132C-120-045	AMD-P	85-07-051
106-120-066	REP	85-07-032	118-03-270	AMD	85-20-062	132C-120-045	AMD	85-13-067
106-120-131	NEW-P	85-03-086	118-03-290	AMD-P	85-17-003	132C-120-050	AMD-P	85-07-051
106-120-131	NEW	85-07-032	118-03-290	AMD-E	85-17-004	132C-120-050	AMD	85-13-067
106-120-132	NEW-P	85-03-086	118-03-290	AMD	85-20-062	132C-120-055	AMD-P	85-07-051
106-120-132	NEW	85-07-032	118-03-310	AMD-P	85-17-003	132C-120-055	AMD	85-13-067
106-120-143	NEW-P	85-03-086	118-03-310	AMD-E	85-17-004	132C-120-060	AMD-P	85-07-051
106-120-143	NEW	85-07-032	118-03-310	AMD	85-20-062	132C-120-060	AMD	85-13-067
106-120-200	REP-P	85-03-086	120-04-010	REP-P	85-11-041	132C-120-065	AMD-P	85-07-051
106-120-200	REP	85-07-032	120-04-010	REP	85-15-013	132C-120-065	AMD	85-13-067
106-120-210	REP-P	85-03-086	120-04-030	REP-P	85-11-041	132C-120-070	REP-P	85-07-051
106-120-210	REP	85-07-032	120-04-030	REP	85-15-013	132C-120-070	REP	85-13-067
106-120-220	REP-P	85-03-086	120-04-050	REP-P	85-11-041	132C-120-075	REP-P	85-07-051
106-120-220	REP	85-07-032	120-04-050	REP	85-15-013	132C-120-075	REP	85-13-067
106-120-230	REP-P	85-03-086	120-06-010	REP-P	85-11-041	132C-120-080	REP-P	85-07-051
106-120-230	REP	85-07-032	120-06-010	REP	85-15-013	132C-120-080	REP	85-13-067
106-120-240	REP-P	85-03-086	120-06-020	REP-P	85-11-041	132C-120-085	REP-P	85-07-051
106-120-240	REP	85-07-032	120-06-020	REP	85-15-013	132C-120-085	REP	85-13-067
106-120-250	REP-P	85-03-086	120-06-030	REP-P	85-11-041	132C-120-090	REP-P	85-07-051
106-120-250	REP	85-07-032	120-06-030	REP	85-15-013	132C-120-090	REP	85-13-067
106-120-700	REP-P	85-03-086	120-06-040	REP-P	85-11-041	132C-120-095	REP-P	85-07-051
106-120-700	REP	85-07-032	120-06-040	REP	85-15-013	132C-120-095	REP	85-13-067
106-120-800	REP-P	85-03-086	120-06-040	REP-P	85-11-041	132C-120-100	AMD-P	85-07-051
106-120-800	REP	85-07-032	120-06-050	REP	85-15-013	132C-120-100	AMD	85-13-067
106-120-900	REP-P	85-03-086	120-06-060	REP-P	85-11-041	132C-120-105	AMD-P	85-07-051
106-120-900	REP	85-07-032	120-06-060	REP	85-15-013	132C-120-105	AMD	85-13-067
113-12-005	REP-E	85-16-067	120-06-070	REP-P	85-11-041	132C-120-110	AMD-P	85-07-051
113-12-005	REP-P	85-16-089	120-06-070	REP	85-15-013	132C-120-110	AMD	85-13-067
113-12-005	REP	85-20-078	120-06-080	REP-P	85-11-041	132C-120-115	AMD-P	85-07-051
114-12-005	REP-P	85-10-068	120-06-080	REP	85-15-013	132C-120-115	AMD	85-13-067
114-12-005	REP	85-13-081	120-06-090	REP-P	85-11-041	132C-120-120	AMD-P	85-07-051
114-12-121	REP-P	85-10-068	120-06-090	REP	85-15-013	132C-120-120	AMD	85-13-067
114-12-121	REP	85-13-081	120-06-100	REP-P	85-11-041	132C-120-125	AMD-P	85-07-051
114-12-125	NEW-P	85-10-068	120-06-100	REP	85-15-013	132C-120-125	AMD	85-13-067
114-12-125	NEW	85-13-081	120-06-110	REP-P	85-11-041	132C-120-130	AMD-P	85-07-051
114-12-125	AMD-P	85-21-102	120-06-110	REP	85-15-013	132C-120-130	AMD	85-13-067
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118-03-010	AMD-E	85-17-004	120-08-010	REP-P	85-11-041	132C-120-140	AMD-P	85-07-051
118-03-010	AMD	85-20-062	120-08-010	REP	85-15-013	132C-120-140	AMD	85-13-067
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118-03-030	AMD-E	85-17-004	120-52-010	REP	85-15-013	132C-120-145	AMD	85-13-067
118-03-030	AMD	85-20-062	120-52-030	REP-P	85-11-041	132C-120-150	AMD-P	85-07-051
118-03-050	AMD-P	85-17-003	120-52-030	REP	85-15-013	132C-120-150	AMD	85-13-067
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132C-120-165	REP	85-13-067	132F-116-020	AMD-P	85-18-059	132H-120-230	AMD-P	85-22-044
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132C-120-175	REP-P	85-07-051	132F-116-100	AMD-P	85-18-059	132H-120-330	AMD-P	85-22-044
132C-120-175	REP	85-13-067	132F-116-110	AMD-P	85-18-059	132H-120-330	AMD	86-01-056
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132C-120-180	REP	85-13-067	132F-116-130	AMD-P	85-18-059	132H-120-340	AMD-P	85-22-044
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132C-120-185	REP	85-13-067	132F-116-150	AMD-P	85-18-059	132H-120-360	AMD-E	85-19-074
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132C-120-205	AMD-P	85-07-051	132F-136-050	AMD-P	85-18-059	132L-30-010	AMD-P	85-16-087
132C-120-205	AMD	85-13-067	132F-136-060	AMD-P	85-18-059	132L-30-020	AMD-P	85-16-087
132C-120-210	AMD-P	85-07-051	132F-136-070	AMD-P	85-18-059	132L-30-030	AMD-P	85-16-087
132C-120-210	AMD	85-13-067	132F-148-010	AMD-P	85-09-057	132L-30-040	AMD-P	85-16-087
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132C-120-215	AMD	85-13-067	132F-148-020	AMD-P	85-09-057	132L-30-060	AMD-P	85-16-087
132C-120-220	AMD-P	85-07-051	132F-148-020	AMD	85-13-076	132L-30-080	AMD-P	85-16-087
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132C-120-225	AMD	85-13-067	132F-148-040	AMD-P	85-09-057	132L-30-130	AMD-P	85-16-087
132C-120-230	NEW-P	85-07-051	132F-148-040	AMD	85-13-076	132L-30-140	AMD-P	85-16-087
132C-120-230	NEW	85-13-067	132F-148-050	AMD-P	85-09-057	132L-30-150	AMD-P	85-16-087
132C-120-235	NEW-P	85-07-051	132F-148-050	AMD	85-13-076	132L-30-160	AMD-P	85-16-087
132C-120-235	NEW	85-13-067	132F-148-060	AMD-P	85-09-057	132L-30-170	AMD-P	85-16-087
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132E-116-012	REP	85-04-003	132F-168-030	AMD-P	85-18-059	132L-30-210	AMD-P	85-16-087
132E-116-016	REP	85-04-003	132F-168-040	AMD-P	85-18-059	132L-30-230	AMD-P	85-16-087
132E-116-020	REP	85-04-003	132F-168-050	AMD-P	85-18-059	132L-30-260	AMD-P	85-16-087
132E-116-024	REP	85-04-003	132F-168-060	AMD-P	85-18-059	132L-30-270	AMD-P	85-16-087
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132E-116-040	REP	85-04-003	132F-168-100	AMD-P	85-18-059	132L-136-010	REP-P	85-22-082
132E-116-044	REP	85-04-003	132F-168-110	AMD-P	85-18-059	132L-136-030	AMD-P	85-22-082
132E-116-048	REP	85-04-003	132F-200-010	AMD-P	85-16-120	132L-136-050	AMD-P	85-22-082
132E-116-052	REP	85-04-003	132F-200-010	AMD	85-21-016	132L-136-060	AMD-P	85-22-082
132E-116-056	REP	85-04-003	132F-325-010	AMD-P	85-18-059	132L-136-070	AMD-P	85-22-082
132E-116-060	REP	85-04-003	132F-325-030	AMD-P	85-18-059	132L-136-080	AMD-P	85-22-082
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132E-116-076	REP	85-04-003	132F-419-010	NEW	85-13-075	132Q-01-010	NEW-P	85-23-071
132E-116-080	REP	85-04-003	132F-419-020	NEW-P	85-07-056	132Q-01-020	NEW-P	85-23-071
132E-116-084	REP	85-04-003	132F-419-020	NEW-C	85-12-016	132Q-01-030	NEW-P	85-23-071
132E-116-088	REP	85-04-003	132F-419-020	NEW	85-13-075	132Q-01-040	NEW-P	85-23-071
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132E-116-096	REP	85-04-003	132F-419-030	NEW-C	85-12-016	132Q-04-095	NEW-P	85-16-070
132E-116-100	REP	85-04-003	132F-419-030	NEW	85-13-075	132Q-04-095	NEW	85-19-032
132E-116-104	REP	85-04-003	132F-419-040	NEW-P	85-07-056	132R-128-010	REP-P	85-05-007
132E-116-108	REP	85-04-003	132F-419-040	NEW-C	85-12-016	132R-128-010	REP	85-14-078
132E-116-112	REP	85-04-003	132F-419-040	NEW	85-13-075	132R-128-020	REP-P	85-05-007
132E-116-116	REP	85-04-003	132F-419-050	NEW-P	85-07-056	132R-128-020	REP	85-14-078
132E-116-120	REP	85-04-003	132F-419-050	NEW-C	85-12-016	132R-128-030	REP-P	85-05-007
132E-116-124	REP	85-04-003	132F-419-050	NEW	85-13-075	132R-128-030	REP	85-14-078
132F-104-010	AMD-P	85-16-120	132F-419-060	NEW-P	85-07-056	132R-128-040	REP-P	85-05-007
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132F-104-020	AMD-P	85-16-120	132F-419-060	NEW	85-13-075	132R-128-050	REP-P	85-05-007
132F-104-020	AMD	85-21-016	132F-419-070	NEW-P	85-07-056	132R-128-050	REP	85-14-078
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132F-104-030	AMD	85-21-016	132F-419-070	NEW	85-13-075	132R-128-060	REP	85-14-078
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132F-104-815	AMD	85-21-016	132H-120-205	AMD	86-01-056	132R-128-090	REP	85-14-078
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132R-128-110	REP	85-14-078	137-52-015	NEW-P	85-03-104	139-08-290	AMD-P	85-03-077
132R-128-120	REP-P	85-05-007	137-52-015	NEW	85-07-042	139-08-290	AMD	85-08-011
132R-128-120	REP	85-14-078	137-52-020	NEW-P	85-03-104	139-08-320	AMD-P	85-03-077
132R-128-121	REP-P	85-05-007	137-52-020	NEW	85-07-042	139-08-320	AMD	85-08-011
132R-128-121	REP	85-14-078	137-52-025	NEW-P	85-03-104	139-08-330	AMD-P	85-03-077
132R-128-122	REP-P	85-05-007	137-52-025	NEW	85-07-042	139-08-330	AMD	85-08-011
132R-128-122	REP	85-14-078	137-52-030	NEW-P	85-03-104	139-08-350	AMD-P	85-03-077
132R-128-130	REP-P	85-05-007	137-52-030	NEW	85-07-042	139-08-350	AMD	85-08-011
132R-128-130	REP	85-14-078	137-52-030	AMD-P	85-17-056	139-08-360	AMD-P	85-03-077
132R-180-010	REP-P	85-05-007	137-52-030	AMD	85-20-081	139-08-360	AMD	85-08-011
132R-180-010	REP	85-14-078	137-52-035	NEW-P	85-03-104	139-08-370	AMD-P	85-03-077
132R-180-020	REP-P	85-05-007	137-52-035	NEW	85-07-042	139-08-370	AMD	85-08-011
132R-180-020	REP	85-14-078	137-52-040	NEW-P	85-03-104	139-08-390	REP-P	85-03-077
132R-180-030	REP-P	85-05-007	137-52-040	NEW	85-07-042	139-08-390	REP	85-08-011
132R-180-030	REP	85-14-078	137-52-045	NEW-P	85-03-104	139-08-400	REP-P	85-03-077
132R-180-040	REP-P	85-05-007	137-52-045	NEW	85-07-042	139-08-400	REP	85-08-011
132R-180-040	REP	85-14-078	137-52-050	NEW-P	85-03-104	139-08-410	REP-P	85-03-077
132R-180-050	REP-P	85-05-007	137-52-050	NEW	85-07-042	139-08-410	REP	85-08-011
132R-180-050	REP	85-14-078	137-52-010	NEW-P	85-02-067	139-08-420	REP-P	85-03-077
132R-180-060	REP-P	85-05-007	137-54-010	NEW	85-05-019	139-08-420	REP	85-08-011
132R-180-060	REP	85-14-078	137-54-010	NEW-P	85-02-067	139-08-430	REP-P	85-03-077
132R-180-070	REP-P	85-05-007	137-54-020	NEW	85-05-019	139-08-430	REP	85-08-011
132R-180-070	REP	85-14-078	137-54-030	NEW-P	85-02-067	139-08-440	REP-P	85-03-077
132R-180-080	REP-P	85-05-007	137-54-030	NEW	85-05-019	139-08-440	REP	85-08-011
132R-180-080	REP	85-14-078	137-54-040	NEW-P	85-02-067	139-08-450	REP-P	85-03-077
132R-180-090	REP-P	85-05-007	137-54-040	NEW	85-05-019	139-08-450	REP	85-08-011
132R-180-090	REP	85-14-078	137-60-020	AMD	85-04-015	139-08-460	REP-P	85-03-077
132W-129-001	NEW-P	85-18-017	137-67-010	NEW-P	85-15-093	139-08-460	REP	85-08-011
132W-129-001	NEW	85-21-044	137-67-010	NEW	85-18-061	139-08-470	REP-P	85-03-077
132Y-100-008	AMD-P	85-14-111	137-67-015	NEW-P	85-15-093	139-08-470	REP	85-08-011
132Y-100-008	AMD	85-18-010	137-67-015	NEW	85-18-061	139-08-480	REP-P	85-03-077
132Y-100-010	NEW-P	85-14-111	137-67-020	NEW-P	85-15-093	139-08-480	REP	85-08-011
132Y-100-010	NEW	85-18-010	137-67-020	NEW	85-18-061	139-08-490	REP-P	85-03-077
132Y-140-102	REP-P	85-16-001	137-67-025	NEW-P	85-15-093	139-08-490	REP	85-08-011
132Y-140-102	REP	85-20-044	137-67-025	NEW	85-18-061	139-08-510	REP-P	85-03-077
132Y-140-104	REP-P	85-16-001	137-67-030	NEW-P	85-15-093	139-08-510	REP	85-08-011
132Y-140-104	REP	85-20-044	137-67-030	NEW	85-18-061	139-08-570	AMD-P	85-03-077
136-18-064	NEW-P	85-07-055	137-67-035	NEW-P	85-15-093	139-08-570	AMD	85-08-011
136-18-064	NEW	85-11-054	137-67-035	NEW	85-18-061	139-08-600	NEW-P	85-03-077
136-18-066	NEW-P	85-07-055	137-67-040	NEW-P	85-15-093	139-08-600	NEW	85-08-011
136-150-050	NEW-E	85-11-018	137-67-040	NEW	85-18-061	139-22-020	NEW-P	85-07-040
136-150-050	NEW-P	85-14-052	137-67-045	NEW-P	85-15-093	139-22-020	NEW-P	85-14-094
136-150-050	NEW-W	85-20-109	137-67-045	NEW	85-18-061	139-22-020	NEW	85-21-074
136-160-024	NEW-P	85-07-053	137-70-040	AMD-P	85-09-056	139-36-031	AMD-E	85-14-006
136-160-024	NEW	85-11-053	137-70-040	AMD	85-12-020	139-36-031	AMD-P	85-14-095
136-190-010	NEW-P	85-07-054	137-70-040	AMD-P	85-23-021	139-36-031	AMD	85-21-073
136-190-010	NEW	85-11-055	137-70-060	AMD-P	85-03-103	140-08-010	REP	85-03-004
136-190-020	NEW-P	85-07-054	137-70-060	AMD	85-07-017	140-08-020	REP	85-03-004
136-190-020	NEW	85-11-055	137-70-070	AMD-P	85-03-103	140-08-030	REP	85-03-004
136-190-030	NEW-P	85-07-054	137-70-070	AMD	85-07-017	140-08-040	REP	85-03-004
136-190-030	NEW	85-11-055	139-04-010	AMD-P	85-03-076	140-08-050	REP	85-03-004
136-190-040	NEW-P	85-07-054	139-04-010	AMD	85-08-010	140-08-060	REP	85-03-004
136-190-040	NEW	85-11-055	139-08-005	AMD-P	85-03-077	140-08-070	REP	85-03-004
136-190-050	NEW-P	85-07-054	139-08-005	AMD	85-08-011	140-08-080	REP	85-03-004
136-190-050	NEW	85-11-055	139-08-010	REP-P	85-03-077	140-08-090	REP	85-03-004
137-08-060	AMD-P	85-10-066	139-08-010	REP	85-08-011	140-08-100	REP	85-03-004
137-08-060	AMD	85-13-020	139-08-014	NEW-W	85-07-039	140-08-110	REP	85-03-004
137-08-105	NEW-P	85-10-066	139-08-020	REP-P	85-03-077	140-09-010	NEW	85-03-004
137-08-105	NEW	85-13-020	139-08-020	REP	85-08-011	140-09-020	NEW	85-03-004
137-08-110	AMD-P	85-10-066	139-08-030	REP-P	85-03-077	140-09-030	NEW	85-03-004
137-08-110	AMD	85-13-020	139-08-030	REP	85-08-011	140-09-040	NEW	85-03-004
137-08-150	AMD-P	85-10-066	139-08-040	AMD-P	85-03-077	140-09-050	NEW	85-03-004
137-08-150	AMD	85-13-020	139-08-040	AMD	85-08-011	140-09-058	NEW	85-03-004
137-10-005	NEW-P	85-23-022	139-08-060	REP-P	85-03-077	140-09-065	NEW	85-03-004
137-10-010	NEW-P	85-23-022	139-08-060	REP	85-08-011	140-09-080	NEW	85-03-004
137-10-015	NEW-P	85-23-022	139-08-090	AMD-P	85-03-077	140-09-090	NEW	85-03-004
137-10-020	NEW-P	85-23-022	139-08-090	AMD	85-08-011	140-09-100	NEW	85-03-004
137-10-025	NEW-P	85-23-022	139-08-130	AMD-P	85-03-077	140-09-110	NEW	85-03-004
137-20-005	NEW-P	85-23-023	139-08-130	AMD	85-08-011	140-09-120	NEW	85-03-004
137-20-010	NEW-P	85-23-023	139-08-150	AMD-P	85-03-077	140-09-128	NEW	85-03-004
137-20-015	NEW-P	85-23-023	139-08-150	AMD	85-08-011	140-09-130	NEW	85-03-004
137-28-030	AMD-P	85-05-048	139-08-240	AMD-P	85-03-077	140-09-140	NEW	85-03-004
137-28-030	AMD	85-08-026	139-08-240	AMD	85-08-011	140-09-150	NEW	85-03-004
137-52-005	NEW-P	85-03-104	139-08-270	AMD-P	85-03-077	140-09-155	NEW	85-03-004
137-52-005	NEW	85-07-042	139-08-270	AMD	85-08-011	140-09-160	NEW	85-03-004

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140-09-175	NEW 85-03-004	173-19-3903	AMD 85-09-043	173-145-120	NEW-P 85-10-071
140-09-180	NEW 85-03-004	173-19-4402	AMD-P 85-13-053	173-145-120	NEW 85-14-002
140-09-185	NEW 85-03-004	173-19-4402	AMD 85-16-105	173-145-130	NEW-P 85-10-071
140-09-200	NEW 85-03-004	173-19-450	AMD-C 85-03-046	173-145-130	NEW 85-14-002
140-09-220	NEW 85-03-004	173-19-450	AMD 85-04-040	173-145-140	NEW-P 85-10-071
140-09-230	NEW 85-03-004	173-19-4506	AMD-P 85-16-073	173-145-140	NEW 85-14-002
142-30-010	AMD-E 85-08-014	173-19-4506	AMD 85-20-095	173-145-150	NEW-P 85-10-071
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142-30-010	AMD-E 85-14-020	173-20-120	AMD 85-09-043	173-150	NEW-C 85-08-032
142-30-010	AMD-C 85-14-040	173-20-130	AMD-P 85-06-065	173-150-010	NEW 85-12-017
142-30-010	AMD-E 85-14-088	173-20-130	AMD 85-09-043	173-150-020	NEW 85-12-017
142-30-010	AMD 85-15-003	173-20-550	AMD-P 85-06-065	173-150-030	NEW 85-12-017
172-144-010	AMD-P 85-21-109	173-20-550	AMD 85-09-043	173-150-040	NEW 85-12-017
172-144-010	AMD 86-01-042	173-20-700	AMD-P 85-06-065	173-150-050	NEW 85-12-017
172-144-020	AMD-P 85-21-109	173-20-700	AMD 85-09-043	173-150-060	NEW 85-12-017
172-144-020	AMD 86-01-042	173-22-040	AMD-P 85-06-065	173-150-070	NEW 85-12-017
172-144-040	AMD-P 85-21-109	173-22-040	AMD 85-09-043	173-150-080	NEW 85-12-017
172-144-040	AMD 86-01-042	173-22-060	AMD-P 85-06-065	173-150-090	NEW 85-12-017
172-144-050	AMD-P 85-21-109	173-22-060	AMD 85-09-043	173-150-100	NEW 85-12-017
172-144-050	AMD 86-01-042	173-22-060	AMD-P 85-09-066	173-150-110	NEW 85-12-017
172-180-010	AMD-P 85-21-109	173-22-060	AMD-C 85-13-029	173-150-120	NEW 85-12-017
172-180-010	AMD 86-01-042	173-22-060	AMD 85-14-001	173-150-130	NEW 85-12-017
172-180-020	AMD-P 85-21-109	173-100-010	NEW-P 85-20-093	173-150-140	NEW 85-12-017
172-180-020	AMD 86-01-042	173-100-020	NEW-P 85-20-093	173-154	NEW-C 85-08-033
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172-180-040	AMD 86-01-042	173-100-040	NEW-P 85-20-093	173-154-020	NEW 85-12-018
173-06-030	AMD-P 85-21-093	173-100-050	NEW-P 85-20-093	173-154-030	NEW 85-12-018
173-06-030	AMD 85-24-019	173-100-060	NEW-P 85-20-093	173-154-040	NEW 85-12-018
173-14-040	AMD-P 85-06-065	173-100-070	NEW-P 85-20-093	173-154-050	NEW 85-12-018
173-14-040	AMD 85-09-043	173-100-080	NEW-P 85-20-093	173-154-060	NEW 85-12-018
173-14-064	AMD-P 85-06-065	173-100-090	NEW-P 85-20-093	173-154-070	NEW 85-12-018
173-14-064	AMD 85-09-043	173-100-100	NEW-P 85-20-093	173-154-080	NEW 85-12-018
173-14-090	AMD-P 85-06-065	173-100-110	NEW-P 85-20-093	173-154-090	NEW 85-12-018
173-14-090	AMD 85-09-043	173-100-120	NEW-P 85-20-093	173-154-100	NEW 85-12-018
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173-14-115	AMD-P 85-06-065	173-134A-080	AMD-P 85-23-078	173-216-010	AMD-P 86-01-095
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173-14-130	AMD-P 85-06-065	173-144-010	NEW-E 85-03-075	173-216-030	AMD-P 86-01-095
173-14-130	AMD 85-09-043	173-144-010	NEW-E 85-09-067	173-216-050	AMD 85-04-006
173-16-030	AMD-P 85-06-065	173-144-020	NEW-E 85-03-075	173-216-050	AMD-P 86-01-095
173-16-030	AMD 85-09-043	173-144-020	NEW-E 85-09-067	173-216-060	AMD-P 86-01-095
173-16-070	AMD-P 85-06-065	173-144-030	NEW-E 85-03-075	173-216-070	AMD-P 86-01-095
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173-18-380	AMD-P 85-06-065	173-144-040	NEW-E 85-03-075	173-216-130	AMD-P 86-01-095
173-18-380	AMD 85-09-043	173-144-040	NEW-E 85-09-067	173-216-150	NEW-P 86-01-095
173-19-130	AMD-P 85-12-049	173-144-050	NEW-E 85-03-075	173-220-040	AMD-P 86-01-095
173-19-130	AMD-C 85-16-104	173-144-050	NEW-E 85-09-067	173-220-045	AMD-P 86-01-095
173-19-130	AMD-C 85-17-063	173-144-060	NEW-E 85-03-075	173-220-060	AMD-P 86-01-095
173-19-130	AMD-C 85-21-017	173-144-060	NEW-E 85-09-067	173-220-150	AMD-P 86-01-095
173-19-2204	AMD-P 85-07-061	173-144-070	NEW-E 85-03-075	173-222-010	NEW-P 86-01-095
173-19-2204	AMD 85-10-030	173-144-070	NEW-E 85-09-067	173-222-020	NEW-P 86-01-095
173-19-230	AMD-P 85-10-072	173-144-080	NEW-E 85-03-075	173-222-030	NEW-P 86-01-095
173-19-230	AMD 85-12-051	173-144-080	NEW-E 85-09-067	173-222-040	NEW-P 86-01-095
173-19-240	AMD-P 85-06-065	173-144-090	NEW-E 85-03-075	173-222-050	NEW-P 86-01-095
173-19-240	AMD 85-09-043	173-144-090	NEW-E 85-09-067	173-222-060	NEW-P 86-01-095
173-19-250	AMD-P 85-10-073	173-145-010	NEW-P 85-10-071	173-222-070	NEW-P 86-01-095
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173-19-2511	AMD 85-09-043	173-145-030	NEW 85-14-002	173-301-100	REP-P 85-24-030
173-19-2515	AMD-P 85-10-073	173-145-040	NEW-P 85-10-071	173-301-100	REP-E 85-24-031
173-19-2515	AMD 85-13-054	173-145-040	NEW 85-14-002	173-301-101	REP-P 85-24-030
173-19-2521	AMD-P 85-16-072	173-145-050	NEW-P 85-10-071	173-301-101	REP-E 85-24-031
173-19-2521	AMD 85-20-094	173-145-050	NEW 85-14-002	173-301-105	REP-P 85-24-030
173-19-260	AMD-P 85-05-044	173-145-060	NEW-P 85-10-071	173-301-105	REP-E 85-24-031
173-19-260	AMD 85-10-014	173-145-060	NEW 85-14-002	173-301-110	REP-P 85-24-030
173-19-2901	AMD-P 85-06-065	173-145-070	NEW-P 85-10-071	173-301-110	REP-E 85-24-031
173-19-2901	AMD 85-09-043	173-145-070	NEW 85-14-002	173-301-120	REP-P 85-24-030
173-19-3210	AMD 85-04-039	173-145-080	NEW-P 85-10-071	173-301-120	REP-E 85-24-031
173-19-3210	AMD-P 85-05-045	173-145-080	NEW 85-14-002	173-301-121	REP-P 85-24-030
173-19-3210	AMD 85-08-016	173-145-090	NEW-P 85-10-071	173-301-121	REP-E 85-24-031
173-19-3514	AMD-P 85-05-046	173-145-090	NEW 85-14-002	173-301-122	REP-P 85-24-030
173-19-3514	AMD 85-10-013	173-145-100	NEW-P 85-10-071	173-301-122	REP-E 85-24-031
173-19-3701	AMD-P 85-06-065	173-145-100	NEW 85-14-002	173-301-123	REP-P 85-24-030
173-19-3701	AMD 85-09-043	173-145-110	NEW-P 85-10-071	173-301-123	REP-E 85-24-031



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173-501-020	NEW-P	85-16-112	180-25-025	AMD	85-24-047	180-33-030	AMD-P	85-20-116
173-501-020	NEW	85-24-073	180-25-030	AMD-P	85-20-113	180-33-030	AMD	85-24-049
173-501-030	NEW-P	85-16-112	180-25-030	AMD	85-24-047	180-33-035	AMD-P	85-20-116
173-501-030	NEW	85-24-073	180-25-035	AMD-P	85-20-113	180-33-035	AMD	85-24-049
173-501-040	NEW-P	85-16-112	180-25-035	AMD	85-24-047	180-33-042	NEW-P	85-06-069
173-501-040	NEW	85-24-073	180-25-037	NEW-P	85-20-113	180-33-042	NEW	85-09-060
173-501-050	NEW-P	85-16-112	180-25-037	NEW	85-24-047	180-33-042	NEW-E	85-09-064
173-501-050	NEW	85-24-073	180-25-040	AMD-P	85-06-070	180-33-043	NEW-P	85-06-069
173-501-060	NEW-P	85-16-112	180-25-040	AMD	85-09-059	180-33-043	NEW	85-09-060
173-501-060	NEW	85-24-073	180-25-040	AMD-E	85-09-063	180-33-043	NEW-E	85-09-064
173-501-070	NEW-P	85-16-112	180-25-040	AMD-P	85-20-113	180-38-005	NEW-E	85-16-021
173-501-070	NEW	85-24-073	180-25-040	AMD	85-24-047	180-38-005	NEW-P	85-16-035
173-501-080	NEW-P	85-16-112	180-25-043	NEW-P	86-01-094	180-38-005	NEW	85-20-040
173-501-080	NEW	85-24-073	180-25-045	AMD-P	85-06-070	180-38-010	NEW-E	85-16-021
173-501-090	NEW-P	85-16-112	180-25-045	AMD	85-09-059	180-38-010	NEW-P	85-16-035
173-501-090	NEW	85-24-073	180-25-045	AMD-E	85-09-063	180-38-010	NEW	85-20-040
173-501-100	NEW-P	85-16-112	180-25-050	AMD-P	85-20-113	180-38-020	NEW-E	85-16-021
173-501-100	NEW	85-24-073	180-25-050	AMD-C	86-01-093	180-38-020	NEW-P	85-16-035
173-501-900	NEW-P	85-16-112	180-25-055	NEW-P	85-06-070	180-38-020	NEW	85-20-040
173-516	NEW-C	85-20-054	180-25-055	NEW	85-09-059	180-38-025	NEW-E	85-16-021
173-516	NEW-C	86-01-011	180-25-055	NEW-E	85-09-063	180-38-025	NEW-P	85-16-035
173-516-010	NEW-P	85-12-050	180-25-055	AMD-P	85-20-113	180-38-025	NEW	85-20-040
173-516-020	NEW-P	85-12-050	180-25-055	AMD	85-24-047	180-38-030	NEW-E	85-16-021
173-516-030	NEW-P	85-12-050	180-25-200	NEW-P	85-20-113	180-38-030	NEW-P	85-16-035
173-516-040	NEW-P	85-12-050	180-25-200	NEW	85-24-047	180-38-030	NEW	85-20-040
173-516-050	NEW-P	85-12-050	180-25-990	NEW-E	85-16-022	180-38-035	NEW-E	85-16-021
173-516-060	NEW-P	85-12-050	180-25-990	REP-E	85-20-025	180-38-035	NEW-P	85-16-035
173-516-070	NEW-P	85-12-050	180-25-991	NEW-E	85-20-025	180-38-035	NEW	85-20-040
173-516-080	NEW-P	85-12-050	180-26-040	AMD-P	85-20-113	180-38-040	NEW-E	85-16-021
173-516-090	NEW-P	85-12-050	180-26-040	AMD	85-24-047	180-38-040	NEW-P	85-16-035
173-516-100	NEW-P	85-12-050	180-26-050	NEW-P	85-20-113	180-38-040	NEW	85-20-040
174-104-010	AMD-P	85-06-074	180-26-050	NEW	85-24-047	180-38-045	NEW-E	85-16-021
174-104-010	AMD	85-10-049	180-26-055	NEW-P	85-20-113	180-38-045	NEW-P	85-16-035
174-107-230	REP-P	85-14-034	180-26-055	NEW	85-24-047	180-38-045	NEW	85-20-040
174-107-230	REP	85-21-051	180-26-057	NEW-P	86-01-094	180-38-050	NEW-E	85-16-021
174-107-240	REP-P	85-14-034	180-26-060	NEW-P	85-20-113	180-38-050	NEW-P	85-16-035
174-107-240	REP	85-21-051	180-26-060	NEW	85-24-047	180-38-050	NEW	85-20-040
174-107-250	REP-P	85-14-034	180-26-200	NEW-P	85-20-113	180-38-055	NEW-E	85-16-021
174-107-250	REP	85-21-051	180-26-200	NEW	85-24-047	180-38-055	NEW-P	85-16-035
174-107-260	REP-P	85-14-034	180-27-053	NEW	85-04-008	180-38-055	NEW	85-20-040
174-107-260	REP	85-21-051	180-27-054	NEW	85-04-008	180-38-060	NEW-E	85-16-021
174-107-270	REP-P	85-14-034	180-27-055	REP	85-04-008	180-38-060	NEW-P	85-16-035
174-107-270	REP	85-21-051	180-27-056	NEW	85-04-008	180-38-060	NEW	85-20-040
174-107-280	REP-P	85-14-034	180-27-058	NEW	85-04-008	180-38-065	NEW-E	85-16-021
174-107-280	REP	85-21-051	180-27-058	AMD-P	85-20-114	180-38-065	NEW-P	85-16-035
174-107-290	REP-P	85-14-034	180-27-058	AMD	85-24-048	180-38-065	NEW	85-20-040
174-107-290	REP	85-21-051	180-27-059	NEW-P	85-20-114	180-38-070	NEW-E	85-16-021
174-107-300	REP-P	85-14-034	180-27-059	NEW	85-24-048	180-38-070	NEW-P	85-16-035
174-107-300	REP	85-21-051	180-27-060	AMD-P	85-20-114	180-38-070	NEW	85-20-040
174-107-310	REP-P	85-14-034	180-27-060	AMD	85-24-048	180-40-215	AMD	85-04-009
174-107-310	REP	85-21-051	180-27-063	NEW-P	85-20-114	180-40-227	NEW	85-04-009
174-107-320	REP-P	85-14-034	180-27-063	NEW	85-24-048	180-40-227	AMD-E	85-06-035
174-107-320	REP	85-21-051	180-27-085	AMD-P	85-20-114	180-40-227	AMD-P	85-06-071
174-107-330	REP-P	85-14-034	180-27-085	AMD	85-24-048	180-40-227	AMD	85-09-049
174-107-330	REP	85-21-051	180-27-105	AMD-P	85-20-114	180-40-245	AMD-P	85-09-058
174-107-340	REP-P	85-14-034	180-27-105	AMD-C	86-01-093	180-40-245	AMD	85-12-042
174-107-340	REP	85-21-051	180-27-115	AMD-P	85-20-114	180-40-260	AMD-P	85-09-058
174-107-350	REP-P	85-14-034	180-27-115	AMD	85-24-048	180-40-260	AMD	85-12-042
174-107-350	REP	85-21-051	180-27-990	NEW-P	85-09-062	180-40-275	AMD-P	85-09-058
174-116-040	AMD	85-03-048	180-27-990	NEW-E	85-09-065	180-50-120	AMD	85-04-007
174-116-123	AMD-P	85-14-112	180-27-990	NEW	85-12-040	180-50-120	AMD-P	85-09-052
174-116-123	AMD	85-21-067	180-29-021	NEW-P	85-20-115	180-50-120	AMD	85-12-037
177-04-010	REP-P	85-11-042	180-29-021	NEW	85-24-050	180-50-135	AMD-P	85-16-036
177-04-010	REP	85-15-012	180-29-107	AMD-P	85-20-113	180-50-135	AMD	85-20-026
177-04-030	REP-P	85-11-042	180-29-107	AMD	85-24-047	180-50-315	AMD-P	85-09-052
177-04-030	REP	85-15-012	180-29-1075	NEW-P	86-01-094	180-50-315	AMD	85-12-037
177-04-050	REP-P	85-11-042	180-29-108	NEW-P	85-20-113	180-51-050	AMD-P	85-09-053
177-04-050	REP	85-15-012	180-29-108	NEW	85-24-047	180-51-050	AMD	85-12-041
177-06-010	REP-P	85-11-042	180-29-200	NEW-P	85-20-113	180-51-055	AMD-P	85-09-053
177-06-010	REP	85-15-012	180-29-200	NEW	85-24-047	180-51-055	AMD	85-12-041
177-06-020	REP-P	85-11-042	180-33-015	AMD-P	85-06-069	180-51-060	AMD-P	85-09-053
177-06-020	REP	85-15-012	180-33-015	AMD	85-09-060	180-51-060	AMD	85-12-041
177-08-010	REP-P	85-11-042	180-33-015	AMD-E	85-09-064	180-51-062	NEW-P	85-09-053
177-08-010	REP	85-15-012	180-33-015	AMD-P	85-20-116	180-51-062	NEW	85-12-041
180-25-010	AMD-P	85-20-113	180-33-015	AMD	85-24-049	180-51-065	AMD-P	85-09-053
180-25-010	AMD	85-24-047	180-33-025	AMD-P	85-20-116	180-51-065	AMD	85-12-041

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180-51-070	AMD	85-12-041	180-90-145	AMD-P	85-20-118	192-30-200	NEW-P	85-19-066
180-51-075	AMD-P	85-09-053	180-90-145	AMD	85-24-056	192-30-200	NEW	85-22-071
180-51-075	AMD	85-12-041	180-90-150	AMD-P	85-20-118	192-30-210	NEW-P	85-19-066
180-51-080	AMD-P	85-09-053	180-90-150	AMD	85-24-056	192-30-210	NEW	85-22-071
180-51-080	AMD	85-12-041	180-90-160	AMD-P	85-20-118	192-30-220	NEW-P	85-19-066
180-51-085	AMD-P	85-09-053	180-90-160	AMD	85-24-056	192-30-220	NEW	85-22-071
180-51-085	AMD	85-12-041	182-12-160	AMD-P	86-01-072	192-30-230	NEW-P	85-19-066
180-51-100	AMD-P	85-09-053	182-12-160	AMD-E	86-01-073	192-30-230	NEW	85-22-071
180-51-100	AMD	85-12-041	192-09-040	AMD-P	85-08-030	196-04-030	NEW	85-04-030
180-51-110	AMD-P	85-09-053	192-09-040	AMD	85-11-038	196-04-040	NEW	85-04-030
180-51-110	AMD	85-12-041	192-09-060	AMD-P	85-08-030	204-66-010	REP-P	85-17-058
180-52-040	REP-P	85-16-037	192-09-060	AMD	85-11-038	204-66-010	REP	85-20-100
180-52-040	REP	85-20-041	192-09-060	AMD-E	85-18-076	204-66-020	REP-P	85-17-058
180-52-045	REP-P	85-16-037	192-09-060	AMD-P	85-18-077	204-66-020	REP	85-20-100
180-52-045	REP	85-20-041	192-09-060	AMD	85-21-023	204-66-030	REP-P	85-17-058
180-52-050	REP-P	85-16-037	192-09-063	AMD-P	85-08-030	204-66-030	REP	85-20-100
180-52-050	REP	85-20-041	192-09-063	AMD	85-11-038	204-66-040	REP-P	85-17-058
180-52-055	REP-P	85-16-037	192-12-018	NEW-E	85-18-076	204-66-040	REP	85-20-100
180-52-055	REP	85-20-041	192-12-018	NEW-P	85-18-077	204-66-050	REP-P	85-17-058
180-52-060	REP-P	85-16-037	192-12-018	NEW	85-22-045	204-66-050	REP	85-20-100
180-52-060	REP	85-20-041	192-12-019	NEW-E	85-18-076	204-66-060	REP-P	85-17-058
180-52-065	REP-P	85-16-037	192-12-019	NEW-P	85-18-077	204-66-060	REP	85-20-100
180-52-065	REP	85-20-041	192-12-019	NEW	85-21-023	204-66-070	REP-P	85-17-058
180-53-005	NEW-P	85-20-117	192-12-040	AMD-P	85-08-030	204-66-070	REP	85-20-100
180-53-005	NEW	85-24-055	192-12-040	AMD	85-11-038	204-66-080	REP-P	85-17-058
180-53-010	NEW-P	85-20-117	192-12-070	AMD-P	85-08-030	204-66-080	REP	85-20-100
180-53-010	NEW	85-24-055	192-12-070	AMD	85-11-038	204-66-090	REP-P	85-17-058
180-53-020	NEW-P	85-20-117	192-12-072	NEW-P	85-08-030	204-66-090	REP	85-20-100
180-53-020	NEW	85-24-055	192-12-072	NEW	85-11-038	204-66-100	REP-P	85-17-058
180-53-025	NEW-P	85-20-117	192-12-074	NEW-P	85-08-030	204-66-100	REP	85-20-100
180-53-025	NEW	85-24-055	192-12-074	NEW	85-11-038	204-66-110	REP-P	85-17-058
180-53-030	NEW-P	85-20-117	192-12-076	NEW-P	85-08-030	204-66-110	REP	85-20-100
180-53-030	NEW	85-24-055	192-12-076	NEW	85-11-038	204-66-120	REP-P	85-17-058
180-53-035	NEW-P	85-20-117	192-12-157	REP-P	85-18-078	204-66-120	REP	85-20-100
180-53-035	NEW	85-24-055	192-12-157	REP	85-21-024	204-66-130	REP-P	85-17-058
180-53-040	NEW-P	85-20-117	192-26-010	NEW-E	85-14-056	204-66-130	REP	85-20-100
180-53-040	NEW	85-24-055	192-26-010	REP-E	85-19-065	204-66-140	REP-P	85-17-058
180-53-045	NEW-P	85-20-117	192-26-030	NEW-E	85-14-056	204-66-140	REP	85-20-100
180-53-045	NEW	85-24-055	192-26-030	REP-E	85-19-065	204-66-150	REP-P	85-17-058
180-53-050	NEW-P	85-20-117	192-26-040	NEW-E	85-14-056	204-66-150	REP	85-20-100
180-53-050	NEW	85-24-055	192-26-040	REP-E	85-19-065	204-66-160	REP-P	85-17-058
180-53-055	NEW-P	85-20-117	192-26-050	NEW-E	85-14-056	204-66-160	REP	85-20-100
180-53-055	NEW	85-24-055	192-26-050	REP-E	85-19-065	204-66-170	REP-P	85-17-058
180-53-060	NEW-P	85-20-117	192-26-100	NEW-E	85-14-056	204-66-170	REP	85-20-100
180-53-060	NEW	85-24-055	192-26-100	REP-E	85-19-065	204-66-180	REP-P	85-17-058
180-53-065	NEW-P	85-20-117	192-28-100	NEW-P	85-18-078	204-66-180	REP	85-20-100
180-53-065	NEW	85-24-055	192-28-100	NEW	85-21-024	204-66-190	REP-P	85-17-058
180-75-065	AMD-E	85-12-036	192-28-105	NEW-P	85-18-078	204-66-190	REP	85-20-100
180-75-065	AMD-P	85-12-044	192-28-105	NEW	85-21-024	204-66-200	REP-P	85-17-058
180-75-065	AMD	85-16-020	192-28-110	NEW-P	85-18-078	204-66-200	REP	85-20-100
180-78-050	AMD	85-04-010	192-28-110	NEW	85-21-024	204-82-010	NEW-P	85-17-059
180-90-105	NEW-P	85-20-118	192-28-115	NEW-P	85-18-078	204-82-010	NEW	85-20-089
180-90-105	NEW	85-24-056	192-28-115	NEW	85-21-024	204-82-020	NEW-P	85-17-059
180-90-110	AMD-P	85-20-118	192-28-120	NEW-P	85-18-078	204-82-020	NEW	85-20-089
180-90-110	AMD	85-24-056	192-28-120	NEW	85-21-024	204-82-030	NEW-P	85-17-059
180-90-112	NEW-P	85-20-118	192-28-125	NEW-P	85-18-078	204-82-030	NEW	85-20-089
180-90-112	NEW	85-24-056	192-28-125	NEW	85-21-024	204-82-040	NEW-P	85-17-059
180-90-115	NEW-P	85-20-118	192-30-010	NEW-E	85-19-065	204-82-040	NEW	85-20-089
180-90-115	NEW	85-24-056	192-30-010	NEW-P	85-19-066	204-82-050	NEW-P	85-17-059
180-90-119	NEW-P	85-20-118	192-30-010	NEW	85-22-071	204-82-050	NEW	85-20-089
180-90-119	NEW	85-24-056	192-30-020	NEW-E	85-19-065	204-82-060	NEW-P	85-17-059
180-90-120	AMD-P	85-20-118	192-30-020	NEW-P	85-19-066	204-82-060	NEW	85-20-089
180-90-120	AMD	85-24-056	192-30-020	NEW	85-22-071	204-91-010	NEW-P	85-17-058
180-90-123	NEW-P	85-20-118	192-30-030	NEW-E	85-19-065	204-91-010	NEW	85-20-100
180-90-123	NEW	85-24-056	192-30-030	NEW-P	85-19-066	204-91-020	NEW-P	85-17-058
180-90-130	AMD-P	85-20-118	192-30-030	NEW	85-22-071	204-91-020	NEW	85-20-100
180-90-130	AMD	85-24-056	192-30-040	NEW-E	85-19-065	204-91-030	NEW-P	85-17-058
180-90-133	NEW-P	85-20-118	192-30-040	NEW-P	85-19-066	204-91-030	NEW	85-20-100
180-90-133	NEW	85-24-056	192-30-040	NEW	85-22-071	204-91-040	NEW-P	85-17-058
180-90-135	NEW-P	85-20-118	192-30-050	NEW-E	85-19-065	204-91-040	NEW	85-20-100
180-90-135	NEW	85-24-056	192-30-050	NEW-P	85-19-066	204-91-050	NEW-P	85-17-058
180-90-137	NEW-P	85-20-118	192-30-060	NEW-E	85-19-065	204-91-050	NEW	85-20-100
180-90-137	NEW	85-24-056	192-30-060	NEW-P	85-19-066	204-91-060	NEW-P	85-17-058
180-90-139	NEW-P	85-20-118	192-30-100	NEW-E	85-19-065	204-91-060	NEW	85-20-100
180-90-139	NEW	85-24-056	192-30-100	NEW-P	85-19-066	204-91-070	NEW-P	85-17-058
180-90-140	REP-P	85-20-118	192-30-100	NEW	85-22-071	204-91-070	NEW	85-20-100

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204-91-080	NEW 85-20-100	220-20-010	AMD 85-09-017	220-28-522	NEW-E 85-23-007
204-91-100	NEW-P 85-17-058	220-20-01000J	NEW-E 85-08-005	220-28-522	REP-E 85-24-009
204-91-100	NEW 85-20-100	220-20-01000K	NEW-E 85-09-011	220-28-523	NEW-E 85-24-009
204-91-110	NEW-P 85-17-058	220-20-016	AMD-P 85-07-065	220-28-523	REP-E 86-01-053
204-91-110	NEW 85-20-100	220-20-016	AMD-C 85-09-034	220-28-524	NEW-E 86-01-053
204-91-120	NEW-P 85-17-058	220-20-016	AMD 85-11-020	220-32-02100A	NEW-E 86-01-051
204-91-120	NEW 85-20-100	220-20-021	AMD-P 85-04-065	220-32-02200M	NEW-E 85-04-012
204-91-130	NEW-P 85-17-058	220-20-021	AMD 85-08-023	220-32-02200M	REP-E 85-04-049
204-91-130	NEW 85-20-100	220-20-02100B	NEW-E 85-09-011	220-32-02200N	NEW-E 85-04-049
204-91-140	NEW-P 85-17-058	220-20-02100B	REP-E 85-09-036	220-32-03000P	NEW-E 85-05-035
204-91-140	NEW 85-20-100	220-20-02100C	NEW-E 85-09-036	220-32-03000P	REP-E 85-07-002
204-91-150	NEW-P 85-17-058	220-20-030	REP-P 85-08-038	220-32-03000Q	NEW-E 85-07-002
204-91-150	NEW 85-20-100	220-20-030	REP-C 85-13-031	220-32-03000R	NEW-E 85-14-005
204-91-160	NEW-P 85-17-058	220-20-030	REP 85-13-032	220-32-03000R	REP-E 85-14-022
204-91-160	NEW 85-20-100	220-20-03800A	NEW-E 85-11-039	220-32-03000S	NEW-E 85-14-022
204-91-170	NEW-P 85-17-058	220-20-03800A	REP-E 85-14-060	220-32-03000S	REP-E 85-19-058
204-91-170	NEW 85-20-100	220-22-01000A	NEW-E 85-19-018	220-32-03000T	NEW-E 85-19-058
204-91-180	NEW-P 85-17-058	220-22-02000C	NEW-E 85-21-018	220-32-03000T	REP-E 85-20-014
204-91-180	NEW 85-20-100	220-22-030	AMD-P 85-08-038	220-32-03000U	NEW-E 85-20-014
204-91-190	NEW-P 85-17-058	220-22-030	AMD-C 85-13-031	220-32-03000U	REP-E 85-20-037
204-91-190	NEW 85-20-100	220-22-030	AMD 85-13-032	220-32-03000V	NEW-E 85-20-037
204-91-200	NEW-P 85-17-058	220-24-02000C	NEW-E 85-10-010	220-32-03000V	REP-E 85-21-049
204-91-200	NEW 85-20-100	220-24-02000C	REP-E 85-11-031	220-32-03000W	NEW-E 85-21-049
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204-93-030	NEW-P 85-17-060	220-24-02000F	NEW-E 85-15-030	220-32-04100H	NEW-E 85-12-028
204-93-030	NEW 85-20-090	220-24-02000F	REP-E 85-15-065	220-32-04200F	NEW-E 85-03-044
204-93-040	NEW-P 85-17-060	220-24-02000G	NEW-E 85-15-065	220-32-04200F	REP-E 85-06-014
204-93-040	NEW 85-20-090	220-24-02000G	REP-E 85-16-061	220-32-04200G	NEW-E 85-06-014
204-93-050	NEW-P 85-17-060	220-24-02000H	NEW-E 85-16-061	220-32-04200G	REP-E 85-06-034
204-93-050	NEW 85-20-090	220-24-02000H	REP-E 85-17-067	220-32-04200H	NEW-E 85-06-034
204-93-060	NEW-P 85-17-060	220-24-02000I	NEW-E 85-17-067	220-32-05100I	NEW-E 85-08-001
204-93-060	NEW 85-20-090	220-28-440	REP-E 85-03-037	220-32-05100J	NEW-E 85-14-005
204-93-070	NEW-P 85-17-060	220-28-501	NEW-E 85-10-011	220-32-05100J	REP-E 85-14-022
204-93-070	NEW 85-20-090	220-28-501	REP-E 85-12-013	220-32-05100K	NEW-E 85-14-022
204-93-080	NEW-P 85-17-060	220-28-502	NEW-E 85-12-013	220-32-05100K	REP-E 85-14-038
204-93-080	NEW 85-20-090	220-28-502	REP-E 85-13-014	220-32-05100L	NEW-E 85-14-038
204-93-090	NEW-P 85-17-060	220-28-503	NEW-E 85-13-014	220-32-05100L	REP-E 85-15-005
204-93-090	NEW 85-20-090	220-28-503	REP-E 85-14-082	220-32-05100M	NEW-E 85-15-005
204-93-100	NEW-P 85-17-060	220-28-504	NEW-E 85-14-082	220-32-05100M	REP-E 85-17-025
204-93-100	NEW 85-20-090	220-28-504	REP-E 85-15-035	220-32-05100N	NEW-E 85-17-025
204-93-110	NEW-P 85-17-060	220-28-505	NEW-E 85-15-035	220-32-05100N	REP-E 85-18-029
204-93-110	NEW 85-20-090	220-28-505	REP-E 85-15-071	220-32-05100P	NEW-E 85-18-029
204-93-120	NEW-P 85-17-060	220-28-506	NEW-E 85-15-071	220-32-05100P	REP-E 85-18-035
204-93-120	NEW 85-20-090	220-28-506	REP-E 85-16-081	220-32-05100Q	NEW-E 85-18-035
204-93-130	NEW-P 85-17-060	220-28-507	NEW-E 85-16-081	220-32-05100Q	REP-E 85-19-018
204-93-130	NEW 85-20-090	220-28-507	REP-E 85-16-083	220-32-05100R	NEW-E 85-19-018
204-93-140	NEW-P 85-17-060	220-28-508	NEW-E 85-16-083	220-32-05100R	REP-E 85-19-058
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204-93-160	NEW 85-20-090	220-28-510	REP-E 85-17-050	220-32-05100U	NEW-E 85-20-037
204-94-010	NEW-P 85-17-061	220-28-511	NEW-E 85-17-050	220-32-05100V	NEW-E 85-20-038
204-94-010	NEW 85-20-091	220-28-511	REP-E 85-18-006	220-32-055	AMD-P 85-15-053
204-94-020	NEW-P 85-17-061	220-28-512	NEW-E 85-18-006	220-32-055	AMD 85-18-027
204-94-020	NEW 85-20-091	220-28-512	REP-E 85-18-052	220-32-055000I	NEW-E 85-10-043
204-94-030	NEW-P 85-17-061	220-28-513	NEW-E 85-18-052	220-32-055001	REP-E 85-13-013
204-94-030	NEW 85-20-091	220-28-513	REP-E 85-19-016	220-32-05500J	NEW-E 85-13-013
204-94-040	NEW-P 85-17-061	220-28-514	NEW-E 85-19-016	220-32-05500N	NEW-E 85-11-006
204-94-040	NEW 85-20-091	220-28-514	REP-E 85-19-050	220-32-05500N	REP-E 85-14-061
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296-17-747	AMD-P 85-02-052	296-17-875	AMD-P 85-20-121	296-18-080	REP-E 85-18-007
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296-17-747	AMD-P 85-20-121	296-17-880	AMD-P 85-20-121	296-18-090	REP-P 85-13-082
296-17-747	AMD 85-24-032	296-17-880	AMD 85-24-032	296-18-090	REP-C 85-16-074
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296-17-750	AMD-P 85-20-121	296-17-890	AMD-P 85-20-121	296-18-100	REP-C 85-16-074
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296-17-75301	AMD-P 85-20-121	296-17-904	AMD-P 85-23-077	296-18-120	REP-C 85-16-074
296-17-75301	AMD 85-24-032	296-17-904	AMD-E 86-01-036	296-18-120	REP 85-17-022
296-17-754	AMD-P 85-20-121	296-17-910	AMD 85-06-025	296-18-120	REP-E 85-18-007
296-17-754	AMD 85-24-032	296-17-910	AMD 85-06-025	296-18-130	REP-E 85-11-050
296-17-755	AMD-P 85-02-052	296-17-911	AMD-P 85-23-077	296-18-130	REP-P 85-13-082
296-17-755	AMD 85-06-026	296-17-911	AMD-E 86-01-036	296-18-130	REP-C 85-16-074
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296-17-756	AMD 85-06-026	296-17-914	AMD-E 86-01-036	296-18-140	REP-P 85-13-082
296-17-756	AMD-P 85-20-121	296-17-915	AMD 85-06-025	296-18-140	REP-C 85-16-074
296-17-756	AMD 85-24-032	296-17-916	AMD 85-06-025	296-18-140	REP 85-17-022
296-17-757	AMD-P 85-20-121	296-17-916	AMD-P 85-23-077	296-18-140	REP-E 85-18-007
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296-17-758	AMD 85-06-026	296-17-917	AMD-P 85-23-077	296-18-160	REP-C 85-16-074
296-17-758	AMD-P 85-20-121	296-17-917	AMD-E 86-01-036	296-18-160	REP 85-17-022
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296-17-759	AMD-P 85-20-121	296-17-919	AMD-P 85-23-077	296-18-170	REP-E 85-11-050
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296-17-760	AMD-P 85-02-052	296-17-91901	AMD 85-06-025	296-18-170	REP-C 85-16-074
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296-17-763	AMD-P 85-20-121	296-17-91905	NEW-P 85-23-077	296-18-190	REP-C 85-16-074
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296-17-766	AMD 85-24-032	296-18-020	REP-P 85-13-082	296-18-200	REP-E 85-18-007
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296-17-772	AMD 85-24-032	296-18-020	REP 85-17-022	296-18-205	NEW-W 85-13-025
296-17-773	AMD-P 85-20-121	296-18-040	REP-E 85-18-007	296-18-210	AMD-P 85-06-039
296-17-773	AMD 85-24-032	296-18-040	AMD-P 85-03-019	296-18-210	REP-E 85-11-050
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296-17-850	AMD-P 85-10-067	296-18-070	REP-C 85-16-074	296-18-300	REP 85-17-022
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308-48-780	NEW 85-21-066	308-61-120	REP-P 85-20-119	308-93-076	NEW-E 85-14-079
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315-11-102	REP-P	85-21-108	315-11-172	NEW-P	85-10-075	316-02-103	AMD-P	85-16-110
315-11-102	REP	86-01-061	315-11-172	NEW-E	85-11-028	316-02-103	AMD	85-21-059
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356-05-211	NEW	85-15-043	356-15-060	AMD-C	85-07-035	356-34-035	NEW-C	85-19-077
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392-171-518	NEW-P	85-23-080	392-196-055	NEW-E	85-17-023	399-20-080	NEW	85-24-072
392-171-519	NEW-P	85-23-080	392-196-055	NEW	85-21-052	399-20-090	NEW-P	85-21-083
392-171-531	AMD-P	85-23-080	392-196-060	NEW-P	85-17-023	399-20-090	NEW-E	85-21-084
392-171-706	AMD-P	85-23-080	392-196-060	NEW-E	85-17-024	399-20-090	NEW	85-24-072
392-182-005	NEW	85-21-077	392-196-060	NEW	85-21-052	399-20-100	NEW-P	85-21-083
392-182-010	NEW	85-21-077	392-196-065	NEW-P	85-17-023	399-20-100	NEW-E	85-21-084
392-182-015	NEW	85-21-077	392-196-065	NEW-E	85-17-024	399-20-100	NEW	85-24-072
392-182-020	NEW	85-21-077	392-196-065	NEW	85-21-052	399-20-110	NEW-P	85-21-083
392-183-005	NEW-P	85-17-006	392-196-070	NEW-P	85-17-023	399-20-110	NEW-E	85-21-084
392-183-005	NEW-E	85-17-008	392-196-070	NEW-E	85-17-024	399-20-110	NEW	85-24-072
392-183-010	NEW-P	85-17-006	392-196-070	NEW	85-21-052	399-20-120	NEW-P	85-21-083
392-183-010	NEW-E	85-17-008	392-196-075	NEW-P	85-17-023	399-20-120	NEW-E	85-21-084
392-183-015	NEW-P	85-17-006	392-196-075	NEW-E	85-17-024	399-20-120	NEW	85-24-072
392-183-015	NEW-E	85-17-008	392-196-075	NEW	85-21-052	399-30-010	NEW-P	85-21-083
392-183-020	NEW-P	85-17-006	392-196-080	NEW-P	85-17-023	399-30-010	NEW-E	85-21-084
392-183-020	NEW-E	85-17-008	392-196-080	NEW-E	85-17-024	399-30-010	NEW	85-24-072
392-193-005	NEW-P	85-17-005	392-196-080	NEW	85-21-052	399-30-020	NEW-P	85-21-083
392-193-005	NEW-E	85-17-007	392-196-085	NEW-P	85-17-023	399-30-020	NEW-E	85-21-084
392-193-005	NEW	85-21-043	392-196-085	NEW-E	85-17-024	399-30-020	NEW	85-24-072
392-193-010	NEW-P	85-17-005	392-196-085	NEW	85-21-052	399-30-030	NEW-P	85-21-083
392-193-010	NEW-E	85-17-007	392-196-085	NEW-P	85-17-023	399-30-030	NEW-E	85-21-084
392-193-010	NEW	85-21-043	392-196-090	NEW-E	85-17-024	399-30-030	NEW	85-24-072
392-193-020	NEW-P	85-17-005	392-196-090	NEW	85-21-052	399-30-040	NEW-P	85-21-083
392-193-020	NEW-E	85-17-007	392-210-005	NEW-P	85-21-098	399-30-040	NEW-E	85-21-084
392-193-020	NEW	85-21-043	392-210-005	NEW	86-01-018	399-30-040	AMD-E	85-24-035
392-193-025	NEW-P	85-17-005	392-210-010	NEW-P	85-21-098	399-30-040	NEW-P	85-24-071
392-193-025	NEW-E	85-17-007	392-210-010	NEW	86-01-018	399-30-050	NEW-P	85-21-083
392-193-025	NEW	85-21-043	392-210-015	NEW-P	85-21-098	399-30-050	NEW-E	85-21-084
392-193-030	NEW-P	85-17-005	392-210-015	NEW	86-01-018	399-30-050	NEW	85-24-072
392-193-030	NEW-E	85-17-007	392-210-020	NEW-P	85-21-098	399-30-060	NEW-P	85-21-083
392-193-030	NEW	85-21-043	392-210-020	NEW	86-01-018	399-30-060	NEW-E	85-21-084
392-193-035	NEW-P	85-17-005	392-210-025	NEW-P	85-21-098	399-30-060	NEW	85-24-072
392-193-035	NEW-E	85-17-007	392-210-025	NEW	86-01-018	399-40-010	NEW-P	85-21-083
392-193-035	NEW	85-21-043	392-210-030	NEW-P	85-21-098	399-40-010	NEW-E	85-21-084
392-193-045	NEW-P	85-17-005	392-210-030	NEW	86-01-018	399-40-010	NEW	85-24-072
392-193-045	NEW-E	85-17-007	392-210-035	NEW-P	85-21-098	399-40-020	NEW-P	85-21-083
392-193-045	NEW	85-21-043	392-210-035	NEW	86-01-018	399-40-020	NEW-E	85-21-084
392-193-050	NEW-P	85-17-005	392-210-040	NEW-P	85-21-098	399-40-020	NEW	85-24-072
392-193-050	NEW-E	85-17-007	392-210-040	NEW	86-01-018	400-04-010	NEW-P	85-22-075
392-193-050	NEW	85-21-043	392-210-045	NEW-P	85-21-098	400-04-010	NEW-E	86-01-013
392-193-055	NEW-P	85-17-005	392-210-045	NEW	86-01-018	400-04-020	NEW-P	85-22-075
392-193-055	NEW-E	85-17-007	392-210-050	NEW-P	85-21-098	400-04-020	NEW-E	86-01-013
392-193-055	NEW	85-21-043	392-210-050	NEW	86-01-018	400-04-040	NEW-P	85-22-075

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400-04-504	NEW-P 85-22-075	434-15-060	NEW-P 85-10-063	448-12-240	NEW 85-08-012
400-04-504	NEW-E 86-01-013	434-15-060	NEW 85-13-017	448-12-240	AMD-P 86-01-067
400-04-510	NEW-P 85-22-075	434-15-070	NEW-P 85-10-063	448-12-240	AMD-E 86-01-068
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400-04-680	NEW-P 85-22-075	434-15-080	NEW-P 85-10-063	448-12-250	NEW 85-08-012
400-04-680	NEW-E 86-01-013	434-15-080	NEW 85-13-017	448-12-250	AMD-P 86-01-067
400-04-902	NEW-P 85-22-075	434-15-090	NEW-P 85-10-063	448-12-250	AMD-E 86-01-068
400-04-902	NEW-E 86-01-013	434-15-090	NEW 85-13-017	448-12-260	NEW-P 85-05-041
400-04-910	NEW-P 85-22-075	434-15-100	NEW-P 85-10-063	448-12-260	NEW 85-08-012
400-04-910	NEW-E 86-01-013	434-15-100	NEW 85-13-017	448-12-270	NEW-P 85-05-041
400-04-995	NEW-P 85-22-075	434-15-110	NEW-P 85-10-063	448-12-270	NEW 85-08-012
400-04-995	NEW-E 86-01-013	434-15-110	NEW 85-13-017	448-12-270	AMD-P 86-01-067
400-06-010	NEW-P 85-22-076	434-15-120	NEW-P 85-10-063	448-12-270	AMD-E 86-01-068
400-06-010	NEW-E 86-01-012	434-15-120	NEW 85-13-017	448-12-280	NEW-P 85-05-041
400-06-020	NEW-P 85-22-076	434-15-130	NEW-P 85-10-063	448-12-280	NEW 85-08-012
400-06-020	NEW-E 86-01-012	434-15-130	NEW 85-13-017	448-12-280	AMD-P 86-01-067
400-06-030	NEW-P 85-22-076	434-15-140	NEW-P 85-10-063	448-12-280	AMD-E 86-01-068
400-06-030	NEW-E 86-01-012	434-15-140	NEW 85-13-017	448-12-290	NEW-P 85-05-041
400-06-050	NEW-P 85-22-076	434-15-150	NEW-P 85-10-063	448-12-290	NEW 85-08-012
400-06-050	NEW-E 86-01-012	434-15-150	NEW 85-13-017	448-12-300	NEW-P 85-05-041
400-06-060	NEW-P 85-22-076	434-15-990	NEW-P 85-10-063	448-12-300	NEW 85-08-012
400-06-060	NEW-E 86-01-012	434-15-99001	NEW 85-13-017	448-12-300	AMD-P 86-01-067
400-06-070	NEW-P 85-22-076	434-15-99001	NEW-P 85-10-063	448-12-300	AMD-E 86-01-068
400-06-070	NEW-E 86-01-012	434-15-99001	NEW 85-13-017	448-12-310	NEW-P 85-05-041
400-06-090	NEW-P 85-22-076	434-57-030	NEW-E 85-14-059	448-12-310	NEW 85-08-012
400-06-090	NEW-E 86-01-012	434-57-030	NEW-P 85-14-115	448-12-310	REP-P 86-01-067
400-06-100	NEW-P 85-22-076	434-57-030	NEW 85-18-003	448-12-310	REP-E 86-01-068
400-06-100	NEW-E 86-01-012	440-44	AMD-C 85-13-002	448-12-320	NEW-P 85-05-041
400-06-110	NEW-P 85-22-076	440-44-035	AMD-P 85-09-054	448-12-320	NEW 85-08-012
400-06-110	NEW-E 86-01-012	440-44-035	AMD 85-12-029	448-12-320	AMD-P 86-01-067
400-06-120	NEW-P 85-22-076	440-44-040	AMD-P 85-09-054	448-12-320	AMD-E 86-01-068
400-06-120	NEW-E 86-01-012	440-44-040	AMD 85-12-029	448-12-330	NEW-P 85-05-041
400-06-130	NEW-P 85-22-076	440-44-050	AMD-P 85-09-054	448-12-330	NEW 85-08-012
400-06-130	NEW-E 86-01-012	440-44-050	AMD 85-13-007	448-12-330	AMD-P 86-01-067
400-06-140	NEW-P 85-22-076	440-44-050	AMD-P 85-15-022	448-12-330	AMD-E 86-01-068
400-06-140	NEW-E 86-01-012	440-44-050	AMD-E 85-16-064	448-12-340	NEW-P 85-05-041
400-06-150	NEW-P 85-22-076	440-44-050	AMD 85-20-021	448-12-340	NEW 85-08-012
400-06-150	NEW-E 86-01-012	440-44-057	AMD-P 85-02-058	448-12-340	AMD-P 86-01-067
400-06-160	NEW-P 85-22-076	440-44-057	AMD-E 85-02-059	448-12-340	AMD-E 86-01-068
400-06-160	NEW-E 86-01-012	440-44-057	AMD 85-06-024	458-08-010	NEW-P 85-16-100
400-06-170	NEW-P 85-22-076	440-44-057	AMD-P 85-09-054	458-08-010	NEW-E 85-16-101
400-06-170	NEW-E 86-01-012	440-44-057	AMD 85-13-007	458-08-010	NEW-C 85-19-069
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400-06-180	NEW-E 86-01-012	440-44-058	NEW 85-13-007	458-08-010	NEW 85-23-049
419-14-030	AMD-P 85-03-050	440-44-060	AMD-P 85-15-022	458-08-020	NEW-P 85-16-100
419-14-030	AMD 85-07-009	440-44-060	AMD-E 85-16-064	458-08-020	NEW-E 85-16-101
419-14-040	AMD-P 85-03-050	440-44-060	AMD 85-20-021	458-08-020	NEW-C 85-19-069
419-14-040	AMD 85-07-009	440-44-061	NEW-P 85-15-022	458-08-020	NEW-C 85-22-005
419-14-075	AMD-E 85-03-023	440-44-061	NEW-E 85-16-064	458-08-020	NEW 85-23-049
419-14-075	AMD-P 85-03-049	440-44-061	NEW 85-20-021	458-08-030	NEW-P 85-16-100
419-14-075	AMD 85-07-010	440-44-065	AMD-P 85-09-054	458-08-030	NEW-E 85-16-101
419-14-100	AMD-P 85-03-050	440-44-065	AMD 85-12-029	458-08-030	NEW-C 85-19-069
419-14-100	AMD 85-07-009	440-44-075	AMD-P 85-09-054	458-08-030	NEW-C 85-22-005
419-14-110	AMD-P 85-03-050	440-44-075	AMD 85-12-029	458-08-030	NEW 85-23-049
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419-18-040	AMD-P 85-03-051	440-44-090	NEW 85-20-031	458-08-040	NEW-C 85-22-005
419-18-040	AMD 85-07-008	440-44-095	NEW 85-04-023	458-08-040	NEW 85-23-049
419-18-060	AMD-P 85-03-051	440-44-100	NEW-P 85-15-089	458-08-050	NEW-P 85-16-100
419-18-060	AMD 85-07-008	440-44-100	NEW-P 85-23-015	458-08-050	NEW-E 85-16-101
419-18-070	AMD-P 85-03-051	446-50-080	AMD-E 85-15-048	458-08-050	NEW-C 85-19-069
419-18-070	AMD 85-07-008	446-50-080	AMD-P 85-16-003	458-08-050	NEW-C 85-22-005
419-36-090	NEW-E 85-19-011	446-50-080	AMD 85-20-070	458-08-050	NEW 85-23-049
419-36-090	NEW-P 85-19-028	448-12-210	NEW-P 85-05-041	458-08-060	NEW-P 85-16-100
419-36-090	NEW-P 85-24-021	448-12-210	NEW 85-08-012	458-08-060	NEW-E 85-16-101
419-36-090	NEW-E 85-24-022	448-12-210	AMD-P 86-01-067	458-08-060	NEW-C 85-19-069
434-15-010	NEW-P 85-10-063	448-12-210	AMD-E 86-01-068	458-08-060	NEW-C 85-22-005
434-15-010	NEW 85-13-017	448-12-220	NEW-P 85-05-041	458-08-060	NEW 85-23-049
434-15-020	NEW-P 85-10-063	448-12-220	NEW 85-08-012	458-08-070	NEW-P 85-16-100
434-15-020	NEW 85-13-017	448-12-220	AMD-P 86-01-067	458-08-070	NEW-E 85-16-101
434-15-030	NEW-P 85-10-063	448-12-220	AMD-E 86-01-068	458-08-070	NEW-C 85-19-069
434-15-030	NEW 85-13-017	448-12-230	NEW-P 85-05-041	458-08-070	NEW-C 85-22-005
434-15-040	NEW-P 85-10-063	448-12-230	NEW 85-08-012	458-08-070	NEW 85-23-049
434-15-040	NEW 85-13-017	448-12-230	AMD-P 86-01-067	458-08-080	NEW-P 85-16-100
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458-08-090	NEW-E 85-16-101	458-08-240	NEW-C 85-22-005	458-20-24001	NEW-P 85-16-106
458-08-090	NEW-C 85-19-069	458-08-240	NEW 85-23-049	458-20-24001	NEW-E 85-16-107
458-08-090	NEW-C 85-22-005	458-08-250	NEW-P 85-16-100	458-20-24001	NEW-C 85-20-011
458-08-090	NEW 85-23-049	458-08-250	NEW-E 85-16-101	458-20-24001	NEW 85-21-013
458-08-100	NEW-P 85-16-100	458-08-250	NEW-C 85-19-069	458-20-24002	NEW-P 85-16-106
458-08-100	NEW-E 85-16-101	458-08-250	NEW-C 85-22-005	458-20-24002	NEW-E 85-16-107
458-08-100	NEW-C 85-19-069	458-08-250	NEW 85-23-049	458-20-24002	NEW-E 85-16-106
458-08-100	NEW-C 85-22-005	458-08-260	NEW 85-23-049	458-20-24002	NEW-C 85-20-011
458-08-100	NEW 85-23-049	458-08-270	NEW 85-23-049	458-20-24002	NEW 85-21-013
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458-08-110	NEW-C 85-22-005	458-12-255	REP-P 85-18-022	458-40-18700	AMD-P 85-22-077
458-08-110	NEW 85-23-049	458-12-260	REP 85-22-083	458-40-18704	AMD-P 85-22-077
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458-08-120	NEW-C 85-22-005	458-14-040	REP 85-22-083	458-40-18717	NEW 85-14-048
458-08-120	NEW 85-23-049	458-14-040	AMD-P 85-14-003	458-40-18718	NEW-P 85-10-058
458-08-130	NEW-P 85-16-100	458-14-045	AMD 85-17-016	458-40-18718	NEW-E 85-14-047
458-08-130	NEW-E 85-16-101	458-14-045	AMD-P 85-14-003	458-40-18718	NEW 85-14-048
458-08-130	NEW-C 85-19-069	458-14-045	AMD-E 85-14-004	458-40-18719	NEW-P 85-22-077
458-08-130	NEW-C 85-22-005	458-14-045	AMD 85-17-016	458-40-18720	NEW-P 85-22-077
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458-08-140	NEW-C 85-19-069	458-14-152	AMD-E 85-14-004	458-40-19110	NEW 85-24-036
458-08-140	NEW-C 85-22-005	458-16-110	AMD 85-17-016	460-20A-210	AMD-P 85-13-022
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458-08-150	NEW-E 85-16-101	458-16-111	AMD 85-05-025	460-20A-210	AMD 85-23-063
458-08-150	NEW-C 85-19-069	458-16-130	AMD-C 85-02-060	460-20A-220	AMD-P 85-13-022
458-08-150	NEW-C 85-22-005	458-16-130	AMD 85-05-025	460-20A-220	AMD 85-16-068
458-08-150	NEW 85-23-049	458-16-150	AMD 85-05-025	460-20A-220	AMD-P 85-19-070
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458-08-160	NEW-C 85-19-069	458-16-210	AMD 85-05-025	460-20A-220	AMD 85-16-068
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458-08-170	NEW-C 85-19-069	458-16-230	AMD 85-05-025	460-20A-400	AMD-P 85-19-070
458-08-170	NEW-C 85-22-005	458-16-240	AMD 85-05-025	460-20A-400	AMD 85-23-063
458-08-170	NEW 85-23-049	458-16-240	AMD-C 85-02-060	460-20A-405	NEW 85-03-042
458-08-180	NEW-P 85-16-100	458-16-260	AMD 85-05-025	460-20A-405	AMD-P 85-13-022
458-08-180	NEW-E 85-16-101	458-16-260	AMD 85-05-025	460-24A-050	AMD 85-16-068
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458-08-180	NEW-C 85-22-005	458-16-270	AMD 85-05-025	460-24A-050	AMD 85-23-063
458-08-180	NEW 85-23-049	458-16-280	AMD 85-05-025	460-24A-050	AMD-P 85-13-022
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458-08-190	NEW-E 85-16-101	458-16-282	AMD 85-05-025	460-24A-060	AMD 85-16-068
458-08-190	NEW-C 85-19-069	458-16-282	AMD-C 85-02-060	460-24A-205	AMD-P 85-13-022
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458-08-200	NEW-E 85-16-101	458-17-100	NEW 85-22-083	460-24A-220	AMD 85-19-070
458-08-200	NEW-C 85-19-069	458-20-107	AMD-P 85-23-073	460-24A-220	NEW-P 85-04-056
458-08-200	NEW-C 85-22-005	458-20-114	AMD-P 85-23-072	460-24A-220	NEW 85-23-063
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458-08-210	NEW-C 85-19-069	458-20-155	AMD 85-20-012	460-90A-010	REP 85-12-021
458-08-210	NEW-C 85-22-005	458-20-169	AMD-P 85-23-072	460-90A-015	NEW-P 85-04-056
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458-08-220	NEW-E 85-16-101	458-20-179	AMD-C 85-21-057	460-90A-015	AMD 85-19-093
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458-08-230	NEW-C 85-22-005	458-20-189	AMD-P 85-18-069	460-90A-018	AMD 85-19-093
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