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ISSUE 88-15



IN THIS ISSUE

Agriculture, Department of
Basic Health Plan
Big Bend Community College
Centralia College
Community Development, Department of
Convention and Trade Center
Criminal Justice Training Commission
Ecology, Department of
Edmonds Community College
Fisheries, Department of
Gambling Commission
Health, Board of
Higher Education Personnel Board
Insurance Commissioner
Labor and Industries, Department of
Licensing, Department of
Natural Resources, Department of

Parks and Recreation Commission
Personnel, Department of
Productivity Board
Revenue, Department of
Seattle Community Colleges
Social and Health Services, Department of
South Puget Sound Community College
State Patrol
Superintendent of Public Instruction
Supreme Court
Utilities and Transportation Commission
Vocational Education, Board for
Vocational Education, Council on
Volunteer Firemen, Board for
Western Washington University
Whatcom Community College

(Subject/Agency index at back of issue)
This issue contains documents officially
filed not later than July 20, 1988

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.

PUBLIC INSPECTION OF DOCUMENTS

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

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CERTIFICATE

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

DENNIS W. COOPER
Code Reviser

STATE MAXIMUM INTEREST RATE

The maximum allowable interest rate applicable for the month of August 1988 pursuant to RCW 19.52.020 is twelve percent (12%).

NOTICE: FEDERAL LAW PERMITS FEDERALLY INSURED FINANCIAL INSTITUTIONS IN THE STATE TO CHARGE THE HIGHEST RATE OF INTEREST THAT MAY BE CHARGED BY ANY FINANCIAL INSTITUTION IN THE STATE. THE MAXIMUM ALLOWABLE RATE OF INTEREST SET FORTH ABOVE MAY NOT APPLY TO A PARTICULAR TRANSACTION.

The maximum allowable retail installment contract service charge applicable for calendar year 1988 pursuant to RCW 63.14.130(1)(a) is twelve and one-quarter percent (12¼%).

The maximum allowable retail installment contract service charge for the purchase of a motor vehicle pursuant to RCW 63.14.130(2)(a) is thirteen and one-quarter percent (13¼%) for the third calendar quarter of 1988.

WASHINGTON STATE REGISTER

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

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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 are 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 MATERIAL

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 material is new material;
 - (ii) ~~deleted material 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's office. 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's office 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's office 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.

1987 – 1988

DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue No.	Closing Dates ¹			Distribution Date	First Agency Action Date ³
	Non-OTS & 30 p. or more	Non-OTS & 11 to 29 p.	OTS ² or 10 p. max. Non-OTS		
<i>For Inclusion in—</i>	<i>File no later than—</i>			<i>Count 20 days from—</i>	<i>For hearing/adoption on or after</i>
87-18	Aug 5	Aug 19	Sep 2	Sep 16	Oct 6
87-19	Aug 26	Sep 9	Sep 23	Oct 7	Oct 27
87-20	Sep 9	Sep 23	Oct 7	Oct 21	Nov 10
87-21	Sep 23	Oct 7	Oct 21	Nov 4	Nov 24
87-22	Oct 7	Oct 21	Nov 4	Nov 18	Dec 8
87-23	Oct 21	Nov 4	Nov 18	Dec 2	Dec 22
87-24	Nov 4	Nov 18	Dec 2	Dec 16	Jan 5, 1988
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88-01	Nov 25	Dec 9	Dec 23, 1987	Jan 6, 1988	Jan 26
88-02	Dec 9	Dec 23, 1987	Jan 6, 1988	Jan 20	Feb 9
88-03	Dec 23, 1987	Jan 6, 1988	Jan 20	Feb 3	Feb 23
88-04	Jan 6	Jan 20	Feb 3	Feb 17	Mar 8
88-05	Jan 20	Feb 3	Feb 17	Mar 2	Mar 22
88-06	Feb 3	Feb 17	Mar 2	Mar 16	Apr 5
88-07	Feb 24	Mar 9	Mar 23	Apr 6	Apr 26
88-08	Mar 9	Mar 23	Apr 6	Apr 20	May 10
88-09	Mar 23	Apr 6	Apr 20	May 4	May 24
88-10	Apr 6	Apr 20	May 4	May 18	Jun 7
88-11	Apr 20	May 4	May 18	Jun 1	Jun 21
88-12	May 4	May 18	Jun 1	Jun 15	Jul 5
88-13	May 25	Jun 8	Jun 22	Jul 6	Jul 26
88-14	Jun 8	Jun 22	Jul 6	Jul 20	Aug 9
88-15	Jun 22	Jul 6	Jul 20	Aug 3	Aug 23
88-16	Jul 6	Jul 20	Aug 3	Aug 17	Sep 6
88-17	Jul 27	Aug 10	Aug 24	Sep 7	Sep 27
88-18	Aug 10	Aug 24	Sep 7	Sep 21	Oct 11
88-19	Aug 24	Sep 7	Sep 21	Oct 5	Oct 25
88-20	Sep 7	Sep 21	Oct 5	Oct 19	Nov 8
88-21	Sep 21	Oct 5	Oct 19	Nov 2	Nov 22
88-22	Oct 5	Oct 19	Nov 2	Nov 16	Dec 6
88-23	Oct 26	Nov 9	Nov 23	Dec 7	Dec 27
88-24	Nov 9	Nov 23	Dec 7	Dec 21	Jan 10, 1989

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

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

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

WSR 88-14-085
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2646—Filed July 1, 1988]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Child support—Obligations, amending chapter 388-11 WAC.

I, Leslie F. James, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is this rule is necessary to implement a new child support schedule, support distribution changes and due process requirements established under chapter 275, Laws of 1988.

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

This rule is promulgated pursuant to chapter 275, Laws of 1988, 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 July 1, 1988.

By Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 1465, filed 12/14/79)

WAC 388-11-010 STATUTORY BASIS. RCW 74.20A.055 is the administrative process for (~~determination of or establishment of~~) establishing support obligations when there is no superior court order(~~—These provisions contain the administrative method to be used when there is an absence of a superior court order in cases where~~) and the office of support enforcement has served a notice and finding of financial responsibility (~~has been served by the office of support enforcement or their agent~~) on the responsible parent. (~~Action based on chapter 74.20A RCW may not be based on agreements.~~) The notice and finding of financial responsibility may be served only for a support debt or (~~responsibility to~~) current support (~~accrued and/or~~) obligation established or to be established under (~~sections 17 and/or 22, chapter 171, Laws of 1979 ex. sess. RCW [74.20.320] [74.20.330], 74.20A.030, 74.20.040, 26.16-205 and/or 74.20A.250 relating to a period of time when a superior court order did not exist~~) RCW 74.20A.057, specifically including cases eligible for nonassistance support enforcement services under WAC 388-14-302.

AMENDATORY SECTION (Amending Order 2304, filed 11/13/85)

WAC 388-11-011 DEFINITIONS. For purposes of this chapter and chapters 388-13 and 388-14 WAC, the following definitions shall apply:

(1) "Locate" shall mean service of the notice and finding of financial responsibility in a manner prescribed by WAC 388-11-040.

(2) "Reasonable efforts to locate" shall mean any of the following actions taken on a case:

(a) Mailing of the notice and finding of financial responsibility by certified mail, return receipt requested to an address, reasonably believed by office of support enforcement to be a mailing address of the responsible parent; or

(b) Referral to a sheriff, other server of process or locate service or other agent or employee of the department for locate activities if the responsible parent is not located under subsection (1)(a) of this section, or if no known mailing address exists but the information which office of support enforcement has, reasonably indicates that the responsible parent can be located; or

(c) When service cannot be accomplished, tracing activity (~~as stated~~) as follows:

(i) Checking of local telephone directories and attempts by telephone or mail to contact the applicant/recipient, applicant/custodian, relatives of the responsible parent, past or present employers, or the postal authorities when appropriate;

(ii) Contacting state agencies, union, financial, or fraternal organizations available on the local level to which the responsible parent is known to have had contact or membership;

(iii) Automated periodic searches for identification information recorded by other state agencies, federal agencies, credit bureaus, or other electronic record keeping agencies or entities.

(d) Referral to state parent locator service when tracing efforts under subsection (1)(c) of this section are exhausted;

(e) Referral to the attorney general, a prosecuting attorney, the IV-D agency of another state, or the Internal Revenue Service for specific legal or collection action.

(3) "The date the state assumes responsibility for the support of ((the)) a dependent child ((or children)) on whose behalf support is sought" shall mean the date payment of an AFDC-R, AFDC-E, AFDC-FC, or state only foster care grant is authorized(~~—or September 1, 1979~~). For purposes of this chapter, the state shall continue to be responsible for the support of a dependent child until public assistance payments or support enforcement services terminate, whichever ((is)) occurs later.

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

(5) "Secretary" means the secretary of the department of social and health services or the secretary's designee or authorized representative.

(6) (~~"Hearing examiner"~~) shall mean the administrative law judge employed by the office of administrative

~~hearings hearing the testimony and making the initial decision under chapter 388-11 WAC.~~

~~((7))~~ "Dependent child" means any person under the age of twenty-one not otherwise emancipated, self-supporting, married, or a member of the armed forces of the United States.

~~((8))~~ (7) "Superior court order" means any judgment, decree, or order of ~~((the))~~ a Washington state superior court ~~((of the state of Washington))~~ or ~~((a))~~ another state's court of comparable jurisdiction ~~((of another state))~~ establishing ~~((the existence of))~~ a support obligation and ordering payment thereon of a set or determinable amount ~~((of support moneys to satisfy the support obligation))~~. ~~((Orders of the superior court failing))~~ An order that fails to expressly require payment of support by a responsible parent ((or orders failing)) that fails to specifically relieve ((the)) a responsible parent of ((the)) a support obligation ((shall)) is not ((constitute)) a superior court order. For purposes of this chapter, an order entered by any state under the Uniform Reciprocal Enforcement of Support Act (URESA) is not a superior court order.

~~((9))~~ (8) "Administrative order" means any determination, finding, decree, or order for support issued pursuant to RCW 74.20A.055, or by an agency of another state pursuant to a substantially similar administrative process, establishing the existence of a support obligation and ordering the payment of a set or determinable amount of support money((s)) to satisfy the support obligation. Such administrative order shall include an agreed settlement or consent order entered under WAC 388-11-150 or a notice and finding of financial responsibility that has become final by operation of law.

~~((10))~~ (9) "Support obligation" means the obligation to provide for the necessary care, support, and maintenance, including responsibility for medical ((expenses)) support, of a dependent child or other person as required by statutes and the common law of this or another state.

~~((11))~~ (10) "Responsible parent" means the natural parent, adoptive parent, or responsible stepparent ((of)) from whom the department seeks support for a dependent child.

~~((12))~~ (11) "Stepparent" means ~~((the present))~~ any spouse ~~((of the))~~, under RCW 26.16.205, who lives or has lived in a family unit with a person who is either ~~((the))~~ a mother, father, or adoptive parent ~~((of a))~~, and that person's dependent child~~(;)~~ or children; and such status shall ~~((exist and))~~ continue ~~((as provided for by RCW 26.16.205))~~ until the relationship is terminated by death or dissolution of marriage.

~~((13))~~ (12) "Support money((s))" means any money((s)) or in-kind providings paid to satisfy a support obligation whether denominated as child support, spouse support, alimony, maintenance, or any other such money((s)) intended to satisfy an obligation for support of any person or satisfaction in whole or in part of arrears or delinquency on such an obligation.

~~((14))~~ (13) "Current" and/or "Future" ((support or future and current support or future/current)) support ((shall)) means support money((s)) paid to satisfy

the support obligation for the ~~((instant or))~~ present month as opposed to satisfaction of a support ~~((obligations owed for previous and past months which, having been unpaid, are delinquent))~~ debt.

~~((15))~~ (14) "Support debt" means any delinquent amount of support money((s)) which is due, owing, and unpaid under a superior court order or an administrative order, a debt for the payment of expenses for the reasonable or necessary care, support and maintenance, including medical expenses, of a dependent child or other person for whom a support obligation is owed; or a debt under RCW 74.20A.100 or 74.20A.270. Support debt also includes any accrued interest, fees, or penalties charged on a support debt, and attorneys' fees and other costs of litigation awarded in an action to establish and enforce a support obligation or support debt.

~~((16))~~ (15) "Arrears," "delinquency," "past support," shall all mean the amount owed for a period of time prior to the instant month~~((, but is owed for a period of time in the past))~~.

~~((17))~~ "Need" means the necessary costs of food, clothing, shelter, and medical attendance for the support of a dependent child or children.

~~((18))~~ (16) "Good cause" means there is substantial reason or legal justification for delay, including a showing of those grounds enumerated in RCW 4.72.010 and Civil Rule 60 ~~((and allegation is made of a defense under WAC 388-11-065))~~.

~~((19))~~ (17) "Assignment pursuant to RCW 74.20A-.040" shall mean the assignment made by an applicant/custodian of support rights pursuant to WAC 388-14-310.

~~((20))~~ (18) Fraud for the purposes of WAC 388-11-115 means:

- (a) The representation of the existence or nonexistence of a fact;
- (b) Its materiality;
- (c) Its falsity;
- (d) The speaker's knowledge of its truth;
- (e) His or her intent that it should be acted on by the person to whom it is made;
- (f) Ignorance of its falsity on the part of the person to whom it is made;
- (g) The latter's reliance on the truth of the representation;
- (h) His or her right to rely upon it; and
- (i) His or her subsequent damage.

~~((21))~~ (19) "State" means any state or political subdivision, territory, or possession of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

(20) "Residential parent" means the parent with whom the child resides a majority of the time, or who is designated as, or deemed to be, the custodian of the child under RCW 26.09.285.

(21) "Agreed settlement" means the informal disposition of a contested case by written agreement between a responsible parent and the office of support enforcement which establishes the existence of a support obligation and orders payment thereon. Such agreement shall be effective without the approval of an administrative law judge.

(22) "Consent order" means the informal disposition of a contested case by written agreement between a responsible parent and the office of support enforcement which establishes the existence of a support obligation and orders payment thereon. Such agreement shall require the approval of an administrative law judge to be effective.

(23) "Extraordinary medical expenses" means all medical costs of a dependent child, not covered by insurance, which exceed a total of two hundred dollars for the year.

(24) "Medical costs" means doctor and hospital bills, prescription costs, and dental costs including orthodontia.

(25) "Medical support" means medical costs incurred for and/or health insurance coverage for the benefit of a dependent child.

AMENDATORY SECTION (Amending Order 1465, filed 12/14/79)

WAC 388-11-015 CREDITS ALLOWABLE IN SATISFACTION OF DEBT. ((Pursuant to)) (1) Under RCW 74.20.101 after the office of support enforcement serves a notice and finding of financial responsibility ((has been served)) on the responsible parent, satisfaction ((in whole or in part)) of the ((debt)) support obligation may be obtained only by cash, check, or money order payments through the office of support enforcement. ((After service of said notice, any attempt to satisfy the debt by providing the caretaker, custodian, vendor or other third party with cash, check, money order or in-kind, noncash, nonnegotiable items or services, including payments to for any item vendors or other third parties of items included in the public assistance standards, is conclusively presumed to be gifts and will not be credited against the debt.))

(2) The office of support enforcement shall allow credit against the responsible parent's support obligation for family necessities provided directly to the caretaker/custodian, or children, or provided through vendors or third parties((, may be credited against the debt)) only if ((they)):

(a) The items are provided prior to service of the notice and finding of financial responsibility on the responsible parent ((pursuant to WAC 388-11-040. To obtain such credit)); and

(b) The responsible parent ((has the burden of proving, by a preponderance of the evidence, that such)) proves the items, when provided, were((, at that time,)) intended to satisfy((, in whole or in part,)) the ((common law or statutory obligation of said)) responsible parent's support obligation; ((Provided, no credit may be given for)) and

(c) The items ((which)) are ((not)) food, clothing, shelter, or medical attendance((, PROVIDED, FURTHER, That)) directly related to the care, support, and maintenance of the children; and

(d) The department determines there is no prejudice to the custodial parent or other person or agency entitled to receive the support payments, or to the children, and that there are special circumstances of an equitable nature which justify credit for such payments; or

(e) A court of competent jurisdiction determines credit should be granted after a hearing at which all interested parties were given an opportunity to be heard.

(3) The burden of providing that credit should be given is on the parent claiming credit for the payments.

(4) Shelter payments made ((may)) prior to service of the notice and finding of financial responsibility shall not be credited against any debt for any period determined under chapter 388-11 WAC in an amount greater than the shelter allocation in the public assistance standards for the same period or one-half of the actual shelter payment made, whichever is the greater. Any credit given shall be classified as a payment of child support and shall be treated consistent with rules of eligibility in effect at the time of payment. ((After assignment has been made pursuant to WAC 388-24-108, any support payments made subsequent to assignment shall be treated pursuant to WAC 388-14-210)) No credit shall be allowed for shelter payments made after service of the notice and finding of financial responsibility.

AMENDATORY SECTION (Amending Order 2340, filed 2/12/86)

WAC 388-11-030 NOTICE AND FINDING OF FINANCIAL RESPONSIBILITY. (1) The notice and finding of financial responsibility shall set forth the office of support enforcement's finding of responsibility(;) as follows:

(a) The amount ((which the office of support enforcement alleges that)) the responsible parent owes as an accrued debt, and a statement of the demand for payment thereon((, Where appropriate the notice and finding of financial responsibility shall also set forth the office of support enforcement's finding of responsibility as to));

(b) The amount the responsible parent should pay ((in the)) for current and future ((as periodic future)) support ((for such period of time as the child or children are in need. The notice may also include a finding of));

(i) Under WAC 388-11-XXXXX, if income information is on file; or

(ii) Under WAC 388-29-100 if income is unknown.

(c) The responsible parent's responsibility for medical ((expenses including responsibility to provide medical insurance coverage if such coverage is available at a reasonable cost to the responsible parent)) support under WAC 388-11-XXXXX.

(2) The notice and finding of financial responsibility shall also include:

(a) ((A statement of)) The name of the ((recipient or custodian)) residential parent;

(b) ((The)) Each name, birthdate, and Social Security number of the child or children on whose behalf ((need)) support is ((alleged)) being sought;

(c) The name, address, and Social Security number of the responsible parent;

(d) The responsible parent's employer; and

(e) A statement that(;):

(i) If the responsible parent objects to all or any part of the notice and finding of financial responsibility, he or she shall have a right, for not more than twenty days from date of service, to request a hearing to show cause

why ~~((said))~~ the responsible parent should not be determined to be liable for any or all of the debt, past and future;

~~((d))~~ (ii) ~~((A statement that said))~~ Any objection shall be communicated, in writing, and ~~((shall be))~~ served on the district field office of the office of support enforcement issuing the notice and finding of financial responsibility;

~~((e))~~ (iii) ~~((A statement that,))~~ If the responsible parent fails to object in writing, ~~((in a timely manner))~~ within twenty days to the support debt and the current support amounts stated in the notice and finding of financial responsibility, the support debt and/or ~~((payments stated in the notice and finding of financial responsibility))~~ current support amount shall ~~((be assessed and determined and ordered in accordance with the finding of responsibility of the department as set forth in the notice and finding of financial responsibility))~~ become final and subject to collection action without further action or notice;

~~((f))~~ (iv) A ~~((statement that the support debt, as assessed and determined and ordered is subject to collection action and that the property of the debtor, without further advance notice or hearing, is subject to lien and foreclosure, distraint, seizure and sale, or order to withhold and deliver to satisfy the debt.))~~ notice of payroll deduction may be issued or other income withholding action under chapters 26.18 or 74.20A RCW may be taken, without further notice to the responsible parent, if a support payment is more than fifteen days past due in an amount equal to or greater than the support payable for one month;

~~((g))~~ (v) ~~((A statement that,))~~ After service of the notice, all payments made which are intended to satisfy a current support obligation and/or ~~((accrued child))~~ support ~~((obligation))~~ debt alleged in the notice must be made directly to the office of support enforcement. Payments made to any other party will not be credited against the ~~((debt))~~ support obligation whether or not such payment is in cash, check, money order, in-kind services, merchandise, or anything else of value, except as provided under WAC 388-11-030.

AMENDATORY SECTION (Amending Order 1465, filed 12/14/79)

WAC 388-11-040 SERVICE OF NOTICE AND FINDING OF FINANCIAL RESPONSIBILITY. The office of support enforcement shall serve a notice and finding of financial responsibility ~~((shall be served))~~ on ~~((the))~~ a responsible parent ~~((by the office of support enforcement or their agent in the))~~;

(1) In a manner prescribed for the service of a summons in a civil action; or

(2) By certified mail, return receipt requested. The receipt shall be prima facie evidence of service.

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 1997, filed 8/5/83)

WAC 388-11-045 SERVICE REQUIREMENTS—TOLLING. (1) For support obligations owed for months on or after September 1, 1979~~((if the))~~, the department shall exercise reasonable efforts to locate the responsible parent. The department shall serve a notice and finding of financial responsibility ~~((is not served))~~ within sixty days ~~((from))~~ of the date the state assumes responsibility for the support of ~~((the))~~ a dependent child ~~((or children))~~ on whose behalf support is sought. If service is not timely, the department shall lose the right to reimbursement of public assistance payments made after the ~~((sixty days))~~ sixtieth day and before the ~~((date of service of the))~~ notice is served. However: ~~((PROVIDED, That if the department exercises reasonable efforts to locate the debtor and is unable to do so, the entire sixty-day period is tolled until such time as the debtor can be located))~~

(a) The department shall not lose the right to reimbursement of public assistance payments for any period of time during which it exercised reasonable efforts to locate the responsible parent;

(b) The department shall not apply this rule to nonassistance cases, cases where the residential parent lives out of state, and cases where parentage is in issue and has not been established by superior court order, and

(c) The department shall consider a prorated share of each monthly public assistance payment as paid on each day of the month.

(2) For support obligations owed for months before September 1, 1979, and for which a final determination was issued on or after September 1, 1979~~((:~~

~~((a-f))~~, the department shall exercise reasonable efforts to locate the responsible parent. The department shall serve a notice and finding of financial responsibility ~~((is not served))~~ within six months ~~((from))~~ of the date the state assumes responsibility for the support of ~~((the))~~ a dependent child ~~((or children))~~ on whose behalf support is sought. If service is not timely, the department shall lose the right to reimbursement of public assistance payments made after the ~~((six months))~~ sixth month and before the ~~((date of service of the))~~ notice is served. However:

~~((PROVIDED, That if the department exercises reasonable efforts to locate the debtor and is unable to do so, the entire six-month period is tolled until such time as the debtor can be located. Such reasonable efforts to locate shall be supported by contemporaneous recordings in the department's file))~~

(a) The department shall not lose the right to reimbursement of public assistance payments for any period of time during which it exercised reasonable efforts to locate the responsible parent. Reasonable efforts to locate shall be supported by contemporaneous recordings in the department's files;

(b) The ~~((provisions of WAC 388-11-045(2) are intended to implement the holding of Gangon vs. DSHS, Thurston County Cause Number 80-2-01004-0))~~ department shall not apply this rule to nonassistance cases, cases where the residential parent lives out of state, or

cases where parentage is in issue and has not been established by superior court order,

(c) The department shall consider a prorated share of each monthly public assistance payment as paid on each day of the month.

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 1465, filed 12/14/79)

WAC 388-11-055 PETITION FOR HEARING AFTER TWENTY DAYS—STAY. (1) The responsible parent may, at any time, upon a showing of good cause for the failure to make a timely request for hearing, petition the secretary or the secretary's designee for a late hearing ~~(, as provided for but not previously granted pursuant to WAC 388-11-060, 388-11-065, and 388-11-100).~~ The petition shall state the grounds alleged by the responsible parent to constitute good cause for the failure to make a timely request for hearing.

(2) A copy of ((said)) the petition shall also be served by certified mail, return receipt requested, or ((by service in the manner of)) like a summons in a civil action on the district office of the office of support enforcement.

(3) The filing of ((such)) a petition for a late hearing alone shall not stay any collection action being taken under chapter 74.20A RCW. ((The petition shall state the grounds alleged by the responsible parent to constitute good cause for the failure to make a timely request for hearing.))

((2)) (4) The granting of a request for a hearing under subsection (1) above shall operate as a stay on any collection action to collect moneys due under the original notice.

((3)) (5) ((On petition of the responsible parent or office of support enforcement,)) A hearing ((may)) under this section shall be scheduled to consider:

- (a) Whether good cause exists to grant a hearing;
- (b) Setting of temporary current and future support;
- (c) Settlement of any or all of the issues; and
- (d) Such other matters as may aid in disposition of the proceeding((; and)).

((e)) (6) ((If agreed to by the parties to hear the merits of the responsible parent's objections to the notice and finding of financial responsibility.

Notice of this hearing shall be mailed to the parties by certified mail, not less than ten days prior to the scheduled date of the hearing.)) The office of support enforcement may petition for ((setting)) temporary current and future support ((may be brought at)) any time prior to the final decision. The hearing examiner shall, in writing, order payment of temporary, current and future support in an amount determined ((pursuant to the scale of minimum contributions in WAC 388-11-190 unless such payment is contrary to law)) under chapter 388-11 WAC.

(a) Payment shall be ordered to be paid beginning with the month in which the petition for ((an untimely)) a late hearing is granted.

((4)) (b) In the event the responsible parent does not make payment of the temporary current and future support as ordered, the office of support enforcement may take collection action pursuant to chapters 26.23 and 74.20A RCW during the pendency of the hearing or thereafter to collect any amounts owing under the temporary order.

((5)) (7) Moneys withheld as a result of collection action in effect at the time of granting of the request for the hearing shall be delivered to and held by the office of support enforcement ((and shall be held in trust by the office of support enforcement)) pending the final order of the secretary or during the pendency of any appeal to the courts. Temporary current and future support paid, or collected during the pendency of the hearing or appeal shall be disbursed when received by the office of support enforcement.

((6)) (8) If the final decision of the department or the courts on appeal is that the department has collected an amount from the responsible parent greater than such parents past support debt, other than temporary current and future support, such excess shall promptly be refunded to such parent.

AMENDATORY SECTION (Amending Order 1465, filed 12/14/79)

WAC 388-11-060 REQUEST FOR HEARING.

(1) Any responsible parent who objects to all or any part of the notice and finding of financial responsibility ((shall have the right, for not more than)) may, within twenty days from the date of service of ((said)) the notice and finding of financial responsibility, ((to)) make a written request((; in writing,)) for a hearing ((which)).

(2) The request shall be served upon the office of support enforcement by registered or certified mail or ((personally)) like a summons in a civil action.

((A request for hearing, pursuant to this section, shall not be construed to be or considered as a general denial of requests for admission pursuant to WAC 388-11-080. The execution of)) (3) Collection action under the notice ((and finding of financial responsibility)) shall be stayed only until the final hearing decision ((on such hearing)). Further stays may be obtained only pursuant to RCW 34.04.130(3). ((If an objection is received, the secretary or the secretary's designee shall notify the appellant, his attorney, or other designated representative, of the date, time and place of the hearing, at least twenty days prior to the date thereof by written notice to the appellant or his representative by registered or certified mail. The hearing shall be scheduled within thirty days of the date of receipt of the objection. If the time, date or place is inconvenient to either party, the hearing examiner may grant a new time, date or place as is reasonably convenient upon a showing of good cause)).

(4) If the responsible parent fails to object, within twenty days, to the notice and finding of financial responsibility, the findings stated in the notice shall become final, subject to the provisions of WAC 388-11-055. Any support debt stated and/or any future periodic support obligation shall be subject to collection action.

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 2340, filed 2/12/86)

WAC 388-11-065 ~~((RESPONSIBLE PARENT TO SHOW CAUSE—AFFIRMATIVE))~~ DEFENSES ((BURDEN OF PROOF)) TO LIABILITY. (1) ((At the hearing held pursuant to WAC 388-11-060, the)) A responsible parent ((shall show cause, if any there be, why)) who objects to the notice and finding of financial responsibility ((and/or the amount prayed for therein is inaccurate, and why the hearing examiner should not enter an initial decision and order as prayed for in said notice and finding of financial responsibility but should either rescind or modify the same. In said show cause hearing, the responsible parent shall state affirmatively and)) shall have the burden of ((proving)) establishing defenses to liability. Defenses include, but are not limited to:

((1)) (a) ((Estoppel)) Payment;
((2)) (b) ((Payment)) Superior court order;
((3)) (c) ((Release)) He or she is not a responsible parent;

((4)) (d) ((Superior court order)) The amount requested in the notice is inconsistent with the amount under the Washington state child support schedule; or

(e) Any other matter constituting an avoidance or affirmative defense.

((5)) (2) ((Lack of eligibility in the receipt of)) Neither a dependent child's nor a residential parent's ineligibility to receive public assistance ((funds paid to or for the benefit of the responsible parent's minor child or children. PROVIDED, That lack of eligibility)) shall ((operate as)) constitute a defense ((only as)) to ((debt accrued prior to September 1, 1979. PROVIDED FURTHER, That lack of eligibility shall operate as a defense to a responsible parent's liability to repay the department only to the extent the amount of ineligibility proven in any one month exceeds the difference between the total grant for that month and the amount of the support liability determined for that month;

(6) The appellant is not a responsible parent;

(7) Inability to pay the amount determined;

(8) Lack of need and/or debt pursuant to RCW 26-16-205. PROVIDED, That the amount determined by reference to the schedule of suggested minimum contributions in WAC 388-11-190, based on the earnings, resources, and property of the responsible parent shall be a rebuttable presumption of the responsible parent's ability to pay and the need of the family on whose behalf action is being taken. If said presumption is rebutted, the office of support enforcement shall be afforded reasonable opportunity to present additional evidence of actual need with the right to a continuance on request to present said evidence. PROVIDED FURTHER, Said rebuttable presumption shall apply whether or not the child or children are recipients of or applicants for public assistance. The responsible parent shall be presumed to have

no ability to pay from income received from AFDC, SSI, or continuing general assistance;

((9) Discharge in bankruptcy,) the assessment of a support obligation.

((10)) (3) ((The)) A responsible parent((; pursuant to chapter 74.20 RCW, should)) may be excused from ((making)) providing support ((payments)) for ((the)) a dependent child ((or children,)) receiving ((or on whose behalf)) public assistance ((was provided under chapter 74.12 RCW, because)) if the responsible parent is the legal custodian of the child ((or children)) and has been wrongfully deprived of physical custody of the child ((or children. PROVIDED HOWEVER, That)). The responsible parent may only be excused ((from making support payments)) for ((the)) any period ((or periods)) during which the ((responsible parent)) he or she was wrongfully deprived of custody. ((In order to be excused from making support payments,)) The responsible parent must ((show)) establish:

(a) A court of competent jurisdiction of ((this)) any state ((or another state)) has entered an order giving legal and physical custody of the child ((or children)) to the responsible parent;

(b) The custody order has not been ((altered; changed,)) modified, superseded, or dismissed;

(c) The child ((or children were)) was taken or enticed from the responsible parent's physical custody ((of the responsible parent without his or her consent,)) and ((the responsible parent)) he or she has not subsequently assented to ((being deprived of physical custody of the child or children)) deprivation. Proof of enticement shall require more than a showing that the child is allowed to live without certain restrictions the responsible parent would impose; and

(d) ((The responsible parent,)) Within a reasonable time ((of the date)) after deprivation, the responsible parent ((was wrongfully deprived of physical custody of the child or children,)) exerted and ((has continued)) continues to exert reasonable efforts to regain physical custody of the child ((or children));

((11) Medical insurance coverage is not available at a reasonable cost. PROVIDED, That if such coverage is available through the responsible parent's employer or other organization at a cost to the responsible parent of twenty-five dollars per month or less, there shall be a rebuttable presumption that coverage is available at a reasonable cost, and

(12) Any other matter constituting an avoidance or affirmative defense to the notice and finding of financial responsibility.

Except as provided for in chapter 388-08 WAC for discovery, the hearing examiner or review examiner shall not require the office of support enforcement to produce or obtain information, documents, or witnesses to assist the responsible parent in proof of defenses raised pursuant to WAC 388-11-065 except for that relevant, non-confidential information or documents which the office of support enforcement has in its possession.))

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 2340, filed 2/12/86)

WAC 388-11-100 DUTY OF ((HEARING EXAMINER)) THE ADMINISTRATIVE LAW JUDGE.

(1) ((Based on)) In the hearings held under this chapter to contest a notice and finding of financial responsibility ((and objections made thereto)), the ((hearing examiner)) administrative law judge shall determine ((the liability and responsibility, if any, of the responsible parent under RCW 74.20A.057. The hearing examiner shall also determine the amount of periodic payments to be made to satisfy past, present or future liability and the responsible parent's liability for medical expenses including responsibility to provide medical insurance coverage. The hearing examiner shall include in his or her consideration the standards in WAC 388-11-190 and the uniform child support guidelines adopted by the Washington state association of superior court judges. The hearing examiner is empowered, upon proper showing of unusual circumstances, to set an amount of support, as to the past, present, or future, at a greater or lesser amount than the amount stated or computed in reference to the scale in WAC 388-11-190 and shall include in his or her consideration)):

((1)) (a) ((All earnings and income resources of)) T responsible parent((; including real and personal property))'s obligation to provide support under RCW 74.20A.057;

((2)) (b) The ((earnings potential)) net monthly income of the responsible parent and any residential parent;

((3)) (c) The ((reasonable necessities of the)) responsible parent's share of the basic support obligation and any adjustments to that share, as warranted by his or her circumstances;

((4)) (d) ((The ability of)) If requested by a party, the responsible parent ((to borrow))'s share of any special child-rearing expenses;

((5)) (e) The ((needs of the child for whom the)) responsible parent's obligation to provide medical support ((is sought)) under WAC 388-11-XXXXX;

((6)) (f) The ((amount of assistance which would be paid to the child under the full standard of need of the state's public assistance plan)) responsible parent's accrued debt and order payments thereon; and

((7)) (g) The ((existence of other dependents, and

(8) That the child, for whom support is sought, benefits from the income and resources of the responsible parent on an equitable basis in comparison with any other minor children of the responsible parent.

In determining the responsible parent's liability for medical expenses, including responsibility to provide medical insurance coverage, the hearing examiner shall consider:

(a) The known or anticipated medical needs of the child or children;

(b) The cost of medical coverage and whether or not such coverage is available through the responsible parent's employer or other organization at a reasonable cost to the responsible parent;

(c) The earnings and resources of the responsible parent;

(d) The reasonable necessities of the responsible parent; and

(e) The amount of the responsible parent's child support obligation, which obligation shall have priority over the obligation to provide medical coverage unless the hearing examiner makes a finding of fact that the medical needs of a child are extraordinary, and the best interest of the child would be better served if medical coverage is provided.

The findings of fact as to unusual circumstances shall consist of a concise statement of each fact found upon each contested issue of fact and shall state the grounds for deviation from the standards in WAC 388-11-190. The hearing examiner shall make his or her initial decision and enter his or her findings of fact based on the notice and finding of financial responsibility and the evidence admitted at the hearing)) responsible parent's total current and future support obligation as a sum certain and order payments thereon.

(2) The administrative law judge shall allow the office of support enforcement ((has a right)) to orally amend the notice and finding of financial responsibility((;)) at the ((time of)) hearing((;)) to conform to the evidence ((in which case the hearing examiner is empowered, when deemed necessary, through continuance, to allow the responsible parent additional time to present rebutting evidence and/or argument as to the amendment)).

(3) Except as provided for by any administrative rule of discovery, the administrative law judge shall not require the office of support enforcement to produce or obtain information, documents, or witnesses to assist the responsible parent in proof of defenses to liability. However, this rule shall not apply to relevant, nonconfidential information or documents that the office of support enforcement has in its possession.

(4) ((After evidence has been presented at a hearing conducted by a hearing examiner,)) The ((hearing examiner)) administrative law judge shall ((enter)) issue an initial decision and order ((which shall be in writing and shall contain findings and conclusions as to each contested issue of fact and law, as well as the order based thereon. The decision and order shall include a notice that, if the responsible parent fails to make periodic payments as ordered, the entire arrearage shall be collectable by the office of support enforcement and that collection action, including but not limited to the issuance of an order to withhold and deliver against the earnings or property of the responsible parent, may be initiated without further notice.

The hearing examiner shall file the original of the initial decision and order signed by him or her with the secretary or his or her designee, and copies thereof shall be mailed by the hearing examiner to the office of support enforcement and to the appellant by certified mail to the last known address of the party)) within twenty days of the date of the hearing.

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 1605, filed 2/11/81)

WAC 388-11-105 REVIEW OF INITIAL DECISION. (1) Within thirty days of service of the initial decision, either the ~~((appellant))~~ responsible parent or the office of support enforcement may petition, in writing, the secretary or the ~~((secretary's))~~ his or her designee ~~((; in writing;))~~ for review of the initial decision and order. ~~((Such petition for review))~~ The petitioner shall ~~((set forth in detail))~~ state the basis for the requested review ~~((;))~~ and shall ~~((be mailed))~~ mail a copy of the petition to the other party by certified or registered mail to ~~((the))~~ his or her last known address ~~((of the party)).~~

(2) The secretary or his or her designee shall review an initial decision and order, under chapter 388-08 WAC, to the extent those rules are relevant and consistent with the rules adopted in this chapter.

(3) The petition for review shall be based on ~~((any one of the following causes materially affecting the substantial rights of the petitioner))~~:

~~((1))~~ (a) Irregularity in the ~~((proceedings))~~ conduct of the ~~((hearing examiner or adverse party;))~~ administrative law judge or ~~((any))~~ in the issuance of an order ~~((of the hearing examiner, or abuse of discretion, by))~~ which ~~((the moving party was))~~ prevented ~~((from having))~~ a fair hearing;

~~((2))~~ (b) ~~((Misconduct of))~~ A prevailing party's misconduct;

~~((3))~~ (c) ~~((Accident or surprise which ordinary prudence could not have guarded against))~~ An administrative law judge's abuse of discretion;

~~((4))~~ (d) ~~((Newly discovered))~~ New evidence ~~((; material for the party making the application;))~~ which ~~((he))~~ could not ~~((with reasonable diligence))~~ have been discovered ~~((and produced at))~~ with reasonable diligence before the hearing;

~~((5))~~ (e) ~~((That there is no))~~ Findings of fact not supported by substantial evidence ~~((or reasonable inference from the evidence to justify the decision, or that it is contrary to law or these rules));~~

~~((6))~~ (f) An error in mathematical computation;

~~((7))~~ (g) ~~((Error in the))~~ A claim that the decision is contrary to law ~~((occurring at the hearing and objected to at the time by the party making the application));~~

~~((8))~~ (h) ~~((That))~~ The ~~((moving party is unable))~~ petitioner's inability to perform according to the terms of the order without further clarification;

~~((9))~~ (i) A claim that substantial justice has not been done;

~~((10))~~ (j) The occurrence of fraud or ~~((misstatement of facts by any witness, pertaining to any defense provided for in WAC 388-11-065))~~ a witness's misstatement of material facts;

~~((11))~~ (k) A clerical mistake ~~((s))~~ in the decision ~~((arising from oversight or omission)); and/or~~

~~((12))~~ (l) A claim that ~~((the decision and))~~ a default order, entered ~~((;))~~ because the responsible parent failed to appear at the hearing, should be vacated and the ~~((matter be))~~ case remanded upon showing of ~~((the grounds enumerated in RCW 4.72.010 or CR 60))~~ good cause.

~~((In the event))~~ If no petition for review is ~~((made as provided herein by any party))~~ filed, the initial decision ~~((and order of the hearing examiner))~~ shall be final as of the date of filing and shall become ~~((s))~~ the final decision ~~((and order))~~ of the department. No appeal of this decision may be ~~((taken therefrom))~~ made to the courts ~~((and the)).~~ Any debt ~~((created is))~~ in the decision shall be subject to collection action.

~~((After receipt of a petition for review, the secretary or the secretary's designee shall consider the initial decision and order, the petition or petitions for review, the record or any part thereof and such additional evidence and argument as he may in his or her discretion allow. The secretary or the secretary's designee may remand the proceedings to the hearing examiner for additional evidence, argument, and/or for entry of findings of fact, conclusions of law and an initial decision in conformance with the order of remand. The secretary or the secretary's designee may deny review of the initial decision and order and thereupon deny the petition or petitions at which time the initial decision and order shall be final as of the date of said denial and all parties shall forthwith be notified, in writing, of said denial by certified mail to the last known address of the parties. Unless the petition is denied, the secretary or the secretary's designee shall review the initial decision and order and shall make the final decision and order of the department. The final decision and order shall be in writing and shall contain findings and conclusions as to each contested issue of fact and law. The initial findings of fact, conclusions of law, and decision and order shall not be modified unless the findings of fact are unsupported by substantial evidence in view of the entire record and/or unless the applications of law in the initial decision are incorrect in the reasoned opinion of the review examiner. A copy of the decision and order, including the findings and conclusions, shall be mailed to each party to the appeal by certified mail to the last known address of the party. The decision and order shall authorize collection action, as appropriate, under chapter 74.20A RCW)).~~

AMENDATORY SECTION (Amending Order 1605, filed 2/11/81)

WAC 388-11-115 FRAUD—VACATION OF DECISION. (1) Any ~~((initial decision, final decision or consent))~~ administrative order may be vacated if the ~~((decision or))~~ order was based upon fraud by any witness or party.

(2) The ~~((motion to vacate))~~ party claiming fraud shall ~~((be filed))~~ request a hearing to vacate the administrative order within a reasonable period of time after the date ~~((that))~~ the fraud ~~((has been))~~ was discovered or should have been discovered.

AMENDATORY SECTION (Amending Order 1465, filed 12/14/79)

WAC 388-11-120 DEFAULT. If the responsible parent fails to appear at ~~((the))~~ a hearing, the ~~((hearing examiner))~~ administrative law judge shall, upon a showing of valid service, enter an initial decision and default

order declaring the support debt and ~~((payment provisions))~~ the current support obligation stated in the notice and finding of financial responsibility to be assessed ~~((and))~~, determined, and subject to collection action.

AMENDATORY SECTION (Amending Order 1605, filed 2/11/81)

WAC 388-11-140 MODIFICATION. ~~((Based upon a showing of good cause and a material change in circumstances, either the))~~ A established responsible parent whose support obligation has been administratively or the office of support enforcement may ~~((petition the secretary or the secretary's designee to issue an order requiring the responding party to show cause why a decision previously entered determining responsibility for periodic future support payments, consent order or a final determination for periodic future support payments pursuant to WAC 388-11-050, ought not be))~~ request a hearing to prospectively ~~((modified))~~ modify obligation if circumstances have materially changed. The ~~((petition must))~~ request shall be ~~((accompanied by a supporting))~~ a affidavit ~~((setting forth the particular facts relied upon. On receipt of the petition and affidavit, the secretary or the secretary's designee shall issue to the petitioner the show cause order setting forth the time, date, and place of the show cause hearing.~~

The hearing shall be a contested case, shall be set not less than fifteen days nor more than thirty days from the date of service unless extended for good cause shown)) form and shall state:

(a) The circumstances that have changed; and
(b) The amount of support the circumstances now warrant.

(2) The ~~((petitioner))~~ petitioning party shall serve the request for modification on the responding party ~~((with a copy of the petition, affidavit, and show cause order))~~ in the manner of a summons in a civil action or by certified mail, return receipt requested.

(3) ~~((An order to appear and show cause under this modification provision may not issue unless the previous decision, determination pursuant to WAC 388-11-150 or consent order of which modification is requested was entered pursuant to RCW 74.20A.055 and there is no superior court order for support. The hearing examiner, on petitions to modify, shall consider the standards set forth in WAC 388-11-100))~~ The petitioning party need now show a change of circumstances if the original support obligation was established under WAC 388-11-050.

(4) If the responding party fails to appear at the hearing, the ~~((hearing examiner))~~ administrative law judge shall ~~((grant relief as))~~ issue a default order based ~~((upon))~~ on the ~~((prayer for relief in the petition and affidavit. Within thirty days of entry of the default order, the defaulting party may petition the secretary or the secretary's designee pursuant to WAC 388-11-105 to vacate the default order upon a showing of any of the grounds enumerated in RCW 4.72.010 or CR 60))~~ terms set out in the request for modification. If the ~~((petitioner))~~ petitioning party fails to appear at the hearing, the

~~((hearing examiner))~~ administrative law judge shall enter an order dismissing the ~~((petition))~~ request for modification.

(5) The ~~((hearing examiner))~~ administrative law judge may set the effective date of ~~((prospective))~~ modification as ~~((either))~~ the date ~~((of entry of))~~ the order ~~((or))~~ is issued, the date ~~((of receipt))~~ of the ~~((petition))~~ request was made, or any time in between ~~((, but))~~. If no effective date is set, the effective date shall be the date ~~((of the entry of))~~ the modification order is entered. ~~((Any decision and order under this section shall be an initial decision by the hearing examiner subject to a petition for review by the secretary or the secretary's designee pursuant to WAC 388-11-105.~~

It shall not be necessary for the responsible parent or the office of support enforcement to show material change of circumstances if prospective modification is sought as to a final determination for periodic future support payments pursuant to WAC 388-11-050.))

AMENDATORY SECTION (Amending Order 2340, filed 2/12/86)

WAC 388-11-150 CONSENT ORDER AND AGREED SETTLEMENT. ~~((In the absence of a superior court order,))~~ (1) Informal disposition of any contested case ~~((or petition or order to show cause for modification wherein a support obligation is claimed pursuant to RCW 74.20A.057 is))~~ shall be encouraged where feasible ~~((and not specifically precluded by law. Said cases may be disposed of by))~~ through a consent order or agreed settlement~~((, n))~~.

(a) An agreed settlement~~((n being defined as a written agreement signed by each party, which is))~~ shall be effective without approval of ~~((any hearings examiner))~~ administrative law judge. ~~((f))~~

(b) A consent order ~~((is involved, the hearings examiner))~~ shall require the approval of an administrative law judge to be effective. The administrative law judge shall approve ~~((that))~~ a consent order ~~((disposing of))~~ without requiring testimony or a ~~((contested case))~~ hearing unless the entry of such an order would be specifically contrary to law. ~~((Informal disposition on consent order shall be deemed to be a request for hearing granting jurisdiction to the hearings examiner to approve said consent order without the necessity of testimony or hearing, upon presentation by the office of support enforcement.))~~

(2) If negotiations ~~((as))~~ to a consent order or agreed settlement are commenced within twenty days of service ~~((on the responsible parent))~~ of the notice and finding of financial responsibility, and such negotiations fail ~~((and))~~, the responsible parent ~~((serves an objection on OSE within))~~ shall have an additional twenty days ~~((of))~~ from the date the negotiations ~~((failing, the objection shall be considered))~~ fail to request a hearing. A hearing so requested shall be considered timely ~~((served))~~. ~~((The obligation to pay support or repay the debt, unpaid when due, stated in the consent order or agreed settlement is subject to collection action.))~~

(3) Consent orders or agreed settlements ~~((are))~~ shall not be subject to review ~~((pursuant to))~~ under WAC 388-11-105, but ~~((are))~~ shall be subject to modification ~~((pursuant to))~~ under WAC 388-11-140 and ~~((may be~~

~~vacated)) vacation for fraud ((pursuant to)) under WAC 388-11-115. ((Consent orders and agreed settlements shall contain the following provisions:~~

~~(1) That the responsible parent shall provide medical insurance coverage for his or her dependent child or children if such coverage is available at a responsible cost, and~~

~~(2) That appropriate collection action, including but not limited to the issuance of an order to withhold and deliver against the debtor's earnings or property, may be initiated by the office of support enforcement without further notice to collect the entire arrearage if the responsible parent fails to make periodic payments as provided:))~~

AMENDATORY SECTION (Amending Order 1465, filed 12/14/79)

WAC 388-11-155 DURATION OF OBLIGATION. (1) The responsible parent's obligation ((established pursuant)) to ((these rules)) pay support under an administrative order shall continue in effect until:

- (a) Superseded by a superior court order((:));
- (b) Modified pursuant to WAC 388-11-140((,- vacated pursuant to WAC 388-11-115 or until));
- (c) The child ((attains)) reaches the age of majority ((or));
- (d) The child is ((sooner)) emancipated((,- or is self-supporting,));
- (e) The child is married((:)); or
- (f) The child becomes a member of the United States armed forces ((of the United States)). ((The obligation shall cease to accrue on the death of))

(2) As an exception to the above rule, a responsible parent's obligation to pay support under an administrative order shall continue and/or may be established for a dependent child who is:

- (a) Under nineteen years of age, and
- (b) A full-time student reasonably expected to complete a program of secondary school or the equivalent level of vocational or technical training before the end of the month in which he or she becomes nineteen years of age.

(3) A responsible parent's obligation to pay support under an administrative order shall be temporarily suspended when:

- (a) The responsible parent resides with the child for whom support is sought for purposes other than visitation; or
- (b) The responsible parent reconciles with the child and the residential parent.

(4) If the circumstances which cause a responsible parent's support obligation to be temporarily suspended change, the support obligation shall resume. The office of support enforcement shall serve the responsible parent with a notice informing him or her to resume payments if it has previously notified the parent in writing to stop making payments.

(5) The responsible parent's obligation to provide support under an administrative order shall cease to accrue when:

- (a) The child or the responsible parent((:)) dies, or ((if the))

~~(b) A responsible ((parent is a)) stepparent ((when the))'s marriage is dissolved ((under chapter 26.09 RCW or under comparable procedures for divorce or dissolution of marriage. Provided that such obligation shall not be owed for the period of time during which the child is in the lawful physical custody of the responsible parent other than for purposes of visitation)).~~

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 1465, filed 12/14/79)

WAC 388-11-180 PROCEDURAL REFERENCE. ~~((The following WAC provisions are herewith included in this section and made applicable to hearings held pursuant to RCW 74.20A.055:~~

WAC

388-08-055	388-08-235
388-08-083	388-08-375
388-08-150	388-08-390
388-08-160	388-08-400
388-08-170	388-08-480
388-08-180	388-08-490
388-08-190	388-08-500
388-08-200	388-08-520
388-08-210	388-08-600
388-08-220	

~~In determining the validity of defenses to liability asserted pursuant to WAC 388-11-065(5) other provisions of the Washington Administrative Code shall be applied)) Hearings held under RCW 74.20A.055 shall be subject to the provisions of chapters 10.08 RCW and 388-08 WAC to the extent these provisions are relevant and consistent with the rules adopted under this chapter.~~

AMENDATORY SECTION (Amending Order 1054, filed 9/25/75)

WAC 388-11-185 DISCOVERY. (1) Either party may ((petition)) ask the ((hearing examiner for)) administrative law judge to order interrogatories and/or depositions for use as evidence in a hearing.

(2) The ((petitioner)) administrative law judge shall ((give reasonable notice of not less than five days in writing to the department's examiner and all parties. After notice is served for taking a deposition, the hearing examiner, upon his own motion or upon motion reasonably made by any party or by the person to be examined and for good cause shown, may make an order that the deposition shall not be taken, or that it may be taken only at some designated place other than that stated in the notice, or that it may be taken only on written interrogatories, or that the scope of the examination shall be limited to certain matters, or that the examination shall be held with no one present except the parties to the action and counsel)) determine if such discovery will be allowed and under what terms and conditions.

(3) Unless otherwise ordered, the deponent may be examined regarding any matter not privileged or confidential which is relevant to the subject matter involved in the proceeding.

~~((If deemed expeditious, the hearing examiner may take or cause to be taken, depositions and interrogatories for use as evidence in any hearing.))~~

NEW SECTION

WAC 388-11-195 ECONOMIC TABLE. (1) As of July 1, 1988, the department shall use the economic table adopted by the Washington state child support schedule commission to assess all child support obligations.

(2) The economic table is expanded as follows:

(a) If the combined income of the responsible parent and any residential parent is five hundred dollars, rounded to the nearest one hundred dollars, then the responsible parent's basic support obligation shall be seventy-five percent of the amount it would be if the parents' income was six hundred dollars; if four hundred dollars, then fifty percent; and if less than four hundred dollars, then twenty-five dollars per month per child.

(b) If support is sought for six children, then the responsible parent's basic support obligation for each child shall be eighty-five percent of the amount it would be for a child of the same age under the economic table for five children;

(c) If support is sought for seven children, then the responsible parent's basic support obligation for each child shall be seventy-five percent of the amount it would be for a child of the same age under the economic table for five children; and

(d) If support is sought for eight or more children, then the responsible parent's basic support obligation for each child shall be sixty-five percent of the amount it would be for a child of the same age under the economic table for five children.

(2) State public policy intends:

(a) Support orders be adequate to meet a child's basic needs and provide additional support commensurate with the parent's income, resources, and standard of living; and

(b) To give preference for supporting dependent children from the funds of their responsible parents.

NEW SECTION

WAC 388-11-200 FINANCIAL WORKSHEET CALCULATIONS. (1) The department shall require responsible parents and any residential parents or their agent to each complete a financial worksheet under penalty of perjury when a hearing has been requested or when support is determined by consent order or agreed settlement. The department shall only accept those worksheets that are approved by the Washington state child support schedule commission.

(2) A parent shall include as gross income money from any source, including, but not limited to, salaries, wages, commissions, bonuses, deferred compensation, overtime, dividends, interest, trust income, severance pay, annuities, capital gains, social security benefits,

worker's compensation, unemployment compensation, disability insurance benefits, gifts, and prizes.

(3) A parent shall disclose the receipt of AFDC, SSI, general assistance, food stamps, and spousal maintenance from any relationship, but such shall not be counted as income.

(4) A parent shall deduct only income taxes, FICA, mandatory pension plan payments, mandatory union/professional dues, spousal maintenance for other relationships, and nonrecurring overtime/bonus income from gross income. A self-employed parent shall deduct normal business expenses and self-employment taxes.

(5) The department shall impute income to any parent who is voluntarily unemployed or underemployed as follows:

(a) A parent who quit their last job without cause or who was fired for cause shall be considered voluntarily unemployed. Impute income equal to the amount of the parent's last full time wage;

(b) A parent who is voluntarily working less than full time, for whatever reason, shall be considered voluntarily underemployed. Impute income equal to the amount the parent would earn if working full time at their present job. Do not consider a parent underemployed if employed on a full-time basis;

(c) A parent who is unemployed through no fault of their own shall have income equal to their earning potential imputed. Presume each parent capable of full-time employment at least at the minimum wage;

(d) Impute no income to a residential parent who receives public assistance if that parent is in compliance with all job search, education, and/or training requirements of the assistance program. Presume any residential parent receiving public assistance to be in compliance with the requirements of that program;

(e) Impute no income to a parent who is unemployable. Lack of employment opportunities alone shall not render a parent unemployable.

NEW SECTION

WAC 388-11-205 ASSESSING REPORT. (1) The department shall determine the net income of a responsible parent and any residential parent according to WAC 388-11-XXXXX.

(2) The department shall determine the basic support obligation:

(a) Based on the combined net incomes of the responsible parent and any residential parent, rounded to the nearest one hundred dollars;

(b) For each child, according to the economic table and the total number of children on whose behalf support is sought;

(c) in total; and then

(d) Allocate between the parents based on each parent's share of the total combined net income.

(3) The department shall adjust the responsible parent's share of the basic support obligation to reflect circumstances in their household and the household of any residential parent. Such adjustments shall not reduce the responsible parent's share of the basic support obligation by more than fifty percent, nor increase it by more than

fifty percent. The department shall make adjustments only for the reasons and in the amounts listed below:

(a) If the responsible parent is legally obligated to support and is in fact supporting another child in addition to the child on whose behalf support is sought; and

(i) If such child lives outside the responsible parent's own household, then reduce the responsible parent's share of the basic support obligation ten percent for each such child;

(ii) If such child lives in the responsible parent's own household and receives child support from another parent, receives SSI, SSA, or VA benefits, works at least half-time, or also lives with its other parent, then reduce the responsible parent's share of the basic support obligation five percent for each such child; and/or

(iii) If such child lives in the responsible parent's household and has no other source of support other than the responsible parent, then reduce the responsible parent's share of the basic support obligation fifteen percent for each such child.

(b) If the residential parent is legally obligated to support one or more children living in their home or elsewhere who are not children of the responsible parent, then increase the responsible parent's share of the support obligation five percent;

(c) If a child on whose behalf support is sought receives SSI, services from the department's division of developmental disabilities, special educational services from a public school, or has special medical needs, then increase the responsible parent's share of the support obligation five percent;

(d) If the responsible parent lives with another adult, regardless of whether that adult contributes to their household, then increase the responsible parent's share of the support obligation five percent. However, if the other adult is the responsible parent's spouse and is unemployable, no increase shall occur;

(e) If the residential parent lives with another adult, regardless of whether that adult contributes to their household, then reduce the responsible parent's share of the support obligation five percent. However, if the other adult is the residential parent's spouse and is unemployable, then no reduction shall occur;

(f) If a child on whose behalf support is sought has their own recurrent income equal to at least the amount the responsible parent would be obligated to pay for him or her under the economic table, then reduce the responsible parent's share of the support obligation five percent;

(g) If the responsible parent has extraordinary debt not voluntarily incurred which exceeds fifty percent of their annual gross income, then reduce the responsible parent's share of the support obligation five percent. Countable debts included are not limited to:

- (i) Medical bills;
- (ii) Court-ordered restitution; and
- (iii) Civil judgments.

(h) If the residential parent has extraordinary debt not voluntarily incurred which exceeds fifty percent of their annual gross income, then increase the responsible

parent's share of the support obligation five percent. Countable debts include, but are not limited to:

- (i) Medical bills;
- (ii) Court-ordered restitution; and
- (iii) Civil judgments.

(i) If the responsible parent has wealth in the form of assets equal to fifty percent or more of their annual gross income, then increase the responsible parent's share of the support obligation five percent. Countable assets include, but are not limited to:

- (i) Equity in real or personal property;
- (ii) Stocks or bonds;
- (iii) Automobiles, recreational vehicles, or boats;
- (iv) Artwork;
- (v) Pension or insurance plans; and/or
- (vi) IRAs, bank accounts, or cash;

(j) If the residential parent has wealth in the form of assets equal to fifty percent or more of their annual gross income, then reduce the responsible parent's share of the support obligation five percent. Countable assets include, but are not limited to:

- (i) Equity in real or personal property;
- (ii) Stocks or bonds;
- (iii) Automobiles, recreational vehicles, or boats;
- (iv) Artwork;
- (v) Pension or insurance plans; and
- (vi) IRAs, bank accounts, or cash.

(k) If for reasons beyond the responsible parent's control, their living costs exceed twice the need standard level of WAC 388-29-100 for their household size, then reduce the responsible parent's share of the support obligation five percent. Countable living costs are limited to reasonable amounts for:

- (i) Food;
- (ii) Clothing;
- (iii) Shelter;
- (iv) Utilities;
- (v) Medical attendance; and
- (vi) Job-related transportation.

(l) If for reasons beyond the residential parent's control, their living costs exceed twice the need standard level of WAC 388-29-100 for their household size, then increase the responsible parent's share of the support obligation five percent. Countable costs are limited to reasonable amounts for:

- (i) Food;
- (ii) Clothing;
- (iii) Shelter;
- (iv) Utilities;
- (v) Medical attendance; and
- (vi) Job-related transportation.

(m) If a child on whose behalf support is sought would receive greater benefits under a proposed tax planning scheme than that which would be assessed under the economic table, then reduce the responsible parent's share of the support obligation five percent;

(n) If unusual circumstances exist in the responsible parent's household that warrant adjustment, then reduce the responsible parent's share of the support obligation five percent. This subsection may be applied to the responsible parent's circumstances only once;

(o) If unusual circumstances exist in the residential parent's household that warrant adjustment, then increase the responsible parent's share of the support obligation five percent. This subsection may be applied to the residential parent's circumstances only once.

(4) If requested by any parent or their agent, the department shall determine special child rearing expenses for such items as day care, tuition, extraordinary uninsured medical expenses, and long distance transportation. The department shall allocate these expenses between the parents in the same proportion as the basic support obligation.

(5) The department shall add the responsible parent's share of the basic support obligation, as adjusted above, to their share of any special child rearing expenses. Reduce the sum of these amounts by any:

(a) Direct payments the responsible parent currently makes to third parties for special child-rearing expenses;

(b) Amounts the responsible parent is obligated under WAC 388-11-XXXXX to pay for health insurance, and/or

(c) Residential credits for a child who stays overnight with the responsible parent more than twenty-five percent of the time. This reduction shall be unavailable if the child on whose behalf support is sought receives AFDC or if insufficient funds are available to meet the basic needs of the child in the house receiving the support.

(6) The responsible parent's total support obligation shall consist of:

(a) Their adjusted share of the basic support obligation;

(b) Amounts the responsible parent is obligated to pay for health insurance; and

(c) Amounts the responsible parent currently pays directly to third parties for special child-rearing expenses.

(7) The responsible parent shall pay any amounts they are determined to owe for health insurance directly to their insurance provider. The responsible parent shall pay all other amounts they are determined to owe, including any amounts currently paid to third parties for special child-rearing expenses, to the office of support enforcement.

(8) The responsible parent's total administrative support obligation shall not exceed fifty percent of their net income. However, this fifty percent limitation shall not apply if:

(a) The responsible parent is determined to have wealth;

(b) A child on whose behalf support is sought is determined to have special medical or educational needs;

(c) Support for five or more children is sought; or

(d) Special child rearing expenses are assessed.

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

NEW SECTION

WAC 388-11-210 ADMINISTRATIVE ORDERS. Every administrative order shall include:

(1) The income of the responsible parent and any residential parent;

(2) The amount of the responsible parent's share of the basic support obligation without adjustments;

(3) The amount of the responsible parent's share of the basic support obligation after adjustments;

(4) The special reasons for deviation, if the adjusted amount is different than the unadjusted amount;

(5) The total amount of the responsible parent's support obligation;

(6) The specific day of the month on which the support payment is due;

(7) The responsible parent's Social Security number, residence address, and the name of his or her employer;

(8) The residential parent's Social Security number;

(9) The names, birthdates, and Social Security numbers, if any, of the dependent children; and

(10) A disposition of the responsible parent's obligation to provide health insurance under WAC 3889-11-XXXXX. A responsible parent shall only be entitled to the reduction for health insurance premiums paid if:

(a) The responsible parent submits proof of coverage to the office of support enforcement as required under WAC 388-11-XXXXX; and

(b) The responsible parent pays the required premium; and

(c) If the responsible parent fails to submit proof or pay the premium, the office of support enforcement shall collect the adjusted basic support obligation without a reduction for health insurance premium payments.

(11) A statement that the responsible parent shall make their payment to the Washington state support registry;

(12) A statement that the department may issue a notice of payroll deduction or may take other income withholding action under chapters 26.18 or 74.20A RCW, without further notice to the responsible parent, if a support payment is more than fifteen days past due in an amount equal to or greater than the support payable for one month;

(13) A statement that each parent shall notify the Washington state support registry of any change in resident address; and

(14) A statement that a support obligation established under this chapter shall continue until:

(a) Modified under WAC 388-11-140;

(b) Superseded by superior court order; or

(c) The child for whom support is assessed reaches the age of majority or is emancipated.

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

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

NEW SECTION

WAC 388-11-215 MEDICAL SUPPORT OBLIGATION. (1) Either or both parents owing a duty of support shall be liable for medical support.

(2) When health insurance for the dependent child is available to the responsible parent through employment or through some other group insurance organization,

unless the residential parent has satisfactory health insurance other than Medicaid for the child, the responsible parent shall:

- (a) Provide health insurance coverage; and
- (b) Provide proof of such coverage to the office of support enforcement within ten days. Proof of coverage shall include, but not be limited to, documentation showing:
 - (i) The subscriber or policy holder through whom the health insurance is available;
 - (ii) The names of the beneficiaries covered;
 - (iii) The policy number; and
 - (iv) Coverage is current.
- (3) If health insurance coverage for the child is not immediately available, the responsible parent shall provide for coverage during the next open enrollment period and submit proof of such coverage as required under subsection (2)(b) of this section.
- (4) When health insurance to cover a dependent child is not available to the responsible parent through employment or through any other group insurance organization, the responsible parent shall, within ten days:
 - (a) Notify the office of support enforcement when such health insurance coverage becomes available; and
 - (b) Provide proof of such coverage as required under subsection (2)(b) of this section.
- (5) The parents of a dependent child shall be responsible for extraordinary medical expenses in a proportion equal to each parent's share of the basic support obligation under WAC 388-11-XXXXX.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 388-11-050 FAILURE TO MAKE REQUEST FOR HEARING.
 WAC 388-11-070 CONTINUANCE OF CASES.
 WAC 388-11-080 REQUESTS FOR ADMISSION.
 WAC 388-11-090 HEARINGS EXAMINER.
 WAC 388-11-130 DECISION AND ORDER AFTER HEARING.
 WAC 388-11-190 SCALE OF MINIMUM CONTRIBUTIONS.

WSR 88-14-138
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Filed July 6, 1988]

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 Child support—Obligations, amending chapter 388-11 WAC;

that the agency will at 10:00 a.m., Tuesday, August 23, 1988, in the Auditorium, OB-2, 12th and Franklin,

Olympia, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on August 24, 1988.

The authority under which these rules are proposed is chapter 275, Laws of 1988.

The specific statute these rules are intended to implement is chapter 275, Laws of 1988.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before August 23, 1988.

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

Troyce Warner
 Office of Issuances
 Department of Social and Health Services
 Mailstop OB-33H
 Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact the Office of Issuances, State Office Building #2, 12th and Franklin, Olympia, WA, phone (206) 753-7015 by August 9, 1988. The meeting site is in a location which is barrier free.

Dated: July 1, 1988

By: Leslie F. James, Director
 Administrative Services

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.025.

Re: Amendment of chapter 388-11 WAC.

Purpose of the Rule Changes: To implement the new child support schedule, support distribution changes and due process requirements established under ESHB 1465, chapter 275, Laws of 1988.

These Rules are Necessary: To enable the department's Office of Support Enforcement (OSE) to continue to assess child support obligations, distribute support payments and give proper notice to OSE clients as required under chapter 275, Laws of 1988, ESHB 1465. The new support schedule consists of an economic table and some eighteen standards. The new schedule changes the circumstances to be considered when setting support and changes how the dollar amount of the obligation is determined. After July 1, 1988, all child support obligations must be assessed under the new schedule.

Statutory Authority: RCW 74.08.090 and chapter 275, Laws of 1988, ESHB 1465.

Summary of Rule Changes: WAC 388-11-010 has been rewritten to clarify that RCW 74.20A.055 and chapter 388-11 WAC comprise the Title 74 RCW administrative process for establishing child support obligations. Such clarification is necessary because ESHB 1465 states that it governs ". . . any proceeding under . . . 74 RCW in which child support is at issue . . ."; WAC 388-11-011 (2)(c) has been rewritten for clarity and amended to add automated searches for information and the referral of a case to another state's IV-D agency to the definition of "locate efforts";

WAC 388-11-011(3) has been amended to clarify ambiguous statutory language and to clarify the department's responsibility under chapter 26.23 RCW to continue providing support enforcement services after public assistance services terminate; WAC 388-11-011(6) has been deleted, as all references to "hearing examiner" have been changed to "administrative law judge," the term required by chapter 10-08 WAC; WAC 388-11-011(8) has been amended to clarify the fact that administrative jurisdiction exists in cases in which a URESA order has been entered and thus, are cases governed by ESHB 1465; WAC 388-11-011(9) has been amended to clarify the fact that consent orders, agreed settlements, and notices and findings of financial responsibility that have become final by operation of law are administrative orders because ESHB 1465 and chapter 26.23 RCW require every "order for child support" to contain certain findings of fact and other specific language; WAC 388-11-011(10) has been rewritten to clarify the fact that parents have an obligation under ESHB 1465 to provide medical support to their children in addition to child support; WAC 388-11-011(11) has been rewritten to clarify the fact that while all parents are responsible for the support of their children under ESHB 1465, OSE only assesses and/or collects the support obligation of one parent at any given time; WAC 388-11-011(12) has been deleted and replaced with a definition of "responsible stepparent"; WAC 388-11-011 (14), (15) and (16) has been rewritten for clarity; WAC 388-11-011(17) has been deleted because "need" has been redefined under ESHB 1465; WAC 388-11-015 has been amended to broaden the items a parent will be allowed as credit against his/her accrued support debt. ESHB 1465's new schedule allows a parent to meet his/her support obligation through new ways, such as by paying for tuition or long-distance transportation costs. Some sections have been rewritten for clarity; WAC 388-11-030 has been rewritten for clarity and amended so that a notice and finding of financial responsibility contains the language required by ESHB 1465 and chapter 26.23 RCW; WAC 388-11-040 has been rewritten for clarity and amended to provide that the department is required to provide support enforcement services after public assistance services terminate; WAC 388-11-045 has been rewritten to clarify ambiguous statutory language; WAC 388-11-050 has been deleted, but language as to the consequences of a parent's failure to request a hearing within certain time limits has been saved and moved to WAC 388-11-060, the rule governing hearing requests; WAC 388-11-055 has been rewritten for clarity and amended to delete language requiring consideration of the scale of minimum contributions when setting temporary support. ESHB 1465's new schedule has replaced this scale; WAC 388-11-060 has been rewritten for clarity; WAC 388-11-065 has been amended. A child's lack of need for support above a certain minimal level is no longer a defense because ESHB 1465's new schedule places no ceiling on the amount of support a child can receive. The defense of discharge in bankruptcy has been deleted because it is no longer possible to so discharge child support debts. Other sections have been rewritten for clarity; WAC 388-11-070 has been deleted because this rule

has been superseded by chapter 10-08 WAC; WAC 388-11-080 has been deleted because this rule has been superseded by chapter 10-08 WAC; WAC 388-11-090 has been deleted because this rule has been superseded by chapter 10-08 WAC; WAC 388-11-100 has been amended to delete factors an administrative law judge can no longer consider under ESHB 1465's new schedule. Other sections have been rewritten for clarity; WAC 388-11-105 has been amended to add abuse of discretion by the administrative law judge as an appealable error, as required by ESHB 1465. Other sections have been rewritten for clarity; WAC 388-11-115 has been rewritten for clarity; WAC 388-11-120 has been rewritten for clarity; WAC 388-11-130 has been deleted, but language instructing the administrative law judge as to when he/she must issue a decision has been saved and moved to WAC 388-11-100, the rule on duties of the administrative law judge; WAC 388-11-140 has been rewritten for clarity; WAC 388-11-150 has been rewritten for clarity; WAC 388-11-155 has been amended to provide that OSE must continue support enforcement services after public assistance services terminate. Other amendments clarify when administrative jurisdiction ceases. Some sections have been rewritten for clarity; WAC 388-11-180 has been amended to provide that chapters 388-08 and 10-08 WAC contain rules of procedure to be applied under chapter 388-11 WAC; WAC 388-11-185 has been rewritten for clarity; WAC 388-11-190 has been deleted. The statute that the scale of minimum contributions was based on has been repealed by ESHB 1465; a new section has been added to chapter 388-11 WAC to provide instructions on how to fill out income work sheets. The use of certain work sheets is required by ESHB 1465, but neither the work sheets nor their instructions were incorporated. Terms that were undefined in ESHB 1465's new schedule have been defined in this section; a new section has been added to chapter 388-11 WAC to specify the language that is required by ESHB 1465 and chapter 26.23 RCW to appear in all administrative support orders; a new section has been added to chapter 388-11 WAC to implement ESHB 1465's new schedule. Some undefined terms have been defined, discretion to deviate from the economic table is delineated, and instructions as to where to make payments are provided; a new section has been added to chapter 388-11 WAC to incorporate ESHB 1465's new schedule, set the effective date of this schedule, expand the economic chart, and state public policy; a new section has been added to chapter 388-11 WAC to delineate a parent's obligation under ESHB 1465 to provide medical support; a new subsection has been added to WAC 388-11-011 defining the custodial parent as the residential parent, the descriptive term required by chapter 9.26 RCW; a new subsection has been added to WAC 388-11-011 defining extraordinary medical expenses, an undefined term used in ESHB 1465; a new subsection has been added to WAC 388-11-011 defining medical costs; and a new subsection has been added to WAC 388-11-011 defining medical support.

Person or Persons Responsible for Drafting, Implementation and Enforcement of this Rule: Bill Paine,

Program Administrator 4, Support Enforcement, phone 459-6446.

AMENDATORY SECTION (Amending Order 1465, filed 12/14/79)

WAC 388-11-010 STATUTORY BASIS. RCW 74.20A.055 is the administrative process for ~~((determination of or establishment of))~~ establishing support obligations when there is no superior court order ~~((These provisions contain the administrative method to be used when there is an absence of a superior court order in cases where))~~ and the office of support enforcement has served a notice and finding of financial responsibility ~~((has been served by the office of support enforcement or their agent))~~ on the responsible parent. ~~((Action based on chapter 74.20A RCW may not be based on agreements.))~~ The notice and finding of financial responsibility may be served only for a support debt or ~~((responsibility to))~~ current support ~~((accrued and/or))~~ obligation established or to be established under ~~((sections 17 and/or 22, chapter 171, Laws of 1979 ex. sess. RCW [74.20.320] [74.20.330], 74.20A.030, 74.20.040, 26.16.205 and/or 74.20A.250 relating to a period of time when a superior court order did not exist))~~ RCW 74.20A.057, specifically including cases eligible for nonassistance support enforcement services under WAC 388-14-302.

AMENDATORY SECTION (Amending Order 2304, filed 11/13/85)

WAC 388-11-011 DEFINITIONS. For purposes of this chapter and chapters 388-13 and 388-14 WAC, the following definitions shall apply:

(1) "Locate" shall mean service of the notice and finding of financial responsibility in a manner prescribed by WAC 388-11-040.

(2) "Reasonable efforts to locate" shall mean any of the following actions taken on a case:

(a) Mailing of the notice and finding of financial responsibility by certified mail, return receipt requested to an address, reasonably believed by office of support enforcement to be a mailing address of the responsible parent; or

(b) Referral to a sheriff, other server of process or locate service or other agent or employee of the department for locate activities if the responsible parent is not located under subsection (1)(a) of this section, or if no known mailing address exists but the information which office of support enforcement has, reasonably indicates that the responsible parent can be located; or

(c) When service cannot be accomplished, tracing activity ~~((as stated))~~ as follows:

(i) Checking of local telephone directories and attempts by telephone or mail to contact the applicant/recipient, applicant/custodian, relatives of the responsible parent, past or present employers, or the postal authorities when appropriate;

(ii) Contacting state agencies, union, financial, or fraternal organizations available on the local level to which the responsible parent is known to have had contact or membership;

(iii) Automated periodic searches for identification information recorded by other state agencies, federal agencies, credit bureaus, or other electronic record keeping agencies or entities.

(d) Referral to state parent locator service when tracing efforts under subsection (1)(c) of this section are exhausted;

(e) Referral to the attorney general, a prosecuting attorney, the IV-D agency of another state, or the Internal Revenue Service for specific legal or collection action.

(3) "The date the state assumes responsibility for the support of ~~((the))~~ a dependent child ~~((or children))~~ on whose behalf support is sought" shall mean the date family independence program services are authorized or the date payment of an AFDC-R, AFDC-E, AFDC-FC, or state only foster care grant is authorized ~~((, or September 1, 1979))~~. For purposes of this chapter, the state shall continue to be responsible for the support of a dependent child until public assistance payments terminate, family independence services terminate, or support enforcement services terminate, whichever ~~((is))~~ occurs later.

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

(5) "Secretary" means the secretary of the department of social and health services or the secretary's designee or authorized representative.

(6) ~~((Hearing examiner))~~ shall mean the administrative law judge employed by the office of administrative hearings hearing the testimony and making the initial decision under chapter 388-11 WAC.

~~((7))~~ "Dependent child" means any person under the age of twenty-one not otherwise emancipated, self-supporting, married, or a member of the armed forces of the United States.

~~((8))~~ (7) "Superior court order" means any judgment, decree, or order of ~~((the))~~ a Washington state superior court ~~((of the state of Washington))~~ or ~~((a))~~ another state's court of comparable jurisdiction ~~((of another state))~~ establishing ~~((the existence of))~~ a support obligation and ordering payment thereon of a set or determinable amount ~~((of support moneys to satisfy the support obligation))~~. ~~((Orders of the superior court failing))~~ An order that fails to expressly require payment of support by a responsible parent or ~~((orders failing))~~ that fails to specifically relieve ~~((the))~~ a responsible parent of ~~((the))~~ a support obligation ~~((shall))~~ is not ~~((constitute))~~ a superior court order. For purposes of this chapter, an order entered by any state under the Uniform Reciprocal Enforcement of Support Act (URES A) is not a superior court order.

~~((9))~~ (8) "Administrative order" means any determination, finding, decree, or order for support issued pursuant to RCW 74.20A.055, or by an agency of another state pursuant to a substantially similar administrative process, establishing the existence of a support obligation and ordering the payment of a set or determinable amount of support money ~~((s))~~ to satisfy the support obligation. Such administrative order shall include an agreed settlement or consent order entered under WAC 388-11-150 or a notice and finding of financial responsibility that has become final by operation of law.

~~((10))~~ (9) "Support obligation" means the obligation to provide for the necessary care, support, and maintenance, including responsibility for medical ~~((expenses))~~ support, of a dependent child or other person as required by statutes and the common law of this or another state.

~~((11))~~ (10) "Responsible parent" means the natural parent, adoptive parent, or responsible stepparent ~~((of))~~ from whom the department seeks support for a dependent child.

~~((12))~~ (11) "Responsible stepparent" means ~~((the present))~~ any spouse ~~((of the))~~, under RCW 26.16.205, who lives or has lived in a family unit with a person who is either ~~((the))~~ a mother, father, or adoptive parent ~~((of a))~~, and that person's dependent child ~~((;))~~ or children; and such status shall ~~((exist and))~~ continue ~~((as provided for by RCW 26.16.205))~~ until the relationship is terminated by death or dissolution of marriage.

~~((13))~~ (12) "Support money ~~((s))~~" means any money ~~((s))~~ or in-kind providings paid to satisfy a support obligation whether denominated as child support, spouse support, alimony, maintenance, or any other such money ~~((s))~~ intended to satisfy an obligation for support of any person or satisfaction in whole or in part of arrears or delinquency on such an obligation.

~~((14))~~ (13) "Current" and/or "Future" ~~((support or future and current support or future/current))~~ support ~~((shall))~~ means support money ~~((s))~~ paid to satisfy the support obligation for the ~~((instant or))~~ present month as opposed to satisfaction of a support ~~((obligations owed for previous and past months which, having been unpaid, are delinquent))~~ debt.

~~((15))~~ (14) "Support debt" means any delinquent amount of support money ~~((s))~~ which is due, owing, and unpaid under a superior court order or an administrative order; a debt for the payment of expenses for the reasonable or necessary care, support and maintenance, including medical expenses, of a dependent child or other person for whom a support obligation is owed; or a debt under RCW 74.20A.100 or 74.20A.270. Support debt also includes any accrued interest, fees, or penalties charged on a support debt, and attorneys' fees and other costs of litigation awarded in an action to establish and enforce a support obligation or support debt.

~~((16))~~ (15) "Arrears," "delinquency," "past support," shall all mean the amount owed for a period of time prior to the instant month ~~((, but is owed for a period of time in the past))~~.

~~((17))~~ "Need" means the necessary costs of food, clothing, shelter, and medical attendance for the support of a dependent child or children.

~~((18))~~ (16) "Good cause" means there is substantial reason or legal justification for delay, including a showing of those grounds enumerated in ~~((RCW 4.72.010 and))~~ Civil Rule 60 ~~((and allegation is made of a defense under WAC 388-11-065))~~.

~~((19))~~ (17) "Assignment pursuant to RCW 74.20A.040" shall mean the assignment made by an applicant/custodian of support rights pursuant to WAC 388-14-310.

~~((20))~~ (18) Fraud for the purposes of WAC 388-11-115 means:

- The representation of the existence or nonexistence of a fact;
- Its materiality;
- Its falsity;
- The speaker's knowledge of its truth;

(e) His or her intent that it should be acted on by the person to whom it is made;

(f) Ignorance of its falsity on the part of the person to whom it is made;

(g) The latter's reliance on the truth of the representation;

(h) His or her right to rely upon it; and

(i) His or her subsequent damage.

~~((21))~~ (19) "State" means any state or political subdivision, territory, or possession of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

(20) "Residential parent" means the parent with whom the child resides a majority of the time, or who is designated as, or deemed to be, the custodian of the child under RCW 26.09.285.

(21) "Agreed settlement" means the informal disposition of a contested case by written agreement between a responsible parent and the office of support enforcement which establishes the existence of a support obligation and orders payment thereon. Such agreement shall be effective without the approval of an administrative law judge.

(22) "Consent order" means the informal disposition of a contested case by written agreement between a responsible parent and the office of support enforcement which establishes the existence of a support obligation and orders payment thereon. Such agreement shall require the approval of an administrative law judge to be effective.

(23) "Extraordinary medical expenses" means all medical costs of a dependent child, not covered by insurance, which exceed a total of two hundred dollars for the year.

(24) "Medical costs" means doctor and hospital bills, prescription costs, and dental costs including orthodontia.

(25) "Medical support" means medical costs incurred for and/or health insurance coverage for the benefit of a dependent child.

AMENDATORY SECTION (Amending Order 1465, filed 12/14/79)

WAC 388-11-015 CREDITS ALLOWABLE IN SATISFACTION OF DEBT. ~~((Pursuant to))~~ (1) Under RCW 74.20.101, after the office of support enforcement serves a notice and finding of financial responsibility ~~((has been served))~~ on the responsible parent, satisfaction ~~((in whole or in part))~~ of the ~~((debt))~~ current and future support obligation may be obtained only by cash, check, or money order payments through the office of support enforcement or payment of health insurance premiums. ~~((After service of said notice, any attempt to satisfy the debt by providing the caretaker, custodian, vendor or other third party with cash, check, money order or in-kind, noncash, nonnegotiable items or services, including payments to for any item vendors or other third parties of items included in the public assistance standards, is conclusively presumed to be gifts and will not be credited against the debt.))~~

(2) The office of support enforcement shall allow credit against the responsible parent's support debt for family necessities provided directly to the caretaker/custodian, or children, or provided through vendors or third parties ~~((, may be credited against the debt))~~ only if ~~((they))~~:

(a) The items are provided prior to service of the notice and finding of financial responsibility on the responsible parent ~~((pursuant to WAC 388-11-040. To obtain such credit));~~ and

(b) The responsible parent ~~((has the burden of proving, by a preponderance of the evidence, that such))~~ proves the items, when provided, were ~~((, at that time,))~~ intended to satisfy ~~((, in whole or in part,))~~ the ~~((common law or statutory obligation of said))~~ responsible parent's support obligation; ~~((Provided, no credit may be given for))~~ and

(c) The items ~~((which))~~ are ~~((not))~~ food, clothing, shelter, or medical attendance ~~((, PROVIDED, FURTHER, That))~~ directly related to the care, support, and maintenance of the children.

(3) After service of the notice and finding of financial responsibility, a parent may obtain credit against their current support obligation only if:

(a) The department determines there is no prejudice to the custodial parent or other person or agency entitled to receive the support payments, or to the children, and that there are special circumstances of an equitable nature which justify credit for such payments; or

(b) A court of competent jurisdiction determines credit should be granted after a hearing at which all interested parties were given an opportunity to be heard.

(4) The burden of proving that credit should be given is on the parent claiming credit for the payments.

(5) Shelter payments made ~~((may))~~ prior to service of the notice and finding of financial responsibility shall not be credited against any debt for any period determined under chapter 388-11 WAC in an

amount greater than the shelter allocation in the public assistance standards for the same period or one-half of the actual shelter payment made, whichever is the greater. Any credit given shall be classified as a payment of child support and shall be treated consistent with rules of eligibility in effect at the time of payment. ~~((After assignment has been made pursuant to WAC 388-24-108, any support payments made subsequent to assignment shall be treated pursuant to WAC 388-14-210))~~ No credit shall be allowed for shelter payments made after service of the notice and finding of financial responsibility.

AMENDATORY SECTION (Amending Order 2340, filed 2/12/86)

WAC 388-11-030 NOTICE AND FINDING OF FINANCIAL RESPONSIBILITY. (1) The notice and finding of financial responsibility shall set forth the office of support enforcement's finding of responsibility ~~((;))~~ as follows:

(a) The amount ~~((which the office of support enforcement alleges that))~~ the responsible parent owes as an accrued debt, and a statement of the demand for payment thereon ~~((, Where appropriate the notice and finding of financial responsibility shall also set forth the office of support enforcement's finding of responsibility as to));~~

(b) The amount the responsible parent should pay ~~((in the))~~ for current and future ~~((as periodic future))~~ support ~~((for such period of time as the child or children are in need. The notice may also include a finding of));~~

(i) Under WAC 388-11-200, if current income information is known; or

(ii) Under WAC 388-29-100 if income is unknown.

(c) The responsible parent's responsibility for medical ~~((expenses including responsibility to provide medical insurance coverage if such coverage is available at a reasonable cost to the responsible parent))~~ support under WAC 388-11-215.

(2) The notice and finding of financial responsibility shall also include:

(a) ~~((A statement of))~~ The name of the ~~((recipient or custodian))~~ residential parent;

(b) ~~((The))~~ Each name, birthdate, and Social Security number of the child or children on whose behalf ~~((need))~~ support is ~~((alleged))~~ being sought;

(c) The name, address, and Social Security number of the responsible parent;

(d) The responsible parent's employer; and

(e) A statement that ~~((;))~~:

(i) If the responsible parent objects to all or any part of the notice and finding of financial responsibility, he or she shall have a right, for not more than twenty days from date of service, to request a hearing to show cause why ~~((said))~~ the responsible parent should not be determined to be liable for any or all of the debt, past and future;

~~((d))~~ (ii) ~~((A statement that said))~~ Any objection shall be communicated, in writing, and ~~((shall be))~~ served on the district field office of the office of support enforcement issuing the notice and finding of financial responsibility;

~~((e))~~ (iii) ~~((A statement that,))~~ If the responsible parent fails to object in writing, ~~((in a timely manner))~~ within twenty days to the support debt and the current support amounts stated in the notice and finding of financial responsibility, the support debt and/or ~~((payments stated in the notice and finding of financial responsibility))~~ current support amount shall ~~((be assessed and determined and ordered in accordance with the finding of responsibility of the department as set forth in the notice and finding of financial responsibility))~~ become final and subject to collection action without further action or notice;

~~((f))~~ (iv) A ~~((statement that the support debt, as assessed and determined and ordered is subject to collection action and that the property of the debtor, without further advance notice or hearing, is subject to lien and foreclosure, distraint, seizure and sale, or order to withhold and deliver to satisfy the debt.))~~ notice of payroll deduction may be issued or other income withholding action under chapters 26.18 or 74.20A RCW may be taken, without further notice to the responsible parent, if a support payment is more than fifteen days past due in an amount equal to or greater than the support payable for one month;

~~((g))~~ (v) ~~((A statement that,))~~ After service of the notice, all payments made which are intended to satisfy a current support obligation and/or ~~((accrued child))~~ support ~~((obligation))~~ debt alleged in the notice must be made directly to the office of support enforcement. Payments made to any other party will not be credited against the ~~((debt:))~~ support obligation whether or not such payment is in cash, check, money order, in-kind services, merchandise, or anything else of value, except as provided under WAC 388-11-030.

AMENDATORY SECTION (Amending Order 1465, filed 12/14/79)

WAC 388-11-040 SERVICE OF NOTICE AND FINDING OF FINANCIAL RESPONSIBILITY. (1) The office of support enforcement shall serve a notice and finding of financial responsibility (~~shall be served~~) on ~~(the)~~ a responsible parent ~~(by the office of support enforcement or their agent in the)~~;

(a) In a manner prescribed for the service of a summons in a civil action; or

(b) By certified mail, return receipt requested. The receipt shall be prima facie evidence of service.

(2) Reservice of the notice shall not be required when there has been a break in the payment of public assistance or in the provision of family independence program services.

AMENDATORY SECTION (Amending Order 1997, filed 8/5/83)

WAC 388-11-045 SERVICE REQUIREMENTS—TOLLING.

(1) For support obligations owed for months on or after September 1, 1979 (~~-If the~~), the department shall exercise reasonable efforts to locate the responsible parent. The department shall serve a notice and finding of financial responsibility (~~is not served~~) within sixty days (~~from~~) of the date the state assumes responsibility for the support of ~~(the)~~ a dependent child ~~(or children)~~ on whose behalf support is sought. If service is not timely, the department shall lose the right to reimbursement of public assistance payments made after the ~~(sixty days)~~ sixtieth day and before the ~~(date of service of the)~~ notice is served. However: ~~(PROVIDED, That if the department exercises reasonable efforts to locate the debtor and is unable to do so, the entire sixty-day period is tolled until such time as the debtor can be located)~~

(a) The department shall not lose the right to reimbursement of public assistance payments for any period of time during which it exercised reasonable efforts to locate the responsible parent;

(b) The department shall not apply this rule to nonassistance cases, cases where the residential parent lives out of state, and cases where parentage is in issue and has not been established by superior court order; and

(c) The department shall consider a prorated share of each monthly public assistance payment as paid on each day of the month.

(2) For support obligations owed for months before September 1, 1979, and for which a final determination was issued on or after September 1, 1979:

~~(a) If~~, the department shall exercise reasonable efforts to locate the responsible parent. The department shall serve a notice and finding of financial responsibility (~~is not served~~) within six months (~~from~~) of the date the state assumes responsibility for the support of ~~(the)~~ a dependent child ~~(or children)~~ on whose behalf support is sought. If service is not timely, the department shall lose the right to reimbursement of public assistance payments made after the ~~(six months)~~ sixth month and before the ~~(date of service of the)~~ notice is served. However:

~~(PROVIDED, That if the department exercises reasonable efforts to locate the debtor and is unable to do so, the entire six-month period is tolled until such time as the debtor can be located. Such reasonable efforts to locate shall be supported by contemporaneous recordings in the department's file)~~

(a) The department shall not lose the right to reimbursement of public assistance payments for any period of time during which it exercised reasonable efforts to locate the responsible parent. Reasonable efforts to locate shall be supported by contemporaneous recordings in the department's files;

(b) The ~~(provisions of WAC 388-11-045(2) are intended to implement the holding of Gangon vs. DSHS, Thurston County Cause Number 80-2-01004-0)~~ department shall not apply this rule to nonassistance cases, cases where the residential parent lives out of state, or cases where parentage is in issue and has not been established by superior court order;

(c) The department shall consider a prorated share of each monthly public assistance payment as paid on each day of the month.

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 1465, filed 12/14/79)

WAC 388-11-055 PETITION FOR HEARING AFTER TWENTY DAYS—STAY. (1) The responsible parent may, at any

time, upon a showing of good cause for the failure to make a timely request for hearing, petition the secretary or the secretary's designee for a late hearing (~~-as provided for but not previously granted pursuant to WAC 388-11-060, 388-11-065, and 388-11-100~~). The petition shall state the grounds alleged by the responsible parent to constitute good cause for the failure to make a timely request for hearing.

(2) A copy of ~~(said)~~ the petition shall also be served by certified mail, return receipt requested, or ~~(by service in the manner of)~~ like a summons in a civil action on the district office of the office of support enforcement.

(3) The filing of ~~(such)~~ a petition for a late hearing shall not stay any collection action being taken under chapter 74.20A RCW. ~~(The petition shall state the grounds alleged by the responsible parent to constitute good cause for the failure to make a timely request for hearing:)~~

~~(2)~~ (4) The granting of a request for a hearing under subsection (1) above shall operate as a stay on any ~~(collection)~~ action to collect moneys due under the original notice.

~~(3)~~ (5) ~~(On petition of the responsible parent or office of support enforcement;)~~ A hearing ~~(may)~~ under this section shall be scheduled to consider:

(a) Whether good cause exists to grant a hearing;

(b) Setting of temporary current and future support;

(c) Settlement of any or all of the issues; and

(d) Such other matters as may aid in disposition of the proceeding ~~(; and)~~.

~~(4)~~ (6) ~~(If agreed to by the parties to hear the merits of the responsible parent's objections to the notice and finding of financial responsibility:)~~

Notice of this hearing shall be mailed to the parties by certified mail, not less than ten days prior to the scheduled date of the hearing. The office of support enforcement may petition ~~(setting)~~ temporary current and future support ~~(may be brought at)~~ any time prior to the final decision. The ~~(hearing examiner)~~ administrative law judge shall, in writing, order payment of temporary, current and future support in an amount determined ~~(pursuant to the scale of minimum contributions in WAC 388-11-190 unless such payment is contrary to law)~~ under WAC 388-11-205.

(a) Payment shall be ordered to be paid beginning with the month in which the petition for ~~(an untimely)~~ a late hearing is granted.

~~(4)~~ (b) In the event the responsible parent does not make payment of the temporary current and future support as ordered, the office of support enforcement may take collection action pursuant to chapters 26.23 and 74.20A RCW during the pendency of the hearing or thereafter to collect any amounts owing under the temporary order.

~~(5)~~ (7) Moneys withheld as a result of collection action in effect at the time of granting of the request for the hearing shall be delivered to and held by the office of support enforcement ~~(and shall be held in trust by the office of support enforcement)~~ pending the final order of the secretary or during the pendency of any appeal to the courts. Temporary current and future support paid, or collected during the pendency of the hearing or appeal shall be disbursed when received by the office of support enforcement.

~~(6)~~ (8) If the final decision of the department or the courts on appeal is that the department has collected an amount from the responsible parent greater than such parents past support debt, other than temporary current and future support, such excess shall promptly be refunded to such parent.

AMENDATORY SECTION (Amending Order 1465, filed 12/14/79)

WAC 388-11-060 REQUEST FOR HEARING. (1) Any responsible parent who objects to all or any part of the notice and finding of financial responsibility ~~(shall have the right, for not more than)~~ may, within twenty days from the date of service of ~~(said)~~ the notice and finding of financial responsibility, ~~(to)~~ make a written request ~~(; in writing;)~~ for a hearing ~~(which)~~;

(2) The request shall be served upon the office of support enforcement by registered or certified mail or ~~(personally)~~ like a summons in a civil action.

~~(A request for hearing, pursuant to this section, shall not be construed to be or considered as a general denial of requests for admission pursuant to WAC 388-11-080. The execution of)~~ (3) Collection action under the notice ~~(and finding of financial responsibility)~~ shall be stayed only until the final hearing decision ~~(on such hearing)~~. ~~(Further stays may be obtained only pursuant to RCW 34.04.130(3). If an objection is received, the secretary or the secretary's designee shall notify the appellant, his attorney, or other designated representative, of~~

the date, time and place of the hearing, at least twenty days prior to the date thereof by written notice to the appellant or his representative by registered or certified mail. The hearing shall be scheduled within thirty days of the date of receipt of the objection. If the time, date or place is inconvenient to either party, the hearing examiner may grant a new time, date or place as is reasonably convenient upon a showing of good cause.)

(4) If the responsible parent fails to object, within twenty days, to the notice and finding of financial responsibility, the findings stated in the notice shall become final, subject to the provisions of WAC 388-11-055. Any support debt stated and/or any future periodic support obligation shall be subject to collection action.

AMENDATORY SECTION (Amending Order 2340, filed 2/12/86)

WAC 388-11-065 ((RESPONSIBLE PARENT TO SHOW CAUSE—AFFIRMATIVE))—DEFENSES ((BURDEN OF PROOF)) TO LIABILITY. (1) ((At the hearing held pursuant to WAC 388-11-060, the)) A responsible parent ((shall show cause, if any there be, why)) who objects to the notice and finding of financial responsibility ((and/or the amount prayed for therein is inaccurate, and why the hearing examiner should not enter an initial decision and order as prayed for in said notice and finding of financial responsibility but should either rescind or modify the same. In said show cause hearing, the responsible parent shall state affirmatively and)) shall have the burden of ((proving)) establishing defenses to liability. Defenses include, but are not limited to:

((1)) (a) ((Estoppel)) Payment;
 ((2)) (b) ((Payment)) Superior court order;
 ((3)) (c) ((Release)) He or she is not a responsible parent;
 ((4)) (d) ((Superior court order)) The amount requested in the notice is inconsistent with the amount assessed under WAC 388-11-205; or
 (e) Any other matter constituting an avoidance or affirmative defense.

((5)) (2) ((Lack of eligibility in the receipt of)) A dependent child's or a residential parent's ineligibility to receive public assistance ((funds paid to or for the benefit of the responsible parent's minor child or children: PROVIDED, That lack of eligibility shall operate as)) is not a defense ((only as)) to ((debt accrued prior to September 1, 1979: PROVIDED FURTHER, That lack of eligibility shall operate as a defense to a responsible parent's liability to repay the department only to the extent the amount of ineligibility proven in any one month exceeds the difference between the total grant for that month and the amount of the support liability determined for that month;

(6) The appellant is not a responsible parent;
 (7) Inability to pay the amount determined;
 (8) Lack of need and/or debt pursuant to RCW 26.16.205: PROVIDED, That the amount determined by reference to the schedule of suggested minimum contributions in WAC 388-11-190, based on the earnings, resources, and property of the responsible parent shall be a rebuttable presumption of the responsible parent's ability to pay and the need of the family on whose behalf action is being taken. If said presumption is rebutted, the office of support enforcement shall be afforded reasonable opportunity to present additional evidence of actual need with the right to a continuance on request to present said evidence. PROVIDED FURTHER, Said rebuttable presumption shall apply whether or not the child or children are recipients of or applicants for public assistance. The responsible parent shall be presumed to have no ability to pay from income received from AFDC, SSI, or continuing general assistance;

(9) Discharge in bankruptcy;) the assessment of a support obligation.

((10)) (3) ((The)) A responsible parent((, pursuant to chapter 74-20 RCW, should)) may be excused from ((making)) providing support ((payments)) for ((the)) a dependent child ((or children)) receiving ((or on whose behalf)) public assistance ((was provided under chapter 74.12 RCW, because)) if the responsible parent is the legal custodian of the child ((or children)) and has been wrongfully deprived of physical custody of the child ((or children: PROVIDED HOWEVER, That)). The responsible parent may only be excused ((from making support payments)) for ((the)) any period ((or periods)) during which ((the responsible parent)) he or she was wrongfully deprived of custody. ((In order to be excused from making support payments;)) The responsible parent must ((show)) establish:

(a) A court of competent jurisdiction of ((this)) any state ((or another state)) has entered an order giving legal and physical custody of the child ((or children)) to the responsible parent;

(b) The custody order has not been ((altered, changed;)) modified, superseded, or dismissed;

(c) The child ((or children were)) was taken or enticed from the responsible parent's physical custody ((of the responsible parent without his or her consent;)) and ((the responsible parent)) he or she has not subsequently assented to ((being deprived of physical custody of the child or children)) deprivation. Proof of enticement shall require more than a showing that the child is allowed to live without certain restrictions the responsible parent would impose; and

(d) ((The responsible parent;)) Within a reasonable time ((of the date)) after deprivation, the responsible parent ((was wrongfully deprived of physical custody of the child or children;)) exerted and ((has continued)) continues to exert reasonable efforts to regain physical custody of the child ((or children;

(11) Medical insurance coverage is not available at a reasonable cost. PROVIDED, That if such coverage is available through the responsible parent's employer or other organization at a cost to the responsible parent of twenty-five dollars per month or less, there shall be a rebuttable presumption that coverage is available at a reasonable cost; and

(12) Any other matter constituting an avoidance or affirmative defense to the notice and finding of financial responsibility.

Except as provided for in chapter 388-08 WAC for discovery, the hearing examiner or review examiner shall not require the office of support enforcement to produce or obtain information, documents, or witnesses to assist the responsible parent in proof of defenses raised pursuant to WAC 388-11-065 except for that relevant, nonconfidential information or documents which the office of support enforcement has in its possession).

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 2340, filed 2/12/86)

WAC 388-11-100 DUTY OF ((HEARING EXAMINER)) THE ADMINISTRATIVE LAW JUDGE. (1) ((Based on the)) In hearings held under this chapter to contest a notice and finding of financial responsibility ((and objections made thereto)), the ((hearing examiner)) administrative law judge shall determine ((the liability and responsibility, if any, of the responsible parent under RCW 74.20A-057. The hearing examiner shall also determine the amount of periodic payments to be made to satisfy past, present or future liability and the responsible parent's liability for medical expenses including responsibility to provide medical insurance coverage. The hearing examiner shall include in his or her consideration the standards in WAC 388-11-190 and the uniform child support guidelines adopted by the Washington state association of superior court judges. The hearing examiner is empowered, upon proper showing of unusual circumstances, to set an amount of support, as to the past, present, or future, at a greater or lesser amount than the amount stated or computed in reference to the scale in WAC 388-11-190 and shall include in his or her consideration)):

((1)) (a) ((All earnings and income resources of)) The responsible parent((, including real and personal property))'s obligation to provide support under RCW 74.20A.057;

((2)) (b) The ((earnings potential)) net monthly income of the responsible parent and any residential parent;

((3)) (c) The ((reasonable necessities of the)) responsible parent's share of the basic support obligation and any adjustments to that share, as warranted by his or her circumstances;

((4)) (d) ((The ability of)) If requested by a party, the responsible parent ((to borrow))'s share of any special child-rearing expenses;

((5)) (e) The ((needs of the child for whom the)) responsible parent's obligation to provide medical support ((is sought)) under WAC 388-11-215;

((6)) (f) The ((amount of assistance which would be paid to the child under the full standard of need of the state's public assistance plan)) responsible parent's accrued debt and order payments thereon; and

((7)) (g) The ((existence of other dependents; and

(8) That the child, for whom support is sought, benefits from the income and resources of the responsible parent on an equitable basis in comparison with any other minor children of the responsible parent.

In determining the responsible parent's liability for medical expenses, including responsibility to provide medical insurance coverage, the hearing examiner shall consider:

- (a) The known or anticipated medical needs of the child or children;
- (b) The cost of medical coverage and whether or not such coverage is available through the responsible parent's employer or other organization at a reasonable cost to the responsible parent;
- (c) The earnings and resources of the responsible parent;
- (d) The reasonable necessities of the responsible parent; and
- (e) The amount of the responsible parent's child support obligation, which obligation shall have priority over the obligation to provide medical coverage unless the hearings examiner makes a finding of fact that the medical needs of a child are extraordinary, and the best interest of the child would be better served if medical coverage is provided.

The findings of fact as to unusual circumstances shall consist of a concise statement of each fact found upon each contested issue of fact and shall state the grounds for deviation from the standards in WAC 388-11-190. The hearing examiner shall make his or her initial decision and enter his or her findings of fact based on the notice and finding of financial responsibility and the evidence admitted at the hearing) responsible parent's total current and future support obligation as a sum certain and order payments thereon.

(2) The administrative law judge shall allow the office of support enforcement ((has a right)) to orally amend the notice and finding of financial responsibility(;) at the ((time of)) hearing(;) to conform to the evidence ((in which case the hearing examiner is empowered, when deemed necessary, through continuance, to allow the responsible parent additional time to present rebutting evidence and/or argument as to the amendment)).

(3) Except as provided for under WAC 388-11-185, the administrative law judge shall not require the office of support enforcement to produce or obtain information, documents, or witnesses to assist the responsible parent in proof of defenses to liability. However, this rule shall not apply to relevant, nonconfidential information or documents that the office of support enforcement has in its possession.

(4) ((After evidence has been presented at a hearing conducted by a hearing examiner;)) The ((hearing examiner)) administrative law judge shall ((enter)) issue an initial decision and order ((which shall be in writing and shall contain findings and conclusions as to each contested issue of fact and law, as well as the order based thereon. The decision and order shall include a notice that, if the responsible parent fails to make periodic payments as ordered, the entire arrearage shall be collectable by the office of support enforcement and that collection action, including but not limited to the issuance of an order to withhold and deliver against the earnings or property of the responsible parent, may be initiated without further notice.

The hearing examiner shall file the original of the initial decision and order signed by him or her with the secretary or his or her designee, and copies thereof shall be mailed by the hearing examiner to the office of support enforcement and to the appellant by certified mail to the last known address of the party)) within twenty days of the date of the hearing.

AMENDATORY SECTION (Amending Order 1605, filed 2/11/81)

WAC 388-11-105 REVIEW OF INITIAL DECISION. (1) Within thirty days of service of the initial decision, either the ((appellant)) responsible parent or the office of support enforcement may petition, in writing, the secretary or ((the secretary's)) his or her designee(, in writing;) for review of the initial decision and order. ((Such petition for review)) The petitioner shall ((set forth in detail)) state the basis for the requested review(;) and shall ((be mailed)) mail a copy of the petition to the other party by certified or registered mail to ((the)) his or her last known address ((of the party)).

(2) The secretary or his or her designee shall review an initial decision and order under chapter 388-08 WAC to the extent those rules are relevant and consistent with the rules adopted in this chapter.

(3) The petition for review shall be based on ((any one of the following causes materially affecting the substantial rights of the petitioner)):

((+)) (a) An irregularity in the ((proceedings)) conduct of the ((hearing examiner or adverse party;)) administrative law judge or ((any)) in the issuance of an order ((of the hearing examiner, or abuse of discretion, by)) which ((the moving party was)) prevented ((from having)) a fair hearing;

((+)) (b) ((Misconduct of)) A prevailing party's misconduct;

((+)) (c) ((Accident or surprise which ordinary prudence could not have guarded against)) An administrative law judge's abuse of discretion;

((+)) (d) ((Newly discovered)) New evidence(, material for the party making the application;) which ((he)) could not ((with reasonable diligence)) have been discovered ((and produced at)) with reasonable diligence before the hearing;

((+)) (e) A claim that ((there is no)) the findings of fact are not supported by substantial evidence ((or reasonable inference from the evidence to justify the decision, or that it is contrary to law or these rules));

((+)) (f) An error in mathematical computation;

((+)) (g) ((Error in the)) A claim that the decision is contrary to law ((occurring at the hearing and objected to at the time by the party making the application));

((+)) (h) A claim that the ((moving party is unable)) petitioner is unable to perform according to the terms of the order without further clarification;

((+)) (i) A claim that substantial justice has not been done;

((+)) (j) The occurrence of fraud or ((misstatement of facts by any witness, pertaining to any defense provided for in WAC 388-11-065)) a witness's misstatement of material facts;

((+)) (k) A clerical mistake(s) in the decision ((arising from oversight or omission)); and/or

((+)) (l) A claim that ((the decision and)) a default order, entered(;) because the responsible parent failed to appear at the hearing, should be vacated and the ((matter be)) case remanded upon a showing of ((the grounds enumerated in RCW 4.72.010 or CR 60)) good cause.

(4) ((In the event)) If no petition for review is ((made as provided herein by any party)) filed, the initial decision ((and order of the hearing examiner)) shall be final as of the date of filing and shall become((s)) the final decision ((and order)) of the department. No appeal of this decision may be ((taken therefrom)) made to the courts ((and the)). Any debt ((created is)) in the decision shall be subject to collection action.

((After receipt of a petition for review, the secretary or the secretary's designee shall consider the initial decision and order, the petition or petitions for review, the record or any part thereof and such additional evidence and argument as he may in his or her discretion allow. The secretary or the secretary's designee may remand the proceedings to the hearing examiner for additional evidence, argument, and/or for entry of findings of fact, conclusions of law and an initial decision in conformance with the order of remand. The secretary or the secretary's designee may deny review of the initial decision and order and thereupon deny the petition or petitions at which time the initial decision and order shall be final as of the date of said denial and all parties shall forthwith be notified, in writing, of said denial by certified mail to the last known address of the parties. Unless the petition is denied, the secretary or the secretary's designee shall review the initial decision and order and shall make the final decision and order of the department. The final decision and order shall be in writing and shall contain findings and conclusions as to each contested issue of fact and law. The initial findings of fact, conclusions of law, and decision and order shall not be modified unless the findings of fact are unsupported by substantial evidence in view of the entire record and/or unless the applications of law in the initial decision are incorrect in the reasoned opinion of the review examiner. A copy of the decision and order, including the findings and conclusions, shall be mailed to each party to the appeal by certified mail to the last known address of the party. The decision and order shall authorize collection action, as appropriate, under chapter 74.20A RCW)).

AMENDATORY SECTION (Amending Order 1605, filed 2/11/81)

WAC 388-11-115 FRAUD—VACATION OF DECISION. (1) Any ((initial decision, final decision or consent)) administrative order may be vacated if the ((decision or)) order was based upon fraud by any witness or party.

(2) The ((motion to vacate)) party claiming fraud shall ((be filed)) request a hearing to vacate the administrative order within a reasonable period of time after the date ((that)) the fraud ((has been)) was discovered or should have been discovered.

AMENDATORY SECTION (Amending Order 1465, filed 12/14/79)

WAC 388-11-120 DEFAULT. If the responsible parent fails to appear at ((the)) a hearing, the ((hearing examiner)) administrative

law judge shall, upon a showing of valid service, enter an initial decision and default order (~~(declaring)~~). The administrative law judge shall state in the decision that the support debt and (~~(payment provisions)~~) the current support obligation stated in the notice and finding of financial responsibility (~~(to be)~~) are assessed (~~(and)~~), determined, and subject to collection action.

AMENDATORY SECTION (Amending Order 1605, filed 2/11/81)

WAC 388-11-140 MODIFICATION. (~~(Based upon a showing of good cause and a material change in circumstances, either the)~~) (1) A responsible parent whose support obligation has been administratively established or the office of support enforcement may (~~(petition the secretary or the secretary's designee to issue an order requiring the responding party to show cause why a decision previously entered determining responsibility for periodic future support payments, consent order or a final determination for periodic future support payments pursuant to WAC 388-11-050, ought not be)~~) request a hearing to prospectively (~~(modified)~~) modify the parent's obligation if circumstances have materially changed. The (~~(petition must)~~) request shall be (~~(accompanied by a supporting)~~) in affidavit (~~(setting forth the particular facts relied upon. On receipt of the petition and affidavit, the secretary or the secretary's designee shall issue to the petitioner the show cause order setting forth the time, date, and place of the show cause hearing.~~

The hearing shall be a contested case, shall be set not less than fifteen days nor more than thirty days from the date of service unless extended for good cause shown)) form and shall state:

- (a) The circumstances that have changed; and
- (b) The amount of support the circumstances now warrant.

(2) The (~~(petitioner)~~) petitioning party shall serve the request for modification on the responding party (~~(with a copy of the petition, affidavit, and show cause order in the manner of)~~) like a summons in a civil action or by certified mail, return receipt requested.

(3) (~~(An order to appear and show cause under this modification provision may not issue unless the previous decision, determination pursuant to WAC 388-11-150 or consent order of which modification is requested was entered pursuant to RCW 74.20A.055 and there is no superior court order for support. The hearing examiner, on petitions to modify, shall consider the standards set forth in WAC 388-11-100))~~ The petitioning party need not show a change of circumstance if the original support obligation was established under WAC 388-11-050.

(4) If the responding party fails to appear at the hearing, the (~~(hearing examiner)~~) administrative law judge shall (~~(grant relief as)~~) issue a default order based (~~(upon)~~) on the (~~(prayer for relief in the petition and affidavit. Within thirty days of entry of the default order, the defaulting party may petition the secretary or the secretary's designee pursuant to WAC 388-11-105 to vacate the default order upon a showing of any of the grounds enumerated in RCW 4.72.010 or CR 60))~~ terms set out in the request for modification. If the (~~(petitioner)~~) petitioning party fails to appear at the hearing, the (~~(hearing examiner)~~) administrative law judge shall enter an order dismissing the (~~(petition)~~) request for modification.

(5) The (~~(hearing examiner)~~) administrative law judge may set the effective date of (~~(prospective)~~) modification as (~~(either)~~) the date (~~(of entry of)~~) the order (~~(or)~~) is issued, the date (~~(of receipt of)~~) the (~~(petition)~~) request was made, or any time in between (~~(-but)~~). If no effective date is set, the effective date shall be the date (~~(of the entry of)~~) the modification order is entered. (~~(Any decision and order under this section shall be an initial decision by the hearing examiner subject to a petition for review by the secretary or the secretary's designee pursuant to WAC 388-11-105.~~

It shall not be necessary for the responsible parent or the office of support enforcement to show material change of circumstances if prospective modification is sought as to a final determination for periodic future support payments pursuant to WAC 388-11-050.))

AMENDATORY SECTION (Amending Order 2340, filed 2/12/86)

WAC 388-11-150 CONSENT ORDER AND AGREED SETTLEMENT. (~~(In the absence of a superior court order,)~~) (1) Informal disposition of any contested case (~~(or petition or order to show cause for modification wherein a support obligation is claimed pursuant to RCW 74.20A.057 is)~~) shall be encouraged where feasible (~~(and not specifically precluded by law. Said cases may be disposed of by)~~) through a consent order or agreed settlement(~~(-A)~~).

(a) An agreed settlement(~~(-A being defined as a written agreement signed by each party, which is)~~) shall be effective without approval of (~~(any hearings examiner)~~) an administrative law judge. (~~(H)~~)

(b) A consent order (~~(is involved, the hearings examiner)~~) shall require the approval of an administrative law judge to be effective. The administrative law judge shall approve (~~(that)~~) a consent order (~~(disposing of)~~) without requiring testimony or a (~~(contested case)~~) hearing unless the entry of such an order would be specifically contrary to law. (~~(Informal disposition on consent order shall be deemed to be a request for hearing granting jurisdiction to the hearings examiner to approve said consent order without the necessity of testimony or hearing, upon presentation by the office of support enforcement.)~~)

(2) If negotiations (~~(as)~~) to a consent order or agreed settlement are commenced within twenty days of service (~~(on the responsible parent)~~) of the notice and finding of financial responsibility, and such negotiations fail (~~(and)~~), the responsible parent (~~(serves an objection on OSE within)~~) shall have an additional twenty days (~~(of)~~) from the date the negotiations (~~(failing, the objection shall be considered)~~) fail to request a hearing. A hearing so requested shall be considered timely (~~(served)~~). (~~(The obligation to pay support or repay the debt, unpaid when due, stated in the consent order or agreed settlement is subject to collection action.)~~)

(3) Consent orders or agreed settlements (~~(are)~~) shall not be subject to review (~~(pursuant to)~~) under WAC 388-11-105, but (~~(are)~~) shall be subject to modification (~~(pursuant to)~~) under WAC 388-11-140 and (~~(may be vacated)~~) vacation for fraud (~~(pursuant to)~~) under WAC 388-11-115. (~~(Consent orders and agreed settlements shall contain the following provisions:~~

(1) That the responsible parent shall provide medical insurance coverage for his or her dependent child or children if such coverage is available at a responsible cost; and

(2) That appropriate collection action, including but not limited to the issuance of an order to withhold and deliver against the debtor's earnings or property, may be initiated by the office of support enforcement without further notice to collect the entire arrearage if the responsible parent fails to make periodic payments as provided.))

AMENDATORY SECTION (Amending Order 1465, filed 12/14/79)

WAC 388-11-155 DURATION OF OBLIGATION. (1) The responsible parent's obligation (~~(established pursuant)~~) to (~~(these rules)~~) pay support under an administrative order shall continue in effect until:

- (a) Superseded by a superior court order(~~(:)~~);
- (b) Modified pursuant to WAC 388-11-140(~~(-vacated pursuant to WAC 388-11-115 or until)~~);
- (c) The child (~~(attains)~~) reaches the age of majority (~~(or)~~);
- (d) The child is (~~(sooner)~~) emancipated(~~(-or is self-supporting)~~);
- (e) The child is married(~~(:)~~); or
- (f) The child becomes a member of the United States armed forces (~~(of the United States)~~). (~~(The obligation shall cease to accrue on the death of)~~)

(2) As an exception to the above rule, a responsible parent's obligation to pay support under an administrative order shall continue and/or may be established for a dependent child who is:

- (a) Under nineteen years of age; and
- (b) A full-time student reasonably expected to complete a program of secondary school or the equivalent level of vocational or technical training before the end of the month in which he or she becomes nineteen years of age.

(3) A responsible parent's obligation to pay support under an administrative order shall be temporarily suspended when:

- (a) The responsible parent resides with the child for whom support is sought for purposes other than visitation; or
- (b) The responsible parent reconciles with the child and the residential parent.

(4) If the circumstances which cause a responsible parent's support obligation to be temporarily suspended change, the support obligation shall resume. The office of support enforcement shall serve the responsible parent with a notice informing him or her to resume payments if it has previously notified the parent in writing to stop making payments.

(5) The responsible parent's obligation to provide support under an administrative order shall cease to accrue when:

- (a) The child or the responsible parent(~~(:)~~) dies; or (~~(if the)~~)

(b) A responsible ((parent is a)) stepparent ((when the))'s marriage is dissolved ((under chapter 26.09 RCW or under comparable procedures for divorce or dissolution of marriage. Provided that such obligation shall not be owed for the period of time during which the child is in the lawful physical custody of the responsible parent other than for purposes of visitation)).

AMENDATORY SECTION (Amending Order 1465, filed 12/14/79)

WAC 388-11-180 PROCEDURAL REFERENCE. ((The following WAC provisions are herewith included in this section and made applicable to hearings held pursuant to RCW 74.20A.055:

WAC

388-08-055	388-08-235
388-08-083	388-08-375
388-08-150	388-08-390
388-08-160	388-08-400
388-08-170	388-08-480
388-08-180	388-08-490
388-08-190	388-08-500
388-08-200	388-08-520
388-08-210	388-08-600
388-08-220	

In determining the validity of defenses to liability asserted pursuant to WAC 388-11-065(5) other provisions of the Washington Administrative Code shall be applied)) Hearings held under RCW 74.20A.055 shall be subject to the provisions of chapters 10-08 and 388-08 WAC to the extent these provisions are relevant and consistent with the rules adopted under this chapter.

AMENDATORY SECTION (Amending Order 1054, filed 9/25/75)

WAC 388-11-185 DISCOVERY. (1) Either party may ((petition)) ask the ((hearing examiner for)) administrative law judge to order interrogatories and/or depositions for use as evidence in a hearing.

(2) The ((petitioner)) administrative law judge shall ((give reasonable notice of not less than five days in writing to the department's examiner and all parties. After notice is served for taking a deposition, the hearing examiner, upon his own motion or upon motion reasonably made by any party or by the person to be examined and for good cause shown, may make an order that the deposition shall not be taken, or that it may be taken only at some designated place other than that stated in the notice, or that it may be taken only on written interrogatories, or that the scope of the examination shall be limited to certain matters, or that the examination shall be held with no one present except the parties to the action and counsel)) determine if such discovery will be allowed and under what terms and conditions.

(3) Unless otherwise ordered, the deponent may be examined regarding any matter not privileged or confidential which is relevant to the subject matter involved in the proceeding.

((If deemed expeditious, the hearing examiner may take or cause to be taken, depositions and interrogatories for use as evidence in any hearing.))

NEW SECTION

WAC 388-11-195 ECONOMIC TABLE. (1) As of July 1, 1988, the department shall use the economic table adopted by the Washington state child support schedule commission to assess all child support obligations. This economic table is incorporated by reference.

(2) The economic table is expanded as follows:

(a) If the combined income of the responsible parent and any residential parent is five hundred dollars, then the responsible parent's basic support obligation shall be seventy-five percent of the amount it would be if the parents' income was six hundred dollars; if four hundred dollars, then fifty percent; and if less than four hundred dollars, then twenty-five dollars per month per child.

(b) If support is sought for six children, then the responsible parent's basic support obligation for each child shall be eighty-five percent of the amount it would be for a child of the same age under the economic table for five children;

(c) If support is sought for seven children, then the responsible parent's basic support obligation for each child shall be seventy-five percent of the amount it would be for a child of the same age under the economic table for five children; and

(d) If support is sought for eight or more children, then the responsible parent's basic support obligation for each child shall be sixty-five

percent of the amount it would be for a child of the same age under the economic table for five children.

(2) State public policy intends:

(a) Support orders be adequate to meet a child's basic needs and provide additional support commensurate with the parent's income, resources, and standard of living; and

(b) To give preference for supporting dependent children from the funds of their responsible parents.

NEW SECTION

WAC 388-11-200 FINANCIAL WORKSHEET CALCULATIONS. (1) The department shall require responsible parents and any residential parents to each complete a financial worksheet under penalty of perjury when a hearing has been requested or when support is determined by consent order or agreed settlement. The department shall only accept those worksheets that are approved by the Washington state child support schedule commission. The department may complete a worksheet on behalf of a residential parent who receives public assistance or who resides in another state.

(2) A parent shall include as gross income money from any source, including, but not limited to, salaries, wages, commissions, bonuses, deferred compensation, overtime, dividends, interest, trust income, severance pay, annuities, capital gains, social security benefits, worker's compensation, unemployment compensation, disability insurance benefits, gifts, and prizes.

(3) A parent shall disclose the receipt of AFDC, SSI, general assistance, food stamps, and spousal maintenance from any relationship, but such shall not be counted as income.

(4) A parent shall deduct only income taxes, FICA, mandatory pension plan payments, mandatory union/professional dues, spousal maintenance for other relationships, nonrecurring overtime/bonus income, and nonrecurring gifts and prizes from gross income. A self-employed parent shall deduct normal business expenses and self-employment taxes.

(5) The department shall impute income to any parent who is voluntarily unemployed or underemployed as follows:

(a) For a parent who quit their last job without cause, was fired for cause, or chosed not to work, impute income equal to the amount of the parent's last full time wage;

(b) For a parent who is voluntarily working less than full time, for whatever reason, impute income equal to the amount the parent would earn if working full time at their present job. Do not consider a parent underemployed if employed on a full-time basis;

(c) For a parent who is unemployed through no fault of their own, impute income equal to their earning potential. Presume each parent capable of full-time employment at at least the minimum wage;

(d) Impute no income to a residential parent who receives public assistance if that parent is in compliance with all job search, education, and/or training requirements of the assistance program. Presume any residential parent receiving public assistance to be in compliance with the requirements of that program;

(e) Impute no income to a parent who is unemployable. Lack of employment opportunities alone shall not render a parent unemployable.

NEW SECTION

WAC 388-11-205 ASSESSING SUPPORT. (1) The department shall determine the net income of a responsible parent and any residential parent according to WAC 388-11-200.

(2) The department shall determine the basic support obligation:

(a) Based on the combined net incomes of the responsible parent and any residential parent, rounded to the nearest one hundred dollars;

(b) For each child, according to the economic table and the total number of children on whose behalf support is sought;

(c) In total; and then

(d) Allocate between the parents based on each parent's share of the total combined net income.

(3) The department shall adjust the responsible parent's share of the basic support obligation to reflect circumstances in their household and the household of any residential parent. Such adjustments shall not reduce the responsible parent's share of the basic support obligation by more than fifty percent, nor increase it by more than fifty percent. The department shall make adjustments only for the reasons and in the amounts listed below:

(a) If the responsible parent is legally obligated to support and is in fact supporting another child in addition to the child on whose behalf support is sought; and

(i) If such child lives outside the responsible parent's own household, then reduce the responsible parent's share of the basic support obligation ten percent for each such child;

(ii) If such child lives in the responsible parent's own household and receives child support from another parent, receives SSI, SSA, or VA benefits, works at least half-time, or also lives with its other parent, then reduce the responsible parent's share of the basic support obligation five percent for each such child; and/or

(iii) If such child lives in the responsible parent's household and has no other source of support other than the responsible parent, then reduce the responsible parent's share of the basic support obligation fifteen percent for each such child.

(b) If the residential parent is legally obligated to support one or more children living in their home or elsewhere who are not children of the responsible parent, then increase the responsible parent's share of the support obligation five percent;

(c) If a child on whose behalf support is sought receives SSI, services from the department's division of developmental disabilities, special educational services from a public school, or has special medical needs, then increase the responsible parent's share of the support obligation five percent;

(d) If the responsible parent lives with another adult, regardless of whether that adult contributes to their household, then increase the responsible parent's share of the support obligation five percent. However, if the other adult is the responsible parent's spouse and is unemployed, no increase shall occur;

(e) If the residential parent lives with another adult, regardless of whether that adult contributes to their household, then reduce the responsible parent's share of the support obligation five percent. However, if the other adult is the residential parent's spouse and is unemployed, then no reduction shall occur;

(f) If a child on whose behalf support is sought has their own recurrent income equal to at least the amount the responsible parent would be obligated to pay for him or her under the economic table, then reduce the responsible parent's share of the support obligation five percent;

(g) If the responsible parent has extraordinary debt not voluntarily incurred which exceeds fifty percent of their annual gross income, then reduce the responsible parent's share of the support obligation five percent. Countable debts included are not limited to:

- (i) Medical bills;
- (ii) Court-ordered restitution; and
- (iii) Civil judgments.

(h) If the residential parent has extraordinary debt not voluntarily incurred which exceeds fifty percent of their annual gross income, then increase the responsible parent's share of the support obligation five percent. Countable debts include, but are not limited to:

- (i) Medical bills;
- (ii) Court-ordered restitution; and
- (iii) Civil judgments.

(i) If the responsible parent has wealth in the form of assets equal to fifty percent or more of their annual gross income, then increase the responsible parent's share of the support obligation five percent. Countable assets include, but are not limited to:

- (i) Equity in real or personal property;
- (ii) Stocks or bonds;
- (iii) Automobiles, recreational vehicles, or boats;
- (iv) Artwork;
- (v) Pension or insurance plans; and/or
- (vi) IRAs, bank accounts, or cash.

(j) If the residential parent has wealth in the form of assets equal to fifty percent or more of their annual gross income, then reduce the responsible parent's share of the support obligation five percent. Countable assets include, but are not limited to:

- (i) Equity in real or personal property;
- (ii) Stocks or bonds;
- (iii) Automobiles, recreational vehicles, or boats;
- (iv) Artwork;
- (v) Pension or insurance plans; and
- (vi) IRAs, bank accounts, or cash.

(k) If for reasons beyond the responsible parent's control, their living costs exceed twice the need standard level of WAC 388-29-100 for their household size, then reduce the responsible parent's share of the

support obligation five percent. Countable living costs are limited to reasonable amounts for:

- (i) Food;
- (ii) Clothing;
- (iii) Shelter;
- (iv) Utilities;
- (v) Medical attendance; and
- (vi) Job-related transportation.

(l) If for reasons beyond the residential parent's control, their living costs exceed twice the need standard level of WAC 388-29-100 for their household size, then increase the responsible parent's share of the support obligation five percent. Countable costs are limited to reasonable amounts for:

- (i) Food;
- (ii) Clothing;
- (iii) Shelter;
- (iv) Utilities;
- (v) Medical attendance; and
- (vi) Job-related transportation.

(m) If a child on whose behalf support is sought would receive greater benefits under a proposed tax planning scheme than that which would be assessed under the economic table, then reduce the responsible parent's share of the support obligation five percent;

(n) If unusual circumstances exist in the responsible parent's household that warrant adjustment, then reduce the responsible parent's share of the support obligation five percent. This subsection may be applied to the responsible parent's circumstances only once;

(o) If unusual circumstances exist in the residential parent's household that warrant adjustment, then increase the responsible parent's share of the support obligation five percent. This subsection may be applied to the residential parent's circumstances only once.

(4) If requested by any parent or their agent, the department shall determine special child rearing expenses for such items as day care, tuition, extraordinary uninsured medical expenses, and long distance transportation. The department shall allocate these expenses between the parents in the same proportion as the basic support obligation.

(5) The department shall add the responsible parent's share of the basic support obligation, as adjusted above, to their share of any special child rearing expenses. Reduce the sum of these amounts by any:

(a) Direct payments the responsible parent currently makes to third parties for special child-rearing expenses;

(b) Amounts the responsible parent is obligated under WAC 388-11-215 to pay for health insurance; and/or

(c) Residential credits for a child who stays overnight with the responsible parent more than twenty-five percent of the time. This reduction shall be unavailable if the child on whose behalf support is sought receives AFDC or if insufficient funds are available to meet the basic needs of the child in the house receiving the support.

(6) The responsible parent's total support obligation shall consist of:

- (a) Their adjusted share of the basic support obligation;
- (b) Amounts the responsible parent is obligated to pay for health insurance; and
- (c) Amounts the responsible parent is obligated to pay for special child-rearing expenses.

(7) The responsible parent shall pay any amounts they are determined to owe for health insurance directly to their insurance provider. The responsible parent shall pay all other amounts they are determined to owe, including any amounts currently paid to third parties for special child-rearing expenses, to the office of support enforcement.

(8) The responsible parent's total administrative support obligation shall not exceed fifty percent of their net income. However, this fifty percent limitation shall not apply if:

- (a) The responsible parent is determined to have wealth;
- (b) A child on whose behalf support is sought is determined to have special medical or educational needs;
- (c) Support for five or more children is sought; or
- (d) Special child rearing expenses are assessed.

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

NEW SECTION

WAC 388-11-210 ADMINISTRATIVE ORDERS. Every administrative order shall include:

- (1) The income of the responsible parent and any residential parent;

(2) The amount of the responsible parent's share of the basic support obligation without adjustments;

(3) The amount of the responsible parent's share of the basic support obligation after adjustments;

(4) The specific reasons for deviation, if the adjusted amount is different than the unadjusted amount;

(5) The total amount of the responsible parent's support obligation;

(6) The specific day of the month on which the support payment is due;

(7) The responsible parent's Social Security number, residence address, and the name of his or her employer;

(8) The residential parent's Social Security number;

(9) The names, birthdates, and Social Security numbers, if any, of the dependent children; and

(10) A disposition of the responsible parent's obligation to provide health insurance under WAC 388-11-215.

(11) A statement that the responsible parent shall make their payment to the Washington state support registry;

(12) A statement that the department may issue a notice of payroll deduction or may take other income withholding action under chapters 26.18 or 74.20A RCW, without further notice to the responsible parent, if a support payment is more than fifteen days past due in an amount equal to or greater than the support payable for one month;

(13) A statement that each parent shall notify the Washington state support registry of any change in resident address; and

(14) A statement that a support obligation established under this chapter shall continue until:

(a) Modified under WAC 388-11-140;

(b) Superseded by superior court order; or

(c) The child for whom support is assessed reaches the age of majority or is emancipated.

NEW SECTION

WAC 388-11-215 HEALTH INSURANCE. (1) Any parent owing a duty of support shall be obligated to provide health insurance for their dependent child.

(2) When health insurance for the dependent child is available to the responsible parent through employment or through some other group insurance organization, unless the residential parent has satisfactory health insurance other than Medicaid for the child, the responsible parent shall:

(a) Provide health insurance coverage; and

(b) Provide proof of such coverage to the office of support enforcement within ten days. Proof of coverage shall include, but not be limited to, documentation showing:

(i) The subscriber or policy holder through whom the health insurance is available;

(ii) The names of the beneficiaries covered;

(iii) The policy number; and

(iv) Coverage is current.

(3) If health insurance coverage for the child is not immediately available, the responsible parent shall provide for coverage during the next open enrollment period and submit proof of such coverage as required under subsection (2)(b) of this section.

(4) When health insurance to cover a dependent child is not available to the responsible parent through employment or through any other group insurance organization, the responsible parent shall, within ten days:

(a) Notify the office of support enforcement when such health insurance coverage becomes available; and

(b) Provide proof of such coverage as required under subsection (2)(b) of this section.

(5) A responsible parent shall only be entitled to the reduction for health insurance premiums paid if:

(a) The responsible parent submits proof of coverage to the office of support enforcement as required under WAC 388-11-215; and

(b) The responsible parent pays the required premium; and

(c) If the responsible parent fails to submit proof or pay the premium, the office of support enforcement shall collect the adjusted basic support obligation without a reduction for health insurance premium payments.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-11-050 FAILURE TO MAKE REQUEST FOR HEARING.
WAC 388-11-070 CONTINUANCE OF CASES.
WAC 388-11-080 REQUESTS FOR ADMISSION.
WAC 388-11-090 HEARINGS EXAMINER.
WAC 388-11-130 DECISION AND ORDER AFTER HEARING.
WAC 388-11-190 SCALE OF MINIMUM CONTRIBUTIONS.

WSR 88-15-001 PROPOSED RULES BIG BEND COMMUNITY COLLEGE

[Filed July 7, 1988]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that the board of trustees of Washington Community College District 18 intends to adopt, amend, or repeal rules concerning Classified personnel rules—European project, chapter 132R-210 WAC.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on Monday, September 26, 1988.

The authority under which these rules are proposed is RCW 28B.16.010.

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution before Monday, September 26, 1988.

Dated: June 29, 1988

By: Gregory G. Fitch
President

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 28B.19.033.

Chapter 132R-210 WAC, Classified personnel rules—European project, governing the appointment, promotion, transfer, layoff, recruitment, retention, classification and pay plans, removal, discipline and welfare of classified European personnel are hereby repealed pursuant to the requirement of RCW 28B.16.010 and in accordance herewith it is declared that the collective bargaining agreement and/or policies of the college shall contain provisions related to the above subject matter and shall be consistent with the laws of the state of Washington.

Statutory Authority: RCW 28B.16.010.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 132R-210-015 PURPOSE.
WAC 132R-210-020 DEFINITIONS.
WAC 132R-210-030 SCOPE.
WAC 132R-210-040 EXEMPTIONS.
WAC 132R-210-060 PERSONNEL DIRECTOR.
WAC 132R-210-070 PERSONNEL OFFICERS.
WAC 132R-210-110 PREPARATION.
WAC 132R-210-120 ADOPTION.
WAC 132R-210-130 INTERPRETATION OF SPECIFICATIONS.
WAC 132R-210-140 USE IN EXAMINATION.
WAC 132R-210-150 POSITION ALLOCATION—REALLOCATION.
WAC 132R-210-160 POSITION REVIEW.

- WAC 132R-210-170 ALLOCATION REVIEW COMMITTEE.
WAC 132R-210-175 ALLOCATION APPEAL—ALLOCA-
TION REVIEW COMMITTEE.
WAC 132R-210-180 POSITION REALLOCATION—EFFECT
ON INCUMBENT.
WAC 132R-210-210 COMPENSATION PLANS.
WAC 132R-210-220 COMPENSATION PLANS—
ADOPTION.
WAC 132R-210-230 SALARY—LIMITS.
WAC 132R-210-240 SALARY—ENTRANCE.
WAC 132R-210-250 SALARY—PERIODIC INCREMENT.
WAC 132R-210-260 SALARY—PERIODIC INCREMENT
DATE.
WAC 132R-210-265 SALARY—PROMOTION.
WAC 132R-210-270 SALARY—SURVEY.
WAC 132R-210-275 SALARY—PART-TIME EMPLOY-
MENT COMPUTATION.
WAC 132R-210-280 SALARY—OVERTIME RECORDS.
WAC 132R-210-310 SEPARATION.
WAC 132R-210-320 RESIGNATION.
WAC 132R-210-330 LAYOFF.
WAC 132R-210-335 LAYOFF—SPECIAL EMPLOYMENT
PROGRAMS.
WAC 132R-210-340 LAYOFF LISTS.
WAC 132R-210-350 VETERANS RETENTION
PREFERENCE.
WAC 132R-210-360 EUROPE-WIDE LAYOFF LIST.
WAC 132R-210-405 DEMOTION—SUSPENSION—RE-
DUCTION—DISMISSAL—CAUSES.
WAC 132R-210-410 REDUCTION—DEMOTION—PROCE-
DURE.
WAC 132R-210-415 SUSPENSION—GROUNDS FOR—DU-
RATION—NOTICE.
WAC 132R-210-420 DISMISSAL—GROUNDS FOR—
NOTICE.
WAC 132R-210-425 PROBATIONARY PERIOD—
REJECTION.
WAC 132R-210-430 DISMISSAL, SUSPENSION—CON-
CURRENTLY—NOTICE.
WAC 132R-210-435 UNAUTHORIZED ABSENCE—PRE-
SUMPTION OF RESIGNATION—NOTICE.
WAC 132R-210-440 DEMOTION, SUSPENSION—REDUC-
TION—DISMISSAL—WITHDRAWAL OF CHARGES BY AP-
POINTING AUTHORITY—TIME LIMITATION.
WAC 132R-210-445 APPEALS FROM DEMOTION, SUS-
PENSION, REDUCTION, DISMISSAL.
WAC 132R-210-450 APPEALS—RECEIPT—PROCEDURE.
WAC 132R-210-455 APPEALS—HEARINGS.
WAC 132R-210-460 WRITTEN NOTICE OF FINDINGS.
WAC 132R-210-465 REQUEST FOR REVIEW.
WAC 132R-210-470 RULING ON REVIEW.
WAC 132R-210-505 PURPOSE.
WAC 132R-210-510 RIGHTS OF EMPLOYEES.
WAC 132R-210-520 EMPLOYEE ORGANIZATION FILING
REQUIREMENTS.
WAC 132R-210-570 UNFAIR LABOR PRACTICES FOR
MANAGEMENT—EMPLOYEE.
WAC 132R-210-620 RIGHT TO APPEAL.
WAC 132R-210-630 REMEDIAL ACTION.
WAC 132R-210-701 RECRUITMENT—EXAMINATION—
GENERAL RULES.
WAC 132R-210-702 EXAMINATION NOTICE.
WAC 132R-210-704 RECRUITMENT NOTICE—CONTENT.
WAC 132R-210-706 RECRUITMENT NOTICE—
DURATION.
WAC 132R-210-708 ELIGIBLE LIST MODIFICATION—
TRAINING.
WAC 132R-210-710 EXAMINATION ADMINISTRATION.
WAC 132R-210-712 EXAMINATION—ELIGIBILITY.
WAC 132R-210-714 APPLICATION FORMS.
WAC 132R-210-716 APPLICATION—ACCEPTANCE.
WAC 132R-210-718 APPLICATION—FREEDOM FROM
BIAS.
WAC 132R-210-720 APPLICATION—ADMISSION TO
EXAMINATION.
WAC 132R-210-722 APPLICATION—DISQUALIFICA-
TION—REJECTION.
WAC 132R-210-724 ANONYMITY OF APPLICANTS.
WAC 132R-210-726 EXAMINATION—VETERANS PREF-
ERENCE—ELIGIBILITY PERIODS—PERCENTAGE
ALLOWANCE.
WAC 132R-210-728 NOTIFICATION OF EXAMINATION
RESULTS.
WAC 132R-210-730 REEXAMINATION—PROCEDURE.
WAC 132R-210-732 EXAMINATION RECORDS
REQUIREMENT.
WAC 132R-210-734 ELIGIBLE LISTS—ESTABLISHMENT.
WAC 132R-210-736 ELIGIBLE LISTS—DEFINITION—
COMPOSITION.
WAC 132R-210-738 PROCEDURE IN CASE OF TIES.
WAC 132R-210-740 DURATION OF ELIGIBLE LISTS.
WAC 132R-210-742 REMOVAL OF NAMES FROM ELIGI-
BLE LISTS.
WAC 132R-210-744 NOTIFICATION OF REMOVAL OF
NAME.
WAC 132R-210-746 RELATED ELIGIBLE LISTS.
WAC 132R-210-748 REQUEST FOR CERTIFICATION.
WAC 132R-210-750 METHOD OF CERTIFICATION.
WAC 132R-210-752 SELECTIVE CERTIFICATION.
WAC 132R-210-754 INCOMPLETE CERTIFICATION.
WAC 132R-210-756 NOTICE OF CERTIFICATION.
WAC 132R-210-758 SELECTION FROM CERTIFICATION.
WAC 132R-210-760 RETURNING EMPLOYEE PROVI-
SIONS—LAYOFF—REEMPLOYMENT.
WAC 132R-210-762 PROVISIONAL APPOINTMENT.
WAC 132R-210-764 EMERGENCY APPOINTMENT.
WAC 132R-210-766 PROBATIONARY APPOINTMENT.
WAC 132R-210-768 TRIAL SERVICE APPOINTMENT.
WAC 132R-210-770 PERMANENT STATUS
APPOINTMENT.
WAC 132R-210-772 EMPLOYEE REASSIGNMENT—
TRANSFER.
WAC 132R-210-774 TEMPORARY APPOINTMENT.
WAC 132R-210-776 MODIFICATION OF MINIMUM
QUALIFICATIONS.
WAC 132R-210-778 CONCURRENT CERTIFICATION.
WAC 132R-210-780 INSTRUCTIONAL YEAR
APPOINTMENT.
WAC 132R-210-782 CORRECTIVE EMPLOYMENT
PROGRAMS.
WAC 132R-210-784 SPECIAL EMPLOYMENT
PROGRAMS.
WAC 132R-210-802 HOURS OF WORK—GENERAL.
WAC 132R-210-805 WORK SCHEDULES.
WAC 132R-210-808 REST PERIOD.
WAC 132R-210-811 HOLIDAYS.
WAC 132R-210-814 PERSONAL HOLIDAY—REGULA-
TIONS GOVERNING.
WAC 132R-210-817 LEAVE AUTHORIZATION.
WAC 132R-210-820 ANNUAL VACATION LEAVE.
WAC 132R-210-823 ANNUAL VACATION LEAVE—USE.
WAC 132R-210-826 ANNUAL VACATION LEAVE—
ACCUMULATION.
WAC 132R-210-829 ANNUAL VACATION LEAVE—CASH
PAYMENT.
WAC 132R-210-832 SICK LEAVE ACCRUAL.
WAC 132R-210-835 LEAVE ACCRUAL DATE.
WAC 132R-210-838 SICK LEAVE—USE.
WAC 132R-210-841 MATERNITY LEAVE.
WAC 132R-210-843 SICK LEAVE—REPORTING.
WAC 132R-210-847 SICK LEAVE—PHYSICIAN'S
CERTIFICATE.
WAC 132R-210-850 SICK LEAVE—WORKMAN'S
COMPENSATION.
WAC 132R-210-853 SICK LEAVE—CHANGE OF
EMPLOYMENT.
WAC 132R-210-856 SICK LEAVE—SEPARATION—
REINSTATEMENT.
WAC 132R-210-859 MILITARY TRAINING LEAVE.
WAC 132R-210-862 MILITARY LEAVE WITHOUT PAY.
WAC 132R-210-865 LEAVE OF ABSENCE WITHOUT PAY.
WAC 132R-210-868 LEAVE DURATION—EXCEPTION.
WAC 132R-210-871 LEAVE OF ABSENCE—EMPLOYEE
RIGHTS.

WAC 132R-210-874 LEAVE—PROCEDURES.
 WAC 132R-210-877 SUSPENDED OPERATION.
 WAC 132R-210-880 EMPLOYEE ABSENCE—INCLEMENT
 WEATHER.
 WAC 132R-210-910 EMPLOYEE DEVELOPMENT—AU-
 THORITY, PURPOSE AND OBJECTIVE.
 WAC 132R-210-920 DEFINITIONS.
 WAC 132R-210-930 TRAINING AND DEVELOPMENT
 PROGRAMS.
 WAC 132R-210-950 TRAINING—GENERAL PROVISIONS.

WSR 88-15-002**EMERGENCY RULES****DEPARTMENT OF LICENSING**

[Order PM 747—Filed July 7, 1988]

I, Robert A. Van Schoorl, assistant director of the Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to post-graduate hours in the study of mechanotherapy, new section WAC 308-34-470.

I, Robert A. Van Schoorl, assistant director, 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 criteria for the required minimum of two hundred post-graduate hours in the study of mechanotherapy must be established as a requirement for licensure in conformance with RCW 18.36A.090.

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

This rule is promulgated pursuant to RCW 18.36A-.060 which directs that the director of the Department of Licensing has authority to implement the provisions of chapter 18.36A 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 July 6, 1988.

By Robert A. Van Schoorl
 Assistant Director

NEW SECTION

WAC 308-34-470 POST-GRADUATE HOURS IN THE STUDY OF MECHANOTHERAPY. *The minimum of 200 post graduate hours in the study of mechanotherapy required by RCW 18.36A.090(1) must meet the following criteria: To be considered "post graduate" hours in the study of mechanotherapy, hours of study must constitute classroom training which is in addition to the mechanotherapy training provided to physicians who do not practice mechanotherapy. The post graduate hours in the study of mechanotherapy may be classroom training in the following:*

(1) Manipulation of the osseous joints of the body.

(2) Radiography training that is specific to the performance of manual manipulation when such training is

in addition to the radiology training provided to physicians who do not practice manual manipulation.

(3) Diagnostic training that is specific to the performance of manual manipulation when such training is in addition to the diagnostic training provided to physicians who do not practice manual manipulation.

(4) Use of physical modalities training that is specific to the performance of manual manipulation when such training is in addition to physical modalities training provided to physicians who do not practice manual manipulation.

WSR 88-15-003**NOTICE OF PUBLIC MEETINGS****WESTERN WASHINGTON UNIVERSITY**

[Memorandum—July 8, 1988]

The board of trustees of Western Washington University will hold two special meetings in July as follows:

July 7, 1988, at 1:30 p.m., Conference Room, 21st Floor, Law Offices of Gordan, Thomas, Honeywell Malanca, Peterson and Daheim, 2102 One Union Square, 6th and University, Seattle, WA 98101.

July 28, 1988, at 1:30 p.m., Conference Room, 7th Floor, Bank of California Building, 910 4th Avenue, 4th and Madison, Seattle, WA 98102.

WSR 88-15-004**NOTICE OF PUBLIC MEETINGS****BOARD FOR VOCATIONAL EDUCATION**

[Memorandum—July 5, 1988]

The following dates have been established for the regular meetings of the Washington State Board for Vocational Education during 1988-89:

September 22, 1988

December 15, 1988

March 23, 1989

June 22, 1989

This schedule is subject to change on the basis of urgent state board business.

WSR 88-15-005**ADOPTED RULES****WHATCOM COMMUNITY COLLEGE**

[Order 88-03—Filed July 8, 1988]

Be it resolved by the board of trustees of Whatcom Community College, acting at Bellingham, Washington, that it does adopt the annexed rules relating to:

New	ch. 132U-104 WAC	Meetings of board of trustees.
New	ch. 132U-120 WAC	Student rights and responsibilities.
New	ch. 132U-122 WAC	Withholding services for outstanding debts.
New	ch. 132U-140 WAC	Use of facilities.
New	ch. 132U-276 WAC	Access to public records.

New ch. 132U-280 WAC Family Educational Rights and Privacy Act.
 New ch. 132U-300 WAC Grievances—Discrimination .
 New ch. 132U-325 WAC State Environmental Policy Act.
 Rep chs.132U-04, 132U-10, 132U-36, 132U-40 and 132U-80 WAC.

This action is taken pursuant to Notice No. WSR 88-07-029 filed with the code reviser on March 9, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 28B.19.050(2).

This rule is promulgated pursuant to RCW 28B.50.130 and [28B.50].140 which directs that Whatcom Community College has authority to implement the provisions of RCW 28B.50.140 (10) and (14).

This rule is promulgated under the general rule-making authority of Whatcom Community College as authorized in RCW 28B.50.130 and [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 June 14, 1988.

By Patricia Hite
 Chairman

Reviser's note: The material contained in this filing will appear in the 88-16 issue of the Register as it was received after the applicable closing date for the issue for agency-typed material exceeding the volume limitations of WAC 1-12-035 or 1-13-035, as appropriate.

WSR 88-15-006
EMERGENCY RULES
DEPARTMENT OF LICENSING
 [Order PM 748—Filed July 8, 1988]

I, Theresa Anna Aragon, director of the Department of Licensing, do promulgate and adopt at the Highways-Licensing Building, Fourth Floor, Olympia, Washington, the annexed rules relating to fees and charges, new WAC 460-90A-145.

I, Theresa Anna Aragon, 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 filing of these rules as emergency rules is necessary in order to assure that there are rules covering the collection of fees during the course of registration under the Camping Resort Act (chapter 19.105 RCW). Recently enacted legislation, section 28, chapter 159, Laws of 1988, requires that the department set, by rule, a new schedule of registration fees, more in keeping with the expenditure of resources by the department in administering the chapter.

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

This rule is promulgated pursuant to section 18, chapter 159, Laws of 1988 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 July 7, 1988.

By Theresa Anna Aragon
 Director

NEW SECTION

WAC 460-90A-145 FEES AND CHARGES. The following fees shall be paid under the provisions of Chapter 19.105 RCW:

(1) **REGISTRATION FEES:** Applicants filing an original registration shall pay a basic fee of fifteen hundred dollars (\$1500.00).

(2) **CONTRACT FEES:** In addition to the registration fees, registrants shall pay fees for each grouping of contracts in the registration as provided in the following schedule:

1	-	500	\$ 350.00
501	-	1000	450.00
1001	-	1500	550.00
1501	-	2000	650.00
2001	-	2500	750.00
2501	-	3000	850.00
3001	-	3500	950.00
3501	-	4000	1050.00
4001	-	4500	1150.00
4501	-	5000	1250.00
5001	-	5500	1350.00
5501	-	6000	1450.00
6001	-	6500	1550.00
6501	-	7000	1650.00
7001	-	7500	1750.00
7501	-	8000	1850.00
8001	-	8500	1950.00
8501	-	9000	2050.00
9001	-	9500	2150.00
9501	-	10000	2250.00
10001	-		2350.00

(3) **RENEWAL FEES:** Each application for an annual renewal shall be accompanied by a fee of five hundred fifty dollars (\$550.00), plus the prescribed contract fees in section (2) of this rule for each grouping of contracts authorized in the permit to market.

(4) **FEES FOR AMENDING REGISTRATION AND PUBLIC OFFERING STATEMENTS:** (a) For each amendment of registration or the public offering statement, pursuant to RCW 19.105.420, not requiring an examination of documentation for adding campgrounds or additional contracts to the registration, a fee of fifty dollars (\$50.00) shall be paid. (b) Amendment for the establishment of an additional campground into the registration, for which an examination of documentation is required, there shall be paid, exclusive of any other fees owed under this rule, a fee of two hundred fifty dollars (\$250.00). A penalty fee of one hundred dollars

(\$100.00) shall be assessed and paid for failure to file an amendment within 30 days of the occurrence of a material change as defined in WAC 460-90A-017 or WAC 460-90A-018.

(5) **FEES FOR IMPOUNDS, ESCROWS, TRUSTS AND DEPOSITORIES:** For each impound, escrow, trust, or other arrangement requiring agency monitoring for purposes of satisfying the provisions of RCW 19.105.340, 19.105.350, Section 7, chapter 159 Laws of 1988 and Section 12, chapter 159 Laws of 1988, the initial fee for establishing the impound, escrow, trust or other arrangement shall be two hundred fifty dollars (\$250.00) and the fee for each required periodic report shall be twenty dollars (\$20.00).

(6) **FEES AND ADVERTISEMENT FILINGS:** (a) For each individual advertisement filed with the department, there shall be a fee of thirty dollars (\$30.00) paid at the time of the initial submission of the advertisement to the department. Should a registrant fail to submit a required filing of an advertisement or advertisements in a timely manner, the thirty dollar (\$30.00) fee for each advertisement shall be collected from the registrant, even if the advertisement or advertisements at issue are no longer in use or being disseminated. (b) Registrants or applicants submitting an advertisement or advertisements involving no examination of campground instruments and which are for the purpose of marketing surveys or feasibility studies shall pay a fee of seventy-five dollars (\$75.00).

(7) **INSPECTION FEES:** Applicants and registrants shall pay the costs of inspections conducted pursuant to Section 18, chapter 159 Laws of 1988. The inspection fee shall be paid within 30 days of request subsequent to the inspection. The inspection fee shall be determined by the actual cost to the department for conducting the inspection. The inspection fees must be paid prior to the processing of a registration, a renewal of registration or amendment seeking addition of a campground to a program.

(8) **SALESPERSON FEES:** Applicants for registration as camp resort salesperson shall pay an initial application and renewal fee of sixty dollars (\$60.00) and a fee of sixty dollars (\$60.00) for each transfer of the salespersons registration. Failure to renew a salesperson registration within 30 days after expiration shall result in termination of the registration and a new application for registration must be made.

(9) **FEES FOR EXEMPTIONS AND EXEMPTION APPLICATIONS:** For a review of an application for exemption under RCW 19.105.320(3), the applicant shall submit a fee of one hundred fifty dollars (\$150.00). If the exemption request is denied, the registrant shall be given credit for the one hundred fifty dollars (\$150.00) fee submitted toward the registration fee under section (1) of this rule.

(10) All fees are non-refundable after application has been received.

(11) All fees shall be paid to the order of the Washington State Treasurer.

WSR 88-15-007
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 88-52—Filed July 8, 1988]

I, Joseph R. Blum, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to personal use rules.

I, Joseph R. Blum, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is these regulations are adopted to concur with Pacific Fisheries Management Council to allow harvest of coho and chinook salmon.

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

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

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

APPROVED AND ADOPTED July 8, 1988.

By Sally J. Hicks
for Joseph R. Blum
Director

NEW SECTION

WAC 220-56-19000A SALTWATER SEASONS AND BAG LIMITS. Notwithstanding the provisions of WAC 220-56-190, effective immediately until further notice it is unlawful to fish for salmon in Punchcard Area 4, Pacific Ocean waters, and Washington waters west of the Buoy 10 line except as provided for in this section:

(1) In those waters north of a line projected due west from the mouth of the Queets River and west of the mouth of the Sekiu River:

(a) Open to salmon angling 12:01 a.m. July 3, 1988 until 11:59 p.m. September 5, 1988 or until 20,000 coho salmon are taken, or on a coast-wide basis north of Cape Falcon, Oregon, a combined total of 103,500 chinook salmon are taken by commercial and recreational fisheries.

(b) Bag Limit - 2 salmon except that only one chinook salmon may be retained per day. Minimum size limits: Chinook - 24 inches in length Coho - 16 inches in length.

(c) Gear Restrictions: It is unlawful to use any terminal gear other than gear with barbless single hooks.

(d) Closed from 6 to 200 nautical miles of shore.

(2) In those waters south of a line projected due west from the mouth of the Queets River, north of a line projected due west from Klipsan Beach (46 degrees, 28 minutes, 12 seconds north latitude):

WSR 88-15-008**PROPOSED RULES****DEPARTMENT OF LABOR AND INDUSTRIES**

[Filed July 8, 1988]

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 experience rating of the medical aid fund premium to be contained in chapter 296-17 WAC applicable to workers' compensation underwritten by the Department of Labor and Industries.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on July 22, 1988.

The authority under which these rules are proposed is RCW 51.04.020(1).

The specific statute these rules are intended to implement is RCW 51.16.035.

This notice is connected to and continues the matter in Notice No. WSR 88-09-073 filed with the code reviser's office on April 20, 1988.

Dated: July 8, 1988

By: Joseph A. Dear
Director**WSR 88-15-009****PROPOSED RULES****DEPARTMENT OF
SOCIAL AND HEALTH SERVICES****(Public Assistance)**

[Filed July 8, 1988]

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 maximum cost standards, amending WAC 388-42-150;

that the agency will at 10:00 a.m., Tuesday, August 23, 1988, in the Auditorium, OB-2, 12th and Franklin, Olympia, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on August 24, 1988.

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

The specific statute these rules are intended to implement is chapter 74.08 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before August 23, 1988.

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

Troyce Warner
Office of Issuances
Department of Social and Health Services
Mailstop OB-33H
Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact the Office of Issuances, State Office Building #2, 12th and Franklin,

(a) Open to salmon angling 12:01 a.m. July 3, 1988 until 11:59 p.m. September 5, 1988, or until 50,000 coho salmon are taken or, on a coast-wide basis north of Cape Falcon, Oregon, a combined total of 103,500 chinook salmon are taken by commercial and recreational fisheries, except that those waters south of a line due west of Leadbetter Point and north of a line due west from Klipsan Beach will remain closed through 12:01 a.m. July 11, 1988.

(b) Bag Limit - 2 salmon except that only one chinook salmon may be retained per day. Minimum size limits: Chinook - 24 inches in length Coho - 16 inches in length.

(c) Gear Restrictions: It is unlawful to use any terminal gear other than gear with barbless single hooks.

(d) Closed from 6 to 200 nautical miles of shore.

(3) In those waters south of a line due west from Klipsan Beach (as described in subsection (2) and north of Cape Falcon, Oregon:

(a) Open to salmon angling 12:01 a.m. July 11, 1988 until 11:59 p.m. September 5, 1988 or until 30,000 coho salmon are taken, or, on a coast-wide basis north of Cape Falcon, a combined total of 103,500 chinook salmon are taken by commercial and recreational fisheries, except as described in subsection (d).

(b) Bag Limit - 2 salmon except that only one chinook salmon may be retained per day. Minimum size limits: Chinook 24 inches in length Coho - 16 inches in length.

(c) Gear Restrictions: It is unlawful to use any terminal gear other than gear with barbless single hooks.

(d) Closed from 5 to 200 nautical miles of shore between Northhead (46 degrees, 18 minutes, 00 seconds north latitude) and Klipsan Beach (as described in subsection (2)); and closed from 3 to 200 nautical miles of shore between the Columbia River south jetty and Cape Falcon, Oregon; and closed at the mouth of the Columbia River in an area bounded on the north by a line extending for 200 nautical miles due west from Northhead along 46 degrees, 18 minutes, 00 seconds north latitude, then southerly to 46 degrees, 11 minutes, 06 seconds north latitude, then east to 124 degrees, 11 minutes, 00 seconds west longitude (Columbia River Buoy) then northeast along Red Buoy Line to the tip of the south jetty, except that within these waters it is lawful to angle from the bank only of the north jetty.

(4) In all areas provided for in subsections (1), (2) and (3) it is unlawful to fish for salmon from 12:01 a.m. Friday to 11:59 p.m. Saturday of each week.

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

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-56-19000Y SALTWATER SEASONS AND BAG LIMITS. (88-39)

Olympia, WA, phone (206) 753-7015 by August 9, 1988. The meeting site is in a location which is barrier free.

Dated: July 8, 1988
By: Leslie F. James, Director
Administrative Services

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045. Amending WAC 388-42-150.

Purpose of the Rule: To increase the mortuary, burial, funeral and cremation services standards by four percent.

Reason These Rules are Necessary: ESHB 1221 requires that it be done.

Statutory Authority: RCW 74.08.090.

Summary of the Rule or Rule Change: To increase the current amounts by four percent.

Person Responsible for Drafting, Implementation and Enforcement of the Rule: Susan Herring, Research Analyst 2, Division of Income Assistance, phone 753-4911, mailstop OB-31C.

This rule is not necessary as a result of federal law, federal court decision or state court decision.

AMENDATORY SECTION (Amending Order 2563, filed 12/2/87)

WAC 388-42-150 MAXIMUM COST STANDARDS.

- (1) Mortuary services—Actual costs, but not to exceed:
 - (a) Essential services only \$ ~~((263))~~ 273
 - (b) Essential services plus funeral/memorial service \$ ~~((602))~~ 626
- (2) Burial services—Actual costs, but not to exceed:
 - (a) Burial only, no plot included \$ ~~((329))~~ 342
 - (b) Burial with plot included,
 - single or multiple interment \$ ~~((380))~~ 395
- (3) Cremation services—Actual costs, but not to exceed:
 - (a) Cremation only \$ ~~((164))~~ 162
 - (b) Cremation and disposition \$ ~~((234))~~ 243
- (4) These standards include all applicable taxes.
- (5) These standards shall be effective ~~((September 1, 1987))~~ September 1, 1988.

WSR 88-15-010
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Order 2649—Filed July 8, 1988]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Medical care—Services provided, amending chapter 388-86 WAC.

This action is taken pursuant to Notice No. WSR 88-11-043 filed with the code reviser on May 13, 1988. 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 July 8, 1988.

By Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 1685, filed 7/29/81)

WAC 388-86-021 DENTURES. The department ~~((with))~~ shall provide to the extent of these rules dentures to recipients of medical assistance and the limited casualty program that includes only fabrication and fitting. All denture requests require prior approval except for the initial dentures and replacement of dentures more than five years old.

AMENDATORY SECTION (Amending Order 2594, filed 1/29/88)

WAC 388-86-050 INPATIENT HOSPITAL CARE. (1) The ~~((department))~~ division of medical assistance shall provide hospitalization for recipients under ~~((age))~~ sixty-five years of age and for recipients sixty-five years of age and over who have exhausted Medicare benefits. With exceptions and limitations in WAC 388-86-051 the recipient shall have free choice of hospitalization.

(2) The division of medical assistance shall require prior approval ~~((is required))~~ for nonemergent hospital admissions.

(3) The division of medical assistance shall certify hospital admission, length of stay, and/or services for all recipients.

(4) ~~((Department))~~ Length of stay:

(a) The division of medical assistance shall limit authorization for inpatient hospital care~~((:))~~:

(i) In hospitals excepted from the diagnosis-related group (DRG) based pricing system~~((, for eligible individuals shall be limited))~~:

(ii) To the number of days established at the 75th percentile in the 1983 edition of the publication Length of Stay in PAS Hospitals, by Diagnosis United States Western Region~~((:))~~; and

(iii) Unless prior contractual arrangements are made by the department for a specified length of stay.

(b) When hospitalization of a recipient exceeds the number of days as limited by this subsection, the hospital shall, within sixty days of the final service, submit to the ~~((local medical consultant))~~ central authorization unit (CAU) a request for approval of the extension:

(i) With adequate justification; and

(ii) Signed by the attending physician ~~((within sixty days of final service for approval of the extension))~~.

~~((a))~~ (5) The division shall cover eligible recipients ~~((are covered))~~ for involuntary admissions for acute psychiatric conditions ~~((up to a maximum of seventeen days under the Involuntary Treatment Act in hospitals certified as evaluation and treatment facilities. If an involuntarily committed recipient reverts to voluntary~~

~~status, PAS days are computed from day of admission and applied to any period exceeding the mandatory seventeen days. If PAS days are less than seventeen, the maximum of seventeen days will prevail)) and reimburse using the DRG payment methodology (see WAC 388-87-070).~~

~~((b))~~ (6) The department shall not pay for care in a private psychiatric hospital that has not been certified under Title XVIII. Authorization for admission of an eligible individual to a private psychiatric hospital shall be under the same conditions and program limitations as for treatment of psychiatric conditions in a general hospital.

~~((c))~~ (7) The department shall make Medicaid payment for care in a state mental institution for categorically needy and medically needy individuals under ~~((age))~~ twenty-one years of age and age sixty-five years of age and older.

~~((d))~~ (8) The department shall make Medicaid payments for care in an approved psychiatric facility for categorically needy and medically needy individuals under ~~((age))~~ twenty-one years of age.

~~((5))~~ (9) The department shall provide for hospitalization for the treatment of acute and chronic renal failure ~~(, except that)~~. The department shall pay only deductibles and coinsurance for a recipient:

(a) Who is a Medicare beneficiary; and

(b) Who is hospitalized for such treatment or for kidney transplant.

~~((6))~~ (10) The department shall not pay for ~~((the))~~ hospital days ~~((of Friday or Saturday if nonemergent hospital admissions are made on Friday or Saturday for))~~ prior to one day before scheduled surgery ~~((on Monday))~~.

~~((7))~~ (11) The department shall approve hospitalization of a recipient based on the recipient's need for semi-private accommodations and shall reimburse at the multiple occupancy rate, regardless of accommodations provided by the hospital. The department shall establish special rates for recipients covered by the Involuntary Treatment Act. Semi-private accommodations mean not less than two nor more than a four-bed room.

~~((8))~~ (12) The department shall cover medically necessary services provided in a hospital in connection with the care or treatment of teeth, jaws, or structures directly supporting the teeth if the procedure requires hospitalization. Services covered under this subsection shall be furnished under the direction of a physician or dentist.

AMENDATORY SECTION (Amending Order 1937, filed 1/12/83)

WAC 388-86-075 OUTPATIENT AND EMERGENCY CARE. (1) The department shall require no authorization ((is required)) for categorically needy or limited casualty program-medically needy recipients to receive outpatient service, ((acute and)) emergent outpatient surgical care, and other emergency care performed on an outpatient basis in a hospital. The provider shall present justification for the service ((must be presented)) with the request for payment.

(2) A recipient of the limited casualty program-medically indigent ~~((must))~~ shall have medical consultant approval for emergency room services.

AMENDATORY SECTION (Amending Order 2413, filed 8/21/86)

WAC 388-86-095 PHYSICIANS' SERVICES. The department shall purchase the services of physicians participating in the program on a fee-for-service or contract basis subject to the exceptions and restrictions listed as follows.

(1) The department shall provide physical examinations ((are provided)) for recipients related to federal programs under the following circumstances:

(a) For admission to skilled nursing facility if within forty-eight hours of admission or change of status from a private-pay to a medicaid-eligible patient~~((:));~~

(b) Given as a screening under the EPSDT program; see WAC 388-86-027~~((:));~~ and

(c) For physical examination not covered by medicaid, see the following:

(i) AFDC incapacity, see chapter 388-24 WAC~~((:));~~

(ii) Determination of whether an individual's health will or will not permit his return to his home, see chapter 388-28 WAC~~((:));~~

(iii) Request by the claimant or examiner in a fair hearing procedure, see chapter 388-08 WAC~~((:));~~

(iv) Foster home placement, see chapter 388-70 WAC~~((:));~~

(v) Adoptive home placement, see chapter 388-70 WAC~~((:));~~

(vi) Employability for WIN program, see chapter 388-24 WAC~~((:));~~

(vii) Incapacity for ~~((GAU))~~ GA-U program, see chapter 388-37 WAC.

(2) The department shall pay consultant or specialist fees for covered services ((shall be paid)) in accordance with local medical bureau practices with the following limitations:

(a) ~~((A fee for))~~ No consultation fee shall ((not)) be paid when the specialist subsequently performs surgery or renders treatment for which flat fees or fees-for-service accrue~~((:));~~ and

(b) On initial or subsequent visits for the purpose of establishing a diagnosis and when services of a specialist or consultant are required, payment shall be limited to not more than two such services.

(3) The department shall limit physicians' services ((are subject)) to the following ((limitations)):

(a) Two calls per month for payment for physicians' calls for nonemergent conditions in a skilled nursing facility or an intermediate care facility~~((, is limited to two calls per month))~~. The physician shall justify requests for payment for additional visits ((must be justified)) at the time the billing is submitted ((by the physician-:));

(b) One call per day for payment for hospital calls ((is limited to one call per day)). This is applicable to other than flat fee care~~((:));~~

(c) Individual outpatient psychotherapy shall be provided by a psychiatrist and is generally limited to one hour per month or equivalent combinations. Additional hours of outpatient psychotherapy require prior approval

and will be provided only when medically necessary. Except as described in WAC 388-86-067(1), the limits on physician calls set by subsection (4)(a) and (b) of this section also apply to outpatient psychotherapy((-)); and

(d) For limitations on out-of-state physicians' services see WAC 388-86-115.

(4) ~~((Nonemergent surgical procedures require prior approval except for:~~

~~(a) Minor surgery and diagnostic procedures performed in a physician's office;~~

~~(b) Other procedures listed in numbered memoranda published by the division of medical assistance)) Medically necessary surgical procedures not requiring hospitalization and performed in an outpatient setting do not require prior approval.~~

(5) The department shall consider cataract surgery ((is considered)) medically necessary when the following conditions exist:

(a) ~~((When))~~ Vision is 20/200 in the worse eye((-));

(b) ~~((When))~~ Vision is worse than 20/70, distant vision, and J-5 with +3.50, near vision, in better eye((-));

(c) When extenuating circumstances are present, such as employment requirements, need to drive, ((are present,)) and the vision is worse than 20/40, distant vision, in the better eye((-); or

(d) Other unusual circumstances.

(6) Cataract surgery shall require prior departmental approval except when conditions in subsections (5)(a) or (b) of this section are met.

(7) Contact lenses are considered medically necessary for certain medical conditions of the eyes, i.e., keratoconus, recurrent corneal erosions, other medical conditions where visual acuity either cannot be corrected with spectacles or there is a true therapeutic effect, i.e., transparent bandage effect, and when suffering from high refractive errors, over +6 or over -6 diopters.

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

WAC 388-86-09601 PODIATRIC SERVICES.

(1) The department shall provide medically necessary podiatric services ((shall be provided)) to include:

(a) Evaluation, diagnosis, and treatment of skin disease, infections, inflammation, ulcers, and symptomatic conditions such as bursitis, osteoarthritis and tendonitis((-);

(b) Reductions of fractures and dislocations, and treatment of sprains and strains((-);

(c) Surgery for structural and pathological ailments such as bunions, exostosis, hammertoes, neuromas, and ingrown toenails((-);

(d) Initial diagnostic services in connection with conditions whose subsequent treatment would be excluded as routine palliative care((-); and

(e) One visit every six months may be permitted for debridement and cutting of mycotic toenails.

(2) Elective surgery ((requires)) requiring hospitalization shall require prior approval ((of the medical director or designee)) through the central authorization

unit. Where less expensive, more conservative treatment is available, surgery will not be approved.

(3) The department shall exclude the following services ((shall be excluded)):

(a) Routine foot care that includes medically unnecessary removal of corns, warts, or calluses, trimming of nails and other hygienic and preventive care except as specified in subsection (4) of this section((-);

(b) Treatment of flat foot((-);

(c) Treatment undertaken to correct a subluxated structure of the foot as an isolated entity((-);

(d) Supportive devices for the feet, such as orthopedic shoes((-); and

(e) Procedures regarded as experimental.

(4) Where a person has a severe systemic condition that would result in circulatory embarrassment or desensitization in the legs or feet, the department may provide more frequent foot care ((may be provided)) when:

(a) The performance of such procedures by unskilled person might pose a hazard((-);

(b) The severity of the condition has been established by clinical or physical findings((-); and

(c) Such care has received prior approval of the medical director or designee.

AMENDATORY SECTION (Amending Order 2321, filed 12/27/85)

WAC 388-86-098 SPEECH THERAPY SERVICES. (1) The department shall provide speech therapy ((may be provided)) for conditions which are the result of medically recognized diseases and defects if medically necessary and otherwise covered by this program. Such conditions may include aphasia; sudden bilateral on-set of hearing loss; rapid progressive bilateral loss and post laryngectomy surgery. The therapist shall document medical necessity in the therapist's records.

(2) The department shall apply the following conditions ((apply)) to approval of speech therapy:

(a) ~~((The evaluation and/or treatment must have))~~ Prior approval requirements:

(i) All speech therapy for clients three years of age through twenty years of age requires prior approval; and

(ii) For clients under three years of age or twenty-one years of age and over, speech therapy, except for the evaluation and up to twelve sessions of speech therapy in a twelve-month period, requires prior approval.

(b) ((The fee for service must be agreed to in advance of therapy;

~~((c))~~ That the services ((must)) be performed by a speech pathologist ((who has been)) granted ((the)) a certificate of clinical competence by the American speech and hearing association, or who has completed the equivalent educational and work experience necessary for such a certificate; and

~~((d))~~ (c) The department reserves the right to limit the number of treatments based on professional judgment.

(3) Speech and language therapy is not provided under the limited casualty program.

WSR 88-15-011
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(General Provisions)

[Order 2650—Filed July 8, 1988]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to vital records fees, amending WAC 440-44-095.

This action is taken pursuant to Notice No. WSR 88-11-060 filed with the code reviser on May 17, 1988. 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 26.33.330 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 July 8, 1988.

By Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2199, filed 1/30/85)

WAC 440-44-095 VITAL RECORDS FEES. The ~~((fee for opening a sealed adoption file by court order))~~ department shall ~~((be fifteen dollars per file pursuant to RCW 26.33.330))~~ collect fees to cover program costs as follows:

- (1) To prepare a sealed file following amendment of the original vital record \$15.00
- (2) To review a sealed file \$15.00
- (3) The director of the division of health may enter into agreements with state and local government agencies to establish alternate fee schedules and payment arrangements for reimbursement of these program costs.

WSR 88-15-012
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Institutions)

[Order 2651—Filed July 8, 1988]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Impact account—Criminal justice cost reimbursement, amending chapter 275-110 WAC.

This action is taken pursuant to Notice No. WSR 88-12-090 filed with the code reviser on June 1, 1988. 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 72.72.040 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 July 8, 1988.

By Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 1682, filed 7/20/81)

WAC 275-110-050 MAXIMUM ALLOWABLE REIMBURSEMENT FOR LAW ENFORCEMENT COSTS. The department shall limit reimbursement ((is limited)) to the specific political subdivisions listed in WAC 275-110-040. The maximum reimbursement rates ((are: Twelve)) shall be seventeen dollars and ((thirty)) seventeen cents per hour for the period ((August 30, 1979)) July 1, 1988, through ((June 30, 1980; thirteen dollars and seventeen cents per hour for the period July 1, 1980, through May 31, 1981, fourteen dollars and fifty-one cents per hour for the period June 1, 1981, through June 30, 1982, and sixteen dollars per hour for the period July 1, 1982, through June 30, 1983)) June 30, 1989. These maximum allowable reimbursement rates may be exceeded only in the event that an exception is granted by the secretary as per WAC 275-110-100.

AMENDATORY SECTION (Amending Order 1682, filed 7/20/81)

WAC 275-110-060 MAXIMUM ALLOWABLE REIMBURSEMENT FOR PROSECUTORIAL COSTS. ((Reimbursement)) The department shall reimburse, at the rate set forth in WAC 275-110-050, for pretrial investigations of crimes committed inside or outside institutions, impacting the political subdivision courts as set forth in WAC 275-110-040((, shall be at the established rate for law enforcement efforts set forth in WAC 275-110-050)). If, after investigation, criminal charges are filed, the department may reimburse fully documented prosecutorial and defense attorney fees ((may be reimbursed)). Reimbursement shall not exceed the following rates for each attorney, said reimbursement to include costs for paralegals: ((Thirty)) Forty-two dollars and forty-nine cents per hour for the period ((August 30, 1979)) July 1, 1988, through ((May 31, 1981, thirty-six dollars per hour for the period June 1, 1981, through June 30, 1982, and thirty-nine dollars and sixty-nine cents per hour for the period July 1, 1982, through June 30, 1983)) June 30, 1989. These maximum allowable reimbursement rates may be exceeded only in the event that an exception is granted by the secretary as per WAC 275-110-100.

AMENDATORY SECTION (Amending Order 1682, filed 7/20/81)

WAC 275-110-070 MAXIMUM ALLOWABLE REIMBURSEMENT FOR JUDICIAL COSTS. (1) The department shall limit judicial costs ~~((shall be))~~ strictly ~~((limited))~~ to cases involving inmates of institutions listed in WAC 275-110-040 and to political subdivisions listed in WAC 275-110-040 except that witness (other than expert) and jury fees are further limited as provided in subsection (3) of this section. Reimbursement ~~((is))~~ shall be limited to judges, court reporters, transcript typing, and witness and jury fees.

(2) ~~((Reimbursement for))~~ The department shall reimburse judges hearing cases including services provided by court clerks and bailiffs ~~((shall be reimbursed))~~ at ~~((thirty))~~ forty-two dollars and fifty-nine cents per hour ~~((for the period August 30, 1979, through May 31, 1981, thirty-six dollars per hour for the period June 1, 1981, through June 30, 1982, and thirty-nine dollars and sixty-nine cents per hour))~~ for the period ~~((July 1, 1982))~~ July 1, 1988, through ((June 30, 1983)) June 30, 1989. Reimburse court reporters ~~((shall be reimbursed))~~ at the rate of ~~((twelve))~~ seventeen dollars and ((fifty)) seventy-five cents per hour ~~((for the period August 30, 1979, through May 31, 1981, fifteen dollars per hour for the period June 1, 1981, through June 30, 1982, and sixteen dollars and fifty-four cents))~~ for the period ~~((July 1, 1982))~~ July 1, 1988, through ((June 30, 1983)) June 30, 1989. Reimburse required typing of transcripts ~~((shall be reimbursed))~~ at ~~((two dollars and fifty cents per page for the period August 30, 1979, through May 31, 1981, three dollars per page for the period June 1, 1981, through June 30, 1982, and))~~ three dollars and ((thirty-one)) fifty-five cents per page for the period ((July 1, 1982)) July 1, 1988, through ((June 30, 1983)) June 30, 1989. If required, reimburse expert witnesses ~~((shall be reimbursed))~~ at ~~((thirty))~~ fifty-nine dollars ~~((per hour for the period August 30, 1979, through May 31, 1981, fifty dollars and sixty cents per hour for the period June 1, 1981, through June 30, 1982, and fifty-five dollars))~~ and seventy cents per hour for the period ~~((July 1, 1982))~~ July 1, 1988, through ((June 30, 1983)) June 30, 1989.

(3) Reimbursement for witness fees (other than expert) and jury fees shall be at the rate established by the local governmental legislative authority but not in excess of ~~((twenty-five))~~ twenty-six dollars and eighty-three cents per day. The department shall limit reimbursement of costs of witness (other than expert) and jury fees ~~((shall be limited))~~ to those criminal cases involving offenders residing in a state adult or juvenile correctional institution.

(4) These maximum allowable reimbursement rates may be exceeded only in the event that an exception is granted by the secretary as per WAC 275-110-100.

AMENDATORY SECTION (Amending Order 1682, filed 7/20/81)

WAC 275-110-080 MAXIMUM ALLOWABLE REIMBURSEMENT FOR JAIL FACILITIES. The department shall limit jail facility cost reimbursement

~~((shall be))~~ strictly ~~((limited))~~ to incremental costs as defined in WAC 275-110-020 and to political subdivisions listed in WAC 275-110-040. Requests for reimbursement ~~((must))~~ shall be fully documented and ~~((must))~~ shall include the inmate's name and all appropriate admission and release dates. Limit reimbursement ~~((shall be limited))~~ to ~~((three dollars and fifty cents per inmate day for the period August 30, 1979, through May 31, 1981, four dollars and twenty-one cents per inmate day for the period June 1, 1981, through June 30, 1982, and four))~~ five dollars and ((sixty-eight)) two cents per inmate day for the period ((July 1, 1982)) July 1, 1988, through ((June 30, 1983)) June 30, 1989. ~~((Reimbursement shall not be made))~~ The department shall not reimburse for costs incurred for holding persons regarding parole revocations or for holding persons involved in civil litigation. The department shall reimburse costs of providing security when inmates require hospitalization ~~((will be reimbursed))~~ at the rate of ~~((nine dollars per hour for the period August 30, 1979, through May 31, 1981, nine dollars and ninety-one cents per hour for the period June 1, 1981, through June 30, 1982, and ten))~~ eleven dollars and ((ninety-three)) seventy-three cents per hour for the period ((July 1, 1982)) July 1, 1988, through ((June 30, 1983)) June 30, 1989. These maximum allowable reimbursement rates may be exceeded only in the event that an exception is granted by the secretary as per WAC 275-110-100.

WSR 88-15-013
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2652—Filed July 8, 1988]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to General assistance—Eligibility—Standards of assistance—Payment, amending chapter 388-37 WAC.

This action is taken pursuant to Notice No. WSR 88-12-094 filed with the code reviser on June 1, 1988. 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 July 8, 1988.

By Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2259, filed 7/24/85)

WAC 388-37-110 DETERMINATION OF SEVERITY—GENERAL DEFINITIONS. (1) Severity of a medical impairment is defined as the degree to which an individual is restricted in ability to perform basic work-related activities as measured on a scale from one to five. The term medical impairment includes physical, mental, or emotional conditions and excludes alcoholism and drug addiction.

(2) Basic work-related activities are: Sitting, standing, walking, lifting, carrying, handling, seeing, hearing, communicating, and understanding and following instructions.

(3) The five severity ratings are defined as follows:

(a) A severity rating of "01" means no impairment has been identified by clear objective medical information. The ability to engage in the basic work-related activities is not restricted.

(b) A severity rating of "02" means a mild impairment exists which would not significantly interfere with the basic work-related activities.

(c) A severity rating of "03" means a moderate impairment exists, resulting in a significant interference with one or more of the basic work-related activities.

(d) A severity rating of "04" means a marked impairment exists, resulting in a very significant restriction of the ability to perform one or more of the basic work-related activities.

(e) A severity rating of "05" means the ability to perform one or more of the basic work-related activities is absent.

(4) One overall severity rating is determined for each individual based on an assessment of the severity of each diagnosed impairment and an assessment of whether the effect of multiple impairments significantly interferes with one or more basic work-related activities.

(a) Individuals with an overall severity rating of "01" or "02" shall be considered capable of gainful employment and shall not be eligible for GA-U, subject to the provisions in WAC 388-37-050(2).

(b) Individuals with an overall severity rating of "03" or "04" may or may not be incapacitated from gainful employment, depending on a further assessment of functional capacities and vocational factors.

(c) Individuals with an overall severity rating of "05" shall be considered incapacitated and eligible for GA-U.

(5) All decisions to deny incapacity based on the progressive evaluation process are subject to the provisions in WAC 388-37-050(2).

AMENDATORY SECTION (Amending Order 2259, filed 7/24/85)

WAC 388-37-130 PROGRESSIVE EVALUATION PROCESS STEP III—SEVERITY OF PHYSICAL IMPAIRMENTS. (1) If a physical impairment is claimed, the severity rating of the physical disorder shall be determined on the basis of current medical evidence which provides an objective description of an individual's medical condition.

(2) Each diagnosed impairment shall be assigned a severity rating based on the following method:

(a) The examining physician's estimated severity rating will be used when the following three conditions are met:

(i) The doctor's rating is substantiated by and is consistent with the medical evidence provided; and

(ii) The doctor's assessment of functional capacities is consistent with the given severity rating as defined in WAC 388-37-110; and

(iii) No evidence to the contrary exists either within the same evaluation or another current evaluation on the same individual.

(b) When the doctor has not assigned a severity rating or that rating does not meet the conditions in (2)(a) of this subsection, the department shall assign a rating based on the medical assessment of functional capacities in conjunction with the severity ratings as defined in WAC 388-37-110.

(3) Based on the severity rating of each physical impairment, a determination of incapacity will be made as follows:

(a) An individual with no diagnosed mental impairments rate "02" or higher, and with only one physical impairment rated no higher than "02," and whose overall ((functioning)) functional level appears consistent with the rating, shall not be eligible for GA-U((-));

(b) An individual with a severity rating of "05" for any impairment, who meets the time limits in WAC 388-37-030(1), is eligible for GA-U, provided the overall functioning level appears consistent with this rating((-));

(c) An individual with only one physical impairment with a severity of "03" or "04" and no significant mental impairment must be evaluated to determine how functional capacity is affected by the physical impairment((-));

(d) The effect of multiple significant physical impairments or a combination of significant mental and physical impairments will be determined according to WAC 388-37-140.

AMENDATORY SECTION (Amending Order 2525, filed 8/21/87)

WAC 388-37-140 PROGRESSIVE EVALUATION PROCESS STEP IV—MULTIPLE IMPAIRMENTS. (1) When an ((applicant)) individual has two or more ((than one)) diagnosed impairments, each of which is rated ((ⁿ03ⁿ)) at least "02" or ((ⁿ04ⁿ)) greater, but none rated "05," ((one)) the overall rating shall be determined as follows:

(a) Each diagnosis shall be classified according to body system based upon International Classification of Diseases (ICD), 9th revision((-));

(b) If all the diagnosed impairments are classified within the same body system, the overall severity rating will be equal to the highest rated impairment within that system((-));

(c) Severity ratings assigned for alcoholism or drug addiction shall not be considered in this process.

(2) If more than one body system is involved (including mental disorders), the overall severity will be determined by the following, using the highest rating from each body system:

(a) An individual with at least two moderate impairments or at least one marked and one moderate impairment is considered to have an overall severity rating of "04((-);)"

(b) An individual with at least two marked impairments is considered to have an overall severity rating of "05((-);)"

(c) An individual with no individual impairments rated moderate or marked, but who has two or more impairments individually rated mild, shall be considered to have an overall severity rating of "03" if the cumulative effect of these impairments significantly interferes with one or more basic work-related activities.

(3) Based on the overall severity rating, a determination of incapacity is made as follows:

(a) An individual with an overall severity rating of "05," who meets the time limits in WAC 388-37-030(1) is eligible for GA-U((-););

(b) Individuals with a severity rating of "03" or "04" must be evaluated to determine how their multiple physical and/or mental impairments affect their functional capacity;

(c) Individuals with a severity rating of "02" shall be considered capable of gainful employment and ineligible for GA-U as provided under WAC 388-37-110 (4)(a).

AMENDATORY SECTION (Amending Order 2259, filed 7/24/85)

WAC 388-37-160 PROGRESSIVE EVALUATION PROCESS STEP V—FUNCTIONAL CAPACITIES—PHYSICAL IMPAIRMENTS. For individuals with a physical impairment with an overall severity rating of "03" or "04," the department shall consider the effect of the physical impairment(s) on the ability to perform work-related activities. Functional capacities will be assessed on the basis of the individual's exertional, exertionally-related and nonexertional physical limitations. For any limitation to be considered, it must be substantiated by the medical evidence and directly related to the diagnosed impairment(s).

(1) Physical impairments which limit exertion are those which result in the restriction of activities such as standing, walking, lifting, and carrying. As defined in this section, ~~((occasional lifting))~~ occasionally means less than one-third of the time and ~~((frequent lifting))~~ frequently means one-third to two-thirds of the time. Levels of exertion are divided into the following four categories:

(a) Sedentary: A person is in this category when capable of lifting ten pounds maximum ~~((or severely restricted in ability to stand and/or walk for a total of six hours in an eight-hour work day))~~ and occasionally lifting and/or carrying such articles as dockets, ledgers, and small tools. Although a sedentary job is one which involves sitting, a certain amount of walking and standing is often necessary in carrying out job duties. Jobs are sedentary if walking and standing are only required occasionally and other sedentary criteria are met.

(b) Light: A person is in this category when capable of ~~((occasionally))~~ lifting twenty pounds maximum with frequent lifting and/or carrying of objects weighing up to ten pounds ~~((; or moderately restricted in ability to stand and/or walk for a total of six hours in an eight-hour work day))~~. Even though the weight lifted may be only a negligible amount, a job is in this category when it requires walking or standing to a significant degree, or when it involves sitting most of the time with a degree of pushing and pulling of arm and/or leg controls.

(c) Medium: A person is in this category when capable of ~~((occasionally))~~ lifting fifty pounds maximum with frequent lifting and/or carrying of objects weighing up to twenty-five pounds ~~((and is unrestricted or mildly restricted in ability to stand and/or walk for a total of six hours in an eight-hour day))~~.

(d) Heavy: A person is in this category when capable of ~~((occasionally))~~ lifting one hundred pounds ~~((or more,))~~ maximum with frequent lifting and/or carrying of objects weighing up to fifty pounds ~~((; and is unrestricted in ability to stand and/or walk a total of six hours in an eight-hour work day))~~.

(2) Physical impairments which may limit exertionally-related abilities are those which cause restrictions in mobility, agility or flexation, including balancing, handling, stooping, pulling, pushing, reaching, and sitting.

(3) Nonexertional physical limitations include any limitation not listed in subsections (1) and (2) of this section. These include, but are not limited to, sensory impairments, allergies, seizure disorders, etc., such as seeing, hearing, environmental restrictions, or ability to operate dangerous machinery.

(4) Based on an individual's physical exertional, exertionally-related and nonexertional limitations, an evaluation will be made of the individual's ability to perform relevant past work according to WAC 388-37-180.

AMENDATORY SECTION (Amending Order 2259, filed 7/24/85)

WAC 388-37-170 EVALUATION OF VOCATIONAL FACTORS FOR STEPS VI AND VII. (1) The vocational factors used in evaluating incapacity are age, education, ~~((and))~~ work experience, and transferrable skills.

(2) Vocational factors are considered only when an overall severity rating of an "03" or "04" has been determined.

(3) Educational factors refer primarily to formal schooling or other training which contributes to the individual's ability to meet vocational requirements. The following classifications are used when evaluating the educational level of an individual:

(a) Illiteracy refers to the inability to read or write. An individual who is able to sign his or her name, but cannot read or write a simple communication (e.g., instructions, inventory lists) is considered illiterate. Generally, an illiterate person has little or no formal schooling (six years or less).

(b) Limited education. Absent evidence to the contrary, a seventh grade through the eleventh grade of formal education is considered a limited education.

(c) High school education and above. Absent evidence to the contrary, these educational capacities qualify an individual for work at a semi-skilled through skilled level of job complexity. A general education equivalency degree (GED) falls into this category.

(4) Work experience.

(a) Work experience is evaluated to see if it constitutes relevant past work. Relevant past work is any work normally done for pay or profit in the past five years. To be "relevant," a job must have been done for a period long enough to show that the worker had the ability to do that type of work on an ongoing basis (i.e., at least thirty days for unskilled work; at least three months for semi-skilled work; at least six months for skilled work).

(b) Jobs held for very brief periods of time (less than thirty days), work done in a sheltered workshop or with other special considerations, and the duties of a student or housewife are not counted as relevant work experience.

(c) A job history which includes many jobs held for short periods of time, even though long enough to meet the time criteria for the skill level of the job, may or may not constitute relevant past work. Consideration must be given to the reasons for frequent job changes and the nature of the work or skill involved.

(5) Transferrable skills.

(a) Transferrable skills shall mean those skills acquired in performing skilled or semi-skilled work activities in past work which can be used to meet the requirements of skilled or semi-skilled work activities in other jobs or kinds of work. A person does not gain work skills by doing unskilled jobs.

(b) The client is presumed to have transferrable skills for other work in the same occupational area or in another occupational area in which:

(i) The same or lesser degree of skill is required; and

(ii) The same or similar equipment is used; or

(iii) The same or similar materials, products, processes, or services are involved.

(c) Make this determination based on a description by the client of the job performed using the following occupational areas as guidelines:

(i) Managerial and administrative;

(ii) Professional, paraprofessional, and technical;

(iii) Sales;

(iv) Clerical and administrative support;

(v) Service;

(vi) Agriculture, forestry, and fishing; and

(vii) Production, construction, maintenance, and material moving.

(d) There are degrees of transferability of skills, ranging from very similar to incidental similarity. A complete similarity of all three factors in subsection (5)(b) of this section is not necessary for transferability. However, skills which are so specialized or acquired in an isolated vocational setting may not be transferrable.

AMENDATORY SECTION (Amending Order 2259, filed 7/24/85)

WAC 388-37-190 PROGRESSIVE EVALUATION PROCESS STEP VII—ASSESSMENT OF CAPACITY TO PERFORM OTHER WORK. (1) Individuals with a severity rating of "03" or "04" whose incapacity has not yet been determined by Step VI, shall be assessed for possible referral for an administrative review.

(2) The department shall approve GA-U for individuals who have a significant physical limitation and:

(a) Are limited to sedentary work; or

(b) Are limited to light work, and are:

(i) Age fifty or older; or

(ii) Age thirty-five or older and cannot speak, read, or write English; or

(iii) Age eighteen or older, with less than a twelfth grade education and no relevant past work; or

(c) Are limited to medium work, and are age fifty or older, with less than a twelfth grade education and no relevant past work; or

(d) Can do heavy work and are age fifty-five or older.

(3) The department shall approve GA-U for individuals who have a significant mental impairment, and:

(a) Are age fifty or older and have at least a "moderate" limitation in the ability to relate appropriately to coworkers and supervisors and a "marked" limitation in the ability to respond appropriately to and tolerate the pressures and expectations of a normal work setting; or

(b) Are age eighteen to fifty-four and have a "severe" limitation in the ability to respond appropriately to and tolerate the pressures and expectations of a normal work setting; or

(c) Are age eighteen to forty-nine and have a severity rating of "04" and at least one of the twelve symptoms identified in WAC 388-37-120(3) listed as "severe" and have a "moderate" limitation in the ability to relate appropriately to coworkers and supervisors and a "marked" limitation in the ability to respond appropriately to and tolerate the pressures and expectations of a normal work setting.

(4) The department shall approve GA-U for the individual who has both a significant mental and a significant physical limitation when either of those impairments meet the criteria in subsections (2) and (3) of this section, except that:

(a) The age requirement in subsection (3)(a) of this section does not apply; and

(b) The individual may have relevant past work.

(5) All individuals who do not meet the criteria under subsection (2), (3), or (4) of this section (~~and who have either a significant mental or significant nonexertional physical impairment~~) shall have their incapacity determined by administrative review.

(a) This review will be performed by at least two departmental designees.

(b) Criteria for this review includes, but is not limited to, an assessment of all available medical information along with any vocational factors, including transferrable skills, which may (~~pose a barrier to~~) have an effect on employment.

(6) All individuals who do not meet the criteria under subsection (2), (3), (4), or (5) of this section are not considered incapacitated for GA-U.

WSR 88-15-014
RULES OF COURT
STATE SUPREME COURT

[July 11, 1988]

IN THE MATTER OF THE ADOPTION NO. 25700-A-418
 OF THE AMENDMENT TO RLD 5.7

The Washington State Bar Association having approved the proposed amendment to RLD 5.7 and the Court having determined that the amendment will aid in the prompt and orderly administration of justice and having further determined that an emergency exists which necessitates an early adoption; Now, therefore, it is hereby

ORDERED:

(a) That the amendment as attached hereto is adopted.

(b) That pursuant to the emergency provisions of GR 9(i), the amendment will be published expeditiously in the Washington Reports and will become effective upon publication.

DATED at Olympia, Washington this 7th day of July, 1988.

Vernon R. Pearson

Robert F. Utter	Andersen, J.
Robert F. Brachtenbach	Keith M. Callow
James M. Dolliver	Wm. C. Goodloe
Fred H. Dore	B. Durham

Rule 5.7
Costs and Expenses

(a) Assessment. [No change.]

(b) Costs Defined. [No change.]

(c) Expenses Defined. "Expenses" for the purposes of this rule shall mean a reasonable charge for attorney's fees and administrative costs. Expenses assessed pursuant to this rule may equal the actual expenses incurred by the Association, but in any case the following amounts shall conclusively be presumed reasonable:

(1) For a matter which becomes final without review by the Board, ~~\$350~~ **\$500**.

(2) For a matter which becomes final following Board review, without appeal to the Supreme Court, a total of ~~\$450~~ **\$750**.

(3) For a matter appealed to the Supreme Court, a total of ~~\$750~~ **\$1000**.

(d) Association To File Statement of Costs and Expenses. [No change.]

(e) Assessment. [No change.]

(f) Assessment in Matters Reviewed by the Supreme Court. [No change.]

(g) Waiver. [No change.]

(h) Payment of Costs and Expenses. [No change.]

(i) Failure To Comply. [No change.]

(j) Costs in Other Cases. [No change.]

Reviser's note: The brackets and enclosed material in the above material occurred in the copy filed by the Supreme Court and appear herein pursuant to the requirements of RCW 34.08.040.

WSR 88-15-015
RULES OF COURT
STATE SUPREME COURT

[July 11, 1988]

IN THE MATTER OF ADOPTION NO. 25700-B-214
 OF THE WASHINGTON STATE
 BAR ASSOCIATION'S BAR
 EXAMINATION FEE SCHEDULE

This matter having come on before the Court on its July 7, 1988, En Banc Administrative Conference on recommendation of the Washington State Bar Association, Board of Governors, pursuant to APR 2(a)(6), for approval of an increase in fees for the Washington State Bar Examination and establishment of an Application Form Fee. The Court having considered the proposal and supporting materials; Now, therefore, it is hereby

ORDERED:

That effective for the Washington State Bar Examinations beginning in the 1989 calendar year the exam fee structure is as follows:

	PRESENT EXAM FEE	1989 EXAM FEE
GENERAL APPLICANTS	\$300.00	\$350.00
ATTORNEY APPLICANTS	\$500.00	\$580.00
ETHICS ONLY APPLICANTS	\$ 75.00	\$125.00

That effective September 1, 1988, a \$10.00 fee is to be charged for an Application Packet.

DATED at Olympia, Washington this 7th day of July, 1988.

Vernon R. Pearson

Chief Justice

WSR 88-15-016
ADOPTED RULES
DEPARTMENT OF REVENUE
 [Order PT 88-10—Filed July 11, 1988]

I, William R. Wilkerson, director of Revenue, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Annual assessment—Procedure, amending WAC 458-50-070.

This action is taken pursuant to Notice No. WSR 88-12-084 filed with the code reviser on June 1, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 84.12.340 and is intended to administratively implement that statute.

This rule is promulgated pursuant to RCW 84.12.390 which directs that the Department of Revenue has authority to implement the provisions of RCW 84.12.340.

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 July 7, 1988.

By Steve L. Frisch
Assistant Director

AMENDATORY SECTION (Amending Order PT 75-2, filed 3/19/75)

WAC 458-50-070 ANNUAL ASSESSMENT—PROCEDURE. (1) In general. Annually between the fifteenth day of March and the first day of July the department shall proceed to list and value the operating property of each company subject to assessment by the department. The department shall prepare a report summarizing the information, factors and methods used in determining the tentative value of each such company (hereafter called "report of tentative value"). The department shall prepare an assessment roll upon which shall be placed after the name of each company a general description of the operating property of the company described in accordance with RCW 84.12.200(~~((17))~~) (16) and WAC 458-50-010, following which shall be entered the actual cash value as tentatively determined by the department.

(2) Notice of tentative value. On or before the thirtieth day of June, (for purposes of the 1988 assessment year only, such notice shall be given on or before the thirty-first day of July) the department shall notify each company by mail of the tentative valuation entered upon such assessment roll. At the time of making such notification, the department shall also transmit to the company the report of tentative value prepared by the department. Upon written request of a county assessor the department shall also transmit the report of tentative value to such assessor.

(3) Hearings.

~~((A))~~ (a) In general. Each company may petition the department for a hearing relating to the value of its operating property as tentatively determined by the department and to the value of other taxable properties in the counties in which its operating property is situated. Such petition shall be made in writing and filed with the department on or before the ninth day of July. (For purposes of the 1988 assessment year only, such petition must be filed on or before the ninth day of August.) The department shall appoint a time between the tenth and twenty-fifth days of July, (for purposes of the 1988 assessment year only, the time frame specified shall be between the tenth and twenty-fifth days of August) for the conduct of such hearing, which may be held in such

places throughout the state as the department may deem proper or necessary. Notice of the time and place of any or all hearings shall be given to any person upon request.

~~((B))~~ (b) The hearing shall be conducted by the director or by any employee or agent of the department designated by the director. A record of the proceedings shall be kept and shall be considered a public record. The hearing shall be recorded with a recording device and the recordings shall become a part of the record of the proceedings and considered a part of the public record. All records and documents presented at the hearing shall become a part of the record of the proceeding and shall be considered a part of the public record, except as provided in (c) of this subsection (~~((C))~~, below)).

~~((C))~~ (c) The hearing shall be open to the public, except (i) when the company proposes to offer in evidence information relating to its assessment if disclosure of such information to other persons would violate the company's right to privacy or would result in an unfair competitive disadvantage to such company; or (ii) when the department proposes to offer in evidence information which has been obtained pursuant to RCW 84.12.240 if the disclosure of such information to other persons would violate the company's right to privacy or would result in an unfair competitive disadvantage to such company. The hearing at this point shall be closed to the public unless the company consents to the proceeding remaining open to the public.

~~((D))~~ (d) Testimony recorded, and all records and documents of a confidential nature introduced, during the period when the hearing is closed to the public shall become a part of the record, but shall not be disclosed except upon order of a court of competent jurisdiction or upon consent of the company.

~~((E))~~ (e) Records of the proceedings shall be maintained for a period of seven years following the close of the hearing.

(4) Determination of final value. On or before the twentieth day of August, the department shall make a final determination of the true and correct actual cash value of each company's operating property appearing on the assessment roll. The department may raise or lower the value from that amount tentatively set pursuant to ~~((WAC 458-50-070))~~ this section: PROVIDED, That failure of a company to request a hearing shall not preclude the department from setting a final value higher or lower than that amount tentatively set pursuant to ~~((WAC 458-50-070))~~ this section: PROVIDED FURTHER, That where a company has not requested a hearing, the department shall not adopt a final value higher than that tentatively set except after giving five days written notice to the company. The department shall notify each company by mail of the final true and correct actual cash value as determined by the department.

WSR 88-15-017
ADOPTED RULES
DEPARTMENT OF LICENSING
 [Order PM 749—Filed July 11, 1988]

I, Theresa Anna Aragon, director of the Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to new section WAC 308-127-155 and repealing WAC 308-127-150.

This action is taken pursuant to Notice No. WSR 87-19-153 filed with the code reviser on September 23, 1987. 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 64.36.081 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 July 11, 1988.

By Theresa Anna Aragon
 Director

NEW SECTION

WAC 308-127-155 FEES. The following fees shall be paid under the provisions of chapter 64.36 RCW:

(1) Registration Application Fees.

(a) Applicants for registration of a start-up timeshare offering shall pay a registration fee of \$750.00.

(b) Applicants filing for registration of a start-up timeshare offering which has or will have more than a single timeshare project in the program shall pay a registration fee of \$750.00 for the first project in the program and \$250.00 for each additional project in the program.

(c) Applicants filing for registration of a start-up timeshare offering of intervals in personal property shall pay a registration fee of \$500.00 for the first unit of personal property in the program and \$50.00 for each additional unit of personal property placed in the program up to and including ten units and \$35.00 for each unit of personal property after the tenth unit.

(d) Applicants filing for registration of businesses listing or brokering resale intervals shall pay a registration fee of \$250.00.

(2) Interval Fees. In addition to the registration fees, registrants shall pay the following fees for intervals in the registration:

(a) No fee for the first 52 intervals;

(b) \$1.00 for each interval fifty-three (53) through four hundred (400);

(c) \$.50 (fifty cents) for each interval four hundred and one (401) through one thousand (1,000);

(d) No fee for intervals beyond the one thousandth interval;

(e) No interval fee for resale offerings. Instead, registrants of resale offerings shall file listings for sale inventories with the department once every calendar month

and registrants of resale offerings shall pay a fee of \$10.00 for each filing.

(3) Renewal fees.

(a) Registrants, whose programs consist of a single timeshare project and fifty two or fewer intervals, shall pay a renewal fee of \$150.00. The late renewal fee is \$350.00.

(b) Registrants, whose programs involve more than one timeshare project or include more than fifty two intervals, shall apply a renewal fee of \$350.00. The late renewal fee is \$550.00.

(c) Failure to renew within six months after the renewal date shall result in the termination of the registration and a new application for registration must be made, including payment of all fees for an original applicant.

(4) Consolidation Fees. A consolidation shall mean any adding of intervals, real estate or units of timeshared personal property to a program. Consolidations shall not be construed as amendments to the registration for purposes of determining fees under this rule.

(a) Registrants, whose registrations involve a single timeshare project shall pay a consolidation fee of \$150.00 for each grouping of fifty-two intervals or less being added to the program subsequent to initial registration.

(b) Registrants, whose registrations involve more than one timeshare project shall pay a consolidation fee of \$350.00 for each added timeshare project.

(c) Registrants, whose programs involve the timesharing of personal property, shall pay a consolidation fee of \$250.00 for each unit of personal property being added to the program.

(5) Fees for Exemptions. The granting of exemptions pursuant to RCW 64.36.020(4) shall be by an order from the director and shall issue only after the department has examined the petition for an exemption and any supporting documentation. The fee for petitioning for an exemption shall be \$150.00 for programs containing a single timeshare project and fifty-two or fewer intervals. For all other types of programs, the fee for petitioning for an exemption shall be \$250.00.

(6) Fees for Impounds, Escrows, Trusts, and Depositories. For each impound, escrow, trust, or other arrangement requiring a depository for purposes of satisfying the provisions of RCW 64.36.130, the initial establishment fee shall be \$250.00 and the fee for each required periodic report shall be \$10.00.

(7) Fees for Advertising.

(a) For each individual advertisement filed with the department, there shall be a fee of \$25.00 paid at the time of the initial submission of the advertisement to the department. Should a registrant fail to submit a required filing of an advertisement or advertisements or fail to file the advertisement or advertisements in a timely manner, the \$25.00 fee for each advertisement shall be collected from the registrant, even if the advertisement or advertisements at issue are no longer in use or being disseminated.

(b) Registrants or applicants submitting an advertisement or advertisements involving no examination of project instruments and which are for the purpose of

marketing surveys or feasibility studies shall pay a fee of \$75.00.

(8) Fees for Persons in the Business of Offering Commercial Promotional Programs.

(a) Applicants in the business of offering or selling commercial promotional programs as defined in RCW 64.36.010(3) shall pay a registration fee of \$300.00.

(b) All fees or funds of any description collected from persons in advance, in connection with delivery by the promisor of gifts, prizes, awards, or any other item of value shall be placed in a depository designated by the agency.

(c) A fee of \$250.00 shall be paid for the establishment of any impound, escrow, trust, depository, or other security device required under Section 13, chapter 370, Laws of 1987.

(9) Salespersons Fees. Applicants for registration as timeshare salespersons shall pay a registration fee of \$50.00 and a fee of \$25.00 for each renewal or transfer of the salesperson registration.

(10) Fees for Amending Registration and Public Offering Statement. For each amendment of registration or amendment of the public offering statement pursuant to WAC 308-127-040(2), a fee of \$10.00 shall be paid. A penalty fee of \$100.00 shall be assessed for failure to file an amendment within 20 days of the occurrence of a materially adverse change as defined in WAC 308-127-040(2).

(11) Inspection Fees. Applicants and registrants shall pay the cost of inspections conducted pursuant to Section 5, chapter 370, Laws of 1987. The inspection fees shall be paid prior to the granting of a registration, a renewal of registration or consolidation. The inspection fee shall be determined by the actual cost to the department for conducting of the inspection.

(12) All fees shall be paid to the order of the Treasurer, State of Washington.

REPEALER

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

WAC 308-127-150 APPLICATION OF FOUR DOLLARS PER INTERVAL FEE.

WSR 88-15-018
PROPOSED RULES
GAMBLING COMMISSION
[Filed July 11, 1988]

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 amending sections WAC 230-02-125, 230-20-325, 230-25-110, 230-25-120, 230-25-250, 230-40-010, 230-40-030 and 230-40-055; and new sections WAC 230-25-150 and 230-25-160;

that the agency will at 10:00 a.m., Friday, September 9, 1988, in the Red Lion Inn, Port Angeles, 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.

Dated: July 11, 1988
By: Ronald O. Bailey
Director

STATEMENT OF PURPOSE

Title: WAC 230-02-125 Adjusted net gambling receipts defined; 230-20-325 Manner of conducting a raffle; 230-25-110 Fund raising event—Use of equipment, lease or rental from licensee only; 230-25-120 Limits upon amount for rent, lease or similar payment for fund raising event; 230-25-150 Pull tabs at fund raising events—Authorized; 230-25-160 Pull tabs at fund raising events—Operational requirements—Limitations; 230-25-250 Operation of punchboards ((and pull tabs)) at a fund raising event prohibited; 230-40-010 Types of card games authorized; 230-40-030 Number of tables and players limited; and 230-40-055 Card tournaments for fee and prizes—Reporting requirements.

Description of Purpose: Permits specific deduction for determining net gambling receipts, authorizes pull tabs at fund raising events and establishes a new method of selling tickets for a raffle.

Statutory Authority: RCW 9.46.0217 and 9.46.070(14) for WAC 230-02-125; RCW 9.46.070 (8), (11) and (14) for WAC 230-20-325; RCW 9.46.070 (4) and (11) for WAC 230-25-110 and 230-25-120; RCW 9.46.070(11) for WAC 230-25-150, 230-25-160 and 230-25-250; RCW 9.46.070 (11) and (14) for WAC 230-40-010; and RCW 9.46.0281 and 9.46.070 (11) and (14) for WAC 230-40-030 and 230-40-055.

Summary of Proposed Rules and Reasons Supporting Action: WAC 230-02-125 permits specific deductions in determining the adjusted net gambling receipts; WAC 230-20-325 permits raffle tickets to be sold from a book whereby the purchaser determines the value of the tickets by erasing a square which will reveal the concealed price; WAC 230-25-110 adds pull tabs to the list of equipment that can be sold by a distributor to a fund raising event licensee; WAC 230-25-120 adds pull tab dispensing devices and scales to equipment to be rented from distributors; WAC 230-25-150 permits sale of pull tabs at a fund raising event; WAC 230-25-160 sets out the operational procedures to be utilized when pull tabs are sold at fund raising events; WAC 230-25-250 permits sale of pull tabs at a fund raising event; WAC 230-40-010 deletes the rummy card game Coon Can from the list of authorized games. It is a rummy game which is already authorized in subsection (5); WAC 230-40-030 permits 12 players at card tables; and WAC 230-40-055 clarifies the entry fee to a card tournament and how the operator is to report the use of the fee. Establishes reporting procedures for collecting the fees and recording the winners.

Agency Personnel Responsible for Drafting, Implementing and Enforcing the Rules: Ronald O. Bailey, Director and Frank L. Miller, Deputy Director, Jefferson Building, 1110 South Jefferson, Olympia, WA 98504, phone 234-1075 scan and 753-1075 comm.

Proponents and Opponents: Gambling Commission staff proposes these rule amendments and new rules.

Agency Comments: The agency believes the proposed amendments and new rules are self-explanatory and need no further comment.

These amendments and new rules were not made necessary as a result of federal law or federal or state court action.

Small Business Economic Impact Statement: This agency has determined there may be an economic impact upon a certain number of licensees administered by this agency by the adoption of these amendments or new rules.

AMENDATORY SECTION (Amending Order 161, filed 9/15/86)

WAC 230-02-125 ADJUSTED NET GAMBLING RECEIPTS DEFINED. "Adjusted net gambling receipts" means the combined income from all gambling activities that are compared to gross sales for determination of commercial stimulant compliance. Adjusted net gambling receipts are determined by deducting the following expenses from net gambling receipts, when they are supported by verifiable records and actually paid out during the period:

(1) Federal, state, and local taxes and fees, other than income taxes, directly relating to the gambling activity: Provided, That taxes and fees may be deducted using the accrual accounting method if all accounting records are normally maintained on the accrual method and notice is provided to the commission;

(2) The cost of one licensed card room employee to be on duty any time the activity is open for business: Provided, That the total cost allowed shall not exceed \$12.50 per hour of operation; ~~((and))~~

(3) The cost of providing a "pan" dealer as allowed by WAC 230-40-225: Provided, That the total cost allowed shall not exceed \$7.50 per hour of operation~~((:))~~; and

(4) The cost of punchboards, pull tabs, dispensing devices, cards, chips and card room furniture and fixtures actually used in conjunction with the gambling activity. Card room furniture and fixtures that cost in excess of one thousand dollars may be treated as a capital improvement for purposes of this rule.

(5) The actual cost of capital improvements and leasehold improvements to the licensed premises, less interest. Capital improvements shall include remodeling, updating, and other improvements to the licensed premises. Routine maintenance, cleaning, and painting shall not be treated as capital improvements. Provided, the cost for such improvements shall be amortized during a period of not less than two years. The licensee shall choose the period and report it on its quarterly report, along with copies of all receipts supporting the expenditure: Provided, the capital improvement deduction shall not exceed \$5,000 for any quarter.

AMENDATORY SECTION (Amending Order 75 [175], filed 3/15/88)

WAC 230-20-325 MANNER OF CONDUCTING A RAFFLE. All raffles shall be conducted by selling individual prenumbered tickets for not more than five dollars and awarding prizes by selecting winners by a random drawing from among all tickets sold. The following operating procedures apply:

(1) All tickets for use in any raffle shall be consecutively numbered and each ticket shall be accounted for separately in accordance with WAC 230-08-070. Raffle tickets sold to the general public shall have a stub or other detachable section bearing a duplicate number corresponding to the number on the ticket.

(2) All prizes available, whether cash or merchandise, and all rules by which such prizes may be won, including all costs to a participant, shall be disclosed to each participant. This information shall be printed upon each ticket sold, or shall be otherwise provided in writing to each purchaser at the time of sale and shall also include, but not be limited to, date and time of drawing, location of drawing, and name of organization conducting raffle.

(3) No person shall be required to pay, directly or indirectly, more than \$5.00 in order to enter any raffle. ~~((Each raffle ticket must be sold for the same price as every other raffle ticket being used for that particular raffle.))~~ No free tickets, or any opportunity to participate in the drawing of any raffle, shall be awarded or given to a person as a prize

or reward for selling raffle tickets or for purchasing a certain number of raffle tickets. No person shall be required to obtain more than one ticket or to pay for anything other than the ticket, in order to enter the raffle: Provided, That licensed raffles conducted among members of the organization only, may be conducted using alternative sales methods if specifically authorized by the commission. This authority will be issued on an individual basis and will require a detailed written request.

(4) Each raffle ticket must be sold for the same price as every other raffle ticket being used for that particular raffle. However, the sponsor may provide to a purchaser of a raffle ticket an opportunity to obtain by lottery a discount on such a ticket, including the opportunity to obtain that ticket free, but only if the sponsor maintains attached to each book of raffle tickets records so that income from the sale of tickets in that book can be audited.

(5) If an entrant is required to be present at a raffle drawing in order to be eligible for the prize drawing, then a statement setting forth this condition shall be set forth conspicuously on each raffle ticket and on all promotional material concerning the raffle. When the participant is not required to be present at the drawing the ticket stub or other detachable section(s) of the ticket shall contain the purchaser's name, complete address, and telephone number, and shall be maintained for a period of not less than three years from the end of the fiscal year in which the raffle was completed.

~~((5))~~ (6) In conducting a drawing in connection with any raffle, each ticket seller shall return to the licensee the stubs or other detachable section of all tickets sold. The licensee shall then place each stub or other detachable section of each ticket sold into a receptacle out of which the winning tickets are to be drawn. Such receptacle shall be designed so that each ticket placed therein has an equal opportunity with every other ticket to be the one withdrawn.

~~((6))~~ (7) The raffle license issued by the commission or a photo-static copy of the license shall be conspicuously posted and displayed at the location at all times during the occasion when a drawing is being conducted.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

AMENDATORY SECTION (Amending Order 81, filed 2/22/78)

WAC 230-25-110 FUND RAISING EVENT—USE OF EQUIPMENT, LEASE OR RENTAL FROM LICENSEE ONLY. Only those persons holding a valid license to sell or distribute punchboards, pull tabs, or pull tab dispensing devices shall be authorized to sell or lease gaming equipment and pull tabs to bona fide nonprofit or charitable organizations licensed to conduct fund raising events for use in connection with a licensed fund raising event. All rules and regulations of the commission relating to the sale or distribution of punchboards, pull tabs, or pull tab dispensing devices by such distributors, shall be likewise applicable to the sale or rental by them of gaming equipment and pull tabs for use in a licensed fund raising event, except to the extent such rules are inconsistent with the provisions of this section: Provided, ~~((That))~~ commission approval of such gaming equipment shall not be required, nor shall identification stamps be required for such equipment: Provided further, ~~((that))~~ a licensee to conduct fund raising events may sell, loan or rent equipment acquired for its own fund raising event to another such licensee without being licensed as a distributor.

No sale or rental of gaming equipment for use in a licensed fund raising event shall be transacted except on commercially reasonable terms established in the competitive market. All rentals shall be a lump sum or hourly rate, and shall not be based upon a percentage of the income or profit derived from the conduct of the fund raising event.

No licensee to conduct fund raising events shall purchase or rent gaming equipment except from another such licensee, or from a licensed distributor.

Any bona fide charitable or nonprofit organization licensed to conduct fund raising events may utilize such equipment, not otherwise prohibited by law or these regulations, as is owned or constructed by such licensee, or which is borrowed or leased from another bona fide charitable or nonprofit organization which has been licensed by the commission to conduct fund raising events.

No licensee to conduct fund raising events shall use, or permit the use of, equipment owned by it for any purpose other than the operation of licensed fund raising events, or other authorized gambling activities by the licensee: Provided, however, That the licensee may, within the twelve calendar month period following the conduct of the fund raising event for which it was licensed, loan or rent such equipment to another

bona fide charitable or nonprofit organization for use in conjunction with a licensed fund raising event.

AMENDATORY SECTION (Amending Order 146, filed 1/15/85)

WAC 230-25-120 LIMITS UPON AMOUNT FOR RENT, LEASE OR SIMILAR PAYMENTS FOR FUND RAISING EVENTS. Licensees shall not expend for rent or lease (or similar arrangements) of premises in which to hold a fund raising event, or for any equipment or service in connection with the fund raising event, an amount that exceeds the local prevailing or market price for such premises, equipment or service.

Maximum rental limits shall be:

(1) Premises and other goods or services: Not more than two hundred dollars for all, or any portion, of any twenty-four hour period.

This maximum fee shall include in addition to the use of the premises themselves any and all goods or services of any kind furnished by the person renting the premises to the licensee, or furnished by anyone with a substantial interest in, or immediate family relationship with, that person: Provided, That the limit shall not include (a) fees for gambling equipment which are governed by the maximums set out in (2) below; or (b) charges for food or drink to the licensee or patrons of the fund raising event when the purchase of such food or drink is not, directly or indirectly, a condition of rental of the premises and the licensee may elect to bring in food and drink from an outside source.

(2) Gambling devices and equipment:

(a) Not more than four hundred dollars from each licensee for all, or any portion of, the first twenty-four hour period for all gambling devices and related equipment to conduct the event, including, but not limited to, cards, dice, cash boxes, shoes, chips, non-coin operated pull tab dispensing devices, pull tab scales, delivery thereof and any schooling in its use. This limitation shall not apply to the sale of pull tabs.

(b) Not more than two hundred and twenty-five dollars from each licensee for each succeeding twenty-four hour period, or any portion thereof, for the same kinds of items set out in (a) above.

(3) Individual gambling station:

(a) Not more than thirty dollars for all of the equipment needed to set up each single specific gambling station (such as a single twenty-one table), except for a craps table or a roulette wheel station which shall not exceed \$55 or for a station showing horse racing films with advance betting on the outcome of the races which shall not exceed \$250, for the first twenty-four hour period, or any portion thereof, including, but not limited to, the equipment, delivery and schooling in its use, to an overall maximum for all items of \$400, for each licensee as set out in (2)(a) above.

(b) Not more than twenty dollars for each successive twenty-four hour period or any portion thereof, for the equipment needed to establish each single specific gambling station as set out in (a) above, to an overall maximum of \$225 for each licensee as set out in (2)(b) above.

(4) The maximum charges or limits set out in subsections (1) through (3) above include any amount paid to reserve the use of applicable premises, services or equipment.

No more than 50% of the total allowable fees or charges may be paid in advance of the event. Advance payment shall be made only by check which shall not be drawn or paid more than 90 days prior to the event.

The limits in subsections (2) and (3) above shall not apply to expenditures by the licensee for purchases outright, or construction by the licensee of, gambling equipment.

NEW SECTION

WAC 230-25-150 PULL TABS AT FUND RAISING EVENTS - AUTHORIZED. Pull tabs are authorized for use at fund raising events and shall be treated as conducted solely pursuant to the license to conduct a fund raising event. Except where superseded by WAC 230-25-160, all rules applicable to the operation of pull tabs set forth in chapter 230-30 WAC shall be applicable to pull tabs utilized at fund raising events.

NEW SECTION

WAC 230-25-160 PULL TABS AT FUND RAISING EVENTS - OPERATIONAL REQUIREMENTS - LIMITATIONS. (1) The following requirements shall be utilized in the sale of pull tabs at fund raising events.

(a) All pull tab series for use at fund raising events shall contain the inspection identification stamps and record entry labels and shall be

purchased for specific use at fund raising events and delivered to the licensee no earlier than 24 hours before the commencement of the event.

(b) Pull tabs shall only be sold out of the original shipping container or a non-coin operated dispensing device (clear container). Pull tab prices shall be equal to the price set by the manufacturer for each specific series. The maximum price for any pull tab shall not exceed fifty cents.

(c) Up to a maximum of three pull tab series may be out for play at one time. All pull tabs shall be sold from a booth or similar confined area which prohibits public access to the pull tabs;

(d) Each pull tab series shall constitute a separate table and have a separate number. Each series shall have a separate corresponding lock box, money paddle, chip rack for making change and payment of prizes, and a winners register. All currency, coin, or chips used to purchase pull tabs, shall immediately be placed in the corresponding lock box by the attendant(s) on duty. All change given back to players shall be in the form of chips or coin.

(e) All winning pull tabs shall be defaced when cashed in and deposited in the corresponding lock box. Winning pull tabs shall be paid in chips and coin only. Provided: winning pull tabs may be redeemed for additional tabs from the same series only. When a winning pull tab of \$5 or more is cashed, the attendant shall immediately delete that prize from the corresponding flare with a black marker. In addition, the attendant(s) shall fill out the winners register for prizes paid in excess of twenty dollars;

(f) When a series is removed from play, the series (including the flare), the corresponding lock box and chip rack shall be transported to the count room by a runner at which time the box shall be opened for tabulation. All monies collected, prizes paid and tabs sold shall be tabulated and recorded on the pull tab accounting report furnished by the Commission in accordance with the instructions attached to the accounting report.

(g) After completing the count, winning pull tabs shall be packaged separately or banded and placed with the unused portion of that particular series in the original shipping container. The organization must retain the used series for a period of one year; and

(h) At the completion of the fund raising event, all series still out for play shall be transported to the count room in accordance with paragraphs (g) and (h). All unopened pull tab series shall be returned to the licensed distributor who furnished the series for a full refund. Pull tabs may not be sold, or transferred to another licensee.

AMENDATORY SECTION (Amending Order 80, filed 12/28/77)

WAC 230-25-250 OPERATION OF PUNCHBOARDS ((AND PULL TABS)) AT A FUND RAISING EVENT PROHIBITED. No licensee to conduct a fund raising event shall operate punchboards ((and pull tabs)) as a part of that event.

AMENDATORY SECTION (Amending Order 161, filed 9/15/86)

WAC 230-40-010 TYPES OF CARD GAMES AUTHORIZED. The commission hereby authorizes the following card games to be played in public card rooms and social card rooms licensed by the commission:

(1) Poker.

Any poker game described in Hoyle's Modern Encyclopedia of Card Games, by Walter B. Gibson, published by Doubleday and Company, Inc., April 1974, 1st edition, pages 219 through 277 provided that only a maximum of five betting rounds per hand are permitted.

(2) Hearts.

(3) Pinochle.

(4) Cribbage.

(5) Rummy.

(6) Mah-jongg (tiles).

((7)) ~~Coon-Cam~~

((8)) (7) Pan.

((9)) (8) Pitch.

Card games not herein authorized are prohibited.

AMENDATORY SECTION (Amending Order 143, filed 1/9/85)

WAC 230-40-030 NUMBER OF TABLES AND PLAYERS LIMITED. (1) No licensee to allow a public card room on its premises shall allow more than five separate tables at which card games are played, nor shall allow more than ten players to participate at any one

table at any given time. Provided, class A, B, C, D, R, E1 and E2 licenses may allow up to twelve participants at any one table at any given time.

~~((2))~~ No licensee to allow a social card room on its premises shall allow more than ten players to participate at any one table at any given time.

~~(3))~~ (2) The commission may permit a licensee to exceed these limits on specific occasions for good cause shown. Requests to exceed the limit shall be submitted to the commission in writing not less than 30 days preceding the date upon which the licensee wishes to exceed the limit. The request shall indicate the date(s) involved, the reasons why the request is made, and the number of games and players in the games which the licensee desires to allow on that occasion.

AMENDATORY SECTION (Amending Order 160, filed 8/18/86)

WAC 230-40-055 CARD TOURNAMENTS FOR FEE AND PRIZES-REPORTING REQUIREMENTS. (1) A card tournament wherein a fee is charged to the participants and prizes are awarded to the winning players shall be licensed by the commission. Card room licensees with a Class A, B, or E license may conduct a card tournament for a fee without obtaining a card tournament license: Provided, That Class B licensees are limited to only those card games authorized under their licensing class. Card room licensees with a Class D or R license must first obtain a card tournament license before they can conduct a card tournament in which the players are charged a fee to enter. The licensee shall notify the commission ten days in advance of any card tournament where the players are charged a fee to enter. A card tournament shall not exceed ten consecutive calendar days.

(2) The fee for a player to enter a card tournament for prizes shall not exceed \$50.00, including all separate fees which might be paid by a player for various phases, ~~((or))~~ events of the tournament, food and drink offerings, and promotional material. The fee to enter a tournament and a description of all goods and services to be provided as a part of the tournament must be fully disclosed to each entrant prior to their paying such fee. Such disclosure must be posted conspicuously on the premises at the time payment is received and remain posted until the tournament is complete. This same information must be included in all advertisements for said tournament.

(3) All fees paid to enter a tournament shall be reported as gross gambling receipts: Provided, that if an operator prepares and provides food and drink items to all tournament entrants on the licensed premises as a part of their entry fee, the fair market value of the food and drink provided, not to exceed \$25.00 or 50% of the entry fee, which ever is greater, shall be treated as sales of food and drink for on premise consumption and not included as gross gambling receipts. Such sales, must be properly supported by records: Provided Further, that if an operator provides items promoting the tournament or licensed business, such as hats, t-shirts, etc., to all participants as a part of their entry fee, the actual cost of such items, supported by invoices and other such records, shall be deducted as prizes in determining adjusted net gambling receipts for compliance with WAC 230-12-075.

(4) In addition to the entry fee, a buy-in may be required. The total buy-in per player shall not exceed \$200.00 per tournament((:)) and may be either a single or multiple buy-in during the course of the tournament. A record of the buy-ins for each participant will be maintained by the licensee in a format provided by the commission. All buy-in funds are not gross gambling receipts and shall be returned to the participants in the form of prizes. Prizes from buy-ins are not deductible for commercial stimulant purposes.

~~((3))~~ (5) The chips used in card tournaments shall have no monetary value and may be redeemed only for prizes established by the licensee. The licensee may award prizes in excess of those entry fees collected as authorized in paragraph (2) above. The licensees actual cost for prizes awarded to the players may be deducted from the gross gambling receipts generated by the entry fees. ~~((4))~~ The licensee may adopt house rules to facilitate the operation of card tournaments: Provided, That all house rules must be submitted to the commission for approval and posted where all tournament participants can see and read the rules.

~~((5))~~ (6) The licensee shall maintain a record of all such fees collected and the number of participants for each tournament conducted. This information shall be entered in a format approved by the commission. The total gross gambling receipts for the tournament shall be entered on the card room daily control sheet for the time and date the tournament begins and the record of participants shall be attached and maintained with that daily control sheet.

~~((6))~~ (7) The licensee shall maintain a record of all prizes awarded to include the amount the licensed operator actually paid for each prize and the name and complete address of each winning participant((:)): Provided, the name and address of each participant receiving promotional items as set forth in paragraph (3) above shall not be required on the prize record. The record shall be attached to the daily control sheet used on the date the majority of the prizes are awarded.

WSR 88-15-019

ADOPTED RULES

GAMBLING COMMISSION

[Order 181—Filed July 11, 1988]

Be it resolved by the Washington State Gambling Commission, acting at Lynnwood, Washington, that it does adopt the annexed rules relating to amending sections WAC 230-04-260 and 230-08-260.

This action is taken pursuant to Notice No. WSR 88-11-070 filed with the code reviser on May 18, 1988. 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 9.46.070(14) 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 July 8, 1988.

By Ronald O. Bailey
Director

AMENDATORY SECTION (Amending Order 139, filed 12/12/83)

WAC 230-04-260 EFFECT OF EXCEEDING LICENSE CLASS INCOME LIMIT. (1) A licensee shall not exceed the class limit on annual gross or net receipts from the licensed activity.

(2) ~~((As soon as))~~ When it is apparent ((to a licensee)) that ((the)) any licensee's class limit ((or)) of annual gross or net receipts from licensed activity will be exceeded, ((it)) the licensee shall immediately notify the commission and shall apply for the license class which is proper, submitting the basic fee required ((therefor)) for the upgrade class less the amount originally submitted for the previous license, plus a change of classification fee required by WAC 230-04-201.

Any such additional license issued by the commission shall be valid only for the period which remains in the term of the previous license at the time such additional license is issued: Provided, that if the commission assigns a license class, or if a licensee voluntarily upgrades their license to comply with this subsection, and in either case operates at a level lower than the class assigned or requested, then the licensee shall be allowed to apply for a refund. The amount of refund shall be the difference between the fee for the licensed class.

(3) Any licensee failing to comply with the requirements set forth in paragraph (2) above and exceeds the license class limit within a present or previous license year, may be assessed an exceeding class fee not to exceed 50% of the difference between the present class fee and the new license class or \$1,000, whichever is less. Upon written notice by the Commission assessing an exceeding class fee, a licensee shall remit the proper fee plus all upgrade fees within 20 days. Failure to remit such fees may result in a summary suspension of all licenses held by the licensee pending a hearing for the suspension or revocation of such licenses.

AMENDATORY SECTION (Amending Order 147, filed 2/22/85)

WAC 230-08-260 FUND RAISING EVENTS—ACTIVITY REPORT REQUIRED. ~~((+))~~ Each ~~([organization licensed to conduct a fund raising event and each lead organization for a joint fund raising event,])~~ licensee for the operation of fund raising events ~~(+)~~ shall submit an activity report to the commission concerning the operation of the licensed activities and other matters set forth below for the period of each event.

~~(The report shall include among other items, the following information:~~

- ~~(a) Revenue per records for each gambling activity;~~
- ~~(b) Gross receipts and prizes paid for bingo, raffles, lotteries, and drawings;~~
- ~~(c) Adjustments to net receipts (i.e., discounts on foreign currency and cash over/short);~~
- ~~(d) Annual net receipts reconciliation (this item need not be completed on a joint event report submitted by the lead organization for the total event); and~~
- ~~(e) Full details of all expenses directly related to each event.~~

~~(2) Each participating licensee in a joint fund raising event shall submit a joint fund raising event supplemental report which shall include among other items, the following information:~~

- ~~(a) Percentage of adjusted net receipts and expenses per joint fund raising event agreement;~~
- ~~(b) Dollar amounts allocated to your organization for adjusted net receipts, expenses, and net income; and~~
- ~~(c) Annual net receipts reconciliation.~~

~~of the above reports))~~ The report form shall be furnished by the commission and the completed report shall be received in the office of the commission no later than 30 days following the authorized operating days or day.

The report shall be signed by the highest ranking executive officer or his designee. If the report is prepared by someone other than the licensee or his employee, then the preparer shall sign the report ~~((also))~~.

~~(The report shall be completed in accordance with the related instructions furnished with the report.)~~ The report shall include, among other items, the following information:

- (1) The gross receipts from each separate gambling activity;
- (2) Total cash prizes actually paid out and the total of the cost to the licensee of all merchandise prizes actually given out for each separate gambling activity;

- (3) The net receipts for each separate gambling activity;
- (4) The total net receipts;
- (5) Full details of all expenses directly related to each event. ~~((+))~~

WSR 88-15-020

ADOPTED RULES

SUPERINTENDENT OF PUBLIC INSTRUCTION

[Order 88-18—Filed July 11, 1988]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Olympia, Washington, the annexed rules relating to right to register and process complaints, WAC 392-171-761.

This action is taken pursuant to Notice No. WSR 88-12-016 filed with the code reviser on May 23, 1988. 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.13.070(7) 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 July 8, 1988.

By Frank B. Brouillet
Superintendent of Public Instruction

AMENDATORY SECTION (Amending Order 83-1, filed 3/30/83)

WAC 392-171-761 RIGHT TO REGISTER AND PROCESS COMPLAINTS. (1) Any person, entity, or organization may register and process complaints alleging one or more violations of this chapter as provided for in ~~((WAC 392-171-761(2) through 392-171-781~~ complaint issues involve alleged violations of established laws and regulations.

~~(2) If a parent (or adult student) has a complaint which constitutes a basis in whole or in part for initiation of a due process hearing pursuant to WAC 392-171-531, a citizen complaint by that same parent (or adult student) will be held in abeyance until the hearing has been concluded.~~

- ~~(3) Complaints shall:~~
 - ~~(a) Be written;~~
 - ~~(b) Be signed by the complaining party;~~
 - ~~(c) Set forth the specific acts, conditions, or circumstance alleged to be in violation of this chapter.~~

~~(4) The complaint may be directed to the school district alleged to be in violation or to the superintendent of public instruction.~~

~~If to the superintendent of public instruction, the complaint will be referred to the school district alleged to be in violation for action pursuant to WAC 392-171-766 through 392-171-781))~~ chapter 392-168 WAC.

WSR 88-15-021
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Health)

[Order 2639—Filed July 11, 1988]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to definitions, amending WAC 248-19-220.

This action is taken pursuant to Notice No. WSR 88-11-057 filed with the code reviser on May 17, 1988. 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 70.38.135 which directs that the Department of Social and Health Services has authority to implement the provisions of chapter 70.38 RCW.

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

APPROVED AND ADOPTED June 28, 1988.

By Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2344, filed 2/28/86)

WAC 248-19-220 DEFINITIONS. For the purposes of chapter 248-19 WAC, the following words and phrases shall have the following meanings unless the context clearly indicates otherwise.

(1) "Acute care facilities" means hospitals and ambulatory surgical facilities.

(2) "Advisory review agencies" means the appropriate regional health council and, in the case of hospital projects, the hospital commission.

(3) "Affected persons" means:

(a) The applicant(;;);

(b) The regional health council for the health service area where the proposed project is to be located(;;);

(c) Regional health councils serving contiguous health service areas(;;);

(d) Health care facilities and health maintenance organizations providing services similar to the services under review and located in the health service area (~~where the project is proposed to be located providing services similar to the services under review;~~);

(e) Third-party payers reimbursing health care facilities in the health service area;

(f) Any agency establishing rates for health care facilities and health maintenance organizations in the health service area where the proposed project is to be located;

(g) Health care facilities and health maintenance organizations(;;) which have, in the twelve months prior to receipt (~~by the department of the proposal being reviewed, have formally indicated an intention~~) of the

application, submitted a letter of intent to provide similar services (~~in the future, third-party payers reimbursing health care facilities for services in the health service area where the project is proposed to be located, any agency establishing rates for health care facilities or health maintenance organizations located in the health service area where the project is proposed to be located;~~);

(h) Any person residing within the geographic area (~~(served or)~~) to be served by the applicant(;;); and

(i) Any person regularly using health care facilities within (that) the geographic area to be served by the applicant.

(4) "Ambulatory care facility" means any place, building, institution, or distinct part thereof not a health care facility as defined in this section and operated for the purpose of providing health services to individuals without providing such services with board and room on a continuous twenty-four-hour basis. The term "ambulatory care facility" includes the offices of private physicians, whether for individual or group practice.

(5) "Ambulatory surgical facility" means a facility, not a part of a hospital, providing surgical treatment to patients not requiring inpatient care in a hospital. This term does not include a facility in the offices of private physicians or dentists, whether for individual or group practice, if the privilege of using such facility is not extended to physicians or dentists outside the individual or group practice.

(6) "Applicant," except as used in WAC 248-19-390, means any person proposing to engage in any undertaking subject to review under the provisions of chapter 70.38 RCW (~~and federal law~~).

"Applicant," as used in WAC 248-19-390, means any person or individual with a ten percent or greater financial interest in a partnership or corporation or other comparable legal entity engaging in any undertaking subject to review under the provisions of chapter 70.38 RCW (~~and federal law~~).

(7) (~~"Annual implementation plan" means a description of objectives which will achieve goals of the regional health plan and specific priorities among the objectives. The annual implementation plan is for a one-year period and must be reviewed and amended as necessary on an annual basis.~~

(8) ~~"Board" means the Washington state board of health.~~

(9) "Capital expenditure" means an expenditure, including a force account expenditure (i.e., an expenditure for a construction project undertaken by a facility as its own contractor), which, under generally accepted accounting principles, is not properly chargeable as an expense of operation or maintenance. Where a person makes an acquisition under lease or comparable arrangement, or through donation, which would have required certificate of need review if the acquisition had been made by purchase, such acquisition shall be deemed a capital expenditure. Capital expenditures include donations of equipment or facilities to a health care facility, which if acquired directly by such facility, would be subject to review under the provisions of this chapter and transfer of equipment or facilities for less

than fair market value if a transfer of the equipment or facilities at fair market value would be subject to such review.

~~((10))~~ (8) "Certificate of need" means a written authorization by the secretary's designee for a person to implement a proposal for one or more undertakings.

~~((11))~~ (9) "Certificate of need program" means that organizational program of the department responsible for the management of the certificate of need program.

~~((12))~~ (10) "Commencement of the project" means whichever of the following occurs first: In the case of a construction project, giving notice to proceed with construction to a contractor for a construction project; beginning site preparation or development; excavating or starting the foundation for a construction project; or beginning alterations, modification, improvement, extension, or expansion of an existing building. In the case of major medical equipment, installation. In the case of other projects, initiating a new institutional health service.

~~((13))~~ (11) "Construction" means the erection, building, alteration, remodeling, modernization, improvement, extension, or expansion of a physical plant of a health care facility, or the conversion of a building or portion thereof to a health care facility.

~~((14))~~ (12) "Council" means the state health coordinating council established under the provisions of chapter 70.38 RCW and federal law.

~~((15))~~ (13) "Days~~(, except when called "working days,)"~~" means calendar days. Days are counted ~~((by beginning with))~~ starting the day after the date of the ~~((act,))~~ event~~(, or occurrence)~~ from which the designated period of time begins to run. If the last day of the period ~~((so counted should))~~ falls on a Saturday, Sunday, or legal holiday observed by the state of Washington, a designated period shall run until the end of the first working day following the Saturday, Sunday, or legal holiday.

"Working days" exclude all Saturdays ~~((and)),~~ Sundays, ~~((January 1st, February 12th, the third Monday in February, the last Monday of May, July 4th, the first Monday in September, November 11th, the fourth Thursday in November, the day immediately following Thanksgiving day, and December 25th))~~ and legal holidays observed by the state of Washington. Working days are counted ~~((by beginning with the first working day after the date of the act, event, or occurrence from which a designated period of time begins to run))~~ in the same way as calendar days.

~~((16))~~ (14) "Department" means the Washington state department of social and health services.

~~((17))~~ (15) "Ex parte contact" means any oral or written communication between any person in the certificate of need program or any other person involved in the decision ~~((respecting))~~ regarding an application for, or the withdrawal of, a certificate of need and the applicant for, or holder of, a certificate of need, ~~((a))~~ any person acting on behalf of the applicant or holder, or any person with an interest regarding issuance or withdrawal of a certificate of need.

~~((18))~~ (16) "Expenditure minimum" means one million dollars for the twelve-month period beginning

with July 24, 1983, adjusted annually by the department according to the provisions of chapter 248-156 WAC ~~((; or a lesser amount as required by federal law as necessary to the receipt of federal funds by the state)).~~

~~((19))~~ "Federal law" means P.L. 93-641 as amended or its successor.

~~((20))~~ (17) "Health care facility" means hospitals, psychiatric hospitals, tuberculosis hospitals, nursing homes, both skilled nursing facilities and intermediate care facilities, kidney disease treatment centers including freestanding dialysis units, ambulatory surgical facilities, rehabilitation facilities, hospices and home health agencies, and includes such facilities when owned and operated by the state or a political subdivision or instrumentality of the state and such other facilities as required by federal law and implementing regulations, but does not include Christian Science sanatoriums operated or listed and certified by the First Church of Christ Scientist, Boston, Massachusetts. In addition, the term does not include any nonprofit hospital:

(a) Operated exclusively to provide health care services for children;

(b) Which does not charge fees for such services;

(c) Whose rate reviews are waived by the state hospital commission; and

(d) If not contrary to federal law as necessary to the receipt of federal funds by the state.

~~((21))~~ (18) "Health maintenance organization" means a public or private organization, organized under the laws of the state, which:

(a) Is a qualified health maintenance organization under Title XIII, Section 1310(d) of the Public Health Service Act; or

(b)(i) Provides or otherwise makes available to enrolled participants health care services, including at least the following basic health care services: Usual physician services, hospitalization, laboratory, x-ray, emergency and preventive services, and out-of-area coverage;

(ii) Is compensated (except for copayments) for the provision of the basic health care services listed in subsection (21)(b)(i) of this section to enrolled participants by a payment which is paid on a periodic basis without regard to the date the health care services are provided and which is fixed without regard to the frequency, extent, or kind of health service actually provided; and

(iii) Provides physicians' services primarily:

(A) Directly through physicians who are either employees or partners of such organization, or

(B) Through arrangements with individual physicians or one or more groups of physicians (organized on a group practice or individual practice basis).

~~((22))~~ (19) "Health service area" means a geographic region appropriate for effective health planning including a broad range of health services and a population of at least four hundred fifty thousand persons and is the basic subdivision for regional health councils.

~~((23))~~ (20) "Health services" means clinically related (i.e., preventive, diagnostic, curative, rehabilitative, or palliative) services and includes alcoholism, drug abuse, and mental health services.

~~((24))~~ "Health systems agency" means a regional health council as defined in subsection (43) of this section. This term is defined in RCW 70.38.025.

~~(25)~~ "Health systems plan" means a regional health plan as defined in subsection (44) of this section. This term is defined in RCW 70.38.025.

~~((26))~~ (21) "Home health agency" means an entity ((providing home health services as defined in subsection (27) of this section.

~~(27)~~ "Home health services" means the provision of nursing services along with at least one other therapeutic service or with a supervised home health aide service to ill or disabled persons in their residences, as approved by a physician. The term does not include:

(a) Therapeutic services not in conjunction with nursing services, and nursing services not in conjunction with therapeutic services.

(b) A registry or referral service for nurses not acting in conjunction with therapists or others, or for therapists or others not acting in conjunction with nurses.

(c) Essentially nonhealth services, such as chore services, homemaking services, sitting services, and social services.

~~(d)~~ The services provided by a hospice as defined in subsection (28) of this section)) which is, or is to be, certified as a provider of home health services in the Medicaid or Medicare program. A home health agency, issued a certificate of need as a new health care facility, is not required to obtain additional certificate of need approval if Medicare or Medicaid certification has not been received by XXXXX.

~~((28))~~ (22) "Hospice" means ((any public or private entity, center, institution, or distinct part or parts thereof certified or to be certified as a hospice provider in the Medicare program or licensed or certified by the state of Washington to provide hospice services or providing a coordinated program of home and inpatient services for the terminally ill. Services provided by a hospice are primarily palliative and supportive rather than curative in nature, including bereavement care to the family after the patient's death, and provided by an interdisciplinary team. The services are designed to meet the physiological, psychological, social, and spiritual needs of the patient and his or her family)) an entity which is, or is to be, certified as a provider of hospice services in the Medicaid or Medicare program. A hospice, issued a certificate of need as a new health care facility, is not required to obtain additional certificate of need approval if Medicare or Medicaid certification has not been received by XXXXX.

~~((29))~~ (23) "Hospital" means any institution, place, building or agency or distinct part thereof which qualifies or is required to qualify for a license under chapter 70.41 RCW, or any state-owned and operated institution primarily engaged in providing to inpatients, by or under the supervision of physicians, diagnostic services and therapeutic services for medical diagnosis, treatment and care of injured, disabled, or sick persons, or rehabilitation services of injured, disabled, or sick persons. Such term includes tuberculosis hospitals but does not include psychiatric hospitals.

~~((30))~~ (24) "Hospital commission" means the Washington state hospital commission established pursuant to chapter 70.39 RCW.

~~((31))~~ (25) "Inpatient" means a person receiving health care services with board and room in a health care facility on a continuous twenty-four-hour-a-day basis.

~~((32))~~ (26) "Institutional health services" means health services provided in or through health care facilities and entailing "annual operating costs" of at least five hundred thousand dollars for the twelve-month period beginning with July 24, 1983, and adjusted annually by the department according to the provisions of chapter 248-156 WAC((, or a lesser amount as required by federal law and established by the department by rule)); the "annual operating costs" are to include all additional costs that will be incurred as a result of the initiation of the service. This would include all direct costs and any incremental increases in ancillary and support services.

~~((33))~~ (27) "Intermediate care facility" means any institution or distinct part thereof certified as an intermediate care facility for participation in the Medicaid (Title XIX of the Social Security Act) program.

~~((34))~~ (28) "Kidney disease treatment center" means any place, institution, building or agency or a distinct part thereof equipped and operated to provide services, including dialysis and/or kidney transplantation, to persons who have end-stage renal disease.

~~((35))~~ (29) "Major medical equipment" means a single unit of medical equipment or a single system of components used for the provision of medical and other health services and ((costing)) which costs in excess of one million dollars, adjusted by the department according to the provisions of chapter 248-156 WAC((, or a lesser amount as required by federal law and established by the department by rule)). Such term does not include dental equipment or medical equipment acquired by or on behalf of a clinical laboratory to provide clinical laboratory services if the clinical laboratory is independent of a physician's office and a hospital, and the clinical laboratory has been determined under Title XVIII of the Social Security Act to meet the requirements of paragraphs (10) and (11) of section 1861(s) of such act. If the equipment is acquired for less than fair market value, the term "cost" includes the fair market value.

~~((36))~~ (30) "May" means an act is permitted, but not required.

~~((37))~~ (31) "Nursing home" means any home, place, institution, building or agency or distinct part thereof operating or maintaining facilities providing convalescent or chronic care, or both, for a period in excess of twenty-four consecutive hours for three or more patients not related by blood or marriage to the operator, who, by reason of illness or infirmity, are unable properly to care for themselves. Convalescent and chronic care may include, but not be limited to, any or all procedures commonly employed in waiting on the sick, such as administration of medicines, preparation of special diets, giving of bedside nursing care, application of dressings and bandages, and carrying out of treatment prescribed by a duly licensed practitioner of the healing

arts. ~~((The term—))~~ Nursing home^(#) includes any such entity owned and operated by the state or licensed or required to be licensed under the provisions of chapter 18.51 RCW and any other intermediate care facility or skilled nursing facility as these terms are defined in this section. ~~((The term—))~~ Nursing home^(#) does not include: General hospitals or other places providing care and treatment for the acutely ill and maintaining and operating facilities for major surgery or obstetrics or both; psychiatric hospitals as defined in this section; private establishments, other than private psychiatric hospitals, licensed or required to be licensed under the provisions of chapter 71.12 RCW; boarding homes licensed under the provisions of chapter 18.20 RCW; or any place or institution operated to provide only board, room, and laundry to persons not in need of medical or nursing treatment or supervision.

~~((38))~~ (32) "Obligation," when used in relation to a capital expenditure, means the following has been incurred by or on behalf of a health care facility:

(a) An enforceable contract has been entered into by a health care facility or by a person ~~((proposing such capital expenditure))~~ on behalf of the health care facility for the construction, acquisition, lease, or financing of a capital asset; or

(b) A formal internal commitment of funds by a health care facility for a force account expenditure constituting a capital expenditure; or

(c) In the case of donated property, the date on which the gift is completed in accordance with state law.

~~((39))~~ (33) "Offer," when used in connection with health services, means the health facility provides or holds itself out as capable of providing or as having the means for the provision of one or more specific health services.

~~((40))~~ (34) "Person" means an individual, a trust or estate, a partnership, a corporation (including associations, joint stock companies, and insurance companies), the state, or a political subdivision or instrumentality of the state, including a municipal corporation or a hospital district.

~~((41))~~ (35) "Predevelopment expenditures" means capital expenditures, the total of which exceeds the expenditure minimum, made for architectural designs, plans, drawings, or specifications in preparation for the acquisition or construction of physical plant facilities. "Predevelopment expenditures" exclude any obligation of a capital expenditure for the acquisition or construction of physical plant facilities and any activity which may be considered the "commencement of the project" as this term is defined in this section.

~~((42))~~ (36) "Project" means ~~((any and))~~ all undertakings ~~((which may be or are))~~ proposed in a single certificate of need application or for which a single certificate of need is issued.

~~((43))~~ (37) "Psychiatric hospital" means any institution or distinct part thereof primarily engaged in providing to inpatients, by or under the supervision of a physician, psychiatric services for the diagnosis and

treatment of mentally ill persons and licensed or required to be licensed under the provisions of chapter 71.12 RCW, or is owned and operated by the state or by a political subdivision or instrumentality of the state.

~~((44))~~ (38) "Regional health council" means a public or private nonprofit corporation organized in a manner consistent with the laws of the state and capable of performing each of the functions described in RCW 70.38.085. This term includes health systems agencies.

~~((45))~~ (39) "Regional health plan" means a document providing at least a statement of health goals and priorities for the health service area. In addition, the plan sets forth the number, type, and distribution of health facilities, services, and manpower needed within the health service area to meet the goals of the plan. The regional health plan is produced by the regional health council.

~~((46))~~ (40) "Rehabilitation facility" means an inpatient facility operated for the primary purpose of assisting in the rehabilitation of disabled persons through an integrated program of medical and other health services provided under competent professional supervision.

~~((47))~~ (41) "Secretary" means the secretary of the Washington state department of social and health services or his or her designee.

~~((48))~~ (42) "Shall" means compliance is mandatory.

~~((49))~~ (43) "Skilled nursing facility" means any institution or distinct part thereof certified as a skilled nursing facility for participation in the Medicare (Title XVIII) or Medicaid (Title XIX) program.

~~((50))~~ (44) "State health plan" means a document ~~((described in Title XV of the Public Health Service Act.))~~ developed by the department and the council in accordance with RCW 70.38.065.

~~((51))~~ (45) "State Health Planning and Resources Development Act" means chapter 70.38 RCW.

~~((52))~~ (46) "Undertaking" means any action ~~((which, according))~~ subject to the provisions of chapter 248-19 WAC ~~((; is subject to the requirements for a certificate of need or an exemption from the requirements for a certificate of need.))~~

Note:

¹Therapeutic services include medical social services, home health aide services, physical therapy services, speech therapy services, occupational therapy services, and respiratory therapy services).

WSR 88-15-022

**NOTICE OF PUBLIC MEETINGS
CONVENTION AND TRADE CENTER**

[Memorandum—July 11, 1988]

A retreat of the board of directors of the Washington State Convention and Trade Center (WSCTC) will be held at the Salish Lodge at Snoqualmie Falls, commencing at 2:00 p.m. on Thursday, July 14, 1988, and at 8:30 a.m., on Friday, July 15. The purpose of the retreat is to discuss WSCTC policies and take appropriate actions regarding marketing and booking of the facility, budget, personnel matters including reappointments, status of current construction, conversion and expansion

plans, and operations. The board will go into executive session on occasion to confer with legal counsel, to discuss real estate negotiations and to consider personnel issues.

WSR 88-15-023

ADOPTED RULES

HIGHER EDUCATION PERSONNEL BOARD

[Order 170—Filed July 12, 1988]

Be it resolved by the Higher Education Personnel Board, that it does adopt the annexed rules relating to:

Amd WAC 251-08-100 Periodic increment date.
Amd WAC 251-04-040 Exemptions.

This action is taken pursuant to Notice No. WSR 88-12-052 filed with the code reviser on May 31, 1988. 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 Higher Education Personnel Board as authorized in RCW 28B.16.100.

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 July 12, 1988.

By John A. Spitz
Director

AMENDATORY SECTION (Amending Order 164, filed 12/30/87, effective 2/1/88)

WAC 251-08-100 PERIODIC INCREMENT DATE. (1) For purposes of payment of periodic increment increases, the effective date shall be determined as follows:

(a) The first of the current month for actions occurring between the first and the fifteenth of the month; or

(b) The first of the following month for actions occurring between the sixteenth and the end of the month.

(2) The periodic increment date of new employees or probationary employees who are reappointed to a new class during the probationary period shall be established:

(a) Upon completion of six months in the class for those appointed at the first step in the salary range(~~(: Probationary period employees on leave of absence without pay per the provisions of WAC 251-22-165(5) will have their periodic increment dates extended by one month which exceeds ten working days in any calendar month, or exceeds ten consecutive working days));~~ or

(b) Upon completion of twelve months in the class for those appointed at a salary step above the first step in the salary range.

(3) The periodic increment date of all employees shall be changed as follows:

(a) Upon promotion, the existing periodic increment date will be eliminated and a new date established to be effective upon completion of the trial service period;

(b) Upon reappointment of a probationary employee during the probationary period, the former periodic increment date will be eliminated and a new date established as provided in subsection (2) of this section;

(c) Upon reallocation under WAC 251-06-080 (1)(a) of an employee who is at the top step of the current salary range, the employee will be given a new periodic increment date which will be six months following the reallocation action;

(d) When a leave of absence without pay exceeds ten working days in any calendar month, or exceeds ten consecutive working days, the date will be extended by one month, except as provided by WAC 251-22-165(5), 251-22-180, and 251-19-130;

(e) When employees return from layoff status, the date will be reestablished and extended by an amount of time equal to the period of layoff in order to give credit for time served in a salary step prior to layoff;

(f) When a cyclic year position leave of absence without pay exceeds ninety calendar days, the periodic increment date shall be extended on a month-for-month basis. Provisions of (d) of this subsection shall apply to that period exceeding the ninety calendar days. Cyclic year position employees serving a probationary or trial service period will have their periodic increment dates extended by an amount of time equal to the period in which the employee is on leave of absence without pay;

(g) When employees are reverted from trial service following promotion (or return from alternate appointment), the periodic increment date held prior to promotion or layoff will be reestablished;

(h) When the board or the director order remedial action per WAC 251-12-600, the periodic increment date may be modified as part of the order.

(4) The periodic increment date of all employees shall remain unchanged for all other actions including, but not limited to, transfer within class, appointment to another class with the same or lower salary range maximum, and reallocations except as provided in subsection (3)(c) of this section.

(5) The periodic increment date for incumbents of exempt positions which are converted to classified status shall be established as provided in WAC 251-19-160.

AMENDATORY SECTION (Amending Order 164, filed 12/30/87, effective 2/1/88)

WAC 251-04-040 EXEMPTIONS. The following classifications, positions, and employees of higher education institutions/related boards are hereby exempted from coverage of this chapter.

(1) Members of the governing board of each institution/related board; all presidents, vice presidents and their confidential secretaries, administrative and personal assistants; deans, directors, and chairmen; academic personnel; executive heads of major administrative or academic divisions employed by institutions of higher education; and any employee of a community college district whose place of work is one which is physically located outside the state of Washington and who is employed

pursuant to RCW 28B.50.092 and assigned to an educational program operating outside of the state of Washington.

(2) Students employed by the institution at which they are enrolled (or related board) and who either:

(a) Work five hundred sixteen hours or less in any six consecutive months, exclusive of hours worked in a temporary position(s) during the summer and other breaks in the academic year, provided such employment does not:

(i) Take the place of a classified employee laid off due to lack of funds or lack of work; or

(ii) Fill a position currently or formerly occupied by a classified employee during the current or prior calendar or fiscal year, whichever is longer;

(b) Provided further that the hour limitation shall not apply to student employees who were hired before July 20, 1984, with an understanding of working more than the stated number of hours monthly, and also with an understanding of such employment continuing for the duration of their education. However, this exception shall apply only to students who are continuously enrolled and shall not extend beyond September 1, 1988. Students covered by this exception shall be identified to the director;

(c) Are employed in a position directly related to their major field of study to provide training opportunity; or

(d) Are elected or appointed to a student body office or student organization position such as student officers or student news staff members.

(3) Students participating in a documented and approved programmed internship which consists of an academic component and work experience.

(4) Students employed through the state or federal work/study programs.

(5) Persons employed in a position scheduled for less than twenty hours per week or on an intermittent employment schedule.

(6) Nonclassified employees filling positions identified in subsections (1)(a) and (3) of the definition of "temporary appointment" in WAC 251-01-415.

(7) Part-time professional consultants retained on an independent part-time or temporary basis such as physicians, architects, or other professional consultants employed on an independent contractual relationship for advisory purposes and who do not perform administrative or supervisory duties.

(8) The director, his confidential secretary, assistant directors, and professional education employees of the state board for community college education.

(9) The personnel director of the higher education personnel board and his confidential secretary.

(10) The governing board of each institution/related board may also exempt from this chapter, subject to the employee's right of appeal to the higher education personnel board, classifications involving research activities, counseling of students, extension or continuing education activities, graphic arts or publications activities requiring prescribed academic preparation or special training, and principal assistants to executive heads of major administrative or academic divisions, as determined by the higher education personnel board: PROVIDED, That no

nonacademic employee engaged in office, clerical, maintenance, or food and trades services may be exempted by the higher education personnel board under this provision.

(11) Any employee who believes that any classification should or should not be exempt, or any employee because of academic qualifications which would enable such employee to teach and thus be exempt, may appeal to the board in the same manner as provided in WAC 251-12-080, et seq.

(12) Any classified employee having civil service status in a classified position who accepts an appointment in an exempt position shall have the right of reversion(~~(; unless dismissed for just cause)~~) to the (~~(first vacancy occurring in the)~~) highest class of position previously held, or to a position of similar nature and salary, within four years from the date of appointment to the exempt position. However, (a) upon the prior request of the appointing authority of the exempt position, the board may approve one extension of no more than four years; and (b) if an appointment was accepted prior to July 10, 1982, then the four-year period shall begin on July 10, 1982. Application for return to classified service must be made not later than thirty calendar days following the conclusion of the exempt appointment.

(13) When action is taken to convert an exempt position to classified status, the effect upon the incumbent of such position shall be as provided in WAC 251-19-160.

WSR 88-15-024

ADOPTED RULES

DEPARTMENT OF LICENSING

(Securities Division)

[Order SDO-71-88—Filed July 12, 1988]

I, Theresa Anna Aragon, director of the Department of Licensing, do promulgate and adopt at the Department of Licensing, Olympia, Washington, the annexed rules relating to the regulation and exemption of securities as follows:

Amd	WAC 460-44A-500	Preliminary notes.
Amd	WAC 460-44A-501	Definitions and terms.
Amd	WAC 460-44A-502	General conditions to be met.
Amd	WAC 460-44A-503	Filing of notice and payment of fee prior to sale.
Amd	WAC 460-44A-505	Uniform offering exemption for limited offers and sales of securities not exceeding \$5,000,000.
Amd	WAC 460-44A-506	Exemption for nonpublic offers and sales without regard to dollar amount of offering.

This action is taken pursuant to Notice No. WSR 88-11-083 filed with the code reviser on May 18, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

The amendment to WAC 460-44A-500, 460-44A-501, 460-44A-502, 460-44A-503 and 460-44A-506 are promulgated pursuant to RCW 21.20.320 (1) and (16) and are intended to administratively implement those statutes and RCW 21.20.450 which directs that

the director of the Department of Licensing has the authority to implement the provisions of chapter 21.20 RCW; and the amendment to WAC 460-44A-505 is promulgated pursuant to RCW 21.20.320(16) and is intended to administratively implement this statute and RCW 21.20.450 which directs that the director of the Department of Licensing has the authority to implement the provisions of chapter 21.20 RCW.

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

APPROVED AND ADOPTED July 12, 1988.

By Theresa Anna Aragon
Director

AMENDATORY SECTION (Amending Order SDO-80-86, filed 7/3/86)

WAC 460-44A-500 PRELIMINARY NOTES.

(1) The rules of WAC 460-44A-501 through 460-44A-506 relate to transactions exempted from the registration requirements of the Federal Securities Act of 1933 and RCW 21.20.140. WAC 460-44A-505 is an exemption from registration for offerings exempted under Securities and Exchange Commission Rule 505. WAC 460-44A-506 is an exemption from registration for offerings exempted under Securities and Exchange Commission Rule 506. Such transactions are not exempt from the anti-fraud, civil liability, or other provisions of the securities laws. Issuers are reminded of their obligation to provide such further material information, if any, as may be necessary to make the information required under these rules, in light of the circumstances under which it is furnished, not misleading.

(2) Attempted compliance with the rules in WAC 460-44A-501 through 460-44A-506 does not act as an exclusive election; the issuer can also claim the availability of any other applicable exemption.

(3) These rules are available only to the issuer of the securities and not to any affiliate of that issuer or to any other person for resale of the issuer's securities. The rules provide an exemption only for the transactions in which the securities are offered or sold by the issuer, not for the securities themselves.

(4) In any proceeding involving the rules in WAC 460-44A-501 through 460-44A-506, the burden of proving the exemption or an exception from a definition or condition is upon the person claiming it.

(5) The effective date of rules WAC 460-44A-501, 460-44A-502, 460-44A-503, and 460-44A-506 is May 25, 1982. Existing rules WAC 460-44A-010 through 460-44A-045 will be repealed on the adoption and effectiveness of the permanent rules WAC 460-44A-501, 460-44A-502, 460-44A-503, and 460-44A-506; no filings for exemption under rules WAC 460-44A-010 through 460-44A-045 will be accepted after repeal. For those offerings made in compliance with WAC 460-44A-010 through 460-44A-045 which commence or commenced prior to the date of repeal and which continue past the date of repeal, no registration is required if the offering terminates before June 30, 1983.

(6) For offerings commenced but not completed prior to the amendment of WAC 460-44A-501 through 460-44A-506, issuers may opt to follow the rules in effect at the date of commencement.

AMENDATORY SECTION (Amending Order SDO-80-86, filed 7/3/86)

WAC 460-44A-501 DEFINITIONS AND TERMS. As used in rules WAC 460-44A-501 through 460-44A-506, the following terms shall have the meaning indicated:

(1) "Accredited investor" shall mean any person who comes within any of the following categories, or who the issuer reasonably believes comes within any of the following categories, at the time of the sale of the securities to that person:

(a) Any bank as defined in section 3 (a)(2) of the Securities Act of 1933, or any savings and loan association or other institution as defined in section 3 (a)(5)(A) of the Securities Act of 1933 whether acting in its individual or fiduciary capacity; any broker or dealer registered pursuant to section 15 of the Securities Exchange Act of 1934; insurance company as defined in section 2(13) of the Securities Act of 1933; investment company registered under the Investment Company Act of 1940 or a business development company as defined in section 2 (a)(48) of that act; small business investment company licensed by the U.S. Small Business Administration under section 301 (c) or (d) of the Small Business Investment Act of 1958; employee benefit plan within the meaning of Title I of the Employee Retirement Income Security Act of 1974, if the investment decision is made by a plan fiduciary, as defined in section 3(21) of such act, which is either a bank, savings and loan association, insurance company, or registered investment adviser, or if the employee benefit plan has total assets in excess of \$5,000,000 or, if a self-directed plan, with investment decisions made solely by persons that are accredited investors;

(b) Any private business development company as defined in section 202 (a)(22) of the Investment Advisers Act of 1940;

(c) Any organization described in section 501 (c)(3) of the Internal Revenue Code, corporation, Massachusetts or similar business trust, or partnership, not formed for the specific purpose of acquiring the securities offered, with total assets in excess of \$5,000,000;

(d) Any director, executive officer, or general partner of the issuer of the securities being offered or sold, or any director, executive officer, or general partner of a general partner of that issuer;

(e) ~~((Any person who purchases at least \$150,000 of the securities being offered, where the purchaser's total purchase price does not exceed 20 percent of the purchaser's net worth at the time of sale, or joint net worth with that person's spouse, for one or any combination of the following: (i) Cash, (ii) securities for which market quotations are readily available, (iii) an unconditional obligation to pay cash or securities for which market quotations are readily available which obligation is to be discharged within five years of the sale of the securities~~

to the purchaser, or (iv) the cancellation of any indebtedness owed by the issuer to the purchaser;

Note: ~~The Washington state securities administrator's interpretation of (c) of this subsection varies from that of the Securities and Exchange Commission. For the purpose of sales in this state, the net worth of the general partners in an investment partnership may not be aggregated in determining whether the partnership is an accredited investor.~~

(f)) Any natural person whose individual net worth, or joint net worth with that person's spouse, at the time of his purchase exceeds \$1,000,000;

~~((g))~~ (f) Any natural person who had an individual income in excess of \$200,000 in each of the two most recent years or joint income with that person's spouse in excess of \$300,000 in each of those years and ~~((who reasonably expects an income in excess of \$200,000))~~ has a reasonable expectation of reaching the same income level in the current year; ~~((and))~~

(g) Any trust, with total assets in excess of \$5,000,000, not formed for the specific purpose of acquiring the securities offered, whose purchase is directed by a sophisticated person as described in 17 CFR Sec. 230.506 (b)(2)(ii); and

(h) Any entity in which all of the equity owners are accredited investors ~~((under WAC 460-44A-501 (1)(a), (b), (c), (d), (f), or (g))~~).

(2) "Affiliate" an "affiliate" of, or person "affiliated" with, a specified person shall mean a person that directly, or indirectly through one or more intermediaries, controls or is controlled by, or is under common control with, the person specified;

(3) "Aggregate offering price" shall mean the sum of all cash, services, property, notes, cancellation of debt, or other consideration to be received by an issuer for issuance of its securities. Where securities are being offered for both cash and noncash consideration, the aggregate offering price shall be based on the price at which the securities are offered for cash. If securities are not offered for cash, the aggregate offering price shall be based on the value of the consideration as established by bona fide sales of that consideration made within a reasonable time, or, in the absence of sales, on the fair value as determined by an accepted standard;

(4) "Business combination" shall mean any transaction of the type specified in paragraph (a) of Rule 145 under the Securities Act of 1933 and any transaction involving the acquisition by one issuer, in exchange for all or a part of its own or its parent's stock, of stock of another issuer if, immediately after the acquisition, the acquiring issuer has control of the other issuer (whether or not it had control before the acquisition);

(5) "Calculation of number of purchasers." For purposes of calculating the number of purchasers under WAC 460-44A-505 and 460-44A-506 the following shall apply:

(a) The following purchasers shall be excluded:

(i) Any relative, spouse or relative of the spouse of a purchaser who has the same principal residence as the purchaser;

(ii) Any trust or estate in which a purchaser and any of the persons related to him as specified in WAC 460-

44A-501 (5)(a)(i) or (iii) collectively have more than 50 percent of the beneficial interest (excluding contingent interests);

(iii) Any corporation or other organization of which a purchaser and any of the persons related to him as specified in WAC 460-44A-501 (5)(a)(i) or ~~((iii))~~ (ii) collectively are beneficial owners of more than 50 percent of the equity securities (excluding directors' qualifying shares) or equity interests; and

(iv) Any accredited investor.

(b) A corporation, partnership or other entity shall be counted as one purchaser. If, however, that entity is organized for the specific purpose of acquiring the securities offered and is not an accredited investor under WAC 460-44A-501 (1)(h), then each beneficial owner of equity securities or equity interests in the entity shall count as a separate purchaser for all provisions of WAC 460-44A-501 through 460-44A-506.

(c) A noncontributory employee benefit plan within the meaning of Title I of the Employee Retirement Income Security Act of 1974 shall be counted as one purchaser where the trustee makes all investment decisions for the plan.

Note: The issuer must satisfy all the other provisions of WAC 460-44A-501 through 460-44A-506 for all purchasers whether or not they are included in calculating the number of purchasers. Clients of an investment adviser or customers of a broker-dealer shall be considered the "purchasers" under WAC 460-44A-501 through 460-44A-506 regardless of the amount of discretion given to the investment adviser or broker-dealer to act on behalf of the client or customer.

(6) "Executive officer" shall mean the president, any vice president in charge of a principal business unit, division or function (such as sales, administration or finance), or any other officer who performs a policy making function, or any other person who performs similar policy making functions for the issuer. Executive officers of subsidiaries may be deemed executive officers of the issuer if they perform such policy making functions for the issuer.

(7) "Issuer" as defined in Section 2(4) of the Securities Act of 1933 or RCW 21.20.005(7) shall apply, except that in the case of a proceeding under the Federal Bankruptcy Code (11 U.S.C. 101 et seq.), the trustee or debtor in possession shall be considered the issuer in an offering under a plan or reorganization, if the securities are to be issued under the plan.

(8) "Purchaser representative" shall mean any person who satisfies all of the following conditions or who the issuer reasonably believes satisfies all of the following conditions:

(a) Is not an affiliate, director, officer or other employee of the issuer, or beneficial owner of 10 percent or more of any class of the equity securities or 10 percent or more of the equity interest in the issuer, except where the purchaser is:

(i) A relative of the purchaser representative by blood, marriage or adoption and not more remote than a first cousin;

(ii) A trust or estate in which the purchaser representative and any person related to him as specified in WAC 460-44A-501 (8)(a)(i) or (iii) collectively have

more than 50 percent of the beneficial interest (excluding contingent interest) or of which the purchaser representative serves as trustee, executor, or in any similar capacity; or

(iii) A corporation or other organization of which the purchaser representative and any persons related to him as specified in WAC 460-44A-501 (8)(a)(i) or (ii) collectively are the beneficial owners of more than 50 percent of the equity securities (excluding directors' qualifying shares) or equity interests;

(b) Has such knowledge and experience in financial and business matters that he is capable of evaluating, alone, or together with other purchaser representatives of the purchaser, or together with the purchaser, the merits and risks of the prospective investment;

(c) Is acknowledged by the purchaser in writing, during the course of the transaction, to be his purchaser representative in connection with evaluating the merits and risks of the prospective investment; and

(d) Discloses to the purchaser in writing prior to the acknowledgment specified in WAC 460-44A-501 (8)(c) any material relationship between himself or his affiliates and the issuer or its affiliates that then exists, that is mutually understood to be contemplated, or that has existed at any time during the previous two years, and any compensation received or to be received as a result of such relationship.

Note 1: A person acting as a purchaser representative should consider the applicability of the registration and antifraud provisions relating to broker-dealers under chapter 21.20 RCW and the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq., as amended) and relating to investment advisers under chapter 21.20 RCW and the Investment Advisers Act of 1940.

Note 2: The acknowledgment required by paragraph (8)(c) and the disclosure required by paragraph (8)(d) of this WAC 460-44A-501 must be made with specific reference to each prospective investment. Advance blanket acknowledgment, such as for "all securities transactions" or "all private placements," is not sufficient.

Note 3: Disclosure of any material relationships between the purchaser representative or his affiliates and the issuer ((of)) or its affiliates does not relieve the purchaser representative of his obligation to act in the best interest of the purchaser.

AMENDATORY SECTION (Amending Order SDO-80-86, filed 7/3/86)

WAC 460-44A-502 GENERAL CONDITIONS TO BE MET. The following conditions shall be applicable to offers and sales made under WAC 460-44A-505 or 460-44A-506:

(1) "Integration." All sales that are part of the same offering under these rules must meet all of the terms and conditions of these rules. Offers and sales that are made more than six months before the start of an offering or are made more than six months after completion of an offering, will not be considered part of that offering, so long as during those six month periods there are no offers or sales of securities by or for the issuer that are of the same or a similar class as those offered or sold under these rules, other than those offers or sales of securities under an employee benefit plan.

Note: The term "offering" is not defined in the securities acts. If the issuer offers or sells securities for which the safe harbor rule in WAC 460-44A-502(1) is unavailable, the determination as to

whether separate sales of securities are part of the same offering (i.e. are considered "integrated") depends on the particular facts and circumstances.

The following factors should be considered in determining whether offers and sales should be integrated for purposes of the exemptions under these rules:

(a) Whether the sales are part of a single plan of financing;

(b) Whether the sales involve issuance of the same class of securities;

(c) Whether the sales have been made at or about the same time;

(d) Whether the same type of consideration is received; and

(e) Whether the sales are made for the same general purpose.

See Securities and Exchange Commission Release No. 33-4552 (November 6, 1962).

(2) Information requirements.

(a) When information must be furnished.

(i) If the issuer sells securities only to accredited investors, WAC 460-44A-502(2) does not require that specific information be furnished to purchasers.

(ii) If the issuer sells securities under WAC 460-44A-505 or 460-44A-506 to any purchaser that is not an accredited investor, the issuer shall furnish the information specified in WAC 460-44A-502 (2)(b) to all purchasers during the course of the offering and prior to sale.

(b) Type of information to be furnished.

(i) If the issuer is not subject to the reporting requirements of section 13 or 15(d) of the ((federal)) Securities Exchange Act of 1934, the issuer shall furnish the following information to the extent material to an understanding of the issuer, its business, and the securities being offered:

(A) Offerings up to \$2,000,000. The same kind of information as would be required in Part II of Form 1-A, 17 CFR Sec. 239.90, except that the issuer's balance sheet, which shall be dated within one hundred twenty days of the start of the offering, must be audited.

(B) Offerings up to (((\$5,000,000)) \$7,500,000). The same kind of information as would be required in Part I of Form S-18 under the Securities Act of 1933, except that only the financial statements for the issuer's most recent fiscal year must be certified by an independent public or certified accountant. If Form S-18 is not available to an issuer, then the issuer shall furnish the same kind of information as would be required in Part I of a registration statement filed under the Securities Act of 1933 on the form that the issuer would be entitled to use, except that only the financial statements for the most recent two fiscal years prepared in accordance with generally accepted accounting principles shall be furnished and only the financial statements for the issuer's most recent fiscal year shall be certified by an independent public or certified accountant. If an issuer, other than a limited partnership, cannot obtain audited financial statements without unreasonable effort or expense, then only the issuer's balance sheet, which shall be dated within 120 days of the start of the offering, must be audited. If the issuer is a limited partnership and cannot

obtain the required financial statements without unreasonable effort or expense, it may furnish financial statements that have been prepared on the basis of federal income tax requirements and examined and reported on in accordance with generally accepted auditing standards by an independent public or certified accountant.

~~((B))~~ (C) Offerings over ~~(\$5,000,000)~~ \$7,500,000. The same kind of information as would be required in Part I of a registration statement filed under the Securities Act of 1933 on the form that the issuer would be entitled to use. If an issuer, other than a limited partnership, cannot obtain audited financial statements without unreasonable effort or expense, then only the issuer's balance sheet, which shall be dated within 120 days of the start of the offering, must be audited. If the issuer is a limited partnership and cannot obtain the required financial statements without unreasonable effort or expense, it may furnish financial statements that have been prepared on the basis of federal income tax requirements and examined and reported on in accordance with generally accepted auditing standards by an independent public or certified accountant.

(D) If the issuer is a foreign private issuer eligible to use Form 20-F, the issuer shall disclose the same kind of information required to be included in a registration statement filed under the Securities Act of 1933 on the form that the issuer would be entitled to use. The financial statements need be certified only to the extent required by (b)(i)(B) or (C) of this subsection as appropriate.

(ii) If the issuer is subject to the reporting requirements of section 13 or 15(d) of the Securities Exchange Act of 1934, the issuer shall furnish the information required by Securities and Exchange Commission Regulation D, Rule 502 (b)(2)(ii) as appropriate.

(iii) Exhibits required to be filed with the administrator of securities or the securities and exchange commission as part of a registration statement or report, other than an annual report to shareholders or parts of that report incorporated by reference in a Form 10-K report, need not be furnished to each purchaser if the contents of the exhibits are identified and the exhibits are made available to the purchaser, upon his written request, prior to his purchase.

(iv) At a reasonable time prior to the purchase of securities by any purchaser that is not an accredited investor in a transaction under WAC 460-44A-505 or 460-44A-506, the issuer shall furnish the purchaser a brief description in writing of any written information concerning the offering that has been provided by the issuer to any accredited investor. The issuer shall furnish any portion or all of this information to the purchaser, upon his written request, prior to his purchase.

(v) The issuer shall also make available to each purchaser at a reasonable time prior to his purchase of securities in a transaction under WAC 460-44A-505 or 460-44A-506 the opportunity to ask questions and receive answers concerning the terms and conditions of the offering and to obtain any additional information which the issuer possesses or can acquire without unreasonable effort or expense that is necessary to verify the accuracy

of information furnished under WAC 460-44A-502 (2)(b)(i) or (ii).

(vi) For business combinations or exchange offers, in addition to information required by ~~((WAC 460-44A-502(2)(b)))~~ Form S-4, 17 CFR Sec. 239.25, the issuer shall provide to each purchaser at the time the plan is submitted to security holders, or, with an exchange, during the course of the transaction and prior to sale, written information about any terms or arrangements of the proposed transactions that are materially different from those for all other security holders. For purposes of this subsection, an issuer which is not subject to the reporting requirements of section 13 or 15(d) of the Securities Exchange Act of 1934 may satisfy the requirements of Part I.B. or C. of Form S-4 by compliance with (b)(i) of this subsection.

(3) Limitation on manner of offering. Neither the issuer nor any person acting on its behalf shall offer or sell the securities by any form of general solicitation or general advertising, including, but not limited to, the following:

(a) Any advertisement, article, notice or other communication published in any newspaper, magazine, or similar media or broadcast over television or radio; and

(b) Any seminar or meeting whose attendees have been invited by any general solicitation or general advertising.

(4) Limitations on resale. Securities acquired in a transaction under these rules shall have the status of restricted securities acquired in a nonpublic offering transaction under section 4(2) of the Securities Act of 1933 and RCW 21.20.320(1) and cannot be resold without registration under the Securities Act of Washington or an exemption therefrom. The issuer shall exercise reasonable care to assure that the securities are restricted and that the purchasers of the securities are not underwriters within the meaning of Section 2(11) of the Securities Act of 1933, which reasonable care shall include, but not be limited to, the following:

(a) Reasonable inquiry to determine if the purchaser is acquiring the securities for himself or for other persons;

(b) Written disclosure to each purchaser prior to sale that the securities have not been registered under the Securities Act of 1933, and the Washington administrator of securities has not reviewed or recommended the offering or offering circular and the securities have not been registered under the Securities Act of Washington, chapter 21.20 RCW, and, therefore, cannot be resold unless they are registered under the Securities Act of 1933 and the Securities Act of Washington chapter 21.20 RCW or unless an exemption from registration is available; and

(c) Placement of a legend on the certificate or other document that evidences the securities stating that the securities have not been registered under the Securities Act of 1933 and the Securities Act of Washington chapter 21.20 RCW and setting forth or referring to the restrictions on transferability and sale of the securities.

(d) A written disclosure or legend will be deemed to comply with the provisions of WAC 460-44A-502 (4)(b) or (c) if it ~~((substantially states that the offering~~

~~has not been reviewed or approved by state securities administrators and that the securities offering is not registered under applicable state securities laws))~~ complies with the North American Securities Administrators Association Uniform Disclosure Guidelines on Legends, NASAA Reports CCH Para. 1352 (1988).

AMENDATORY SECTION (Amending Order SDO-80-86, filed 7/3/86)

WAC 460-44A-503 FILING OF NOTICE AND PAYMENT OF FEE PRIOR TO SALE. (1) The issuer shall file with the administrator of securities of the department of licensing a notice and pay a filing fee as follows:

(a)(i) The issuer shall file the initial notice on Securities and Exchange Commission Form D checking box 505 (and box ULOE) or 506, as applicable, and pay a filing fee of three hundred dollars no later than ten business days (or such lesser period as the administrator may allow) prior to the receipt of consideration or the delivery of a signed subscription agreement by an investor in the state of Washington which results from an offer being made in reliance on the exemption of WAC 460-44A-505 or 460-44A-506;

(ii) The issuer shall also file with or on the initial notice a representation that the issuer has reviewed all the conditions of WAC 460-44A-505 or 460-44A-506 and such conditions shall be met; and

(iii) Unless previously filed, the issuer shall include with the initial notice an executed uniform consent to service of process on Form U-2.

(b) The issuer shall file with the administrator such other notices on Form D as are required to be filed with the Securities and Exchange Commission.

(c) The issuer shall file a report of sales in the state of Washington on a form prescribed by the administrator no later than thirty days after the last sale of securities in the offering.

(d) The notice or report of sales shall be manually signed by a person duly authorized by the issuer.

(2) By filing for the exemption of WAC 460-44A-505 or 460-44A-506, the issuer undertakes to furnish to the administrator, upon request, the information to be furnished or furnished by the issuer under WAC 460-44A-502 (2)(b) to any purchaser that is not an accredited investor(~~, or the information required to be retained under WAC 460-44A-505 (2)(c) or 460-44A-506 (2)(b)(ii)).~~). Failure to submit the information in a timely manner will be a ground for denial or revocation of the exemption of WAC 460-44A-505 or 460-44A-506.

AMENDATORY SECTION (Amending Order SDO-80-86, filed 7/3/86)

WAC 460-44A-505 UNIFORM OFFERING EXEMPTION FOR LIMITED OFFERS AND SALES OF SECURITIES NOT EXCEEDING \$5,000,000. (1) Exemption. Offers and sales of securities by an issuer in compliance with the Securities Act of 1933, Regulation D, Rules 230.501 through 230.503 and 230.505 as made effective in Release Nos. 33-6389, 33-6437, and 33-

6758 that satisfy the conditions in subsection (2) of this section shall be exempt transactions under RCW 21.20.320(~~((+17))~~) (16).

(2) Conditions to be met.

(a) General conditions. To qualify for exemption under this section, offers and sales must satisfy all the terms and conditions of WAC 460-44A-501 through 460-44A-503.

Note: In order to comply with this section the issuer must comply with the provisions of Rule 505 (17 CFR Sec. 230.505) of the Federal Securities and Exchange Commission.

(b) Specific conditions.

(i) No commission, fee, or other remuneration shall be paid or given directly or indirectly, to any person for soliciting any prospective purchaser that is not an accredited investor in the state of Washington unless such person is registered in this state as a broker-dealer or salesperson.

(ii) It is a defense to a violation of (b)(i) of this subsection if the issuer sustains the burden of proof to establish that he did not know and in the exercise of reasonable care could not have known that the person who offered or sold the security was not appropriately registered in this state.

(c) In all sales to nonaccredited investors in this state under this section the issuer and any person acting on its behalf shall have reasonable grounds to believe and after making reasonable inquiry shall believe that, as to each purchaser, one of the following conditions, (i) or (ii) of this subsection, is satisfied:

(i) The investment is suitable for the purchaser upon the basis of the facts, if any, disclosed by the purchaser as to his other security holdings and as to his financial situation and needs. For the purpose of this condition only, it may be presumed that if the investment does not exceed ten percent of the purchaser's net worth, it is suitable. This presumption is rebuttable; or

(ii) The purchaser either alone or with his purchaser representative(s) has such knowledge and experience in financial and business matters that he is or they are capable of evaluating the merits and risks of the prospective investment.

~~((The issuer shall prepare and retain for three years following termination of an offering in reliance of this section, written documentation supporting the qualification of each nonaccredited investor, as meeting the conditions of (c)(i) or (ii) of this subsection.))~~

(d) No exemption under this rule shall be available for the securities of any issuer if any of the parties described in Securities Act of 1933, Regulation A, Rule 230.252 sections (c), (d), (e), or (f):

(i) Has filed a registration statement which is the subject of a currently effective registration stop order entered pursuant to the Securities Act of Washington, chapter 21.20 RCW, or any other state's securities law, within five years prior to the filing of the notice required under this exemption.

(ii) Has been convicted within ten years prior to the filing of the notice required under this exemption of any felony or misdemeanor in connection with the offer, purchase or sale of any security or any felony involving fraud or deceit, including but not limited to forgery,

embezzlement, obtaining money under false pretenses, larceny, or conspiracy to defraud.

(iii) Is currently subject to any state administrative enforcement order or judgment entered by the Washington state administrator of securities or any other state's securities administrator within five years prior to the filing of the notice required under this section or is subject to any state's administrative enforcement order or judgment in which fraud or deceit, including but not limited to making untrue statements of material facts and omitting to state material facts, was found and the order or judgment was entered within five years prior to the filing of the notice required under this exemption.

(iv) Is subject to an order or judgment of the Washington state administrator of securities or any other state's administrative enforcement order or judgment which prohibits, denies or revokes the use of any exemption from registration in connection with the offer, purchase or sale of securities.

(v) Is currently subject to any order, judgment, or decree of any court of competent jurisdiction temporarily or preliminarily restraining or enjoining, or is subject to any order, judgment or decree of any court of competent jurisdiction, permanently restraining or enjoining, such party from engaging in or continuing any conduct or practice in connection with the purchase or sale of any security or involving the making of any filing with this or any state entered within five years prior to the filing of the notice required under this exemption.

(vi) The prohibitions of (d)(i), (ii), (iii), and (v) of this subsection shall not apply if the person subject to the disqualification is duly licensed or registered to conduct securities related business in this state and the Form B-D filed with this state discloses the order, conviction, judgment or decree relating to such person. No person disqualified under ~~((c))~~ (d) of this subsection may act in a capacity other than that for which the person is licensed or registered.

(vii) Any disqualification caused by ~~((c))~~ (d) of this subsection is automatically waived if the Washington state administrator of securities or the state securities administrator or other agency which created the basis for disqualification determines upon a showing of good cause that it is not necessary under the circumstances that the exemption of this section be denied.

(e) The issuer shall file a notice, with a consent to service of process, and pay a filing fee as set forth in WAC 460-44A-503.

(3) Transactions which are exempt under this section may not be combined with offers and sales exempt under any other rule or section of the Securities Act of Washington, however, nothing in this limitation shall act as an election. Should for any reason the offer and sale fail to comply with all of the conditions for the exemption of this section, the issuer may claim the availability of any other applicable exemption.

(4) The Washington state administrator of securities may, by rule or order, waive the conditions of this section.

(5) The exemption authorized by this section shall be known and may be cited as the "Washington uniform limited offering exemption."

AMENDATORY SECTION (Amending Order SDO-80-86, filed 7/3/86)

WAC 460-44A-506 EXEMPTION FOR NON-PUBLIC OFFERS AND SALES WITHOUT REGARD TO DOLLAR AMOUNT OF OFFERING. (1) Exemption. Offers and sales of securities by an issuer in compliance with the Securities Act of 1933, Regulation D, Rules 230.501 through 230.503 and 230.506 as made effective in Release Nos. 33-6389, 33-6437, and 33-6758 that satisfy the conditions in subsection (2) of this section shall be deemed to be exempt transactions within the meaning of RCW 21.20.320(1).

(2) Conditions to be met.

(a) General conditions. To qualify for exemption under this section, offers and sales must satisfy all the terms and conditions of WAC 460-44A-501 through 460-44A-503.

Note: In order to comply with this section the issuer must comply with the provisions of Rule 506 (17 CFR Sec. 230.506) of the Federal Securities and Exchange Commission.

(b) Specific conditions.

(i) No selling commission unless registered as a broker-dealer or salesperson.

(A) No commission, fee, or other remuneration shall be paid or given directly or indirectly, to any person for soliciting any prospective purchaser that is not an accredited investor in the state of Washington unless such person is registered in this state as a broker-dealer or salesperson.

(B) It is a defense to a violation of (b)(i)(A) of this subsection if the issuer sustains the burden of proof to establish that he did not know and in the exercise of reasonable care could not have known that the person who received a commission, fee or other remuneration was not appropriately registered in this state.

~~(ii) (Written documentation. The issuer shall prepare and retain for three years following termination of an offering in reliance of this section, written documentation supporting the qualification of each nonaccredited investor, whether separately or together with his purchaser representative or representatives, as having such knowledge and experience in financial and business matters that he is capable of evaluating the merits and risks of the prospective investment.~~

~~(iii))~~ Limitation on selling expenses.

(A) Selling expenses in any offering under this section shall not exceed fifteen percent of the aggregate offering price. For the purposes of this section, "selling expenses" means the total underwriting and brokerage discounts and commissions (including fees of the underwriters' attorneys paid by the issuer) paid in connection with the offering plus all other expenses actually incurred by the issuer relating to printing, engraving, mailing, salaries of employees while engaged in sales activity, charges of transfer agents, registrars, trustees, escrow holders, depositories, and engineers and other experts, expenses of qualification of the sale of the securities under federal and state laws, including taxes and fees, and any other

expenses actually incurred by the issuer and directly related to the offering and sale of the securities, but excluding accountants' and the issuer's attorneys' fees and options to underwriters.

(B) The number of shares or units called for by options issuable to underwriters or other persons as compensation, in whole or in part, for the offer or sale of securities in reliance on this section shall not exceed ten percent of the number of shares or units actually sold in the offering.

(3) Offers or sales which are exempted under this section may not be combined in the same offering with offers or sales exempted under any other rule or section of chapter 21.20 RCW; however, nothing in this limitation shall act as an election. Should for any reason an offering fail to comply with all of the conditions for this section, the issuer may claim the availability of any other applicable exemption.

(4) The issuer shall file a notice, with a consent to service of process, and pay a filing fee as set forth in WAC 460-44A-503.

WSR 88-15-025
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 88-53—Filed July 12, 1988]

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

I, Joseph R. Blum, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is restrictions in Areas 4B, 5, 6, 6A, 6C, 7 and 7A provide protection for Puget Sound and Canadian chinook stocks. Openings in Area 10 are necessary to prevent wastage and harvest non-Indian Lake Washington sockeye allocation. All other areas are closed to prevent overharvest.

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

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

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

APPROVED AND ADOPTED July 12, 1988.

By Gene DiDonato
 for Joseph R. Blum
 Director

NEW SECTION

WAC 220-47-900 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY. Notwithstanding the provisions of Chapter 220-47 WAC, effective 7:00 PM July 12 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:

- * Areas 4B, 5, 6, 6A, 6C, 7, 7A – Under control of Pacific Salmon Commission. Drift gill net gear restricted to 5-inch minimum, 6-inch maximum mesh when open.
- * Area 10 – Closed except gillnets using 5-1/2 inch maximum mesh may fish from 5:00 AM to 8:00 AM Thursday July 14, and purse seines using the 5-inch strip may fish from 10:00 AM to 1:00 PM Thursday July 14. All chinook caught with purse seine gear must be released. Any area 10 opening excludes those waters south of a line projected from West Point to Skiff Point on Bainbridge Island, and those waters west of a line projected from Point Jefferson to Point Monroe on Bainbridge Island, and those waters east of a line projected from Meadow Point to West Point. Fishery exclusion zones applicable to Area 10 commercial fisheries are described in WAC 220-47-307.
- * Areas 6B, 7B, 7C, 7D, 7E, 8, 8A, 8D, 9, 9A, 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.

WSR 88-15-026
PROPOSED RULES
SUPERINTENDENT OF PUBLIC INSTRUCTION
 [Filed July 12, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Superintendent of Public Instruction intends to adopt, amend, or repeal rules concerning teacher assistance program, WAC 392-196-020, 392-196-045, 392-196-050, 392-196-052, 392-196-055, 392-196-060, 392-196-070, 392-196-072, 392-196-075 and 392-196-080;

that the agency will at 9:00 a.m., Friday, August 26, 1988, in the State Board of Education Conference Room, Old Capitol Building, SPI, 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 28A.67.240.

Dated: July 12, 1988
 By: Frank B. Brouillet
 Superintendent of Public Instruction

STATEMENT OF PURPOSE

Rule: Chapter 392-196 WAC.

Rule Section(s): WAC 392-196-020, 392-196-045, 392-196-050, 392-196-052, 392-196-055, 392-196-060, 392-196-070, 392-196-072, 392-196-075 and 392-196-080.

Statutory Authority: RCW 28A.67.240.

Purpose of Rule(s): To set forth policies and procedures for the operation of a teacher assistance program.

Summary of the New Rule(s) and/or Amendments: WAC 392-196-020 indicates that SPI-sponsored training sessions are identified as "beginner-mentor teacher workshops"; 392-196-045 states that beginning teachers shall be paid for two days of workshop attendance; 392-196-050 reflects the decreased amount of the minimum beginning teacher stipend; 392-196-052 indicates change in number of substitute hours for which districts shall be reimbursed; 392-196-055 clarifies that the mentor teacher will be paid to attend three SPI-sponsored workshops and the beginning teacher two of the three SPI-sponsored workshops; 392-196-060 clarifies that both the beginner and mentor shall be released from their teaching responsibilities in order to observe each other, or jointly or separately observe their colleagues. Selects the word "classroom" in relation to teaching responsibilities to allow for inclusion of educational staff associates. Reduces number of paid released time hours from thirty-six to twenty-four. Changes reference to SPI-sponsored training sessions from "mentor teacher workshops" to "beginner-mentor teacher workshops"; 392-196-070 outlines the process and purities to be used by SPI in selecting school districts for participation in the 1988-89 teacher assistance program; 392-196-072 reduces the maximum number of teacher assistance program task force members from eighteen to twelve, and adds "educational staff associate" representation to the membership; 392-196-075 clarifies that the dollar amount distributed by SPI to each school district, to fund the teacher assistance program, shall be based on the number of beginning-mentor teacher teams. Inserts "beginner" into reference made to SPI-sponsored beginner-mentor teacher workshops. Clarifies reference made to released-time and beginner teachers; and 392-196-080 indicated that for the 1988-89 school year, SPI will issue grant awards based on sixteen hundred dollars per beginner-mentor team.

Reasons Which Support the Proposed Action(s): Recent legislative changes and budgetary considerations relative to the teacher assistance program requires that current rules and regulations be modified to reflect the legislative changes.

Person or Organization Proposing the Rule(s): SBE, government.

Agency Personnel Responsible for Drafting: Ralph Julnes, SPI, 3-2298; Implementation and Enforcement: Charles Marshall, SPI, 3-1880.

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

Agency Comments, if any, Regarding Statutory Language, Implementation, Enforcement and Fiscal Matter

Pertaining to the Rule(s): [No information supplied by agency.]

AMENDATORY SECTION (Amending Order 87-13, filed 11/5/87)

WAC 392-196-020 MENTOR TEACHER STIPEND-DEFINITION. As used in this chapter, the term "mentor teacher stipend" shall mean an amount paid by a school district to a mentor teacher for services as a mentor teacher including attendance at the superintendent of public instruction sponsored beginner-mentor teacher workshops. Such stipend, including the amount and conditions applicable, shall be set forth in a supplemental contract in accordance with and subject to the provisions of RCW 28A.67.074.

AMENDATORY SECTION (Amending Order 87-13, filed 11/5/87)

WAC 392-196-045 BEGINNING TEACHER STIPEND-DEFINITION. As used in this chapter, the term "beginning teacher stipend" shall mean an amount paid by a school district to a beginning teacher for ~~((three))~~ two days of attendance at the superintendent of public instruction sponsored beginner-mentor teacher workshops. Such stipend, including the amount and conditions applicable, shall be set forth in a supplemental contract in accordance with and subject to the provisions of RCW 28A.67.074.

AMENDATORY SECTION (Amending Order 87-13, filed 11/5/87)

WAC 392-196-050 BEGINNING TEACHER STIPEND-MINIMUM AMOUNT. The minimum amount of the beginning teacher stipend shall be ~~((two hundred forty))~~ one hundred sixty dollars.

AMENDATORY SECTION (Amending Order 87-13, filed 11/5/87)

WAC 392-196-052 EXPERIENCED TEACHER PARTICIPATION. "Experienced teachers" shall not be required to participate in this program nor attend the superintendent of public instruction sponsored mentor workshops and shall not receive a stipend. Districts shall be reimbursed for up to ~~((thirty-six))~~ twenty-four hours substitute teacher expenses (per team) associated with participation of experienced teachers if such funds are available after all nominated beginning teachers have been included.

AMENDATORY SECTION (Amending Order 87-13, filed 11/5/87)

WAC 392-196-055 SPI SPONSORED BEGINNING AND MENTOR TEACHER WORKSHOP-DEFINITION. As used in this chapter, the term "superintendent of public instruction sponsored beginning and mentor teacher workshop" shall mean an in-service training program sponsored by the superintendent of public instruction for the purpose of providing professional training for mentor and beginning teachers in the methods and procedures for performing such roles with particular emphasis upon providing continuing and sustained support by the mentor teacher to a beginning teacher. Such workshops shall be no more than three days in length for the mentor and two days in length for the beginner, but need not be consecutive days, and shall not be held during school hours.

AMENDATORY SECTION (Amending Order 87-13, filed 11/5/87)

WAC 392-196-060 SCHOOL DISTRICT APPLICATION TO SPI FOR PARTICIPATION IN THE TEACHER ASSISTANCE PROGRAM. Any district may apply to the superintendent of public instruction for participation in the teacher assistance program. The application shall require the superintendent of the district to provide the following assurances:

- (1) The board of directors of the district has reviewed the requirements of this chapter and has agreed to the conditions therein.
- (2) The mentor teacher shall be paid a mentor teacher stipend.
- (3) The beginning teacher shall be paid a beginning teacher stipend.
- (4) The mentor and beginning teacher shall be required to attend and shall be reimbursed by the district for travel expenses for attendance at the superintendent of public instruction sponsored beginner-mentor teacher workshops.
- (5) ~~((The mentor teacher shall be released from classroom teaching responsibilities in order to observe and assist the beginning or experienced teacher in the classroom.~~

(6)) The mentor teacher, the beginning teacher, and the experienced teacher shall be released from ~~((classroom))~~ teaching responsibilities in order to jointly or separately observe ~~((and evaluate))~~ each other or observe colleagues in teaching situations.

~~((7))~~ (6) The total ~~((release))~~ released time from classroom teaching as required by subsection~~((s))~~ (5) ~~((and (6)))~~ of this section shall be at least ~~((thirty-six))~~ twenty-four scheduled instructional hours per school year but no more than ~~((thirty-six))~~ twenty-four scheduled instructional hours shall be paid for with funds made available under this chapter.

~~((8))~~ (7) Mentor teachers shall not be involved in evaluations of their beginning or experienced teachers conducted pursuant to RCW 28A.67.065.

~~((9))~~ (8) The mentor teacher, beginning teacher, and experienced teacher shall be required to complete and forward to the superintendent of public instruction such evaluation reports of the teacher assistance program as requested by the superintendent of public instruction.

~~((10))~~ (9) Mentor teachers shall periodically inform their principals respecting the contents of training sessions and other program activities.

~~((11))~~ (10) The superintendent of the district shall supply the superintendent of public instruction, at times specified by the superintendent of public instruction, such information as requested regarding the teacher assistance program.

AMENDATORY SECTION (Amending Order 87-13, filed 11/5/87)

WAC 392-196-070 SCHOOL DISTRICT SELECTION PROCESS AND STATE PRIORITIES. The selection process and priorities shall be as follows for the 1988-89 school year:

(1) ~~((For the 1987-88 school year the superintendent of public instruction shall fund all eligible beginning and mentor teacher teams nominated by local school districts:~~

(2) ~~For the 1988-89 school year and ensuing years the superintendent of public instruction shall fund all eligible beginning and mentor teacher teams nominated by local school districts, subject to the availability of funds:~~

(3) ~~Experienced and mentor teacher teams shall be nominated by local school districts only during the 1988-89 and ensuing school years, provided the legislature appropriates additional funds for their participation:~~

(4) ~~If the local district nominations exceed the availability of appropriated funds for any year of the program, the priority shall be as follows:~~

~~(a) Beginning and mentor teacher teams:~~

~~(b) Experienced and mentor teacher teams:~~

~~(5) Experienced and mentor teacher teams shall be selected on the following priority basis, depending on the availability of appropriated funds:~~

~~(a) At least one team per district.~~

~~(b) At least one team for every one hundred teachers employed by the nominating district.~~

~~(c) Remaining teams shall be selected randomly by lot by ESD region.) Beginning teacher and mentor teams will be selected on the following basis:~~

~~(a) Beginning teacher and mentor assigned to the same building and teaching the same grade or subject matter.~~

~~(b) Beginning teacher and mentor assigned to different buildings but teaching the same grade or subject matter.~~

(2) The process used to select beginner and mentor teacher teams shall be as follows:

(a) Applications received between July 15 and August 15 that meet the priority criteria set forth in subsection (1)(a) and (b) of this section will be accepted in accordance with the priority and the date the application is received in the office of the superintendent of public instruction subject to availability of funds.

(b) If funds are still available after the initial application period, a second application period will be established from August 15 to September 25. Selection priorities will remain the same as set forth herein.

AMENDATORY SECTION (Amending Order 87-13, filed 11/5/87)

WAC 392-196-072 SUPERINTENDENT OF PUBLIC INSTRUCTION CONSULTATION. The superintendent of public instruction hereby establishes a teacher assistance task force of no more than ~~((eighteen))~~ twelve members representing teachers, educational staff associates, administrators, educational service districts, colleges and universities, and school directors. The superintendent shall:

(1) Appoint task force members from nominations submitted by the professional groups eligible to be represented on the task force;

(2) Consult with the task force for the purpose of obtaining their advice about teacher assistance program policies, operations, and evaluations;

(3) Convene the task force at least once annually.

AMENDATORY SECTION (Amending Order 87-13, filed 11/5/87)

WAC 392-196-075 ANNUAL AMOUNT FOR DISTRIBUTION TO PARTICIPATING SCHOOL DISTRICTS. The superintendent of public instruction annually shall establish a dollar amount per beginning teacher-mentor teacher team for distribution to districts for support of the teacher assistance program. Such distribution shall be used by the district exclusively for the following:

(1) Mentor teacher stipends.

(2) Travel expenses of the mentor and beginning teachers for attendance at the superintendent of public instruction beginner-mentor teacher workshops.

(3) Substitute teacher salaries for ~~((release))~~ released time for mentor, ~~((beginning))~~ beginner, and experienced teachers.

(4) Beginning teacher stipends.

(5) Appropriate fringe benefits associated with mentor and beginning teacher stipends.

AMENDATORY SECTION (Amending Order 87-13, filed 11/5/87)

WAC 392-196-080 DISTRIBUTION OF STATE MONEYS FOR THE TEACHER ASSISTANCE PROGRAM. The superintendent of public instruction shall issue grant awards ~~((in each))~~ for the 1988-89 school year for a maximum of ~~((two thousand fifty))~~ one thousand six hundred dollars per mentor-beginning teacher team.

WSR 88-15-027

EMERGENCY RULES

SUPERINTENDENT OF PUBLIC INSTRUCTION

[Order 88-19—Filed July 12, 1988]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Olympia, Washington, the annexed rules relating to WAC 392-196-020, 392-196-045, 392-196-050, 392-196-052, 392-196-055, 392-196-060, 392-196-070, 392-196-072 and 392-196-080.

I, Frank B. Brouillet, 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 recent legislative changes and budgetary considerations relative to the teacher assistance program requires that current rules and regulations be modified to reflect the legislative changes.

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

This rule is promulgated pursuant to RCW 28A.67-.240 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 July 12, 1988.

By Frank B. Brouillet
Superintendent of Public Instruction

AMENDATORY SECTION (Amending Order 87-13, filed 11/5/87)

WAC 392-196-020 MENTOR TEACHER STIPEND—DEFINITION. As used in this chapter, the term "mentor teacher stipend" shall mean an amount paid by a school district to a mentor teacher for services as a mentor teacher including attendance at the superintendent of public instruction sponsored ~~beginner-mentor teacher workshops~~. Such stipend, including the amount and conditions applicable, shall be set forth in a supplemental contract in accordance with and subject to the provisions of RCW 28A.67.074.

AMENDATORY SECTION (Amending Order 87-13, filed 11/5/87)

WAC 392-196-045 BEGINNING TEACHER STIPEND—DEFINITION. As used in this chapter, the term "beginning teacher stipend" shall mean an amount paid by a school district to a beginning teacher for ~~((three))~~ two days of attendance at the superintendent of public instruction sponsored ~~beginner-mentor teacher workshops~~. Such stipend, including the amount and conditions applicable, shall be set forth in a supplemental contract in accordance with and subject to the provisions of RCW 28A.67.074.

AMENDATORY SECTION (Amending Order 87-13, filed 11/5/87)

WAC 392-196-050 BEGINNING TEACHER STIPEND—MINIMUM AMOUNT. The minimum amount of the beginning teacher stipend shall be ~~((two hundred forty))~~ one hundred sixty dollars.

AMENDATORY SECTION (Amending Order 87-13, filed 11/5/87)

WAC 392-196-052 EXPERIENCED TEACHER PARTICIPATION. "Experienced teachers" shall not be required to participate in this program nor attend the superintendent of public instruction sponsored mentor workshops and shall not receive a stipend. Districts shall be reimbursed for up to ~~((thirty-six))~~ twenty-four hours substitute teacher expenses (per team) associated with participation of experienced teachers if such funds are available after all nominated beginning teachers have been included.

AMENDATORY SECTION (Amending Order 87-13, filed 11/5/87)

WAC 392-196-055 SPI SPONSORED BEGINNING AND MENTOR TEACHER WORKSHOP—DEFINITION. As used in this chapter, the term "superintendent of public instruction sponsored beginning and mentor teacher workshop" shall mean an in-service training program sponsored by the superintendent of public instruction for the purpose of providing professional training for mentor and beginning teachers in the methods and procedures for performing such roles with particular emphasis upon providing continuing and sustained support by the mentor teacher to a beginning teacher. Such workshops shall be no more than three

days in length for the mentor and two days in length for the beginner, but need not be consecutive days, and shall not be held during school hours.

AMENDATORY SECTION (Amending Order 87-13, filed 11/5/87)

WAC 392-196-060 SCHOOL DISTRICT APPLICATION TO SPI FOR PARTICIPATION IN THE TEACHER ASSISTANCE PROGRAM. Any district may apply to the superintendent of public instruction for participation in the teacher assistance program. The application shall require the superintendent of the district to provide the following assurances:

(1) The board of directors of the district has reviewed the requirements of this chapter and has agreed to the conditions therein.

(2) The mentor teacher shall be paid a mentor teacher stipend.

(3) The beginning teacher shall be paid a beginning teacher stipend.

(4) The mentor and beginning teacher shall be required to attend and shall be reimbursed by the district for travel expenses for attendance at the superintendent of public instruction sponsored ~~beginner-mentor teacher workshops~~.

(5) ~~((The mentor teacher shall be released from classroom teaching responsibilities in order to observe and assist the beginning or experienced teacher in the classroom.~~

~~((6)))~~ The mentor teacher, the beginning teacher, and the experienced teacher shall be released from ~~((classroom))~~ teaching responsibilities in order to jointly or separately observe ~~((and evaluate))~~ each other or observe colleagues in teaching situations.

~~((7)))~~ ~~((6))~~ The total ~~((release))~~ released time from classroom teaching as required by subsection~~((s))~~ (5) ~~((and ((6)))~~ of this section shall be at least ~~((thirty-six))~~ twenty-four scheduled instructional hours per school year but no more than ~~((thirty-six))~~ twenty-four scheduled instructional hours shall be paid for with funds made available under this chapter.

~~((8)))~~ (7) Mentor teachers shall not be involved in evaluations of their beginning or experienced teachers conducted pursuant to RCW 28A.67.065.

~~((9)))~~ (8) The mentor teacher, beginning teacher, and experienced teacher shall be required to complete and forward to the superintendent of public instruction such evaluation reports of the teacher assistance program as requested by the superintendent of public instruction.

~~((10)))~~ (9) Mentor teachers shall periodically inform their principals respecting the contents of training sessions and other program activities.

~~((11)))~~ (10) The superintendent of the district shall supply the superintendent of public instruction, at times specified by the superintendent of public instruction, such information as requested regarding the teacher assistance program.

AMENDATORY SECTION (Amending Order 87-13, filed 11/5/87)WAC 392-196-070 SCHOOL DISTRICT SELECTION PROCESS AND STATE PRIORITIES.

The selection process and priorities shall be as follows for the 1988-89 school year:

~~(1) ((For the 1987-88 school year the superintendent of public instruction shall fund all eligible beginning and mentor teacher teams nominated by local school districts.~~

~~(2) For the 1988-89 school year and ensuing years the superintendent of public instruction shall fund all eligible beginning and mentor teacher teams nominated by local school districts, subject to the availability of funds.~~

~~(3) Experienced and mentor teacher teams shall be nominated by local school districts only during the 1988-89 and ensuing school years, provided the legislature appropriates additional funds for their participation.~~

~~(4) If the local district nominations exceed the availability of appropriated funds for any year of the program, the priority shall be as follows:~~

~~(a) Beginning and mentor teacher teams.~~

~~(b) Experienced and mentor teacher teams.~~

~~(5) Experienced and mentor teacher teams shall be selected on the following priority basis, depending on the availability of appropriated funds:~~

~~(a) At least one team per district.~~

~~(b) At least one team for every one hundred teachers employed by the nominating district.~~

~~(c) Remaining teams shall be selected randomly by lot by ESD region.)~~ Beginning teacher and mentor teams will be selected on the following basis:

(a) Beginning teacher and mentor assigned to the same building and teaching the same grade or subject matter.

(b) Beginning teacher and mentor assigned to different buildings but teaching the same grade or subject matter.

(2) The process used to select beginner and mentor teacher teams shall be as follows:

(a) Applications received between July 15 and August 15 that meet the priority criteria set forth in subsection

(1)(a) and (b) of this section will be accepted in accordance with the priority and the date the application is received in the office of the superintendent of public instruction subject to availability of funds.

(b) If funds are still available after the initial application period, a second application period will be established from August 15 to September 25. Selection priorities will remain the same as set forth herein.

AMENDATORY SECTION (Amending Order 87-13, filed 11/5/87)

WAC 392-196-072 SUPERINTENDENT OF PUBLIC INSTRUCTION CONSULTATION. The superintendent of public instruction hereby establishes a teacher assistance task force of no more than ~~((eighteen))~~ twelve members representing teachers, educational staff associates, administrators, educational service districts, colleges and universities, and school directors. The superintendent shall:

(1) Appoint task force members from nominations submitted by the professional groups eligible to be represented on the task force;

(2) Consult with the task force for the purpose of obtaining their advice about teacher assistance program policies, operations, and evaluations;

(3) Convene the task force at least once annually.

AMENDATORY SECTION (Amending Order 87-13, filed 11/5/87)

WAC 392-196-075 ANNUAL AMOUNT FOR DISTRIBUTION TO PARTICIPATING SCHOOL DISTRICTS. The superintendent of public instruction annually shall establish a dollar amount per beginning teacher-mentor teacher team for distribution to districts for support of the teacher assistance program. Such distribution shall be used by the district exclusively for the following:

(1) Mentor teacher stipends.

(2) Travel expenses of the mentor and beginning teachers for attendance at the superintendent of public instruction beginner-mentor teacher workshops.

(3) Substitute teacher salaries for ~~((release))~~ released time for mentor, ~~((beginning))~~ beginner, and experienced teachers.

(4) Beginning teacher stipends.

(5) Appropriate fringe benefits associated with mentor and beginning teacher stipends.

AMENDATORY SECTION (Amending Order 87-13, filed 11/5/87)

WAC 392-196-080 DISTRIBUTION OF STATE MONEYS FOR THE TEACHER ASSISTANCE PROGRAM. The superintendent of public instruction shall issue grant awards ~~((in each))~~ for the 1988-89 school year for a maximum of ~~((two thousand fifty))~~ one thousand six hundred dollars per mentor-beginning teacher team.

WSR 88-15-028**PROPOSED RULES****CRIMINAL JUSTICE TRAINING COMMISSION**

[Filed July 13, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the [Criminal Justice Training Commission] intends to adopt, amend, or repeal rules concerning basic training requirement for reserve officers, new section WAC 139-05-810;

that the agency will at 1:00 p.m., Thursday, September 22, 1988, in the Criminal Justice Training Center, 2450 South 142nd, 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 43.101.080(2).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before September 21, 1988.

Dated: July 12, 1988
 By: James C. Scott
 Executive Director

STATEMENT OF PURPOSE

Rule: New section WAC 139-05-810 Basic training requirement for reserve officers.

General Purpose of Rule: Prescribes the basic training requirement for reserve law enforcement officers. It is intended to standardize the basic training of such officers and ensure a minimum acceptable level of knowledge and skills required for the provision of reserve service to their respective agencies.

Description, Summary, and Statutory Authority for Rule: This rule is based upon the training commission's general authorities provided by RCW 43.101.080, and specifically RCW 43.101.080(8).

Responsible Agency Personnel: The following personnel of the Washington State Criminal Justice Training Commission have responsibility for drafting, implementing and enforcing this rule: James C. Scott, Executive Director and Garry E. Wegner, Assistant Director, Washington State Criminal Justice Training Commission, Mailstop PW-11, Olympia, WA 98504, phone 459-6342.

NEW SECTION

WAC 139-05-810 BASIC TRAINING REQUIREMENT FOR RESERVE OFFICERS. (1) For the purposes herein:

A. "Reserve officer" includes any law enforcement officer who does not serve as a law enforcement officer of this state on a full-time basis, but who, when called by such agency into active service, is fully commissioned on the same basis as full-time officers to enforce the criminal laws of this state; and

B. "field assignment" includes any period of active service wherein the assigned officer is expected to take routine and/or special enforcement actions, independently or otherwise, in the same manner and capacity as a full-time officer with such assignment.

(2) Every individual who is commissioned as a reserve officer in this state on or after July 1, 1988, shall obtain a basic reserve certificate as a pre-condition of his/her engagement in any field assignment; provided that, any individual possessing a basic reserve certificate issued to him/her by the Training Commission prior to July 1, 1988, shall be deemed to have met this requirement.

(3) A basic reserve certificate shall be issued by the Training Commission to any individual who successfully completes:

A. a basic course of instruction for reserve officers as prescribed and required by the Training Commission; and

B. a comprehensive certification examination developed and administered by the Training Commission.

(4) Requirements of Section 3 above may be waived in whole or in part as determined by the Training Commission and based upon an evaluation of an applicant's experience and training accomplishments. A request for such waiver must be submitted to the Training Commission on approved form by the applicant's agency head and, if approved, may result in direct issuance of a basic reserve certificate or issuance of such certificate upon successful completion of specific training requirements prescribed by the Training Commission.

Training Commission] intends to adopt, amend, or repeal rules concerning career-level certification for law enforcement and corrections personnel, new section WAC 139-25-110;

that the agency will at 1:00 p.m., Thursday, September 22, 1988, in the Criminal Justice Training Center, 2450 South 142nd, Seattle, 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 43.101.080(2).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before September 21, 1988.

Dated: July 12, 1988
 By: James C. Scott
 Executive Director

STATEMENT OF PURPOSE

Rule: New section WAC 139-25-110 Career-level certification for law enforcement and corrections personnel.

General Purpose of Rule: Establishes supervisory, mid-management, and executive certification for law enforcement and corrections personnel within the training commission's purview, further, it prescribes requirements for each such level of certification. Participation in this multi-level certification is voluntary and is intended to facilitate career pathing and development for law enforcement and corrections personnel aspiring to higher office or position. It is intended to standardize, to some extent, supervisory and managerial training and ensure minimum acceptable knowledge and skills required for and by upward mobility.

Description, Summary, and Statutory Authority for Rule: This rule is based upon the training commission's general authorities provided by RCW 43.101.080, and specifically RCW 43.101.080(8).

Responsible Agency Personnel: The following personnel of the Washington State Criminal Justice Training Commission have responsibility for drafting, implementing and enforcing this rule: James C. Scott, Executive Director and Garry E. Wegner, Assistant Director, Washington State Criminal Justice Training Commission, Mailstop PW-11, Olympia, WA 98504, phone 459-6342.

NEW SECTION

WAC 139-25-110 CAREER-LEVEL CERTIFICATION FOR LAW ENFORCEMENT AND CORRECTIONS PERSONNEL. (1) For purposes herein:

A. The term "first-level supervisory position" means a position above operational level for which commensurate pay is authorized and is occupied by an individual who, in the upward chain of command, principally is responsible for the direct supervision of nonsupervisory employees of an agency or is subject to assignment of such responsibilities and most commonly is the rank of sergeant;

B. the term "middle-management position" means a position between a first-level supervisory position and an executive position and for which commensurate pay is authorized and is occupied by an individual who, in the upward chain of command, principally is responsible for the direct supervision of supervisory employees of an agency and/or command duties and most commonly is the rank of lieutenant or captain;

WSR 88-15-029
PROPOSED RULES
CRIMINAL JUSTICE TRAINING COMMISSION
 [Filed July 13, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the [Criminal Justice

C. the term "executive position" means the head of an agency and most commonly is the chief of police, sheriff, director, or chief executive officer.

(2) Any law enforcement officer successfully completing the training requirements specified in hereinafter shall be eligible to apply to the Washington State Criminal Justice Training Commission for issuance of the certification for which such requirements are prescribed. Such certification is intended to acknowledge the recipient's accomplishment of training and experience responsive to the specific functions and responsibilities of a first-level supervisory, mid-management, or executive position. It is not intended to supplant an effective promotional or selection process or preclude consideration of a broad scope of qualifying factors within such process.

(3) The minimum requirements of supervisory certification are set forth as follows:

A. possession of a basic law enforcement or corrections certificate or basic equivalency certificate of the Training Commission; and

B. at least three years of regular and full-time law enforcement or corrections service in a patrol, line, or nonsupervisory position; and

C. satisfactory completion of a probationary period made applicable by the employing agency to a first-level supervisory position or, in the absence of such period, satisfactory performance throughout the initial six months of service in such position; and

D. successful completion of the first-level or first- and second-level supervision course of the Training Commission; and

E. successful completion of at least 72 additional training hours intended or approved for the first-level supervisory position.

(4) The minimum requirements for mid-management certification are set forth as follows:

A. at least two years of full-time and regular service in a first-level supervisory position; and

B. satisfactory completion of a probationary period made applicable by the employing agency to a mid-management position or, in the absence of such period, satisfactory performance throughout the initial six months of service within such position; and

C. possession of the supervisory certificate of the Training Commission; and

D. successful completion of a mid-management course of the Training Commission; and

E. successful completion of at least 72 additional training hours intended or approved for the mid-management position.

(5) The minimum requirements for executive certification are set forth as follows:

A. at least two years of full-time and regular service in a mid-management position; and

B. possession of the mid-management certificate of the Training Commission; and

C. successful completion of the Small Agency Administration or Introduction to Executive Management course of the Training Commission; and

D. successful completion of the Law Enforcement Command College or Executive Management course of the Training Commission; and

E. successful completion of at least 72 additional training hours intended or approved for the executive position.

(6) Any application for certification provided herein shall be submitted in writing on approved form to the Executive Director of the Training Commission or his/her designee.

(7) Education and training programs successfully completed by the applicant and not sponsored or otherwise approved by the Training Commission may be considered in any determination of satisfaction of training requirements prescribed herein. Such determinations and any other determinations relating to equivalent or alternative training shall be made by the Executive Director of the Training Commission or his/her designee.

(8) Any requests for exception to or variance within any provision or requirements set forth herein may be submitted in writing by the individual seeking certification to the Executive Director or his/her designee, who shall have dispositive authority in the matter.

WSR 88-15-030

ADOPTED RULES

DEPARTMENT OF LICENSING

[Order PM 735—Filed July 13, 1988]

I, Theresa Anna Aragon, director of the Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to acupuncture fees, WAC 308-180-260.

This action is taken pursuant to Notice No. WSR 88-11-026 filed with the code reviser on May 11, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 43.24.086 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 July 1, 1988.

By Robert A. Van Schoorl
Assistant Director

AMENDATORY SECTION (Amending Order PM 667, filed 8/27/87)

WAC 308-180-260 ACUPUNCTURE FEES. The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
Application/examination	\$500.00
Retake examination—Written	200.00
Retake examination—Practical	300.00
<u>Partial retake examination—Practical</u>	<u>150.00</u>
Annual license renewal	960.00
Late renewal penalty	200.00
Duplicate license	15.00
Certification	25.00
Acupuncture training program application	300.00

WSR 88-15-031

ADOPTED RULES

DEPARTMENT OF LICENSING

[Order PM 736—Filed July 13, 1988]

I, Theresa Anna Aragon, director of the Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the repealing of WAC 308-140-010, 308-140-020, 308-140-030, 308-140-040, 308-140-070, 308-140-100, 308-140-250, 308-140-270 and 308-140-300.

This action is taken pursuant to Notice No. WSR 88-11-027 filed with the code reviser on May 11, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 43.24.020 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 July 1, 1988.

By Robert A. Van Schoorl
 Assistant Director

WSR 88-15-033
ADOPTED RULES
PRODUCTIVITY BOARD
 [Order 88-1—Filed July 14, 1988]

Be it resolved by the Productivity Board, acting at Olympia, Washington, that it does adopt the annexed rules relating to teamwork incentive program.

This action is taken pursuant to Notice No. WSR 88-12-078 filed with the code reviser on June 1, 1988. 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 41.60 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 July 7, 1988.

By Ralph Munro
 Chair

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 308-140-010 DEFINITIONS.
- WAC 308-140-020 FEES EXCLUDED FROM COST OF SOLICITATION.
- WAC 308-140-030 FORMS FOR ALL DOCUMENTS REQUIRED TO BE FILED.
- WAC 308-140-040 OFFICIAL ADDRESS OF DIRECTOR AND DEPARTMENT.
- WAC 308-140-070 ACCEPTABLE ADDRESS DESIGNATION FOR REGISTRATION.
- WAC 308-140-100 EXEMPTION NOT TRANSFERABLE.
- WAC 308-140-250 PROFESSIONAL FUND-RAISERS CONTRACTS FILING REQUIREMENT.
- WAC 308-140-270 STANDARDS OF ADVERTISING FOR SOLICITATION PURPOSES.
- WAC 308-140-300 WAIVER OF PERCENTAGE LIMITATION.

WSR 88-15-032
NOTICE OF PUBLIC MEETINGS
CENTRALIA COLLEGE
 [Memorandum—July 11, 1988]

COMMUNITY COLLEGE DISTRICT TWELVE
BOARD OF TRUSTEES
Regular Meeting Schedule
1988-89

DATE	TIME	LOCATION
Thursday, July 7, 1988	4:30 p.m.	College Boardroom
Wednesday, August 3, 1988	4:30 p.m.	College Boardroom
Thursday, September 1, 1988	4:30 p.m.	College Boardroom
Thursday, October 6, 1988	4:30 p.m.	College Boardroom
Thursday, November 3, 1988	4:30 p.m.	East County Center Morton, Washington
Thursday, December 1, 1988	4:30 p.m.	College Boardroom
Thursday, January 5, 1989	4:30 p.m.	College Boardroom
Thursday, February 2, 1989	4:30 p.m.	College Boardroom
Thursday, March 2, 1989	4:30 p.m.	East County Center Morton, Washington
Thursday, April 13, 1989	4:30 p.m.	College Boardroom
Thursday, May 4, 1989	4:30 p.m.	College Boardroom
Thursday, June 1, 1989	4:30 p.m.	College Boardroom

Chapter 383-07 WAC
TEAMWORK INCENTIVE PROGRAM

- WAC 383-07-010 Purpose.
- 383-07-020 Definitions.
- 383-07-030 Functions of the board.
- 383-07-040 Duties of the program administrator.
- 383-07-045 Responsibilities of agency management.
- 383-07-050 Responsibilities of the TIP liaison.
- 383-07-060 Employee responsibilities.
- 383-07-070 Application procedures.
- 383-07-080 Application format.
- 383-07-090 Approval or denial of the application.
- 383-07-100 Reports to the productivity board.
- 383-07-110 Criteria for evaluation of savings.
- 383-07-120 Distribution of awards.
- 383-07-130 Award authorization and payment procedures.

NEW SECTION

WAC 383-07-010 PURPOSE. The purpose of this chapter is to provide rules for the development and administration of the teamwork incentive program (TIP) administered by the productivity board under the authority of chapter 41.60 RCW.

NEW SECTION

WAC 383-07-020 DEFINITIONS. As used in this chapter, these definitions refer only to the teamwork incentive program unless the context requires otherwise:

- (1) "Board" means productivity board.
- (2) "Program" means teamwork incentive program developed by the productivity board under chapter 41.60 RCW, and is frequently abbreviated as TIP.

(3) "Program administrator" refers to the person hired by the board to administer the program known as TIP.

(4) "The act" referred to in this chapter is chapter 41.60 RCW.

(5) "Agency" includes every subdivision of state government eligible to participate under chapter 41.60 RCW, including all merit system agencies and institutions of higher education.

(6) "Unit" means a subdivision with a common mission within an agency. A unit may also be referred to as a "team" or a "group".

(7) "Director" means the appointed or elected chief executive of the agency.

(8) "Supervisor" means the person responsible for unit operations in accordance with WAC 356-05-400 or 251-01-395. (Merit system rules and higher education personnel board rules defining supervisor.)

(9) "Steering committee" means a representative group of individuals responsible for planning and implementation of TIP within an agency.

(10) "Liaison" means the individual who is the key contact from an agency to the productivity board. The TIP liaison is a member of the steering committee in agencies using them.

(11) "Award" means the percentage of savings allowed by chapter 41.60 RCW.

(12) "Cost savings" refers to cost efficiencies which occurred as a result of productivity improvements. Cost savings may be reflected in budget reductions and/or cost containment.

(13) "Outcome" refers to the accomplishments or results achieved by the unit.

(14) "Project year" means the twelve-month period during which performance and fiscal measures are monitored.

NEW SECTION

WAC 383-07-030 FUNCTIONS OF THE BOARD. The responsibilities of the board shall include:

(1) Promotion of the program to agency directors and the legislature;

(2) Establishment of policies under which the program shall be promoted and administered, including guidelines cited in WAC 383-07-045, 383-07-050, and 383-07-060 concerning the responsibilities of agency management, TIP liaisons and agency employees;

(3) Adoption of rules and regulations necessary for the administration of this act;

(4) Final determination in approving unit participation in the teamwork program;

(5) Final approval of any amount awarded to an eligible unit;

(6) Submission of reports required by chapter 41.60 RCW.

NEW SECTION

WAC 383-07-040 DUTIES OF THE PROGRAM ADMINISTRATOR. The program administrator shall be responsible and accountable to the board for the administration of the program, and shall:

(1) Attend meetings of the board and ensure a record of its actions regarding the program is maintained.

(2) Propose policies, rules, and regulations appropriate for the administration of the program.

(3) Establish and maintain records and procedures necessary for the administration and maintenance of the program.

(4) Review applications and reports submitted by units to ensure compliance with chapter 41.60 RCW and to recommend necessary changes.

(5) Supervise staff and interface with agency TIP liaisons and/or other agency personnel about the program.

NEW SECTION

WAC 383-07-045 RESPONSIBILITIES OF AGENCY MANAGEMENT. Under the following guidelines, agency management shall be responsible for facilitating agency involvement at all stages of the teamwork program, including the following:

(1) Promotion and administration of the TIP program within the agency, offering assistance in the completion of unit applications, including documentation of approval and denial of applications;

(2) Providing support throughout unit participation in the TIP project through encouragement, records management and training assistance, and facilitating cooperation between shifts, other units, other divisions, etc.;

(3) Review of quarterly and final TIP reports, verifying sustained or improved performance and quality measures, and fiscal impact;

(4) Cooperation and assistance in recognizing TIP units for their efforts and achievements, including timely payment of awards.

The agency head shall appoint an individual as TIP liaison to coordinate agency TIP activities with the productivity board. A group of individuals, including the agency TIP liaison, may be designated as a steering committee within the agency to implement and maintain the program.

NEW SECTION

WAC 383-07-050 RESPONSIBILITIES OF THE TIP LIAISON. The TIP liaison, under these guidelines, serves as the primary link between the board and the agency, and is responsible and accountable to agency management. The TIP liaison shall:

(1) Coordinate the TIP program within the agency as a member of the agency's TIP steering committee or as an individual liaison between the agency and the board.

(2) Oversee the completion and submission of all TIP applications, working within agency chain of command and with productivity board staff. Ensure that all applications meet the criteria established by RCW 41.60.100, WAC 383-07-070 and 383-07-080.

(3) Monitor on-going TIP activities within the agency, reviewing all quarterly reports for completeness and accuracy and transmit reports to the program administrator in a timely manner.

(4) Represent the agency on TIP-related issues at board meetings. Attend regularly scheduled board meetings when the agenda includes TIP projects or issues relevant to the agency.

(5) Promote the program within the agency through on-site presentations, written communications, facilitation of meetings and other effective means to acquaint employees and supervisors with the purpose and benefits of the program.

(6) Ensure that award authorizations are processed, and that payments are made to individuals and the board in a timely manner.

(7) Identify and encourage use of internal resources, such as training staff and management analysts, to assist units participating in TIP.

(8) Identify and encourage use of other resources inside and outside state government, such as the state energy office, the career executive program, and other knowledgeable experts.

(9) Coordinate with agency management and the board recognition of groups completing the year-long project.

NEW SECTION

WAC 383-07-060 EMPLOYEE RESPONSIBILITIES. Employees within a unit form a team under these guidelines. As team members, individuals should:

(1) Understand the mission of the unit and be aware of performance goals and fiscal targets identified in the TIP data base.

(2) Identify problem areas which the team should address as a means to improve performance outcomes.

(3) Share ideas with other team members and build upon ideas shared by others.

(4) Propose solutions to unit problems and develop action plans.

(5) Submit action plans to management as needed to implement proposals.

(6) Implement changes and evaluate their effectiveness.

NEW SECTION

WAC 383-07-070 APPLICATION PROCEDURES. Units interested in being considered for participation in the teamwork incentive program shall complete a TIP application form.

(1) Application forms shall be available from the productivity board office or the TIP liaison within the agency.

(2) Applications which are approved by the agency shall be submitted by the TIP liaison to the program administrator.

(3) Applications should be submitted prior to the beginning of the project year and must be received by the board staff by the 10th of the month preceding board action to approve a unit's participation in the teamwork incentive program.

(4) Applications presented to the board for action shall contain authorizing signatures and outcome and fiscal information.

(5) In accordance with RCW 41.60.110 (1)(b), units completing a TIP project year may reapply by the submission of an abbreviated application, including authorizing signatures, timeframes and a confirmation of the previous results as the data base to be used.

NEW SECTION

WAC 383-07-080 APPLICATION FORMAT. For applications to be considered by the board, units interested in participating in the teamwork incentive program must meet these eligibility criteria:

(1) An identification of the data base against which savings shall be evaluated at the end of the project year, including the following:

(a) A general description of the unit and its mission;

(b) Performance measures which quantify the workflow and outcome measures of the unit;

(c) Fiscal information pertinent to outcomes;

(d) A list of participating personnel, with special notation of those working less than full time; and

(e) A statement of how the unit expects to achieve gains.

(2) Signatures of agency management authorizing the unit's participation in the TIP project, including:

(a) The head of the agency in which the unit is located, as required by RCW 41.60.100;

(b) The supervisor of the participating unit;

(c) The fiscal officer of the agency and/or the agency accounts officer of the agency; and

(d) Other signatures specified by the agency, such as the personnel manager and division directors.

NEW SECTION

WAC 383-07-090 APPROVAL OR DENIAL OF THE APPLICATION. Upon receipt of the official application, the program administrator shall:

(1) Review the application for completeness and accuracy, coordinating with the agency TIP liaison on any points needing clarification.

(2) Schedule the application review for board action at the next appropriate meeting.

(3) Prepare an executive summary about the unit, its performance measures and its TIP goals to be sent to board members prior to scheduled action.

(4) Make a recommendation to board members concerning the application, based on whether or not the application is reasonable and practical and includes program indicators which lend themselves to a judgment of success or failure.

(5) The board may approve or deny an application based upon whether or not the proposal is deemed reasonable, practical and includes program indicators which lend themselves to a judgment of success or failure.

(6) Communicate with the TIP liaison and interested others about dates for the anticipated board action approving the application, the quarterly reports and the anticipated final review and approval of any unit award.

NEW SECTION

WAC 383-07-100 REPORTS TO THE PRODUCTIVITY BOARD. Each unit accepted to participate in the program shall submit regular progress reports to the board through the agency's TIP liaison.

(1) Quarterly reports shall be submitted to the board in accordance with a schedule arranged by the program administrator and shall contain, as a minimum, the following information:

(a) An update on unit accomplishments relative to TIP performance measures;

(b) An update on personnel changes; and

(c) An indication of quality of outcomes.

(2) Final reports shall be submitted to the board within two months following the TIP completion date and shall include, as a minimum, the following information:

(a) Annual accomplishments relative to TIP performance measures as compared to TIP data base measures, expressed in both quantitative and qualitative terms, including the total net savings, the unit award and the amount of a full award share;

(b) A list of personnel eligible to receive full award shares;

(c) A list of personnel eligible to receive partial award shares, based on the fraction of the year each has worked for the unit;

(d) A statement of quality of services written by agency management; and

(e) Specific information requested by the program administrator on behalf of the board.

(3) In their final report, the unit shall submit documentation which quantifies performance measures, fiscal measures, and outcome measures for the TIP project year. Acceptable documentation may include, but is not limited to:

(a) Fiscal documents, such as budgets and accounting reports;

(b) Agency management reports quantifying outcomes;

(c) Reports from other agencies, such as the state energy office or federal agencies;

(d) Reports made to other agencies or governmental units;

(e) Personnel reports quantifying overtime hours;

(f) Other reports relevant to TIP performance outcomes and operational costs.

(4) The program administrator may extend due dates for reports.

NEW SECTION

WAC 383-07-110 CRITERIA FOR EVALUATION OF SAVINGS. TIP savings shall be evaluated using the following criteria:

(1) Savings achieved during the TIP project year shall be evaluated in accordance with criteria set forth in RCW 41.60.110.

(2) The TIP application shall provide the data base of performance measures, fiscal measures, and outcome measures to be used as the basis of comparison for units participating in TIP for the first year.

(3) For units reapplying to participate in a subsequent year, the data base shall be in accordance with RCW 41.60.110.

NEW SECTION

WAC 383-07-120 DISTRIBUTION OF AWARDS. Awards shall be distributed to employees and supervisors of the unit as follows:

(1) If the board determines in its judgment that a unit qualifies for an award, the board shall award to the employees and supervisors of the unit a percentage of net savings as specified in RCW 41.60.120.

(2) The unit award shall be divided and distributed in equal shares to employees and supervisors of the unit, except those who have worked within the unit for less than twelve months of the TIP-year or less than full time during the twelve months of the project shall receive a pro rata share based upon the fraction of the TIP-year worked.

(3) Units not demonstrating cost efficiencies may receive special recognition of merit in the form and manner determined by the board.

NEW SECTION

WAC 383-07-130 AWARD AUTHORIZATION AND PAYMENT PROCEDURES. Following approval of a teamwork incentive award by the productivity board, the program administrator shall submit an award invoice to the agency authorizing payment of awards and transfer of fees in accordance with RCW 41.60.120.

(1) The award authorization invoice shall include:

(a) The total amount of savings;

(b) The unit award based upon the percentage specified by RCW 41.60.120;

(c) A list of employees and the amount of each individual's award share; and

(d) The amount to be transferred to the department of personnel service fund in accordance with RCW 41.60.120.

(2) The award authorization invoice shall be sent to the agency's TIP liaison for processing payments of awards and fees. A copy of the authorization shall be forwarded to the unit supervisor, the agency accounts officer for the department of personnel, and the agency accounts officer for the board.

(3) The award authorization invoice shall be sent within five working days following board action.

(4) The agency shall arrange for payment of awards in a timely manner.

WSR 88-15-034**NOTICE OF PUBLIC MEETINGS
BOARD FOR VOLUNTEER FIREMEN**

[Memorandum—July 12, 1988]

The Board for Volunteer Firemen will next meet at 9:30 a.m. on July 22, 1988, in the Olympia Forum Building, Room 209, 11th Avenue N.E., Olympia.

WSR 88-15-035

NOTICE OF PUBLIC MEETINGS
EDMONDS COMMUNITY COLLEGE

[Memorandum—July 14, 1988]

Tuesday, July 19, 1988
Lynnwood Hall, Room 424

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.

WSR 88-15-036

PROPOSED RULES
INSURANCE COMMISSIONER

[Filed July 14, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Insurance Commissioner intends to adopt, amend, or repeal rules concerning requirements for the separation and accounting of premiums and return premiums by insurance agents, brokers, solicitors, general agents and surplus line brokers, exempting title insurance agents and certain insurance brokers, and defining noncompliance to be an unfair practice;

that the agency will at 9:30 a.m., Tuesday, August 23, 1988, in the John Cherberg Building, Hearing Room #1, State Capitol Campus, 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 August 24, 1988 at 2:00 p.m.

The authority under which these rules are proposed is RCW 48.02.060 (3)(a) and 48.30.010(2).

The specific statute these rules are intended to implement is RCW 48.05.310(6), 48.15.140 (1)(c), 48.17.480, 48.17.600 and 48.30.010(2).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before August 23, 1988. Mailing address: Insurance Building, AQ-21, Olympia, Washington 98504-0321.

Dated: July 14, 1988

By: Melodie Bankers

Deputy Insurance Commissioner

STATEMENT OF PURPOSE

Title: Amending WAC 284-12-080 to comply with changes made by the 1988 legislature to RCW 48.17.600, exempting agents of title insurance companies and insurance brokers with average daily balances of one million dollars or more in premiums received on behalf of insureds in the state of Washington from requirements to keep and account for premiums and return premiums separate from all other funds.

The statutory authority for WAC 284-12-080 is RCW 48.02.060 (3)(a) and 48.30.010(2), to effectuate

RCW 48.05.310(6), 48.15.140 (1)(c), 48.17.480, 48.17.600 and 48.30.010(2). The amendment effectuates changes made in 1988 to RCW 48.17.600 only.

Melodie Bankers, Deputy Commissioner, (206) 586-3574, was directly responsible for the drafting of the proposed amendment under the supervision of Robert E. Johnson, Deputy Commissioner, (206) 753-2406. It will be implemented and enforced, as appropriate, by the licensing, company supervision, and consumer protection divisions of the Insurance Commissioner's Office under the direct supervision of David Rodgers, Chief Deputy, (206) 753-7302. The address of each of the individuals is: Insurance Building, AQ-21, Olympia, Washington 98504.

This amendment is proposed by Dick Marquardt, the insurance commissioner, a state public official. The proposed rule is not necessary as the result of federal law or federal or state court action.

Small Business Impact Statement: The proposed rule will have no adverse impact on insurance department licensees. Licensees may, but are not required to, change their separate account procedures. The additional cost per employee or per hour of labor is estimated to be zero, whether the licensee has more or less than fifty employees.

AMENDATORY SECTION (Amending Order R 87-1, filed 1/21/87)

WAC 284-12-080 REQUIREMENTS FOR SEPARATE ACCOUNTS. (1) The purpose of this section is to effectuate RCW 48.17.600 and 48.17.480 with respect to the separation and accounting of premium funds by agents, brokers, solicitors, general agents and surplus line brokers, hereinafter called "producers." Pursuant to RCW 48.30.010, the commissioner has found and hereby defines it to be an unfair practice for any producer, except as allowed by statute, to conduct insurance business without complying with the requirements of RCW 48.17.600 and this section. As provided in RCW 48.17.600, agents for title insurance companies or insurance brokers whose average daily balance for premiums received on behalf of insureds in the state of Washington equals or exceeds one million dollars, are exempt from subsections (1) through (5) of this section, except with respect to premiums and return premiums received in another licensing capacity.

(2) All funds representing premiums and return premiums received on Washington business by a producer in his or her fiduciary capacity on or after January 1, 1987, shall be deposited in one or more identifiable separate accounts which may be interest bearing.

(a) A producer may deposit no funds other than premiums and return premiums to the separate account except as follows:

- (i) Funds reasonably sufficient to pay bank charges;
- (ii) Funds a producer may deem prudent for advancing premiums, or establishing reserves for the paying of return premiums; and
- (iii) Funds for contingencies as may arise in the business of receiving and transmitting premiums or return premiums.

(b) A producer may commingle Washington premiums and return premiums with those produced in other states, but there shall be no commingling of any funds which would not be permitted by this section.

(3)(a) The separate account funds may be:

(i) Deposited in a checking account, demand account, or a savings account in a bank, national banking association, savings and loan association, mutual savings bank, stock savings bank, credit union, or trust company located in the state of Washington. Such an account must be insured by an entity of the federal government; or

(ii) Invested in United States government bonds and treasury certificates or other obligations for which the full faith and credit of the United States government is pledged for payment of principal and interest, repurchase agreements collateralized by securities issued by the United States government, and bankers acceptances. Insurers may, of course, restrict investments of separate account funds by their agent.

(b) A nonresident licensee, or a resident producer with affiliated operations under common ownership in two or more states, may utilize

comparable accounts in another state provided such accounts otherwise meet the requirements of RCW 48.17.600 and this rule, and are accessible to the commissioner for purposes of examination or audit at the expense of the producer.

(4)(a) The entire premium received (including a surplus lines premium tax if paid by the insured) must be deposited into the separate account. Such funds shall be paid promptly to the insurer or to another producer entitled thereto, in accordance with the terms of any applicable agreement between the parties.

(b) Return premiums received by a producer and the producer's share of any premiums required to be refunded, must be deposited promptly to the separate account. Such funds shall be paid promptly to the insured or person entitled thereto.

(5)(a) Where a producer receives a premium payment in the form of an instrument, such as a check, which is made payable to an insurer, general agent or surplus line broker, the producer may forward such instrument directly to the payee if that can be done without endorsement or alteration. In such a case, the producer's separate account is not involved because the producer has not "received" any funds.

(b) If the producer receives a premium payment in the form of cash or an instrument requiring endorsement by the producer, such premium must be deposited into the producer's separate account, unless the insurer entitled to such funds has established other procedures by written direction to a producer who is its appointed agent, which procedures:

(i) Recognize that such agent is receiving premiums directly on behalf of the insurer; and

(ii) Direct the producer to give adequate receipts on behalf of the insurer; and

(iii) Require deposit of the proceeds into the insurer's own account or elsewhere as permitted by the insurer's direction.

Thus, for example, an insurer may utilize the services of a licensed agent, known in the industry as a "captive agent," in the sale of its insurance and in the operation of its places of business, and directly receive payments intended for it without such payments being deposited into and accounted for through the licensed agent's separate account. In such cases, for purposes of this rule, the insurer, as distinguished from the agent, is actually "receiving" the funds and is immediately responsible therefor.

(c) When a producer receives premiums in the capacity of a surplus line broker, licensed pursuant to chapter 48.15 RCW, after a binder or other written evidence of insurance has been issued to the insured, subject to the express written direction of the insurer involved, such premiums may be removed from the separate account.

(6) The commissioner recognizes the practical problems of accounting for the small amounts of interest involved spread over a large number of insurers and insureds. Therefore, absent any agreement between the producer and the insured or insurer to the contrary, interest earned on the deposits held in the separate account may be retained by the producer and used to offset bank charges, establish reserves, pay return premiums, or for any of the purposes listed in subsection (2) of this section, or the interest may be removed to the operating account.

(7) A producer shall establish and maintain records and an appropriate accounting system for all premiums and return premiums received by the producer, and shall make such records available for inspection by the commissioner during regular business hours upon demand during the five years immediately after the date of the transaction.

(8) The accounting system used must effectively isolate the separate account from any operating accounts. All record-keeping systems, whether manual or electronic must provide an audit trail so that details underlying the summary data, such as invoices, checks, and statements, may be identified and made available on request. Such a system must provide the means to trace any transaction back to its original source or forward to final entry, such as is accomplished by a conventional double-entry bookkeeping system. When automatic data processing systems are used, a description of the system must be available for review by the commissioner. A balance forward system (as in an ordinary checking account) is not acceptable.

(9)(a) A producer that is a firm or corporation may utilize one separate account for the funds received by its affiliated persons operating under its license, and such affiliated persons may deposit the funds they receive in such capacity directly into the separate account of their firm or corporation.

(b) Funds received by a solicitor may be deposited into and accounted for through the separate account of the agent or broker represented by the solicitor.

WSR 88-15-037

ADOPTED RULES

DEPARTMENT OF ECOLOGY

[Order 88-5—Filed July 15, 1988]

I, Phillip C. Johnson, deputy director of programs, do promulgate and adopt at Lacey, Washington, the annexed rules relating to hazard ranking system regulation, chapter 173-338 WAC.

This action is taken pursuant to Notice No. WSR 88-11-073 filed with the code reviser on May 18, 1988. 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 70.105B.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 July 14, 1988.

By Phillip C. Johnson
Deputy Director
of Programs

Chapter 173-338 WAC

HAZARD RANKING SYSTEM REGULATION

WAC

173-338-010	Purpose
173-338-020	Definitions
173-338-030	Evaluation criteria
173-338-040	Scoring procedure
173-338-050	Rescoring

NEW SECTION

WAC 173-338-010 PURPOSE. This regulation implements RCW 70.105B.030 (2)(a) of the Hazardous Waste Cleanup Act of 1987. The purpose of this regulation is to establish criteria for determining priorities among hazardous substance sites and to assure that sites are ranked by a system that objectively and numerically assesses the relative degree of risk to human health and the environment at such sites. The departments of ecology and social and health services shall coordinate in the ranking of hazardous substance sites according to the scoring procedure guidance to be developed. The department of ecology shall use categorical rankings derived from site scores as a primary factor in establishing its remedial action priorities.

The department is, as of July 1988, in the process of developing a set of rules and guidance for the implementation of chapter 70.105B RCW. The department intends to revise this rule in conjunction with the adoption of other final rules to ensure that this rule is consistent, integrated, and coordinated with the set of rules and guidance being developed under chapter 70.105B RCW.

NEW SECTION

WAC 173-338-020 DEFINITIONS. When used in this regulation, the following terms have the meanings given below:

(1) "Aquifer" means a geologic formation, group of formations, or part of a formation capable of yielding a significant amount of groundwater to wells or springs.

(2) "Bioconcentration potential" means the propensity of a substance to be retained and accumulated in an organism into which it has been absorbed.

(3) "Containment" means a container, vessel, barrier, or structure, whether natural or constructed, by which a hazardous substance is prevented or hindered from release to or migration in the environment.

(4) "Contamination" means the polluting or rendering unclean or impure the air, land or waters of the state, or making the same injurious to public health, harmful for commercial or recreational use, or harmful to fish, bird, or other animal or plant life.

(5) "Department" means the department of ecology.

(6) "Environment" means the surface waters, groundwater, drinking water supply, land surface, soils, tidelands, shorelands, sediments, subsurface, or ambient air within Washington or under jurisdiction of the state.

(7) "Exposure" means subjection to the action, influence, or effects of a substance or condition.

(8) "Groundwater" means water in a saturated zone or stratum beneath the surface of land or water.

(9) "Hazardous substance" means any solid, semisolid, dissolved solid, liquid, or gaseous material which meets the definition of hazardous substance in RCW 70.105B.020(6).

(10) "Hazardous substance site" means any area or location, confirmed through an initial investigation and requiring further investigation, where a hazardous substance has been deposited, released, stored, disposed of, or placed, or otherwise come to be located.

(11) "Mobility" means the capability of a substance to move or be moved from one place to another.

(12) "Persistence" means the tendency of a substance to resist degradation and remain in the atmosphere, soil, and/or water.

(13) "Release" means any intentional or unintentional discharge, deposit, injection, dumping, pouring, pumping, emission, emptying, leaching, or allowing to seep of a substance into the environment.

(14) "Remedial action" means any action or expenditure consistent with the purposes of Chapter 70.105B RCW to identify, eliminate, or minimize any threat or potential threat posed by hazardous substances to human health or the environment, including investigative and monitoring activities with respect to any release or threatened release of a hazardous substance and any health assessments or health effects studies conducted in order to determine the risk or potential risk to human health.

(15) "Risk" means a measure of the probability and severity of adverse effects caused by the circumstances of the exposure.

(16) "Sensitive environment" means an area of particular environmental value, such as wetlands, critical

habitat for endangered or threatened species, national or state wildlife refuge, critical habitat, breeding or feeding area for fish or shellfish, wild or scenic river, rookery, riparian area, big game winter range, or other area of special environmental concern.

(17) "Site" means the same as "hazardous substance site."

(18) "Site inspection" means an on-site survey of a site and may include collection of samples. The purpose is to gather sufficient data at a site or facility and in its vicinity to determine the existence and type of contamination at the site and its potential and actual threat to public health and the environment.

(19) "Solubility" means a measure of the ability of a substance to exist in solution at a specified pressure and temperature, usually expressed in units of mass per unit volume of solvent.

(20) "Surface water" means those portions of Puget Sound, the Strait of Juan de Fuca, the Strait of Georgia, and the Pacific Ocean within the boundaries of Washington or its jurisdiction, and all public or privately owned natural or constructed lakes, bays, rivers, streams, springs, ponds, impoundments, marshes, water courses, and drainage courses within the state or its jurisdiction.

(21) "Toxicity" means a measure of the propensity of a chemical molecule or compound to produce injury once it reaches a susceptible receptor in or on a living organism.

NEW SECTION

WAC 173-338-030 EVALUATION CRITERIA.

The objective of the site evaluation is to determine, as far as possible at the time of investigation, the actual or potential risk posed by the site to human health and the environment. This assessment considers air, groundwater, and surface water migration pathways, human and nonhuman exposure targets, properties of the hazardous substances present, and the interaction of these variables. The department shall evaluate each site on a consistent basis considering the following criteria:

(1) Observed or documented release of hazardous substances to the environment at the site.

(2) Documented exposure of human and nonhuman organisms to hazardous substances released at the site, excluding worker exposure to industrial chemicals and residential exposure to residential consumer products.

(3) Identification of hazardous substances on the site, including what was released and/or what products of decomposition, recombination, or chemical reaction are currently present on site, and their quantities or concentrations.

(4) Toxicity of the hazardous substances present at the site to human beings and nonhuman organisms which are or potentially may be affected.

(5) Persistence of the hazardous substances present at the site.

(6) Solubility of the hazardous substances.

(7) Subsurface mobility of the hazardous substances.

(8) Bioconcentration potential of the hazardous substances, relevant to potentially exposed organisms.

(9) The hazardous substances' airborne mobility potential, as particulate matter and as vapor.

(10) Quality of containment of the hazardous substances, whether natural or constructed, including impermeable substrata, surface impoundments, storage tanks and containers, waste piles, landfills, and handling techniques, where relevant.

(11) Runoff potential at the site, including:

- (a) type of surface soil;
- (b) surface permeability at the site;
- (c) overland distance of a course that runoff might follow from the site to the nearest downhill body of surface water;
- (d) the site's location relative to 100-year, 50-year, and 25-year floods.

(12) Precipitation at the site, including:

- (a) annual precipitation;
- (b) maximum 24-hour rainfall in any twenty-five year period;
- (c) net annual or seasonal precipitation, as precipitation less evaporation.

(13) Human population currently or potentially affected by surface water or groundwater contamination caused by the site through drinking water, non-drinking residential use, or recreational use, and its distance from the site.

(14) Critical aquatic habitats, fishery resources, critical wildlife habitats, recreation areas, agricultural or forest lands, irrigated areas, parks, and sensitive environments currently or potentially affected by groundwater or surface water contamination caused by the site, and their respective distances from the site.

(15) Characterization of the subsurface and groundwater actually or potentially affected by the site, including:

- (a) permeability of the unsaturated zone at or beneath the site;
- (b) usage of the water from the aquifers at or beneath the site;
- (c) depth to the aquifers below the site;
- (d) distance from the site to the nearest wells.

(16) Human population, recreation areas, parks, sensitive environments, agricultural or harvestable forest land, critical wildlife habitats, and aquatic resources actually or potentially affected by airborne contaminants from the site, and their respective air route distances from the site.

(17) Natural sedimentation rate at the site.

(18) Degree of current or potential exposure of aquatic and benthic populations to contaminants on site.

(19) Any other physical factors which may be significant in estimating the potential or current exposure to sensitive biota.

NEW SECTION

WAC 173-338-040 SCORING PROCEDURE. Evaluation of each site shall be done jointly by the department of ecology and department of social and health services, according to guidance provided by the department which shall include a detailed scoring manual and worksheets. The scoring procedure and major amendments to the guidance shall be reviewed by the Science Advisory Board, established pursuant to RCW

70.105B.030(4). A primary objective is consistent application of the scoring method. The scoring manual shall include, but not necessarily be limited to, the following information:

- (1) Scoring and categorical ranking instructions.
- (2) Data requirements for each evaluation criterion.
- (3) Scoring values for each data item.
- (4) Algorithms for each evaluation section and the overall score.
- (5) Guidelines for application of the scoring values for particular cases and circumstances.
- (6) Instructions for prescreening the data to ensure their completeness before scoring a site.
- (7) Reference documentation for data items where applicable.
- (8) Scoring worksheets.
- (9) Documentation procedures.
- (10) Quality assurance guidelines.
- (11) Audit procedures.

NEW SECTION

WAC 173-338-050 RESCORING. The department may, at its discretion, rescore a site if, before cleanup action is begun at the site, the receipt of additional information within the scope of the evaluation criteria indicates a significant change in score may result.

WSR 88-15-038

ADOPTED RULES

DEPARTMENT OF ECOLOGY

[Order 88-20—Filed July 15, 1988]

I, Phillip C. Johnson, deputy director of programs, do promulgate and adopt at Lacey, Washington, the annexed rules relating to initial investigation, chapter 173-336 WAC.

This action is taken pursuant to Notice No. WSR 88-11-072 filed with the code reviser on May 18, 1988. 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 70.105B.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 July 14, 1988.

By Phillip C. Johnson
Deputy Director
of Programs

Chapter 173-336 WAC

INITIAL INVESTIGATION REGULATION

WAC

173-336-010

173-336-020

Purpose and authority
Definitions

173-336-030 General

NEW SECTION

WAC 173-336-010 PURPOSE AND AUTHORITY. The purpose of this chapter is to establish requirements for the initial investigation of a site reported to the department as a suspected hazardous substance site. The object of the initial investigation is to confirm a report or complaint to the department about a suspected hazardous substance site. The result of the initial investigation is a judgment about the site, to decide whether or not it is a site where a hazardous substance has been released or threatens release and whether or not the site requires further investigation.

Chapter 70.105B.030 (2)(b) RCW requires the department to establish a reasonable deadline, not to exceed ninety days, for initiating an investigation of a hazardous substance site after the department has received information that a site may pose a threat to human health or the environment.

The department is, as of July 1988, in the process of developing a set of rules and guidance for the implementation of chapter 70.105B RCW. The department intends to revise this rule in conjunction with the adoption of other final rules to ensure that this rule is consistent, integrated, and coordinated with the set of rules and guidance being developed under chapter 70.105B RCW.

NEW SECTION

WAC 173-336-020 DEFINITIONS. (1) "Department" means the department of ecology.

(2) "Environment" means the surface waters, groundwater, drinking water supply, land surface, tidelands, bedlands, subsurface, or ambient air within Washington or under jurisdiction of the state.

(3) "Hazardous substance" means any solid, semi-solid, dissolved solid, liquid, or gaseous material which meets the definition of hazardous substance in RCW 70.105B.020(6).

(4) "Site" means any area or location where a hazardous substance has or may have been deposited, released, disposed of, placed, or otherwise come to be located.

(5) "Release" means any intentional or unintentional discharge, deposit, injection, dumping, pouring, pumping, emission, emptying, leaching, or allowing to seep of a substance into the environment.

NEW SECTION

WAC 173-336-030 GENERAL. (1) When the department receives information and has a reasonable basis to believe that there may be a release or a threatened release of a hazardous substance that may pose a threat to human health or the environment, the department shall investigate within ninety (90) days.

(2) An initial investigation shall at a minimum include:

- (a) site visit;
- (b) documentation of conditions observed;

(c) documentation for any other applicable statute or regulation if appropriate; and

(d) if necessary, a recommendation for follow-up action.

(3) The department shall not be required to conduct an initial investigation within ninety (90) days when:

(a) the circumstances associated with the release or threatened release are known and have previously been investigated by the department or another governmental agency; or

(b) the person potentially liable for a release or threatened release has, in the department's judgment, taken an appropriate remedy; or

(c) the release is otherwise permitted.

(4) The department may have another governmental agency conduct an initial investigation on its behalf, provided such agency is not suspected to have contributed to the release or threatened release of a hazardous substance.

WSR 88-15-039**PROPOSED RULES****DEPARTMENT OF LICENSING**

[Filed July 15, 1988]

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 308-34-170	Naturopathic physician licensing fees.
Amd	WAC 308-117-500	Practical nurse fees.
Amd	WAC 308-120-275	Registered nurse fees.
New	WAC 308-121-070	Nursing assistant fees;

that the agency will at 10:00 a.m., Monday, September 19, 1988, in the Exam Center, First Floor, 1300 Quince Street, Olympia, WA 98504, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on a date following the hearing.

The authority under which these rules are proposed is RCW 43.24.086.

The specific statute these rules are intended to implement is RCW 43.24.086.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before September 12, 1988.

Dated: July 13, 1988

By: Robert A. Van Schoorl
Assistant Director**STATEMENT OF PURPOSE**

Name of Agency: Washington State Department of Licensing.

Purpose: To establish the amount of fees associated with the registration and regulation of professions administered by the Department of Licensing.

Statutory Authority: RCW 43.24.086.

Summary of Rules: WAC 308-34-170 Naturopathic physician licensing fees; 308-117-500 Practical nurse

fees; 308-120-275 Registered nurse fees; and 308-121-070 Nursing assistant fees.

Reason Proposed: To set the fees associated with registration and regulation of professions administered by the Department of Licensing at a sufficient level to defray the costs of administering the programs.

Responsible Department Personnel: In addition to the Department of Licensing, the following personnel have knowledge of and responsibility for drafting, implementing and enforcing the rules: Robert Van Schoorl, Assistant Director, 1300 Quince Street S.E., Olympia, WA 98504, 234-2241 scan, 753-2241 comm.

Proponents: The director of the Department of Licensing.

Federal Law or Federal or State Court Requirements: Not necessitated as a result of federal law or federal or state court requirements.

Small Business Economic Impact Statement: Not required since these rules do not impact small businesses as the term is defined by RCW 43.31.920.

AMENDATORY SECTION (Amending Order PM 742, filed 6/24/88)

WAC 308-34-170 NATUROPATHIC PHYSICIAN LICENSING FEES. (1) The following fees are payable to the Department of Licensing.

Title of Fee	Amount
Application/Examination/Reexamination	\$275.00
Partial Examination	75.00
License Renewal	250.00
Late Renewal Penalty	175.00
Duplicate License	15.00
Certification	25.00

(2) Fees submitted to and processed by the department are non-refundable.

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 PM 650, filed 5/1/87)

WAC 308-117-500 PRACTICAL NURSE FEES. The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
Application (examination and reexamination)	\$35.00
License renewal	25.00
Late renewal penalty	10.00
Inactive renewal	15.00
Inactive late renewal penalty	5.00
Endorsement - Reciprocity	35.00
Duplicate License	15.00
Certification	25.00

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 PM 650, filed 5/1/87)

WAC 308-120-275 REGISTERED NURSE FEES. The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
Application - Examination	\$30.00
License renewal	20.00
Late renewal penalty	15.00
Inactive license renewal	10.00
Inactive late renewal penalty	5.00
Endorsement - Reciprocity	25.00
Duplicate license	15.00
Examination (Second - Subsequent retake or more)	30.00
Certification	25.00
ARNP Application	25.00
ARNP renewal	20.00
ARNP prescriptive application	30.00
ARNP prescriptive renewal	20.00

NEW SECTION

WAC 308-121-070 NURSING ASSISTANT - FEES The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
Application - registration	\$10.00
Renewal of registration	10.00
Duplicate registration	15.00
Certification of registration	25.00

WSR 88-15-040
PROPOSED RULES
DEPARTMENT OF LICENSING
 [Filed July 15, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the state of Washington Department of Licensing intends to adopt, amend, or repeal rules concerning general procedure for professional licensing examination appeals, new section WAC 308-08-700;

that the agency will at 1:15 p.m., Tuesday, August 23, 1988, in the Quince Street Building, Examination Room, 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 43.24.060.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before August 23, 1988.

Dated: July 14, 1988
 By: Robert A. Van Schoorl
 Assistant Director
 Business and Professions
 Administration

STATEMENT OF PURPOSE

Name of Agency: Washington State Department of Licensing.

Purpose: WAC 308-08-700 is proposed to better enable the Department of Licensing to protect the public health, safety and welfare by having in place a general procedure for professional examination appeals.

Statutory Authority: RCW 43.24.060.

Summary of the Rules: WAC 308-08-700 General procedure for professional licensing examination appeals.

Reason Proposed: To have a general procedure in effect for professional licensing exam appeals.

Responsible Departmental Personnel: In addition to the director of the Department of Licensing, the following individuals have knowledge of and responsibility for drafting, implementing, enforcing and repealing these rules: Robert Van Schoorl, Assistant Director, Business and Professions Administration, Department of Licensing, 1300 Quince Street Building, Olympia, WA 98504, phone (206) 753-2241; and Chris Robert Rose, Administrator, Professional Programs Management, Department of Licensing, 1300 Quince Street Building, Olympia, WA 98504, phone (206) 753-3234.

Proponents: The Department of Licensing.

Federal Law or Federal or State Court Requirement: Not necessitated as the result of federal or state court requirements.

Small Business Economic Impact Statement: Not required for this statement.

NEW SECTION

WAC 308-08-700 GENERAL PROCEDURE FOR PROFESSIONAL EXAMINATION APPEALS. This general procedure for professional licensing examination appeals shall apply unless a professional licensing board or committee or the department of licensing has adopted an examination appeal procedure for a specific profession. (1) Any candidate who takes a state examination for professional licensure and does not pass may request informal review by the pertinent examining board, examining committee or the department of his or her examination results. This request must be in writing and must be received by the department within thirty (30) days of the date of service of notification of the examination results. The examining board, committee or the department will not set aside its prior determination unless the candidate shows, by a preponderance of evidence, error in examination content or procedure, or bias, prejudice, or discrimination in the examination process. The examining board, committee or department will not consider any challenges to examination scores unless the total revised score could result in issuance of a license.

(2) The procedure for filing an informal review is as follows:

(a) Contact the department of licensing office in Olympia for an appointment to appear personally to review questions answered incorrectly and the incorrect answers on the written portion of failed examination, and score sheets on the failed practical portion of the examination (where applicable).

(b) The candidate will be provided a form to complete in the Department of Licensing office in Olympia in defense of examination answers.

(c) The candidate must specifically identify the challenged portion(s) of the examination and must state the specific reason or reasons why the candidate feels the results of the examination should be changed.

(d) The candidate will be identified only by candidate number for the purpose of this review. Letters of reference or requests for special consideration will not be read or considered by the examining board or committee.

(e) The candidate may not bring in notes, texts or resource or reference materials for use while completing the informal review form.

(f) The candidate will not be allowed to take any notes or materials from the office upon leaving.

(g) The examining board or committee will schedule a closed session meeting to review the examinations, score sheets and forms completed by the candidate for the purpose of informal review.

(h) The candidate will be notified in writing of the results.

(3) Any candidate who is not satisfied with the result of the informal examination review may submit a written request for a formal hearing to be held before the examining board, committee, or administrative law judge pursuant to the administrative procedures act. The issues raised by the candidate at the formal hearing shall be limited to those

issues raised by the candidate for consideration at the informal review unless amended by a prehearing order. Such written request for hearing must be received by the Department of Licensing within twenty (20) days of the date of service of the result of the board's or committee's informal review of the examination results. The written request must specifically identify the challenged portion(s) of the examination and must state the specific reason(s) why the candidate feels the results of the examination should be changed. The examining board or committee will not set aside its prior determination unless the candidate shows, by a preponderance of evidence, error in examination content or procedure, or bias, prejudice, or discrimination in the examination process. The board or committee will not consider any challenges to examination scores unless the total revised score could result in issuance of a license.

(4) Before the hearing is scheduled either party may request a prehearing conference before an administrative law judge to consider the following:

(a) The simplification of issues;

(b) Amendments to the candidate's notice identifying the challenged portion(s) of the examination and the statement of the specific reason(s) why the candidate feels the results of the examination should be changed;

(c) The possibility of obtaining stipulations, admission of facts and documents;

(d) The limitation of the number of expert witnesses;

(e) A schedule for completion of all discovery; and,

(f) Such other matters as may aid in the disposition of the proceeding.

(5) In the event there is a prehearing conference, the administrative law judge shall enter an order which sets forth the actions taken at the conference, the amendments allowed to the pleading and the agreements made by the parties or their qualified representatives as to any of the matters considered, including the settlement or simplification of issues. The prehearing order limits the issues for hearing to those not disposed of by admissions or agreements. Such order shall control the subsequent course of the proceeding unless modified for good cause by subsequent prehearing order.

(6) Candidates will receive at least twenty (20) days notice of the time and place of the formal hearing. The hearing will be restricted to the specific portion(s) of the examination the candidate has identified as the bases for his or her challenge of the examination results unless amended by a prehearing order.

WSR 88-15-041

ADOPTED RULES

DEPARTMENT OF LICENSING

(Board of Registration for Landscape Architects)

[Order PM 746—Filed July 15, 1988]

Be it resolved by the Washington State Board of Registration for Landscape Architects, acting at Olympia, Washington, that it does adopt the annexed rules relating to proctoring, amending WAC 308-13-025.

This action is taken pursuant to Notice No. WSR 88-12-041 filed with the code reviser on May 27, 1988. 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 18.96.060 and 18.96.070 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED July 8, 1988.

By Don Shimono
Chairman

AMENDATORY SECTION (Amending Order PL 511, filed 1/31/85)

WAC 308-13-025 PROCTORING. Candidates for examination who have acquired two-thirds of their required practical training, but cannot achieve the balance of their required work experience (with) under the direct supervision of a landscape architect(s), may appeal to the board to acquire the required experience through the proctoring (process) program.

Based on a review of the applicant's academic and work experience, the board may approve the applicant's selection of a landscape architect proctor who will review and critique the applicant's work for the balance of the practical experience required. The proctoring process must involve one or more face-to-face meetings per month with the proctor. The proctor will provide the board a written report for each proctoring session. Proctoring experience will be weighted at one hundred percent of actual experience working for a landscape architect.

The proctoring program must be approved by the board before credit may be accrued. No retroactive credit may be approved for proctoring reviews conducted prior to board approval. The proctoring program consists of a minimum of twelve months, and culminates with the board's acceptance of the proctor's report of program completion.

The application fee for the proctoring program shall be included in the application fee for examination as specified in the schedule of landscape architect fees.

WSR 88-15-042
EMERGENCY RULES
DEPARTMENT OF LICENSING
[Order PM 750—Filed July 15, 1988]

I, Theresa Anna Aragon, director of the Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the fees associated with the licensing or regulation of certain professions administered by the Department of Licensing:

- Amd WAC 308-34-170 Naturopathic physician licensing fees.
- Amd WAC 308-117-500 Practical nurse fees.
- Amd WAC 308-120-275 Registered nurse fees.
- New WAC 308-121-070 Nursing assistant fees.

I, Robert Van Schoorl, 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 adoption of the new fees is

necessary to adequately fund the affected licensing programs pending the adoption of permanent fees on or about September 6, 1988.

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

This rule is promulgated pursuant to RCW 43.24.086 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 July 15, 1988.

By Robert A. Van Schoorl
Assistant Director
for Theresa Anna Aragon
Director

AMENDATORY SECTION (Amending Order PM 742, filed 6/24/88)

WAC 308-34-170 NATUROPATHIC PHYSICIAN LICENSING FEES. (1) The following fees are payable to the Department of Licensing.

Title of Fee	Amount
Application/Examination/Reexamination	\$275.00
Partial Examination	75.00
License Renewal	250.00
Late Renewal Penalty	175.00
Duplicate License	15.00
Certification	25.00

(2) Fees submitted to and processed by the department are non-refundable.

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 PM 650, filed 5/1/87)

WAC 308-117-500 PRACTICAL NURSE FEES. The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
Application (examination and reexamination)	\$35.00
License renewal	25.00
Late renewal penalty	10.00
Inactive renewal	15.00
Inactive late renewal penalty	5.00
Endorsement - Reciprocity	35.00
Duplicate license	15.00
Certification	25.00

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 PM 650, filed 5/1/87)

WAC 308-120-275 REGISTERED NURSE FEES. The following fees shall be charged by the professional licensing division of the department of licensing:

<i>Title of Fee</i>	<i>Fee</i>
Application - Examination	\$30.00
License renewal	20.00
Late renewal penalty	15.00
Inactive license renewal	10.00
Inactive late renewal penalty	5.00
Endorsement - Reciprocity	25.00
Duplicate License	15.00
Examination (Second - Subsequent retake or more)	30.00
Certification	25.00
ARNP Application	25.00
ARNP Renewal	20.00
ARNP prescriptive application	30.00
ARNP prescriptive renewal	20.00

NEW SECTION

WAC 308-121-070 NURSING ASSISTANT - FEES The following fees shall be charged by the professional licensing division of the department of licensing:

<u>TITLE OF FEE</u>	<u>FEE</u>
Application - registration	\$10.00
Renewal of registration	10.00
Duplicate registration	15.00
Certification of registration	25.00

**WSR 88-15-043
PROPOSED RULES
DEPARTMENT OF LICENSING
[Filed July 15, 1988]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the director, Department of Licensing, intends to adopt, amend, or repeal rules concerning mandatory reporting requirements for the following professions, and a rule requiring cooperation with investigation for licensees, certificants or registrants: Nursing assistant, social worker, mental health counselor, counselor, dispensing optician, respiratory care practitioner, marriage and family therapist, massage practitioner, ocularist, midwife, naturopath, dental hygienist, acupuncturist, radiological technologist and dietician or nutritionist;

that the agency will at 1:30 p.m., Tuesday, September 13, 1988, in the Examination Center, First Floor, 1300 Quince Street, Olympia, WA 98504, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on a date following the hearing.

The authority under which these rules are proposed is RCW 18.130.050.

The specific statute these rules are intended to implement is RCW 18.130.070.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before September 13, 1988.

Dated: July 15, 1988
By: Robert A. Van Schoorl
Assistant Director

STATEMENT OF PURPOSE

Name of Agency: Washington State Department of Licensing.

Purpose: To establish procedures for mandatory reporting of findings of unprofessional conduct or findings that a licensee, certificant or registrant is unable to practice with reasonable safety and skill, and to establish requirements for cooperation with investigation.

Statutory Authority: RCW 18.130.050.

Responsible Departmental Personnel: In addition to the Department of Licensing, the following departmental personnel have knowledge of and responsibility for drafting, implementing and enforcing these rules: Robert Van Schoorl, Assistant Director, 1300 Quince S.E., Olympia, WA 98504, 234-2241 scan, 753-2241 comm.

Proponents: The director of the Department of Licensing.

Federal Law or Federal or State Court Requirements: Not necessitated as the result of federal law or federal or state court requirements.

Small Business Economic Impact Statement: Not required since these rules do not impact small businesses.

Chapter 308-173 WAC
NURSING ASSISTANTS

WAC

- 308-173-010 General provisions.
- 308-173-020 Mandatory reporting.
- 308-173-030 Health care institutions.
- 308-173-040 Nursing assistant associations or societies.
- 308-173-050 Health care service contractors and disability insurance carriers.
- 308-173-060 Professional liability carriers.
- 308-173-070 Courts.
- 308-173-080 State and federal agencies.
- 308-173-090 Cooperation with investigation.

NEW SECTION

WAC 308-173-010 GENERAL PROVISIONS. (1) "Unprofessional conduct" as used in this chapter shall mean the conduct described in RCW 18.130.180.

(2) "Hospital" means any health care institution licensed pursuant to chapter 70.41 RCW.

(3) "Nursing home" means any health care institution which comes under chapter 18.51 RCW.

(4) "Department" means the department of licensing, whose address is:

Department of Licensing
Professional Programs Management Division
P.O. Box 9649
Olympia, Washington 98504-8001

(5) "Nursing assistant" means a person certified pursuant to chapter 267, Laws of 1988.

(6) "Mentally or physically disabled nursing assistant" means a nursing assistant who has either been determined by a court to be

mentally incompetent or mentally ill or who is unable to practice nursing assistance with reasonable skill and safety to patients by reason of any mental or physical condition.

NEW SECTION

WAC 308-173-020 MANDATORY REPORTING. (1) All reports required by this chapter shall be submitted to the department as soon as possible, but no later than twenty days after a determination is made.

(2) A report should contain the following information if known:

- (a) The name, address, and telephone number of the person making the report.
- (b) The name and address and telephone numbers of the nursing assistant being reported.
- (c) The case number of any patient whose treatment is a subject of the report.
- (d) A brief description or summary of the facts which gave rise to the issuance of the report, including dates of occurrences.
- (e) If court action is involved, the name of the court in which the action is filed along with the date of filing and docket number.
- (f) Any further information which would aid in the evaluation of the report.

NEW SECTION

WAC 308-173-030 HEALTH CARE INSTITUTIONS. The chief administrator or executive officer of any hospital or nursing home shall report to the department when any nursing assistant's services are terminated or are restricted based on a determination that the nursing assistant has either committed an act or acts which may constitute unprofessional conduct or that the nursing assistant may be mentally or physically disabled.

NEW SECTION

WAC 308-173-040 NURSING ASSISTANT ASSOCIATIONS OR SOCIETIES. The president or chief executive officer of any nursing assistant association or society within this state shall report to the department when an association or society determines or has a reasonable suspicion that a nursing assistant has committed unprofessional conduct or that a nursing assistant may not be able to practice nursing assistance with reasonable skill and safety to patients as the result of any mental or physical condition and constitutes an apparent risk to the public health, safety, or welfare. The report required by this section shall be made without regard to whether the certificate holder appeals, accepts, or acts upon the determination made by the association or society. Notification of appeal shall be included. A report filed pursuant to this section shall be considered a complaint under the Uniform Disciplinary Act and subject to immunity for the complainant as described in RCW 18.130.180.

NEW SECTION

WAC 308-173-050 HEALTH CARE SERVICE CONTRACTORS AND DISABILITY INSURANCE CARRIERS. The executive officer of every health care service contractor and disability insurer, licensed under chapters 48.20, 48.21, 48.21A, and 48.44 RCW, operating in the state of Washington shall report to the department all final determinations that a nursing assistant has engaged in over-utilization of services or has charged fees for services not actually provided.

NEW SECTION

WAC 308-173-060 PROFESSIONAL LIABILITY CARRIERS. Every institution or organization providing professional liability insurance directly or indirectly to nursing assistants shall send a complete report to the department of any malpractice settlement, award, or payment as a result of a claim or action for damages alleged to have been caused by an insured nursing assistant's incompetency or negligence in the practice of nursing assistance.

NEW SECTION

WAC 308-173-070 COURTS. The department requests the assistance of all clerks of trial courts within the state to report all professional malpractice judgments and all convictions of nursing assistants, other than minor traffic violations.

NEW SECTION

WAC 308-173-080 STATE AND FEDERAL AGENCIES. The department requests the assistance of executive officers of any state or federal program operating in the state of Washington, under which a nursing assistant is employed to provide patient care services, to report to the department whenever such a nursing assistant has been judged to have demonstrated his/her incompetency or negligence in the practice of nursing assistance, or has otherwise committed unprofessional conduct, or is a mentally or physically disabled nursing assistant.

NEW SECTION

WAC 308-173-090 COOPERATION WITH INVESTIGATION. (1) A licensee, certificant, or registrant must comply with a request for records, documents, or explanation from an investigator who is acting on behalf of the director of the department of licensing or a written request for release of records by a patient or client, by submitting the requested items within fourteen calendar days of receipt of the request by either the licensee, certificant, or registrant or their attorney, whichever is first. If the licensee, certificant, or registrant fails to comply with the request within fourteen calendar days, the investigator will contact that individual or their attorney by telephone or letter as a reminder.

(2) Investigators may extend the time for response if the request for extension does not exceed seven calendar days. Any other requests for extension of time may be granted by the director or the director's designee.

(3) If the licensee, certificant, or registrant fails to comply with the request within three business days after receiving the reminder, a subpoena will be served to obtain the requested items. A statement of charges may be issued pursuant to RCW 18.130.180(8) for failure to cooperate. If there is sufficient evidence to support additional charges, those charges may be included in the statement of charges.

(4) If the licensee, certificant, or registrant complies with the request after the issuance of the statement of charges, the director or the director's designee will decide if the charges will be prosecuted or settled. If the charges are to be settled the settlement proposal will be negotiated by the director's designee. Settlements are not considered final until the director signs the settlement agreement.

NEW SECTION

WAC 308-195-120 GENERAL PROVISIONS. (1) "Unprofessional conduct" as used in this chapter shall mean the conduct described in RCW 18.130.180.

(2) "Hospital" means any health care institution licensed pursuant to chapter 70.41 RCW.

(3) "Nursing home" means any health care institution which comes under chapter 18.51 RCW.

(4) "Department" means the department of licensing, whose address is:

Department of Licensing
Professional Programs Management Division
P.O. Box 9012
Olympia, Washington 98504-8001

(5) "Respiratory care practitioner" means a person certified pursuant to chapter 18.89 RCW.

(6) "Mentally or physically disabled respiratory care practitioner" means a respiratory care practitioner who has either been determined by a court to be mentally incompetent or mentally ill or who is unable to practice respiratory care with reasonable skill and safety to patients by reason of any mental or physical condition.

NEW SECTION

WAC 308-195-130 MANDATORY REPORTING. (1) All reports required by this chapter shall be submitted to the department as soon as possible, but no later than twenty days after a determination is made.

(2) A report should contain the following information if known:

- (a) The name, address, and telephone number of the person making the report.
- (b) The name and address and telephone numbers of the respiratory care practitioner being reported.
- (c) The case number of any patient whose treatment is a subject of the report.

(d) A brief description or summary of the facts which gave rise to the issuance of the report, including dates of occurrences.

(e) If court action is involved, the name of the court in which the action is filed along with the date of filing and docket number.

(f) Any further information which would aid in the evaluation of the report.

NEW SECTION

WAC 308-195-140 HEALTH CARE INSTITUTIONS. The chief administrator, executive officer, or responsible personnel of any hospital or nursing home shall report to the department when any respiratory care practitioner's services are terminated or are restricted based on a determination that the respiratory care practitioner has either committed an act or acts which may constitute unprofessional conduct or that the respiratory care practitioner may be mentally or physically disabled.

NEW SECTION

WAC 308-195-150 RESPIRATORY CARE PRACTITIONER ASSOCIATIONS OR SOCIETIES. The president or chief executive officer of any respiratory care practitioner association or society within this state shall report to the department when an association or society determines or has a reasonable suspicion that a respiratory care practitioner has committed unprofessional conduct or that a respiratory care practitioner may not be able to practice respiratory care with reasonable skill and safety to patients as the result of any mental or physical condition and constitutes an apparent risk to the public health, safety, or welfare. The report required by this section shall be made without regard to whether the certificate holder appeals, accepts, or acts upon the determination made by the association or society. Notification of appeal shall be included. A report filed pursuant to this section shall be considered a complaint under the Uniform Disciplinary Act and subject to immunity for the complainant as described in RCW 18.130.180.

NEW SECTION

WAC 308-195-160 PROFESSIONAL LIABILITY CARRIERS. Every institution or organization providing professional liability insurance directly or indirectly to respiratory care practitioners shall send a complete report to the department of any malpractice settlement, award, or payment as a result of a claim or action for damages alleged to have been caused by an insured respiratory care practitioner's incompetency or negligence in the practice of respiratory care.

NEW SECTION

WAC 308-195-170 COURTS. The department requests the assistance of all clerks of trial courts within the state to report all professional malpractice judgments and all convictions of certified respiratory care practitioners, other than minor traffic violations.

NEW SECTION

WAC 308-195-180 STATE AND FEDERAL AGENCIES. The department requests the assistance of executive officers of any state or federal program operating in the state of Washington, under which a respiratory care practitioner is employed to provide patient care services, to report to the department whenever such a respiratory care practitioner has been judged to have demonstrated his/her incompetency or negligence in the practice of respiratory care, or has otherwise committed unprofessional conduct, or is a mentally or physically disabled respiratory care practitioner.

NEW SECTION

WAC 308-195-190 COOPERATION WITH INVESTIGATION. (1) A licensee, certificante, or registrant must comply with a request for records, documents, or explanation from an investigator who is acting on behalf of the director of the department of licensing or a written request for release of records by a patient or client, by submitting the requested items within fourteen calendar days of receipt of the request by either the licensee, certificante, or registrant or their attorney, whichever is first. If the licensee, certificante, or registrant fails to comply with the request within fourteen calendar days, the investigator will contact that individual or their attorney by telephone or letter as a reminder.

(2) Investigators may extend the time for response if the request for extension does not exceed seven calendar days. Any other requests for extension of time may be granted by the director or the director's designee.

(3) If the licensee, certificante, or registrant fails to comply with the request within three business days after receiving the reminder, a subpoena will be served to obtain the requested items. A statement of charges may be issued pursuant to RCW 18.130.180(8) for failure to cooperate. If there is sufficient evidence to support additional charges, those charges may be included in the statement of charges.

(4) If the licensee, certificante, or registrant complies with the request after the issuance of the statement of charges, the director or the director's designee will decide if the charges will be prosecuted or settled. If the charges are to be settled the settlement proposal will be negotiated by the director's designee. Settlements are not considered final until the director signs the settlement agreement.

Chapter 308-177 WAC DIETITIANS OR NUTRITIONISTS

WAC

308-177-010	General provisions.
308-177-020	Mandatory reporting.
308-177-030	Health care institutions.
308-177-040	Dietitian or nutritionist associations or societies.
308-177-050	Health care service contractors and disability insurance carriers.
308-177-060	Professional liability carriers.
308-177-070	Courts.
308-177-080	State and federal agencies.
308-177-090	Cooperation with investigation.

NEW SECTION

WAC 308-177-010 GENERAL PROVISIONS. (1) "Unprofessional conduct" as used in this chapter shall mean the conduct described in RCW 18.130.180.

(2) "Hospital" means any health care institution licensed pursuant to chapter 70.41 RCW.

(3) "Nursing home" means any health care institution which comes under chapter 18.51 RCW.

(4) "Department" means the department of licensing, whose address is:

Department of Licensing
Professional Programs Management Division
P.O. Box 9649
Olympia, Washington 98504-8001

(5) "Dietitian or nutritionist" means a person certified pursuant to chapter 277, Laws of 1988.

(6) "Mentally or physically disabled dietitian or nutritionist" means a dietitian or nutritionist who has either been determined by a court to be mentally incompetent or mentally ill or who is unable to practice dietetics or general nutrition services with reasonable skill and safety to patients by reason of any mental or physical condition.

NEW SECTION

WAC 308-177-020 MANDATORY REPORTING. (1) All reports required by this chapter shall be submitted to the department as soon as possible, but no later than twenty days after a determination is made.

(2) A report should contain the following information if known:

(a) The name, address, and telephone number of the person making the report.

(b) The name and address and telephone numbers of the dietitian or nutritionist being reported.

(c) The case number of any client whose treatment is a subject of the report.

(d) A brief description or summary of the facts which gave rise to the issuance of the report, including dates of occurrences.

(e) If court action is involved, the name of the court in which the action is filed along with the date of filing and docket number.

(f) Any further information which would aid in the evaluation of the report.

NEW SECTION

WAC 308-177-030 HEALTH CARE INSTITUTIONS. The chief administrator or executive officer of any hospital or nursing home shall report to the department when any dietitian or nutritionist's services are terminated or are restricted based on a determination that the dietitian or nutritionist has either committed an act or acts which may constitute unprofessional conduct or that the dietitian or nutritionist may be mentally or physically disabled.

NEW SECTION

WAC 308-177-040 DIETITIAN OR NUTRITIONIST ASSOCIATIONS OR SOCIETIES. The president or chief executive officer of any dietitian or nutritionist association or society within this state shall report to the department when an association or society determines or has a reasonable suspicion that a dietitian or nutritionist has committed unprofessional conduct or that a dietitian or nutritionist may not be able to practice dietetics or general nutrition services with reasonable skill and safety to clients as the result of any mental or physical condition and constitutes an apparent risk to the public health, safety, or welfare. The report required by this section shall be made without regard to whether the certificate holder appeals, accepts, or acts upon the determination made by the association or society. Notification of appeal shall be included. A report filed pursuant to this section shall be considered a complaint under the Uniform Disciplinary Act and subject to immunity for the complainant as described in RCW 18.130.180.

NEW SECTION

WAC 308-177-050 HEALTH CARE SERVICE CONTRACTORS AND DISABILITY INSURANCE CARRIERS. The executive officer of every health care service contractor and disability insurer, licensed under chapters 48.20, 48.21, 48.21A, and 48.44 RCW, operating in the state of Washington shall report to the department all final determinations that a dietitian or nutritionist has engaged in over-utilization of services or has charged fees for services not actually provided.

NEW SECTION

WAC 308-177-060 PROFESSIONAL LIABILITY CARRIERS. Every institution or organization providing professional liability insurance directly or indirectly to dietitians or nutritionists shall send a complete report to the department of any malpractice settlement, award, or payment as a result of a claim or action for damages alleged to have been caused by an insured dietitian or nutritionist's incompetency or negligence in the practice of dietetics or general nutrition services.

NEW SECTION

WAC 308-177-070 COURTS. The department requests the assistance of all clerks of trial courts within the state to report all professional malpractice judgments and all convictions of dietitians or nutritionists, other than minor traffic violations.

NEW SECTION

WAC 308-177-080 STATE AND FEDERAL AGENCIES. The department requests the assistance of executive officers of any state or federal program operating in the state of Washington, under which a dietitian or nutritionist is employed to provide patient care services, to report to the department whenever such a dietitian or nutritionist has been judged to have demonstrated his/her incompetency or negligence in the practice of dietetics or general nutrition services, or has otherwise committed unprofessional conduct, or is a mentally or physically disabled dietitian or nutritionist.

NEW SECTION

WAC 308-177-090 COOPERATION WITH INVESTIGATION. (1) A licensee, certificante, or registrant must comply with a request for records, documents, or explanation from an investigator who is acting on behalf of the director of the department of licensing or a written request for release of records by a patient or client, by submitting the requested items within fourteen calendar days of receipt of the request by either the licensee, certificante, or registrant or their attorney, whichever is first. If the licensee, certificante, or registrant fails to

comply with the request within fourteen calendar days, the investigator will contact that individual or their attorney by telephone or letter as a reminder.

(2) Investigators may extend the time for response if the request for extension does not exceed seven calendar days. Any other requests for extension of time may be granted by the director or the director's designee.

(3) If the licensee, certificante, or registrant fails to comply with the request within three business days after receiving the reminder, a subpoena will be served to obtain the requested items. A statement of charges may be issued pursuant to RCW 18.130.180(8) for failure to cooperate. If there is sufficient evidence to support additional charges, those charges may be included in the statement of charges.

(4) If the licensee, certificante, or registrant complies with the request after the issuance of the statement of charges, the director or the director's designee will decide if the charges will be prosecuted or settled. If the charges are to be settled the settlement proposal will be negotiated by the director's designee. Settlements are not considered final until the director signs the settlement agreement.

Chapter 308-183 WAC
RADIOLOGICAL TECHNOLOGISTS

WAC

308-183-010	General provisions.
308-183-020	Mandatory reporting.
308-183-030	Health care institutions.
308-183-040	Radiological technologist associations or societies.
308-183-050	Professional liability carriers.
308-183-060	Courts.
308-183-070	State and federal agencies.
308-183-080	Cooperation with investigation.

NEW SECTION

WAC 308-183-010 GENERAL PROVISIONS. (1) "Unprofessional conduct" as used in this chapter shall mean the conduct described in RCW 18.130.180.

(2) "Hospital" means any health care institution licensed pursuant to chapter 70.41 RCW.

(3) "Nursing home" means any health care institution which comes under chapter 18.51 RCW.

(4) "Department" means the department of licensing, whose address is:

Department of Licensing
Professional Programs Management Division
P.O. Box 9012
Olympia, Washington 98504-8001

(5) "Radiological technologist" means a person certified pursuant to chapter 18.84 RCW.

(6) "Mentally or physically disabled radiological technologist" means a radiological technologist who has either been determined by a court to be mentally incompetent or mentally ill or who is unable to practice radiological technology with reasonable skill and safety to patients by reason of any mental or physical condition.

NEW SECTION

WAC 308-183-020 MANDATORY REPORTING. (1) All reports required by this chapter shall be submitted to the department as soon as possible, but no later than twenty days after a determination is made.

(2) A report should contain the following information if known:

(a) The name, profession, address, and telephone number of the person making the report.

(b) The name and address and telephone numbers of the radiological technologist being reported.

(c) The case number of any client whose treatment is a subject of the report.

(d) A brief description or summary of the facts which gave rise to the issuance of the report, including dates of occurrences.

(e) If court action is involved, the name of the court in which the action is filed along with the date of filing and docket number.

(f) Any further information which would aid in the evaluation of the report.

NEW SECTION

WAC 308-183-030 HEALTH CARE INSTITUTIONS. The chief administrator or executive officer or appropriate personnel of any hospital or nursing home shall report to the department when any radiological technologist's services are terminated or are restricted based on a determination that the radiological technologist has either committed an act or acts which may constitute unprofessional conduct or that the radiological technologist may be mentally or physically disabled.

NEW SECTION

WAC 308-183-040 RADIOLOGICAL TECHNOLOGIST ASSOCIATIONS OR SOCIETIES. The president or chief executive officer of any radiological technologist association or society within this state shall report to the department when an association or society determines or has a reasonable suspicion that a radiological technologist has committed unprofessional conduct or that a radiological technologist may not be able to practice radiological technology with reasonable skill and safety to clients as the result of any mental or physical condition and constitutes an apparent risk to the public health, safety, or welfare. The report required by this section shall be made without regard to whether the certificate holder appeals, accepts, or acts upon the determination made by the association or society. Notification of appeal shall be included. A report filed pursuant to this section shall be considered a complaint under the Uniform Disciplinary Act and subject to immunity for the complainant as described in RCW 18.130.180.

NEW SECTION

WAC 308-183-050 PROFESSIONAL LIABILITY CARRIERS. Every institution or organization providing professional liability insurance directly or indirectly to radiological technologists shall send a complete report to the department of any malpractice settlement, award, or payment as a result of a claim or action for damages alleged to have been caused by an insured radiological technologist's incompetency or negligence in the practice of radiology technology.

NEW SECTION

WAC 308-183-060 COURTS. The department requests the assistance of all clerks of trial courts within the state to report all professional malpractice judgments and all convictions of certified radiological technologists, other than minor traffic violations.

NEW SECTION

WAC 308-183-070 STATE AND FEDERAL AGENCIES. The department requests the assistance of executive officers of any state or federal program operating in the state of Washington, under which a radiological technologist is employed to provide client care services, to report to the department whenever such a radiological technologist has been judged to have demonstrated his/her incompetency or negligence in the practice of radiological technology, or has otherwise committed unprofessional conduct, or is a mentally or physically disabled radiological technologist.

NEW SECTION

WAC 308-183-080 COOPERATION WITH INVESTIGATION. (1) A licensee, certificant, or registrant must comply with a request for records, documents, or explanation from an investigator who is acting on behalf of the director of the department of licensing or a written request for release of records by a patient or client, by submitting the requested items within fourteen calendar days of receipt of the request by either the licensee, certificant, or registrant or their attorney, whichever is first. If the licensee, certificant, or registrant fails to comply with the request within fourteen calendar days, the investigator will contact that individual or their attorney by telephone or letter as a reminder.

(2) Investigators may extend the time for response if the request for extension does not exceed seven calendar days. Any other requests for extension of time may be granted by the director or the director's designee.

(3) If the licensee, certificant, or registrant fails to comply with the request within three business days after receiving the reminder, a subpoena will be served to obtain the requested items. A statement of charges may be issued pursuant to RCW 18.130.180(8) for failure to

cooperate. If there is sufficient evidence to support additional charges, those charges may be included in the statement of charges.

(4) If the licensee, certificant, or registrant complies with the request after the issuance of the statement of charges, the director or the director's designee will decide if the charges will be prosecuted or settled. If the charges are to be settled the settlement proposal will be negotiated by the director's designee. Settlements are not considered final until the director signs the settlement agreement.

NEW SECTION

WAC 308-180-290 GENERAL PROVISIONS. (1) "Unprofessional conduct" as used in this chapter shall mean the conduct described in RCW 18.130.180.

(2) "Hospital" means any health care institution licensed pursuant to chapter 70.41 RCW.

(3) "Nursing home" means any health care institution which comes under chapter 18.51 RCW.

(4) "Department" means the department of licensing, whose address is:

Department of Licensing
Professional Programs Management Division
P.O. Box 9012
Olympia, Washington 98504-8001

(5) "Acupuncturist" means a person certified under chapter 18.06 RCW.

(6) "Mentally or physically disabled acupuncturist" means an acupuncturist who has either been determined by a court to be mentally incompetent or mentally ill or who is unable to practice acupuncture with reasonable skill and safety to patients by reason of any mental or physical condition.

NEW SECTION

WAC 308-180-300 MANDATORY REPORTING. (1) All reports required by this chapter shall be submitted to the department as soon as possible, but no later than twenty days after a determination is made.

(2) A report should contain the following information if known:

(a) The name, address, and telephone number of the person making the report.

(b) The name and address and telephone numbers of the acupuncturist being reported.

(c) The case number of any patient whose treatment is a subject of the report.

(d) A brief description or summary of the facts which gave rise to the issuance of the report, including dates of occurrences.

(e) If court action is involved, the name of the court in which the action is filed along with the date of filing and docket number.

(f) Any further information which would aid in the evaluation of the report.

NEW SECTION

WAC 308-180-310 HEALTH CARE INSTITUTIONS. The chief administrator or executive officer of any hospital or nursing home shall report to the department when any acupuncturist's services are terminated or are restricted based on a determination that the acupuncturist has either committed an act or acts which may constitute unprofessional conduct or that the acupuncturist may be mentally or physically disabled.

NEW SECTION

WAC 308-180-320 ACUPUNCTURE ASSOCIATIONS OR SOCIETIES. The president or chief executive officer of any acupuncture association or society within this state shall report to the department when an association or society determines or has a reasonable suspicion that an acupuncturist has committed unprofessional conduct or that an acupuncturist may not be able to practice acupuncture with reasonable skill and safety to patients as the result of any mental or physical condition and constitutes an apparent risk to the public health, safety, or welfare. The report required by this section shall be made without regard to whether the license holder appeals, accepts, or acts upon the determination made by the association or society. Notification of appeal shall be included. A report filed pursuant to this section shall be considered a complaint under the Uniform Disciplinary

Act and subject to immunity for the complainant as described in RCW 18.130.180.

NEW SECTION

WAC 308-180-330 HEALTH CARE SERVICE CONTRACTORS AND DISABILITY INSURANCE CARRIERS. The executive officer of every health care service contractor and disability insurer, licensed under chapters 48.20, 48.21, 48.21A, and 48.44 RCW, operating in the state of Washington shall report to the department all final determinations that an acupuncturist has engaged in over-utilization of services or has charged fees for services not actually provided.

NEW SECTION

WAC 308-180-340 PROFESSIONAL LIABILITY CARRIERS. Every institution or organization providing professional liability insurance directly or indirectly to acupuncturists shall send a complete report to the department of any malpractice settlement, award, or payment as a result of a claim or action for damages alleged to have been caused by an insured acupuncturist's incompetency or negligence in the practice of acupuncture.

NEW SECTION

WAC 308-180-350 COURTS. The department requests the assistance of all clerks of trial courts within the state to report all professional malpractice judgments and all convictions of licensed acupuncturists, other than minor traffic violations.

NEW SECTION

WAC 308-180-360 STATE AND FEDERAL AGENCIES. The department requests the assistance of executive officers of any state or federal program operating in the state of Washington, under which an acupuncturist is employed to provide patient care services, to report to the department whenever such an acupuncturist has been judged to have demonstrated his/her incompetency or negligence in the practice of acupuncture, or has otherwise committed unprofessional conduct.

NEW SECTION

WAC 308-180-370 COOPERATION WITH INVESTIGATION. (1) A licensee, certificant, or registrant must comply with a request for records, documents, or explanation from an investigator who is acting on behalf of the director of the department of licensing or a written request for release of records by a patient or client, by submitting the requested items within fourteen calendar days of receipt of the request by either the licensee, certificant, or registrant or their attorney, whichever is first. If the licensee, certificant, or registrant fails to comply with the request within fourteen calendar days, the investigator will contact that individual or their attorney by telephone or letter as a reminder.

(2) Investigators may extend the time for response if the request for extension does not exceed seven calendar days. Any other requests for extension of time may be granted by the director or the director's designee.

(3) If the licensee, certificant, or registrant fails to comply with the request within three business days after receiving the reminder, a subpoena will be served to obtain the requested items. A statement of charges may be issued pursuant to RCW 18.130.180(8) for failure to cooperate. If there is sufficient evidence to support additional charges, those charges may be included in the statement of charges.

(4) If the licensee, certificant, or registrant complies with the request after the issuance of the statement of charges, the director or the director's designee will decide if the charges will be prosecuted or settled. If the charges are to be settled the settlement proposal will be negotiated by the director's designee. Settlements are not considered final until the director signs the settlement agreement.

NEW SECTION

WAC 308-25-080 GENERAL PROVISIONS. (1) "Unprofessional conduct" as used in this chapter shall mean the conduct described in RCW 18.130.180.

(2) "Hospital" means any health care institution licensed pursuant to chapter 70.41 RCW.

(3) "Nursing home" means any health care institution which comes under chapter 18.51 RCW.

(4) "Department" means the department of licensing, whose address is:

Department of Licensing
Professional Programs Management Division
P.O. Box 9012
Olympia, Washington 98504-8001

(5) "Dental hygienist" means a person licensed pursuant to chapter 18.29 RCW.

(6) "Mentally or physically disabled dental hygienist" means a dental hygienist who has either been determined by a court to be mentally incompetent or mentally ill or who is unable to practice dental hygiene with reasonable skill and safety to patients by reason of any mental or physical condition.

NEW SECTION

WAC 308-25-090 MANDATORY REPORTING. (1) All reports required by this chapter shall be submitted to the department as soon as possible, but no later than twenty days after a determination is made.

(2) A report should contain the following information if known:

(a) The name, address, and telephone number of the person making the report.

(b) The name and address and telephone numbers of the dental hygienist being reported.

(c) The case number of any client whose treatment is a subject of the report.

(d) A brief description or summary of the facts which gave rise to the issuance of the report, including dates of occurrences.

(e) If court action is involved, the name of the court in which the action is filed along with the date of filing and docket number.

(f) Any further information which would aid in the evaluation of the report.

NEW SECTION

WAC 308-25-100 HEALTH CARE INSTITUTIONS. The chief administrator or executive officer of any hospital or nursing home shall report to the department when any dental hygienist's services are terminated or are restricted based on a determination that the dental hygienist has either committed an act or acts which may constitute unprofessional conduct or that the dental hygienist may be mentally or physically disabled.

NEW SECTION

WAC 308-25-110 DENTAL HYGIENIST ASSOCIATIONS OR SOCIETIES. The president or chief executive officer of any dental hygienist association or society within this state shall report to the department when an association or society determines or has a reasonable suspicion that a dental hygienist has committed unprofessional conduct or that a dental hygienist may not be able to practice dental hygiene with reasonable skill and safety to clients as the result of any mental or physical condition and constitutes an apparent risk to the public health, safety, or welfare. The report required by this section shall be made without regard to whether the licensee holder appeals, accepts, or acts upon the determination made by the association or society. Notification of appeal shall be included. A complaint filed pursuant to this section shall be considered a complaint under the Uniform Disciplinary Act and subject to immunity for the complainant as described in RCW 18.130.180.

NEW SECTION

WAC 308-25-120 HEALTH CARE SERVICE CONTRACTORS AND DISABILITY INSURANCE CARRIERS. The executive officer of every health care service contractor and disability insurer, licensed under chapters 48.20, 48.21, 48.21A, and 48.44 RCW, operating in the state of Washington shall report to the department all final determinations that a dental hygienist has engaged in over-utilization of services or has charged fees for services not actually provided.

NEW SECTION

WAC 308-25-130 PROFESSIONAL LIABILITY CARRIERS. Every institution or organization providing professional liability insurance directly or indirectly to dental hygienists shall send a complete report to the department of any malpractice settlement, award, or

payment as a result of a claim or action for damages alleged to have been caused by an insured dental hygienist's incompetency or negligence in the practice of dental hygiene.

NEW SECTION

WAC 308-25-140 COURTS. The department requests the assistance of all clerks of trial courts within the state to report all professional malpractice judgments and all convictions of licensed dental hygienists, other than minor traffic violations.

NEW SECTION

WAC 308-25-150 STATE AND FEDERAL AGENCIES. The department requests the assistance of executive officers of any state or federal program operating in the state of Washington, under which a dental hygienist is employed to provide client care services, to report to the department whenever such a dental hygienist has been judged to have demonstrated his/her incompetency or negligence in the practice of dental hygiene, or has otherwise committed unprofessional conduct, or is a mentally or physically disabled dental hygienist.

NEW SECTION

WAC 308-25-160 COOPERATION WITH INVESTIGATION. (1) A licensee, certificiant, or registrant must comply with a request for records, documents, or explanation from an investigator who is acting on behalf of the director of the department of licensing or a written request for release of records by a patient or client, by submitting the requested items within fourteen calendar days of receipt of the request by either the licensee, certificiant, or registrant or their attorney, whichever is first. If the licensee, certificiant, or registrant fails to comply with the request within fourteen calendar days, the investigator will contact that individual or their attorney by telephone or letter as a reminder.

(2) Investigators may extend the time for response if the request for extension does not exceed seven calendar days. Any other requests for extension of time may be granted by the director or the director's designee.

(3) If the licensee, certificiant, or registrant fails to comply with the request within three business days after receiving the reminder, a subpoena will be served to obtain the requested items. A statement of charges may be issued pursuant to RCW 18.130.180(8) for failure to cooperate. If there is sufficient evidence to support additional charges, those charges may be included in the statement of charges.

(4) If the licensee, certificiant, or registrant complies with the request after the issuance of the statement of charges, the director or the director's designee will decide if the charges will be prosecuted or settled. If the charges are to be settled the settlement proposal will be negotiated by the director's designee. Settlements are not considered final until the director signs the settlement agreement.

**Chapter 308-130 WAC
NATUROPATHS**

WAC

- 308-130-320 General provisions.
- 308-130-330 Mandatory reporting.
- 308-130-340 Health care institutions.
- 308-130-350 Naturopathic associations or societies.
- 308-130-360 Health care service contractors and disability insurance carriers.
- 308-130-370 Professional liability carriers.
- 308-130-380 Courts.
- 308-130-390 State and federal agencies.
- 308-130-400 Cooperation with investigation.

NEW SECTION

WAC 308-130-320 GENERAL PROVISIONS. (1) "Unprofessional conduct" as used in this chapter shall mean the conduct described in RCW 18.130.180.

(2) "Hospital" means any health care institution licensed pursuant to chapter 70.41 RCW.

(3) "Nursing home" means any health care institution which comes under chapter 18.51 RCW.

(4) "Department" means the department of licensing, whose address is:

Department of Licensing
Professional Programs Management Division
P.O. Box 9012
Olympia, Washington 98504-8001

(5) "Naturopath" means a person licensed pursuant to chapter 18.36A RCW.

(6) "Mentally or physically disabled naturopath" means a naturopath who has either been determined by a court to be mentally incompetent or mentally ill or who is unable to practice naturopathy with reasonable skill and safety to patients by reason of any mental or physical condition.

NEW SECTION

WAC 308-130-330 MANDATORY REPORTING. (1) All reports required by this chapter shall be submitted to the department as soon as possible, but no later than twenty days after a determination is made.

(2) A report should contain the following information if known:

(a) The name, address, and telephone number of the person making the report.

(b) The name and address and telephone numbers of the naturopath being reported.

(c) The case number of any patient whose treatment is a subject of the report.

(d) A brief description or summary of the facts which gave rise to the issuance of the report, including dates of occurrences.

(e) If court action is involved, the name of the court in which the action is filed along with the date of filing and docket number.

(f) Any further information which would aid in the evaluation of the report.

NEW SECTION

WAC 308-130-340 HEALTH CARE INSTITUTIONS. The chief administrator or executive officer of any hospital or nursing home shall report to the department when any naturopath's services are terminated or are restricted based on a determination that the naturopath has either committed an act or acts which may constitute unprofessional conduct or that the naturopath may be mentally or physically disabled.

NEW SECTION

WAC 308-130-350 NATUROPATHIC ASSOCIATIONS OR SOCIETIES. The president or chief executive officer of any naturopathic association or society within this state shall report to the department when an association or society determines or has a reasonable suspicion that a naturopath has committed unprofessional conduct or that a naturopath may not be able to practice naturopathy with reasonable skill and safety to patients as the result of any mental or physical condition and constitutes an apparent risk to the public health, safety, or welfare. The report required by this section shall be made without regard to whether the license holder appeals, accepts, or acts upon the determination made by the association or society. Notification of appeal shall be included. A complaint filed pursuant to this section shall be considered a complaint under the Uniform Disciplinary Act and subject to immunity for the complainant as described in RCW 18.130.080.

NEW SECTION

WAC 308-130-360 HEALTH CARE SERVICE CONTRACTORS AND DISABILITY INSURANCE CARRIERS. The executive officer of every health care service contractor and disability insurer, licensed under chapters 48.20, 48.21, 48.21A, and 48.44 RCW, operating in the state of Washington shall report to the department all final determinations that a naturopath has engaged in over-utilization of services or has charged fees for services not actually provided.

NEW SECTION

WAC 308-130-370 PROFESSIONAL LIABILITY CARRIERS. Every institution or organization providing professional liability insurance directly or indirectly to naturopaths shall send a complete report to the department of any malpractice settlement, award, or payment as a result of a claim or action for damages alleged to have

been caused by an insured naturopath's incompetency or negligence in the practice of naturopathy.

NEW SECTION

WAC 308-130-380 COURTS. The department requests the assistance of all clerks of trial courts within the state to report all professional malpractice judgments and all convictions of licensed naturopaths, other than minor traffic violations.

NEW SECTION

WAC 308-130-390 STATE AND FEDERAL AGENCIES. The department requests the assistance of executive officers of any state or federal program operating in the state of Washington, under which a naturopath is employed to provide patient care services, to report to the department whenever such a naturopath has been judged to have demonstrated his/her incompetency or negligence in the practice of naturopathy, or has otherwise committed unprofessional conduct, or is a mentally or physically disabled naturopath.

NEW SECTION

WAC 308-130-400 COOPERATION WITH INVESTIGATION. (1) A licensee, certificant, or registrant must comply with a request for records, documents, or explanation from an investigator who is acting on behalf of the director of the department of licensing or a written request for release of records by a patient or client, by submitting the requested items within fourteen calendar days of receipt of the request by either the licensee, certificant, or registrant or their attorney, whichever is first. If the licensee, certificant, or registrant fails to comply with the request within fourteen calendar days, the investigator will contact that individual or their attorney by telephone or letter as a reminder.

(2) Investigators may extend the time for response if the request for extension does not exceed seven calendar days. Any other requests for extension of time may be granted by the director or the director's designee.

(3) If the licensee, certificant, or registrant fails to comply with the request within three business days after receiving the reminder, a subpoena will be served to obtain the requested items. A statement of charges may be issued pursuant to RCW 18.130.180(8) for failure to cooperate. If there is sufficient evidence to support additional charges, those charges may be included in the statement of charges.

(4) If the licensee, certificant, or registrant complies with the request after the issuance of the statement of charges, the director or the director's designee will decide if the charges will be prosecuted or settled. If the charges are to be settled the settlement proposal will be negotiated by the director's designee. Settlements are not considered final until the director signs the settlement agreement.

NEW SECTION

WAC 308-55-035 GENERAL PROVISIONS. (1) "Unprofessional conduct" as used in this chapter shall mean the conduct described in RCW 18.130.180.

(2) "Hospital" means any health care institution licensed pursuant to chapter 70.41 RCW.

(3) "Nursing home" means any health care institution which comes under chapter 18.51 RCW.

(4) "Department" means the department of licensing, whose address is:

Department of Licensing
Professional Programs Management Division
P.O. Box 9012
Olympia, Washington 98504-8001

(5) "Ocularist" means a person licensed under chapter 18.55 RCW.

(6) "Mentally or physically disabled ocularist" means an ocularist who has either been determined by a court to be mentally incompetent or mentally ill or who is unable to practice ocular prosthetic services with reasonable skill and safety to patients by reason of any mental or physical condition.

NEW SECTION

WAC 308-55-045 MANDATORY REPORTING. (1) All reports required by this chapter shall be submitted to the department as

soon as possible, but no later than twenty days after a determination is made.

(2) A report should contain the following information if known:

(a) The name, address, and telephone number of the person making the report.

(b) The name and address and telephone numbers of the ocularist being reported.

(c) The case number of any client whose treatment is a subject of the report.

(d) A brief description or summary of the facts which gave rise to the issuance of the report, including dates of occurrences.

(e) If court action is involved, the name of the court in which the action is filed along with the date of filing and docket number.

(f) Any further information which would aid in the evaluation of the report.

NEW SECTION

WAC 308-55-055 HEALTH CARE INSTITUTIONS. The chief administrator or executive officer of any hospital or nursing home shall report to the department when any ocularist's services are terminated or are restricted based on a determination that the ocularist has either committed an act or acts which may constitute unprofessional conduct or that the ocularist may be mentally or physically disabled.

NEW SECTION

WAC 308-55-065 OCULARIST ASSOCIATIONS OR SOCIETIES. The president or chief executive officer of any ocularist association or society within this state shall report to the department when an association or society determines or has a reasonable suspicion that an ocularist has committed unprofessional conduct or that an ocularist may not be able to practice ocular prosthetics with reasonable skill and safety to clients as the result of any mental or physical condition and constitutes an apparent risk to the public health, safety, or welfare. The report required by this section shall be made without regard to whether the license holder appeals, accepts, or acts upon the determination made by the association or society. Notification of appeal shall be included. A complaint filed pursuant to this section shall be considered a complaint under the Uniform Disciplinary Act and subject to immunity for the complainant as described in RCW 18.130.180.

NEW SECTION

WAC 308-55-075 HEALTH CARE SERVICE CONTRACTORS AND DISABILITY INSURANCE CARRIERS. The executive officer of every health care service contractor and disability insurer, licensed under chapters 48.20, 48.21, 48.21A, and 48.44 RCW, operating in the state of Washington shall report to the department all final determinations that an ocularist has engaged in over-utilization of services or has charged fees for services not actually provided.

NEW SECTION

WAC 308-55-085 PROFESSIONAL LIABILITY CARRIERS. Every institution or organization providing professional liability insurance directly or indirectly to ocularists shall send a complete report to the department of any malpractice settlement, award, or payment as a result of a claim or action for damages alleged to have been caused by an insured ocularist's incompetency or negligence in the practice of ocular prosthetic services.

NEW SECTION

WAC 308-55-095 COURTS. The department requests the assistance of all clerks of trial courts within the state to report all professional malpractice judgments and all convictions of licensed ocularists, other than minor traffic violations.

NEW SECTION

WAC 308-55-105 STATE AND FEDERAL AGENCIES. The department requests the assistance of executive officers of any state or federal program operating in the state of Washington, under which an ocularist is employed to provide client care services, to report to the department whenever such an ocularist has been judged to have demonstrated his/her incompetency or negligence in the practice of ocular prosthetic services, or has otherwise committed unprofessional conduct, or is a mentally or physically disabled ocularist.

NEW SECTION

WAC 308-55-115 COOPERATION WITH INVESTIGATION. (1) A licensee, certificant, or registrant must comply with a request for records, documents, or explanation from an investigator who is acting on behalf of the director of the department of licensing or a written request for release of records by a patient or client, by submitting the requested items within fourteen calendar days of receipt of the request by either the licensee, certificant, or registrant or their attorney, whichever is first. If the licensee, certificant, or registrant fails to comply with the request within fourteen calendar days, the investigator will contact that individual or their attorney by telephone or letter as a reminder.

(2) Investigators may extend the time for response if the request for extension does not exceed seven calendar days. Any other requests for extension of time may be granted by the director or the director's designee.

(3) If the licensee, certificant, or registrant fails to comply with the request within three business days after receiving the reminder, a subpoena will be served to obtain the requested items. A statement of charges may be issued pursuant to RCW 18.130.180(8) for failure to cooperate. If there is sufficient evidence to support additional charges, those charges may be included in the statement of charges.

(4) If the licensee, certificant, or registrant complies with the request after the issuance of the statement of charges, the director or the director's designee will decide if the charges will be prosecuted or settled. If the charges are to be settled the settlement proposal will be negotiated by the director's designee. Settlements are not considered final until the director signs the settlement agreement.

NEW SECTION

WAC 308-51-230 GENERAL PROVISIONS. (1) "Unprofessional conduct" as used in this chapter shall mean the conduct described in RCW 18.130.180.

(2) "Hospital" means any health care institution licensed pursuant to chapter 70.41 RCW.

(3) "Nursing home" means any health care institution which comes under chapter 18.51 RCW.

(4) "Department" means the department of licensing, whose address is:

Department of Licensing
Professional Programs Management Division
P.O. Box 9012
Olympia, Washington 98504-8001

(5) "Massage practitioner" means an individual licensed under chapter 18.108 RCW.

(6) "Mentally or physically disabled massage practitioner" means a massage practitioner who has either been determined by a court to be mentally incompetent or mentally ill or who is unable to practice massage therapy with reasonable skill and safety to patients by reason of any mental or physical condition.

NEW SECTION

WAC 308-51-240 MANDATORY REPORTING. (1) All reports required by this chapter shall be submitted to the department as soon as possible, but no later than twenty days after a determination is made.

(2) A report should contain the following information if known:

(a) The name, address, and telephone number of the person making the report.

(b) The name and address and telephone numbers of the massage practitioner being reported.

(c) The case number of any client whose treatment is a subject of the report.

(d) A brief description or summary of the facts which gave rise to the issuance of the report, including dates of occurrences.

(e) If court action is involved, the name of the court in which the action is filed along with the date of filing and docket number.

(f) Any further information which would aid in the evaluation of the report.

NEW SECTION

WAC 308-51-250 HEALTH CARE INSTITUTIONS. The chief administrator or executive officer of any hospital or nursing home shall report to the department when any massage practitioner's services

are terminated or are restricted based on a determination that the massage practitioner has either committed an act or acts which may constitute unprofessional conduct or that the massage practitioner may be mentally or physically disabled.

NEW SECTION

WAC 308-51-260 MASSAGE PRACTITIONER ASSOCIATIONS OR SOCIETIES. The president or chief executive officer of any massage practitioner association or society within this state shall report to the department when an association or society determines or has a reasonable suspicion that a massage practitioner has committed unprofessional conduct or that a massage practitioner may not be able to practice massage therapy with reasonable skill and safety to clients as the result of any mental or physical condition and constitutes an apparent risk to the public health, safety, or welfare. The report required by this section shall be made without regard to whether the licensee holder appeals, accepts, or acts upon the determination made by the association or society. Notification of appeal shall be included. A complaint filed pursuant to this section shall be considered a complaint under the Uniform Disciplinary Act and subject to immunity for the complainant as described in RCW 18.130.180.

NEW SECTION

WAC 308-51-270 HEALTH CARE SERVICE CONTRACTORS AND DISABILITY INSURANCE CARRIERS. The executive officer of every health care service contractor and disability insurer, licensed under chapters 48.20, 48.21, 48.21A, and 48.44 RCW, operating in the state of Washington shall report to the department all final determinations that a massage practitioner has engaged in overutilization of services or has charged fees for services not actually provided.

NEW SECTION

WAC 308-51-280 PROFESSIONAL LIABILITY CARRIERS. Every institution or organization providing professional liability insurance directly or indirectly to massage practitioners shall send a complete report to the department of any malpractice settlement, award, or payment as a result of a claim or action for damages alleged to have been caused by an insured massage practitioner's incompetency or negligence in the practice of massage.

NEW SECTION

WAC 308-51-290 COURTS. The department requests the assistance of all clerks of trial courts within the state to report all professional malpractice judgments and all convictions of licensed massage practitioners, other than minor traffic violations.

NEW SECTION

WAC 308-51-300 STATE AND FEDERAL AGENCIES. The department requests the assistance of executive officers of any state or federal program operating in the state of Washington, under which a massage practitioner is employed to provide client care services, to report to the department whenever such a massage practitioner has been judged to have demonstrated his/her incompetency or negligence in the practice of massage therapy, or has otherwise committed unprofessional conduct, or is a mentally or physically disabled massage practitioner.

NEW SECTION

WAC 308-51-310 COOPERATION WITH INVESTIGATION. (1) A licensee, certificant, or registrant must comply with a request for records, documents, or explanation from an investigator who is acting on behalf of the director of the department of licensing or a written request for release of records by a patient or client, by submitting the requested items within fourteen calendar days of receipt of the request by either the licensee, certificant, or registrant or their attorney, whichever is first. If the licensee, certificant, or registrant fails to comply with the request within fourteen calendar days, the investigator will contact that individual or their attorney by telephone or letter as a reminder.

(2) Investigators may extend the time for response if the request for extension does not exceed seven calendar days. Any other requests for

extension of time may be granted by the director or the director's designee.

(3) If the licensee, certificant, or registrant fails to comply with the request within three business days after receiving the reminder, a subpoena will be served to obtain the requested items. A statement of charges may be issued pursuant to RCW 18.130.180(8) for failure to cooperate. If there is sufficient evidence to support additional charges, those charges may be included in the statement of charges.

(4) If the licensee, certificant, or registrant complies with the request after the issuance of the statement of charges, the director or the director's designee will decide if the charges will be prosecuted or settled. If the charges are to be settled the settlement proposal will be negotiated by the director's designee. Settlements are not considered final until the director signs the settlement agreement.

NEW SECTION

WAC 308-26-055 GENERAL PROVISIONS. (1) "Unprofessional conduct" as used in this chapter shall mean the conduct described in RCW 18.130.180.

(2) "Hospital" means any health care institution licensed pursuant to chapter 70.41 RCW.

(3) "Nursing home" means any health care institution which comes under chapter 18.51 RCW.

(4) "Department" means the department of licensing, whose address is:

Department of Licensing
Professional Programs Management Division
P.O. Box 9012
Olympia, Washington 98504-8001

(5) "Dispensing optician" means a person licensed pursuant to chapter 18.34 RCW.

(6) "Mentally or physically disabled dispensing optician" means a dispensing optician who has either been determined by a court to be mentally incompetent or mentally ill or who is unable to practice dispensing with reasonable skill and safety to patients by reason of any mental or physical condition.

NEW SECTION

WAC 308-26-065 MANDATORY REPORTING. (1) All reports required by this chapter shall be submitted to the department as soon as possible, but no later than twenty days after a determination is made.

(2) A report should contain the following information if known:

(a) The name, address, and telephone number of the person making the report.

(b) The name and address and telephone numbers of the dispensing optician being reported.

(c) The case number of any patient whose treatment is a subject of the report.

(d) A brief description or summary of the facts which gave rise to the issuance of the report, including dates of occurrences.

(e) If court action is involved, the name of the court in which the action is filed along with the date of filing and docket number.

(f) Any further information which would aid in the evaluation of the report.

NEW SECTION

WAC 308-26-075 HEALTH CARE INSTITUTIONS. The chief administrator or executive officer of any hospital or nursing home shall report to the department when any dispensing optician's services are terminated or are restricted based on a determination that the dispensing optician has either committed an act or acts which may constitute unprofessional conduct or that the dispensing optician may be mentally or physically disabled.

NEW SECTION

WAC 308-26-085 DISPENSING OPTICIAN ASSOCIATIONS OR SOCIETIES. The president or chief executive officer of any dispensing optician association or society within this state shall report to the department when an association or society determines or has a reasonable suspicion that a dispensing optician has committed unprofessional conduct or that a dispensing optician may not be able to

practice dispensing of optical goods with reasonable skill and safety to clients as the result of any mental or physical condition and constitutes an apparent risk to the public health, safety, or welfare. The report required by this section shall be made without regard to whether the licensee holder appeals, accepts, or acts upon the determination made by the association or society. Notification of appeal shall be included. A report filed pursuant to this section shall be considered a complaint under the Uniform Disciplinary Act and subject to immunity for the complainant as described in RCW 18.130.180.

NEW SECTION

WAC 308-26-095 HEALTH CARE SERVICE CONTRACTORS AND DISABILITY INSURANCE CARRIERS. The executive officer of every health care service contractor and disability insurer, licensed under chapters 48.20, 48.21, 48.21A, and 48.44 RCW, operating in the state of Washington shall report to the department all final determinations that a dispensing optician has engaged in over-utilization of services or has charged fees for services not actually provided.

NEW SECTION

WAC 308-26-105 PROFESSIONAL LIABILITY CARRIERS. Every institution or organization providing professional liability insurance directly or indirectly to dispensing opticians shall send a complete report to the department of any malpractice settlement, award, or payment as a result of a claim or action for damages alleged to have been caused by an insured dispensing optician's incompetency or negligence in the practice of opticianry.

NEW SECTION

WAC 308-26-115 COURTS. The department requests the assistance of all clerks of trial courts within the state to report all professional malpractice judgments and all convictions of licensed dispensing opticians, other than minor traffic violations.

NEW SECTION

WAC 308-26-125 STATE AND FEDERAL AGENCIES. The department requests the assistance of executive officers of any state or federal program operating in the state of Washington, under which a dispensing optician is employed to provide client care services, to report to the department whenever such a dispensing optician has been judged to have demonstrated his/her incompetency or negligence in the practice of opticianry, or has otherwise committed unprofessional conduct, or is a mentally or physically disabled dispensing optician.

NEW SECTION

WAC 308-26-135 COOPERATION WITH INVESTIGATION. (1) A licensee, certificant, or registrant must comply with a request for records, documents, or explanation from an investigator who is acting on behalf of the director of the department of licensing or a written request for release of records by a patient or client, by submitting the requested items within fourteen calendar days of receipt of the request by either the licensee, certificant, or registrant or their attorney, whichever is first. If the licensee, certificant, or registrant fails to comply with the request within fourteen calendar days, the investigator will contact that individual or their attorney by telephone or letter as a reminder.

(2) Investigators may extend the time for response if the request for extension does not exceed seven calendar days. Any other requests for extension of time may be granted by the director or the director's designee.

(3) If the licensee, certificant, or registrant fails to comply with the request within three business days after receiving the reminder, a subpoena will be served to obtain the requested items. A statement of charges may be issued pursuant to RCW 18.130.180(8) for failure to cooperate. If there is sufficient evidence to support additional charges, those charges may be included in the statement of charges.

(4) If the licensee, certificant, or registrant complies with the request after the issuance of the statement of charges, the director or the director's designee will decide if the charges will be prosecuted or settled. If the charges are to be settled the settlement proposal will be negotiated by the director's designee. Settlements are not considered final until the director signs the settlement agreement.

Chapter 308-190 WAC
COUNSELORS

WAC

308-190-060	General provisions.
308-190-070	Mandatory reporting.
308-190-080	Health care institutions.
308-190-090	Counselor associations or societies.
308-190-100	Health care service contractors and disability insurance carriers.
308-190-110	Professional liability carriers.
308-190-120	Courts.
308-190-130	State and federal agencies.
308-190-140	Cooperation with investigation.

NEW SECTION

WAC 308-190-060 GENERAL PROVISIONS. (1) "Unprofessional conduct" as used in this chapter shall mean the conduct described in RCW 18.130.180.

(2) "Hospital" means any health care institution licensed pursuant to chapter 70.41 RCW.

(3) "Nursing home" means any health care institution which comes under chapter 18.51 RCW.

(4) "Department" means the department of licensing, whose address is:

Department of Licensing
Professional Programs Management Division
P.O. Box 9012
Olympia, Washington 98504-8001

(5) "Counselor" means a person registered pursuant to chapter 18.19 RCW.

(6) "Mentally or physically disabled counselor" means a counselor who has either been determined by a court to be mentally incompetent or mentally ill or who is unable to practice counseling with reasonable skill and safety to patients by reason of any mental or physical condition.

NEW SECTION

WAC 308-190-070 MANDATORY REPORTING. (1) All reports required by this chapter shall be submitted to the department as soon as possible, but no later than twenty days after a determination is made.

(2) A report should contain the following information if known:

(a) The name, address, and telephone number of the person making the report.

(b) The name and address and telephone numbers of the registered counselors being reported.

(c) The case number of any client whose treatment is a subject of the report.

(d) A brief description or summary of the facts which gave rise to the issuance of the report, including dates of occurrences.

(e) If court action is involved, the name of the court in which the action is filed along with the date of filing and docket number.

(f) Any further information which would aid in the evaluation of the report.

NEW SECTION

WAC 308-190-080 HEALTH CARE INSTITUTIONS. The chief administrator or executive officer of any hospital or nursing home or alcohol treatment agency as defined in chapters 70.96 and 70.96A RCW, drug treatment agency as defined in chapter 69.54 RCW, and public and private mental health treatment agencies as defined in RCW 71.05.020 (6) and (7), and 71.24.025(3), shall report to the department when any registered counselor's services are terminated or are restricted based upon a determination that the registered counselor has committed an act which may constitute unprofessional conduct or that the registered counselor may be mentally or physically disabled.

NEW SECTION

WAC 308-190-090 COUNSELOR ASSOCIATIONS OR SOCIETIES. The president or chief executive officer of any counselor association or society within this state shall report to the department

when an association or society determines or has a reasonable suspicion that a registered counselor has committed unprofessional conduct or that a registered counselor may not be able to practice counseling with reasonable skill and safety to clients as the result of any mental or physical condition and constitutes an apparent risk to the public health, safety, or welfare. The report required by this section shall be made without regard to whether the registration holder appeals, accepts, or acts upon the determination made by the association or society. Notification of appeal shall be included.

NEW SECTION

WAC 308-190-100 HEALTH CARE SERVICE CONTRACTORS AND DISABILITY INSURANCE CARRIERS. The executive officer of every health care service contractor and disability insurer, licensed under chapters 48.20, 48.21, 48.21A, and 48.44 RCW, operating in the state of Washington shall report to the department all final determinations that a registered counselor has engaged in over-utilization of services or has charged fees for services not actually provided.

NEW SECTION

WAC 308-190-110 PROFESSIONAL LIABILITY CARRIERS. Every institution or organization providing professional liability insurance directly or indirectly to registered counselors shall send a complete report to the department of any malpractice settlement, award, or payment as a result of a claim or action for damages alleged to have been caused by an insured registered counselor's incompetency or negligence in the practice of counseling.

NEW SECTION

WAC 308-190-120 COURTS. The department requests the assistance of all clerks of trial courts within the state to report all professional malpractice judgments and all convictions of registered counselors, other than minor traffic violations.

NEW SECTION

WAC 308-190-130 STATE AND FEDERAL AGENCIES. The department requests the assistance of executive officers of any state or federal program operating in the state of Washington, under which a registered counselor is employed to provide client care services, to report to the department whenever such a registered counselor has been judged to have demonstrated his/her incompetency or negligence in the practice of counseling, or has otherwise committed unprofessional conduct, or is a mentally or physically disabled counselor.

NEW SECTION

WAC 308-190-140 COOPERATION WITH INVESTIGATION. (1) A licensee, certificant, or registrant must comply with a request for records, documents, or explanation from an investigator who is acting on behalf of the director of the department of licensing or a written request for release of records by a patient or client, by submitting the requested items within fourteen calendar days of receipt of the request by either the licensee, certificant, or registrant or their attorney, whichever is first. If the licensee, certificant, or registrant fails to comply with the request within fourteen calendar days, the investigator will contact that individual or their attorney by telephone or letter as a reminder.

(2) Investigators may extend the time for response if the request for extension does not exceed seven calendar days. Any other requests for extension of time may be granted by the director or the director's designee.

(3) If the licensee, certificant, or registrant fails to comply with the request within three business days after receiving the reminder, a subpoena will be served to obtain the requested items. A statement of charges may be issued pursuant to RCW 18.130.180(8) for failure to cooperate. If there is sufficient evidence to support additional charges, those charges may be included in the statement of charges.

(4) If the licensee, certificant, or registrant complies with the request after the issuance of the statement of charges, the director or the director's designee will decide if the charges will be prosecuted or settled. If the charges are to be settled the settlement proposal will be negotiated by the director's designee. Settlements are not considered final until the director signs the settlement agreement.

NEW SECTION

WAC 308-210-080 GENERAL PROVISIONS. (1) "Unprofessional conduct" as used in this chapter shall mean the conduct described in RCW 18.130.180.

(2) "Hospital" means any health care institution licensed pursuant to chapter 70.41 RCW.

(3) "Nursing home" means any health care institution which comes under chapter 18.51 RCW.

(4) "Department" means the department of licensing, whose address is:

Department of Licensing
Professional Programs Management Division
P.O. Box 9012
Olympia, Washington 98504-8001

(5) "Mental health counselor" means a person certified pursuant to chapter 18.19 RCW.

(6) "Mentally or physically disabled mental health counselor" means a mental health counselor who has either been determined by a court to be mentally incompetent or mentally ill or who is unable to practice mental health counseling with reasonable skill and safety to patients by reason of any mental or physical condition.

NEW SECTION

WAC 308-210-090 MANDATORY REPORTING. (1) All reports required by this chapter shall be submitted to the department as soon as possible, but no later than twenty days after a determination is made.

(2) A report should contain the following information if known:

(a) The name, address, and telephone number of the person making the report.

(b) The name and address and telephone number of the certified mental health counselor being reported.

(c) The case number of any client/patient whose treatment is a subject of the report.

(d) A brief description or summary of the facts which gave rise to the issuance of the report, including dates of occurrences.

(e) If court action is involved, the name of the court in which the action is filed along with the date of filing and docket number.

(f) Any further information which would aid in the evaluation of the report.

NEW SECTION

WAC 308-210-100 HEALTH CARE INSTITUTIONS. The chief administrator or executive officer of any hospital or nursing home or alcohol treatment agency as defined in chapters 70.96 and 70.96A RCW, drug treatment agency as defined in chapter 69.54 RCW, and public and private mental health treatment agencies as defined in RCW 71.05.020 (6) and (7), and 71.24.025(3), shall report to the department when any certified mental health counselor's services are terminated or are restricted based upon a determination that the certified mental health counselor has committed an act which may constitute unprofessional conduct or that the certified mental health counselor may be mentally or physically disabled.

NEW SECTION

WAC 308-210-110 MENTAL HEALTH COUNSELOR ASSOCIATIONS OR SOCIETIES. The president or chief executive officer of any mental health counselor association or society within this state shall report to the department when an association or society determines or has a reasonable suspicion that a certified mental health counselor has committed unprofessional conduct or that a certified mental health counselor may not be able to practice mental health counseling with reasonable skill and safety to clients as the result of any mental or physical condition and constitutes an apparent risk to the public health, safety, or welfare. The report required by this section shall be made without regard to whether the certificate holder appeals, accepts, or acts upon the determination made by the association or society. Notification of appeal shall be included. A report filed pursuant to this section shall be considered a complaint under the Uniform Disciplinary Act and subject to immunity for the complainant as described in RCW 18.130.180.

NEW SECTION

WAC 308-210-120 HEALTH CARE SERVICE CONTRACTORS AND DISABILITY INSURANCE CARRIERS. The executive officer of every health care service contractor and disability insurer, licensed under chapters 48.20, 48.21, 48.21A, and 48.44 RCW, operating in the state of Washington shall report to the department all final determinations that a certified mental health counselor has engaged in over-utilization of services or has charged fees for services not actually provided.

NEW SECTION

WAC 308-210-130 PROFESSIONAL LIABILITY CARRIERS. Every institution or organization providing professional liability insurance directly or indirectly to certified mental health counselors shall send a complete report to the department of any malpractice settlement, award, or payment as a result of a claim or action for damages alleged to have been caused by an insured certified mental health counselor's incompetency or negligence in the practice of mental health counseling.

NEW SECTION

WAC 308-210-140 COURTS. The department requests the assistance of all clerks of trial courts within the state to report all professional malpractice judgments and all convictions of certified mental health counselors, other than minor traffic violations.

NEW SECTION

WAC 308-210-150 STATE AND FEDERAL AGENCIES. The department requests the assistance of executive officers of any state or federal program operating in the state of Washington, under which a certified mental health counselor is employed to provide patient/client care services, to report to the department whenever such a certified mental health counselor has been judged to have demonstrated his/her incompetency or negligence in the practice of mental health counseling, or has otherwise committed unprofessional conduct, or is a mentally or physically disabled certified mental health counselor.

NEW SECTION

WAC 308-210-160 COOPERATION WITH INVESTIGATION. (1) A licensee, certificant, or registrant must comply with a request for records, documents, or explanation from an investigator who is acting on behalf of the director of the department of licensing or a written request for release of records by a patient or client, by submitting the requested items within fourteen calendar days of receipt of the request by either the licensee, certificant, or registrant or their attorney, whichever is first. If the licensee, certificant, or registrant fails to comply with the request within fourteen calendar days, the investigator will contact that individual or their attorney by telephone or letter as a reminder.

(2) Investigators may extend the time for response if the request for extension does not exceed seven calendar days. Any other requests for extension of time may be granted by the director or the director's designee.

(3) If the licensee, certificant, or registrant fails to comply with the request within three business days after receiving the reminder, a subpoena will be served to obtain the requested items. A statement of charges may be issued pursuant to RCW 18.130.180(8) for failure to cooperate. If there is sufficient evidence to support additional charges, those charges may be included in the statement of charges.

(4) If the licensee, certificant, or registrant complies with the request after the issuance of the statement of charges, the director or the director's designee will decide if the charges will be prosecuted or settled. If the charges are to be settled the settlement proposal will be negotiated by the director's designee. Settlements are not considered final until the director signs the settlement agreement.

NEW SECTION

WAC 308-115-260 GENERAL PROVISIONS. (1) "Unprofessional conduct" as used in this chapter shall mean the conduct described in RCW 18.130.180.

(2) "Hospital" means any health care institution licensed pursuant to chapter 70.41 RCW.

(3) "Nursing home" means any health care institution which comes under chapter 18.51 RCW.

(4) "Department" means the department of licensing, whose address is:

Department of Licensing
Professional Programs Management Division
P.O. Box 9012
Olympia, Washington 98504-8001

(5) "Midwife" means a person licensed pursuant to chapter 18.50 RCW.

(6) "Mentally or physically disabled midwife" means a midwife who has either been determined by a court to be mentally incompetent or mentally ill or who is unable to practice midwifery with reasonable skill and safety to patients by reason of any mental or physical condition.

NEW SECTION

WAC 308-115-270 MANDATORY REPORTING. (1) All reports required by this chapter shall be submitted to the department as soon as possible, but no later than twenty days after a determination is made.

(2) A report should contain the following information if known:

(a) The name, address, and telephone number of the person making the report.

(b) The name and address and telephone numbers of the midwife being reported.

(c) The case number of any patient whose treatment is a subject of the report.

(d) A brief description or summary of the facts which gave rise to the issuance of the report, including dates of occurrences.

(e) If court action is involved, the name of the court in which the action is filed along with the date of filing and docket number.

(f) Any further information which would aid in the evaluation of the report.

NEW SECTION

WAC 308-115-280 HEALTH CARE INSTITUTIONS. The chief administrator or executive officer of any hospital or nursing home shall report to the department when any midwife's services are terminated or are restricted based on a determination that the midwife has either committed an act or acts which may constitute unprofessional conduct or that the midwife may be mentally or physically disabled.

NEW SECTION

WAC 308-115-290 MIDWIFERY ASSOCIATIONS OR SOCIETIES. The president or chief executive officer of any midwifery association or society within this state shall report to the department when an association or society determines or has a reasonable suspicion that a midwife has committed unprofessional conduct or that a midwife may not be able to practice midwifery with reasonable skill and safety to patients as the result of any mental or physical condition and constitutes an apparent risk to the public health, safety, or welfare. The report required by this section shall be made without regard to whether the license holder appeals, accepts, or acts upon the determination made by the association or society. Notification of appeal shall be included. A report filed pursuant to this section shall be considered a complaint under the Uniform Disciplinary Act and subject to immunity for the complainant as described in RCW 18.130.180.

NEW SECTION

WAC 308-115-310 HEALTH CARE SERVICE CONTRACTORS AND DISABILITY INSURANCE CARRIERS. The executive officer of every health care service contractor and disability insurer, licensed under chapters 48.20, 48.21, 48.21A, and 48.44 RCW, operating in the state of Washington shall report to the department all final determinations that a midwife has engaged in over-utilization of services or has charged fees for services not actually provided.

NEW SECTION

WAC 308-115-320 PROFESSIONAL LIABILITY CARRIERS. Every institution or organization providing professional liability

insurance directly or indirectly to midwives shall send a complete report to the department of any malpractice settlement, award, or payment as a result of a claim or action for damages alleged to have been caused by an insured midwife's incompetency or negligence in the practice of midwifery.

NEW SECTION

WAC 308-115-330 COURTS. The department requests the assistance of all clerks of trial courts within the state to report all professional malpractice judgments and all convictions of licensed midwives, other than minor traffic violations.

NEW SECTION

WAC 308-115-340 STATE AND FEDERAL AGENCIES. The department requests the assistance of executive officers of any state or federal program operating in the state of Washington, under which a midwife is employed to provide patient care services, to report to the department whenever such a midwife has been judged to have demonstrated his/her incompetency or negligence in the practice of midwifery, or has otherwise committed unprofessional conduct, or is a mentally or physically disabled midwife.

NEW SECTION

WAC 308-115-350 COOPERATION WITH INVESTIGATION. (1) A licensee, certificant, or registrant must comply with a request for records, documents, or explanation from an investigator who is acting on behalf of the director of the department of licensing or a written request for release of records by a patient or client, by submitting the requested items within fourteen calendar days of receipt of the request by either the licensee, certificant, or registrant or their attorney, whichever is first. If the licensee, certificant, or registrant fails to comply with the request within fourteen calendar days, the investigator will contact that individual or their attorney by telephone or letter as a reminder.

(2) Investigators may extend the time for response if the request for extension does not exceed seven calendar days. Any other requests for extension of time may be granted by the director or the director's designee.

(3) If the licensee, certificant, or registrant fails to comply with the request within three business days after receiving the reminder, a subpoena will be served to obtain the requested items. A statement of charges may be issued pursuant to RCW 18.130.180(8) for failure to cooperate. If there is sufficient evidence to support additional charges, those charges may be included in the statement of charges.

(4) If the licensee, certificant, or registrant complies with the request after the issuance of the statement of charges, the director or the director's designee will decide if the charges will be prosecuted or settled. If the charges are to be settled the settlement proposal will be negotiated by the director's designee. Settlements are not considered final until the director signs the settlement agreement.

NEW SECTION

WAC 308-230-060 GENERAL PROVISIONS. (1) "Unprofessional conduct" as used in this chapter shall mean the conduct described in RCW 18.130.180.

(2) "Hospital" means any health care institution licensed pursuant to chapter 70.41 RCW.

(3) "Nursing home" means any health care institution which comes under chapter 18.51 RCW.

(4) "Department" means the department of licensing, whose address is:

Department of Licensing
Professional Programs Management Division
P.O. Box 9012
Olympia, Washington 98504-8001

(5) "Social worker" means a person licensed pursuant to chapter 18.19 RCW.

(6) "Mentally or physically disabled social worker" means a social worker who has either been determined by a court to be mentally incompetent or mentally ill or who is unable to practice social work with reasonable skill and safety to patients by reason of any mental or physical condition.

NEW SECTION

WAC 308-230-070 MANDATORY REPORTING. (1) All reports required by this chapter shall be submitted to the department as soon as possible, but no later than twenty days after a determination is made.

(2) A report should contain the following information if known:

(a) The name, address, and telephone number of the person making the report.

(b) The name and address and telephone numbers of the certified social worker being reported.

(c) The case number of any patient/client whose treatment is a subject of the report.

(d) A brief description or summary of the facts which gave rise to the issuance of the report, including dates of occurrences.

(e) If court action is involved, the name of the court in which the action is filed along with the date of filing and docket number.

(f) Any further information which would aid in the evaluation of the report.

NEW SECTION

WAC 308-230-080 HEALTH CARE INSTITUTIONS. The chief administrator or executive officer of any hospital or nursing home or alcohol treatment agency as defined in chapters 70.96 and 70.96A RCW, drug treatment agency as defined in chapter 69.54 RCW, and public and private mental health treatment agencies as defined in RCW 71.05.020 (6) and (7), and 71.24.025(3), shall report to the department when any certified social worker's services are terminated or are restricted based upon a determination that the certified social worker has committed an act which may constitute unprofessional conduct or that the social worker may be mentally or physically disabled.

NEW SECTION

WAC 308-230-090 SOCIAL WORKER ASSOCIATIONS OR SOCIETIES. The president or chief executive officer of any social worker association or society within this state shall report to the department when an association or society determines or has a reasonable suspicion that a certified social worker has committed unprofessional conduct or that a certified social worker may not be able to practice social work with reasonable skill and safety to clients as the result of any mental or physical condition and constitutes an apparent risk to the public health, safety, or welfare. The report required by this section shall be made without regard to whether the certificate holder appeals, accepts, or acts upon the determination made by the association or society. Notification of appeal shall be included. A report filed pursuant to this section shall be considered a complaint under the Uniform Disciplinary Act and subject to immunity for the complainant as described in RCW 18.130.180.

NEW SECTION

WAC 308-230-100 HEALTH CARE SERVICE CONTRACTORS AND DISABILITY INSURANCE CARRIERS. The executive officer of every health care service contractor and disability insurer, licensed under chapters 48.20, 48.21, 48.21A, and 48.44 RCW, operating in the state of Washington shall report to the department all final determinations that a certified social worker has engaged in over-utilization of services or has charged fees for services not actually provided.

NEW SECTION

WAC 308-230-110 PROFESSIONAL LIABILITY CARRIERS. Every institution or organization providing professional liability insurance directly or indirectly to certified social workers shall send a complete report to the department of any malpractice settlement, award, or payment as a result of a claim or action for damages alleged to have been caused by an insured certified social worker's incompetency or negligence in the practice of social work.

NEW SECTION

WAC 308-230-120 COURTS. The department requests the assistance of all clerks of trial courts within the state to report all professional malpractice judgments and all convictions of certified social workers, other than minor traffic violations.

NEW SECTION

WAC 308-230-130 STATE AND FEDERAL AGENCIES. The department requests the assistance of executive officers of any state or federal program operating in the state of Washington, under which a certified social worker is employed to provide client care services, to report to the department whenever such a certified social worker has been judged to have demonstrated his/her incompetency or negligence in the practice of social work, or has otherwise committed unprofessional conduct, or is a mentally or physically disabled certified social worker.

NEW SECTION

WAC 308-230-140 COOPERATION WITH INVESTIGATION. (1) A licensee, certificant, or registrant must comply with a request for records, documents, or explanation from an investigator who is acting on behalf of the director of the department of licensing or a written request for release of records by a patient or client, by submitting the requested items within fourteen calendar days of receipt of the request by either the licensee, certificant, or registrant or their attorney, whichever is first. If the licensee, certificant, or registrant fails to comply with the request within fourteen calendar days, the investigator will contact that individual or their attorney by telephone or letter as a reminder.

(2) Investigators may extend the time for response if the request for extension does not exceed seven calendar days. Any other requests for extension of time may be granted by the director or the director's designee.

(3) If the licensee, certificant, or registrant fails to comply with the request within three business days after receiving the reminder, a subpoena will be served to obtain the requested items. A statement of charges may be issued pursuant to RCW 18.130.180(8) for failure to cooperate. If there is sufficient evidence to support additional charges, those charges may be included in the statement of charges.

(4) If the licensee, certificant, or registrant complies with the request after the issuance of the statement of charges, the director or the director's designee will decide if the charges will be prosecuted or settled. If the charges are to be settled the settlement proposal will be negotiated by the director's designee. Settlements are not considered final until the director signs the settlement agreement.

NEW SECTION

WAC 308-220-090 GENERAL PROVISIONS. (1) "Unprofessional conduct" as used in this chapter shall mean the conduct described in RCW 18.130.180.

(2) "Hospital" means any health care institution licensed pursuant to chapter 70.41 RCW.

(3) "Nursing home" means any health care institution which comes under chapter 18.51 RCW.

(4) "Department" means the department of licensing, whose address is:

Department of Licensing
Professional Programs Management Division
P.O. Box 9012
Olympia, Washington 98504-8001

(5) "Marriage and family therapist" means a person certified pursuant to chapter 18.19 RCW.

(6) "Mentally or physically disabled marriage and family therapist" means a marriage and family therapist who has either been determined by a court to be mentally incompetent or mentally ill or who is unable to practice marriage and family counseling with reasonable skill and safety to patients by reason of any mental or physical condition.

NEW SECTION

WAC 308-220-100 MANDATORY REPORTING. (1) All reports required by this chapter shall be submitted to the department as soon as possible, but no later than twenty days after a determination is made.

(2) A report should contain the following information if known:

(a) The name, address, and telephone number of the person making the report.

(b) The name and address and telephone numbers of the certified marriage and family therapist being reported.

(c) The case number of any client/patient whose treatment is a subject of the report.

(d) A brief description or summary of the facts which gave rise to the issuance of the report, including dates of occurrences.

(e) If court action is involved, the name of the court in which the action is filed along with the date of filing and docket number.

(f) Any further information which would aid in the evaluation of the report.

NEW SECTION

WAC 308-220-110 HEALTH CARE INSTITUTIONS. The chief administrator or executive officer of any hospital or nursing home or alcohol treatment agency as defined in chapters 70.96 and 70.96A RCW, drug treatment agency as defined in chapter 69.54 RCW, and public and private mental health treatment agencies as defined in RCW 71.05.020 (6) and (7), and 71.24.025(3), shall report to the department when any certified marriage and family therapist's services are terminated or are restricted based upon a determination that the certified marriage and family therapist has committed an act which may constitute unprofessional conduct or that the certified marriage and family therapist may be mentally or physically disabled.

NEW SECTION

WAC 308-220-120 MARRIAGE AND FAMILY THERAPIST ASSOCIATIONS OR SOCIETIES. The president or chief executive officer of any marriage and family therapist association or society within this state shall report to the department when an association or society determines or has a reasonable suspicion that a certified marriage and family therapist has committed unprofessional conduct or that a certified marriage and family therapist may not be able to practice marriage and family therapy with reasonable skill and safety to clients as the result of any mental or physical condition and constitutes an apparent risk to the public health, safety, or welfare. The report required by this section shall be made without regard to whether the holder of the certificate appeals, accepts, or acts upon the determination made by the association or society. Notification of appeal shall be included. A report filed pursuant to this section shall be considered a complaint under the Uniform Disciplinary Act and subject to immunity for the complainant as described in RCW 18.130.180.

NEW SECTION

WAC 308-220-130 HEALTH CARE SERVICE CONTRACTORS AND DISABILITY INSURANCE CARRIERS. The executive officer of every health care service contractor and disability insurer, licensed under chapters 48.20, 48.21, 48.21A, and 48.44 RCW, operating in the state of Washington shall report to the department all final determinations that a certified marriage and family therapist has engaged in over-utilization of services or has charged fees for services not actually provided.

NEW SECTION

WAC 308-220-140 PROFESSIONAL LIABILITY CARRIERS. Every institution or organization providing professional liability insurance directly or indirectly to certified marriage and family therapists shall send a complete report to the department of any malpractice settlement, award, or payment as a result of a claim or action for damages alleged to have been caused by an insured certified marriage and family therapist's incompetency or negligence in the practice of marriage and family therapy.

NEW SECTION

WAC 308-220-150 COURTS. The department requests the assistance of all clerks of trial courts within the state to report all professional malpractice judgments and all convictions of certified marriage and family therapists, other than minor traffic violations.

NEW SECTION

WAC 308-220-160 STATE AND FEDERAL AGENCIES. The department requests the assistance of executive officers of any state or federal program operating in the state of Washington, under which a certified marriage and family therapist is employed to provide client care services, to report to the department whenever such a certified marriage and family therapist has been judged to have demonstrated

his/her incompetency or negligence in the practice of marriage and family therapy, or has otherwise committed unprofessional conduct, or is a mentally or physically disabled certified marriage and family therapist.

NEW SECTION

WAC 308-220-170 COOPERATION WITH INVESTIGATION. (1) A licensee, certificant, or registrant must comply with a request for records, documents, or explanation from an investigator who is acting on behalf of the director of the department of licensing or a written request for release of records by a patient or client, by submitting the requested items within fourteen calendar days of receipt of the request by either the licensee, certificant, or registrant or their attorney, whichever is first. If the licensee, certificant, or registrant fails to comply with the request within fourteen calendar days, the investigator will contact that individual or their attorney by telephone or letter as a reminder.

(2) Investigators may extend the time for response if the request for extension does not exceed seven calendar days. Any other requests for extension of time may be granted by the director or the director's designee.

(3) If the licensee, certificant, or registrant fails to comply with the request within three business days after receiving the reminder, a subpoena will be served to obtain the requested items. A statement of charges may be issued pursuant to RCW 18.130.180(8) for failure to cooperate. If there is sufficient evidence to support additional charges, those charges may be included in the statement of charges.

(4) If the licensee, certificant, or registrant complies with the request after the issuance of the statement of charges, the director or the director's designee will decide if the charges will be prosecuted or settled. If the charges are to be settled the settlement proposal will be negotiated by the director's designee. Settlements are not considered final until the director signs the settlement agreement.

WSR 88-15-044

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 88-54—Filed July 15, 1988]

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

I, Joseph R. Blum, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is restrictions in Areas 4B, 5, 6, 6A, 6C, 7 and 7A provide protection for Puget Sound and Canadian chinook stocks. Openings in Area 10 are necessary to prevent wastage and harvest non-Indian Lake Washington sockeye allocation. All other areas are closed to prevent overharvest.

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

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

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

APPROVED AND ADOPTED July 15, 1988.

By Sally J. Hicks
for Joseph R. Blum
Director

NEW SECTION

WAC 220-47-901 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY. Notwithstanding the provisions of Chapter 220-47 WAC, effective 5:00 AM July 18 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:

- * Areas 4B, 5, 6, 6A, 6C, 7, 7A - Under control of Pacific Salmon Commission. Drift gill net gear restricted to 5-inch minimum, 6-inch maximum mesh when open.
- * Area 10 - Purse seines using the 5-inch strip may fish from 5:00 AM to 9:00 PM Monday July 18, and gillnets using 5-1/2 inch maximum mesh may fish from 7:00 PM Monday July 18 to 9:30 AM Tuesday July 19. All chinook caught with purse seine gear must be released. This area 10 opening excludes those waters south of a line projected from West Point to Skiff Point on Bainbridge Island, and those waters west of a line projected from Point Jefferson to Point Monroe on Bainbridge Island, and those waters east of a line projected from Meadow Point to West Point. Fishery exclusion zones applicable to Area 10 commercial fisheries are described in WAC 220-47-307.
- * Areas 6B, 7B, 7C, 7D, 7E, 8, 8A, 8D, 9, 9A, 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.

**WSR 88-15-045
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed July 15, 1988]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning general provisions, amending WAC 388-49-015;

that the agency will at 10:00 a.m., Tuesday, August 23, 1988, in the Auditorium, OB-2, 12th and Franklin, Olympia, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on August 24, 1988.

The authority under which these rules are proposed is RCW 74.04.510.

The specific statute these rules are intended to implement is RCW 74.04.510.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before August 23, 1988.

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

Troyce Warner
Office of Issuances
Department of Social and Health Services
Mailstop OB-33H
Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact the Office of Issuances, State Office Building #2, 12th and Franklin, Olympia, WA, phone (206) 753-7015 by August 9, 1988. The meeting site is in a location which is barrier free.

Dated: July 14, 1988
By: Leslie F. James, Director
Administrative Services

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Repealing WAC 388-49-015 (15) and (16).

Purpose: To repeal this WAC rule which has been superseded by WAC 388-49-505.

Change is Necessary: The repeal action did not occur when WAC 388-49-505 was adopted.

Statutory Authority: RCW 74.04.510.

Summary of Rule Change: Repeals WAC 388-49-015 (15) and (16).

Person or Persons Responsible for Drafting, Implementation and Enforcement of the Rule: Dan Ohlson, Program Manager, Division of Income Assistance, phone 753-1354, mailstop OB-31C.

Person or Organization (if other than DSHS) who Proposed These Rules: N/A.

The rule action is not necessary as a result of federal requirements.

AMENDATORY SECTION (Amending Order 2575, filed 12/31/87)

WAC 388-49-015 GENERAL PROVISIONS. (1) The rules in this chapter are for the purpose of administering the food stamp program. Rules and definitions in other chapters of Title 388 of the Washington Administrative Code do not apply to provisions of this chapter unless specifically identified.

(2) The department of social and health services shall administer the food stamp program in accordance with an approved plan with the food and nutrition service (FNS) of the United States Department of Agriculture.

(3) The department shall comply with all FNS directives to reduce, suspend, or terminate all or any portion of the food stamp program.

(4) During a presidential or FNS-declared disaster, the department shall certify affected households in accordance with FNS instructions.

(5) The department shall retain:

(a) Food stamp case records for three years from the month of origin of each record, and

(b) Fiscal and accountable documents for three years from the date of fiscal or administrative closure.

(6) The department shall not discriminate against any applicant or participant in any aspect of program administration for reason of:

(a) Age,

- (b) Race,
- (c) Color,
- (d) Sex,
- (e) Handicap,
- (f) Religious creed,
- (g) Political beliefs, or
- (h) National origin.

(7) The department shall display nondiscrimination posters provided by FNS in all offices administering the food stamp program.

(8) An individual believing he or she has been subject to discrimination may file a written complaint with the:

- (a) Food and nutrition service, or
- (b) State office for equal opportunity.

(9) The department shall restrict use or disclosure of information obtained from applying or participating households to:

(a) Individuals directly connected with the administration or enforcement of the provisions of:

- (i) The Food Stamp Act or regulations,
- (ii) Other federal assistance programs, or
- (iii) Federally assisted state programs providing assistance on a means-tested basis to low-income individuals.

(b) Employees of the Comptroller General's Office of the United States for audit examination authorized by any other provision of law; and

(c) Local, state, or federal law enforcement officials, upon their written request, for the purpose of investigating an alleged violation of the Food Stamp Act or regulations. The written request shall include the:

- (i) Identity of the individual requesting the information,
- (ii) Authority of the individual to make the request,
- (iii) Violation being investigated, and
- (iv) Identity of the person about whom the information is requested.

(10) The department shall make the household's case file available to the household or household's representative for inspection during regular office hours as provided in chapter 388-320 WAC.

(11) The department shall make the following program information available to the public upon request during regular office hours:

(a) Federal regulations, federal procedures in FNS notices and policy memos, and the state plan of operation at the state office; and

(b) Washington Administrative Code and the Food Stamp Procedures Manual at the local office.

(12) The coupon allotment provided any eligible household shall not be considered income or resources for any purpose under any federal, state, or local laws.

(13) The department shall not permit volunteers or other persons not employees of the department to conduct certification interviews or certify food stamp applicants except:

- (a) During a presidential or FNS-declared disaster, or
- (b) Social Security Administration (SSA) employees for Supplemental Security Income (SSI) households as provided in WAC 388-49-040.

(14) The provisions of Title 18 of the United States Code, "Crimes and Criminal Procedures," relative to counterfeiting, misuse, and alteration of obligations of the United States are applicable to food coupons.

~~((15) The department shall establish an annualized standard utility allowance for use in calculating shelter costs, subject to the approval of food and nutrition service. The standard utility allowance shall include:~~

- ~~(a) The cost of heating and cooking fuel;~~
- ~~(b) Cooling and electricity;~~
- ~~(c) Water and sewerage;~~
- ~~(d) Garbage and trash collection fees; and~~
- ~~(e) The basic service fee for one telephone, including tax on the basic fee and fees charged by the utility provider for initial installation, as shelter costs.~~

~~((16) The department shall establish a separate telephone allowance subject to the approval of food and nutrition service, for use by households not entitled to claim the overall standard utility allowance, but who incur a separate telephone expense.))~~

WSR 88-15-046
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Filed July 15, 1988]

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 support enforcement, amending chapter 388-14 WAC;

that the agency will at 10:00 a.m., Thursday, September 8, 1988, in the Auditorium, OB-2, 12th and Franklin, Olympia, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is chapter 275, Laws of 1988.

The specific statute these rules are intended to implement is chapter 275, Laws of 1988.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before September 8, 1988.

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

Troyce Warner
 Office of Issuances
 Department of Social and Health Services
 Mailstop OB-33H
 Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact the Office of Issuances, State Office Building #2, 12th and Franklin, Olympia, WA, phone (206) 753-7015 by August 25, 1988. The meeting site is in a location which is barrier free.

Dated: July 14, 1988
 By: Leslie F. James, Director
 Administrative Services

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Re: Amending chapter 388-14 WAC.

Purpose of the Rule Changes: To implement child support distribution changes and due process notice requirements.

Reason These Rules are Necessary: To authorize the Office of Support Enforcement (OSE) to: Distribute support payments under RCW 26.23.030 as amended by chapter 275, Laws of 1988; operate the central registry for the receipt and distribution of child support payments to ensure these support payments will be available for the support of the children; clarify cooperation requirements for applicant/recipients of public assistance; and ensure adequate notice will be provided to clients before OSE takes action which may adversely impact their rights.

Statutory Authority: RCW 74.08.090, chapter 26.23 RCW (chapter 435, Laws of 1987) and chapter 275, Laws of 1988.

Summary of Rule Changes: Many of the amendments to chapter 388-14 WAC are technical in nature and merely simplify or clarify the rules. The following is a summary of the rule changes that are significant and substantive; WAC 388-14-030 is amended to clarify privacy protections afforded to custodial parents. The office of hearings may not disclose a physical custodian's address to a responsible parent unless the administrative law judge allows it, and OSE shall notify physical custodians only of a request for address information; WAC 388-14-200 is amended to provide a process through which a client may attest to the lack of information and thereby satisfy cooperation requirements if he or she is unable to provide relevant information about the responsible parent; WAC 388-14-205 is amended to provide due process notice and an opportunity for a hearing to the payee under a child support order before OSE files a satisfaction of judgment with the court; WAC 388-14-270 is amended to provide that OSE must notify the payee under a child support order of any changes in the distribution of support money, and that OSE must first satisfy a support debt that accrues to a client after he/she terminates public assistance before satisfying the debt owed to the state; WAC 388-14-385 is amended to conform to due process changes made under WAC 388-14-205; and WAC 388-14-425 is amended to clarify that statutory notice requirements must be met before OSE issues a payroll deduction notice.

Person or Persons Responsible for Drafting, Implementation and Enforcement of this Rule: Bill Paine, Program Administrator 4, Support Enforcement, phone 459-6446.

AMENDATORY SECTION (Amending Order 2606, filed 3/4/88)

WAC 388-14-030 CONFIDENTIALITY. (1) Under RCW 26.23.120, all information and records, concerning persons who owe a support obligation or for whom the office provides support enforcement services, are private and confidential. The office shall disclose information and records only as follows:

- (a) The office shall disclose information and records only to:
 - (i) Persons or entities listed and for the specific purpose or purposes stated in federal law;
 - (ii) The person who is the subject of the information or records, unless the information or records is exempt under RCW 42.17.310;
 - (iii) Local, state, and federal government agencies for support enforcement and related purposes;
 - (iv) A party to a judicial proceeding or a hearing under chapter 34.04 RCW, if the presiding officer enters an order to disclose. The order shall be based upon a written finding that the need for the information outweighs any reason for maintaining privacy and confidentiality;
 - (v) Parties under contract, if disclosure will allow them to assist in the management or operation of the program;
 - (vi) To persons or entities when necessary to the administration of the program or the performance of functions and duties as set forth in state and federal law. The office may publish information about responsible parents for locate and enforcement purposes;
 - (vii) Persons, representatives, or entities if the person who is the subject of the information and records consents, in writing, to disclosure;
 - (viii) The office of hearings for administration of the hearing process under chapter 34.04 RCW: PROVIDED HOWEVER, That the office of hearings shall not include the address of the physical custodian in an administrative support order, or disclose the physical custodian's address to the responsible parent, except as provided in subsection

(1)(a)(iv) of this section. The support order shall state that the address is known by the Washington state support registry and inform the parties they may obtain the address by submitting a request for disclosure to the office of support enforcement under this section.

(b) The last known address of, or employment information about, a party to a court or administrative order for, or a proceeding involving, child support may be given to another party to the order. This information may only be used to establish, enforce, or modify a support order. Disclosure of this information is subject to other limitations listed in this section;

(c) The last known address of natural or adoptive children may be given to a parent, who has a court order granting him or her visitation rights with, legal custody of or residential time with their natural or adoptive children. This information may only be used to enforce the terms of the court order;

(d) The Social Security number or numbers of the dependent child or children may be disclosed to the absent parent to enable the parent to claim the dependency exemption or exemptions as authorized by the Internal Revenue Service.

(2) The rules and procedures set forth in chapter 388-320 WAC, relating to the process for requesting and disclosing information and records, are applicable to requests for disclosure under this section.

(3) The office shall take timely action on requests for disclosure. The office shall respond in writing within ten working days of receipt of the request, unless the request is for disclosure of the address of the physical custodian or the dependent children. The office shall respond to requests for addresses within ten days of the date the thirty-day notice period, provided for in subsection (5) of this section, expires.

(4) The following provisions apply to requests for disclosure of the address of the physical custodian or dependent children under subsection (1)(b) and (c) of this section:

- (a) The office shall not release the address if:
 - (i) The department has determined, under WAC 388-24-111, that the physical custodian has good cause for refusing to cooperate;
 - (ii) The order, upon which the request is based, restricts or limits a requesting party's right to contact or visit the other party or the children by imposing conditions to protect the physical custodian or the children from harm.
- (b) Persons shall submit requests for disclosure in writing and in person, with satisfactory evidence of identity, at any office of the office of support enforcement;
- (c) If the request is made by the person's attorney, the office shall waive the provisions regarding submission in person with satisfactory evidence of identity;
- (d) If the person resides outside the state of Washington, the office shall waive the provision requiring submission in person if the person submits a notarized request for disclosure and complies with the requirements of subsection (4)(e) of this section;
- (e) The requester shall attach the following to a request for disclosure of an address:
 - (i) A copy of the superior court or administrative order upon which the request is based. The office shall waive this provision if the office has a true copy of the order on file;
 - (ii) A sworn statement by the individual that the order has not been modified;
 - (iii) A statement explaining the purpose of the request and how the information will be used.
- (5) Prior to disclosing ~~((an))~~ the address of the physical custodian or children, the office shall mail a notice to the last known address of the ~~((party whose address has been requested))~~ physical custodian, except as provided in subsection (6) of this section. The notice shall advise the ~~((party))~~ physical custodian that:
 - (a) A request for disclosure has been made; and
 - (b) The office will disclose the address, to a person under subsections (1)(b) and (c) of this section, after thirty days from the date of the notice, unless the office receives a copy of a court order which:
 - (i) Enjoins disclosure; or
 - (ii) Restricts the requesting party's right to contact or visit the other party or the children by imposing conditions to protect the physical custodian or the children from harm, including, but not limited to, temporary orders for protection under chapter 26.50 RCW.
- (6) The office will not mail a notice prior to disclosure:
 - (a) If the requesting party can show the other party will likely flee and that:
 - (i) A court of competent jurisdiction of this state or another state has entered an order giving legal and physical custody of the child or children to the requesting party; and

(ii) The custody order has not been altered, changed, modified, superseded, or dismissed; and

(iii) The child or children were taken or enticed from the physical custody of the requesting party without the requesting party's consent; and

(iv) The requesting party has not subsequently assented to being deprived of physical custody of the children; and

(v) The requesting party is making reasonable efforts to regain physical custody of the child or children; or

(b) When the child or children are receiving foster care services under chapter 74.13 RCW.

(7) If the child or children are receiving foster care services, parties shall contact their local community services office for disclosure of address information.

(8) The rules of confidentiality and penalties for misuse of information and reports that apply to employees of the department also apply to persons who receive information under this section.

(9) Nothing in these rules shall be construed:

(a) To prevent the office from disclosing information and records when such disclosure is necessary to the performance of its duties and functions as provided by state and federal law;

(b) To require the office to disclose information and records obtained from a confidential source.

AMENDATORY SECTION (Amending Order 2606, filed 3/4/88)

WAC 388-14-200 ELIGIBILITY—ASSIGNMENT OF SUPPORT RIGHTS—COOPERATION WITH OFFICE OF SUPPORT ENFORCEMENT—EFFECT OF NONCOOPERATION. This section establishes the initial and continuing requirements which affect eligibility for aid to families with dependent children. These requirements also affect eligibility for family independence program services.

(1) Beginning August 1, 1975, as a condition of eligibility for assistance, each applicant/recipient shall make assignment to the office of any and all right, title, and interest in any support obligation the applicant/recipient may have. This includes support rights of any other family member for whom the applicant/recipient is applying for or receiving financial assistance. It also includes rights to support which have accrued at the time such assignment is executed. Through this assignment, the applicant/recipient authorizes the office to provide services for the family, and to continue to provide services after the family stops receiving assistance, until services are terminated under this chapter.

(2) When subsection (1) of this section is satisfied, cooperation is further required as a continuing condition of eligibility for assistance unless the ~~((CSO))~~ department determines that the applicant/recipient has good cause not to cooperate under WAC 388-24-111. Cooperation includes, but is not limited to, assisting the office in or by doing the following:

(a) Identifying and locating absent parents by:

(i) Providing all ~~((known))~~ relevant information known to, possessed by, or reasonably obtainable by the applicant/recipient about the absent parent, such as the absent parent's:

(A) Name~~((;))~~ and known aliases~~((;))~~;

(B) Address~~((;))~~;

(C) Telephone number or numbers~~((;))~~;

(D) Social Security number~~((;))~~;

(E) Employment history~~((;))~~; and

(F) Physical description~~((;))~~;

(ii) Providing data regarding the date and place of marriage, separation, divorce, or dissolution, and copies of any documents and any court orders establishing paternity and/or support obligations;

(iii) Providing information to establish the amount of the support debt accrued prior to the application. Applicants shall give information at the time of application and/or at a later time, if requested by the office, to supplement existing information.

(b) Notifying the office when there are changes in information concerning the absent parent;

(c) Establishing the paternity of a child:

(i) The applicant shall take all reasonable action requested by the office, the prosecuting attorneys, the attorney general, private attorneys compensated under RCW 74.20.350, courts, or other agencies in:

(A) Administrative hearings; or

(B) Actions to prosecute or maintain any legal action or remedy for the establishment of paternity; or

(C) Investigations preparatory to or supplementary to such hearings or actions.

(ii) The applicant shall assist in the development of medical and anthropological evidence relating to the alleged father's paternity based upon tests performed by experts on the mother and the child.

(d) Establishing and collecting support and/or in obtaining support payments or any other payments or property due the applicant/recipient or a dependent child. The applicant shall take all reasonable action requested by the office, the prosecuting attorneys, the attorney general, private attorneys compensated under RCW 74.20.350, courts or other agencies in:

(i) Administrative hearings; or

(ii) Actions to prosecute or maintain any legal action or remedy for the establishment or collection of support obligations; or

(iii) Investigations preparatory to or supplementary to such hearings or actions.

(e) Remitting all support payments the applicant/recipient receives, from any person or agency, to the office ~~((of support enforcement))~~ within eight days of receipt of said payments;

(f) Executing a repayment agreement and repaying retained support moneys under the agreement.

(3) An applicant/recipient may attest to the lack of information, under penalty of perjury, if:

(a) He or she submits to an interview:

(i) Conducted by the office, a prosecuting attorney, the attorney general, or private attorney compensated under RCW 74.20.350; and

(ii) Answers questions intended to obtain relevant information.

(b) The requested information is not known to, possessed by, or reasonably obtainable by the applicant/recipient.

(4) Any applicant/recipient who attests to the lack of information shall be considered to be cooperating, as required under this section, unless:

(a) The applicant/recipient fails or refuses to submit to an interview and answer questions;

(b) The department produces credible evidence which shows that the applicant/recipient's attestation is false; or

(c) The applicant/recipient previously gave inconsistent information for which he or she has no reasonable explanation.

(5) The department may not refuse to allow the applicant/recipient to sign an attestation or sanction him or her for failure to cooperate merely because previous attempts to identify an absent parent resulted in blood test results excluding the person identified. The applicant/recipient, however, must cooperate with any necessary retesting.

(6) ~~((H))~~ The department shall find the applicant/recipient ineligible to receive assistance if the applicant/recipient fails to cooperate as defined in this section ~~((the applicant/recipient shall be ineligible to receive assistance))~~. The department shall provide any assistance for which the children may be eligible as specified in WAC 388-33-453. The department shall compute requirements for the child or children without regard to the requirements of the applicant/recipient.

~~((H))~~ (7) If the office, the prosecuting attorney, the attorney general, or a private attorney compensated under RCW 74.20.350, believes the applicant/recipient is not cooperating, they shall notify the community services office of the noncooperation. The notice of noncooperation shall include:

(a) A statement explaining how the applicant/recipient failed to cooperate; and

(b) A statement of the action the applicant/recipient must take to resume cooperation.

(8) The department shall either attach a copy of the notice of noncooperation to, or include the statements from the notice in, the notice of planned action.

(9) If the applicant/recipient fails to cooperate by missing an interview, cooperation resumes when the applicant/recipient appears for a rescheduled interview and either provides information or attests to the lack of information. The office, prosecuting attorney, attorney general, or private attorney shall reschedule the interview within seven business days from the date the applicant/recipient contacts them to reschedule an interview.

(10) Cooperation resumes when the applicant/recipient performs the required action. The department shall reinstate the grant effective on the date cooperation resumes.

(11) If the applicant/recipient does not remit support moneys within eight days of receipt as required under WAC 388-14-200 (2)(e)(ii) and the applicant/recipient is currently receiving an AFDC grant, or cash benefits under the family independence program, the office ~~((of support enforcement))~~ shall:

(a) Document the applicant/recipient has, in fact, received and retained support moneys and the amount of said money;

(b) Issue a notice of debt as provided in WAC 388-13-020 to the applicant/recipient to recover the payments, which notice includes the following information:

(i) An explanation of the applicant/recipient's responsibility to cooperate by turning over the support moneys as a condition of eligibility for ~~((AFDC))~~ public assistance, and the sanction for failure to cooperate;

(ii) A list of the support moneys retained, including the dates and amounts as well as copies of any documentary evidence (such as copies of checks, front and back), the office ~~((of support enforcement))~~ possesses;

(iii) A proposed repayment agreement that may include a provision for a voluntary grant deduction;

(iv) An explanation that repaying retained support moneys according to a repayment agreement is a condition of cooperation;

(v) A notice that the recipient may request an informal meeting with ~~((OSE))~~ the office, within twenty days of the date of service of the notice of debt, to:

(A) Clarify the recipient's responsibilities for cooperation; and ((to attempt to))

(B) Resolve any differences regarding the existence or amount of the claim for unremitted support moneys and/or the proposed repayment agreement((:));

(vi) A notice that the recipient has the right to request a hearing ~~((pursuant to))~~ under WAC 388-13-060 to:

(A) Contest the department's claim of ownership of the support money identified in the notice; and/or

(B) The reasonableness of the proposed repayment agreement((:));

(vii) A statement that the office ~~((of support enforcement))~~ will notify the ~~((ESO))~~ community services office that the recipient ~~((has))~~ failed to cooperate unless the recipient, within twenty days of the date of service of the notice of debt, executes the proposed repayment agreement, requests an informal meeting or requests an administrative hearing.

~~((7))~~ (12) The department shall base the repayment agreement ((shall be reasonably related to)) on:

(a) The applicant/recipient's total income and resources including the AFDC grant or cash benefits under the family independence program; and

(b) The total amount of retained support moneys.

~~((6))~~ (13) The monthly amount of the repayment shall not exceed ten percent of:

(a) The grant payment standard during any month the applicant/recipient remains in public assistance status, or

(b) The cash benefits paid under the family independence program.

~~((7))~~ (14) ((H)) When an applicant/recipient ((has retained)) retains support moneys but is no longer an active recipient of public assistance money, the office ((of support enforcement)) shall proceed ((pursuant to)) under RCW 74.20A.270 and chapter 388-13 WAC, without reference to the procedural requirements of WAC 388-14-200(4).

~~((8))~~ (15) The office ((of support enforcement)) shall notify the ((ESO that)) community services office when the recipient ((has failed)) fails to cooperate if:

(a) The recipient fails to sign a repayment agreement for the amount of retained support moneys claimed by ~~((OSE))~~ the office in the notice of debt or as determined by an administrative law judge if a hearing is requested ~~((pursuant to))~~ under WAC 388-13-060;

(b) The recipient enters into a repayment agreement but subsequently fails to make a payment under the terms of the agreement, or fails to comply with the decision of the administrative law judge.

~~((9))~~ (16) The office ((of support enforcement)) shall promptly notify the ((ESO)) community services office when either of the following changes in circumstances occurs:

(a) The recipient ~~((failing))~~ fails to enter into a repayment agreement and then consents to do so and signs a repayment agreement;

(b) The recipient ~~((defaulting))~~ defaults on an agreement or an administrative decision and then makes a regularly scheduled payment according to the agreement or decision.

~~((10))~~ (17) Nothing in these rules ((shall be construed to)) make an otherwise eligible child ineligible for public assistance because of the failure of applicant/recipient to cooperate as defined in this section.

AMENDATORY SECTION (Amending Order 2606, filed 3/4/88)

WAC 388-14-205 RESPONSIBILITIES OF THE OFFICE OF SUPPORT ENFORCEMENT. (1) The office shall provide services, until such services are terminated under this chapter, when:

(a) The department pays public assistance or provides foster care services;

(b) A former recipient of public assistance is eligible for services under WAC 388-14-302 (a) or (b);

(c) An applicant/custodian requests nonassistance support enforcement services under RCW 74.20.040 and WAC 388-14-302.

(d) A support order or wage assignment order under chapter 26.18 RCW directs that support payments are to be made through the Washington state support registry;

(e) A support order under which there is a current support obligation for the dependent children, is submitted to the Washington state support registry;

(f) A former custodial parent requests services to collect a support debt that has been reduced to a sum certain judgment by the court or agency of competent jurisdiction; and

(g) A child support enforcement agency in another state or foreign country under reciprocal agreement requests support enforcement services.

(2) Whenever possible and/or appropriate under the circumstances, the office shall take action under chapter 74.20A RCW to establish, enforce, and collect the child support obligation. The office may refer appropriate cases to the county prosecuting attorney or attorney general's office when judicial action is required.

(3) The office shall not act to establish paternity or secure child support in any case for which it has received notice that the CSO has determined that there has been a finding of good cause under WAC 388-24-111.

(a) The office shall request that all activities under Title IV-D to establish paternity or secure child support be suspended until the CSO notifies the office of its final determination regarding an applicant or recipient who has claimed good cause. Any agency acting under a cooperative agreement who fails or refuses to comply with the request to suspend activities shall not be entitled to financial participation under the Title IV-D cooperative agreement as to said case or cases upon which the request is made.

(b) A child support obligation continues while enforcement and/or collection action is suspended pending a final determination of good cause and will be subject to collection when a decision is made that good cause for refusal to cooperate no longer exists.

(c) The office shall review and comment on the findings and basis for the proposed determination by the CSO.

(d) The office shall be a party to any hearing requested as a result of an applicant's or recipient's appeal of any agency action under WAC 388-24-111.

(4) The office shall:

(a) Establish, maintain, retain, and dispose of case records in accordance with the department's records management and retention policies and procedures adopted pursuant to chapter 40.14 RCW.

(b) Establish, maintain, and monitor support payment records; and

(c) Receive, account for, and distribute child support payments required under superior court and administrative orders for support.

(5) ~~((The office shall prepare a notice of satisfaction of judgment and file it with the clerk of the superior court in which the order was entered, when the support obligation under the order has been terminated, and any support debt under the order has been satisfied or is no longer enforceable))~~ When the office determines a support obligation, established by order of a superior court of this state, has been satisfied or is no longer legally enforceable, the office shall mail a notice of its intent to file a satisfaction of judgment to the last known address of the payee under the order and the responsible parent. The notice shall contain the following provisions:

(a) A statement of the facts the office relied on in making the determination; and

(b) A statement that payee has twenty days to object and request a conference board under WAC 388-14-385, or initiate an action to obtain a judgment from the court that entered the order.

(6) If the conference board or the court determines the support obligation or a support debt still exists, the office shall withdraw the notice and shall make reasonable efforts to enforce and collect the remaining support debt. If not, the office shall file a satisfaction of judgment with the clerk of superior court in which the order was entered.

(7) A support obligation is satisfied or no longer legally enforceable when the obligation to pay current and future support terminates under the order, and:

- (a) The support debt owed under the order has been paid in full;
- (b) The support debt is no longer enforceable due to the operation of the statute of limitations; or
- (c) The office determines the responsible parent has a valid defense to payment of the debt under Washington law; or
- (d) Under RCW 74.20A.220, the office determines the debt is uncollectible, grants a total or partial charge-off, or accepts an offer to compromise a disputed debt.

AMENDATORY SECTION (Amending Order 2606, filed 3/4/88)

WAC 388-14-270 DISTRIBUTION OF SUPPORT PAYMENTS—PUBLIC ASSISTANCE. (1) When the office provides support enforcement services, the office shall distribute all support money collected by the office, or received by the office in its capacity, as the Washington state support registry:

- (a) In accordance with state and federal law, if public assistance, or cash benefits under the family independence program, is being or has been provided for the support of the family unit;
- (b) To the ((family or person to whom the support money is owed if public assistance funds have not been provided for the support of the family)) payee under the order if the payee has physical custody of the children; ((and/or))
- (c) To the physical custodian of the children if someone other than the payee has physical custody of and is caring for the children; and/or
- (d) To the child support enforcement agency in another state or foreign country which submitted a request for support enforcement services.

(2) Prior to distributing support moneys to a physical custodian who is not the payee under the support order, the office shall:

- (a) Obtain a sworn statement from the physical custodian attesting to the fact he or she has physical custody of the children and is caring for them;
- (b) Mail a notice of its intent to distribute support money to the physical custodian to the last known address of the payee and the responsible parent;
- (i) The notice shall contain the following statements and information:
 - (A) That the office has collected or received support money due under the support order;
 - (B) The name of the physical custodian;
 - (C) That the payee may contest distribution of money to the physical custodian by filing an appropriate motion with the court that entered the support order;
 - (D) That the office must be given notice of and made a party to any proceeding to contest the notice of distribution.
- (ii) A copy of the sworn statement of the physical custodian shall be attached to the notice; and
- (c) File a copy of the notice with the clerk of the court in which the support order was entered.

(3) If the location of the family or person to whom the support money is owed is unknown, the office shall exercise reasonable efforts to locate the family or person. If the office is unable to locate and disburse the money to the family or person, the office shall handle the money in accordance with an agreement with the department of revenue and as required by state law.

((3)) (4) The office shall apply the following rules ((shall apply)) to the distribution of support money:

- (a) ((The office shall)) Record all payments ((reported)) in exact amounts without rounding((:));
- (b) Distribute a support payment within eight days of the date the office receives the payment, unless unable to distribute the payment for one or more of the following reasons:
 - (i) The location of the payee is unknown;
 - (ii) There is not sufficient information to identify the accounts against which and to which the payment should be applied;
 - (iii) An action is filed in a court or agency with jurisdiction to decide the issue, to determine whether or not a support payment is owed and/or how the payment should be distributed;
 - (iv) Under subsection (6) of this section, the office receives prepaid support moneys which are being held and will be distributed in future months;
 - (v) The office mails a notice of intent to distribute the support money to the physical custodian under subsection (2) of this section; or

(vi) Other circumstances exist which make a proper and timely distribution of the payment impossible through no fault or lack of diligence of the office.

(c) The date of collection shall be the date on which the payment is received by the office. For interstate collections, the date of collection shall be the date on which the payment is received by the IV-D agency of the state in which the family, receiving ((aid*)) support enforcement services, resides((:));

((c)) (d) The office shall apply all payments:

- (i) To satisfy the support obligation for the month in which the payments are received and, then:
 - (ii) To any support debt or debts owed to:
 - (A) The family;
 - (B) A person for whom services are being provided;
 - (C) The department; or
 - (D) A child support agency in another state or foreign country.

((d)) (e) If the responsible parent owes a current support obligation to more than one family and does not pay enough money during the month to satisfy these current support obligations in full, the office shall distribute the money collected based on the proportionate share of the obligation owed to each family;

((e)) (f) ((If the support payment or payments received during a month exceeds the amount required to satisfy the current support obligation or obligations for that month and the responsible parent owes more than one support debt,)) The office shall apply ((the)) amounts received during a month in excess ((amount)) of the responsible parent's current support obligation or obligations to the support debt or debts based on the proportionate ((share)) size of the ((debt owed to each)) debts, except as provided in subsection 4(g) of this section, if: ((PROVIDED HOWEVER, That))

(i) The support payment or payments exceed the amount required to satisfy the current support obligation or obligations for that month; and

(ii) The responsible parent owes more than one support debt.

(g) The office may apply amounts distributed under this subsection to a single support debt rather than make a proportionate distribution in the following circumstances:

(i) ((If a portion of the support debt will be lost due to the running of the statute of limitations)) To satisfy a support debt owed to the family that accrued after the family terminated from public assistance as provided for in RCW 26.23.030; or

(ii) If proportionate distribution is administratively inefficient; or

(iii) If the collection resulted from the sale or disposition of a specific piece of property in which the applicant/recipient or applicant/custodian has a judgment lien for child support.

((f)) (h) The office shall convert amounts collected which are paid more frequently than once a month to an amount that represents payment on the required support obligation for the current month. The office of support enforcement is directed to distribute payments periodically to give effect to efficient administration.

((g)) (i) The office shall report any amounts distributed to a family, receiving public assistance, to the community service office identifying whether or not the payment is available to meet the need. This requirement shall not relieve the recipient of the duty to report receipt of any support moneys.

((4)) (5) If ((an amount collected as child)) the office receives or collects support moneys which represent((s)) payment on the required support obligation for future months, the office shall:

(a) Apply the ((amount)) support moneys to such future months((: However, the office shall not apply such amounts to future months unless amounts have been collected which fully satisfy)) if the support debt has been paid in full; and

(b) Distribute the support moneys on a monthly basis as of the date payments become due in the future.

((5)) (6) When the office receives or collects prepaid support moneys, the office shall mail a notice to the last known address of the person entitled to receive support payments. The notice shall inform the person that:

(a) The office received prepaid support money;

(b) The office will distribute this money as support payments become due in the future; and

(c) He or she may petition the court that entered the support order for an order requiring the immediate distribution of the prepaid support money.

(7) The office may recover support money distributed to a person or to the family in error, after receipt of a check which is later dishonored, or the office is later required to refund or return the support payment, as follows:

(a) ~~((If the person or family to whom the money was distributed is receiving))~~ In nonassistance ~~((support enforcement services))~~ cases, the office may deduct and retain, from subsequent support payments ~~((received on behalf of the person or family))~~, any amounts collected on a support debt and ~~((up to))~~ ten percent of amounts collected as current support. The office shall send a notice to the last known address of the person or family prior to taking action to recover such payments. The notice shall:

(i) Contain a finding that a payment was distributed in error, was paid against a check that was later dishonored, or that the office was required to refund the support payment to the responsible parent;

(ii) Identify the payments the office will recover; and

(iii) Inform the person or family of the amounts that will be deducted from future collections; and

(iv) Inform the person or family they may request an administrative hearing under chapter 34.04 RCW to object to the notice. At the hearing, the person may contest the office's findings regarding the existence and amount of the debt for erroneous payments or other payments the office is seeking to recover.

(b) If person or family is no longer receiving support enforcement services, the office of support enforcement may take action under RCW 74.20A.270 to recover the money.

~~((6))~~ (8) If the family is receiving public assistance and the applicant/recipient fails to remit support payments to the office as required, the office shall use the process set forth in WAC 388-14-200 to recover such support payments.

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 2606, filed 3/4/88)

WAC 388-14-385 CONFERENCE BOARD. (1) A conference board is herewith established to inquire into, determine facts, and attempt to resolve matters in which a responsible parent, custodial parent, or other person feels aggrieved by actions taken by the office of support enforcement pursuant to chapters 74.20, 74.20A RCW, or Title IV-D of the Social Security Act (Title 42 U.S.C.).

(a) The intent and purpose of the conference board is to facilitate the informal speedy resolution of grievances of responsible parents, custodial parents, or other persons. An applicant for a conference board proceeding shall have made a reasonable attempt and have failed to resolve the grievance or issue with the workers before a conference board may act to attempt to resolve the issue.

(b) The director, revenue division, or director's designee may assemble a conference board on application of the aggrieved person or on the director's own motion to investigate, find facts, and state or apply policy or law to the end of resolving grievances.

(c) The director or the director's designee may take such action, as deemed appropriate, and may individually exercise any of the authority provided for in this regulation, if:

(i) The grievance or issue presented in an application for conference board does not involve a factual dispute, or

(ii) The disputed fact or facts even if resolved in favor of the applicant would not provide a basis upon which relief could be granted to the applicant by a conference board acting in accordance with the standards provided for in this section.

(d) If an apparent factual dispute exists:

(i) The director or director's designee shall assemble a conference board composed of the director or director's designee, who shall serve as chairman, and two staff members, if deemed necessary.

(ii) The chairman of the conference board shall mail a notice, to the applicant and any other person or agency who is a party in interest to the proceeding, that a conference board has been convened and inform the parties of the time and place of the conference board at least seven days prior to the date the conference board is scheduled.

(e) The chairman of the conference board is herewith authorized as a duly appointed officer empowered to issue subpoena of witnesses, books, records, etc., as provided for in RCW 74.04.290 and shall have power to subpoena witnesses, administer oaths, take testimony, and compel the production of such papers, books, records, and documents deemed relevant to the resolution of the grievance under consideration.

Additional evidence may be taken by affidavit or other written submission when necessary or practicable together with written or oral argument. The director may designate persons having specific familiarity with the matter at issue or technical expertise with the subject to advise the board as required.

(f) The conference board's jurisdiction shall include but shall not be limited to the following areas:

(i) Complaints as to the conduct of individual staff members while acting in the scope of their duties. The decision of the board shall be directed to the first line supervisor for action as appropriate;

(ii) Review of denial of application for or termination of nonassistance support enforcement services;

(iii) Review of allegations of error as to the distribution of support moneys;

(iv) Resolution of amounts of arrears claimed due and rate of repayments;

(v) Requests to release or refund moneys taken pursuant to RCW 74.20A.080 to provide for the reasonable necessities of responsible parent or parents and minor children in their home;

(vi) Requests for deferral of support enforcement action;

(vii) Requests for partial or total charge-off of support arrears pursuant to RCW 74.20A.220 or declination to collect support arrears pursuant to RCW 74.20.040 on nonassistance cases;

(viii) Requests to waive interest pursuant to RCW 74.20A.190;

(ix) Requests to waive or defer the nonassistance support enforcement fee pursuant to RCW 74.20.040;

(x) Review of determinations that a support obligation has been satisfied or is no longer legally enforceable;

(xi) Any other matter requiring explanation of or application of policy or law to an issue in a specific case or clarification of facts in said case.

~~((11))~~ (xii) Requests for administrative review of cases submitted to the IRS for offset of a tax refund in accordance with federal statutes and regulations.

(2) The conference board shall dissolve upon issuance of decisions on matters for which it was appointed.

(3) The board's decision, including a decision to deny a request for a conference board, shall be in accordance with applicable statutes, case law, department of social and health services rules and regulations, published office of support enforcement manuals, support enforcement policy bulletins and the exercise of reasonable administrative discretion. The decision shall be in writing and shall find the facts, applicable law, policies applied, and clearly state the decision. If the decision is the result of a conference board, that decision shall represent the decision of a majority of the board. The director shall vacate decisions inconsistent with the standards in this section and remand them for issuance of a new decision in compliance with the standards.

(4) The office shall establish a file of pertinent documents for each case and distribute a copy of the decision, signed by the chairman, to:

(a) The applicant ~~((and))~~;

(b) Other parties in interest ~~((;))~~ when requested;

(c) The appropriate office of support enforcement district field office for action consistent with the decision of the board ~~((;))~~; and

(d) The director.

(5) The board shall base decisions under RCW 74.20A.220 to grant partial or total charge-off of arrears owed to the department of social and health services under RCW 74.20A.030, 74.20A.250, 74.20.320, 74.20.330, or 42 U.S.C. 602 (a)(26)(A) on the following considerations and shall state them in the written decision of the conference board fully justifying the action taken:

(a) Error in law or bona fide legal defects that materially diminish chances of collection; or

(b) Substantial hardship to minor children in the household of the responsible parent or other minor children for whom the responsible parent actually provides support which hardship is to be measured against income standards for public assistance and consideration of all available income, property, and resources of the responsible parent and the necessity to apportion the income and resources of the responsible parent on an equitable basis with the children for whom the arrears accrued; or

(c) Costs of collection action in the future that are greater than the amount to be charged off; or

(d) Settlement from lump-sum cash payment that is beneficial to the state considering future costs of collection and likelihood of collection.

~~((The considerations and decision of the))~~ A conference board ~~((shall))~~ is not ~~((be))~~ a contested case subject to review by the superior

court and ~~((staff))~~ is not ~~((be))~~ a substitute for any constitutionally or statutorily permitted hearing. Aggrieved parties may be represented before the board by a person of their choice ~~((but))~~. The department shall not ~~((be responsible for))~~ pay any costs incurred by the aggrieved person in connection with the conference.

AMENDATORY SECTION (Amending Order 2606, filed 3/4/88)

WAC 388-14-425 PAYROLL DEDUCTION—NOTICE AND ORDER—ISSUANCE AND TERMINATION. (1) Under RCW 26.23.050 and 26.23.060, the office may issue and serve a notice of payroll deduction upon the employer of a responsible parent. The office shall issue ~~((this))~~ the notice of payroll deduction, without further notice to the responsible parent:

(a) If a support payment, owed under a superior court or administrative order for support, is more than fifteen days past due in an amount equal to or greater than the support payable for one month; ~~((and))~~

(b) If the statutory notice requirements are met; and

(c) When the office identifies the responsible parent's earnings.

(2) The notice of payroll deduction shall remain in effect until:

(a) The payroll deduction is quashed, modified, or terminated by the superior court pursuant to a motion filed by the support debtor; or

(b) The office determines, as a result of a conference board convened under WAC 388-14-385, to release the payroll deduction after the support debtor proves by competent evidence that:

(i) The support obligation was not delinquent at the time the notice of payroll deduction was issued; or

(ii) The payroll deduction causes extreme hardship or substantial injustice.

WSR 88-15-047

EMERGENCY RULES

BOARD OF HEALTH

[Order 315—Filed July 15, 1988]

Be it resolved by the Washington State Board of Health, acting at the DSHS Region 5 Building, 1949 South State Street, Tacoma, WA, that it does adopt the annexed rules relating to handling and care of human remains, WAC 248-40-040.

We, the Washington State Board of Health, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is the state Board of Health finds an emergency exists because concerns about health, safety and public welfare are raised by new information that reliance on body bags for transporting human remains may not safeguard against exposure to disease and may create a false sense of security, and that plastic body bags are detrimental to collection of forensic evidence and jeopardize criminal proceedings and, therefore, the board finds that there is a need for further public hearing.

These rules are therefore adopted as emergency rules to take effect July 16, 1988.

This rule is promulgated pursuant to RCW 43.20.050 (2)(e) 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 July 13, 1988.

By Robert R. Rolff
Director
for Thelma Struck
Assistant Secretary

AMENDATORY SECTION (Amending Order 312, filed 6/16/88)

WAC 248-40-040 HANDLING AND CARE OF HUMAN REMAINS. (1) Definitions applicable to WAC 248-40-040 and 248-40-050.

(a) "Barrier precaution" means protective attire or equipment or other physical barriers worn to protect or prevent exposure of skin and mucous membranes of the wearer to infected or potentially infected blood, tissue, and body fluids.

(b) "Burial transit permit" means a form, approved and supplied by the state registrar of vital statistics as described in chapter 43.20A RCW, identifying the name of the deceased, date and place of death, general information, disposition and registrar and sexton information.

(c) "Common carrier" means any person transporting property for the general public for compensation as defined in chapter 81.80 RCW.

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

(e) "Embalmer" means a person licensed as required in chapter 18.39 RCW and engaged in the profession or business of disinfecting, preserving, or preparing dead human bodies for disposal or transportation.

(f) "Funeral director" means a person licensed as required in chapter 18.39 RCW and engaged in the profession or business of conducting funerals and supervising or directing the burials and disposal of human remains.

(g) "Health care facility" means any facility or institution licensed under:

(i) Chapter 18.20 RCW, boarding homes;

(ii) Chapter 18.46 RCW, maternity homes;

(iii) Chapter 18.51 RCW, nursing homes;

(iv) Chapter 70.41 RCW, hospitals; or

(v) Chapter 71.12 RCW, private establishments, or clinics, or other settings where one or more health care providers practice.

(h) "Health care provider" means any person having direct or supervisory responsibility for the delivery of health care or medical care including persons licensed in Washington state under Title 18 RCW to practice medicine, podiatry, chiropractic, optometry, osteopathy, nursing, midwifery, dentistry, physician assistant, and military personnel providing health care within Washington state regardless of licensure.

(i) "Local registrar of vital statistics" means the health officer or administrator who registers certificates of birth and death occurring in his or her designated registration district as defined in chapter 70.58 RCW.

(2) Funeral directors, medical examiners, coroners, health care providers, and their employees directly handling or touching human remains shall:

(a) Wash hands and other exposed skin surfaces with soap and water or equivalent immediately and thoroughly after contact with human remains, blood, or body fluids;

(b) Use barrier precautions whenever a procedure involves potential contact with blood, body fluids, or tissues of the deceased;

(c) Not eat, drink, or smoke in areas where handling of human remains or body fluids take place;

(d) Wash hands immediately after gloves are removed;

(e) Take precautions to prevent injuries by needles, scalpels, instruments, and equipment during use, cleaning, and disposal;

(f) Properly disinfect or discard protective garments and gloves immediately after use;

(g) Properly disinfect all surfaces, instruments, and equipment used if in contact with human remains, blood, or body fluids;

(h) Provide appropriate disposal of body fluids, blood, tissues, and wastes including:

(i) Equipping autopsy rooms, morgues, holding rooms, preparation rooms, and other places with impervious containers;

(ii) Lining containers with impervious, disposable material;

(iii) Equipping disposal containers with tightly fitting closures;

(iv) Destroying contents of disposal containers by methods approved by local ordinances and requirements related to disposal of infectious wastes;

(v) Immediately disposing of all fluids removed from bodies into a sewage system approved by the local health jurisdiction or by the department; and

(vi) Disinfecting immediately after use all containers and cans used to receive solid or fluid material taken from human remains.

~~(3) ((Health care facilities, health care providers, medical examiners, coroners, and their employees shall place human remains in a lightweight, heat-sealed, zippered, disposable body pouch of at least four mils to prevent leakage.~~

~~(4))~~ Funeral directors, embalmers, and others assisting in preparation of human remains shall refrigerate or embalm the remains within twenty-four hours of receipt. If remains are refrigerated, they shall remain so until final disposition or transport as permitted under WAC 248-40-050.

~~((5))~~ (4) Persons responsible for transfer or transport of human remains shall clean and disinfect equipment and the vehicle if body fluids are present and as necessary.

~~((6))~~ (5) Persons disposing of human remains in Washington state shall comply with requirements under chapter 68.50 RCW.

WSR 88-15-048

EMERGENCY RULES

DEPARTMENT OF AGRICULTURE

[Order 1984—Filed July 15, 1988]

I, C. Alan Pettibone, director of the Department of Agriculture, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the use of restricted use herbicides in Walla Walla County, WAC 16-232-015.

I, C. Alan Pettibone, 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 on the maps used to define the area lines in Walla Walla when adopting these rules previously did not reflect this isolated area as being part of the city of Walla Walla.

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

This rule is promulgated pursuant to chapters 17.21 and 15.58 RCW and is intended to administratively implement that statute.

The undersigned hereby declares that 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 July 13, 1988.

By Michael V. Schwisow
Deputy Director

AMENDATORY SECTION (Amending Order 1965, filed 4/13/88 [2/12/88])

WAC 16-232-015 RESTRICTED USE HERBICIDES—WALLA WALLA COUNTY—AREA 2. (1) Area 2 description. (Walla Walla and vicinity, Dixie, Waitsburg, and Prescott areas.) Those areas lying within a one mile radius from the center of the town of Dixie and within one mile of the city limits of the towns of Waitsburg and Prescott and an area starting at the intersection of the common boundary line between Sections 15 and 16, T6N, R36E and the Washington-Oregon state line, thence north along the section line one mile more or less to the southwest corner of Section 3, T6N, R36E; thence east along the section lines two miles to the southeast corner of Section 2, T6N, R36E; thence north along the section lines three miles to the southwest corner of Section 24, T7N, R36E; thence east along the section line one mile to the southeast corner of Section 24, T7N, R36E; thence north along the section line one mile to the southwest corner of Section 18, T7N, R37E; thence east along the section line one mile to the southeast corner of Section 18, T7N, R37E; thence north along the section line one mile to the northeast corner of Section 18, T7N, R37E; thence west along the section lines nine miles to the northwest corner of Section 14, T7N, R35E; thence south along the section line one mile to the northeast corner of Section 22, T7N, R35E; thence west along the section line one mile

to the northwest corner of Section 22, T7N, R35E; thence south along the section lines one mile more or less to State Route 12; thence westerly along State Route 12, including the right of way, three miles more or less to the intersection with Detour Road; thence southwesterly along Detour Road, including the right of way, one-half mile more or less to the intersection with Forest Road; thence south along Forest Road, including the right of way, one mile more or less to the intersection with Frog Hollow Road at the southwest corner of Section 6, T6N, R35E; thence east along Frog Hollow Road, including the right of way, one mile more or less to the intersection with Locher Road; thence south along Locher Road, including the right of way, one mile more or less to the Washington-Oregon state line; thence east along the state line eight miles more or less to the point of beginning.

(2) Area 2 restrictions.

(a) The use or application of low volatile formulations of restricted use herbicides is prohibited on and after April 15 through October 31.

(b) On and after April 15 through October 31, ground applications of restricted use herbicides shall be made using nozzles having a minimum orifice diameter of 0.031 inches.

(c) On and after November 1 through April 14 of the following year, aircraft applications of restricted use herbicides shall be made using the caution area restrictions (see WAC 16-230-675). Aircraft applications shall be prohibited on and after April 15 through October 31: **PROVIDED**, That the aerial application of MCPA shall be allowed using warning area restrictions (see WAC 16-230-675): **PROVIDED FURTHER**, That aerial applications of nonvolatile formulations of restricted use herbicides from one-half to one mile of the center of the town of Dixie and from the city limits of Waitsburg, Prescott and Walla Walla shall be considered through written request to the Washington state department of agriculture: **AND PROVIDED FURTHER**, That those portions of the city of Walla Walla which fall within Sections 13, 14, 22, 23 and 24, T7N, R35E of Walla Walla county shall not be considered as part of the city limits of Walla Walla for purposes of issuing permits by the department for aerial application of nonvolatile formulations of restricted use pesticides.

(d) Restrictions on the use of airstrips. The loading and/or mixing of restricted use herbicides is prohibited on any airstrip, airfield or any location within Area 2: **PROVIDED**, That the municipal airport located northeast of Walla Walla shall not be subject to this provision.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

WSR 88-15-049
ADOPTED RULES
STATE PATROL
(Commission on Equipment)
[Order 88-03-ESR—Filed July 18, 1988]

I, George B. Tellevik, chief of the Washington State Patrol, do promulgate and adopt at the General Administration Building, Olympia, the annexed rules relating to green lights on fireman's private vehicle.

This action is taken pursuant to Notice No. WSR 88-11-014 filed with the code reviser on May 11, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 46.37.185 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 July 15, 1988.

By George B. Tellevik
Chief

AMENDATORY SECTION (Amending Order 7302, filed 2/5/73)

WAC 204-40-010 PROMULGATION. By authority of RCW 46.37.005 and 46.37.185, the state (~~commission on equipment~~) patrol hereby adopts the following regulation pertaining to the use of green lamps on firemen's private cars.

AMENDATORY SECTION (Amending Order 7302, filed 2/5/73)

WAC 204-40-030 STANDARD. The green light shall be visible for a distance of two hundred feet under normal atmospheric conditions and (~~shall be of a type and mounting approved by the commission on equipment~~).

(~~1~~)) the maximum light projected in any one direction shall not exceed 300 candle power.

(~~(2)~~)) Mounting. Vertical mounting of the lamp shall be not less than 24 inches above the level surface upon which the vehicle stands, or may be placed on the forward portion of the top above the windshield.

(~~(3)~~)) The lateral mounting of the lamp shall be anywhere from the center of the vehicle to the left side thereof.

Approved equipment. To be considered approved equipment for use under the provisions of this section, all devices must meet the criteria established in RCW 46.37.320. In descending order of preference, these are:

(1) Conformance to Federal Motor Vehicle Safety Standards, or, if none,

(2) Conformance to current standards and specifications of the Society of Automotive Engineers, or, if none,

(3) Certified for compliance by any recognized organization or agency such as, but not limited to, the American National Standards Institute, the Society of Automotive Engineers, or the American Association of Motor Vehicle Administrators.

**WSR 88-15-050
ADOPTED RULES
STATE PATROL**

(Commission on Equipment)

[Order 88-04-ESR—Filed July 18, 1988]

I, George B. Tellevik, chief of the Washington State Patrol, do promulgate and adopt at the General Administration Building, Olympia, the annexed rules relating to certification of ignition interlock breath alcohol devices.

This action is taken pursuant to Notice No. WSR 88-11-015 filed with the code reviser on May 11, 1988. 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 Patrol as authorized in RCW 46.20.730.

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 July 15, 1988.

By George B. Tellevik
Chief

AMENDATORY SECTION (Amending Order 87-05-ESR, filed 12/9/87)

WAC 204-50-040 TESTING AND CERTIFICATION PROCESS. To be certified, a device must meet or exceed the minimum test standards listed in this chapter. Only a notarized statement, from a laboratory capable of performing the tests ((as)) specified, will be accepted as proof of meeting or exceeding the standards. The notarized statement shall include the name and signature of the person in charge of the tests under the following sentence:

((All tests on two samples of (model name) _____ manufactured by _____ were conducted in accordance with specifications listed in chapter 204-50 WAC.))

Two samples of (model name) _____, manufactured by (manufacturer) _____ were tested by (laboratory) _____. They do meet or exceed all specifications listed in chapter 204-50 WAC.

Signed _____

A list of laboratories performing the required tests shall be maintained by the ESR.

Upon receipt of a statement from a testing laboratory that two samples of a device have successfully passed the test procedures listed in this chapter, and confirmation

that all other requirements of this chapter have been met, the chief shall issue a letter of certification for the device. A copy of each certification letter will be forwarded to OAC. The letter of certification shall be valid until voluntarily surrendered by the manufacturer or until revoked by the chief for cause. Reasons for revocation include but are not limited to:

(1) Evidence of repeated device failures due to gross defects in design, materials, and/or workmanship during manufacture, installation, or calibration of the device;

(2) Notice of cancellation of manufacturer's liability insurance is received; and

(3) Notification that the manufacturer is no longer in business.

Unless necessary for the immediate good and welfare of the public, revocation shall be effective ten days after manufacturer's receipt of notice, which shall be sent via certified mail, return receipt requested. A copy of each notice of revocation shall be provided to OAC and lessees utilizing the revoked device with notice to contact the manufacturer for a replacement.

Upon voluntary surrender, or revocation of a letter of certification for a manufacturer's device, all like devices shall be removed and replaced. Manufacturers may request a review of revocation. Such request shall be submitted to the chief, in writing, within twenty days of revocation.

The ESR shall maintain a file of all existing letters of certification.

AMENDATORY SECTION (Amending Order 87-05-ESR, filed 12/9/87)

WAC 204-50-050 TEST SPECIFICATIONS. The purpose of these test specifications is to establish the accuracy and reliability of ignition interlock breath alcohol devices only. This shall be accomplished by performing no less than twenty tests utilizing simulators containing the alcohol solutions of known concentrations.

EQUIPMENT AND SOLUTIONS

Equipment and procedures list:

(1) Simulators.

(a) The simulator will be clean.

(b) The simulator will be in good working order.

(i) To check motor, heater, and thermometer, fill glass jar with 500 ml deionized or distilled water and reassemble.

(ii) Plug into 115 V line and after thirty minutes check temperature: 34°C ± 0.2. (Make sure mercury column in thermometer is intact.) Check to make sure the stirrer is stirring smoothly.

(iii) The simulator must be leakproof.

(c) Rinse simulator with appropriate alcohol reference solution, then fill with 500 ml of the alcohol reference solution and reassemble.

(d) Attach a one inch piece of Tygon or FDA vinyl tubing to the simulator outlet and affix a saliva-trap mouthpiece. Attach an eight inch piece of tubing to the inlet.

(e) Live breath or regulated, filtered, dried compressed air will be introduced in the simulator according to the manufacturer's specifications.

(f) Each simulator is labeled with the BAC value to three decimal places, the batch number of the alcohol reference solution and the date filled.

(g) A log will be kept of the test results.

(h) The solution in the simulator may be used for ten tests and must be discarded after the tenth test.

(i) All simulator testing shall be conducted by using live breath or regulated, filtered, dried, compressed air as the source of air.

(2) Environmental chamber.

(a) Capacity to place complete units inside chamber to run tests.

(b) Ability to maintain temperature during test at -20°C , 0°C , $+40^{\circ}\text{C}$ and $+70^{\circ}\text{C}$.

(c) $20 - 25^{\circ}\text{C}$ tests can be run at room temperature outside chamber.

(3) Standard alcohol reference solutions.

(a) Stock solution: Mix absolute ethanol with distilled or deionized water at a ratio of 77.0 ml of ethanol diluted up to one liter of water.

(b) Stock solution is stored in a well stoppered flask labeled "stock solution" and "contains 77.0 ml (60.5 gm) ethanol/L." The date prepared and initials of preparer.

(c) Standard alcohol reference solutions: Prepared from stock solution by pipetting the requisite amount of the stock solution into a volumetric flask and fill with distilled or deionized water to the mark as given below:

(i) For 0.020% dilute at ratio of 2.0 ml, stock solution to 500 ml.

(ii) For 0.030% dilute at ratio of 3.0 ml, stock solution to 500 ml.

(iii) For 0.040% dilute at ratio of 4.0 ml, stock solution to 500 ml.

(iv) The solution is thoroughly mixed by capping the container securely and inverting at least twenty times.

(d) The exact concentration of the standard alcohol reference solution shall be determined by titration using Potassium Dichromate (NBS primary standard grade). This standardized alcohol reference solution may then be used to calibrate a gas chromatograph.

(e) The standard reference solution is stored in a glass bottle with a tight fitting ground glass stopper or a teflon coated screw cap.

(f) The container is labeled with batch number, solution concentration in BAC, date prepared and the initials of the preparer. This data shall be recorded and filed.

(g) The manufacturer may request aliquot samples of the solutions for independent testing.

(4) Test procedures.

(a) Set up simulators with standard alcohol reference solutions.

(i) Standard alcohol reference solution 0.020 % BAC, allow to reach $34^{\circ}\text{C} \pm 0.2\text{C}$.

(ii) Standard alcohol reference solution 0.030 % BAC, allow to reach $34^{\circ}\text{C} \pm 0.2\text{C}$.

(iii) Standard alcohol reference solution 0.040 % BAC, allow to reach $34^{\circ}\text{C} \pm 0.2\text{C}$.

(b) Test set up.

(i) Alcohol devices shall not be modified.

(ii) Use one inch of tubing between simulator and saliva-trap mouthpiece. Attach the mouthpiece to the breath sampling inlet.

(iii) Operate the device according to the manufacturer's instructions.

(iv) Use new mouth piece and tubing after each sequence of ten tests.

(v) Wait at least five minutes between each test to avoid overloading sensors.

(vi) For the purposes of laboratory testing, the device may give a "pass/fail" response when installed in a subject's vehicle.

(5) Tests.

(a) Temperatures.

(i) $20-25^{\circ}\text{C}$ (room temperature)

(ii) 0°C

(iii) -20°C

(iv) $+40^{\circ}\text{C}$

(v) $+70^{\circ}\text{C}$

(b) Alcohol solutions.

(i) 0.000% BAC (distilled or deionized water)

(ii) 0.020% BAC $\pm .005\%$

(iii) 0.030% BAC $\pm .005\%$

(iv) 0.040% BAC $\pm .005\%$

(c) Number of tests.

(i) Accuracy: Five tests at each temperature and at each concentration of alcohol solutions including 0.000% BAC.

(ii) Repeatability: Ten tests at 0.030% BAC $\pm .005\%$ repeated at least forty-eight hours later.

(iii) Ten breath tests on each of two interlock devices at room temperature using a minimum of three human subjects having a BAC in the range of 0.020% BAC and 0.040% BAC as measured in a near simultaneous fashion using suitable evidentiary instrument (e.g., Intoxilyzer, Model 5000).

(iv) Ten breath tests on each of two interlock devices at room temperature using a minimum of three alcohol free human subjects registering (blank) BAC values on a suitable evidentiary instrument (e.g., Intoxilyzer, Model 5000).

(d) Criteria.

(i) 0.020% BAC, nineteen ((~~or~~)) of twenty tests give "pass" i.e., ((~~always~~)) allow car to start.

(ii) 0.030% BAC, ((~~fifteen or~~)) nineteen of twenty tests ((~~may or may~~)) will give "fail," i.e., not allow car to start.

(iii) 0.040% BAC, ((~~nineteen or~~)) twenty of twenty tests give "fail," i.e., will not allow car to start.

(f) Nonalcoholic "bogus breath samples" for test purposes shall be generated by the testing laboratory using three or more of the following:

(i) Air compressor powered by a 12 v DC automobile battery.

(ii) Portable car vacuum cleaner.

(iii) Mylar plastic bag.

(iv) Rubber balloon.

The methods of interface to the device under test shall be determined by the testing laboratory. At least three tests will be run with each source of "bogus breath."

(g) Tests shall be conducted at room temperature to determine whether the use of filters can remove alcohol

from breath sample thus circumventing the device. Cigarette filters from "Carlton" or "Lark" cigarettes packed into a paper tube shall be used for these tests.

(h) Test units shall meet performance of specifications at room temperature after being subjected to a vibration of 10 g's at 250 Hz for thirty minutes.

(i) Test devices shall meet performance specifications at 0°C at an altitude equivalent to eight thousand feet.

(j) The device must allow the driver to "re-start" the vehicle for a period of one minute after the ignition has been shut off without requiring further testing of the driver.

(k) The device must purge any residual alcohol before subsequent use.

WSR 88-15-051

**ADOPTED RULES
STATE PATROL**

(Commission on Equipment)

[Order 88-05-ESR—Filed July 18, 1988]

I, George B. Tellevik, chief of the Washington State Patrol, do promulgate and adopt at the General Administration Building, Olympia, the annexed rules relating to standards for school bus warning lights.

This action is taken pursuant to Notice No. WSR 88-11-016 filed with the code reviser on May 11, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 46.37.290 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 July 15, 1988.

By George B. Tellevik
Chief

AMENDATORY SECTION (Amending Order 80-07-01, filed 7/25/80)

WAC 204-74-010 PROMULGATION. By the authority of RCW 46.37.005 and 46.37.290, the ~~((commission on equipment))~~ state patrol hereby adopts the following regulations relating to warning light systems on school buses.

AMENDATORY SECTION (Amending Order 80-07-01, filed 7/25/80)

WAC 204-74-040 STANDARDS FOR WARNING LAMPS. (1) All school bus red warning lamps shall be designed and constructed in conformance with SAE Standard J887a, "school bus red signal lamps" or that standard which is in effect for such lamps at the time of manufacture of such lamps.

(2) The amber colored lamps shall meet the standard for the red lamps except for the lens color and candle

power requirements. Candle power of amber lamps shall be at least two and one-half times that specified for red lamps.

(3) All lamps shall be sealed beam type, the lenses of which shall be at least five and one-half inches in diameter.

(4) ~~((All lamps shall be of a type approved by the commission on equipment.))~~ To be considered approved equipment for use under the provisions of this section, all devices must meet the criteria established in RCW 46.37.320. In descending order of preference, these are:

(a) Conformance to Federal Motor Vehicle Safety Standards, or, if none,

(b) Conformance to current standards and specifications of the Society of Automotive Engineers, or, if none,

(c) Certified for compliance by any recognized organization or agency such as, but not limited to, the American National Standards Institute, the Society of Automotive Engineers or the American Association of Motor Vehicle Administrators.

WSR 88-15-052

**ADOPTED RULES
STATE PATROL**

(Commission on Equipment)

[Order 88-08-ESR—Filed July 18, 1988]

I, George B. Tellevik, chief of the Washington State Patrol, do promulgate and adopt at the General Administration Building, Olympia, the annexed rules relating to authorized emergency vehicle permits.

This action is taken pursuant to Notice No. WSR 88-11-012 filed with the code reviser on May 11, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 46.37.194 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 July 15, 1988.

By George B. Tellevik
Chief

AMENDATORY SECTION (Amending Order 7501A, filed 2/7/79)

WAC 204-36-010 PROMULGATION. ~~((By authority of RCW [46.04.040], 46.37.005, and 46.37.194.))~~ The state ((commission on equipment)) patrol hereby adopts the following regulations relating to the issuance of an authorized emergency vehicle permit.

AMENDATORY SECTION (Amending Order 7501A, filed 2/7/79)

WAC 204-36-020 DEFINITIONS. (1) Operator or driver. The term operator and the term driver, as used

herein, means every person who is in actual physical control of an authorized emergency vehicle.

(2) Operation. The term operation, as used herein, is the driving or moving by any operator or driver upon a public highway of any vehicle that is equipped or has attached thereon any equipment, the installation of which requires an authorized emergency vehicle permit, whether or not the emergency equipment is activated.

(3) ~~((Commission))~~ Patrol shall mean the state ~~((commission on equipment))~~ patrol.

AMENDATORY SECTION (Amending Order 7501A, filed 2/7/79)

WAC 204-36-030 PERMIT REQUIREMENTS.

(1) Any person, firm, corporation or municipal corporation desiring to have a vehicle registered as an authorized emergency vehicle pursuant to RCW 46.37.194 shall apply for such classification to the state ~~((commission on equipment))~~ patrol on forms provided by the ~~((commission))~~ patrol.

(2) The applicant shall furnish the following information to the ~~((commission))~~ patrol:

(a) A description of the specific geographic area in which the vehicle shall be used as an authorized emergency vehicle.

(b) A description of the specific purposes for which the vehicle shall be used as an authorized emergency vehicle.

(c) An explanation of the nature and scope of the duties, responsibilities and authority of the vehicle operator which necessitate the vehicle's registration as an authorized emergency vehicle.

(d) A description of the emergency equipment to be used if the permit is granted.

(e) A listing of the names, addresses, birthdates, operator's license numbers and other identifying data as may be prescribed on the application form by the ~~((commission))~~ patrol, of all persons who will use the vehicle as an authorized emergency vehicle, and a completed applicant fingerprint card.

(f) Certification by the chief law enforcement officer, or fire chief if the vehicle is to be used for firefighting purposes, of each jurisdiction in which the vehicle is to be used as an authorized emergency vehicle, that a need exists in such jurisdiction for the vehicle to be used as described in the application and that he knows of no reason why the application should be denied. The ~~((commission on equipment))~~ patrol may issue emergency vehicle permits to vehicles which operate throughout the state, and such permit may be canceled upon receipt of complaint from any state law enforcement agency as prescribed in WAC 204-36-070.

AMENDATORY SECTION (Amending Order 7301, filed 2/5/73)

WAC 204-36-040 PERMIT LIMITATIONS. (1) A vehicle registered by the ~~((commission))~~ patrol shall not be used as an authorized emergency vehicle except as follows:

(a) Only by the operators named in the original or amended application.

(b) Only with the equipment described in the original or amended application.

(c) Only within the geographic area described in the original or amended application.

(d) Only for the purposes set forth in the original or amended application.

(2) If an authorized emergency vehicle is used for private purposes, or for purposes in an area or by an operator other than as set forth in the application, all emergency equipment which is exposed to public view shall be covered with an opaque hood, and shall not be operated during such period of time.

AMENDATORY SECTION (Amending Order 7301, filed 2/5/73)

WAC 204-36-050 EQUIPMENT REQUIRED.

~~((†))~~ Every authorized emergency vehicle shall be equipped in conformance with RCW 46.37.190(1) with at least one lamp capable of displaying a red light visible from at least ~~((500))~~ five hundred feet in normal sunlight and a siren capable of giving an audible signal. ~~((The equipment shall be of a type and design approved by the state commission on equipment. The commission shall furnish a list of approved equipment with the application forms.))~~ To be considered approved equipment for use under the provisions of this section, all devices must meet the criteria established in RCW 46.37.320. In descending order of preference, these are:

(1) Conformance to Federal Motor Vehicle Safety Standards, or, if none,

(2) Conformance to current standards and specifications of the Society of Automotive Engineers, or, if none,

(3) Certified for compliance by any recognized organization or agency such as, but not limited to, the American National Standards Institute, the Society of Automotive Engineers, or the American Association of Motor Vehicle Administrators.

(a) Such equipment shall not be installed prior to obtaining approval of the application by the ~~((commission))~~ patrol.

(b) Blue lamps shall not be installed.

AMENDATORY SECTION (Amending Order 81-01-01, filed 2/3/81)

WAC 204-36-060 PROCEDURE. (1) If the ~~((commission))~~ patrol approves the application, it shall first issue a certificate of approval which shall be valid for thirty days, during which time the emergency equipment may be installed. After installation of the emergency equipment, the applicant shall bring the vehicle to a district or detachment office of the Washington state patrol to be examined to determine if it is of an approved type. A Washington state patrol officer shall certify the results of this examination on a form prescribed and provided by the ~~((commission))~~ patrol and the applicant shall file the form with the State ~~((Commission on Equipment, General Administration Building AX-12))~~ Patrol, E.S.R. Section, 6604 Martin Way, Mailstop PQ-11, Olympia, Washington 98504. Upon receipt of such certification, the ~~((commission))~~ patrol shall issue a

permit, which shall expire one year from the date of issuance thereof.

(2) The ~~((commission))~~ patrol may refuse to approve the application, certificate or permit or in the case of an application which lists multiple operators may refuse to approve any single operator if the applicant/operator has been convicted of a felony during the last ten years preceding the date of the application and if the felony for which the applicant was convicted directly relates to the specific occupation, trade, vocation, or business for which the certificate or permit is sought.

(3) The certificate of approval and when issued, the permit, including all endorsements for change of conditions as provided in WAC 204-36-030, shall be carried in the authorized emergency vehicle at all times, and shall be displayed on request to any law enforcement officer.

AMENDATORY SECTION (Amending Order 7501A, filed 2/7/79)

WAC 204-36-070 REVOCATION OR SUSPENSION. (1) Violation of any of these regulations shall be grounds for suspension or revocation of the authorized emergency vehicle permit. Notice shall be furnished to the applicant at least ~~((20))~~ twenty days prior to the effective date of such suspension or revocation. The notice shall describe the grounds for the order and shall furnish the applicant an opportunity to be heard within the ~~((20))~~ twenty-day period. The notice may provide for immediate suspension of the permit prior to any hearing, or the ~~((commission))~~ patrol may suspend the permit following the hearing but prior to final determination, if ~~((in the commission's opinion))~~ it is necessary to do so in the interests of the public health, safety or welfare.

(2) The chief law enforcement officer, or fire chief if the vehicle is to be used for firefighting purposes, of each jurisdiction in which the vehicle is operated as an authorized emergency vehicle may revoke his certification of the vehicle by notifying the ~~((commission))~~ patrol in writing of such revocation and his reasons therefor. Following notice to the applicant and an opportunity to be heard, the permit may be invalidated by the ~~((commission-on-equipment))~~ patrol.

(3) Mailing by certified mail of any notice or correspondence by the ~~((commission))~~ patrol to the last address of the applicant shown on his application shall be sufficient service of notice as required by ~~((these rules))~~ this chapter.

WSR 88-15-053

ADOPTED RULES

STATE PATROL

(Commission on Equipment)

[Order 88-07-ESR—Filed July 18, 1988]

I, George B. Tellevik, chief of the Washington State Patrol, do promulgate and adopt at the General Administration Building, Olympia, the annexed rules relating to emergency vehicle lighting.

This action is taken pursuant to Notice No. WSR 88-11-018 filed with the code reviser on May 11, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 46.37.190 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED July 15, 1988.

By George B. Tellevik
Chief

AMENDATORY SECTION (Amending Order 82-07-01, filed 7/29/82)

WAC 204-88-010 PROMULGATION. By authority of RCW 46.37.190, 46.37.194 and 46.37.280 the state ~~((commission-on-equipment))~~ patrol hereby adopts the following rules relating to emergency vehicle lighting.

AMENDATORY SECTION (Amending Order 82-07-01, filed 7/29/82)

WAC 204-88-030 DEFINITIONS. (1) "Authorized emergency vehicle" shall mean any vehicle of any fire department, police department, sheriff's office, coroner, prosecuting attorney, Washington state patrol, ambulance service public or private licensed by the department of social and health services or operated by any of the agencies named above, or any other vehicle authorized in writing by the ~~((commission-on-equipment))~~ state patrol.

(2) "Law enforcement vehicle" shall mean a publicly owned or leased vehicle operated by a law enforcement agency and which is used for the law enforcement functions of the agency.

(3) "Law enforcement agency" shall mean any municipal, port district or tribal police department, county police department or sheriff's office, the Washington state patrol, or any other state or federal agency which is publicly authorized to carry out law enforcement duties which include the authority to stop and detain motor vehicles on the public highways of this state.

(4) "Flashing" lamps shall mean those lamps which emit a beam of light which is broken intermittently and regularly by use of an electronic or electric switch, or a lamp which emits a steady beam of light which is intermittently and regularly directed away from any viewer by means of a rotating or oscillating reflector or lamp assembly. Flashing lamps are not to be confused with modulated lamps which intermittently and regularly decrease the power to the lamp filament so as to dim the light output but do not cause a total break in the light beam.

(5) "Emergency tow truck" shall mean a motor vehicle specially designed and constructed principally for the

purpose of recovery and/or towing of disabled, abandoned or damaged vehicles and not otherwise generally used in transporting goods or persons.

AMENDATORY SECTION (Amending Order 82-07-01, filed 7/29/82)

~~WAC 204-88-070 APPROVED LIGHTING DEVICES REQUIRED. ((In conformance with RCW 46.37.320 and 46.37.194 all emergency lamps used on emergency or law enforcement vehicles shall be approved by the commission on equipment)) To be considered approved equipment for use under the provisions of this section, all devices must meet the criteria established in RCW 46.37.320. In descending order of preference, these are:~~

- (1) Conformance to Federal Motor Vehicle Safety Standards, or, if none,
- (2) Conformance to current standards and specifications of the Society of Automotive Engineers, or, if none,
- (3) Certified for compliance by any recognized organization or agency such as, but not limited to, the American National Standards Institute, the Society of Automotive Engineers, or the American Association of Motor Vehicle Administrators.

WSR 88-15-054

**ADOPTED RULES
STATE PATROL**

(Commission on Equipment)

[Order 88-06-ESR—Filed July 18, 1988]

I, George B. Tellevik, chief of the Washington State Patrol, do promulgate and adopt at the General Administration Building, Olympia, the annexed rules relating to standards for headlamp flashing systems.

This action is taken pursuant to Notice No. WSR 88-11-017 filed with the code reviser on May 11, 1988. 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 Patrol as authorized in RCW 46.37.320.

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 July 15, 1988.

By George B. Tellevik
Chief

AMENDATORY SECTION (Amending Order 81-08-02, filed 8/21/81)

WAC 204-80-010 PROMULGATION. By authority of RCW 46.37.005, 46.37.280, and 46.37.310, the state ~~((commission on equipment))~~ patrol hereby adopts the following standards for headlamp flashing systems.

NEW SECTION

WAC 204-80-060 APPROVAL. To be considered approved equipment for use under the provisions of this section, all devices must meet the criteria established in RCW 46.37.320. In descending order of preference, these are:

- (1) Conformance to federal motor vehicle safety standards, or, if none;
- (2) Conformance to current standards and specifications of the society of automotive engineers, or, if none;
- (3) Certified for compliance by any recognized organization or agency such as, but not limited to, the American national standards institute, the society of automotive engineers, or the American association of motor vehicle administrators.

WSR 88-15-055

**ADOPTED RULES
STATE PATROL**

(Commission on Equipment)

[Order 88-02-ESR—Filed July 18, 1988]

I, George B. Tellevik, chief of the Washington State Patrol, do promulgate and adopt at the General Administration Building, Olympia, the annexed rules relating to flashing amber lights.

This action is taken pursuant to Notice No. WSR 88-11-013 filed with the code reviser on May 11, 1988. 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 Patrol as authorized in RCW 46.37.320.

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 July 15, 1988.

By George B. Tellevik
Chief

AMENDATORY SECTION (Amending Order 80-05-2, filed 5/28/80)

WAC 204-38-010 PROMULGATION. By authority of RCW 46.37.005 and 46.37.280, the state ~~((commission on equipment))~~ patrol hereby adopts the following regulation pertaining to the use of flashing amber lamps on motor vehicles.

AMENDATORY SECTION (Amending Order 81-04-01, filed 4/30/81)

WAC 204-38-050 USE OF LAMPS. Flashing amber lamps shall be used on the vehicles described in WAC 204-38-040 only when such vehicles are actually involved in construction, maintenance, or operations

which require that warning be given to ensure the protection of the motoring public or the work crew. Warning lamps shall not be illuminated while traveling to or from the site of operations. For the purposes of tow truck operations, the site of operations shall be only that place where vehicles are attached to or detached from the tow truck. Lamps on pilot cars shall be illuminated only while the vehicle is actually providing escort service.

Nothing in this chapter shall relieve the operator of any vehicle from displaying any other light or warning device required by statute or regulation, and nothing herein shall permit any vehicle operator to disregard any traffic law. ~~((The lamps permitted by this chapter shall be of a type approved by the commission on equipment.))~~ To be considered approved equipment for use under the provisions of this section, all devices must meet the criteria established in RCW 46.37.320. In descending order of preference, these are:

- (1) Conformance to Federal Motor Vehicle Safety Standards, or, if none,
- (2) Conformance to current standards and specifications of the Society of Automotive Engineers, or, if none,
- (3) Certified for compliance by any recognized organization or agency such as, but not limited to, the American National Standards Institute, the Society of Automotive Engineers, or the American Association of Motor Vehicle Administrators.

WSR 88-15-056

NOTICE OF PUBLIC MEETINGS

SOUTH PUGET SOUND COMMUNITY COLLEGE

[Memorandum—July 15, 1988]

The board of trustees of Community College District Twenty-Four adopted a full schedule of regular meetings for the coming year at their regular meeting on July 14. They are as follows:

DATE	TIME	LOCATION
Thursday, August 18, 1988	3:00 p.m.	College Boardroom
Thursday, September 1, 1988	3:00 p.m.	College Boardroom
Thursday, October 13, 1988	3:00 p.m.	College Boardroom
Thursday, November 3, 1988	3:00 p.m.	College Boardroom
Thursday, December 1, 1988	3:00 p.m.	College Boardroom
Thursday, January 5, 1989	3:00 p.m.	College Boardroom
Thursday, February 2, 1989	3:00 p.m.	College Boardroom
Thursday, March 2, 1989	3:00 p.m.	College Boardroom
Thursday, April 6, 1989	3:00 p.m.	College Boardroom
Thursday, May 4, 1989	3:00 p.m.	College Boardroom
Thursday, June 1, 1989	3:00 p.m.	College Boardroom

WSR 88-15-057

EMERGENCY RULES

DEPARTMENT OF ECOLOGY

[Order 88-60—Filed July 18, 1988]

I, Phillip C. Johnson, deputy director of the Department of Ecology, do promulgate and adopt at Olympia, Washington, the annexed rules relating to establishment of an interim financial assistance program for FY-1987-

89 to provide grants to local government from the local toxics control account, under the Hazardous Waste Cleanup Act, chapter 70.105B RCW.

I, Phillip C. Johnson, 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 legislature has found that financial assistance to local governments is necessary to promote cleanup of municipal landfills and prevent future risks of releases of hazardous substances. Immediate financial assistance is required to address contamination at such landfills, including sites in King, Pierce and Spokane counties, promote fairness to ratepayers, as well as achieve the goals and purposes established by RCW 70.105B.220(4).

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

This rule is promulgated pursuant to RCW 70.105B.220(4) 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 July 14, 1988.

By Phillip C. Johnson
Deputy Director

**Chapter 173-309 WAC
HAZARDOUS WASTE CLEANUP ACT
LOCAL TOXICS CONTROL ACCOUNT**

Interim Financial Assistance Program

WAC

- 173-309-010 *Purpose and authority.*
- 173-309-020 *Definitions.*
- 173-309-030 *Relation to other legislation and administrative rules.*
- 173-309-040 *General.*
- 173-309-050 *Remedial action grants.*
- 173-309-060 *Hazardous waste planning and program grants.*
- 173-309-070 *Solid waste planning and program grants.*
- 173-309-080 *Solid waste disposal and management facilities—Recycling facility grants.*
- 173-309-090 *Solid waste disposal and management facilities—Ground water monitoring grants.*

NEW SECTION

WAC 173-309-010 PURPOSE AND AUTHORITY. *The purpose of this chapter is to set forth eligibility criteria and requirements for the conduct of an interim financial assistance program to provide grants to local government pursuant to RCW 70.105B.220(4). The department shall provide grants to local government for:*

(1) Remedial actions for public or private facilities used primarily for the disposal of municipal solid waste;

(2) Hazardous waste plans and programs under chapter 70.105 RCW;

(3) Solid waste plans and programs under RCW 70.95.130 and 70.95.220, and

(4) Solid waste disposal and management facilities (includes recycling facilities grants and ground water monitoring grants).

This chapter recognizes the burden placed upon rate-payers due to the high costs of cleanups, and solid and hazardous waste management, and consistent with chapter 70.105B RCW, provides financial assistance to mitigate such hardships.

This chapter recognizes the importance of a strong preventive program to alleviate future contamination through proper solid and hazardous waste planning and management. It is designed to provide assistance to local governments in carrying out these vital functions pursuant to the requirements of chapters 70.95, 70.105, and 70.105B RCW.

The interim financial assistance program will provide financial assistance to local governments in the form of grants. This interim program will be in effect October 16, 1987, through June 30, 1989 (from the date of enactment of chapter 70.105B RCW). The department will adopt a final financial assistance program and related rules by July 1, 1989. The final program may include the use of a loan program.

The authority to provide financial assistance to local government is granted under chapter 70.105B RCW.

NEW SECTION

WAC 173-309-020 DEFINITIONS. (1) "Collection days" means events such as, but not limited to, one-day projects in which moderate risk wastes are collected at centralized location(s) for subsequent packaging and transport to a permitted treatment storage or disposal facility.

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

(3) "Existing facility" means an owned or leased landfill in operation, or for which construction has begun, on or before the effective date of chapter 173-304 WAC for which the owner or operator has obtained permits or approvals necessary under federal, state and local statutes, regulations and ordinances. A facility has commenced construction if either:

(a) A continuous on-site physical construction program has begun; or

(b) The owner or operator has entered into contractual obligations which cannot be cancelled or modified without substantial financial loss. Physical construction of the facility is to be completed within a reasonable time.

Lateral extensions of a landfill's active area on land purchased and permitted by the jurisdictional health department for the purpose of landfilling before the effective date of chapter 173-304 WAC shall be considered existing facilities.

(4) "Hazard ranking system" means the system for ranking and prioritizing hazardous waste sites to be

adopted by the department pursuant to chapter 70.105B RCW.

(5) "Hazardous waste planning and program grants" means grants to assist local governments in activities required by RCW 70.105.220, 70.105.225, 70.105.235 (1)(a), (b), and (c), and 70.105.260, including, but not limited to, collection and disposal of household hazardous waste.

(6) "Household wastes" means any waste material (including garbage, trash, and sanitary wastes in septic tanks) derived from households (including single and multiple residences, hotels and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds, and day use recreation areas).

(7) "Local governments" means any political subdivision, regional governmental unit, district, municipal or public corporation, including cities, towns, and counties. The term encompasses but does not refer specifically to the departments within a city, town, or county.

(8) "Minimum functional standards" means the requirements of chapter 173-304 WAC, Minimum functional standards for solid waste handling.

(9) "Moderate-risk waste" means:

(a) Any waste that exhibits any of the properties of hazardous waste but is exempt from regulation under this chapter solely because the waste is generated in quantities below the threshold for regulation; and

(b) Any household wastes which are generated from the disposal of substances identified by the department as hazardous household substances.

(10) "Pilot project" means a moderate-risk hazardous waste management feasibility study developed to provide detailed information for alternative moderate-risk waste management techniques or options.

(11) "Remedial action" means any action or expenditure, consistent with the purposes of chapter 70.105B RCW, to identify, eliminate, or minimize any threat or potential threat posed by hazardous substances to human health or the environment, including any investigative and monitoring activities with respect to any release or threatened release of a hazardous substance as well as any health assessments or health effects studies conducted in order to determine the risk or potential risk to human health.

(12) "Remedial action grants" means grants issued pursuant to this chapter for the purpose of carrying out remedial actions at public or private facilities used primarily for the disposal of municipal solid waste.

(13) "Settlement agreement" means any consent decree entered into pursuant to RCW 70.105B.080 or any consent order or decree with the department in effect October 16, 1987.

(14) "Solid waste disposal or management facility" means (for the purpose of this chapter only) any facility or system owned or operated by local governments for the purpose of controlling, collecting, storing, disposing, recycling, or recovery of solid wastes, including any equipment, structures, or property incidental to such purposes. This term shall not include the acquisition of equipment to collect residential or commercial garbage.

(15) "Solid waste planning and program grants" means grants to assist local governments in activities required under RCW 70.95.130 and 70.95.220.

NEW SECTION

WAC 173-309-030 RELATION TO OTHER LEGISLATION AND ADMINISTRATIVE RULES.

(1) Nothing in this chapter shall influence, affect, or modify department programs, regulations, or enforcement of applicable laws relating to hazardous and solid waste management and disposal.

(2) The remedial grants shall be used to supplement local government funding to carry out required remedial actions.

(3) Hazardous waste planning and program grants shall be awarded to local government to implement RCW 70.105.220, 70.105.235 (1)(a) and (b), 70.105.235(3), and 70.105B.220 (4)(b). Each local government must complete and submit a hazardous waste plan to the department for approval or disapproval by June 30, 1990, pursuant to RCW 70.105.220(7). Revisions of existing plans must meet local hazardous waste planning guidelines.

(4) Solid waste planning and program grants shall be awarded to implement RCW 70.95.010, 70.95.080, 70.95.090, 70.95.130, 70.95.140, 70.95.150, 70.105B.220 (4)(c), WAC 173-304-130 and 173-304-490. Each solid waste plan must be revised by June 7, 1989, pursuant to RCW 70.95.110 as outlined in the department's Solid Waste Planning Guidelines, May 1986 and subsequent addenda.

(5) Recycling facility grants shall be awarded to only those projects fulfilling chapter 173-304 WAC and the state "Grant Guidelines for Solid Waste Disposal and Management" or any revisions thereto.

(6) Ground water monitoring grants shall be awarded to implement WAC 173-304-490. Ground water monitoring grants are to meet state "Grant Guidelines for Solid Waste Disposal and Management," or any revisions thereto.

(7) All grants shall be subject to existing accounting and auditing requirements of state laws and regulations applicable to the issuance of grant funds.

NEW SECTION

WAC 173-309-040 GENERAL. (1) Apportionment of funds.

For purposes of implementing the interim financial assistance program, the local toxics account shall be apportioned between the following funding categories as follows:

- (a) Remedial actions for public or private facilities used primarily for the disposal of municipal solid waste \$9,000,000
 - (b) Hazardous waste plans and programs 2,300,000
 - (c) Solid waste plans and programs 1,500,000
 - (d) Solid waste disposal and management facilities 3,200,000
- To be dispersed as follows:
- (i) Recycling facility grants 2,200,000
 - (ii) Ground water monitoring grants 1,000,000

(2) Adjustment of funds. Based on a periodic internal review of grant applications received, grant obligations, grant fund balances, and revenue projections, the department may reallocate funds by grant category or re-adjust the amount of funds that may be allocated under any and all grant fund categories.

(3) Grant application process. Grant application deadlines and schedules will be announced for each of the funding priority grant programs.

Grant application packages which include grant application deadlines, guidelines, application forms, and detailed information will be provided to all interested parties.

When applications are received by the department, they will be reviewed and scored by a committee consisting of department personnel. Applications need to include all required elements, as outlined in the guidelines, in order to be competitive.

After an application is scored and an award letter is sent out, the department will contact the applicant to negotiate the final details of the scope of work, budget, and any other items of concern.

A grant offer is made by the department to the applicant in the form of a grant contract when all applicant and project eligibility requirements have been met, funds are available, and the formal application has been completed to the mutual satisfaction of the applicant and the department.

A grant award is made when a grant contract offer has been signed by both the applicant and the department. The grant contract becomes effective on the date the program manager of the solid and hazardous waste program of the department signs the contract. This also establishes the beginning date of the project. No costs incurred prior to that date are grant eligible unless specific provision is made in the grant contract for such costs.

(4) Appropriation and allotment of funds. The obligation of the department to make grant payments is contingent upon the availability of funds through legislative appropriation and allotment, and such other conditions not reasonably foreseeable by the department rendering performance impossible. When the grant crosses over bienniums, the obligation of the department is contingent upon the allotment of funds during the next biennium.

(5) Administrative practices. All grants under this chapter shall be consistent with the provisions of "Financial Guidelines for Grants Management," WDOE 80-6, May 1980, Reprinted March 1982, or subsequent guidelines adopted thereafter.

NEW SECTION

WAC 173-309-050 REMEDIAL ACTION GRANTS.

(1) Applicant eligibility. An applicant for a remedial action grant must be a local government which will use the grant for the purpose of planning and/or carrying out required remedial action at a public or private landfill site used primarily for the disposal of municipal solid waste.

An applicant must also meet one of the following requirements:

(a) Be a party to a consent decree under chapter 70.105B RCW or a consent order under chapter 90.48 RCW requiring remedial action at a landfill site; or

(b) Have been issued an enforcement order under RCW 90.48.120, or 70.105B.120 (1)(c)(ii) or (2), requiring remedial action at a landfill site; or

(c) Have solid waste jurisdiction over a private landfill site whose owner has obtained a consent order or has been issued an enforcement order under chapter 90.48 RCW requiring a remedial investigation and feasibility study of the site, provided that the consent order or enforcement order predates the effective date of this regulation.

Sites meeting eligibility requirements shall be deemed, for the purposes of this chapter, to be on the hazard ranking list pending issuance of such a list.

(2) Eligible project costs.

(a) Remedial action grants are for the purpose of assisting local governments to plan and carry out required remedial action at public or private facilities used primarily for the disposal of municipal solid waste.

(b) Costs are grant eligible if their purpose is to identify, eliminate, or minimize any threat or potential threat posed by hazardous substances to human health or the environment. This includes any investigative and monitoring activities with respect to any release or threatened release of a hazardous substance as well as any health assessments or health effect studies conducted in order to determine the risk or potential risk to human health. Costs eligible for grant funding include:

(i) Remedial investigations to define the extent and source of contamination;

(ii) Feasibility studies to develop and evaluate cleanup options;

(iii) Remedial design, including final engineering and preparation of plans and specifications needed to implement remedial action;

(iv) Monitoring;

(v) Methane control;

(vi) Excavating the site to remove or relocate contaminated materials, or removing and cleaning up drums, debris, and other contaminated materials;

(vii) Run-on/run-off water control systems;

(viii) Final cover;

(ix) Ground water treatment and control;

(x) In situ treatment technology;

(xi) Acquisitions of off-site property or property easements only for the purpose of gaining access to a facility requiring remedial action, or for the purpose of installing monitoring wells or other pollution abatement equipment or for other purposes relating to remedial action;

(xii) Fencing where waste disposal has terminated or to limit access to structures built to implement a remedial action;

(xiii) Other remedial action activities as determined by the department on a case-by-case basis.

(3) Retroactive funding. Retroactive funding will be allowed for all eligible work conducted under a signed settlement agreement. Retroactive funding may be allowed for costs incurred since October 16, 1987.

(4) Matching requirements. Up to fifty percent state funding will be available for eligible project costs as defined in subsection (2)(a)(i), (ii), (iii), and (iv) of this section; remedial investigations, feasibility studies, remedial design, and monitoring. Up to twenty-five percent state funding will be available for all other eligible project costs.

(5) Priority for allocation of grant funds. In evaluating applicants for remedial grants the department may consider the listing of the applicant on the hazard ranking list to be prepared by the department, pursuant to RCW 70.105B.030(3) or the ranking of the applicant on the hazard ranking system to be adopted by the department pursuant to RCW 70.105B.070(2).

NEW SECTION

WAC 173-309-060 HAZARDOUS WASTE PLANNING AND PROGRAM GRANTS. (1) Applicant eligibility.

(a) Hazardous waste planning grants. Eligible local governments under this section are cities, towns, or counties pursuant to RCW 70.105.010(16).

(b) Pilot projects. The applicant must be a local government as defined in WAC 173-309-020(7).

(c) Collection days. The applicant must be a local government.

(2) Eligible project costs.

(a)(i) Hazardous waste planning grants.

Eligible costs include direct costs for activities and tasks necessary for developing or updating local hazardous waste management plans, if they are consistent with the department's "Planning Guidelines for Local Hazardous Waste Plans," July 1987, WDOE 87-18.

In-depth planning studies to provide detailed analysis of specific plan elements may be undertaken as a part of an overall planning grant, or separately if it can be demonstrated that the planning requirements are otherwise being met.

(ii) Retroactive funding. Funding retroactive to October 16, 1987, will be allowed for costs incurred which are directly related to the preparation of local hazardous waste plans and are in conformance with "Planning Guidelines for Local Hazardous Waste Plans," July 1987, WDOE 87-18 and subsequent addenda.

(b) Collection days. Eligible costs include direct costs for all activities and tasks required to plan and carry out hazardous waste collection days for household and/or small quantity generator hazardous waste.

(c) Pilot projects. Eligible costs include direct costs for all activities and tasks for projects that examine the technical, economic, and/or social feasibility of alternative moderate-risk waste reduction, recycling, or handling methods.

(3) Matching requirements.

(a) Planning grants. Grants will be made for up to seventy-five percent of the total eligible project cost. Based on prior department approval, direct local costs of hazardous household substance pilot projects conducted between June 30, 1985, and June 30, 1988, may be subtracted from the twenty-five percent local share of total project costs.

(b) *Collection days.* Grants will be made for up to fifty percent of the total eligible project cost, or fifteen thousand dollars per grant, whichever is the lesser amount.

(c) *Pilot projects.* Grants will be made for up to fifty percent of the total eligible project cost, or fifty thousand dollars per project, whichever is the lesser amount.

(4) *Priority for allocation of grant funds.*

(a) *Planning grants.* It is the department's intent that grants be awarded for all local hazardous waste plan development state-wide. The grants will be awarded on a first-come first-served basis, subject to availability of funds, technical adequacy, and application completeness.

(b) *Collection days.* The grants will be awarded on a first-come first-served basis, subject to availability of funds, technical adequacy, and application completeness.

The maximum amount for which any one local government can apply, prior to January 1, 1989, is fifteen thousand dollars. No local governments can apply for a second collection day project until January 1, 1989. If the department has not obligated all funds allocated for collection days at that time, the unobligated funds may be used to fund repeat activities.

(c) *Pilot projects.* Grant applications will be ranked according to the following criteria:

(i) *Adequacy of and integration with local hazardous waste plans.* The local government must be in the process of developing or have completed a local hazardous waste plan. The pilot project must be identified as a part of the local hazardous waste plan.

(ii) *Promotion of hazardous waste priorities.* A pilot project must address one or more of the following: Hazardous waste reduction, recycling, or the methods of handling.

(iii) *Environmental and public health protection.* Special consideration will be given to local governments which have a special need to protect a sensitive resource or existing public health problem.

(iv) *Generation of information.* The project must result in information useful to the solution of moderate-risk use waste problems.

NEW SECTION

WAC 173-309-070 **SOLID WASTE PLANNING AND PROGRAM GRANTS.** (1) *Applicant eligibility.* Eligible local governments under this section are counties and cities pursuant to RCW 70.95.130.

(2) *Eligible project costs.*

(a) *General.* Costs for developing or updating local solid waste management plans are grant eligible if:

(i) They are necessary to conduct the project;

(ii) They are consistent with department's solid waste-planning guidelines and subsequent addenda.

(b) *Retroactive.* Funding retroactive to October 16, 1987, will be allowed for costs incurred which are directly related to the preparation of local solid waste plans and are in conformance with the state "Solid Waste Planning Guidelines," May 1986, WDOE 86-4 and subsequent addenda.

(3) *Matching requirements.* Grants will be made for up to fifty percent of the total eligible project cost.

(4) *Allocation of grant funds.* It is the department's intent that grants be awarded for developing or updating local solid waste management plans state-wide. Subject to the limits of available funds, those applications that meet eligibility requirements will be approved for funding on a first-come first-served basis.

NEW SECTION

WAC 173-309-080 **SOLID WASTE DISPOSAL AND MANAGEMENT FACILITIES—RECYCLING FACILITY GRANTS.** (1) *Applicant eligibility.* Recycling facilities are eligible provided that:

(a) It is demonstrated that the proposed recycling activity or service is not reasonably available to persons within the locale from private enterprise; and

(b) It is demonstrated that the recycling project is economically feasible and suitable for successful implementation.

(2) *Eligible project costs.*

(a) *General.* Costs are grant eligible if:

(i) They are necessary to conduct the project;

(ii) They are consistent with the department's "Grant Guidelines for Solid Waste Disposal and Management," May 1988.

(b) *Recycling facility.* Eligible costs include direct costs for yard and garden waste composting facilities, and other recycling facilities. These costs include:

(i) *Planning and feasibility studies, environmental impact statements, and permitting costs;*

(ii) *Preparation of design documents;*

(iii) *Facility construction;*

(iv) *Purchase of specialized equipment.*

(3) *Matching requirements.* Grants will be made for up to seventy-five percent of the total eligible project cost.

(4) *Priority for allocation of grants.* Grant applications will be ranked according to how each application meets the criteria set forth below. Grants will be awarded, within the limits of available funds, to the highest ranking applications that otherwise meet provisions for completeness and technical adequacy. The project ranking criteria are as follows:

(a) *Extent to which the waste stream will be reduced.* Priority will be given to those projects emphasizing reduction and recycling of larger components of the waste stream, such as yard and garden waste and mixed scrap paper.

(b) *How the project integrates into the current and planned solid waste management system.*

(c) *How the project will contribute to the solution of an existing solid waste problem.*

(d) *The probable technical success of the project.*

(e) *Demonstration that the project scope is compatible with the cost and needs of the project.*

(f) *Other special situations that exist in the project.*

(g) *How the project will be operated and maintained.*

NEW SECTION

WAC 173-309-090 **SOLID WASTE DISPOSAL AND MANAGEMENT FACILITIES—GROUND**

WATER MONITORING GRANTS. (1) *Applicant eligibility. The ground water monitoring project must be addressed with a facility maintenance and operation plan, as required by chapter 173-304 WAC.*

(2) *Eligible project costs.*

(a) *General. Costs are grant eligible if:*

(i) *They are necessary to conduct the project;*

(ii) *They are consistent with department's "Grant Guidelines for Solid Waste Disposal and Management," May 1988.*

(b) *Ground water monitoring. Eligible costs include direct costs incurred by grantees that are owners and operators of landfills, piles, landspreading disposal facilities, and surface impoundments that are required to perform ground water monitoring pursuant to WAC 173-304-400. Direct costs involved in design and installation of ground water monitoring wells at existing facilities as defined by WAC 173-304-100 (27)(a) and (b), will be eligible for funding.*

(3) *Matching requirements. Grants will be made for up to fifty percent of the total eligible project costs, not to exceed a maximum of fifty thousand dollars per local government.*

(4) *Priority for allocation of grants. Grant application will be ranked according to how each application meets the criteria set forth below. Grants will be awarded within the limits of available funds to the highest ranking applications that otherwise meet provisions for completeness and technical adequacy. The ranking criteria are as follows:*

(a) *Ability to pay. Priority will be given to local governments in economically distressed areas.*

(b) *How, or if, the project will contribute directly to the solution of an existing environmental or public health problem.*

(5) *Retroactive funding will be allowed for all eligible work for costs incurred since October 16, 1987.*

WSR 88-15-058

PROPOSED RULES

DEPARTMENT OF PERSONNEL

(Personnel Board)

[Filed July 18, 1988]

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

- Amd WAC 356-42-020 Determination of bargaining unit.
- New WAC 356-42-042 Election provisions—General.
- Amd WAC 356-42-043 Union shop requirements.
- Amd WAC 356-42-045 Union shop elections.
- New WAC 356-42-049 Disclaimer of interest petition—Decertification of exclusive representative.
- Amd WAC 356-42-055 Arbitration—Grievance—Procedure.
- Amd WAC 356-42-082 Filing unfair labor practice charge.
- Amd WAC 356-42-084 Answer to complaint—Unfair labor practice.
- New WAC 356-42-105 Requests for mediation and arbitration;

that the agency will at 10:00 a.m., Thursday, August 16, 1988, in the Board Hearings Room, Department of

Personnel, 521 South Capitol Way, 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 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 August 14, 1988.

This notice is connected to and continues the matter in Notice No. WSR 88-13-054 filed with the code reviser's office on June 13, 1988.

Dated: July 15, 1988

By: Leonard Nord
Secretary

WSR 88-15-059

PROPOSED RULES

DEPARTMENT OF PERSONNEL

(Personnel Board)

[Filed July 18, 1988]

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:

- New WAC 356-05-451 Agency shop.
- New WAC 356-05-452 Agency shop representative.
- New WAC 356-05-456 Agency shop nonassociation fee.
- New WAC 356-05-461 Agency shop representation fee.
- Amd WAC 356-42-010 Membership in employee organization.
- Amd WAC 356-42-043 Union shop requirements.
- Amd WAC 356-42-045 Union shop elections.
- Amd WAC 356-42-047 Union shop decertification.
- Amd WAC 356-42-050 Contents of written agreements.
- Amd WAC 356-42-060 Unfair labor practices for management.
- Amd WAC 356-42-070 Unfair labor practices for employee organizations.
- Rep WAC 356-05-450 Union shop.
- Rep WAC 356-05-455 Union shop fee.
- Rep WAC 356-05-460 Union shop representative;

that the agency will at 10:00 a.m., Thursday, August 16, 1988, in the Board Hearings Room, Department of Personnel, 521 South Capitol Way, 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 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 August 14, 1988.

This notice is connected to and continues the matter in Notice No. WSR 88-13-056 filed with the code reviser's office on June 13, 1988.

Dated: July 15, 1988

By: Leonard Nord
Secretary

WSR 88-15-060
ADOPTED RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)

[Order 303—Filed July 18, 1988—Eff. September 1, 1988]

Be it resolved by the State Personnel Board, acting at the Board Hearings Room, 521 South Capitol Way, Olympia, WA, that it does adopt the annexed rules relating to:

Amd WAC 356-10-030 Position—Allocation—Reallocation.
 Amd WAC 356-10-050 Employee appointment status.

This action is taken pursuant to Notice No. WSR 88-13-055 filed with the code reviser on June 13, 1988. These rules shall take effect at a later date, such date being September 1, 1988.

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 July 14, 1988.

By Leonard Nord
 Secretary

AMENDATORY SECTION (Amending Order 128, filed 2/14/79)

WAC 356-10-030 POSITIONS—ALLOCATION—REALLOCATION. (1) Position allocations or reallocations shall be based upon an investigation of duties and responsibilities assigned and/or performed and other information and recommendations. Every position shall be allocated to an established class.

(2) Allocations may be made by:

(a) The director or designated staff of the department of personnel; OR,

(b) By agency directors or other designees authorized under subsection (3) ((below)) of this section.

(3) Agency directors may request and the director of personnel may approve, the authorization of the agency director or designee to approve or disapprove the allocation or reallocation of positions ((to established classes)) for which the agency has been delegated allocation authority under the merit system rules and procedures approved by the director of personnel.

(4) It shall be the duty of the appointing authority and/or the personnel representative to report to the director of personnel any changes in duties, responsibilities or organization in a position which may affect position allocation.

(5) Agencies shall establish procedures for processing and reporting new positions, changes in position duties, and requests for position review to provide proper maintenance of the classification plan. The procedure shall provide for individual employee requests for position review, based on duties and responsibilities, through the agency personnel office to the director of personnel. This

procedure will not cause undue delay in the director of personnel or designee reviewing the requested reclassification. Such procedures shall be reviewed and approved by the director of personnel or designee. Notice of changes in this procedure initiated by agencies, will be provided to exclusive bargaining representatives and a copy to the director of personnel.

(6) Questions concerning the previous classification of employees due to the retitling, reallocating or reclassification of positions will be determined by the director of personnel or designee.

(7)(a) Employees affected by agency initiated reallocations shall be notified in writing by the agency not less than ~~((20))~~ twenty calendar days in advance of the intended date of the action, provided that this notice requirement shall not preclude the establishment of effective dates for other than competitive reallocations as provided in WAC 356-10-050.

(b) Any official authorized in subsection (2) ((above)) of this section to make allocation or reallocation determinations shall immediately transmit a written notice of the determination to the employee in the position affected by that determination.

AMENDATORY SECTION (Amending Order 209, filed 8/10/84)

WAC 356-10-050 EMPLOYEE APPOINTMENT STATUS—UPWARD REALLOCATION. Employees in positions which have been reallocated upward are affected as follows:

(1) Employee must compete and be certified from the appropriate eligible register unless otherwise determined by the director of personnel or designee when the position is reallocated upward based on recent or impending changes in duties and responsibilities. The effective date of an incumbent's appointment status as provided in this subsection will be the date when he/she is appointed from a certification. ((The employee's)) If the employee is appointed from a certification, his/her salary is then adjusted in accordance with the rule governing promotion.

(2) Employees in positions which have been reallocated upwards based on duties performed of a higher level classification in excess of one year shall retain status in the reallocated position and shall have their salary adjusted in accordance with the rule governing promotion, provided:

(a) The incumbent meets the minimum or desirable qualifications for the new class; or, the incumbent meets acceptable qualifications as determined by the director of personnel or designee.

(b) The employee passes the appropriate examination.

(3) If the employee is not certified from the appropriate eligible register, transferred, promoted, demoted or otherwise retained in status within ~~((sixty))~~ ninety days, the provisions governing reduction in force shall apply. This shall not preclude the employee's eligibility for a provisional appointment under these rules. Employees who do not achieve status in a reallocated position shall be paid for time worked in the higher class based on the rule governing promotion (up to a maximum of three years).

(4) The employee retains existing appointment status when the position is reallocated based on a revision of a class series, a class series study, or an agency-wide or major subdivision-wide classification review planned, conducted, or authorized by the department of personnel in advance of personnel board action (if any), when the reallocation involves no change in duties or responsibilities. The employee's salary then is adjusted to the same step in the new range as held in the present range. However, the personnel board may, by resolution, determine that salaries will be adjusted in accordance with the rules governing promotion (WAC 356-15-140) 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.

(a) An employee in an underfill status will maintain that status.

(b) Subsection (1) or (2) of this section apply when a change in duties, responsibilities, or organization coincides with a revision of a class series.

(5) The director of personnel or designee may approve the retention of status without examination for an incumbent in a reallocated position when it is evident that the reallocation is, in effect, the correction of a long-term inequity. The employee's salary is adjusted in accordance with the rule governing promotion. The application of this subsection shall not be denied in those cases where the employee has performed duties at a higher class for three continuous years or more.

(6) In reallocations determined by the department of personnel's director or designee ((F)) the effective date of an incumbent's appointment status as provided for in subsection (2) or (5) of this section will be the earliest date that a copy of the classification questionnaire, either submitted directly by the incumbent or by the agency, is received by the department of personnel. Receipt of such classification questionnaires shall be acknowledged by the department of personnel if the submitting party includes a self-addressed stamped envelope with the copy of the classification questionnaire furnished the department of personnel.

For positions reallocated by agencies under their delegated allocation authority, the effective date of an incumbent's appointment status as provided for in subsection (2) or (5) of this section will be the earliest date that a copy of the classification questionnaire is received by the agency's personnel office or by the department of personnel.

(7) The department of personnel, the director of personnel, and the state personnel board shall not award additional compensation to an employee for any period prior to the date on which the classification questionnaire was received by the department of personnel.

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 88-15-061
EMERGENCY RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)

[Order 304—Filed July 18, 1988]

Be it resolved by the State Personnel Board, acting at the Department of Personnel, 521 South Capitol Way, Olympia, WA 98504, that it does adopt the annexed rules relating to supplemental shift premium for registered nurses, new section WAC 356-15-063.

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 a severe and continuing recruiting problem has made it impossible to fill many registered nurse positions in the Departments of DSHS, DOC and Veterans Affairs. This amendment is an attempt to make the state more comparable to the premium pay practices of other hospitals with whom the state must compete.

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 July 14, 1988.

By Leonard Nord
Secretary

NEW SECTION

WAC 356-15-063 SUPPLEMENTAL SHIFT PREMIUM FOR REGISTERED NURSES. (1) *For the classes of Registered Nurse 1, 2, 3, and 4 only, there shall be the following supplemental shift premium rates payable only in the amounts and under the conditions described in this section.*

(a) *\$0.50 an hour, payable alone or in combination with shift premiums authorized in sections 356-15-060, -061, and -063 (1)(b) during any hours worked from 11 p.m. until 7 a.m. and for no other hours.*

(b) *\$3.00 an hour, payable alone or in any combination with shift premiums authorized in sections 356-15-060, -061, and -063 (1)(a) during any hours worked from any Saturday morning midnight to Monday morning midnight, and for no other hours.*

Example: A Registered Nurse 2 is scheduled to work from 10 p.m. to 6 a.m. Friday through Tuesday. On Friday from 10 p.m. to 11 p.m. the shift premium would be \$1.00 an hour as provided in 356-15-060 and -061. From 11 p.m. until 12 midnight the supplemental \$0.50 an hour would be added, raising the premium rate to \$1.50 an hour. At midnight, the supplemental \$2.00 an

hour for work on Saturday would be added, raising the premium to \$3.50 an hour until the end of the shift at 6 a.m.

If the employee is directed to work overtime until noon, the basic \$1.00 an hour night shift premium continues to be payable to this night shift employee. And the \$2.00 Saturday-Sunday premium continues. But the 11 p.m. to 7 a.m. \$0.50 stops at 7 a.m., reducing the premium to \$3.00 an hour until noon.

(2) The supplemental shift premiums are payable regardless of whether the work was previously scheduled, and regardless of whether the employee is full time or part time.

(3) These supplemental shift premiums are not payable during hours other than those specified, even though additional contiguous hours may be worked by the employee.

WSR 88-15-062
EMERGENCY RULES
DEPARTMENT OF LICENSING
[Order 88-1—Filed July 18, 1988]

I, Mary Faulk, director of the Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to agency documents.

I, Mary Faulk, 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 need to ratify the use of thousands of forms now in the department's inventory which have been preprinted with the former director's name, the replacement of which would result in the unnecessary expenditure of state funds.

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

This rule is promulgated pursuant to RCW 43.17.060 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 July 18, 1988.

By Mary Faulk
Director

AMENDATORY SECTION (Amending Order 85-2, filed 11/6/85)

WAC 308-04-001 APPOINTMENT OF DIRECTOR—AGENCY DOCUMENTS. ((~~Theresa Anna Aragon~~)) Mary Faulk was appointed director of the department of licensing on ((~~January 16, 1985~~)) July, 18,

1988. All documents issued after that date in the name of the director in the disposition and performance of the official business of the department of licensing shall be considered to have been issued by her or at her direction whether her name, or the name of the former director, appears on the document.

This rule is adopted to ratify the use of thousands of forms now in the department's inventory which have been preprinted with the former director's name, the replacement of which would result in the unnecessary expenditure of state funds.

WSR 88-15-063
ADOPTED RULES
DEPARTMENT OF LABOR AND INDUSTRIES
[Order 88-14—Filed July 18, 1988]

I, Joseph A. Dear, director of the Department of Labor and Industries, do promulgate and adopt at Olympia, the annexed rules relating to:

Amd WAC 296-46-316 Table headings 1987 National Electrical Code—Conductor ampacities.

Amd WAC 296-46-420 Nonmetallic cable systems—Ground fault circuit interrupter protection—Knob and tube wiring.

Summary of Changes from CR-1 to CR-7: As a result of testimony received at the public hearing, WAC 296-46-420 (4)(a) has been changed to allow existing knob and tube wiring to be "surveyed" by an appropriately licensed electrical contractor with inspections of repairs, alterations, or extensions to be made by an electrical inspector.

The proposed rule has required that the initial survey and inspection of alterations be performed by an electrical inspector.

Electrical contractors routinely survey electrical work both new and existing, prepare proposals or estimates, contracts, and perform the electrical work. The department or city electrical inspector makes an inspection of the work performed. This revision supports current trade practices and allows contractors to function as contemplated by state law.

This action is taken pursuant to Notice No. WSR 88-11-086 filed with the code reviser on May 18, 1988. 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 Labor and Industries as authorized in RCW 19.28.060.

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 July 18, 1988.

By Joseph A. Dear
Director

AMENDATORY SECTION (Amending Order 87-07, filed 5/1/87)

WAC 296-46-316 TABLE HEADINGS(=)1987 NATIONAL ELECTRICAL CODE—CONDUCTOR AMPACITIES. (1) The heading of Table 310-16 of the 1987 National Electrical Code is hereby revised to read as follows: "Table 310-16. Ampacities of not more than three single insulated conductors, rated 0 through 2000 volts, in raceway and ampacities of cable types AC, NM, NMC, and SE. Based on ambient air temperature of 30° C (86° F)."

(2) The heading of Table 310-18 of the 1987 National Electrical Code is hereby revised to read as follows: "Table 310-18. Ampacities of three single insulated conductors, rated 0 through 2000 volts 110° to 250° C in raceway. Based on ambient air temperature of 40° C (104° F)."

(3) The heading of Table 310-22 of the 1987 National Electrical Code is hereby revised to read as follows: "Table 310-22. Ampacities of three insulated conductors, rated 0 through 2000 volts within an overall covering (three conductor cable) in raceway. Based on ambient air temperature of 30° C (86° F)."

(4) ~~((Electrical conductors, cables and duct banks shall be permitted to be buried deeper than shown in Figure 310-1 in the 1987 National Electrical Code:))~~ Table 310-16 and all accompanying notes of the 1987 National Electrical Code shall be permitted to be used to determine the ampacity of from one through six sets of underground conductors rated 0 through 2000 volts that are directly buried or installed in underground ducts if all the following conditions are complied with:

(a) The load is calculated in accordance with Article 220 of the National Electrical Code.

(b) At least two inches spacing is maintained between ducts or conductor sets.

(c) Select fill is used to backfill around conductor sets or ducts to avoid air gaps. Concrete encasement around approved ducts is acceptable.

(d) Maximum burial depth to the top of duct banks shall be thirty inches, and maximum depth to the top of direct buried cable shall be thirty-six inches.

(e) The load factor does not exceed seventy percent. Load factor is defined as "the ratio of the average load to the peak load occurring during a twenty-four hour period." Where the load factor exceeds seventy percent, the conductor ampacity from Table 310-16 shall be reduced by the amount the load factor exceeds seventy percent. (For example, if the load factor is eighty-five percent, reduce the ampacity by fifteen percent.)

The ampacity of conductors installed under conditions or in configurations other than indicated above shall be determined in accordance with section 310-15(b) of the National Electrical Code.

AMENDATORY SECTION (Amending Order 87-07, filed 5/1/87)

WAC 296-46-420 NONMETALLIC CABLE SYSTEMS—GROUND—FAULT CIRCUIT INTERRUPTER PROTECTION—KNOB AND TUBE

WIRING. (1) All electrical equipment grounding conductors for nonmetallic cable systems shall be completely made up at the time of the inspection.

(2) For the purposes of section 336-4(a) of the National Electrical Code, the first floor of a building shall be defined as that floor which is intended or used for human occupancy or habitation and which has fifty percent or more of the exterior wall area level with or above finished grade. Floor levels which are designed or used only for vehicle parking, storage, or similar uses shall not be considered a floor for human occupancy or habitation.

(3) All 125 volt, single phase, 15 and 20 ampere receptacles installed outdoors at a dwelling shall have ground-fault circuit-interrupter protection for personnel.

All 125 volt, single phase, 15 and 20 ampere receptacles installed in kitchens in a dwelling unit on the small appliance branch circuits, except for those receptacle outlets for dedicated use, such as for a dishwasher, disposal, trash compactor, refrigerator or freezer, shall have ground-fault circuit-interrupter protection for personnel.

(4) The provision of section 324-4 of the National Electrical Code shall not be construed to prohibit the installation of loose or rolled thermal insulating material in spaces containing existing knob-and-tube wiring provided that all the following conditions are met:

(a) The wiring shall be surveyed by an appropriately licensed electrical contractor who shall certify that the wiring is in good condition with no evidence of improper overcurrent protection, conductor insulation failure or deterioration, and with no improper connections or splices. Repairs, alterations or extensions of or to the electrical system shall be inspected by an electrical inspector as defined in RCW 19.28.070.

(b) The insulation shall meet Class I specifications as identified in the Uniform Building Code, with a flame spread factor of twenty-five or less as tested using ASTM E84-81a. Foam insulation shall not be used with knob-and-tube wiring.

(c) All knob-and-tube circuits shall have overcurrent protection in compliance with the 60°C column of Table 310-16 of the National Electrical Code. Overcurrent protection shall be either circuit breakers or Type S fuses. The Type S fuse adapters shall not accept a fuse of an ampacity greater than that permitted in this chapter.

WSR 88-15-064

NOTICE OF PUBLIC MEETINGS
SEATTLE COMMUNITY COLLEGES

[Memorandum—July 15, 1988]

The board of trustees of Seattle Community College District VI has scheduled a special meeting for 9:30 a.m., Monday, July 25, 1988, in the District Office Meeting Room, 1500 Harvard, Seattle, WA 98122.

WSR 88-15-065
NOTICE OF PUBLIC MEETINGS
COUNCIL ON VOCATIONAL EDUCATION
 [Memorandum—July 15, 1988]

The Washington State Council on Vocational Education hereby submits its regular meeting schedule for FY 1989 which was adopted by the council at its June 2, 1988, meeting:

August 23, 1988	Yakima
November 3-4, 1988	Silverdale
January 20, 1989	Seattle
March 23, 1989	Olympia
June 2, 1989	Seattle

WSR 88-15-066
ADOPTED RULES
DEPARTMENT OF REVENUE
 [Order 88-4—Filed July 19, 1988]

I, Greg Pierce, deputy director of the Department of Revenue, do promulgate and adopt at Olympia, Washington, the annexed rules relating to food products, amending WAC 458-20-244.

This action is taken pursuant to Notice No. WSR 88-12-024 filed with the code reviser on May 25, 1988. 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 July 19, 1988.

By Greg Pierce
 Deputy Director

AMENDATORY SECTION (Amending Order 87-6, filed 9/22/87)

WAC 458-20-244 FOOD PRODUCTS. ((+)) ~~Food products purchased for human consumption away from the premises of the seller are exempt from retail sales tax and use tax. (RCW 82.08.0293 and 82.12.0293). See subsection (6) of this section for special tax exemption provisions regarding purchases of "eligible foods" with food stamps, effective October 1, 1987. There is no food products exemption for business and occupation tax.~~

(2) Definitions.

(a) The word "tax" as used hereafter in this section means retail sales tax.

(b) "Food products" include generally those products normally ingested by humans for nourishment. The term also includes livestock sold for personal consumption as food. The term excludes seeds, seedlings, trees, and the

like, for home gardens, as well as breeding stock of animals, birds, insects, and other animate creatures.

(c) ~~"Eligible foods" means food which may be purchased with food stamps under the Food Stamp Act of 1977.~~

(3) The law exempts most, but not all, food products from tax, but even the food products qualified for exemption are made subject to tax by the law if any one of the following circumstances is present:

(a) ~~The food products are furnished, prepared, or served for consumption at tables, chairs, or counters or from trays, glasses, dishes, or other tableware whether provided by the seller or by a person with whom the retailer contracts to furnish, prepare, or serve food products to others, except for food products furnished as meals (i) under a state administered nutrition program for the aged as provided for in the Older Americans Act (PL 95-478 Title III) and RCW 74.38.040(6) or (ii) which are provided to senior citizens, disabled persons, or low-income persons by a not-for-profit organization organized under chapter 24.03 or 24.12 RCW;~~

OR;

(b) ~~The food products are ordinarily sold for immediate consumption on or near a location at which parking facilities are provided primarily for the use of patrons in consuming the products purchased at the location. Where such facilities are provided the tax applies even if the food products are sold on a "take out" or "to go" order and it is immaterial that the products are actually packaged or wrapped and that they are in fact taken from the premises of the retailer;~~

OR;

(c) ~~The food products are sold for consumption within a place (except national or state parks or monuments), the entrance to which is subject to an admission charge. But, even if the admission-charged place is a national or state park or monument, the tax will apply if either circumstances (a) or (b) of this subsection are present.~~

(4) ~~Vendors who are required to collect tax.~~

(a) ~~Sales of food products are subject to tax when sold by cafes, caterers, restaurants, pizza parlors, food drive-ins, and businesses which are operated in such a way as to invite or permit consumption of the food at or near the premises where the food is sold. This circumstance is presumed to occur where customers are provided facilities for immediate consumption of food sold, such as tables, chairs, or counters, trays, glasses, dishes, or tableware (whether reusable or not), or a nearby parking area available for immediate use of customers in consuming the food. It is the intent of the law that tax be charged by retailers who sell food products ready for consumption at or near the premises of the vendor by furnishing cups, spoons, straws, or the like to facilitate immediate consumption. If such facilities are provided the tax applies even though the food is sold, packaged, or wrapped "to go" and even if the food is in fact removed from the premises of the retailer and is consumed elsewhere. The test is not where the food is actually consumed but whether the customer is provided any of the described facilities for consumption of the food.~~

(b) In the case of vending machine operators, the sale of food products is subject to tax. The selling price of food products sold by vending machine operators is fifty-seven percent of the gross receipts, except for hot prepared food products for which the selling price is one hundred percent of the gross receipts. Vending machine operators are not required to collect the tax from buyers or to separately state the tax.

(c) Sales by theaters, fair grounds concessions, athletic arena concessions, and any other businesses selling food products within a place to which an admission price is charged are taxable. The only exceptions as to admission-charged areas are national or state parks or monuments, but even sales of food products within such state or national areas are taxable if customers are provided facilities for consumption as described in (a) of this subsection.

(5) Exempt and taxable sales. The following are lists of exempt and taxable items normally sold by grocery stores, supermarkets, and similar businesses. The examples are meant to be illustrative and are not all inclusive. The exempt products listed are exempt when sold for off premises consumption but are taxable if sold for immediate consumption at the seller's premises as described earlier. These examples do not apply to purchases made with food stamps. See subsection (6) of this section for special food stamp provisions.

TAX EXEMPT FOOD PRODUCTS

Baby foods	Marshmallows
Bakery products	Mayonnaise
Baking soda	Meat, meat products
Bouillon cubes	Milk, milk products
Candy	Mustard
Cereal products	Noncarbonated soft drinks
Chocolate	Nuts
Cocoa	Oleomargarine
Coffee and coffee substitutes	Olives, olive oil
Condiments	Peanut butter
Crackers	Popcorn
*Diet food	Popsicles
Eggs, egg products	Potato chips
Extracts and flavoring for food	Powdered drink mixes
Fish, fish products	Sandwich spreads
Flour	Sauces
Food coloring	Sherbet
Frozen foods	Shortening
Fruit, fruit products	Soup
Gelatin	Sugar, sugar products, sugar substitutes
*Health foods	
Honey	Syrups
Ice cream, toppings	Tea
Jam, jelly, jello	Vegetables, vegetable products
	Yeast

TAXABLE NONFOOD PRODUCTS

Alcoholic beverages	First aid products
Aspirin	Ice, bottled water
Beer or wine making supplies	(mineral or otherwise)
Calcium tablets	Mouthwashes
Carbonated beverages	Nonedible cake decorations
Chewing tobacco	Nonprescription medicines
Cod liver oil	Patent medicines
Cough medicines (liquid or lozenge)	Pet food and supplies
*Dietary supplements or adjuncts	Seeds and plants for gardens
	Tonics, vitamins
	Toothpaste

*Note: Sales of dietary supplements which are subject to regulation by the United States Federal Drug Administration are subject to tax. Regulated dietary supplements are those preparations which provide fifty percent or more of the United States Recommended Daily Allowance (U.S. RDA) of essential vitamins and minerals per serving.

Health foods or dietary preparations containing less than fifty percent of U.S. RDAs per serving may be sold tax exempt as food and FDA regulations (21 CFR, chapter I, Part 80) adopted October 12, 1976, effective January 1, 1978, prohibit any claim that such preparations are "dietary supplements." Dietary supplements do not include any food in its raw or natural state, which means that nothing has been done to the product, other than superficial treatment (such as washing its surface), to change the product physically or chemically before marketing.

Dietary adjuncts are vitamin/mineral preparations taken to meet special vitamin or mineral needs occasioned by drug therapy. Dietary adjuncts are not tax exempt food products. For more information concerning sales of dietary supplements, see Excise Tax Bulletin 514.08.244.

(6) Purchases with food stamps. Effective October 1, 1987, special guidelines apply to purchases of eligible food with food stamps.

(a) All food items which are legally purchased with food stamps under the Food Stamp Act of 1977 ("eligible foods") are exempt of state sales tax and use tax.

(b) Before October 1, 1987, some food items have been subject to tax, whether or not purchased with food stamps, because they are not defined as "food products" under the exemption statutes. Examples are carbonated soft drinks, dietary supplements, garden seeds, and bottled water. All such items purchased with food stamps are now tax exempt. Thus, some items are now tax exempt when they are purchased with food stamps even though they are not defined as tax exempt "food products."

(c) When both food stamps and cash (or check) are used to make purchases, the food stamps must be applied first to "eligible foods" which are not otherwise tax exempt under RCW 82.08.0293 (those listed above as "taxable nonfood products," e.g., dietary supplements, carbonated beverages, etc.). The cash or check portion of the purchase price must then be applied to items listed above which qualify as "tax exempt food products." The intent is to always apply the stamps and cash in such a way as to provide the greatest possible amount of sales tax exemption under the law.

(d) The obligation rests with the seller to determine which items are eligible for purchase with food stamps.

(e) Under no circumstance is any item eligible for tax exemption as a food product, whether or not purchased with food stamps, if it is not intended for human consumption or for growing food for human consumption.

(f) The following examples show how the tax exemptions apply in cases where a mixed purchase of ten dollars each is made for meat (a food product), dietary supplements (an eligible food), and soap (a nonfood item). A tax rate of 7.8% is used for these examples.

(i) A customer pays the thirty dollar selling price with ten dollars worth of food stamps and twenty dollars cash. The stamps are applied to the dietary supplements, making them tax exempt. The cash is used for the meat and soap. The result is that sales tax is due only on the soap, in the amount of .78¢ (7.8% x \$10.00 worth of soap):

(ii) ~~The customer pays with five dollars in stamps and twenty-five dollars in cash. Again, the stamps are applied against the dietary supplements, leaving five dollars of their value to be purchased with cash. The meat is tax exempt and the soap and the rest of the dietary supplements are taxable. Tax is due in the amount of \$1.78 (7.8% x \$15.00 worth of soap and supplements).~~

(iii) ~~The customer pays with fifteen dollars in stamps and fifteen dollars in cash. The stamps are applied first to the supplements (ten dollars worth) and then to the meat (five dollars worth). The cash applies to the rest of the meat and the soap. The tax due is .78¢ (7.8% x \$10.00 worth of soap).~~

(iv) ~~The customer pays with thirty dollars worth of stamps. Again, tax is due only on the soap (.78¢).~~

(v) ~~The customer pays with one dollar worth of stamps and twenty-nine dollars cash. The stamps are applied against the supplements, leaving nine dollars worth of taxable supplements. The meat purchase is still totally tax exempt. Tax is due upon the soap and the rest of the supplements, for a total of \$1.48 (7.8% x \$19.00).~~

(vi) ~~The customer pays the entire bill with cash or check. Tax is due upon the soap and supplements, for a total of \$1.56 (7.8% x \$20.00).~~

(7) ~~Retailers of food products are required to keep adequate records to demonstrate that any sales claimed tax exempt actually qualify for exemption under this rule and the law.~~

(8) ~~Combination business. Persons operating a combination of two businesses at one location, one of which provides facilities for consumption on the premises (see subsection (4) of this section, "Vendors who are required to collect tax"), such as a lunch counter along with a grocery store or a cafe along with a bakery, are required to keep their accounting records and sales receipts segregated between the two businesses. If the two businesses are commingled in accounting, all sales will be deemed subject to tax.~~

(9) ~~Combination packages. When a package consists of both food and nonfood products, such as a holiday or picnic basket containing beer and pretzels, cups or glasses containing food items, or carbonated beverages along with cheese and crackers, the food portion may be tax exempt if its price is stated separately; if the price is a lump sum, the tax applies to the entire price.~~

(10) ~~However, promotional give-aways of nonfood items to enhance food sales, such as coffee sold in a decorative apothecary container or cheese sold in a serving dish are not taxable and are not deemed combination packages where it is clear that the container or dish is simply a gift furnished as a sales inducement for the food. In the same way, promotional give-aways of food items as an inducement for sales of nonfood items are not exempt (e.g., the sale of fancy crystal ware containing candy or nuts is fully subject to sales tax).~~

(11) ~~Commissaries or grocery shops in institutions or other restricted (not open to the public) areas. Food products sold by commissaries which restrict sales generally to residents, inmates, or a similarly limited group of customers are tax exempt if the food products are for consumption away from the general area reserved for merchandizing such products.~~

(12) ~~Other food vendors. Special provisions govern certain food vendors, as follows:~~

(a) ~~Restaurants and transportation companies (e.g., air, rail, water), and businesses furnishing meals to employees, see WAC 458-20-119.~~

(b) ~~Hotels, motels, boarding or rooming houses, resorts, and trailer camps, see WAC 458-20-166.~~

(c) ~~Religious, charitable, benevolent, and nonprofit service organizations, see WAC 458-20-169.~~

(13) ~~Certain persons, groups, or institutions purchase food products for purposes of serving meals to individuals and historically have been required to pay sales tax as consumers on such purchases because of a unique relationship between the food purchases and the nature of the services rendered by such groups. Food sales taxed in this way were the following:~~

(a) ~~Furnishing of meals by hospitals, rest homes, sanitariums, and similar institutions to patients as a part of the service rendered in the conduct of such institutions.~~

(b) ~~Serving of meals to members by fraternities, sororities, and other similar groups who reside in one place and jointly share the expenses of the household including expenses of meals provided by them.~~

(c) ~~Providing of meals by public schools, high schools, colleges, universities, or private schools operating lunch rooms, cafeterias, or dining rooms for the exclusive purpose of providing students and faculty with meals as a part of the educational program.~~

(d) ~~Providing of meals by guest ranches or summer camps which, in addition to supplying meals and lodging, offer special recreation facilities and instruction in sports, boating, riding, outdoor living, etc., and which make an unsegregated charge for meals, lodging, and services, and report such charges under the service classification as provided by WAC 458-20-166.~~

(14) ~~Since purchase of food products in any of these four situations has been subject to sales tax in the past, the food products exemption applies to these purchases of food products for human consumption. However, sales of meals by such groups in circumstances other than furnishing them in connection with services in the four situations described above are governed by WAC 458-20-119. Further, when such groups do not provide their own meals, but the meals are purchased from caterers or concessionaires, the caterers or concessionaires are making retail sales subject to the tax.~~

(15) ~~Special food sales situations. For unique situations involving food sales for home or office delivery, sales from vending vans, certain combination businesses, and food sales at shopping malls, see Excise Tax Bulletin 528.08.244.~~

(16) ~~Use tax. All of the foregoing provisions of this section dealing with sales tax are equally applicable with respect to the use tax of chapter 82.12 RCW.~~

Effective July 1, 1983:)) (1) Introduction. Effective on June 1, 1988, the law is changed regarding the exemption of retail sales tax and use tax on food products. Formerly, sales of food products were sometimes taxable depending upon how and where the products were sold. Under the changes in the law the intent is to tax such product sales or exempt them from tax in a uniform and

consistent manner so that the tax either applies or not equally for all sellers and buyers. Generally, it is the intent of the law, as amended, to provide the exemption for groceries and other unprepared food products with some specific exclusions. It is the intent of the law to tax the sales of meals and food prepared by the seller regardless of where it is served or delivered to the buyer. Again, there are some specific exclusions. This section provides the guidelines for determining if food product sales are taxable or exempt of tax under the changed law. It also explains special tax exemption provisions for food purchased with food stamps.

(2) Definitions. As used herein and for purposes of the sales tax and use tax exemptions, the following definitions apply:

(a) "Food products" means only substances, products, and byproducts sold for use as food or drink by humans. The term includes, but is not limited to, the following items:

Baby foods, formulas	Baking soda and powder
Bakery products	Bouillon cubes
Candy	Meat, meat products,
Cereal products	including livestock sold
Chewing gum	for human consumption
Chocolate	Milk, milk products
Cocoa	Mustard
Coffee and coffee	Noncarbonated soft drinks
substitutes	Nuts
Condiments	Oleomargarine
Crackers	Olives, olive oil
Dietfood, not including	Peanut butter
dietary supplements	Popcorn
or adjuncts	Popsicles
Eggs, egg products	Potato chips
Extracts and flavoring	Powdered drink mixes
for food	Salt and salt substitutes
Fish, fish products	Sandwich spreads
Flour	Sauces
Food coloring	Sherbet
Frozen foods	Shortening
Fruit, fruit products	Soup
Gelatin	Spices and herbs
Honey	Sugar, sugar products,
Ice cream, toppings	sugar substitutes
Jam, jelly, jello	Syrups
Marshmallows	Tea
Mayonnaise	Vegetables, vegetable
Yeast	products

(b) "Nonfood products" means certain substances which may be sold at food and grocery stores and which may be ingested by humans but which are not treated as food for purposes of the tax exemptions. Tax exempt food products do not include any of the following non-food products:

Alcoholic beverages	Ice, bottled water (mineral
Aspirin	or otherwise)
Beer or wine making	Mouthwashes
supplies	Nonedible cake decorations
Breeding stock	Nonprescription medicines
Calcium tablets	Patent medicines

Carbonated beverages	Pet food and supplies
Chewing tobacco	Seeds and growing plants
Cod liver oil	including edible plants
Cough medicines (liquid	Tobacco products
or lozenge)	Tonics, vitamins
Dietary supplements or	Toothpaste
adjuncts as defined	
below	
First-aid products	

(c) "Dietary supplements or adjuncts" are medicines or preparations in liquid, powdered, granular, tablet, capsule, lozenge, or pill form taken in addition to natural or processed foods in order to meet special vitamin or mineral needs. Dietary supplements or adjuncts are not food products entitled to tax exemption. However, the term "dietary supplements or adjuncts" does not include products whose primary purpose is to provide the complete nutritional needs of persons who cannot ingest natural or processed foods. Also, this term does not include food in its raw or natural state which has been merely dried, frozen, liquified, fortified, or otherwise merely changed in form rather than content.

Such substances as dried milk, powdered spices and herbs, brewers yeast, desiccated liver, powdered kelp, herbal extracts, and the like are not dietary supplements or adjuncts subject to tax.

(d) "Eligible foods," as used in subsection (10) of this section, means any food which can be purchased with food stamps under the Federal Food Stamp Act of 1977. "Eligible foods" include any food or food product intended for human consumption except alcoholic beverages, tobacco, and hot foods or hot food products prepared for immediate consumption. The term also includes seeds and plants used to grow foods for personal consumption (7 U.S.C.A. U 2012). Thus some substances are "eligible foods" which are defined above as "non-food products."

(3) Business and occupation tax. There is no general tax exemption for sales of food or food products for B&O tax purposes. The gross proceeds of sales of food are subject to the wholesaling or retailing classification of B&O tax, as the case may be.

(4) Retail sales tax - Taxable sales. Sales of food products are subject to retail sales tax under any of the following circumstances:

(a) Effective June 1, 1988, sales by any retail vendor of any food handled on the vendor's premises which by law requires the vendor to have a food and beverage service worker's permit under RCW 69.06.010 (handling unwrapped or unpackage food) are subject to sales tax. Such sales include, but are not limited to, sandwiches prepared or chicken cooked on the premises, deli trays, home delivered pizzas or meals, and salad bars. However, certain sales of foods which require a permit are expressly excluded from taxation. See subsection (5)(a) of this section.

(b) Food products sold for consumption within a place, the entrance to which is subject to an admission charge, except for national or state parks or monuments, are subject to sales tax.

(i) Example. Food of any kind sold at a snack bar, food stand, restaurant, or by individual roving food vendors inside a sports arena, theater, or similar place of amusement or recreation which charges admission is subject to sales tax.

(ii) Even sales of food products within national or state parks where admission is charged are subject to retail sales tax upon any food the preparation of which requires the retail vendor to have a permit specified in (a) of this subsection.

(c) Sales of baked goods as a part of meals or with beverages in unsealed containers are subject to sales tax. (However, see the provision for combination businesses in subsection (6) of this section.)

(d) Vending machine sales. Sales of any food products dispensed by vending machines are subject to sales tax under a formula which requires the tax to be reported and paid by the vending machine owner or operator upon fifty-seven percent of the gross receipts from such machines. However, sales tax must be reported and paid upon one hundred percent of the gross receipts of vending machines which dispense hot prepared food products, e.g., hot coffee, soups, tea, chocolate, etc.

(i) It is not required that food vending machines be posted with prices separately showing the sales tax amount or rate charged.

(ii) The retail sales tax may be factored out of the gross receipts of such vending machines to derive the measure for reporting B&O tax.

(5) Retail sales tax - Exempt sales. RCW 82.08.0293 exempts sales of food products for human consumption from the retail sales tax except for the taxable sales described in subsection (4) of this section.

(a) Sales of the following food products are exempt of sales tax even though sold by a person required to have a food handler's permit (i.e., handling unwrapped or un-packaged foods):

(i) Raw meat prepared by persons who slaughter animals, including fish and fowl, or dress or wrap slaughtered raw meat such as fish mongers, butchers, or meat wrappers;

(ii) Meat and cheese sliced and/or wrapped, in any quantity determined by the buyer, sold by vendors such as meat markets, delicatessens, and grocery stores;

(iii) Baked goods sold by bakeries which sell no food products other than baked goods, including bakeries located in grocery stores. (See the provision for combination businesses in subsection (6) of this section);

(iv) Bulk food products sold from bins or barrels, including but not limited to, flour, fruits, vegetables, sugar, salt, candy, chips, and cocoa;

(v) Prepared meals sold under a state-administered nutrition program for the aged as provided for in the Older Americans Act (Public Law 95-478 Title III) and RCW 74.38.040(6);

(vi) Prepared meals sold to or for senior citizens, disabled persons, or low-income persons by a not-for-profit organization organized under chapter 24.03 or 24.12 RCW.

(b) Retailers of food products must keep adequate records to demonstrate that any sales claimed to be tax exempt qualify for exemption as explained above.

(6) Combination businesses. Persons operating a combination of two kinds of food sales businesses at one location are required to keep their accounting records and sales receipts segregated between taxable and tax exempt sales.

(a) Examples of combination businesses are:

(i) A grocery store with a lunch counter or salad-deli bar.

(ii) A bakery which sells baked goods "to go" and also sells baked goods with meals or beverages in unsealed containers.

(b) Combination businesses must collect and report retail sales tax upon their charges for meals and servings of food which require such businesses to have a food handler's permit.

(c) It is sufficient segregation for accounting purposes if cash registers or electronic checking machines are programmed to identify and separately tax food products which are not tax exempt.

(d) If the combined food businesses are commingled in accounting, all sales of food products will be deemed subject to sales tax.

(7) Combination and specialty packages. When a package consists of both food and nonfood products, such as a holiday or picnic basket containing beer and pretzels, cups or glasses containing food items, or carbonated beverages along with cheese and crackers, the food portion may be tax exempt if its price is stated separately; if the price is a lump sum, the sales tax applies to the entire price.

(8) Promotional items. Nonfood items given to buyers to promote food product sales such as coffee sold in a decorative apothecary container or cheese sold in a serving dish are not taxable and are not deemed combination packages where it is clear that the container or dish is simply a gift furnished as a sales inducement for the food. In the same way, promotional give-aways of food items as an inducement for sales of nonfood items are not exempt (e.g., the sale of crystal ware containing candy or nuts is fully subject to sales tax).

(9) Food vending vans. Food products sales from vehicular vending vans are taxable or exempt of retail sales tax in the same manner as food sales at grocery stores. Thus, sales of candy bars, gum, or any prewrapped food products which are prepackaged by a manufacturer other than the retail vendor operating the van are exempt of retail sales tax. Sales of any unwrapped or un-packaged food items, including but not limited to, hotdogs, sandwiches, bakery items, soups, and hot or cold beverages as well as sales of hot food cooked or heated by the retail vendor are subject to sales tax.

(10) Food stamps. Sales of "eligible foods," as defined earlier, which are purchased with food stamps are exempt of retail sales tax.

(a) When both food stamps and cash (or check) are used to make purchases, the food stamps must be applied first to "eligible foods" which are not otherwise tax exempt "food products," for example, dietary supplements, carbonated beverages, garden seeds, bottled water, and ice. The cash or check portion of the purchase price must then be applied to items listed above which

qualify as tax exempt food products. The intent is to always apply the stamps and cash in such a way as to provide the greatest possible amount of sales tax exemption under the law.

(b) The obligation rests with the seller to determine which items are eligible for purchase with food stamps.

(c) The following examples show how the tax exemptions apply in cases where a purchase of ten dollars each is made for meat (a food product), dietary supplements (an eligible food), and soap (a nonfood item) using both food stamps and cash. A tax rate of 7.8% is used for these examples.

(i) A customer pays the thirty dollar selling price with ten dollars worth of food stamps and twenty dollars cash. The stamps are applied to the dietary supplements, making them tax exempt. The cash is used for the meat and soap. The result is that sales tax is due only on the soap, in the amount of .78 (7.8% x \$10.00 worth of soap).

(ii) The customer pays with five dollars in stamps and twenty-five dollars in cash. Again, the stamps are applied against the dietary supplements, leaving five dollars of their value to be purchased with cash. The meat is tax exempt and the soap and the rest of the dietary supplements are taxable. Tax is due in the amount of \$1.78 (7.8% x \$15.00 worth of soap and supplements).

(iii) The customer pays with fifteen dollars in stamps and fifteen dollars in cash. The stamps are applied first to the supplements (ten dollars worth) and then to the meat (five dollars worth). The cash applies to the rest of the meat and the soap. The tax due is .78 (7.8% x \$10.00 worth of soap).

(11) Use tax on food. The provisions of the use tax of chapter 82.12 RCW apply for taxation or tax exemption under the same circumstances outlined above regarding retail sales tax. (See RCW 82.12.0293.) The use tax applies under any circumstance where the retail sales tax is due upon food sales in this state but the sales tax has not been paid for any reason.

(12) Other food and meals vendors. Specific provisions govern certain persons who sell food and prepared meals. See the following referenced sections for provisions regarding:

(a) Restaurants and transportation companies (e.g., air, rail, water) and other businesses or groups furnishing meals to employees, guests, patients, students, etc., see WAC 458-20-119.

(b) Hotels, motels, boarding or rooming houses, resorts, and trailer camps, see WAC 458-20-166.

(c) Religious, charitable benevolent, and nonprofit service organizations, see WAC 458-20-169.

WSR 88-15-067
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 88-55—Filed July 19, 1988]

I, Joseph R. Blum, director of the Department of Fisheries, do promulgate and adopt at Olympia,

Washington, the annexed rules relating to commercial fishing regulations.

I, Joseph R. Blum, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is restrictions in Areas 4B, 5, 6, 6A, 6C, 7 and 7A provide protection for Puget Sound and Canadian chinook stocks. Openings in Area 10 are necessary to prevent wastage and harvest non-Indian Lake Washington sockeye allocation. All other areas are closed to prevent overharvest.

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

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

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

APPROVED AND ADOPTED July 19, 1988.

By Judith Merchant
 for Joseph R. Blum
 Director

NEW SECTION

WAC 220-47-902 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY. *Notwithstanding the provisions of Chapter 220-47 WAC, effective 7:00 PM Tuesday July 19 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:*

- * Areas 4B, 5, 6, 6A, 6C, 7, 7A – Under control of Pacific Salmon Commission. Drift gill net gear restricted to 5-inch minimum, 6-inch maximum mesh when open.
- * Area 10 – Gillnets using 5-1/2 inch maximum mesh may fish from 7:00 PM Tuesday July 19 to 9:30 AM Wednesday July 20 and Purse seines may fish using the 5-inch strip from 5:00 AM to 9:00 p.m. Wednesday July 20. All chinook caught with purse seine gear must be released. This area 10 opening excludes those waters south of line projected from West Point to Skiff Point on Bainbridge Island, and those waters west of a line projected from Point Jefferson to Point Monroe on Bainbridge Island, and those waters east of a line projected from Meadow Point to West Point. Fishery exclusion zones applicable to Area 10 commercial fisheries are described in WAC 220-47-307.
- * Areas 6B, 7B, 7C, 7D, 7E, 8, 8A, 8D, 9, 9A, 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.

WSR 88-15-068

ADOPTED RULES

PARKS AND RECREATION COMMISSION

[Order 105—Filed July 19, 1988]

Be it resolved by the Washington State Parks and Recreation Commission, acting at Port Townsend, Washington, that it does adopt the annexed rules relating to applicability of standard fees to volunteers, WAC 352-32-285.

This action is taken pursuant to Notice No. WSR 88-12-066 filed with the code reviser on May 31, 1988. 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 [Parks and Recreation Commission] as authorized in RCW 43.51.040 and 43.51.060.

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 July 15, 1988.

By Edward T. Luders
Chair

AMENDATORY SECTION (Amending Order 88, filed 3/22/85, effective 5/15/85)

WAC 352-32-285 APPLICABILITY OF STANDARD FEES TO VOLUNTEERS IN PARKS. The standard fees set forth in WAC 352-32-250 and 352-12-020 pursuant to RCW 43.51.060(6) shall not apply whenever any individual, group, organization, association, or agency shall volunteer to perform personal services in lieu of standard fees if the following conditions are met:

(1) The park manager has determined that the personal service is desirable;

(2) ~~((At least four hours of service per day are performed for each campsite or boat moorage occupied;~~

~~(3)))~~ The service performed does not replace or supplant that which would otherwise be performed by parks employees or contractors;

~~((4)))~~ (3) The service performed is not one commonly performed by members of an organized trade union;

~~((5)))~~ (4) The service performed does not result in any type of development which will necessarily create future operating costs to the commission;

(5) The volunteer shall perform personal services under the following provisions.

(a) At least four hours of service are provided per day; alternatively

(b) At least twenty-eight hours of service are provided per seven-day week, spread over at least five days.

(c) If more than four hours, but less than twenty-eight hours of volunteer service are provided during a seven-day week, a prorated waiver of fees equivalent to (b) of this subsection may be offered by the park manager.

(d) Volunteer time accumulated may not be carried forward for credit in subsequent weeks.

(e) The waiver of standard fees shall apply only at the park where such personal services were performed.

The limit placed on any camper by WAC 352-32-030(5) shall not apply to persons qualifying under this section. Continuous occupancy of facilities by the same person or persons qualifying under this section shall be limited to ~~((30))~~ thirty consecutive nights, unless otherwise approved by the director or designee.

This section does not expand or limit the provisions of RCW 43.51.130 ~~((=))~~ through 43.51.160.

WSR 88-15-069

EMERGENCY RULES

DEPARTMENT OF ECOLOGY

[Order 88-30—Filed July 20, 1988]

I, Phillip C. Johnson, deputy director of the Washington Department of Ecology do promulgate and adopt at the Ecology Headquarters, Lacey, Washington, the annexed rules relating to solid fuel burning device standards, chapter 173-433 WAC.

I, Phillip C. Johnson, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is these amendments are necessary for the preservation of public health and general welfare. Failure to adopt these amendments could significantly damage the effectiveness and credibility of the wood stove control program. Damage to program effectiveness could have long term negative impacts on public health and welfare.

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 Washington Department of Ecology as authorized in RCW 70.94.331 and chapter 43.21A 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 July 19, 1988.

By Phillip C. Johnson
Deputy Director

AMENDATORY SECTION (Amending Order 87-44, filed 12/16/87)

WAC 173-433-100 EMISSION PERFORMANCE STANDARDS. (1) Requirements for sale of

new woodstoves in Washington. After July 1, 1988, a person shall not advertise to sell, offer to sell, sell, bargain, exchange, or give away a new woodstove in Washington unless it has been:

(a) Tested to determine its emission performance and heating efficiency in accordance with criteria and procedures specified in subsection (7) of this section; certified by the DEQ in accordance with subsection (7) of this section; and labeled for emission performance and heating efficiency as specified in subsection (10) of this section; or

(b) Tested to determine its emission performance and heating efficiency in accordance with criteria and procedures specified by the EPA in 40 CFR 60 Subpart AAA - Standards of Performance for Residential Wood Heaters; certified by the EPA under test conditions no less stringent than those imposed under subsection (7) of this section; and labeled for emission performance and heating efficiency as specified in 40 CFR 60 Subpart AAA - Standards of Performance for Residential Wood Heaters.

(2) Exemptions.

(a) Any solid fuel burning device not defined herein as a woodstove.

(b) Solid fuel burning devices that are not suitable for use as heating equipment in or in connection with residences or commercial installations, such as portable camping stoves, are excluded from this section.

(c) Wood-fired forced air furnaces that primarily heat living space or water through indirect heat transfer using forced air or pressurized water systems are excluded from this section.

(3) General certification procedures. A solid fuel burning device that is exempt and therefore not eligible for certification under DEQ or EPA regulations may be tested to demonstrate its emission performance in accordance with criteria and procedures no less stringent than those imposed under WAC 173-433-100(7), subject to the following conditions:

(a) All criteria and procedures shall be submitted by the applicant for review and approval by the department prior to certification testing;

(b) Certification of the solid fuel burning device shall be granted by the department upon approval of test results that demonstrate that the solid fuel burning device meets emission performance standards equivalent to those under WAC 173-433-100(6).

(4) State-wide emission performance standards. An air authority shall not adopt or enforce emission performance standards for solid fuel burning devices that are more stringent than the state-wide standard.

(5) Label alteration. A manufacturer, dealer, or retailer shall not alter either the permanent or removable label in any way from the label approved by the DEQ.

(6) Emission performance standards and certification.

(a) A new woodstove with minimum heat output of less than forty thousand Btu/hr advertised for sale, offered for sale, or sold in Washington after July 1, 1988, shall not exceed nine grams per hour for a noncatalytic woodstove or four grams per hour for a catalytic woodstove as weighted average particulate emission standard

when tested and measured according to subsection (7) of this section.

(b) New woodstoves with minimum heat output equal to or greater than forty thousand Btu/hr advertised for sale, offered for sale, or sold in Washington after July 1, 1988, shall not exceed an average particulate emission standard equal to the sum of 8.0 grams per hour plus 0.2 grams per hour for each thousand Btu/hr heat output when tested and measured according to subsection (7) of this section.

(7) Testing criteria and procedures.

(a) To be considered eligible for certification a woodstove must be tested in strict compliance with criteria and procedures contained in the document Oregon Department of Environmental Quality Standard Method for Measuring the Emissions and Efficiencies of Residential Woodstoves dated June 8, 1984, and herein incorporated by reference and on file at the department.

(b) All testing for certification purposes shall be conducted by a stove testing laboratory accredited by the DEQ.

(8) Changes in woodstove design. The certification of a woodstove shall be valid for only the specific model, design, plans and specifications that were originally submitted, tested and approved for certification.

(9) Woodstove alteration. A manufacturer, dealer, or retailer shall not remove or render inoperable any devices or components of any systems installed by the manufacturer of a woodstove for the purpose of controlling air contaminant emissions, other than for replacement or routine maintenance.

(10) Labeling requirements. Woodstoves required to be labeled pursuant to subsection (1) of this section shall have affixed to them:

(a) A permanent label previously approved by the DEQ as to form, content, and location, that shows the test emissions and heating efficiency for the range of heat outputs tested; and

(b) A point-of-sale removable label that verifies certification and shows how that model woodstove emission test results compare with the emission performance standard; and shows the heating efficiency and heat output range of the appliance. The label shall be affixed to the woodstove at the point-of-sale near the front and top of the stove and remain affixed until sold and delivered to the consumer, or

(c) Labeling required by the EPA under 40 CFR 60 Subpart AAA - Standards of Performance for Residential Wood Heaters.

(11) Permanent label.

(a) The permanent label shall contain the following information:

(i) Testing laboratory;

(ii) Date tested;

(iii) Test procedure used;

(iv) Manufacturer of woodstove;

(v) Model;

(vi) Design number;

(vii) The statement: "Performance may vary from test values depending upon actual home operating conditions";

(viii) A graph showing particulate emission rates, in grams per hour and overall efficiency over the range of heat outputs tested;

(ix) The axes of the graph shall be identified as follows: Vertical axis, left side: "Smoke - grams/hour," with a scale of zero to a maximum of twenty, bottom to top; vertical axis, right side: "Efficiency - %," with a scale of a minimum of fifty to a maximum of ninety, bottom to top; horizontal axis, bottom: "Heat Output - Btu/hour," with a scale from zero to a maximum of five thousand Btu/hour higher than the highest tested heat output;

(x) Curves describing emissions and efficiency at various heat outputs shall be printed on the graph as developed by the DEQ.

(b) The label shall be made of metal, and of a thickness sufficient to insure permanence of the label. The label shall be permanently attached to the woodstove such that it is readily visible after installation, and of such a design that it cannot be removed from the woodstove without damage to the label. The label shall be located on any visible exterior surface except that the label shall not be located on the bottom of the woodstove or any interior surface, compartment, or under overlapping covers or doors, or at another interior location. The label shall remain legible for the maximum expected useful life of the woodstove in normal operation.

(c) The permanent label may be combined with another label, such as a safety label, if the design and integrity of the permanent label is not compromised, and when the combination label has been approved by the DEQ.

(12) Removable label.

(a) The point-of-sale removable label, or "Emissions and Efficiency Performance" label, shall contain the following information:

(i) "Smoke (Ave.) grams/hour," weighted average of tested values.

(ii) "Efficiency (Ave.) %," weighted average of tested values.

(iii) Summary of the applicable emissions standard.

(iv) Heat output range, tested values.

(v) Manufacturer of woodstove.

(vi) Model of woodstove.

(vii) Design number of model.

(viii) A statement verifying certification.

(ix) The statement "Performance may vary from test values depending upon actual home operating conditions."

(b) The label shall be visibly located on the woodstove when the woodstove is available for inspection by consumers.

(c) This label may not be combined with any other label or with other information.

(d) The label shall be attached to the woodstove in such a way that it can be easily removed by the consumer upon purchase.

(13) Alternative testing procedure. A Washington state manufacturer who believes his solid fuel burning device, for technical reasons, should be subject to an alternative testing procedure to that established by the U.S. Environmental Protection Agency (USEPA) may

apply to the department for an alternative or modified procedure. The department will evaluate such applications. If disapproved, the solid fuel burning device shall remain subject to the USEPA testing protocol. If the application is approved, the manufacturer shall propose an alternative or modified testing procedure. If the procedure is approved by the department, it shall be the responsibility of the manufacturer to submit the device to an accredited testing laboratory and furnish the department with final test reports. If test results are equivalent to those required by USEPA testing, Washington certification may be issued. Interim certification, for a period not to exceed sixty days, may be issued by the department to cover the testing period. Interim certification may be renewed.

(14) Interim certification. A Washington state manufacturer who scheduled or submitted a solid fuel burning device for EPA certification testing prior to June 1, 1988, but has experienced delays in the testing procedure may apply for an interim certification for the period required to complete testing. Such period shall not exceed sixty days but may be renewed if approved by the department. The department may approve such application if it finds:

(a) The delays are not due to fault or tardy procedural requirements on the part of the applicant; and

(b) There is reasonable basis for believing the device is capable of successfully passing the test.

WSR 88-15-070

**NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF NATURAL RESOURCES
(Forest Fire Advisory Board)**

[Memorandum—July 19, 1988]

An emergency session of the Forest Fire Advisory Board is scheduled for Monday, August 22, 1988, beginning at 9 a.m., in Building 5 at the Rowsix Complex in Lacey.

WSR 88-15-071

**PROPOSED RULES
DEPARTMENT OF ECOLOGY**

[Filed July 20, 1988]

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 site use permits for use of the Washington commercial low-level radioactive waste disposal site;

that the agency will at 2:00 p.m., Wednesday, August 24, 1988, in the Abbott Raphael Hall, Room 154, St. Martin's Campus, Lacey, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on September 6, 1988.

The authority under which these rules are proposed is RCW 43.200.070.

The specific statute these rules are intended to implement is RCW 43.200.080 and 43.200.180.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before August 24, 1988.

Dated: July 18, 1988
By: Phillip C. Johnson
Deputy Director

STATEMENT OF PURPOSE

Title: Site use permits for low-level radioactive waste disposal.

Description of Purpose: To institute a site use permit system and issue site use permits as authorized by the legislature.

Statutory Authority: RCW 43.200.070.

Summary of Rule: Rule requires possession of a site use permit prior to disposal of low-level radioactive waste. Permit fee for a one-time use permit is \$60.00 and for multiple use permit is \$175.00 per year.

Reasons Supporting Proposed Action: Rule is necessary to implement RCW 43.200.080.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Elaine Carlin, 5826 Pacific Avenue, 459-6244.

Person or Organization Proposing Rule, and Whether Public, Private, or Governmental: Department of Ecology, state government.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: None.

Whether Rule is Necessary as a Result of Federal Law or Federal or State Court Action: Chapter 43.200 RCW.

Summary Statement: The purpose of the rules are to implement RCW 43.200.080. The rules require that (1) each generator and broker must possess a valid site use permit prior to: (a) The shipment of low-level radioactive waste to the disposal site, (b) the disposal of low-level radioactive waste in the state of Washington, (2) applicants must submit permit fee when filing the application, (3) permit fee for a one-time use permit is \$60.00 and for multiple use permit is \$175.00 per year, (4) permittees must provide additional information when requested by the Department of Ecology as necessary for the safe management of low-level radioactive waste in the state of Washington. If you have any questions about these rules please contact Stephanie Ko, Low-Level Nuclear Waste Management Program, at (206) 459-6862.

Small Business Economic Impact Statement: N/A

AMENDATORY SECTION (Amending Order 87-11, filed 7/1/87)

WAC 173-326-010 **PURPOSE.** The purpose of this chapter is to implement RCW 43.200.080, RCW 43.200.180 and to ensure public health and safety. Each original generator and each broker of low-level radioactive waste (LLRW) shall have a valid and unencumbered site use permit prior to shipment of such waste to, or disposal of such waste at, a commercial LLRW disposal site located in the state of Washington. Each original generator shall apply for a permit for each separate location of its facilities. All low-level radioactive waste received for disposal at a commercial LLRW disposal site in the state of Washington shall be traceable to the original generators and states,

and all appropriate allocations, surcharges, and penalties shall be applied regardless of whether the waste is shipped directly from the point of generation to the disposal facility, or shipped through a licensed service facility such as a facility for recycling, processing, compacting, incinerating, collecting, or brokering waste.

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 87-11, filed 7/1/87)

WAC 173-326-040 **SITE USE PERMIT FEE.** (1) The permit fee must be submitted at the time of filing an application. The permit fee is not refundable. The fees for a site use permit are:

- (a) One-time use permit - ~~(\$ 50.00 or)~~ \$ 60.00
(b) Multiple use permit - ~~(\$150.00)~~ \$175.00 per year

(2) One-time use permit: A generator having radioactive waste for disposal for one time only can obtain a nonrenewable site use permit for such a shipment. This permit terminates upon receipt of the shipment for disposal or one year after it was issued, whichever is earlier, and cannot be reissued to a generator. If the same generator has a subsequent need to ship waste for disposal a multiple use permit must be obtained.

(3) Multiple-use permit: A generator having radioactive waste for disposal more than once can obtain a renewable multiple use permit. A multiple-use permit can be renewed annually. A generator who holds a multiple use permit cannot change the permit to a one-time use permit.

WSR 88-15-072

PROPOSED RULES

UTILITIES AND TRANSPORTATION

COMMISSION

[Filed July 20, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington Utilities and Transportation Commission intends to adopt, amend, or repeal rules relating to charter party carriers of passengers, WAC 480-40-010, 480-40-020, 480-40-030, 480-40-040, 480-40-050, 480-40-060, 480-40-070, 480-40-075, 480-40-033, 480-40-036, 480-40-039, 480-40-080, 480-40-090, 480-40-110, 480-40-120, 480-40-130 and 480-40-140, Cause No. TCH-2189. Written and/or oral submissions may also contain data, views, and arguments concerning the effect of the proposed amendment, adoption, and repeal on economic values, pursuant to chapter 43.21H RCW and WAC 480-08-050(17).

Rules have been adopted on an emergency basis by General Order No. R-286, filed with the code reviser June 8, 1988, under WSR 88-13-033;

that the agency will at 9:00 a.m., Wednesday, August 24, 1988, in the Commission's Hearing Room, Second Floor, 1300 South Evergreen Park Drive S.W., Olympia, WA, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is RCW 80.01.040 and section 7, chapter 30, Laws of 1988.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before August 19, 1988.

Dated: July 20, 1988

By: Paul Curl
Acting Secretary

STATEMENT OF PURPOSE

In the matter of amending WAC 480-40-010, 480-40-020, 480-40-030, 480-40-040, 480-40-050, 480-40-060, 480-40-070 and 480-40-075; repealing WAC 480-40-033, 480-40-036, 480-40-039, 480-40-080 and 480-40-090; and adopting WAC 480-40-110, 480-40-120, 480-40-130 and 480-40-140.

The rules proposed by the Washington Utilities and Transportation Commission are to be promulgated pursuant to RCW 80.01.040 and section 7, chapter 30, Laws of 1988, which direct that the commission has authority to implement the provisions of chapter 81.70 RCW.

The rules proposed by the Washington Utilities and Transportation Commission are designed to detariff charter party carriers of passengers, change the standards for entry, but require safety, fitness, and proof of minimum financial responsibility.

Paul Curl, Acting Secretary, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W, Olympia, WA, phone (206) 753-6451, and members of his staff were responsible for the drafting of the proposed rules and will be responsible for implementation and enforcement of the proposed rules.

The proponent of the rules is the Washington Utilities and Transportation Commission.

There are no comments or recommendations being submitted inasmuch as the proposal is pursuant to legislative authorization reflected in RCW 80.01.040 and section 7, chapter 30, Laws of 1988.

The rule change is not necessary as the result of federal law, or federal or state court action.

The rule change proposed will affect no economic values.

This certifies that copies of this statement are on file with the commission, are available for public inspection, and that three copies of this statement are this date being forwarded to the Joint Administrative Rules Review Committee.

Economic Impact Statement to Accompany
Proposed Rules for Passenger Charter Carrier Service

Pursuant to chapters 19.85 and 43.21H RCW, an economic impact statement is required if more than 10 percent of businesses within a three digit standard industry classification code are affected. Passenger charter services fall within industry group number 414 - Bus Charter Service - Industry No. 4141 - Local Bus Charter Service and Industry No. 4142 - Bus Charter Services, except local. Within the industry group, there are 32 carriers with certificates identifying them as active passenger charter carriers operating within Washington state. Twenty-five or 78 percent of these carriers are not substantially economically impacted by the proposed rules. There will be a slight decrease in these carriers' overall costs because the proposed rules will reduce the annual regulatory fees. Since regulatory fees are such a

small proportion of the total costs compared to the cost of insurance, there is minimum economic impact.

Of the remaining seven carriers previously certificated by the commission, it is difficult to determine whether these carriers represent 10 percent or more of the total industry. There may be additional charter carriers beyond the 32 carriers that were previously certificated.

If the assumption is made that the seven charter passenger carriers meet the statutory threshold, the increased cost of insurance under the proposed rule may have an economic impact on these carriers. Their average cost of insurance, even with a reduction in regulatory costs, would increase from 8 cents for every dollar of revenue earned to 9 cents the first year and to 11 cents the second year based on the proposed cost of insurance. While there would be an increase in the cost of insurance for these carriers to comply with the proposed insurance requirements, their insurance costs are parallel to the average insurance costs of the sample group of larger carriers. Of the seven larger carriers analyzed, their insurance cost per dollar of revenue was 10 cents. The seven smaller carriers should be able to absorb the increase in the cost of insurance in order to assure that adequate protection is provided to the public.

For those charter carriers that are exclusively in the limousine charter service business, and use automobiles with a seating capacity of eight or less, a separate economic impact assessment was made. It was found that these carriers' insurance costs did increase from 6 cents to 7 cents the first year and to 8 cents the second year under the proposed insurance requirements. These increases in costs do not reflect an economic burden on the carriers when compared to other carriers' insurance costs in relation to revenue earned.

Assumptions

Using seven carriers - all comply with proposed insurance requirements because of federal regulation. All have revenues over 1.0 million, (i.e., 25 of the 32 carriers certificated or 78 percent meet proposed insurance requirements because of federal rule requirements for interstate operation).

Using seven carriers - all do not currently meet proposed insurance requirements. All have revenues less than 1.0 million.

Using four carriers - limousine service exclusively - automobile seating capacity eight or less, current insurance coverage of \$500,000 or less.

Based on the foregoing assumptions, the costs are as follows:

(a) Seven carriers with over 1.0 million revenues, currently comply with federal insurance requirements (1.5 million and \$5.0 million)

Average total insurance and regulatory fee cost/average total revenue. .10

(b) Seven carriers with less than 1.0 million revenue, do not meet federal minimum insurance requirements.

1. Under current regulations (300,000 and 500,000 insurance minimum).

Average total insurance and regulatory fee costs/average total revenue. .08

2. Proposed rule (500,000 and 2.5 million) – 1988
Average total insurance and regulatory fee costs/average total revenue. .09
 3. Proposed rule (1.0 million and 5.0 million) – 1990
Average total insurance and regulatory fee cost/average total revenue. .11
- (c) Four carriers – limousine service exclusively, use automobiles – seating capacity of eight or less.
1. Current coverage (300,000)
Average total insurance cost/average total revenue. .06
 2. Proposed rule (500,000) – 1988
Average total insurance cost/average total revenue. .07
 3. Proposed Rule (1.0 million) – 1990
Average total insurance cost/average total revenue. .08

APPENDIX "A"

AMENDATORY SECTION (Amending Order R-72, filed 4/23/75)

WAC 480-40-010 DEFINITIONS. (1) Unless the language or context indicates that a different meaning is intended, the following words, terms, and phrases shall, for the purpose of these regulations, be given the meaning hereinafter subjoined to them:

- (2) The word "state" means the state of Washington.
- (3) The word "commission" means the Washington utilities and transportation commission.
- (4) "Person or persons" means an individual, a corporation, association, joint stock association, and partnership, their lessees, trustees or receivers.
- (5) "Public highway" includes every public street, road or highway in this state.
- (6) "Motor vehicle" means every self-propelled vehicle with seating capacity for seven or more persons excluding the driver.
- (7) Subject to the exclusions of RCW 81.70.030, "charter party carrier of passengers" means every person engaged in the transportation of ((persons by motor vehicle for compensation whether in common or contract carriage over any public highway in this state:

(8) The term "charter party," as used in these regulations means a group of persons who, pursuant to a common purpose and under a single contract, and at a fixed charge for the vehicle have acquired the exclusive use of passenger-carrying motor vehicle to travel together as a group to a specified destination or for a particular itinerary, either agreed upon in advance or modified by the chartered group after having left the place of origin:

- (9) "Accommodations" as used herein means either
 - (a) Registered additional seats which the charter party may desire in excess of the number necessary for the party for extra convenience or comfort of the party, or
 - (b) Registered additional number of seats (either left in the charter coaches, or removed at the charter party's request) for the storage of baggage or other paraphernalia being carried in the custody of the party.

(10) "Charter coach." A motor vehicle assigned to the exclusive use of a party or person:

(11) "Charter trip or charter movement." Transportation furnished by a carrier in a charter coach authorized herein, beginning at the time and place for which the charter coach is ordered and ending at the place of destination:

(12) As used herein, "hour" is each sixty minutes, or any portion thereof, beginning at the time the charter coach is ordered to be at the place of origin and ending at the time the charter coach is finally released by the charter party:

(13) As used herein, a "day" is each twenty-four "hours," beginning at the time the charter coach is ordered to be at the place of origin and ending at the time the charter coach is finally released by the charter party:

(14) "Applicable equipment points." On any particular charter movement, the equipment point nearest the place of origin shall be the applicable equipment point for vehicles utilized up to the total number of vehicles held out to be available at that point; the equipment point next nearest the place of origin shall then become the applicable

equipment point for the remainder of such vehicles utilized up to the total number of such vehicles held out to be available at that point; thereafter, progressively more distant equipment points shall, in turn, become applicable equipment points up to the number of such vehicles held out at each, until sufficient equipment has been provided for the entire charter movement:

(15) "Equipment point." Equipment point, as used in a tariff, means a place specifically named by a carrier as a point at which vehicles are held out to be available for charter movements:

(16) "Live mileage or live miles." Live mileage, as used herein, means the mileage traversed by a charter coach between the place of origin and the place of destination. After the charter coach has departed from the place of origin, any mileage involved in the servicing of equipment shall not be included as deadhead mileage:

(17) "Place of origin." The term "place of origin," as used herein, means the place where the charter party orders the charter coach to be at the start of the charter trip:

(18) "Place of destination." The term "place of destination," as used herein, means the place where the charter coach is vacated and released by the charter party. PROVIDED, That no deadhead mileage will be charged for movements within the city limits of an incorporated city when such is designated as an equipment point:

(19) "Waiting time." Any period of time in excess of one-half hour during which the charter coach is not in motion, at the request, with the consent, or for the convenience of the charter party. PROVIDED; That waiting time does not include normal rest stops, meal stops, or layover time for repairs)) a group of persons who, pursuant to a common purpose and under a single contract, have acquired the use of a motor bus to travel together as a group to a specified destination or for a particular itinerary, either agreed upon in advance or modified by the chartered group after having left the place of origin.

(8) This chapter does not apply to:

- (a) Persons operating motor vehicles wholly within the limits of incorporated cities;
- (b) Persons or their lessees, receivers, or trustees insofar as they own, control, operate, or manage taxicabs, hotel buses or school buses, when operated as such;
- (c) Passenger vehicles carrying passengers on a noncommercial enterprise basis;
- (d) Operators of charter boats operating on waters within or bordering this state.

AMENDATORY SECTION (Amending Order R-12, filed 11/28/69)

WAC 480-40-020 LICENSES. ((+)) No motor vehicle shall be operated upon the public highways of this state by any charter party carrier of passengers until the owner or person lawfully in control thereof shall have complied with the laws of this state pertaining to motor vehicle licenses and the rules and regulations of the commission governing the operation of motor vehicles upon the public highways.

AMENDATORY SECTION (Amending Order R-61, filed 12/19/73)

WAC 480-40-030 CERTIFICATES. (1) No ((charter party carrier shall operate, establish, or begin operation for the purpose of transporting persons on the)) person may operate, establish, or engage in the business of a charter party carrier of persons over any public highway((s-off)) in this state, without first having obtained a certificate from the commission.

(2) No certificate will be issued to persons operating under a trade name, unless a certificate of said trade name is filed in accordance with the provisions of chapter 19.80 RCW, and a certified copy thereof filed with the commission.

(3) Certificates must be kept on file at the main office of the owner except when directed to be transmitted to the commission, and shall be subject at all times to inspection by the authorized representatives of the commission.

(4) Any certificate to operate a motor propelled vehicle for the transportation of persons for compensation obtained upon any application by any false affidavit or representation shall be subject to revocation and cancellation by the commission.

(5)(a) No certificate nor any right thereunder ((shall)) may be leased, assigned, or otherwise transferred or encumbered unless authorized by the commission. Requests for such authority shall be on forms to be furnished by the commission, giving all information therein

requested, sworn to before a notary and accompanied by filing fee named in (~~WAC 480-40-030(9)~~) subsection (7) of this section.

(b) No charter party certificate or right to conduct any of the service therein authorized shall be leased, assigned or otherwise transferred except in its entirety unless the portion thereof not to be leased, assigned, or otherwise transferred is to be immediately cancelled (~~PROVIDED, HOWEVER, short term leases under portions of such certificates in the nature of operating agreements, may be approved upon a showing that the same are in the public interest~~).

(6) (a) All applications for original certificates (including extensions of certificates), (~~temporary certificates, renewal or reinstatements of certificates~~) shall be on forms to be furnished by the commission, giving all information therein requested, sworn to before a notary and accompanied by application fee named in (~~WAC 480-40-030(9)~~) subsection (7) of this section.

~~((7) All holders of certificates shall file, after May 15, and not after June 15 of each year, an application for renewal of the certificate. If such filing is made after June 15 the application shall be considered as an application for reinstatement, and the certificate shall expire at the close of June 30 and operations thereunder shall cease and may not be resumed unless and until reinstatement is ordered by the commission. Certificates issued prior to July 1, 1969 under the 1969 amendments to chapter 81.70 RCW, shall expire or be subject to renewal at the close of June 30, 1970. Except as provided above all certificates will expire each year at the close of June 30.~~

(8) An application for a temporary certificate shall be filed separately from an application for certificate, extension or reinstatement, and shall be accompanied by the required fee, EXCEPT, That when applications for an original certificate have been filed on or before June 11, 1969, or when applications for renewal have been filed on or before June 15 of any given year, and the commission is unable to dispose of said original application by June 11, 1969, or a renewal application on or before June 30 of a given year, the commission may, at its discretion, grant all or a portion of the application on a temporary basis without the filing of an additional application and the payment of additional fee.

~~((9)) (b) A certificate shall be issued to any qualified applicant authorizing, in whole or in part, the operations covered by the application if it is found that the applicant is fit, willing, and able to perform properly the service and to conform to the provisions of the laws governing charter party carriers of passengers and the rules and regulations of the commission.~~

(c) Before a certificate is issued, the commission shall require the applicant to meet certain safety requirements and show proof of minimum financial responsibility as set forth in this chapter.

(7) Miscellaneous fees:

Original application for certificate	\$(200.00)
	150.00
Application for extension of certificate	(200.00)
	150.00
((Application for temporary certificate	35.00
Application for renewal or reinstatement of certificate	25.00))
Application to lease, assign, or otherwise transfer or	
((otherwise)) encumber a certificate	150.00
Application for issuance of duplicate certificate	(3.00)
	5.00

~~((10)) (8) All applications for the issuance of a duplicate certificate must be accompanied by affidavit of the holder thereof setting forth that the original certificate has been lost or destroyed.~~

(9) The commission may cancel, revoke, or suspend any certificate issued under this chapter on any of the following grounds:

(a) The violation of any of the provisions of chapter 81.70 RCW;

(b) The violation of an order, decision, rule, regulation, or requirement established by the commission pursuant to the law governing charter party carriers of passengers;

(c) Failure of a charter party carrier of passengers to pay a fee imposed on the carrier within the time required by law;

(d) Failure of a charter party carrier to maintain required insurance coverage in full force and effect; or

(e) Failure of the certificate holder to operate and perform reasonable service.

(10) After the cancellation or revocation of a certificate, or during the period of its suspension, it is unlawful for a charter party carrier of passengers to conduct any operations as such a carrier.

(11) Whenever an order is entered by the commission cancelling or revoking a previous order granting a certificate or cancelling or revoking a certificate already issued (~~or denying renewal of a certificate, or whenever a certificate has expired without being renewed~~), and subsequently an application is made (~~for reinstatement of such order or certificate~~), such application shall be filed in the manner required as for (~~renewal of a certificate together with all additional information as will support reinstatement~~) the original.

(12) Remittances shall be made by money order, bank draft, or check, made payable to the Washington utilities and transportation commission.

AMENDATORY SECTION (Amending Order R-110, filed 10/19/77)

WAC 480-40-040 LIABILITY AND PROPERTY DAMAGE INSURANCE. (1) Within ten days after the date of the order granting an application for certificate, and before such certificate shall issue, the applicant shall file with the commission, evidence of liability and property damage insurance having been written by a company authorized to write such insurance in the state of Washington covering each motor vehicle used or to be used by such applicant in the following sums:

((
(1) Passenger seating capacity	16 or less	17 or more	
(2) Minimum amount for bodily injuries to or death of one person	\$100,000	\$100,000	
(3) Minimum amount for bodily injuries to or death of all persons injured or killed in any one accident (subject to a maximum of not less than \$100,000 for bodily injuries to or death of one person)	\$300,000	\$500,000	
(4) Minimum amount for loss or damage in any one accident to property of others	\$50,000	\$50,000)

	Effective 6/9/88	Effective 6/9/88	Effective 7/1/90	Effective 7/1/90
(1) Passenger seating capacity	16 or less	17 or more	16 or less	17 or more
(2) Minimum amount for bodily injuries to one person	\$100,000	\$100,000	\$100,000	\$100,000
(3) Minimum amount for bodily injuries to all persons injured in any one accident	\$500,000	\$2,500,000	\$1,000,000	\$5,000,000
(4) Minimum amount for loss or damage in any one accident to property of others	\$50,000	\$50,000	\$50,000	\$50,000

Failure to file and keep such insurance in full force and effect shall be cause for dismissal of an application or cancellation of a certificate.

(2) Evidence of insurance shall be submitted on a "uniform motor carrier bodily injury and property damage liability certificate of insurance," filed in triplicate with the commission.

(3) All liability and property damage insurance policies issued to charter party carriers of passengers shall carry a "uniform motor carrier bodily injury and property damage liability endorsement."

AMENDATORY SECTION (Amending Order R-12, filed 11/28/69)

WAC 480-40-050 SELF INSURANCE. (1) Every charter party carrier of passengers which qualifies as a self-insurer under the provisions as set forth in ((RCW 81.68.065)) section 9, chapter 30, Laws of 1988, may upon proper application to the commission be exempt from all provisions relative to liability and property damage insurance under the rules and regulations as herein set forth: PROVIDED, HOWEVER, That with said application shall be filed a certified copy of the order of the Interstate Commerce Commission showing that the said applicant has qualified under the Interstate Commerce Act as a self-insurer; and a further certification that said company was at the time of the application to the Washington utilities and transportation commission operating under the said self-insuring authority; and that the same is now in full force and effect.

(2) Every charter party carrier qualified and acting under the self-insurer provisions of ((RCW 81.68.065)) section 9, chapter 30, Laws of 1988, who may thereafter have all rights as self-insurer cancelled by the Interstate Commerce Commission, shall coincidentally upon the effective date of the order cancelling such right, file with the Washington utilities and transportation commission the proper liability and property damage insurance or surety bond as provided for in WAC 480-40-040(1).

AMENDATORY SECTION (Amending Order R-12, filed 11/28/69)

WAC 480-40-060 EQUIPMENT OF MOTOR VEHICLES. (1) Motor vehicles shall be equipped in accordance with existing state laws, and the rules and regulations of the commission.

(2) For the purpose of identification and information of the public, all motor vehicles, including substitute or emergency vehicles, while being operated under certificate, shall have displayed on each side of such vehicle in a conspicuous place and of such size as to be easily discernible at a distance of at least fifty feet, the number of the certificate under which such vehicle is being operated, preceded by the letters W.U.T.C. Thus:

"W.U.T.C.
CH-....."

((Motor vehicles operating under a Certificate of Public Convenience and Necessity pursuant to chapter 81.68 RCW and thus already displaying a W.U.T.C. number are exempt from this regulation.)) In the event a certificate is revoked or cancelled or the equipment sold the carrier shall immediately remove its certificate number from its vehicles.

(3) Motor vehicles used in the transportation of passengers shall have displayed thereon the company name and number of such vehicle printed in letters of sufficient size and so placed as to be easily discernible.

(4) ((Each motor vehicle used in the transportation of passengers shall have displayed on the front thereof an appropriate sign indicating such vehicle is being operated in "charter" or "special" service in letters not less than three inches in height.

(5)) All motor vehicles shall be maintained in a safe and sanitary condition and shall be at all times subject to inspection by the commission's duly authorized representatives.

((6) All motor vehicles used in the transportation of passengers and having a covered top or top up, shall maintain a light or lights of not less than two candle power each, within the vehicle and so arranged as to light up the whole of the interior thereof, except that portion occupied by the driver.

(7) All motor vehicles used in the transportation of passengers shall be equipped with a standard speedometer or tachometer which shall be maintained in good working order.

(8) Passenger carrying vehicles shall be equipped with a suitable heating system sufficient to keep the same at a comfortable temperature for its patrons.

(9) All motor vehicles used in the transportation of passengers shall be equipped with a fire extinguisher of pump or stored pressure type, suitable for attachment to motor vehicles and bearing the label of approval by the Underwriters Laboratories, Incorporated, and shall be kept in good working condition at all times.))

AMENDATORY SECTION (Amending Order R-244, Cause No. TV-1913, filed 11/7/85)

WAC 480-40-070 OPERATION OF MOTOR VEHICLES. (1) All motor vehicles shall be operated in accordance with the requirements of existing state laws and no driver or operator thereof shall operate the same in any other than a careful and prudent manner, nor at any greater speed than is reasonable or proper, having due regard to the traffic and use of the highway by others, or so as to endanger the life and limb of any person.

(2) Qualifications of drivers. Adoption of United States Department of Transportation motor carrier safety regulations. The rules and regulations governing qualifications of drivers prescribed by the United States Department of Transportation in Title 49, Code of Federal Regulations, part 383 except part 383.5(b), part 391, excluding paragraphs (a) and (b) of section 391.2, section 391.69, subparagraph (2) of paragraph 391.71(a), and subparagraph (4) of paragraph 391.71(b); as well as and including all appendices and amendments thereto, in effect on January 1, 1983, are adopted and prescribed by the commission to be observed by all charter party carriers of passengers operating under chapter 81.70 RCW except:

(a) ((The minimum age requirement for drivers prescribed in subparagraph (1) of paragraph 391.11(b) shall be eighteen years of age.

(b)) With respect to the limited exemption prescribed in section 391.61, the time period identified therein shall be the period of time prior to the effective date of this rule.

((c)) (b) With respect to the limited exemptions prescribed in sections 391.65 and 391.71, the time periods identified in these sections shall have as a starting date the effective date of this rule.

(3) ((No driver or operator of a motor vehicle carrying passengers shall smoke any cigar, cigarette, tobacco or other substance in such vehicle during the time he is driving the vehicle.

(4) No driver or operator of a motor vehicle shall create any disturbance or unnecessary noise to attract persons to the vehicle.

(5)) The rules and regulations relating to drivers' logs and drivers' hours of service adopted by the United States Department of Transportation in Title 49, Code of Federal Regulations, Part 395, as well as and including all appendices and amendments thereto in effect on January 1, ((1985)) 1988, are adopted and prescribed by the commission to be observed by all charter party carriers of passengers operating under chapter 81.70 RCW ((except that the radius distance identified in paragraph (f) of section 395.8 shall be one hundred miles)).

((6) No motor vehicle used in the transportation of persons shall carry more persons than one hundred fifty percent of its rated carrying capacity but no passenger shall be required to stand for a distance in excess of twenty miles. The commission may amend, rescind or grant exceptions to this rule in the event of emergency.

(7) Except when specially authorized by the commission, no motor vehicle used in the transportation of passengers shall be operated or driven with any trailer or other vehicle attached thereto; except in case a vehicle becomes disabled while on a trip and is unable to be operated by its own power, such disabled vehicle may be towed without passengers to the nearest point where repair facilities are available. No right-hand drive vehicle shall be used except by special authorization of the commission and then only when equipped as directed by it.

(8)) (4) Accidents occurring in this state arising from or in connection with the operations of any charter party carrier of passengers operating under chapter 81.70 RCW resulting in an injury to any person, or the death of any person shall be reported by such carrier to the commission as soon as possible, but in no event later than twelve hours after the occurrence of the accident. The occurrence of such accidents shall be reported to the commission by telephone at the following numbers: 1-800-562-6150; or if the call is made from out of the state: ((+206-753-6411)) 1-206-586-1119. Copies of written reports of all accidents, including those described in this section, shall be maintained in the main office of the carrier subject to inspection by the commission.

((9) Charter party carriers transporting passengers shall maintain busses in a clean and sanitary condition and shall make such stops as shall be necessary to care properly for the comfort of their patrons.

(~~10~~)) (5) Whenever the designations "director, bureau of motor carrier safety," "director, regional motor carrier safety office," "regional highway administrator," and "federal highway administration" are used in the respective parts of Title 49, Code of Federal Regulations, as described in subsections (2) and (~~(5)~~) (3) of this section, such designations for the purpose of this rule shall mean the "Washington utilities and transportation commission."

AMENDATORY SECTION (Amending Order R-198, Cause No. TCH-1685, filed 2/23/83)

WAC 480-40-075 EQUIPMENT—SAFETY. In addition to other laws and regulations of this state, all motor vehicles operating under chapter 81.70 RCW shall comply with the following:

(1) Adoption of United States Department of Transportation motor carrier safety regulations. The rules and regulations governing motor carrier safety prescribed by the United States Department of Transportation in Title 49, Code of Federal Regulations, part 390.17, part 392, excluding section 392.2 and paragraph (c) of section 392.1; part 393, excluding paragraph (b) of section 393.1, and sections 393.13, 393.14, 393.15, 393.16, 393.76, 393.100, 393.102, 393.104, 393.106; part 396, except that with respect to section 396.11 no driver vehicle inspection report need be filed if no defects are found, and excluding paragraph (b) of section 396.1; part 397, excluding section 397.21 and paragraph (c) of section 397.1; as well as and including all appendices and amendments thereto, in effect on January 1, (~~1983~~) 1988, are adopted and prescribed by the commission to be observed by all charter party carriers of passengers operating under chapter 81.70 RCW.

(2) Whenever the designations "director, bureau of motor carrier safety," "director, regional motor carrier safety office," "regional highway administrator," and "federal highway administration" are used in the respective parts of Title 49, Code of Federal Regulations, as described in subsection (1) of this section, such designations for the purpose of this rule shall mean the "Washington utilities and transportation commission."

NEW SECTION

WAC 480-40-110 REGISTERED CARRIERS. (1) Carriers engaged exclusively in interstate or foreign commerce are declared to be registered carriers. Those operating under authority issued by the Interstate Commerce Commission shall have their registration number prefixed by "CH". Registered carriers need only comply with such rules and regulations as specifically refer to them or to equipment operated exclusively in interstate commerce across or between points in the state and points outside of the state.

(2) By reference, the Washington utilities and transportation commission hereby adopts the rules promulgated by the National Association of Regulatory Utility Commissioners and adopted by the Interstate Commerce Commission under PL 89-170 and codified as Part 1023 of Title 49, Code of Federal Regulations.

(3) Registered carriers may meet insurance requirements by filing with the Washington utilities and transportation commission a certificate of insurance.

NEW SECTION

WAC 480-40-120 REGISTRATION OF INTERSTATE AUTHORITY. (1) It shall be unlawful for any charter party carrier of passengers to perform a transportation service for compensation upon the public highways of this state without first having secured appropriate authority from the Interstate Commerce Commission, if such authority is required, and without first having registered such authority, if any, with the commission.

(2) Such registration shall be granted upon application, without hearing, upon payment of the appropriate filing fee. Applications to register ICC operating authority with the commission shall be accompanied by the fee of twenty-five dollars for charter party carriers of passengers who have not previously filed currently effective applications for such registration.

NEW SECTION

WAC 480-40-130 IDENTIFICATION CARDS. (1) No motor vehicle operated by a charter party carrier of passengers upon the

highways of this state shall be so operated without having available within the vehicle a valid identification cab card properly signed and with appropriate stamp affixed or equivalent thereof. Such identification card shall be subject to inspection by the commission's representatives at all times.

(2) An application for sufficient number of identification stamps shall be filed with the commission, accompanied by the necessary stamp and regulatory fee. The cost of the stamp shall be three dollars.

(3) The regulatory fee shall be seven dollars per vehicle. Under section 15, chapter 30, Laws of 1988, the annual regulatory fee shall be established by the commission but not to exceed the cost of supervising and regulating such carriers.

(4) In lieu of the payment of a full regulatory fee for each vehicle operated upon the public highways of the state of Washington, the regulatory fee may, at the request of the carrier, be paid on the basis of the following option:

Lump sum regulatory fee payment. Carriers who operate fleets in excess of fifty motor power vehicles upon the public highways of the state of Washington may elect to pay a lump sum regulatory fee based on the number of vehicles operated during the previous year, at the regulatory fee established by general order of the commission entered before November 1st of any year.

(5) Charter party carriers of passengers engaged exclusively in casual or occasional interstate or foreign commerce across or between points in the state and points outside the state may, as an alternative to all other requirements of this chapter, obtain a single trip transit permit, valid for ten days authorizing one trip, entering or across the state. This permit will be issued upon payment of a fee of ten dollars. The carrier must provide the name and policy number or binder of the insurance company with whom the carrier has insurance which meets the provisions of WAC 480-40-040.

(6) No refund will be made on unused stamps.

(7) Any "lost stamps" will be replaced only at full stamp and regulatory fee: PROVIDED, HOWEVER, That in unusual circumstances the commission may, by order, waive all or a portion of the replacement cost.

(8) Each carrier shall obtain from the Washington utilities and transportation commission or from the National Association of Regulatory Utility Commissioners a sufficient number of blank identification cab cards to satisfy its requirements.

(9) All identification cab cards and stamps issued for a particular calendar year expire January 31 of each succeeding year. However, a stamp may be issued for the ensuing calendar year on or after the first day of October preceding, and may be used from the date of issue.

(10) An identification cab card may be reassigned to a substitute vehicle (power unit) only when the original vehicle has been destroyed or is being permanently withdrawn from the ownership or possession of the permittee.

NEW SECTION

WAC 480-40-140 CARDS—RETURN REQUIRED—LOSS OF; IMPROPER USE OF CARDS OR STAMPS. (1) Upon revocation of a permit or cessation or abandonment of service under a permit, or when equipment is repossessed, the holder thereof shall immediately return to the commission the original permit, together with identification cab cards.

(2) The loss of identification cab cards and/or stamps shall be immediately reported to the commission.

(3) The use of an identification cab card by any person or firm other than the carrier to whom the stamp was issued is unlawful.

(4) The use of an identification cab card without the appropriate stamp firmly affixed is unlawful.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 480-40-033 EQUIPMENT OPERATED.
WAC 480-40-036 RECORDS.
WAC 480-40-039 TARIFFS.
WAC 480-40-080 FEES AND GROSS OPERATING REVENUE.
WAC 480-40-090 RULES AND REGULATIONS.

WSR 88-15-073
PROPOSED RULES
BASIC HEALTH PLAN
 [Filed July 20, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington Basic Health Plan intends to adopt, amend, or repeal rules concerning this notice proposes to establish new chapter 55-01 WAC, Washington Basic Health Plan (BHP), and several new sections within that chapter. These rules address the health care benefits to be made available to the public through the BHP, the basis upon which premium charges will be established, and the process whereby individuals may apply for enrollment. Eligibility for enrollment and reasons for disenrollment are also addressed. Procedures for the resolution of disputes are described, as are provisions whereby the administrator may contract with managed health care systems. An additional section defines terms to be used in the rules;

that the agency will at 9:00 a.m., Tuesday, August 23, 1988, in the House Office Building, Hearing Room B, 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 September 1, 1988.

The authority under which these rules are proposed is RCW 70.47.050.

The specific statute these rules are intended to implement is chapter 70.47 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before August 23, 1988.

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:

Marc E. Provence
 Director of Operations
 Washington Basic Health Plan
 400 East Union, ER-15
 Olympia, WA 98504
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Dated: July 20, 1988
 By: Thomas L. Kobler
 Administrator

STATEMENT OF PURPOSE

Title and Number of Rule Section(s) or Chapter(s): Chapter 55-01 WAC, Washington Basic Health Plan, includes WAC 55-01-001 Authority; 55-01-010 Definitions; 55-01-020 Schedule of benefits; 55-01-030 Premiums; 55-01-040 Eligibility; 55-01-050 Enrollment in the plan; 55-01-060 Disenrollment from the plan; 55-01-070 Fair hearings; and 55-01-080 Contracts with managed health care systems.

Statutory Authority: RCW 70.47.050.

Specific Statute that the Rule is Intended to Implement: Chapter 70.47 RCW.

Summary of the Rule(s): This notice proposes to establish new chapter 55-01 WAC, Washington Basic Health Plan (BHP), and several new sections within that chapter. These rules address the health care benefits to be made available to the public through the BHP, the basis upon which premium charges will be established, and the process whereby individuals may apply for enrollment. Eligibility for enrollment and reasons for disenrollment are also addressed. Procedures for the resolution of disputes are described, as are provisions whereby the administrator may contract with managed health care systems. An additional section defines terms to be used in the rules.

Reasons Supporting the Proposed Rule(s): The Washington Basic Health Plan intends to begin accepting applications for enrollment within the next several months. These rules are necessary in order to establish the basis upon which members of the public may seek to enroll in the BHP and managed health care systems may seek to contract with the BHP.

Agency Personnel Responsible for Drafting: Marc E. Provence, Director of Operations, Washington Basic Health Plan, 400 East Union, ER-15, Olympia, WA 98504, (206) 586-5332; Implementation and Enforcement: Thomas L. Kobler, Administrator, Washington Basic Health Plan, 400 East Union, ER-15, Olympia, WA 98504, (206) 586-5332.

Name of the Person or Organization Whether Private, Public, or Governmental, that is Proposing the Rule: Washington Basic Health Plan.

Agency Comments or Recommendations, if any, Regarding Statutory Language, Implementation, Enforcement and Fiscal Matters Pertaining to the Rule: The general purpose of these rules is to implement a health plan designed to enroll a limited number of low-income, uninsured residents of the state of Washington in a program of basic health care services provided through managed health care systems. The Washington Basic Health Plan (hereinafter referred to as "plan") was established by the legislature in 1987 with strict limits to its size and geographic scope, such limits to be removed only by the legislature based on satisfactory evidence derived from program operations. In order to assure the administrator the ability to develop and demonstrate a successful program to the satisfaction of the legislature, flexibility in program design and development is essential. Consequently, these rules are intended to address certain basic components of the program. Further program components will be developed by the

plan in the form of policy statements, guidelines, manuals and other appropriate materials. It is expected that these rules will not generate significant expense for those who comply, but will facilitate the enjoyment of basic health care services by members of the public who qualify for enrollment.

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

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

Small Business Economic Impact Statement: Not applicable.

Chapter 55-01 WAC
WASHINGTON BASIC HEALTH PLAN

WAC

55-01-001	Authority.
55-01-010	Definitions.
55-01-020	Schedule of benefits.
55-01-030	Premiums.
55-01-040	Eligibility.
55-01-050	Enrollment in the plan.
55-01-060	Disenrollment from the plan.
55-01-070	Hearings and grievances.
55-01-080	Contracts with managed health care systems.

NEW SECTION

WAC 55-01-001 AUTHORITY. The administrator's authority to promulgate and adopt rules is contained in RCW 70.47.050.

NEW SECTION

WAC 55-01-010 DEFINITIONS. The following definitions apply throughout this chapter.

(1) "Administrator" means the Washington basic health plan administrator.

(2) "Copayment" means a payment indicated in the schedule of benefits which is made by an enrollee to a managed health care system, physician, hospital, or other provider of care for covered services provided to the enrollee.

(3) "Covered services" means those services which an enrollee is entitled to receive in exchange for payment of premium and applicable copayments, which services are included in the plan's schedule of benefits, and any additional services designated in the contract between a participating managed health care system and the plan.

(4) "Dependent children" means an enrollee's unmarried natural child, stepchild, or legally adopted child, who:

(a) Is a dependent of the enrollee as defined by the Internal Revenue Code; and

(b) Is either (i) younger than age nineteen, or (ii) younger than age twenty-three and qualifies as a "student dependent" as defined by the Internal Revenue Code.

(5) "Enrollee" means an individual, or an individual plus the individual's spouse and/or dependent children, all under the age of sixty-five and not otherwise eligible for Medicare, who resides in an area of the state served by a managed health care system participating in the plan, whose gross family income at the time of enrollment does not exceed twice the federal poverty level as adjusted for family size and determined annually by the Federal Department of Health and Human Services, and who chooses to obtain basic health care coverage from a particular managed health care system in return for premium payments to the plan.

(6) "Family" means an individual enrollee or an individual enrollee and the enrollee's spouse, if not legally separated, and the enrollee's dependent children.

(7) "Grievance procedure" means the formal process for resolution of problems or concerns raised by enrollees which cannot be resolved in an informal manner to the enrollee's satisfaction. "Grievance" means a problem or concern presented for resolution through a grievance procedure.

(8) "Gross family income" means the total income of all members of an enrollee's family, regardless of whether those family members enroll in the plan. For purposes of this definition, "income" includes but is

not limited to wages and salaries, net income from rentals or self-employment, tips, interest income, dividends, royalties, pensions, and Social Security benefits.

(9) "Managed health care system" means any health care organization, including health care providers, insurers, health care service contractors, health maintenance organizations, or any combination thereof, that provides directly or by contract basic health care services, as defined by the administrator and rendered by duly licensed providers, on a prepaid capitated basis to a defined patient population enrolled in the plan and in the managed health care system.

(10) "Medicare" means "Health Insurance for the Aged and Disabled" at Title XVIII of the Federal Social Security Act, as amended.

(11) "Participating," when referring to a managed health care system, means one that has entered into a contract with the plan to provide covered services to enrollees. When referring to a health care provider, "participating" means one who has entered into a contract with a participating managed health care system.

(12) "Premium" means a periodic payment, based upon gross family income and determined under RCW 70.47.060(2), which an enrollee makes to the plan in consideration for enrollment in the plan.

(13) "Rate" means the per capita amount, negotiated by the administrator with and paid to a participating managed health care system, that is based upon the enrollment of enrollees in the plan and in that system.

(14) "Service area" means the geographic area served by a participating managed health care system as defined in its contract with the plan.

(15) "Schedule of benefits" means the basic health care services adopted and from time to time amended by the administrator, which enrollees shall be entitled to receive from participating managed health care systems.

(16) "Subsidy" means the difference between the rate paid by the administrator, from funds appropriated from the basic health plan trust account, to a managed health care system on behalf of an enrollee and the enrollee's premium responsibility.

(17) "Washington basic health plan" or "plan" means the system of enrollment and payment on a prepaid capitated basis for basic health care services, administered by the plan administrator through participating managed health care systems, created by chapter 70.47 RCW.

NEW SECTION

WAC 55-01-020 SCHEDULE OF BENEFITS. The administrator shall design and from time to time revise a schedule of benefits which shall include such physician services, inpatient and outpatient hospital services, and other services as determined by the administrator to be necessary for basic health care and which enrollees shall be entitled to receive in return for premium payments to the plan. The schedule of benefits may include copayments, limitations, and exclusions which the administrator determines are appropriate and consistent with the goals and objectives of the plan. In designing and revising the schedule of benefits, the administrator will consider the effects of particular benefits, copayments, limitations, and exclusions on access to necessary basic health care services, as well as the cost to enrollees and to the state, and will also consider generally accepted practices of the health insurance and managed health care industries. Prior to enrolling in the plan, each applicant will be given a complete written description of covered benefits, including all copayments, limitations, and exclusions. Enrollees will be given at least thirty days prior written notice of any planned revisions to the benefit package and the accompanying premiums. For purposes of this provision, notice shall be deemed complete upon depositing the written revisions in the United States mail, first class postage paid, directed to the enrollee at the enrollee's last address on file with the administrator. The administrator will make available a separate schedule of benefits for children, eighteen years of age and younger, for those who choose to enroll only their dependent children in the plan.

NEW SECTION

WAC 55-01-030 PREMIUMS. (1) The administrator shall develop, and may revise, a schedule of periodic premium payments to be made by enrollees to the plan. The amount of premium payable by any enrollee will be based upon the enrollee's gross family income and rates payable to participating managed health care systems, and may vary with the number and ages of individuals enrolled from a given family. The administrator will establish a sliding scale of premium payments. A complete description of the sliding premium scale will accompany

the benefits description and application for enrollment provided to prospective enrollees.

(2) Based on the information provided by an enrollee on the application for enrollment, and any other information obtained by the plan, the enrollee will be informed of the premium amount due. Enrollees will be given at least thirty days prior written notice of any revisions to the sliding premium scale. For purposes of this provision, notice shall be deemed complete upon depositing the written revisions in the United States mail, first class postage paid, directed to the enrollee at the enrollee's last address on file with the administrator. Each enrollee or family shall be responsible for notifying the plan within thirty days of any change in gross family income or family size, so that their premium may be recalculated, if necessary.

(3) The administrator will establish a procedure for the regular prepayment of premiums by enrollees. To assure uninterrupted coverage of enrollees, the plan shall, at the time of enrollment, require prepayment of one month's additional premium. Any such additional premium which is unused at the time of disenrollment shall be refunded to the enrollee.

NEW SECTION

WAC 55-01-040 ELIGIBILITY. (1) To be eligible for enrollment in the plan, an individual must:

- (a) Be under age sixty-five;
- (b) Not be eligible for Medicare;
- (c) Reside within the service area of a participating managed health care system; and
- (d) Have a gross family income at the time of enrollment that does not exceed two hundred percent of the federal poverty level as adjusted for family size and determined annually by the Federal Department of Health and Human Services.

Persons not meeting all of these criteria, as evidenced by information submitted on the application for enrollment or otherwise obtained by the plan, will not be enrolled. An enrollee who subsequently fails to meet all of the criteria will be disenrolled from the plan in accordance with procedures established by the administrator—except that an enrollee whose gross family income exceeds twice the federal poverty level may continue as an enrollee for up to six months, provided all other criteria are met and provided that the enrollee pays a monthly premium equal to the rate stated in the contract between the plan and the participating managed health care system selected by the enrollee.

(2) The administrator shall establish policies with regard to the loss of eligibility for enrollment in the plan, which shall include procedures for the timely notification of enrollees and enrollee rights to appeal findings of ineligibility. Such policies shall be clearly set forth in materials provided to new enrollees and to others upon request.

(3) The plan may, at any time, request information from an enrollee for the purpose of verifying eligibility. Failure to comply within the time designated in the request or, if no time is designated, then promptly, may subject the enrollee to disenrollment or other penalties as may be established by the plan.

(4) Enrollees otherwise eligible will be enrolled in the order in which applications for enrollment are processed by the plan. An individual otherwise eligible for enrollment in the plan may be denied enrollment if the administrator has determined that acceptance of additional enrollment in a given service area would exceed limits established by the legislature, would jeopardize the orderly development of the plan in that service area, or would result in an overexpenditure of plan funds.

NEW SECTION

WAC 55-01-050 ENROLLMENT IN THE PLAN. (1) Any individual may apply for enrollment in the plan by completing and submitting the plan's application for enrollment.

(2) Each applicant shall complete and sign the application for enrollment, listing family members to be enrolled and supplying such other information as required by the plan. Submission of incomplete or inaccurate information may delay an applicant's enrollment in the plan.

(3) Each applicant for enrollment shall designate a participating managed health care system from which the applicant and enrolled family members will receive all covered services. The administrator will establish procedures for the selection of managed health care systems, which will include conditions under which an enrollee may

change from one managed health care system to another. Such procedures will allow enrollees to change from one managed health care system to another once annually, or otherwise upon showing of good cause for the transfer.

(4) Applications for enrollment will be reviewed by the plan and those applicants satisfying the eligibility criteria will be notified of the date upon which they may begin receiving services from the plan.

(5) The plan may, at any time, request additional or updated information from or on behalf of applicants or enrollees. Failure to comply with such requests in a timely manner may result in delay or loss of enrollment.

NEW SECTION

WAC 55-01-060 DISENROLLMENT FROM THE PLAN. (1) An enrollee may disenroll at any time; however, the administrator shall establish provisions whereby disenrolled individuals may be ineligible for reenrollment in the plan for a specified period of time. The administrator shall also establish procedures for notice by an enrollee of a disenrollment decision, including the date upon which disenrollment shall become effective. Nonpayment of premium by an enrollee may be considered an indication of the enrollee's intention to disenroll from the plan.

(2) Bases for disenrollment of an enrollee by the plan may include, but shall not be limited to, the following: Nonpayment of premium; fraud or abuse; failure to comply with physicians' instructions and advice; failure to meet eligibility criteria; and such other reasons specified by the administrator consistent with the objectives of the program. The plan shall provide an enrollee with advance written notice of its intent to disenroll the enrollee. Such notice shall specify an effective date of disenrollment, which shall be at least fifteen days from the date of the notice, and shall describe the procedures for disenrollment, including the enrollee's right to appeal the disenrollment decision. Prior to the effective date specified, if the enrollee requests a hearing as provided in WAC 55-01-070, disenrollment shall become effective on the date, if any, established as a result of the hearing.

(3) Any applicant for enrollment in the plan who knowingly provides false information on the application for enrollment may be immediately disenrolled and may be held financially responsible for any covered services obtained from the plan. The administrator may apply other available remedies as well.

NEW SECTION

WAC 55-01-070 HEARINGS AND GRIEVANCES. The plan will develop procedures for the expeditious resolution of enrollees' grievances, and will require participating managed health care systems to do the same.

(1) If an enrollee has a grievance pertaining to a managed health care system, the enrollee shall exhaust the managed health care system's grievance procedure prior to requesting consideration of the grievance by the plan. The managed health care system's grievance procedure shall provide for expeditious resolution by managed health care system personnel with authority to require corrective action. There shall be a written reply from the managed health care system stating either the decision and its basis, or the reasons for failure to reach a decision, within thirty days of receipt of the written grievance. An enrollee has the right to request consideration of the grievance by the administrator if the decision is adverse or if a written decision is not received within thirty days from the date the managed health care system received the written grievance.

(2) If an enrollee has a grievance pertaining to the administrator or the plan, the enrollee may submit the grievance to the administrator for resolution by the plan's grievance procedure. A written description of the plan's grievance procedure will be provided to the enrollee upon enrollment, or at any time upon request. In cases where a managed health care system denies medical services an enrollee believes are urgently needed, the enrollee may file a grievance simultaneously with the managed health care system and the plan.

(3) An individual whose application for enrollment in the plan is denied or an enrollee who is involuntarily disenrolled by the plan may request a hearing under chapters 34.04 and 34.12 RCW in order to contest the plan's decision.

(4) A managed health care system may contest the denial of payment for coverage of an enrollee through a hearing under chapters 34.04 and 34.12 RCW.

NEW SECTION

WAC 55-01-080 CONTRACTS WITH MANAGED HEALTH CARE SYSTEMS. (1) The administrator may contract with any managed health care system which, in the opinion of the administrator, qualifies for participation in the plan. The administrator shall establish, and may from time to time revise, minimum standards to be satisfied by participating managed health care systems.

(2) No managed health care system may participate in the plan without entering into a written contract with the plan.

(3) The administrator shall develop procedures for the resolution of disputes between the plan and managed health care systems which will be set forth in the contract.

WSR 88-15-074**PROPOSED RULES****DEPARTMENT OF COMMUNITY DEVELOPMENT
(Division of Emergency Management)**

[Filed July 20, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Community Development intends to adopt, amend, or repeal rules concerning hazardous chemical emergency response planning and community right-to-know reporting, chapter 118-40 WAC. The proposed regulations set out the organizational mechanisms and operating procedures by which the state will comply with federal requirements pertaining to hazardous chemical emergencies and public access to hazardous chemical storage information;

that the agency will at 10:00 a.m., Tuesday, August 30, 1988, in the General Administration Building Conference Room, 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 August 31, 1988.

The authority under which these rules are proposed is RCW 38.52.030(2) and 38.52.050 (3)(a).

The specific statute these rules are intended to implement is Title III of the Superfund Amendments and Reauthorization Act of 1986, (P.L. 99-499).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before August 30, 1988.

Dated: July 20, 1988

By: Linda Dupont-Johnson
Deputy Director**STATEMENT OF PURPOSE**

Title: Chapter 118-40 WAC, Hazardous chemical emergency response planning and community right-to-know reporting.

Statutory Authority: RCW 38.52.030(2) and 38.52-.050 (3)(a).

Specific Statute Rule is Intended to Implement: Title III of the Superfund Amendments and Reauthorization Act (SARA) of 1986 (P.L. 99-499).

Summary of Rule: The regulations set out the organizational mechanisms and operating procedures by which the state will comply with federal requirements pertaining to hazardous chemical emergencies and community right-to-know reporting.

Reasons Supporting Proposed Action: The proposed regulation is necessary to organize and operate an effective hazardous chemical emergency response program in the state, and to provide public access to information regarding the storage and use of hazardous chemicals at sites located adjacent to local communities.

Agency Personnel Responsible for Drafting and Implementation: Kate Heimbach, Assistant Director, Division of Emergency Management, Department of Community Development, 4220 East Martin Way, PT-11, Olympia, WA 98504-8611.

Person or Organization Proposing Rule: Department of Community Development, state government.

Agency Comments: None.

Whether Rule is Necessary as a Result of Federal Law or State Court: Necessary under Title III of the Superfund Amendments and Reauthorization Act (SARA) of 1986 (P.L. 99-499).

SMALL BUSINESS IMPACT STATEMENT CHAPTER 118-40 WAC

The Regulatory Fairness Act, Chapter 19.85 RCW, requires that rules which have an economic impact on more than 20 percent of all industries or more than 10 percent of the businesses in any one industry be reviewed and altered to minimize their impact on small business. This statement examines the impact on small business of the proposed rules in Chapter 118-40 of the WAC which implement the emergency planning and community right-to-know provisions in Title III of the Superfund Amendment and Reauthorization Act passed by the U.S. Congress in 1986. The State of Washington has no discretion to modify the requirements so as to minimize their impact on small business since it is simply implementing a national requirement. However, that national requirement does contain provisions (especially in Section 313) designed to minimize the impact on small business.

Sections 302, 303, and 304: Emergency Response Planning

The emergency planning provisions of Title III which affect private industry (Sections 302, 303, and 304) require owners and/or operators of facilities to provide information about the possession or use of certain toxic chemicals to local government agencies to enable them to develop emergency planning and response capabilities. Information about which industries are likely to possess or use these chemicals in sufficient quantities to require reporting under these sections has been developed by a contractor to the U.S. Environmental Protection Agency.¹ The proportion of establishments in each 2-digit SIC category that is likely to have reportable chemicals is multiplied by the number of establishments in Washington in each SIC category to obtain the estimates of covered establishments in Table 1. Only 13 percent of all Washington establishments are estimated to have reportable quantities of chemicals under these sections, a number that is significantly lower than the national level of 22 percent due to the distribution of industries present in this state. However, more than 10 percent of several SIC categories are estimated to have reportable quantities of chemicals, thus triggering the provisions of the Regulatory Fairness Act.

The EPA study also contains estimates (shown below) of the costs of compliance with Sections 302, 303, and 304 for small (10 or fewer employees) and larger (more than 10 employees) establishments. These cost estimates, divided by the mid-point of each employment class, result in the cost per employee estimates below:

Sections 302, 303, and 304: Emergency Response Planning

Estimated Total Annual Compliance Cost

No. of Employees	<10	10 or more
Total Cost	\$545.60	\$2744.70

Estimated Annual Compliance Cost per Employee

No. of Employees	1-9	10-49	50-499	500+
Cost per Employee	\$109.12	\$91.49	\$9.98	\$2.74

¹Regulatory impact analysis in support of rulemaking under Sections 302, 303, and 304 of Title III of Superfund Amendments and Reauthorization Act of 1986. Report by ICF Inc. for U.S. EPA, April 10, 1987.

Compliance costs per employee decline sharply as the size of the establishment increases. While total cost for small firms is lower than for larger firms, the cost per employee is higher due to the fixed cost nature of the reporting requirements.

Sections 311 and 312: Community Right-to-Know

The community right-to-know provisions require the owners and/or operators of manufacturing facilities to provide information about the nature, quantity, and location of chemicals manufactured, processed, stored or used at their facility sites. Table 2 provides an estimate of the number of Washington establishments covered by these sections. Table 3 provides estimates of compliance costs per facility in each SIC and employment size class once these sections are fully implemented in 1989. Table 4 presents the cost estimates on a per employee basis using the mid-point of each size class. While the estimated annual costs per employee for compliance with Sections 311 and 312 do decline as the size of firm increases, the estimated costs per employee are so small in all size classes as to be inconsequential.

Section 313: Toxic Chemical Release Reporting

Section 313 requires annual reports of toxic chemical releases from manufacturing firms with 10 or more full-time employees. Table 5 provides an estimate of the number of establishments in Washington that are potentially covered by this section classified by SIC and size of establishment. Two types of costs are potentially incurred under this section: compliance determination costs and release reporting costs.

EPA's regulatory analysis² states that certain costs for determining if compliance activities are required will be borne by all covered manufacturers. Compliance determination is estimated by EPA to cost \$1,195 in the first year during which this section applies, and \$298.80 annually thereafter.

According to the EPA study, only 21.7 percent on average of the covered establishments shown in Table 5 will in fact experience reportable releases in a given year. EPA assumes that an average of 10 reportable releases will be experienced by the 21.7 percent of establishments with such releases. The annual costs of compliance with Section 313 for those establishments experiencing reportable releases are estimated by EPA to total \$12,824 in 1989, and \$6,552 each year thereafter.

In Washington, the estimated compliance costs per employee are as follows:

²U.S. Environmental Protection Agency, "Toxic chemical release reporting: Community right-to-know," Federal Register, Vol. 53, No. 30, Thursday, February 16, 1988, pp. 4500-4525.

Section 313: Release Reporting Estimated Annual Costs of Compliance per Employee

All Covered Establishments: Compliance Determination Costs

Year	10-49	50-499	500+
1989	\$39.83	\$5.31	\$1.20
Thereafter	\$9.93	\$1.32	\$0.30

Establishments with Reportable Releases

Year	10-49	40-499	500+
1989	\$427.47	\$57.00	\$12.82
Thereafter	\$218.40	\$29.12	\$6.55

The costs of Section 313 compliance determination which apply to all covered manufacturing facilities are not large enough to be a concern for the smallest establishments that are covered under this section. The costs of reporting spills are large enough to be of concern to these firms. However, since those establishments with less than 10 employees are excluded from this reporting requirement, the costs are not likely to cause significant financial problems for owners of these firms. In addition, the direct costs of cleaning up the spill are likely to be far greater than the reporting cost.

Covered Firm Total Cost Estimates

A small sample of Washington establishments who have notified the state that they use or possess reportable quantities of toxic chemicals under Section 302-304 was interviewed to obtain estimates of the costs of complying with all sections covered by this report. While the sample of establishments was too small for statistical analysis purposes, the local sample does provide some evidence to cross-check with the EPA cost estimates. Not all establishments contacted were able to provide cost estimates. A total of six establishments engaged in manufacturing and distribution activities provided estimates of total compliance costs and the number of employees at these facilities. Estimated costs per employee ranged from \$1.60 for a food processor to \$2,777 for a rubber products manufacturer. The median cost per employee was \$158 for a firm with 136 employees. The sum of EPA's cost estimates for all sections of Title III for this size firm is \$102 per employee, generally of the same magnitude as the median Washington establishment estimate.

Summary

The total impacts on business for emergency response planning, community right-to-know, and toxic chemical release reporting are greater for larger facilities than for smaller ones. However, on a per employee basis, compliance costs for smaller establishments are greater than for large ones. For most small establishments in Washington, the costs of complying with these rules will not cause great financial difficulty because the costs in total will be relatively small. Only those facilities that experience frequent reportable releases are likely to see significant financial impacts associated with these rules, and in this situation, the smallest size class (less than 10 full-time employees) is exempted from the reporting requirement. Because the State of Washington is implementing federal regulations, the State has no discretion to modify the requirements to reduce the impacts on small businesses.

Table 1: Estimated Number of Establishments in Washington Covered under Sections 302, 303, and 304

SIC	Number of Establishments By number of empl.					Proportion Covered	Estimated Number of Covered Establishments By number of employees				
	Total	1-9	10-49	50-499	500+		Total	1-9	10-49	50-499	500+
7	1510	1344	143	23	0	0.91	1,368	1,218	129	20	0
8	164	120	32	12	0	0.20	32	24	6	2	0
9	224	184	22	2	0	0.80	179	147	17	1	0
10	37	31	4	2	0	0.50	18	15	2	1	0
11	0	0	0	0	0	0.72	0	0	0	0	0
12	10	4	3	2	1	0.72	7	2	2	1	0
13	44	35	7	2	0	0.38	16	13	2	0	0
14	106	76	28	2	0	0.12	12	9	3	0	0
15	4304	3808	429	64	3	0.25	1,076	952	107	16	0
16	745	519	181	44	1	0.25	186	129	45	11	0
17	5898	4906	904	88	0	0.28	1,663	1,383	254	24	0
20	546	227	178	134	7	0.90	491	204	160	120	6
21	1	1	0	0	0	0.50	0	0	0	0	0
22	35	21	9	5	0	0.50	17	10	4	2	0
23	229	140	63	25	1	0.30	68	42	18	7	0
24	1593	1021	413	154	5	0.10	159	102	41	15	0
25	193	114	58	21	0	0.05	9	5	2	1	0
26	105	21	31	45	8	0.30	31	6	9	13	2
27	957	644	254	56	3	0.40	382	257	101	22	1
28	153	77	56	18	2	1.00	153	77	56	18	2
29	30	12	9	9	0	0.90	26	10	8	8	0
30	196	96	68	31	1	0.90	176	86	61	27	0
31	25	12	11	2	0	0.80	20	9	8	1	0
32	299	167	99	32	1	0.30	89	50	29	9	0
33	101	39	24	30	8	0.75	75	29	18	22	6
34	539	294	191	53	1	0.90	485	264	171	47	0
35	749	485	205	57	2	0.80	599	388	164	45	1
36	288	151	92	39	6	0.75	216	113	69	29	4
37	334	182	107	35	10	0.80	267	145	85	28	8
38	150	91	44	11	4	0.75	112	68	33	8	3
39	327	222	87	18	0	0.50	163	111	43	9	0
41	156	92	48	16	0	0.10	15	9	4	1	0
42	1848	1316	452	79	1	0.32	583	415	142	24	0
44	273	198	53	18	4	0.10	27	19	5	1	0

[142]

Table 1 (continued)

SIC	Number of Establishments By number of empl.					Proportion Covered	Estimated Number of Covered Establishments By number of employees				
	Total	1-9	10-49	50-499	500+		Total	1-9	10-49	50-499	500+
45	185	125	38	17	5	0.30	55	37	11	5	1
46	3	3	0	0	0	0.00	0	0	0	0	0
47	852	674	162	16	0	0.00	0	0	0	0	0
48	546	263	196	78	9	0.00	0	0	0	0	0
49	352	227	94	29	2	0.80	281	181	75	23	1
50	2484	2156	624	33	0	0.10	244	212	61	3	0
51	3069	2091	814	161	3	0.47	1,450	988	384	76	1
52	1322	978	336	8	0	0.00	0	0	0	0	0
53	477	228	100	147	2	0.00	0	0	0	0	0
54	3493	2329	934	230	0	0.00	0	0	0	0	0
55	3928	3082	751	95	0	0.00	0	0	0	0	0
56	1962	1639	301	20	2	0.00	0	0	0	0	0
57	1994	1651	336	7	0	0.00	0	0	0	0	0
58	7250	3962	2878	410	0	0.00	0	0	0	0	0
59	5998	5011	929	58	0	0.00	0	0	0	0	0
60	1075	458	708	234	4	0.00	0	0	0	0	0
61	1164	882	221	60	1	0.00	0	0	0	0	0
62	378	275	85	18	0	0.00	0	0	0	0	0
63	624	359	191	66	8	0.00	0	0	0	0	0
64	1769	1576	171	22	0	0.00	0	0	0	0	0
65	4187	3800	333	52	2	0.00	0	0	0	0	0
66	64	57	6	1	0	0.00	0	0	0	0	0
67	315	276	35	4	0	0.00	0	0	0	0	0
70	1001	680	245	75	1	0.20	200	136	49	15	0
72	3548	3088	433	25	0	0.09	319	277	38	2	0
73	4822	3829	788	200	5	0.19	916	727	149	38	0
75	2435	2172	250	13	0	0.00	0	0	0	0	0
76	1141	1001	134	6	0	0.00	0	0	0	0	0
77	0	0	0	0	0	0.00	0	0	0	0	0
78	285	175	109	1	0	0.00	0	0	0	0	0
79	1222	858	285	78	1	0.00	0	0	0	0	0
80	8460	7177	897	356	30	0.14	1,184	1,004.77	125	49	4
81	2320	2028	258	34	0	0.00	0	0	0	0	0

[143]

Table 1 (continued)

SIC	Number of Establishments By number of empl.					Proportion Covered	Estimated Number of Covered Establishments By number of employees				
	Total	1-9	10-49	50-499	500+		Total	1-9	10-49	50-499	500+
82	592	380	158	46	8	0.50	296	190	79	23	4
83	2215	1497	623	95	0	0.00	0	0	0	0	0
84	26	17	7	2	0	0.05	1	0	0	0	0
85	0	0	0	0	0	0.00	0	0	0	0	0
86	3564	2806	690	66	2	0.00	0	0	0	0	0
89	3171	2688	425	57	1	0.00	0	0	0	0	0
Total	104,721	80,076	20,905	4,204	176		13,684.15	10,079.68	2,786.94	782.72	54.20
							Proportion Covered	13.1%	12.6%	13.3%	18.6% ³

SOURCE

No. of establishments by SIC category in Washington (from U.S. Department of Commerce, Bureau of the Census, County Business Patterns, 1985) multiplied by the proportion of establishments in each SIC category covered by Sections 302, 303 and 304 (from Regulatory impact analysis in support of rulemaking under Sections 302, 303, and 304 of Title III of Superfund Amendments and Reauthorization Act of 1986. Report by ICF Inc. for U.S. EPA, April 10, 1987, Table A-11, pp. A-23 to A-26.).

Table 2: Estimated Number of Manufacturing Establishments Covered under Sections 311 and 312

SIC	Total	1-9	10-49	50-499	500+
20	491	204	160	120	6
21	0	0	0	0	0
22	17	10	4	2	0
23	68	42	18	7	0
24	159	102	41	15	0
25	9	5	2	1	0
26	31	6	9	13	2
27	382	257	101	22	1
28	153	77	56	18	2
29	26	10	8	8	0
30	176	86	61	27	0
31	20	9	8	1	0
32	89	50	29	9	0
33	75	29	18	22	6
34	485	264	171	47	0
35	599	388	164	45	1
36	216	113	69	29	4
37	267	145	85	28	8
38	112	68	33	8	3
39	163	111	43	9	0
Total	3,538	1,976	1,080	431	33

SOURCE: Table 1.

Table 3: Sections 311 and 312: Estimated Annual Average Costs of Compliance (dollars per establishment)

	Total	1-19	20-99	100-249	250+
20	249	186	261	372	513
21	260	190	288	212	445
22	279	177	240	399	551
23	183	167	157	249	411
24	195	182	224	260	444
25	246	211	261	373	425
26	349	203	324	458	799
27	317	290	391	424	660
28	390	298	401	590	1,006
29	304	238	298	588	783
30	298	229	319	446	640
31	269	199	245	410	568
32	234	193	271	422	631
33	293	196	280	403	622
34	251	216	266	381	524
35	260	221	303	425	638
36	326	268	300	389	596
37	359	241	406	478	840
38	332	272	362	426	638
39	262	228	317	443	733

SOURCE

U.S. Environmental Protection Agency, Regulatory impact analysis in support of final rulemaking under Sections 311 and 312 of Title III of the Superfund Amendments and Reauthorization Act of 1986, Appendix F, Table 7.

Table 4: Sections 311 and 312 Estimated Annual Average Costs of Compliance (dollars per employee)

	1-19	20-99	100-249	250+
20	18.60	4.35	2.98	0.51
21	19.00	4.80	1.70	0.45
22	17.70	4.00	3.19	0.55
23	16.70	2.62	1.99	0.41
24	18.20	3.73	2.08	0.44
25	21.10	4.35	2.98	0.43
26	20.30	5.40	3.66	0.80
27	29.00	6.52	3.39	0.66
28	29.80	6.68	4.72	1.01
29	23.80	4.97	4.70	0.78
30	22.90	5.32	3.57	0.64
31	19.90	4.08	3.28	0.57
32	19.30	4.52	3.38	0.63
33	19.60	4.67	3.22	0.62
34	21.60	4.43	3.05	0.52
35	22.10	5.05	3.40	0.64
36	26.80	5.00	3.11	0.60
37	24.10	6.77	3.82	0.84
38	27.20	6.03	3.41	0.64
39	22.80	5.28	3.54	0.73

SOURCE

Calculations based on Table 3 and mid-point of employment size class.

Table 5: Estimated Number of Manufacturing Establishments Covered under Sections 313

SIC	Total	10-49	50-499	500+
20	286	160	120	6
21	0	0	0	0
22	6	4	2	0
23	25	18	7	0
24	56	41	15	0
25	3	2	1	0
26	24	9	13	2
27	124	101	22	1
28	76	56	18	2
29	16	8	8	0
30	88	61	27	0
31	9	8	1	0
32	38	29	9	0
33	46	18	22	6
34	218	171	47	0
35	210	164	45	1
36	102	69	29	4
37	121	85	28	8
38	44	33	8	3
39	52	43	9	0
Total	1,544	1,080	431	33

SOURCE: Table 1.

Chapter 118-40 WAC

HAZARDOUS CHEMICAL EMERGENCY RESPONSE PLANNING AND COMMUNITY RIGHT-TO-KNOW REPORTING

WAC

118-40-010	Introduction.
118-40-020	Purpose and scope.
118-40-030	Definitions.
118-40-040	State emergency response commission—Establishment, membership, chairperson.
118-40-050	Commission—Purpose, responsibilities.
118-40-060	Department of community development—Responsibilities.
118-40-070	Department of ecology—Responsibilities.
118-40-080	Washington state patrol—Responsibilities.
118-40-090	Hazardous materials advisory committee—Establishment, membership.
118-40-100	Hazardous materials advisory committee—Purpose, responsibilities.
118-40-150	Emergency planning districts—Designation.
118-40-160	Local committee—Organization, membership.
118-40-170	Local committee—Responsibilities.
118-40-180	Hazardous material emergency response plan—Content, guidelines, evaluation process.
118-40-190	Emergency response training.
118-40-300	Title III—Facilities and substances covered, planning, notification, reporting, access, and information availability requirements.
118-40-400	Title III—Enforcement, penalties.

NEW SECTION

WAC 118-40-010 INTRODUCTION. On October 17, 1986, the Superfund Amendments and Reauthorization Act of 1986 (SARA) was signed into law (P.L. 99-499). One part of the SARA provisions is Title III: "The Emergency Planning and Community Right-to-Know Act of 1986." Title III establishes requirements for federal, state, and local governments, and industry regarding emergency response planning and community right-to-know on hazardous chemicals.

The emergency planning provisions of Title III (Sections 301-305) are designed to develop state and local government hazardous chemical emergency preparedness and response capabilities through better coordination and planning, especially at the local level.

Community right-to-know provisions of Title III (Sections 311, 312, and 313) require the owners and/or operators of facilities to provide information about the nature, quantity, and location of chemicals manufactured, processed, stored, or used at their facility sites. The purpose of these provisions is to increase public knowledge of the presence of hazardous chemicals in communities and to better prepare for potential emergencies.

NEW SECTION

WAC 118-40-020 PURPOSE AND SCOPE. It is the purpose of this chapter to implement the provisions of Title III in the state of Washington to ensure compliance by state and local governmental agencies and industry with the provisions of Title III. This chapter is promulgated under the general policy and rule-making authority of the department of community development as established by RCW 38.52.030(2) and 38.52.050 (3)(a).

Compliance with the requirements of Title III, as recognized by the environmental protection agency, is regarded as compliance with the provisions of this chapter. Where federal regulations are duplicated or referred to in this chapter, Title III citations are provided.

NEW SECTION

WAC 118-40-030 DEFINITIONS. "SARA" means the Superfund Amendments and Reauthorization Act of 1986, as amended.

"CERCLA" means the Comprehensive Emergency Response, Compensation and Liability Act of 1980, as amended.

"Commission" means the emergency response commission for Washington state.

"Local committee" means the local emergency planning committee established for each state emergency planning district established by the commission.

"Title III" means Title III of the Superfund Amendments and Reauthorization Act of 1986; also titled the Emergency Planning and Community Right-to-Know Act of 1986, as amended.

"Administrator" means the administrator of the Environmental Protection Agency (EPA).

"Environment" includes water, air, and land and the interrelationship which exists among and between water, air, and land and all living things.

"Extremely hazardous substances" means a substance described in Section 302 (a)(2), Title III as now authorized or hereafter amended.

"Facility" means all buildings, equipment, structures, and other stationary items which are located on a single site or on contiguous or adjacent sites and which are owned or operated by the same person (or by any person which controls, is controlled by, or under common control with such person). For the purpose of Section 304, Title III, the term includes motor vehicles, rolling stock and aircraft, shipping, and pipelines.

"Hazardous chemical" means any chemical which is a physical hazard or a health hazard as defined by OSHA Hazard Communication Standard (29 CFR 1910.1200).

"Health hazard" means a chemical for which there is statistically significant evidence based on at least one study conducted in accordance with established scientific principles that acute or chronic health effects may occur in exposed employees. The term health hazard includes chemicals which are carcinogens, toxic or highly toxic agents which act on the hematopoietic system, and agents which damage the lungs, skin, eyes, or mucous membrane.

"Physical hazard" means a chemical upon which there is scientifically valid evidence that it is a combustible liquid, a compressed gas, explosive, flammable, or organic peroxide, an oxidizer, pyrophoric, unstable (reactive), or water reactive.

"Material Safety Data Sheet (MSDS)" means the sheet required to be developed under Section 1910.1200 (g) of Title 29 CFR, as that section may be amended from time to time.

"OSHA" means Occupational Safety and Health Act of 1970.

"Person" means any individual, trust, firm, joint stock company, corporation (including a government corporation), partnership, association, state, municipality, commission, political subdivision of state, or interstate body.

"Release" means any spill, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing to the environment of any hazardous chemical, extremely hazardous substance, or toxic chemical.

"Toxic chemical" means a substance described in Section 313 (c), Title III, as now authorized or hereafter amended.

"WISHA" means Washington Industrial Safety and Health Act of 1973.

NEW SECTION

WAC 118-40-040 STATE EMERGENCY RESPONSE COMMISSION—ESTABLISHMENT, MEMBERSHIP, CHAIRPERSON. (1) In keeping with the provisions of Section 301 (a), Title III, the governor of Washington state shall establish a state emergency response commission. The commission shall be composed of the following members or their designees:

- (a) Director of the department of community development.
- (b) Director of the department of ecology.
- (c) Chief of the Washington state patrol.

(2) The director of the department of community development shall be the chairperson of the commission.

(3) The assistant director, division of emergency management, department of community development, shall serve as alternate chairperson of the commission in the absence of the chairperson.

NEW SECTION

WAC 118-40-050 COMMISSION—PURPOSE, RESPONSIBILITIES. The purpose of the state emergency response commission is to carry out the mandate of Title III (P.L. 99-499), as now authorized or hereafter amended.

The commission shall be responsible for the establishment of a state hazardous materials emergency preparedness, response, and community right-to-know program as required by Title III. Specific duties of the commission include:

- (1) Establishment of a state level hazardous materials emergency response planning committee.

- (2) Designation of local emergency planning districts.
- (3) Appointment of members to local committees established for each of the local emergency planning districts designated by the commission.
- (4) Reception and evaluation of local emergency response plans.
- (5) Delegation of responsibilities between the department of ecology, the Washington state patrol, and the department of community development in implementing the Title III program in Washington state.
- (6) Establishment of a single address, telephone number and the procedures for the receipt of, management and access to all notifications, reports, plans and all other information required by Title III.

NEW SECTION

WAC 118-40-060 DEPARTMENT OF COMMUNITY DEVELOPMENT—RESPONSIBILITIES. Specific responsibilities of the department of community development include, but are not limited to, the following duties:

- (1) Receive and record verbal emergency toxic chemical release reports through the twenty-four-hour duty officer system. Track and maintain records of events annually.
- (2) Develop emergency planning guidance and provide assistance to local committees in the development of an emergency response plan for their district. Advise and assist industry in the planning process.
- (3) Coordinate the review of each emergency plan as it is submitted.
- (4) Serve as repository agency for the local emergency response plans.
- (5) Set up community right-to-know program to allow citizens to view emergency response plans, upon request.
- (6) Provide staff to commission and hazardous material advisory committee to develop agendas, prepare minutes, coordinate meeting places, draft policy letters, and carry out other support functions as needed.
- (7) Prepare and respond to correspondence for signature by the chairperson of the commission.
- (8) Receive and coordinate the distribution of correspondence, information, and written reports to offices in the departments of community development and ecology and the Washington state patrol, and local committees, as well as other state agencies when appropriate.
- (9) Serve as chairperson of the training subcommittee of the hazardous materials advisory committee.
- (10) Develop and apply for training grants, as authorized and provided under Section 305, Title III.
- (11) Provide training and maintain training records for the state hazardous materials training program as authorized and funded through Section 305, Title III.

NEW SECTION

WAC 118-40-070 DEPARTMENT OF ECOLOGY—RESPONSIBILITIES. Specific responsibilities of the department of ecology include, but are not limited to, the following duties:

- (1) Serve as advisor to the commission on emergency spill response and environmental restoration issues.
- (2) Serve as advisor for emergency responder equipment and training needs at the state and local levels.
- (3) Serve as advisor for on-scene spill response and environmental needs at the state and local levels.
- (4) Serve as advisor to the commission on community right-to-know issues.
- (5) Develop, implement, and maintain a Title III Community Right-to-Know Program which may include, but is not limited to:
 - (a) Data management of reports and notifications submitted by businesses.
 - (b) Technical assistance to businesses regarding compliance with Title III.
 - (c) Assessing information to the public.
 - (d) Outreach to businesses and the public about Title III.
- (6) Serve as chairperson or member of the community right-to-know subcommittee of the hazardous materials advisory committee.
- (7) Serve as liaison between the commission and the Environmental Protection Agency on community right-to-know issues.
- (8) Provide training for hazardous substances spill response and cleanup.

NEW SECTION

WAC 118-40-080 WASHINGTON STATE PATROL—RESPONSIBILITIES. Specific responsibilities of the Washington state patrol include, but are not limited to, the following duties:

- (1) Serve as advisor to the commission on emergency response and coordination of on-scene activities on state and interstate highways and other areas where it has been designated incident command agency.
- (2) Serve as chairperson of the emergency response subcommittee of the hazardous materials advisory committee.
- (3) Serve as advisor for emergency responder equipment and training needs at the state and local levels.
- (4) Serve as a member of the training subcommittee of the hazardous materials advisory committee.

NEW SECTION

WAC 118-40-090 HAZARDOUS MATERIALS ADVISORY COMMITTEE—ESTABLISHMENT, MEMBERSHIP. In order to achieve a broader representation of hazardous materials interests in state emergency response planning and community right-to-know, the commission may establish a state level hazardous materials advisory committee. Committee membership shall consist of members appointed by the commission from the following interest groups:

- (1) Four state legislators. One from each caucus in the House of Representatives and one from each caucus in the Senate.
- (2) One representative of the Washington association of counties.
- (3) One representative of the association of Washington cities.
- (4) One representative of the Washington state emergency managers association.
- (5) One representative of the Washington state association of fire chiefs.
- (6) One representative of the Washington association of sheriffs and police chiefs.
- (7) One representative of the Washington state utilities and transportation commission.
- (8) One representative of the Washington state department of agriculture.
- (9) One representative of the Washington state council of firefighters.
- (10) Two representatives of the association of Washington businesses.
- (11) Two representatives of the Washington environmental council.
- (12) Others may be appointed as appropriate.

NEW SECTION

WAC 118-40-100 HAZARDOUS MATERIALS ADVISORY COMMITTEE—PURPOSE, RESPONSIBILITIES. (1) The purpose of the hazardous materials advisory committee is to serve as a policy advisory body regarding hazardous chemical emergencies and community right-to-know.

- (2) The members of the hazardous materials advisory committee shall serve the commission in a technical advisory capacity regarding the development and implementation of a hazardous chemical emergency response process. The committee's responsibilities include, but are not limited to, the following duties:
 - (a) Contingency planning at the state and local levels.
 - (b) Enhanced hazardous materials training.
 - (c) Assessment of emergency response equipment needs at the state and local levels.
 - (d) Enhancement of emergency response capabilities at the state and local levels.
 - (e) State and federal hazardous waste programs.
 - (f) Interstate planning and agreements.
 - (g) Joint purchase of equipment and specialized materials.
 - (h) Develop and propose legislation to meet future needs.
- (3) The hazardous materials advisory committee shall provide advice to the commission regarding the establishment of a community right-to-know program including procedures for the receipt of hazardous and toxic chemical information and the release of such information to the general public.

NEW SECTION

WAC 118-40-150 EMERGENCY PLANNING DISTRICTS—DESIGNATION. (1) Emergency planning districts shall be based on

the statutory requirement set forth in RCW 38.52.070 which authorizes local emergency management organizations.

(2) Cities and towns that do not have active emergency management organizations as required by chapter 38.52 RCW are considered part of the county planning district in which they are located for the purposes of Title III emergency response planning.

(3) If the provision in WAC 118-40-150(2) is unacceptable to a jurisdiction, the presiding official or officials of that jurisdiction may request that the commission designate that jurisdiction as a Title III emergency planning district.

NEW SECTION

WAC 118-40-160 LOCAL COMMITTEE—ORGANIZATION, MEMBERSHIP. (1) Each local committee shall include, at a minimum, representatives from each of the following groups or types of organizations as specified by Section 301 (c), Title III:

- (a) State and local officials.
- (b) Law enforcement.
- (c) Civil defense.
- (d) Firefighting.
- (e) First aid.
- (f) Health profession.
- (g) Local environment.
- (h) Hospital.
- (i) Transportation personnel.
- (j) Broadcast and print media.
- (k) Community groups.
- (l) Owners and operators of facilities subject to the requirements of Section 302 (b), Title III.

(2) Each local emergency planning committee shall appoint a chairperson and establish rules by which the committee shall operate.

(3) Committee rules shall include provisions for public notification of committee activities, public meetings to discuss the emergency plan, public comments, response to such comments by the committee, and distribution of emergency response plans to the general public.

NEW SECTION

WAC 118-40-170 LOCAL COMMITTEE—RESPONSIBILITIES. (1) Not later than October 17, 1988, each local committee shall complete the preparation of a hazardous materials emergency response plan. In the development of the plan, as specified by Sections 303(a), (b), (c) and 324(a), (b), Title III, committee duties include, but are not limited to:

- (a) Forming a local planning team.
- (b) Designating a team leader.
- (c) Evaluating the resources needed to develop, implement, and exercise the emergency plan.
- (d) Identifying existing emergency response equipment and personnel.
- (e) Conducting a needs assessment of emergency response equipment and personnel requirements.
- (f) Providing oversight for preparation of the plan by the local planning team.

(2) Each local committee shall establish procedures for receiving and processing requests from the general public for information under Section 324 (including Tier II information under Section 312) Title III. Such procedures shall include the designation of an official to serve as committee coordinator for all information requests.

NEW SECTION

WAC 118-40-180 HAZARDOUS MATERIAL EMERGENCY RESPONSE PLAN—CONTENT, GUIDELINES, EVALUATION PROCESS. (1) Each local committee shall complete a hazardous materials emergency response plan as required by Section 303 (a), (b), (c), Title III.

(2) The committee shall transmit three copies of the completed plan to:

Chairperson
Washington State Emergency Response
Commission
Department of Community Development
9th and Columbia Building, GH-51
Olympia, Washington 98504-4151

(3) At a minimum, the plan shall include the requirements of Title III, the standards of the NRT-1 guidelines, and the concepts of the Washington state comprehensive emergency plan as it is written.

(4) Upon receipt of a local committee hazardous material emergency response plan, the state emergency response commission shall:

(a) Send a letter to the local committee formally acknowledging the receipt of the plan and informing them of the review process.

(b) Copies of the plan will then be sent to the following organizations for review and comment:

(i) The state division of emergency management, department of community development, to review it against required federal criteria and the state comprehensive emergency management plan.

(ii) The hazardous materials advisory committee's subcommittee for contingency planning.

(iii) The hazardous materials advisory committee's subcommittee for emergency response.

(c) The above organizations must review the plan and within ninety days submit their comments and recommendations to the state emergency response commission on whether the plan meets the requirements of Title III, the recommendations of the NRT-1 guidelines and the concepts of the Washington state comprehensive emergency management plan.

In the event that there are significant differences in the recommendations of the committees, the full state hazardous materials advisory committee will be asked to resolve the differences and make its recommendation to the emergency response commission within forty-five days of the date of referral to the state hazardous materials advisory committee.

(d) Within forty-five days of the receipt of the recommendations, the state emergency response commission will review the recommendations. Upon completion of this review the commission shall, as appropriate, send a letter to the submitting local committee stating one of the following alternative evaluations of the local committee's plan:

(i) The plan has been reviewed and is considered to meet the requirements of Title III, the standards of the NRT-1 guidelines, and the concepts of the state comprehensive emergency management plan as it is written.

(ii) The plan has been reviewed and is considered to meet the standards of the NRT-1 guidelines, Title III requirements and the comprehensive emergency management plan concept, but suggestions are included on how it may be improved at its next revision.

(iii) Serious omissions are apparent in the plan. Please note the following suggestions on the changes that are needed to meet the Title III requirements, the guidelines of the NRT-1 guidebook and the concept of the Washington state comprehensive emergency management plan.

(5) The local committees shall review and update their plans annually, and submit them to the commission for review under the procedures and guidelines prescribed in this section.

NEW SECTION

WAC 118-40-190 EMERGENCY RESPONSE TRAINING.

(1) The department of community development, division of fire protection services, shall provide training as authorized by Section 305, Title III, for emergency first responders, including firefighters, law enforcement, and emergency medical personnel. Other constituencies to be trained may include federal, state, and local governmental employees who may directly or indirectly involve themselves in a hazardous materials incident. Such personnel may include health officials, public works personnel, elected officials, emergency and city managers, and personnel employed by private industry.

(2) Emergency training programs shall be designed to improve emergency planning, preparedness, mitigation, response, and recovery capabilities. Such programs shall provide special emphasis with respect to emergencies and responsibilities associated with hazardous materials and Title III.

(3) The division of fire protection services may officially schedule and conduct courses throughout the state, and may also provide training sessions upon written or verbal request from public or private organizations, agencies, or departments.

NEW SECTION

WAC 118-40-300 TITLE III—FACILITIES AND SUBSTANCES COVERED, PLANNING, NOTIFICATION, REPORTING, ACCESS, AND INFORMATION AVAILABILITY REQUIREMENTS. The owner or operator of a facility, as specified by Title III, or by rules adopted by the administrator, that provides, uses,

or stores any of the substances specified by Title III, or by rules adopted by the administrator, shall meet all of the planning, notification, reporting, access, and information availability requirements as specified by Sections 301, 302, 303, 304, 311, 312, 313, and 324, Title III, as now authorized or hereafter amended, that apply to the facility.

NEW SECTION

WAC 118-40-400 TITLE III—ENFORCEMENT, PENALTIES. Enforcement of all Title III provisions and the administration of penalties for violations of the provisions shall be pursuant to Section 325, Title III, as now authorized or hereafter amended.

WSR 88-15-075

PROPOSED RULES

DEPARTMENT OF COMMUNITY DEVELOPMENT

[Filed July 20, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Community Development intends to adopt, amend, or repeal rules concerning early childhood education and assistance program, chapter 365-170 WAC;

that the agency will at 10:00 a.m., Tuesday, August 23, 1988, in the 5th Floor Conference Room, Department of Community Development, 9th and Columbia Building, Olympia, Washington 98504-4151, 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 43.63A.060 and 28A.34.060 [28A.34A.060].

The specific statute these rules are intended to implement is chapter 28A.34 [28A.34A] RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before August 22, 1988.

Dated: July 20, 1988

By: Linda Dupont-Johnson
Deputy Director

STATEMENT OF PURPOSE

Title: State funding for local early childhood education and assistance programs.

Description and Purpose: Amending chapter 365-170 WAC to conform to changes to the statutes and recommendations by the Early Childhood Education and Assistance Program Advisory Committee and directors of local early childhood education and assistance programs. Other purposes for the proposed amendments are to provide clarification, improve efficiency, and avoid duplication.

Summary of Rule: Amends sections in chapter 365-170 WAC.

Reasons Supporting Proposed Action: Statutory changes and increased experience operating the program are the basis for these changes.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Mary Frost, Unit Manager, Children's Services Unit, Human Services Division.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: None.

Whether Rule is Necessary as Result of Federal Law or Federal or State Court Action: Not applicable.

Small Business Economic Impact Statement: Not necessary.

AMENDATORY SECTION (Amending Order 87-02, filed 1/23/87)

WAC 365-170-010 AUTHORITY. These rules are adopted under the authority of RCW 43.63A.060 which provides that the director shall make such rules and regulations and do all other things necessary and proper to carry out the purposes of chapter 43.63A RCW. RCW 43.63A.065(2) provides that among its functions and responsibilities the department shall administer state and federal grants and programs which are assigned to the department by the governor or the legislature. These rules are also adopted under the specific authority delegated to the department under RCW 28A.34A.060 to adopt rules for the administration of the program. The program which these rules are designed to implement is found in chapter ((418, Laws of 1985)) 28A.34A RCW.

AMENDATORY SECTION (Amending Order 87-02, filed 1/23/87)

WAC 365-170-030 DEFINITIONS. (1) "Applicant" means a public or private nonsectarian organization which applies for state early childhood education and assistance program assistance.

(2) "At risk" means children residing in low income families who are by virtue of their socio-economic status at risk of failure in the common school system.

(3) "Contract year" means the period July 1 through June 30 in which the program must operate.

(4) "Department" means the department of community development.

(5) "Direct service" means any educational, health, or social service for children which is designed to meet the program standards.

(6) "Director" means the director of the department of community development.

(7) "Early childhood education and assistance program" means the state-wide administrative activities carried out within the department of community development to allocate, award, and monitor state funds appropriated to assist local early childhood education and assistance programs.

(8) "Family" means all persons living in the same household who are (a) supported by the income of the parent(s) or guardian(s) of the child enrolling in the early childhood education and assistance program, and (b) related to the parent(s) or guardian(s) by blood, marriage, ((or)) adoption, or legal obligation to provide support.

(9) "Contractor" means an applicant which has been awarded state funds under the early childhood education and assistance program, and which has entered into a contract with the department of community development to provide an early childhood education and assistance program. Contractors may be local public or private organizations which are nonsectarian in their delivery of services.

(10) "Like educational services" means comprehensive programs providing educational, social, parent involvement, and health services funded by other sources ((that provide children with a learning environment and a varied experience which helps them develop socially, intellectually, physically, and emotionally in a developmentally appropriate manner toward an overall goal of social and educational competence)).

(11) "Low-income family" means a family whose total income before taxes for the twelve months or full calendar year, whichever period better reflects the current income of the family, prior to the enrollment of their child in the early childhood education and assistance program is equal to, or less than, federally established poverty guidelines as defined by the ((office of management and budget)) department of health and human services. The term also includes a family receiving aid to families with dependent children or participating in the Family Independence program under chapter 74.21 RCW.

(12) "Nonsectarian" means that no aspect of early childhood education and assistance services will include any religious orientation.

AMENDATORY SECTION (Amending Order 87-02, filed 1/23/87)

WAC 365-170-040 ((CONTRACTOR)) DETERMINATION OF FUNDING. Funds shall be allocated or awarded by the department consistent with the legislature's ((determines)) determination of

the amount of funding available to award state-wide to early childhood education and assistance programs and any conditions imposed by the legislature on the use of such funds. Funds received from other sources will be administered according to the terms of the grant or award, if not inconsistent with the terms of this chapter, chapter 28A.34A RCW, and other applicable laws or rules.

~~((1))~~ Five percent of the total funds shall be used by the department for staff development funds for local programs, longitudinal studies of participants and control groups, and unique costs associated with the start up of new programs.

~~(2)~~ Five percent of the total funds shall be used by the department to administer, provide technical assistance, and monitor the local early childhood education and assistance programs.

~~(3)~~ Up to sixty percent of the remaining funds shall be made available to successfully competitive programs in counties where twenty percent or fewer of the children found eligible to receive program services are being served.

~~(4)~~ At least forty percent of the funds shall be made available to successfully competitive programs in counties where more than twenty percent of the eligible children are being served.)

AMENDATORY SECTION (Amending Order 87-02, filed 1/23/87)

WAC 365-170-050 ELIGIBILITY CRITERIA FOR APPLICANTS. (1) Public or private nonsectarian organizations are eligible to apply for funding as ~~((an))~~ early childhood education and assistance programs.

~~(2)~~ ~~((Organizations along the Washington border in Idaho and Oregon who propose to serve children in Washington state are eligible to apply for funding.~~

~~(3))~~ A consortium of public or private nonsectarian organizations, or both, are eligible to apply.

~~((4))~~ (3) Organizations must have established appropriate internal fiscal controls and fund accounting procedures to assure the proper disbursement of, and accounting for, all funds provided.

~~((5))~~ (4) Using a form provided by the department, organizations must obtain acknowledgement of their application from local school districts within the proposed service area.

~~((6))~~ (5) Programs shall neither deny service to, nor otherwise discriminate in the delivery of services against, any person who otherwise meets the eligibility criteria for the program on the basis of race, color, religion, sex, age, national origin, citizenship, ancestry, physical or mental handicap or because such person is a recipient of federal, state, or local public assistance.

~~(6)~~ Not less than ten percent of the available slots state-wide shall be reserved for children of migrant, seasonal farmworker, and Indian families.

AMENDATORY SECTION (Amending Order 87-02, filed 1/23/87)

WAC 365-170-060 ~~((APPLICATION))~~ PROCESS FOR ALLOCATING OR AWARDED FUNDS. (1) Funds shall be awarded on a competitive basis or allocated by the department.

(2) An applicant ~~((must make formal response using))~~ shall use forms issued and procedures established by the department.

~~(3)~~ ~~((A rating team will review and rank the proposals and shall be composed of persons with expertise in early childhood education and program and fiscal management experience.~~

~~(4)~~ The department shall have the final discretion to award funds.

~~(5))~~ The department shall notify ~~((successful applicants))~~ all recipients of funds and shall provide to each of them a contract for signature. This contract must be signed by an official with authority to bind the ~~((applicant))~~ recipient and must be returned to the department prior to the award or allocation of any funds under this program.

AMENDATORY SECTION (Amending Order 87-02, filed 1/23/87)

WAC 365-170-070 ~~((AWARD OF CONTRACTS))~~ USE OF FUNDS. (1) ~~((Awards shall not exceed a level of two thousand seven hundred dollars per child enrolled in the program.~~

~~(2))~~ Department funds ~~((may))~~ shall not be used to supplant other existing funding sources.

~~((3))~~ (2) Administrative costs under this program are limited to fifteen percent of the total award.

AMENDATORY SECTION (Amending Order 87-02, filed 1/23/87)

WAC 365-170-080 ELIGIBILITY CRITERIA FOR CLIENTS.

(1) A child ~~((must be four years old by August 31 of the contract year))~~ is eligible if:

~~(a)~~ The child is not eligible for kindergarten as of August 31 of the contract year; and

~~(b)~~ The child would benefit from a preschool program designed to help prepare children to enter the school system.

(2) A child must be a member of a ~~((household with income at or below the federally established poverty level for the twelve months preceding enrollment))~~ low-income family as defined under WAC 365-170-030(11).

(3) A child may not otherwise be a participant in a federal or state program providing like educational services as defined under WAC 365-170-030(10).

(4) As many as ten percent of the available funded enrollment slots may be filled ~~((by "environmentally at risk" children who are eligible according to one or more of the following criteria:~~

~~(a)~~ Developmentally handicapped as defined by OSPI WAC criteria;

~~(b)~~ Served by other state or federal programs; and/or

~~(c)~~ Reside in a family which does not meet federal poverty standards)) with children who do not meet the eligibility requirements under subsection (2) or (3) of this section but due to circumstances in their environment or in their performance need the program and would benefit from the program.

(5) Participants in the early childhood education and assistance program will not be charged fees for any services provided.

AMENDATORY SECTION (Amending Order 87-02, filed 1/23/87)

WAC 365-170-090 PROGRAM DESIGN. Standards for program design are based on a model of comprehensive services to participating children. These include educational services, health services (including medical, dental, nutrition, and mental health), and social services to families. Parents shall be given the opportunity to be involved in every aspect of the planning and implementation of services. Specific program requirements are contained in the program standards publication available from the department.

(1) Education component:

(a) Activities in the classroom, home visits, and group experiences will be planned and implemented to ensure that a supportive social and emotional climate exists, intellectual skills are developed, and physical growth is promoted.

(b) Activities in the classroom, home visits, or group experience will be individualized through the development of a curriculum which is developmentally appropriate and is relevant to and reflective of the needs of the population served.

(c) At a minimum, when the majority of the children speak a common language other than English, at least one teacher or aide who speaks their language must be available when children participate in classroom or group experiences.

(d) There will be a mental health professional to advise and assist in developmental screenings and assessments and observe children in the classroom setting and consult with teachers and other appropriate staff at least twice a year.

(e) ~~((Health (medical and dental) activities and practices are integrated into daily classroom and home visit activities.~~

~~(f)~~ Meals and snack periods will be scheduled appropriately to meet children's needs.

~~(g))~~ The program will provide methods for enhancing the knowledge and understanding of both staff and parents of the educational and developmental needs and activities of children in the program.

~~((h))~~ (f) Staff and parents participating in the program shall be trained for and will use positive techniques of guidance, including redirection, anticipation, elimination of potential problems, positive reinforcement and encouragement~~((During program time staff and parents will not use corporal punishment or other humiliating or frightening discipline techniques))~~ during the actual hours of program operation while the child is participating in program activities supervised by program staff.

~~(g)~~ Corporal punishment or other humiliating or frightening discipline techniques shall not be used during the actual hours of program operation while the child is participating in program activities supervised by program staff.

(2) Health component:

(a) There will be a health advisory committee composed of local medical, dental, and nutrition providers, program parents and staff to

advise in program planning, implementing, and evaluating program procedures and operations for medical, dental, mental health, and nutrition services. Existing committees may be modified or combined to carry out these activities.

(b) There will be informed prior written parent consent prior to the provision of any health (medical, dental, nutrition, or mental health) services.

(c) The program will provide for an organized health education program for staff, parents, and children which will be integrated into daily classroom and home visit activities.

(d) Food will be provided under supervision of a qualified nutritionist at appropriately scheduled meal and snack periods which will help meet a portion of the child's daily nutritional needs, recognizing individual differences and cultural patterns.

~~((e))~~ Programs will participate in the United States Department of Agriculture Child Food and Nutrition Program

~~((f))~~ Food preparation service operations will) and shall comply with applicable local, state, and federal sanitation laws and regulations for storage, preparation, and service of food and health of food handlers.

~~((g))~~ The program will have available a qualified nutritionist to provide regular or periodic supervision of the food services operation

(3) Social services component:

(a) Age and income-eligible children will be recruited for enrollment taking into account the demographic make-up of the community and the needs of the children and families according to approved written recruitment procedures that address both the identification of age and income-eligible children and local priorities within that same population.

(b) Needs will be assessed to assist families in identifying and using appropriate and available community resources.

(c) Programs will coordinate with existing community resources, including existing head start and other preschool programs.

(4) Parent involvement component:

(a) The program will provide for parental involvement ~~((at a level not less than that provided under the federal head start program criteria))~~ including, but not limited to, working with children in cooperation with staff, participating in the program, and planning for the operation of the program.

(b) The program will install a policy council composed of parents of children who are enrolled in the program, at a level not less than fifty percent and community representatives.

~~((c))~~ A policy committee will be formed at the subcontractor level only if all program functions are subcontracted to another organization.

~~((d))~~ Center committees will be established in each center composed of parents of enrolled children

AMENDATORY SECTION (Amending Order 87-02, filed 1/23/87)

WAC 365-170-100 ADMINISTRATIVE COMPONENT. (1) Services to children and their families will be delivered through one or more of the following options:

~~((1))~~ (a) Center base option: Children will participate in center activities ten or more hours per week distributed over three or more days. One and one-half hours of contact between parents and staff will be completed each month. At least two education-related home visits to families will be completed during the year. ~~((Classroom))~~ Class unit size will not exceed eighteen children with an adult:child ratio of 1:6. ~~((Based on unique local circumstances programs may submit a request for waiver of classroom size and adult:child ratio requirements to the department))~~ There shall be a lead teacher for every class unit.

~~((2))~~ (b) Home base option: Children will participate in weekly group experiences not to exceed four hours per session. Families will receive weekly one and one-half hour home visits by a home base educator. The case load for home ~~((visitors))~~ base educators will not exceed twelve children. The adult:child ratio for group experiences will not exceed 1:6.

~~((3))~~ (c) Locally designed option: Local programs may elect to design and propose other program options which would better meet the needs of individual children and families in their communities. A ~~((proposal for a))~~ locally designed option must: Contain rationale as to why the center based and home based options ~~((presented above))~~ in (a) and (b) of this subsection would not be practicable; must represent a more effective approach to meeting the needs of children in the specific community; be consistent with sound child development practices; and be consistent with described standards to ensure that all components of the early childhood education and assistance program are

delivered. The department will determine whether the ~~((proposal for a))~~ locally designed option is acceptable on a case-by-case basis.

~~((4))~~ Staff qualifications: Lead teachers in every classroom of children in a center base program will have one or more of the following credentials: An associate of arts degree in early childhood education with a minimum of two years of post-degree experience working in a preschool or kindergarten; or a baccalaureate degree in early childhood education or child development with a minimum of one year of post-degree experience working in a preschool or kindergarten. A lead teacher should have some experience working with families of low income:

(5) Home base teachers or family educators will have one or more of the following credentials: An associate of arts degree in human services and two years of experience or a baccalaureate degree in adult education or development, social work or psychology and one year of experience. All experience must be pertinent to direct involvement with families of low income:

(6) Organizations may submit a request to the department to waive the above staff qualifications which must include a narrative justifying the local labor pool shortage:

(7) Staff will receive preemployment physical examinations, tuberculosis tests, and evaluation of any infection. Regular volunteers will be tested for tuberculosis:

(8)) (2) The following staff qualifications are required for lead teachers in a center based program:

(a) For lead teachers, experience with low-income families is desirable. Lead teachers shall meet the following qualifications except as provided in (b) of this subsection:

(i) At least a four-year degree in the field of early childhood education or child development from an accredited public or private institution of higher education and a minimum of one year of successful experience working in a preschool or kindergarten; or

(ii) A two-year degree in the field of early childhood education or child development from an accredited public or private institution of higher education with a minimum of two years of successful experience working in a preschool or kindergarten; or

(iii) A valid Washington state elementary teaching certificate with an endorsement in early childhood education or early childhood special education or a person with a valid Washington state teaching certificate who would meet the qualifications for an endorsement in early childhood education or early childhood special education.

(b) If the organization is unable to find a lead teacher with the qualifications required under (a)(i), (ii), or (iii) of this subsection due to a local labor pool shortage documented by the organization, the organization may employ a lead teacher with the following qualifications:

(i) A teaching certificate and a minimum of one year of successful experience working with preschool age children; or

(ii) A minimum of a two-year degree from an accredited public or private institution of higher education and a minimum of two years successful experience working with preschool age children; or

(iii) A child development associate credential.

(c) The organization shall establish a written professional development plan for each lead teacher who does not meet the qualifications under (a) of this subsection. The plan shall also provide for observation of such lead teacher by a person meeting the qualifications of (a) of this subsection for a minimum of one class period a month, consultation, and advice and assistance regarding the observation and consultation as needed. The plan shall be completed within three years. Implementation of the plan and progress made towards completion of the plan will be reviewed by the organization.

(3) The following staff qualifications are required for home base educators in a home base program:

(a) For home base educators, successful experience pertinent to direct involvement with low-income families is desirable. Home base educators shall meet the following qualifications except as provided in (b) of this subsection:

(i) At least a four-year degree in the field of adult education or development, social work, psychology, early childhood education, or child development from an accredited public or private institution of higher education and a minimum of one year of successful relevant experience; or

(ii) A two-year degree in the field of adult education or development, social work, psychology, early childhood education, or child development from an accredited public or private institution of higher education and demonstrated ability to work with groups of preschool age children and a minimum of two years of successful relevant experience; or

(iii) A valid Washington state elementary teaching certificate with an endorsement in early childhood education or early childhood special education or a person with a valid Washington state teaching certificate who would meet the qualifications for an endorsement in early childhood education or early childhood special education.

(b) If the organization is unable to find a home base educator with the qualifications required under (a)(i), (ii), or (iii) of this subsection due to a local labor pool shortage documented by the organization, the organization may employ a home base educator with the following qualifications:

(i) A teaching certificate and demonstrated experience in working with preschool age children; or

(ii) A minimum of a two-year degree from an accredited public or private institution of higher education and a minimum of two years of successful relevant experience; or

(iii) A child development associate credential.

(c) The organization shall establish a written professional development plan for each home base educator who does not meet the qualifications under (a) of this subsection. The plan shall also provide for observation of such home base educator by a person meeting the qualifications of (a) of this subsection for a minimum of one class period a month, consultation, and advice and assistance regarding the observation and consultation as needed. The plan shall be completed within three years. Implementation of the plan and progress made towards completion of the plan will be reviewed by the local organization.

(4) Criminal history checks including fingerprinting will be performed for all staff hired after January 1, 1988, and having unsupervised contact with children.

(5) Facility:

(a) Facilities will provide for a physical environment conducive to learning and reflective of the needs of children.

(b) Facilities will comply with an annual fire, health, and safety inspection by local officials.

(c) The outdoor play area of the facility will be fenced to prevent children from leaving the premises unless the organization can demonstrate that the outdoor play area does not present a hazard to children's welfare and that adequate supervision will be provided when children are in the outdoor play area.

(d) The facility will contain a minimum of thirty-five square feet of indoor space per child available for the care of children (exclusive of bathroom, hall, kitchen, and storage). There will be a minimum of seventy-five square feet per child outdoors.

(e) Adequate provision will be made to ensure the facility provides for accessibility, safety, and comfort of handicapped children.

~~((9))~~ (6) Transportation:

~~((a))~~ Vehicles owned and/or operated by the program for the purposes of transporting children to and from program activities will meet ~~((safety standards as set forth by the office of the superintendent of public instruction or the department of health and human services and will comply with annual safety inspections))~~ all applicable local ordinances and state and federal laws, rules, and regulations.

~~((b))~~ Drivers of personal vehicles used to transport children to and from program activities must maintain adequate insurance coverage and carry a current driver's license. Drivers operating vehicles transporting six or more children will have an intermediate endorsement on their driver's license.

~~((10))~~ (7) Suspected abuse:

Suspected incidents of child abuse and/or neglect by parents, staff, or others must be reported by program staff within forty-eight hours to an appropriate law enforcement agency or the department of social and health services in accordance with RCW 26.44.030.

(8) The department may grant waivers for any of the provisions under subsections (1) through (3) and (5) of this section if a contractor can demonstrate that the intent of subsections (1) through (3) and (5) of this section will be met and can demonstrate that the requested waiver is consistent with the purposes of this chapter and chapter 28A.34A RCW. All requests for waivers shall be in writing and be granted on a case-by-case basis.

WSR 88-15-076
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2653—Filed July 20, 1988]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Aid to families with dependent children and continuing general assistance—Eligibility need, amending chapter 388-28 WAC.

I, Leslie F. James, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is this rule is necessary to comply with the United State's District Court decision in the *Floyd vs. Sugarman* case regarding public assistance benefits and ownership of excess real property.

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

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

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

APPROVED AND ADOPTED July 20, 1988.

By Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Regulation 8.552, filed 1/24/64)

WAC 388-28-365 COMMUNITY, SEPARATE AND JOINTLY OWNED PROPERTY—SEPARATE PROPERTY. (1) ~~The department shall consider property ((is considered as)) to be separate ((property)) when ((it has been established that it)) the department establishes the property:~~

~~(a) Was acquired ((f))and paid for((f)) by either spouse before marriage((;-or));~~

~~(b) Was acquired as a result of gift or inheritance((;-)); or~~

~~(c) Was acquired and paid for entirely out of income from separate property.~~

~~(2) A commingling of community income and income from separate property in the purchase or improvement of property probably destroys the status of separate property.~~

~~((2) The husband's separate property and income therefrom and the earnings, if not legally separated, are regarded as community property or earnings and as available to the wife since the husband is required by law to support his wife and she is provided a means by which she can enforce such support.~~

~~(3) The wife's separate property, her income from separate property and her earnings if not legally separated, are presumed to be resources available to her husband unless and until it is definitely established that they are in fact not available to meet the requirements of the husband:))~~

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 Regulation 8.553, filed 1/24/64)

WAC 388-28-370 COMMUNITY, SEPARATE AND JOINTLY OWNED PROPERTY—FURTHER CONSIDERATIONS FOR DETERMINING PROPERTY OF HUSBAND AND WIFE. ~~((+))~~ Transfer of ~~((his))~~ separate property by ~~((the husband))~~ one spouse does not disqualify the ~~((wife))~~ other spouse, but ~~((he))~~ the spouse transferring property may not be included in ~~((her))~~ the grant.

~~((2))~~ Separate resources or income of a wife shall be presumed to be available to meet the requirements of a husband when:

(a) They are living together, and

(b) The marital relationship is apparently normal and stable with mutual sharing of control and responsibility according to their respective capacities.

~~(3)~~ Separate property or income of a wife may be considered as not available to meet the requirements of a husband when:

(a) The wife has definitely stated that she will not contribute toward her husband's requirements out of such separate property or income, and

(b) The husband and wife are:

(i) Not living together, or

(ii) Living together, but under situations such as the following:

(A) She has publicly repudiated responsibility for the debts or support of her husband, or

(B) Statements of the spouses are substantiated by other evidence, such as:

(I) Existence of a pattern of segregation of household costs and responsibilities sustained over some reasonable period of time.

(II) Tax reports or tax withholding exemptions showing that neither is considered as dependent on the other, and supporting the separate ownership of the income

(III) Sworn testimony from others who do not stand to benefit directly one way or the other and in a position to know of the family situation

(IV) Other clear and convincing evidence of circumstances resulting in established property settlements or which have effectively excluded the husband from benefiting from the wife's income.

~~(4)~~ When it has been established that property or income is the separate property of the wife of an applicant.

(a) Transfer of the property by the wife does not disqualify the husband but she may not be included in his grant if she is ineligible because of the transfer.

(b) The husband shall not be declared ineligible on the basis that the market value of the wife's separate

property would disqualify her if she were applying, but she may not be included in his grant.))

AMENDATORY SECTION (Amending Order 2276, filed 8/30/85)

WAC 388-28-425 EFFECT OF RESOURCES ON FINANCIAL NEED—REAL PROPERTY OTHER THAN HOME—ALL PROGRAMS. (1) If an applicant owns real property with net equity value in excess of the resource maximum, ~~((he or she))~~ the applicant may receive assistance for a period not to exceed nine months provided the applicant:

~~((+))~~ (a) ~~((He or she))~~ Is making a good-faith effort to sell the property. "Good-faith effort" means listing the property with a multiple listing realtor or other reasonable means when a multiple listing is unavailable or the realtor refuses to list the property.

~~((2))~~ (b) ~~((He or she))~~ Signs a repayment agreement ~~((and a lien is filed with the department at the time of application))~~ to repay the lesser of the amount of aid received ~~((during such period that would not have been paid had the property been sold at the beginning of such period, but not to exceed the amount of))~~ or the net proceeds of such sale. "Net sale proceeds" means sale price less encumbrances and costs incurred in selling the property.

(2) If the owner of excess real property ceases to make good-faith efforts to sell the property, the entire amount of assistance may become an overpayment. Clients must be advised of their right to a fair hearing and afforded the opportunity to challenge a decision that good-faith efforts to sell have ceased, prior to assessment of an overpayment under this section.

(3) ~~((If the property is not sold within the nine-month period, or if eligibility ceases for any other reason, the entire amount of aid paid during such period is an overpayment))~~ At the time assistance is authorized, the department shall file a lien without a sum certain on the specific property.

WSR 88-15-077
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed July 20, 1988]

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 special supplemental food program for women, infants and children (WIC), amending chapter 388-19 WAC;

that the agency will at 10:00 a.m., Tuesday, August 23, 1988, in the Auditorium, OB-2, 12th and Franklin, Olympia, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on August 24, 1988.

The authority under which these rules are proposed is 7 CFR Part 246, Federal Register.

The specific statute these rules are intended to implement is RCW 43.20A.550.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before August 23, 1988.

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

Troyce Warner
Office of Issuances
Department of Social and Health Services
Mailstop OB-33H
Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact the Office of Issuances, State Office Building #2, 12th and Franklin, Olympia, WA, phone (206) 753-7015 by August 9, 1988. The meeting site is in a location which is barrier free.

Dated: July 20, 1988
By: Leslie F. James, Director
Administrative Services

STATEMENT OF PURPOSE

The purpose of chapter 388-19 WAC is to incorporate federal regulations into state administrative law.

Proposed revisions are contained in WAC 388-19-020 and 388-19-045.

The reasons for revisions are the occurrence of a special situation which calls for more flexibility in determining reasonable food prices and input from the Office of Contracts, DSHS.

Statutory Authority: RCW 43.20A.550.

What the Revisions will do: Provide more flexibility in establishing reasonable food prices; and provide a more satisfactory appeal procedure.

Person Responsible for Drafting, Implementation and Enforcement of the Rule: Orma Stout, Vendor Compliance Administrator, WIC Program, Parent-Child Health Services, Nutrition Services, phone 586-6720, mailstop LC-12C.

This proposed amendment is not necessary as a result of federal law, federal court decision or state court decision.

AMENDATORY SECTION (Amending Order 2638, filed 6/30/88)

WAC 388-19-020 FOOD VENDOR PARTICIPATION. (1) The department shall authorize food vendors who may redeem WIC food instruments or otherwise provide supplemental foods to WIC participants. Unauthorized vendors who redeem WIC food instruments are subject to the penalties specified in WAC 388-19-035.

(2) Application procedure.

(a) Food vendors shall submit an application to the department, including a price list for authorized WIC food. Forms used in the application process are contained in the state plan which is submitted annually to the United States Department of Agriculture Food and Nutrition Services regional office.

(b) The department may require vendor applicants to provide information regarding gross food sales and inventory records for WIC-approved foods.

(c) The department shall conduct a documented on-site visit prior to, or at the time of, initial authorization of a new vendor, for the purpose of evaluating the inventory of WIC foods and providing training in rules and regulations of WIC transactions.

(d) The department shall issue contracts for a maximum period of two years. All contracts expire on December 31 of even-numbered years. No new applications will be accepted after July 1 in even-numbered years, except in the case of an ownership change at a location where there is a documented need. The department has the authority to limit acceptance of new applications to other specific times as well.

(3) The department shall authorize an appropriate number and distribution of food vendors to assure adequate participant convenience and access, and to assure the department can effectively manage review of these vendors. The department has the authority to limit the number of authorized food vendors in any given geographic area or statewide. Selection is based on the following conditions:

(a) At least six WIC participants shall request a food vendor location unless the vendor is a:

- (i) Pharmacy needed as a supplier of special infant formulas; or
- (ii) Retail grocery store in an isolated area.

In either case, the need shall be documented by the local WIC agency.

(b) Food vendors shall stock representative items from all food categories on the authorized WIC food list that apply to the vendor's classification. No waivers shall be granted unless there is an insufficient number of authorized vendors in a given service area. Minimum quantities specified on the authorized WIC food list shall be stocked before a contract is offered to the food vendor;

(c) Prices of individual food items shall not exceed one hundred twenty percent of the statewide average price (~~accepted from WIC authorized food vendors at the end of the last odd-numbered year~~);

(d) The food vendor shall possess a valid Washington state tax registration number;

(e) The food vendor shall be willing to submit to monitor visits and to provide invoices and shelf prices upon request;

(f) The store shall be open for business at least eight hours per day, six days per week.

(4) The department shall give written notification of denial, stating the reason, and advising the food vendor of the vendor's right of appeal. The department may deny authorization to a:

(a) Food vendor who has redeemed WIC food instruments without authorization; or

(b) Store which has had more than two owners during a two-year contracting period; or

(c) Food vendor who has not implemented corrective action imposed by the department as a result of a monitoring visit; or

(d) Food vendor who has not completed payment of an imposed fine.

AMENDATORY SECTION (Amending Order 2638, filed 6/30/88)

WAC 388-19-045 WIC FOOD VENDOR—ADMINISTRATIVE REVIEW—CONTRACT DISPUTE RESOLUTION(~~(=ADMINISTRATIVE HEARING)~~). (1) Administrative review.

(a) A food vendor whose application to participate in the WIC program is denied has the right to administrative review which is an informal meeting with the vendor to discuss the facts related to the denial.

(b) A request for an administrative review shall be in writing and:

- (i) State the issue raised;
- (ii) State the grounds for contesting the aggrieved department action;

(iii) State the law and allegations of fact on which the appeal relies;

(iv) Contain the appellant's current address and telephone number, if any; and

(v) Have a copy of the adverse department notice attached.

(c) A request for an administrative review shall be made by personal service on the office of parent-child health services headquarters office or by certified mail addressed to the Office of Parent-Child Health Services, Mail Stop LC-12C, Olympia, Washington 98504. The request shall be made within thirty days of the date the vendor received the notice of adverse action. When the request is mailed, it shall be treated as having been made on the date it was postmarked provided it is received by the office of parent-child health services properly addressed and with no postage due.

(d) The chief, office of parent-child health services, or the chief's designee, shall conduct the administrative review. The time limit for making the determination is thirty days from the date the request for

an administrative review was received by the office. The time shall be extended by as many days as the vendor requests, assents to, or causes a delay in the proceedings.

(e) Administrative review is the sole administrative remedy the department offers a food vendor WIC contract applicant.

(2) Contract dispute resolution.

(a) A WIC food vendor who is disqualified from participating in the program or who is aggrieved by any other adverse action the department takes which affects participation, has the right to a dispute resolution. This shall not apply to a nonrenewal of the contract.

(b) A request for a dispute resolution shall be in writing and:

(i) State the issue raised;

(ii) State the grounds for contesting the aggrieving department action;

(iii) State the law and allegations of fact on which the appeal relies;

(iv) Contain the contractor's current address and telephone number, if any; and

(v) Have a copy of the adverse department notice attached.

(c) A request for a dispute resolution shall be made by personal service on the office of contracts management in Olympia or by certified mail addressed to the Office of Contracts Management, Mail Stop OB-22N, Olympia, Washington 98504. The request shall be made within thirty days of the date the contractor received the notice of adverse action. When the request is mailed, it shall be treated as having been made on the date it was postmarked provided it is received by the office of contracts management properly addressed and with no postage due.

(d) The time limit for making the determination is thirty days from the date the request for a dispute resolution was received by the office of contracts management. The time shall be extended by as many days as the contractor requests, assents to, or causes a delay in the proceedings.

~~((3) Administrative hearing:~~

~~(a) An applicant dissatisfied with the administrative review determination has the right to an administrative hearing. A contractor dissatisfied with the dispute resolution has the right to an administrative hearing. Administrative hearings in the WIC program shall comply with 7 CFR 246.18. The hearing shall be governed by this subsection and chapters 10-08 and 388-08 WAC. If any provision of subsection (3) of this section conflicts with chapter 388-08 WAC, the provision in this section applies. The decision-making procedure shall be the initial decision, petition for review, and review decision procedure.~~

~~(b) A request for an administrative hearing must be in writing and:~~

~~(i) State the issue raised;~~

~~(ii) State the grounds for contesting the aggrieving department action;~~

~~(iii) State the law and allegations of fact on which the appeal relies;~~

~~(iv) Contain the appellant's current address and telephone number, if any; and~~

~~(v) Have a copy of the administrative review or dispute resolution determination attached.~~

~~(c) A request for an administrative hearing must be made by personal service on the DSHS office of hearings in Olympia or by certified mail addressed to the DSHS Office of Hearings, P.O. Box 2465, Olympia, Washington 98504-2465. The request must be made within thirty days of the date the applicant or contractor received the adverse determination. When the request is mailed, it shall be treated as having been made on the date it was postmarked provided it is received by the office of hearings properly addressed and with no postage due.~~

~~(d) The time limit for making the determination is sixty days from the date the request for a hearing was received by the office of hearings. The time shall be extended by as many days as the appellant requests, assents to, or causes a delay in the proceedings.)~~

(e) The contract dispute resolution is the sole administrative remedy the department offers a WIC contractor.

AMENDATORY SECTION (Amending Order 2638, filed 6/30/88)

WAC 388-19-050 WIC ((~~FOOD VENDOR APPEAL~~)) CONTRACTOR—CONTINUED PARTICIPATION PENDING ((~~ADMINISTRATIVE HEARING DECISION~~)) CONTRACT DISPUTE RESOLUTION. (1) If the action being appealed is a temporary disqualification of a WIC authorized vendor, that vendor shall cease redeeming WIC checks effective on the date specified in the sanction notice. The vendor shall not accept WIC food instruments during the appeal period. Payment shall not be made for any food instruments accepted by a vendor during a period of disqualification.

(2) The department may in its discretion permit the contractor to continue participating in the WIC program pending the proceedings when implementing the action would unduly inconvenience WIC participants.

WSR 88-15-078
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed July 20, 1988]

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 Aid to families with dependent children and continuing general assistance—Eligibility need, amending chapter 388-28 WAC;

that the agency will at 10:00 a.m., Tuesday, August 23, 1988, in the Auditorium, OB-2, 12th and Franklin, Olympia, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on August 24, 1988.

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

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before August 23, 1988.

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

Troyce Warner
Office of Issuances
Department of Social and Health Services
Mailstop OB-33H
Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact the Office of Issuances, State Office Building #2, 12th and Franklin, Olympia, WA, phone (206) 753-7015 by August 9, 1988. The meeting site is in a location which is barrier free.

Dated: July 20, 1988
By: Leslie F. James, Director
Administrative Services

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

The following sections of the Washington Administrative Code are amended: WAC 388-28-365; 388-28-370; and 388-28-425.

Purpose of the Amendments: Bring Washington Administrative Code into compliance with the Revised Code of Washington at chapter 26.16 RCW regarding treatment separate/community, real and personal property of spouses; and bring Washington Administrative Code into compliance with United State's District Court decision in the *Floyd vs. Sugarman* case regarding public assistance benefits and ownership of excess real property rules.

Rule Change Summaries: WAC 388-28-365, deletes reference to the differential treatment of real and personal property owned by a husband and wife; WAC 388-28-370, establishes that the transfer of separate property by one spouse does not disqualify the other spouse from assistance, but the spouse transferring the property may not [be] included in the grant; and deletes reference to the differential treatment of real and personal property owned by a husband and wife. WAC 388-28-425, if excess real property is not sold within the nine month conditional eligibility period, collection of any overpayment does not start until the property is sold or until the good faith effort to sell the property ends; only a general lien without a "sum certain" can be placed on the property until such time as the property is sold or the good faith effort to sell the property ends; "good faith effort" means listing the property with a multiple listing realtor; or other reasonable means when multiple listing is not available, or realtor refuses to list the property; and the amount of the overpayment cannot exceed the net proceeds of the sale unless the good faith effort to sell the property ends, then the overpayment is the total amount of assistance issued during the nine month period or up to the point the good faith effort ends.

Person Responsible for Rule Drafting and Implementation: Terry Covey, Program Manager, Division of Income Assistance, mailstop OB-31C, phone 234-4908 scan.

The rule changes are necessary as a result of state law change and *Floyd vs. Sugarman*, United States District Court, Western District of Washington, Case Number C87-327T.

AMENDATORY SECTION (Amending Regulation 8.552, filed 1/24/64)

WAC 388-28-365 COMMUNITY, SEPARATE AND JOINTLY OWNED PROPERTY—SEPARATE PROPERTY. (1) The department shall consider property ((is considered as)) to be separate ((property)) when ((it has been established that it)) the department establishes the property:

(a) Was acquired ~~((f))~~ and paid for ~~((g))~~ by either spouse before marriage ~~((or))~~;

(b) Was acquired as a result of gift or inheritance ~~((;))~~; or

(c) Was acquired and paid for entirely out of income from separate property.

(2) A commingling of community income and income from separate property in the purchase or improvement of property probably destroys the status of separate property.

~~(((2)) The husband's separate property and income therefrom and the earnings, if not legally separated, are regarded as community property or earnings and as available to the wife since the husband is required by law to support his wife and she is provided a means by which she can enforce such support.~~

~~(3) The wife's separate property, her income from separate property and her earnings if not legally separated, are presumed to be resources available to her husband unless and until it is definitely established that they are in fact not available to meet the requirements of the husband.))~~

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 Regulation 8.553, filed 1/24/64)

WAC 388-28-370 COMMUNITY, SEPARATE AND JOINTLY OWNED PROPERTY—FURTHER CONSIDERATIONS FOR DETERMINING PROPERTY OF HUSBAND AND WIFE. ~~(((+)))~~ Transfer of ~~((his))~~ separate property by ~~((the husband))~~ one spouse does not disqualify the ~~((wife))~~ other spouse, but ~~((he))~~ the spouse transferring property may not be included in ~~((her))~~ the grant.

~~(((2)) Separate resources or income of a wife shall be presumed to be available to meet the requirements of a husband when:~~

~~(a) They are living together; and~~

~~(b) The marital relationship is apparently normal and stable with mutual sharing of control and responsibility according to their respective capacities;~~

~~(3) Separate property or income of a wife may be considered as not available to meet the requirements of a husband when:~~

~~(a) The wife has definitely stated that she will not contribute toward her husband's requirements out of such separate property or income; and~~

~~(b) The husband and wife are:~~

~~(i) Not living together; or~~

~~(ii) Living together, but under situations such as the following:~~

~~(A) She has publicly repudiated responsibility for the debts or support of her husband; or~~

~~(B) Statements of the spouses are substantiated by other evidence; such as:~~

~~(I) Existence of a pattern of segregation of household costs and responsibilities sustained over some reasonable period of time;~~

~~(II) Tax reports or tax withholding exemptions showing that neither is considered as dependent on the other; and supporting the separate ownership of the income~~

~~(III) Sworn testimony from others who do not stand to benefit directly one way or the other and in a position to know of the family situation~~

~~(IV) Other clear and convincing evidence of circumstances resulting in established property settlements or which have effectively excluded the husband from benefiting from the wife's income.~~

~~(4) When it has been established that property or income is the separate property of the wife of an applicant:~~

~~(a) Transfer of the property by the wife does not disqualify the husband but she may not be included in his grant if she is ineligible because of the transfer;~~

~~(b) The husband shall not be declared ineligible on the basis that the market value of the wife's separate property would disqualify her if she were applying, but she may not be included in his grant.))~~

AMENDATORY SECTION (Amending Order 2276, filed 8/30/85)

WAC 388-28-425 EFFECT OF RESOURCES ON FINANCIAL NEED—REAL PROPERTY OTHER THAN HOME—ALL PROGRAMS. (1) If an applicant owns real property with net equity value in excess of the resource maximum, ~~((he or she))~~ the applicant may receive assistance for a period not to exceed nine months provided the applicant:

~~(((+))) (a) ((He or she)) Is making a good-faith effort to sell the property. "Good-faith effort" means listing the property with a multiple listing realtor or other reasonable means when a multiple listing is unavailable or the realtor refuses to list the property.~~

~~(((2))) (b) ((He or she)) Signs a repayment agreement ((and a lien is filed with the department at the time of application)) to repay the lesser of the amount of aid received ((during such period that would not have been paid had the property been sold at the beginning of such period, but not to exceed the amount of)) or the net proceeds of such sale. "Net sale proceeds" means sale price less encumbrances and costs incurred in selling the property.~~

~~(2) If the owner of excess real property ceases to make good-faith efforts to sell the property, the entire amount of assistance may become an overpayment. Clients must be advised of their right to a fair hearing and afforded the opportunity to challenge a decision that good-faith efforts to sell have ceased, prior to assessment of an overpayment under this section.~~

~~(3) ((If the property is not sold within the nine-month period, or if eligibility ceases for any other reason, the entire amount of aid paid during such period is an overpayment)) At the time assistance is authorized, the department shall file a lien without a sum certain on the specific property.~~

WSR 88-15-079
PROPOSED RULES
DEPARTMENT OF LICENSING
 [Filed July 20, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the state of Washington Department of Licensing intends to adopt, amend, or repeal rules concerning amendatory section WAC 308-34-110;

that the agency will at 1:30 p.m., Tuesday, August 23, 1988, in the 1st Floor, Exam Room, 1300 Quince Street, 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 18.36A.060.

The specific statute these rules are intended to implement is RCW 18.36A.060, 18.36A.090 and 18.36A.110.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before August 23, 1988.

Dated: July 19, 1988

By: Margaret A. Gaffney
 Assistant Attorney General
 for Robert A. Van Schoorl
 Assistant Director

STATEMENT OF PURPOSE

Name of Agency: State of Washington Department of Licensing.

Purpose: WAC 308-34-110 is proposed to correctly reflect that an applicant's admittance to the naturopathy licensure exam does not establish that the applicant has satisfied the licensure eligibility requirements of RCW 18.36A.090.

Statutory Authority: RCW 18.36A.060 and 18.36A.090.

Summary of the Rules: WAC 308-34-110 Eligibility for licensure.

Reason Proposed: To implement chapter 18.36A RCW to enable the Department of Licensing to protect the public health, safety and welfare and to assure that only individuals who meet and maintain minimum standards of competency and conduct may provide naturopathy service to the public.

Responsible Departmental Personnel: In addition to the director of the Department of Licensing, the following individuals have knowledge of and responsibility for drafting, implementing, enforcing and repealing these rules: Robert Van Schoorl, Assistant Director, Business and Professions Administration, P.O. Box 9012, Olympia, Washington 98504, phone (206) 753-2241 or 234-2241 scan; Constance Roth, Program Manager, Business and Professions Administration, P.O. Box 9012, Olympia, Washington 98504, phone (206) 753-2686 or 234-2686 scan; and Maria Gardipee, Assistant Program Manager, Business and Professions Administration, P.O. Box 9012, Olympia, Washington 98504, phone (206) 753-1230 or 234-1230 scan.

Proponents: The state of Washington Department of Licensing.

Federal Law or Federal or State Court Requirements: Not necessitated as the result of federal or state court requirements.

Small Business Economic Impact Statement: Not required since these rules do not impact small businesses.

AMENDATORY SECTION (Amending Order PM 742, filed 6/24/88)

WAC 308-34-110 ELIGIBILITY FOR LICENSURE (~~(EXAMINATION)~~). (1) Graduates holding a degree/diploma from a college of naturopathic medicine approved by Washington State Department of Licensing, and persons who have successfully completed an equivalent experience requirement established by the director, shall be eligible (~~(to take the examination;)~~) for licensure provided all (~~(other)~~) requirements of RCW 18.36A.090 are met.

(2) All applicants shall file with the department a completed application, with the required fee, at least 60 days prior to the exam.

(3) Applicants shall request that the college of naturopathic medicine send official transcripts directly to the department.

(4) Applicants who have filed the required applications(;) and whose official transcript has been received by the department, (~~(and who meet all qualifications shall be notified of their eligibility, and only such applicants)~~) will be admitted to the exam, provided, applicants who have been adjudged by a final determination as not having met all the requirements of RCW 18.36A.090 (4) and (5) will not be admitted to the exam. Provided further, that an applicant who has been admitted to the exam may be denied a license if the applicant is adjudged by a final determination as not having met all the requirements of RCW 18.36A.090 (4) and (5).

WSR 88-15-080

PROPOSED RULES

DEPARTMENT OF LICENSING

[Filed July 20, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the state of Washington Department of Licensing intends to adopt, amend, or repeal rules concerning naturopathy, new sections WAC 308-34-310, 308-34-320, 308-34-330, 308-34-410, 308-34-420, 308-34-430, 308-34-440, 308-34-450, 308-34-460, 308-34-470 and 308-34-480; and repealing WAC 308-34-010, 308-34-020, 308-34-030, 308-34-040, 308-34-050, 308-34-060, 308-34-070, 308-34-080 and 308-34-090;

that the agency will at 1:30 p.m., Tuesday, August 23, 1988, in the 1st Floor, Exam Room, 1300 Quince Street, 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 18.36A.060.

The specific statute these rules are intended to implement is RCW 18.36A.060, 18.36A.090, 18.36A.100, 18.36A.110, 18.36A.120 and 18.36A.130.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before August 23, 1988.

Dated: July 19, 1988
 By: Margaret A. Gaffney
 Assistant Attorney General
 for Robert A. Van Schoorl
 Assistant Director

STATEMENT OF PURPOSE

Name of Agency: State of Washington Department of Licensing.

Purpose: To implement chapter 18.36A RCW to enable the Department of Licensing to protect the public health, safety and welfare and to assure that only individuals who meet and maintain minimum standards of competency and conduct may provide naturopathy service to the public.

Statutory Authority: RCW 18.36A.060, 18.36A.090, 18.36A.110, 18.36A.130 and 18.36A.140.

Summary of the Rules: WAC 308-34-310 Applicants educated and/or licensed in another country; 308-34-320 Licensing by endorsement; 308-34-330 Reciprocity or waiver of examination requirements; 308-34-410 Approval of colleges of naturopathic medicine; 308-34-420 Provisional approval of colleges of naturopathic medicine; 308-34-430 Full approval of colleges of naturopathic medicine; 308-34-440 Unapproved college of naturopathic medicine; 308-34-450 Appeal of director's decisions; 308-34-460 Standards for approval of colleges of naturopathic medicine; 308-34-470 Post-graduate hours in the study of mechanotherapy; 308-34-480 Site review procedures for approval of college of naturopathic medicine; and repealing 308-34-010 Definitions; 308-34-020 Scope and purpose; 308-34-030 Provisional approval; 308-34-040 Full approval; 308-34-050 Eligibility; 308-34-060 Application procedure; 308-34-070 Standards; 308-34-080 Review procedures; and 308-34-090 Naturopathic physician fees.

Reason Proposed: To implement chapter 18.36A RCW to enable the Department of Licensing to protect the public health, safety and welfare and to assure that only individuals who meet and maintain minimum standards of competency and conduct may provide naturopathy service to the public.

Responsible Departmental Personnel: In addition to the director of the Department of Licensing, the following individuals have knowledge of and responsibility for drafting, implementing, enforcing and repealing these rules: Robert Van Schoorl, Assistant Director, Business and Professions Administration, P.O. Box 9012, Olympia, Washington 98504, phone (206) 753-2241 or 234-2241 scan; Constance Roth, Program Manager, Business and Professions Administration, P.O. Box 9012, Olympia, Washington 98504, phone (206) 753-2686 or 234-2686 scan; and Maria Gardipee, Assistant Program Manager, Business and Professions Administration, P.O. Box 9012, Olympia, Washington 98504, phone (206) 753-1230 or 234-1230 scan.

Proponents: The state of Washington Department of Licensing.

Federal Law or Federal or State Court Requirements: Not necessitated as the result of federal or state court requirements.

Small Business Economic Impact Statement: Not required since these rules do not impact small businesses.

NEW SECTION

WAC 308-34-310 APPLICANTS EDUCATED AND/OR LICENSED IN ANOTHER COUNTRY. (1) Applicants for licensure educated in a country outside the United States or its territories shall meet the following requirements for licensure.

(a) Satisfactory completion of a basic naturopathic medical program in a naturopathic school or college officially approved by the country where the school is located.

(i) The naturopathic education program at the time of graduation shall be equivalent to or exceed the minimum required standards for Washington state approved colleges of naturopathic medicine.

(ii) Any deficiencies in the naturopathic medical program shall be satisfactorily completed in a Washington state approved college of naturopathic medicine.

(b) Applicants licensed under the laws of a country outside of the United States or its territories shall be required to take the current licensing examinations noted in WAC 308-34-120: PROVIDED, That those persons meeting the requirements of WAC 308-34-320, (Licensing by endorsement), are exempt from this requirement.

(c) All other requirements of chapter 18.36A RCW and this chapter must be met, including the requirement that the applicant be of good moral character; not have engaged in unprofessional conduct; and not be unable to practice with reasonable skill and safety as a result of a physical or mental impairment.

(2) Applicants for examination shall:

(a) File with the department a completed notarized license application with the required fee at least sixty days prior to examination.

(b) Request the college of naturopathic medicine to submit an official transcript directly to the department.

(c) Request the licensing agency in the country of original license to submit evidence of licensure to the department.

(d) If the applicant's original documents (education and licensing) are on file in another state, the applicant may request that the other state send to the department notarized copies in lieu of the originals.

NEW SECTION

WAC 308-34-320 LICENSING BY ENDORSEMENT. A license to practice as a naturopathic physician in the state of Washington may be issued without examination at the discretion of the director provided the applicant meets all of the following requirements:

(1) The candidate has graduated from and holds a degree/diploma from a college of naturopathic medicine approved by the state or jurisdiction where the school is located and which prepares candidates for licensure as a naturopathic physician: PROVIDED, That such program at the time of the candidate's graduation is equivalent to or exceeds the minimum naturopathic medical educational standards required for Washington state approved schools;

(2) The candidate holds a current valid license in good standing to practice as a naturopathic physician in another state or jurisdiction. Official written verification of such licensure status must be received by the department from the other state or jurisdiction;

(3) The candidate has completed and filed with the department a notarized application for licensure by endorsement, a true and correct copy of the current valid license, and the required application fee;

(4) The candidate has successfully passed a naturopathic physician licensure examination in another state or jurisdiction. Written official verification of successful completion of the licensure examination and of licensure in good standing must be requested of the state or jurisdiction by the candidate and must be received by the department directly from the state or jurisdiction;

(5) The candidate must meet all other requirements of chapter 18.36A RCW and this chapter, including the requirement that the applicant be of good moral character; not have engaged in unprofessional conduct; and not be unable to practice with reasonable skill and safety as a result of a physical or mental impairment; and

(6) The state or jurisdiction in which the candidate is currently licensed grants similar privilege of licensure without examination to candidates who are licensed in Washington as naturopathic physicians.

NEW SECTION

WAC 308-34-330 RECIPROCITY OR WAIVER OF EXAMINATION REQUIREMENTS. Reciprocity or waiver of examination

requirements may be granted for certain examinations administered by other states or jurisdictions. These examinations must include the clinical and the basic science sections. The minimum passing score will depend upon the quality of the examination, but must be equivalent to or better than the score of seventy-five which is required in WAC 308-34-120. Reciprocity or waiver shall be in accordance with the reciprocal agreement in place with that state or jurisdiction.

NEW SECTION

WAC 308-34-410 APPROVAL OF COLLEGES OF NATUROPATHIC MEDICINE. (1) The minimum educational requirement for licensure to practice naturopathic medicine in Washington is graduation from a naturopathic college approved by the director which teaches adequate courses in all subjects necessary to the practice of naturopathic medicine.

(2) These rules provide the standards and procedures by which naturopathic colleges may obtain approval by the director in order that graduates of those schools may be permitted to take examinations for license.

NEW SECTION

WAC 308-34-420 PROVISIONAL APPROVAL OF COLLEGES OF NATUROPATHIC MEDICINE. Provisional approval is the initial approval given to a previously unapproved program while the program is undergoing the process of gaining full program approval. The director may grant provisional approval to a naturopathic college which has been in continuous operation for at least one year. Provisional approval may be granted for a period not to exceed two and one-half years and may not be renewed or extended. Provisional approval shall neither imply nor assure eventual approval.

(1) In order to obtain provisional approval, a naturopathic college must demonstrate compliance with, or adequate planning and resources to achieve compliance with, the standards contained in this chapter and chapter 18.36A RCW.

(2) The procedures for application, examination, review and revocation of provisional approval shall be the same as those specified for full approval in this chapter.

NEW SECTION

WAC 308-34-430 FULL APPROVAL OF COLLEGES OF NATUROPATHIC MEDICINE. (1) Full approval of a college of naturopathic medicine is the approval given a program that meets the requirements of chapter 18.36A RCW and this chapter. Colleges of naturopathic medicine seeking approval shall apply to the director on a form and in a manner prescribed by the director.

(2) The director may grant full approval to naturopathic colleges which have demonstrated compliance with the standards contained in this chapter and chapter 18.36A RCW.

(3) To be eligible for full approval a naturopathic college must have been in continuous operation for a period of at least three years.

(4) After approval by the director, periodic reports may be required. Failure to conform to or maintain established standards may result in loss of approval. No naturopathic college shall receive approval for a period longer than five years. Prior to the expiration of the period of approval, the college must apply to the director for renewal of approval. The director shall review the application and make a final decision of approval or disapproval in not more than eleven months.

(5) If a naturopathic college fails to maintain the required standards or fails to report significant institutional changes, including changes in location, within ninety days of the change, the director may revoke or suspend approval. The director may contact a naturopathic college at any time, either through an evaluation committee or representative, to audit, inspect or gather information concerning the operating of the school or college.

(6) After suspension of approval of a naturopathic college, the director may reinstate approval upon receipt of satisfactory evidence that the college meets the standards of chapter 18.36A RCW and this chapter.

(7) After revocation of approval of a naturopathic college, a college may seek provisional approval, if otherwise qualified.

NEW SECTION

WAC 308-34-440 UNAPPROVED COLLEGE OF NATUROPATHIC MEDICINE. An "unapproved college of naturopathic medicine" is a program that has been removed from the director's list of

approved colleges of naturopathic medicine for failure to meet the requirements of chapter 18.36A RCW and/or this chapter, or a program that has never been approved by the director.

NEW SECTION

WAC 308-34-450 APPEAL OF DIRECTOR'S DECISIONS. A college of naturopathic medicine deeming itself aggrieved by a decision of the director affecting its approval status shall have the right to appeal the director's decision in accordance with the provisions of the Administrative Procedure Act, chapter 34.04 RCW.

NEW SECTION

WAC 308-34-460 STANDARDS FOR APPROVAL OF COLLEGES OF NATUROPATHIC MEDICINE. The following standards shall be used by the director in considering a naturopathic college's application for approval:

(1) Objectives. The objectives of the institution shall be clearly stated and address the preparation for the naturopathic physician to provide patient care. The implementation of the objectives should be apparent in the administration of the institution, individual course objectives, and in the total program leading to graduation.

(2) Organization. The institution shall be incorporated under the laws of the state of its residence as an education corporation. Control shall be vested in a board of directors composed of naturopathic physicians and others. No less than one-third plus one of the directors shall be naturopathic physicians. Under no circumstances shall more than one-third of the directors have administrative or instructional positions in the college. The directors must demonstrate collective responsibility in their knowledge of, and policy decisions consistent with, the objectives of the college; support of college programs and active participation in college governance; and selection and oversight of the chief administrative officer.

(3) Administration. The education and experience of directors, administrators, supervisors, and instructors should be sufficient to ensure that the student will receive educational services consistent with institutional objectives. The administration of the institution shall be such that the lines of authority are clearly drawn. The institution shall present with its application a catalog and a brief, narrative explanation of how the administration of the institution is, or is to be, organized and how the administrative responsibility for each of the following is, or is to be, managed:

- (a) Faculty and staff recruitment;
- (b) Personnel records management;
- (c) Faculty pay scale and policies;
- (d) Standards and practices relating to evaluation, improvement of instruction, promotion, retention and tenure;
- (e) Admissions policies including procedures used to solicit students;
- (f) Development and administration of policies governing rejection and retention of students, job placement, and student counseling and advising services;
- (g) Curriculum requirements;
- (h) Tuition and fee policies; and
- (i) Financial management policies.

(4) Financial condition. The institution shall demonstrate its financial stability by submitting certified audits once every three years and, reports, or other appropriate evidence annually.

(5) Records. The institution shall maintain an adequately detailed system of records for each student beginning with application credentials through the entire period of attendance. The records, including matriculation, attendance, grades, disciplinary action and financial accounts, shall be the permanent property of the institution, to be safeguarded from all hazards and not to be loaned or destroyed.

(6) Educational credentials.

(a) Upon satisfactory completion of the educational program, the student shall receive a degree from the institution indicating that the course of study has been satisfactorily completed by the student.

(b) In addition, for each student who graduates or withdraws, the institution shall prepare, permanently file, and make available a transcript which specifies all courses completed. Each course entry shall include a title, the number of credits awarded, and a grade. The transcript shall separately identify all credits awarded by transfer or by examination.

(c) Upon request, all student records and transcripts shall be made available to the director.

(7) Catalog. The institution shall publish a current catalog at least every two years containing the following information:

- (a) Name and address of the school;
- (b) Date of publication;
- (c) Admission requirements and procedures;
- (d) A statement of tuition and other fees or charges for which a student is responsible and a statement on refund policies;
- (e) A school calendar designating the beginning and ending dates of each term, vacation periods, holidays, and other dates of significance to students;

(f) Objectives of the institution;

(g) A list of trustees (directors), administrative officers and faculty members including titles and academic qualifications;

(h) A statement of policy about standards of progress required of students, including the grading system, minimum satisfactory grades, conditions for interruption for unsatisfactory progress, probation, and re-entry, if any;

(i) A description of each course indicating the number of hours and course content, and its place in the total program;

(j) A description of facilities and major equipment, including library, laboratory and clinical training facilities;

(k) Statements on the nature and availability of student financial assistance, counseling, housing, and placement services, if any;

(l) A statement indicating whether the school is recognized by other agencies or associations for the licensing or certification of naturopathic physicians; and

(m) Any other material facts concerning the institution which are reasonably likely to affect the decision of the potential student.

(8) Admission policies and procedures. The institution shall not deny admission to a prospective student because of sex, race, color, religion, physical handicap and/or ethnic origin.

(9) Attendance. The institution shall have a written policy relative to attendance.

(10) Curriculum. The curriculum of the institution shall be designed and presented to meet or exceed the requirements of this chapter. Each student shall complete a minimum of three thousand (3000) hours instruction, which shall include no less than two hundred (200) post-graduate hours in the study of mechanotherapy. A minimum total clinical training shall be one thousand one hundred (1100) hours, of which no less than eight hundred (800) hours shall be training with student actively involved in diagnosis and treatment in accordance with RCW 18.36A.050(3). The remainder, if any, may be preceptorships overseen by the college. The clinical training shall be in naturopathic procedures. The following standards are intended not as an exact description of a college's curriculum, but rather as guidelines for the typical acceptable program. It is expected that the actual program taught by each naturopathic college will be prepared by the academic departments of the college to meet the needs of their students and will exceed the outline present here. The director's policy is to preserve the autonomy and uniqueness of each naturopathic college, and to encourage innovative and experimental programs to enhance the quality of education in colleges of naturopathic medicine.

(a) Basic science

Anatomy (includes histology and embryology)

Physiology

Pathology

Biochemistry

Public health (includes public health, genetics, microbiology, immunology)

Naturopathic philosophy

Pharmacology

(b) Clinical sciences

(i) Diagnostic courses

Physical diagnosis

Clinical diagnosis

Laboratory diagnosis

Radiological diagnosis

(ii) Therapeutic courses

Materia medica (botanical medicine)

Homotherapy

Nutrition

Physical medicine

(includes mechanical and manual manipulation, hydrotherapy, and electrotherapy)

Psychological medicine

(iii) Specialty courses

Organ systems (cardiology, dermatology, endocrinology, EENT, gastroenterology)

Human development (gynecology, obstetrics, pediatrics, geriatrics)

State law and regulations as they relate to the practice of naturopathy

Medical emergencies

Office procedures

(iv) Clinical externship/preceptorship

(11) Academic standards. The institution must regularly evaluate the quality of its instruction and have a clearly defined set of standards of competence required of its students. Promotion to each successive phase of the program and graduation shall be dependent on mastery of the knowledge and skills presented in the program.

(12) Faculty. Faculty members shall be qualified by training and experience to give effective instruction in the subject(s) taught; advanced degrees in their respective disciplines are expected. The faculty should participate in development and evaluation of curriculum instructional methods and facilities; student discipline, welfare, and counseling; establishment of administrative and educational policies; scholarly and professional growth. Provisions shall be made to allow and encourage faculty involvement in these noninstructional functions, including a plan for peer observation and evaluation among faculty. The institution shall not discriminate on the basis of sex, race, age, color, religion, physical handicap, or national or ethnic origin in the recruitment and hiring of faculty. The institution shall have stated policies on faculty hiring, compensation, fringe benefits, tenure, retirement, firing, grievance and appeals procedures. The institution shall submit to the director for each faculty member a resume which includes the following information.

(a) Academic rank or title;

(b) Degree(s) held, the institution(s) that conferred the degree(s), the date(s) thereof, and whether earned or honorary;

(c) Other qualifying training or experience;

(d) Name and course number of each course taught;

(e) Other noninstructional responsibilities, if any, and the proportion of the faculty member's time devoted to them; and

(f) The length of time associated with the institution.

(13) Library. The library shall be staffed, equipped and organized to adequately support the instruction, and research of students and faculty.

(14) Clinical training. The clinical facilities shall be adequate in size, number and resources to provide all aspects of naturopathic diagnosis and treatment. There shall be properly equipped rooms for consultation, physical examination and therapy, and a pharmacy, laboratory, and radiological equipment each consistent with the definition of practice in chapter 18.36A RCW as now or hereafter amended. A licensed and adequately experienced naturopathic physician must be in direct supervision of and have final decision in the diagnosis and treatment of patients by students, and must be present in the clinic at all times when the clinic is open.

(15) Physical plant, materials and equipment. The institution shall own or enjoy the full use of buildings and equipment adequate to accommodate the instruction of its students, and administrative and faculty offices. There shall be adequate facilities of the safekeeping of valuable records. The plant and grounds, equipment and facilities shall be maintained in an efficient, sanitary, and presentable condition. All laws relating to safety and sanitation and other regulations concerning public buildings shall be observed. There shall be sufficient personnel employed to carry out proper maintenance.

(16) Cancellation and refund policy. The institution shall maintain a fair and equitable policy regarding refund of the unused portion of tuition fees and other charges in the event a student fails to enter the course, or withdraws at any time prior to completion of the course. Such a policy shall be in keeping with generally accepted practices of institutions of higher education.

(17) Other information. The applicant institution shall provide any other information about the institution and its programs as required by the director.

NEW SECTION

WAC 308-34-470 POST-GRADUATE HOURS IN THE STUDY OF MECHANOTHERAPY. The minimum of 200 post-graduate hours in the study of mechanotherapy required by RCW 18.36A.090(1) must meet the following criteria: To be considered "post-graduate" hours in the study of mechanotherapy, hours of study

must constitute classroom training which is in addition to the mechanotherapy training provided to physicians who do not practice mechanotherapy. The post-graduate hours in the study of mechanotherapy may be classroom training in the following:

- (1) Manipulation of the osseous joints of the body.
- (2) Radiography training that is specific to the performance of manual manipulation when such training is in addition to the radiology training provided to physicians who do not practice manual manipulation.
- (3) Diagnostic training that is specific to the performance of manual manipulation when such training is in addition to the diagnostic training provided to physicians who do not practice manual manipulation.
- (4) Use of physical modalities training that is specific to the performance of manual manipulation when such training is in addition to physical modalities training provided to physicians who do not practice manual manipulation.

NEW SECTION

WAC 308-34-480 SITE REVIEW PROCEDURES FOR APPROVAL OF COLLEGE OF NATUROPATHIC MEDICINE. The director may send a representative or an examining or evaluation committee to inspect any institution requesting approval as a college of naturopathic medicine. Such inspections may be at any reasonable time during the normal operating hours of the institution. The report of the representative or committee and the institution's response shall be submitted as part of the documentation necessary for the director's action on the institution's application for approval. Expenses incurred for the site review shall be the responsibility of the program requesting approval.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 308-34-010 DEFINITIONS.
- WAC 308-34-020 SCOPE AND PURPOSE.
- WAC 308-34-030 PROVISIONAL APPROVAL.
- WAC 308-34-040 FULL APPROVAL.
- WAC 308-34-050 ELIGIBILITY.
- WAC 308-34-060 APPLICATION PROCEDURE.
- WAC 308-34-070 STANDARDS.
- WAC 308-34-080 REVIEW PROCEDURES.
- WAC 308-34-090 NATUROPATHIC PHYSICIAN FEES.

**WSR 88-15-081
PROPOSED RULES
DEPARTMENT OF LICENSING
[Filed July 20, 1988]**

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 surety bond or trust account required, amending WAC 308-11-050;

that the agency will at 10:00 a.m., Tuesday, August 23, 1988, in the Examination Center, 1300 Quince Street, Department of Licensing, 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 18.11.121 and 18.11.200.

The specific statute these rules are intended to implement is RCW 18.11.200.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before August 23, 1988.

Dated: July 19, 1988
By: James R. Brusselback
Assistant Attorney General
for Robert A. Van Schoorl
Assistant Director

STATEMENT OF PURPOSE

Name of Agency: State of Washington Department of Licensing.

Statutory Authority: RCW 18.11.121 and 18.11.200.

Summary of the Rules: WAC 308-11-050 is designed to eliminate confusion and unnecessary recordkeeping.

Purpose and Reason Proposed: To implement RCW 18.11.121 and 18.11.200.

Responsible Departmental Personnel: In addition to the director of the Department of Licensing, the following individuals have knowledge of and responsibility for drafting, implementing, enforcing and repealing these rules: Robert Van Schoorl, Assistant Director, Business and Professions Administration, P.O. Box 9012, Olympia, Washington 98504, phone (206) 753-2241 or 234-2241 scan; and Cynthia Jones, Program Management, Auctioneer Section, Business and Professions Administration, P.O. Box 9012, Olympia, Washington 98504, phone (206) 753-2494 or 234-2494 scan.

Proponents: The state of Washington Department of Licensing.

Small Business Economic Impact Statement: Not required since the proposed amendment has no economic impact beyond the statute.

AMENDATORY SECTION (Amending Order PM 622, filed 10/22/86)

WAC 308-11-050 SURETY BOND OR TRUST ACCOUNT REQUIRED. (1) As required by chapter 18.11 RCW, the amount of the surety bond or other security in lieu of the bond to be filed and maintained for an auctioneer license shall be five thousand dollars.

(2)(a) The amount of the surety bond or other security in lieu of the bond to be filed and maintained for an auction company license shall be based upon the value of the gross sales during the previous calendar year according to the following scale:

GROSS SALES	BOND/SECURITY AMOUNT
\$ 0.00 to \$ 24,999.99	\$ 5,000.00
\$ 25,000.00 to \$ 49,999.99	\$10,000.00
\$ 50,000.00 to \$ 99,999.99	\$15,000.00
\$ 100,000.00 to \$499,999.99	\$20,000.00
\$ 500,000.00 & Above	\$25,000.00

(b) ~~((The department shall provide a financial certification affidavit form to all licensed auction companies by December 31 of each year. Auction companies shall complete and return that form by April 15 of the following year.)) All licensed auction companies shall annually on June 30, submit a financial certification affidavit on forms provided by the department. The information reported will form the basis for the department's approval of the auction company's bond or other security amount each year. A company whose sales increases have placed it in a higher category in the above scale will be required to increase its surety bond or security amount accordingly, and file the increased bond or proof of security ((with the department before April 15 accompanied)) with the financial certification affidavit form. A company whose sales have decreased may adjust its bond or security amount in accordance with the scale. New license applicants will be provided with financial certification affidavit forms for estimating the sales for the calendar year.~~

(3) Each licensee must maintain such a surety bond, or other security in lieu of a bond, in an active status at all times during the period of licensure.

(4)(a) No bond filed shall be approved unless it expressly provides that it will be effective for one year following the effective date of its cancellation or termination, whether because of expiration, suspension, or revocation of the license, or otherwise, as to any covered act or acts and omission or omissions of the licensee occurring on, or prior to, the effective date of cancellation or termination.

(b) No other security used in lieu of a bond shall satisfy the requirements of chapter 18.11 RCW, unless by the express terms of the security the security shall remain open and active for not less than one year following the effective date of its cancellation or termination, whether because of the expiration, suspension or revocation, or otherwise, as to any covered act or acts or omission or omissions of the licensee occurring on, or prior to, the effective date of cancellation or termination.

(c) Subject to the requirement of ((subsection)) (b) ((above)) of this subsection, each surety bond or other security used in lieu of a bond shall be deemed terminated upon the expiration or revocation of the license in connection with which the bond was issued, or the other security in lieu of a bond was created: PROVIDED, That for the purposes only of this section a license shall not be deemed expired, suspended, or revoked so long as the licensee may continue to act as an auctioneer pursuant to the provisions of chapter 34.04 RCW or any court order issued pursuant thereto.

WSR 88-15-082

NOTICE OF PUBLIC MEETINGS

DEPARTMENT OF COMMUNITY DEVELOPMENT

(Division for Community Services)

[Memorandum—July 20, 1988]

The Washington State Department of Community Development plans to hold a public hearing on the proposed 1989 state plan for the low-income home energy assistance program (LIHEAP).

The hearing will be held on Thursday, September 1, 1988, at the George C. Marshall Community Center, Oak and Elm Room, 1009 McLoughlin Boulevard, Vancouver, WA. The hearing will begin at 3:00 p.m. and close at 4:00 p.m.; unless participation requires more time.

Two typewritten copies of all oral testimony are requested. There will be a question and answer period. Written testimony will be accepted until 5:00 p.m., Monday, September 5, 1988, sent to the attention of Peggy Jo Mihata, Assistant Director for Human Services, Ninth and Columbia Building, Mailstop GH-51, Olympia, Washington 98504-4151.

If you have any questions or need additional information, please contact Margaret Carty at (206) 753-4944.

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.

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
4-25-142	NEW	88-05-015	16-228-165	AMD-P	88-09-077
4-25-181	REP	88-06-021	16-228-165	AMD	88-14-074
4-25-190	NEW	88-06-021	16-228-185	AMD-P	88-09-077
16-28-010	REP	88-05-003	16-228-185	AMD	88-14-074
16-28-020	REP	88-05-003	16-228-190	AMD-P	88-09-077
16-28-030	REP	88-05-003	16-228-190	AMD	88-14-074
16-28-040	REP	88-05-003	16-228-210	AMD-P	88-09-077
16-28-050	REP	88-05-003	16-228-210	AMD	88-14-074
16-28-060	REP	88-05-003	16-228-215	AMD-P	88-09-077
16-28-069	REP	88-05-003	16-228-215	AMD	88-14-074
16-28-070	REP	88-05-003	16-228-220	AMD-P	88-09-077
16-28-080	REP	88-05-003	16-228-220	AMD	88-14-074
16-28-090	REP	88-05-003	16-228-222	NEW-P	88-09-077
16-30	AMD	88-05-003	16-228-227	NEW-P	88-09-077
16-30-010	AMD	88-05-003	16-228-227	NEW	88-14-074
16-30-020	AMD	88-05-003	16-228-228	NEW-P	88-09-077
16-30-030	AMD	88-05-003	16-228-232	NEW-P	88-09-077
16-30-040	AMD	88-05-003	16-228-232	NEW	88-14-074
16-30-050	AMD	88-05-003	16-228-400	NEW-E	88-07-033
16-30-060	AMD	88-05-003	16-228-410	NEW-E	88-07-033
16-30-070	AMD	88-05-003	16-228-420	NEW-E	88-07-033
16-30-080	AMD	88-05-003	16-228-430	NEW-E	88-07-033
16-30-090	AMD	88-05-003	16-228-440	NEW-E	88-07-033
16-54-010	AMD	88-05-003	16-228-450	NEW-E	88-07-033
16-54-082	AMD	88-05-003	16-228-460	NEW-E	88-07-033
16-86-015	AMD	88-05-003	16-228-470	NEW-E	88-07-033
16-86-030	AMD	88-05-003	16-228-480	NEW-E	88-07-033
16-86-095	AMD	88-05-003	16-228-490	NEW-E	88-07-033
16-156-001	NEW-P	88-04-073	16-228-500	NEW-E	88-07-033
16-156-001	NEW	88-07-024	16-228-510	NEW-E	88-07-033
16-156-005	NEW-P	88-04-073	16-228-520	NEW-E	88-07-033
16-156-005	NEW	88-07-024	16-228-600	NEW-E	88-13-025
16-156-010	NEW-P	88-04-073	16-230-030	AMD-P	88-05-055
16-156-010	NEW	88-07-024	16-230-030	AMD	88-08-050
16-156-020	NEW-P	88-04-073	16-230-079	NEW-P	88-05-055
16-156-020	NEW	88-07-024	16-230-079	NEW	88-08-050
16-156-030	NEW-P	88-04-073	16-230-475	NEW-P	88-06-071
16-156-030	NEW	88-07-024	16-230-475	NEW-E	88-07-038
16-156-040	NEW-P	88-04-073	16-230-475	NEW	88-09-013
16-156-040	NEW	88-07-024	16-230-640	AMD	88-05-033
16-156-050	NEW-P	88-04-073	16-230-655	AMD	88-05-033
16-156-050	NEW	88-07-024	16-231-015	AMD	88-05-033
16-156-060	NEW-P	88-04-073	16-231-020	AMD	88-05-033
16-156-060	NEW	88-07-024	16-231-035	REP-P	88-06-071
16-228-003	REP-P	88-09-077	16-231-035	REP-E	88-07-038
16-228-003	REP	88-14-074	16-231-035	REP	88-09-013
16-228-010	AMD-P	88-09-077	16-231-115	AMD	88-05-033
16-228-010	AMD	88-14-074	16-231-119	NEW	88-05-033
16-228-157	NEW-P	88-09-077	16-231-125	AMD	88-05-033
16-228-157	NEW	88-14-074	16-231-130	AMD-P	88-06-071
16-228-160	AMD-P	88-09-077	16-231-130	AMD-E	88-07-038
16-228-160	AMD	88-14-074	16-231-130	AMD	88-09-013
16-231-145	AMD-P	88-06-071	16-231-145	AMD-E	88-07-038
16-231-145	AMD	88-09-013	16-231-145	AMD	88-09-013
16-231-150	REP-P	88-06-071	16-231-150	REP-P	88-06-071
16-231-150	REP-E	88-07-038	16-231-150	REP-E	88-07-038
16-231-150	REP	88-09-013	16-231-225	AMD	88-05-033
16-231-225	AMD	88-05-033	16-231-240	REP-P	88-06-071
16-231-240	REP-P	88-06-071	16-231-240	REP-E	88-07-038
16-231-240	REP-E	88-07-038	16-231-240	REP	88-09-013
16-231-345	REP-P	88-06-071	16-231-345	REP-P	88-06-071
16-231-345	REP-E	88-07-038	16-231-345	REP-E	88-07-038
16-231-345	REP	88-09-013	16-231-345	REP	88-09-013
16-231-430	REP-P	88-06-071	16-231-430	REP-P	88-06-071
16-231-430	REP-E	88-07-038	16-231-430	REP-E	88-07-038
16-231-535	REP-P	88-06-071	16-231-535	REP-P	88-06-071
16-231-535	REP-E	88-07-038	16-231-535	REP-E	88-07-038
16-231-535	REP	88-09-013	16-231-535	REP	88-09-013
16-231-625	REP-P	88-06-071	16-231-625	REP-P	88-06-071
16-231-625	REP-E	88-07-038	16-231-625	REP-E	88-07-038
16-231-625	REP	88-09-013	16-231-625	REP	88-09-013
16-231-730	REP-P	88-06-071	16-231-730	REP-P	88-06-071
16-231-730	REP-E	88-07-038	16-231-730	REP-E	88-07-038
16-231-730	REP	88-09-013	16-231-730	REP	88-09-013
16-231-845	REP-P	88-06-071	16-231-845	REP-P	88-06-071
16-231-845	REP-E	88-07-038	16-231-845	REP-E	88-07-038
16-231-845	REP	88-09-013	16-231-845	REP	88-09-013
16-231-912	AMD	88-05-033	16-231-912	AMD	88-05-033
16-231-940	REP-P	88-06-071	16-231-940	REP-P	88-06-071
16-231-940	REP-E	88-07-038	16-231-940	REP-E	88-07-038
16-231-940	REP	88-09-013	16-231-940	REP	88-09-013
16-231-950	NEW-P	88-06-071	16-231-950	NEW-P	88-06-071
16-231-950	NEW-E	88-07-038	16-231-950	NEW-E	88-07-038
16-231-950	NEW	88-09-013	16-231-950	NEW	88-09-013
16-232-010	AMD	88-05-033	16-232-010	AMD	88-05-033
16-232-015	AMD	88-05-033	16-232-015	AMD	88-05-033
16-232-015	AMD-E	88-15-048	16-232-015	AMD-E	88-15-048
16-232-020	AMD	88-05-033	16-232-020	AMD	88-05-033
16-232-025	AMD	88-05-033	16-232-025	AMD	88-05-033
16-232-027	NEW	88-05-033	16-232-027	NEW	88-05-033
16-232-035	AMD-P	88-06-071	16-232-035	AMD-P	88-06-071
16-232-035	AMD-E	88-07-038	16-232-035	AMD-E	88-07-038
16-232-035	AMD	88-09-013	16-232-035	AMD	88-09-013
16-232-038	AMD	88-05-033	16-232-038	AMD	88-05-033
16-232-040	REP-P	88-06-071	16-232-040	REP-P	88-06-071
16-232-040	REP-E	88-07-038	16-232-040	REP-E	88-07-038
16-232-040	REP	88-09-013	16-232-040	REP	88-09-013
16-232-130	REP-P	88-06-071	16-232-130	REP-P	88-06-071
16-232-130	REP-E	88-07-038	16-232-130	REP-E	88-07-038
16-232-130	REP	88-09-013	16-232-130	REP	88-09-013
16-232-230	REP-P	88-06-071	16-232-230	REP-P	88-06-071

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
16-232-230	REP-E	88-07-038	16-436-170	AMD	88-11-048	16-750-015	NEW	88-07-016
16-232-230	REP	88-09-013	16-436-185	AMD-P	88-08-071	16-750-900	NEW-P	88-03-057
16-232-320	REP-P	88-06-071	16-436-185	AMD	88-11-048	16-750-900	NEW-E	88-03-059
16-232-320	REP-E	88-07-038	16-436-190	AMD-P	88-08-071	16-750-900	NEW	88-07-016
16-232-320	REP	88-09-013	16-436-190	AMD	88-11-048	16-752-001	AMD	88-04-044
16-232-950	NEW-P	88-06-071	16-436-220	AMD-P	88-08-071	16-752-115	NEW	88-04-044
16-232-950	NEW-E	88-07-038	16-436-220	AMD	88-11-048	16-752-120	NEW	88-04-044
16-232-950	NEW	88-09-013	16-470-010	AMD-E	88-12-082	16-752-125	NEW	88-04-044
16-304-040	AMD-P	88-07-114	16-470-010	AMD-P	88-12-083	16-752-130	NEW	88-04-044
16-304-040	AMD	88-11-042	16-470-015	AMD-E	88-12-082	16-752-135	NEW	88-04-044
16-304-050	AMD-P	88-07-114	16-470-015	AMD-P	88-12-083	16-752-140	NEW	88-04-044
16-304-050	AMD	88-11-042	16-470-600	NEW-E	88-09-002	16-752-145	NEW	88-04-044
16-304-110	AMD-P	88-07-114	16-470-600	NEW-E	88-12-082	16-752-150	NEW	88-04-044
16-304-110	AMD	88-11-042	16-470-600	NEW-P	88-12-083	16-752-155	NEW	88-04-044
16-304-130	AMD-P	88-07-114	16-470-605	NEW-E	88-09-002	16-752-160	NEW	88-04-044
16-304-130	AMD	88-11-042	16-470-605	NEW-E	88-12-082	16-752-165	NEW	88-04-044
16-316-0401	REP-P	88-07-114	16-470-605	NEW-P	88-12-083	16-752-170	NEW	88-04-044
16-316-0401	REP	88-11-042	16-470-610	NEW-E	88-09-002	16-752-200	NEW	88-04-044
16-316-0451	REP-P	88-07-114	16-470-610	NEW-E	88-12-082	16-752-201	NEW	88-04-044
16-316-0451	REP	88-11-042	16-470-610	NEW-P	88-12-083	16-752-202	NEW	88-04-044
16-316-0501	REP-P	88-07-114	16-470-615	NEW-E	88-09-002	16-752-203	NEW	88-04-044
16-316-0501	REP	88-11-042	16-470-615	NEW-E	88-12-082	16-752-204	NEW	88-04-044
16-316-0551	REP-P	88-07-114	16-470-615	NEW-P	88-12-083	44-10-035	NEW-P	88-13-088
16-316-0551	REP	88-11-042	16-470-620	NEW-E	88-09-002	44-10-040	NEW	88-04-081
16-316-0601	REP-P	88-07-114	16-470-620	NEW-E	88-12-082	44-10-050	AMD	88-04-081
16-316-0601	REP	88-11-042	16-470-620	NEW-P	88-12-083	44-10-055	NEW	88-04-081
16-316-195	AMD-P	88-07-114	16-470-625	NEW-E	88-12-082	44-10-060	NEW	88-04-081
16-316-195	AMD	88-11-042	16-470-625	NEW-P	88-12-083	44-10-070	NEW	88-04-081
16-316-230	AMD-P	88-07-114	16-470-630	NEW-E	88-12-082	44-10-080	NEW	88-04-081
16-316-230	AMD	88-11-042	16-470-630	NEW-P	88-12-083	44-10-110	NEW	88-04-081
16-316-315	AMD-P	88-07-114	16-470-635	NEW-E	88-12-082	44-10-130	NEW	88-04-081
16-316-315	AMD	88-11-042	16-470-635	NEW-P	88-12-083	44-10-160	NEW	88-04-081
16-316-350	AMD-P	88-07-114	16-488-025	AMD-P	88-13-081	44-10-165	NEW-P	88-04-078
16-316-350	AMD	88-11-042	16-495-085	AMD-P	88-07-114	44-10-165	NEW-E	88-04-079
16-316-370	AMD-P	88-07-114	16-495-085	AMD	88-11-042	44-10-165	NEW	88-09-063
16-316-370	AMD	88-11-042	16-528-040	AMD	88-09-019	44-10-165	NEW-E	88-09-065
16-316-525	AMD-P	88-07-114	16-528-210	AMD-P	88-08-061	44-10-180	NEW	88-04-081
16-316-525	AMD	88-11-042	16-528-210	AMD	88-12-019	44-10-200	NEW	88-04-081
16-316-717	AMD-P	88-07-114	16-530-040	AMD	88-09-018	44-10-210	NEW	88-04-081
16-316-719	AMD-P	88-07-114	16-532-120	AMD-P	88-10-034	44-10-215	NEW-P	88-03-063
16-316-724	AMD-P	88-07-114	16-532-120	AMD	88-13-050	44-10-215	NEW-E	88-03-064
16-316-724	AMD	88-11-042	16-570-040	NEW-P	88-04-072	44-10-215	NEW	88-09-064
16-316-727	AMD-P	88-07-114	16-570-040	NEW	88-07-071	44-10-215	NEW-E	88-09-065
16-316-800	AMD-P	88-07-114	16-602-005	NEW-P	88-03-058	44-10-220	NEW-P	88-03-063
16-316-800	AMD	88-11-042	16-602-005	NEW	88-07-018	44-10-220	NEW-E	88-03-064
16-316-820	AMD-P	88-07-114	16-602-010	AMD-P	88-03-058	44-10-220	NEW-P	88-09-062
16-316-820	AMD	88-11-042	16-602-010	AMD	88-07-018	44-10-220	NEW-E	88-09-065
16-316-830	AMD-P	88-07-114	16-602-020	AMD-P	88-03-058	44-10-220	NEW	88-13-039
16-316-830	AMD	88-11-042	16-602-020	AMD	88-07-018	44-10-230	NEW-P	88-03-063
16-316-832	AMD-P	88-07-114	16-602-030	AMD-P	88-03-058	44-10-230	NEW-E	88-03-064
16-316-832	AMD	88-11-042	16-602-030	AMD	88-07-018	44-10-230	NEW-P	88-09-062
16-316-880	AMD-P	88-07-114	16-620-240	AMD-P	88-07-096	44-10-230	NEW-E	88-09-065
16-316-880	AMD	88-11-042	16-620-240	AMD	88-12-036	44-10-230	NEW	88-13-039
16-403-140	AMD-P	88-11-068	16-620-260	AMD-P	88-07-096	44-10-240	NEW-P	88-03-063
16-403-140	AMD	88-14-128	16-620-260	AMD	88-12-036	44-10-240	NEW-E	88-03-064
16-403-142	NEW-P	88-11-068	16-620-265	REP-P	88-07-096	44-10-240	NEW	88-09-064
16-403-142	NEW	88-14-128	16-620-265	REP	88-12-036	44-10-240	NEW-E	88-09-065
16-403-155	AMD-P	88-14-127	16-750-001	NEW-P	88-03-057	50-12-230	AMD-E	88-11-002
16-403-180	AMD-P	88-11-068	16-750-001	NEW-E	88-03-059	50-12-230	AMD-P	88-13-064
16-403-180	AMD	88-14-128	16-750-001	NEW	88-07-016	50-20-040	AMD-E	88-13-051
16-403-190	AMD-P	88-11-068	16-750-003	NEW-E	88-13-007	50-20-040	AMD-P	88-14-002
16-403-190	AMD	88-14-128	16-750-003	NEW-P	88-13-049	50-20-040	AMD-C	88-14-093
16-403-195	AMD-P	88-11-068	16-750-004	NEW-E	88-13-007	50-20-050	AMD-E	88-13-051
16-403-195	AMD	88-14-128	16-750-004	NEW-P	88-13-049	50-20-050	AMD-P	88-14-002
16-403-280	AMD-P	88-11-068	16-750-005	NEW-P	88-03-057	50-20-050	AMD-C	88-14-093
16-403-280	AMD	88-14-128	16-750-005	NEW-E	88-03-059	51-10	AMD-P	88-14-078
16-436-100	AMD-P	88-08-071	16-750-005	NEW	88-07-016	51-12-102	AMD-P	88-14-114
16-436-100	AMD	88-11-048	16-750-010	REP-P	88-03-057	51-12-223	AMD-P	88-14-114
16-436-110	AMD-P	88-08-071	16-750-010	REP-E	88-03-059	51-12-305	AMD-P	88-14-114
16-436-110	AMD	88-11-048	16-750-010	REP	88-07-016	51-12-402	AMD-P	88-14-114
16-436-140	AMD-P	88-08-071	16-750-011	NEW-P	88-03-057	51-12-411	AMD-P	88-14-114
16-436-140	AMD	88-11-048	16-750-011	NEW-E	88-03-059	51-12-426	AMD-P	88-14-114
16-436-160	AMD-P	88-08-071	16-750-011	NEW	88-07-016	51-12-503	AMD-P	88-14-114
16-436-160	AMD	88-11-048	16-750-011	AMD-E	88-13-007	51-12-602	AMD-P	88-14-114
16-436-165	NEW-P	88-08-071	16-750-011	AMD-P	88-13-049	51-12-605	AMD-P	88-14-114
16-436-165	NEW	88-11-048	16-750-015	NEW-P	88-03-057	51-16	AMD-P	88-14-077
16-436-170	AMD-P	88-08-071	16-750-015	NEW-E	88-03-059	51-16-010	AMD-P	88-14-077

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
51-16-020	AMD-P 88-14-077	118-40-300	NEW-P 88-15-074	132E-12-314	REP-P 88-13-097
51-16-030	AMD-P 88-14-077	118-40-400	NEW-P 88-15-074	132E-12-317	REP-P 88-13-097
51-16-040	AMD-P 88-14-077	132E-12-003	REP-P 88-13-097	132E-12-320	REP-P 88-13-097
51-16-050	AMD-P 88-14-077	132E-12-006	REP-P 88-13-097	132E-12-323	REP-P 88-13-097
51-16-060	AMD-P 88-14-077	132E-12-009	REP-P 88-13-097	132E-12-326	REP-P 88-13-097
51-16-070	AMD-P 88-14-077	132E-12-012	REP-P 88-13-097	132E-12-329	REP-P 88-13-097
51-16-080	AMD-P 88-14-077	132E-12-015	REP-P 88-13-097	132E-12-332	REP-P 88-13-097
51-16-090	AMD-P 88-14-077	132E-12-018	REP-P 88-13-097	132E-12-335	REP-P 88-13-097
51-16-100	NEW-P 88-14-077	132E-12-021	REP-P 88-13-097	132E-12-338	REP-P 88-13-097
55-01-001	NEW-P 88-15-073	132E-12-024	REP-P 88-13-097	132E-12-341	REP-P 88-13-097
55-01-010	NEW-P 88-15-073	132E-12-027	REP-P 88-13-097	132E-12-344	REP-P 88-13-097
55-01-020	NEW-P 88-15-073	132E-12-030	REP-P 88-13-097	132E-12-347	REP-P 88-13-097
55-01-030	NEW-P 88-15-073	132E-12-033	REP-P 88-13-097	132E-12-350	REP-P 88-13-097
55-01-040	NEW-P 88-15-073	132E-12-036	REP-P 88-13-097	132E-12-353	REP-P 88-13-097
55-01-050	NEW-P 88-15-073	132E-12-037	REP-P 88-13-097	132E-12-356	REP-P 88-13-097
55-01-060	NEW-P 88-15-073	132E-12-039	REP-P 88-13-097	132E-12-359	REP-P 88-13-097
55-01-070	NEW-P 88-15-073	132E-12-042	REP-P 88-13-097	132E-12-362	REP-P 88-13-097
55-01-080	NEW-P 88-15-073	132E-12-045	REP-P 88-13-097	132E-12-365	REP-P 88-13-097
67-10-020	AMD-P 88-04-016	132E-12-048	REP-P 88-13-097	132E-12-368	REP-P 88-13-097
67-10-020	AMD 88-09-006	132E-12-051	REP-P 88-13-097	132E-12-371	REP-P 88-13-097
67-10-030	AMD-P 88-04-016	132E-12-054	REP-P 88-13-097	132E-12-374	REP-P 88-13-097
67-10-030	AMD 88-09-006	132E-12-057	REP-P 88-13-097	132E-12-377	REP-P 88-13-097
67-10-040	AMD-P 88-04-016	132E-12-060	REP-P 88-13-097	132E-12-380	REP-P 88-13-097
67-10-040	AMD 88-09-006	132E-12-063	REP-P 88-13-097	132E-12-383	REP-P 88-13-097
67-10-060	AMD-P 88-04-016	132E-12-066	REP-P 88-13-097	132E-12-386	REP-P 88-13-097
67-10-060	AMD 88-09-006	132E-12-069	REP-P 88-13-097	132E-12-389	REP-P 88-13-097
67-25-120	AMD-P 88-04-016	132E-12-072	REP-P 88-13-097	132E-12-392	REP-P 88-13-097
67-25-120	AMD 88-09-006	132E-12-075	REP-P 88-13-097	132E-12-395	REP-P 88-13-097
67-25-400	AMD-P 88-04-016	132E-12-078	REP-P 88-13-097	132E-12-398	REP-P 88-13-097
67-25-400	AMD 88-09-006	132E-12-084	REP-P 88-13-097	132E-12-401	REP-P 88-13-097
67-25-404	AMD-P 88-04-016	132E-12-087	REP-P 88-13-097	132E-12-404	REP-P 88-13-097
67-25-404	AMD 88-09-006	132E-12-096	REP-P 88-13-097	132E-12-407	REP-P 88-13-097
67-25-570	AMD-P 88-04-016	132E-12-120	REP-P 88-13-097	132E-12-410	REP-P 88-13-097
67-25-570	AMD 88-09-006	132E-12-144	REP-P 88-13-097	132E-12-413	REP-P 88-13-097
82-50-021	AMD-P 88-13-092	132E-12-147	REP-P 88-13-097	132E-12-416	REP-P 88-13-097
82-50-031	AMD-P 88-13-092	132E-12-150	REP-P 88-13-097	132E-12-419	REP-P 88-13-097
82-50-041	REP-P 88-13-092	132E-12-153	REP-P 88-13-097	132E-12-422	REP-P 88-13-097
98-11-005	NEW-P 88-03-062	132E-12-165	REP-P 88-13-097	132E-12-425	REP-P 88-13-097
98-11-005	NEW 88-07-032	132E-12-168	REP-P 88-13-097	132E-12-428	REP-P 88-13-097
98-40-050	AMD-P 88-03-062	132E-12-171	REP-P 88-13-097	132E-12-431	REP-P 88-13-097
98-40-050	AMD 88-07-032	132E-12-174	REP-P 88-13-097	132E-12-434	REP-P 88-13-097
100-100-050	AMD-P 88-11-076	132E-12-177	REP-P 88-13-097	132E-112-010	REP-P 88-06-020
100-100-050	AMD-E 88-11-077	132E-12-180	REP-P 88-13-097	132E-112-010	REP 88-10-014
106-116-850	NEW-P 88-07-017	132E-12-183	REP-P 88-13-097	132E-112-020	REP-P 88-06-020
106-116-850	NEW-E 88-11-065	132E-12-186	REP-P 88-13-097	132E-112-020	REP 88-10-014
106-116-850	NEW 88-11-066	132E-12-189	REP-P 88-13-097	132E-112-030	REP-P 88-06-020
106-116-853	NEW-P 88-07-017	132E-12-192	REP-P 88-13-097	132E-112-030	REP 88-10-014
106-116-853	NEW-E 88-11-065	132E-12-195	REP-P 88-13-097	132E-112-040	REP-P 88-06-020
106-116-853	NEW 88-11-066	132E-12-198	REP-P 88-13-097	132E-112-040	REP 88-10-014
106-116-856	NEW-P 88-07-017	132E-12-201	REP-P 88-13-097	132E-112-050	REP-P 88-06-020
106-116-856	NEW-E 88-11-065	132E-12-204	REP-P 88-13-097	132E-112-050	REP 88-10-014
106-116-856	NEW 88-11-066	132E-12-207	REP-P 88-13-097	132E-112-060	REP-P 88-06-020
106-116-859	NEW-P 88-07-017	132E-12-210	REP-P 88-13-097	132E-112-060	REP 88-10-014
106-116-859	NEW-E 88-11-065	132E-12-212	REP-P 88-13-097	132E-112-070	REP-P 88-06-020
106-116-859	NEW 88-11-066	132E-12-215	REP-P 88-13-097	132E-112-070	REP 88-10-014
106-116-901	AMD-P 88-07-017	132E-12-228	REP-P 88-13-097	132E-112-080	REP-P 88-06-020
106-116-901	AMD-E 88-11-065	132E-12-231	REP-P 88-13-097	132E-112-080	REP 88-10-014
106-116-901	AMD 88-11-066	132E-12-261	REP-P 88-13-097	132E-112-090	REP-P 88-06-020
113-12-200	AMD-P 88-05-058	132E-12-264	REP-P 88-13-097	132E-112-090	REP 88-10-014
113-12-200	AMD-P 88-14-040	132E-12-267	REP-P 88-13-097	132E-112-100	REP-P 88-06-020
114-12-160	AMD-P 88-14-095	132E-12-270	REP-P 88-13-097	132E-112-100	REP 88-10-014
114-12-170	AMD-P 88-14-095	132E-12-273	REP-P 88-13-097	132E-112-110	REP-P 88-06-020
118-40-010	NEW-P 88-15-074	132E-12-276	REP-P 88-13-097	132E-112-110	REP 88-10-014
118-40-020	NEW-P 88-15-074	132E-12-279	REP-P 88-13-097	132E-112-120	REP-P 88-06-020
118-40-030	NEW-P 88-15-074	132E-12-281	REP-P 88-13-097	132E-112-120	REP 88-10-014
118-40-040	NEW-P 88-15-074	132E-12-284	REP-P 88-13-097	132E-112-130	REP-P 88-06-020
118-40-050	NEW-P 88-15-074	132E-12-287	REP-P 88-13-097	132E-112-130	REP 88-10-014
118-40-060	NEW-P 88-15-074	132E-12-290	REP-P 88-13-097	132E-112-140	REP-P 88-06-020
118-40-070	NEW-P 88-15-074	132E-12-293	REP-P 88-13-097	132E-112-140	REP 88-10-014
118-40-080	NEW-P 88-15-074	132E-12-296	REP-P 88-13-097	132E-112-150	REP-P 88-06-020
118-40-090	NEW-P 88-15-074	132E-12-299	REP-P 88-13-097	132E-112-150	REP 88-10-014
118-40-100	NEW-P 88-15-074	132E-12-302	REP-P 88-13-097	132E-112-160	REP-P 88-06-020
118-40-150	NEW-P 88-15-074	132E-12-305	REP-P 88-13-097	132E-112-160	REP 88-10-014
118-40-160	NEW-P 88-15-074	132E-12-306	REP-P 88-13-097	132E-112-170	REP-P 88-06-020
118-40-170	NEW-P 88-15-074	132E-12-307	REP-P 88-13-097	132E-112-170	REP 88-10-014
118-40-180	NEW-P 88-15-074	132E-12-308	REP-P 88-13-097	132E-112-180	REP-P 88-06-020
118-40-190	NEW-P 88-15-074	132E-12-311	REP-P 88-13-097	132E-112-180	REP 88-10-014

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
132E-112-190	REP-P 88-06-020	132I-14-110	REP 88-07-119	132N-20-030	NEW-P 88-11-047
132E-112-190	REP 88-10-014	132I-14-120	REP-P 88-03-047	132N-20-040	NEW-P 88-11-047
132E-112-200	REP-P 88-06-020	132I-14-120	REP 88-07-119	132N-20-050	NEW-P 88-11-047
132E-112-200	REP 88-10-014	132I-14-130	REP-P 88-03-047	132N-20-060	NEW-P 88-11-047
132E-112-210	REP-P 88-06-020	132I-14-130	REP 88-07-119	132N-20-070	NEW-P 88-11-047
132E-112-210	REP 88-10-014	132I-14-140	REP-P 88-03-047	132N-20-080	NEW-P 88-11-047
132E-112-220	REP-P 88-06-020	132I-14-140	REP 88-07-119	132N-20-090	NEW-P 88-11-047
132E-112-220	REP 88-10-014	132I-14-150	REP-P 88-03-047	132P-40-001	NEW-P 88-04-024
132E-112-230	REP-P 88-06-020	132I-14-150	REP 88-07-119	132P-40-001	NEW 88-12-012
132E-112-230	REP 88-10-014	132I-14-160	REP-P 88-03-047	132R-210-015	REP-P 88-15-001
132E-120-050	REP-P 88-13-001	132I-14-160	REP 88-07-119	132R-210-020	REP-P 88-15-001
132E-120-060	REP-P 88-13-001	132I-14-170	REP-P 88-03-047	132R-210-030	REP-P 88-15-001
132E-120-070	REP-P 88-13-001	132I-14-170	REP 88-07-119	132R-210-040	REP-P 88-15-001
132E-120-080	REP-P 88-13-001	132I-14-180	REP-P 88-03-047	132R-210-060	REP-P 88-15-001
132E-121-010	NEW-P 88-13-096	132I-14-180	REP 88-07-119	132R-210-070	REP-P 88-15-001
132E-124-030	REP-P 88-08-022	132I-14-190	REP-P 88-03-047	132R-210-110	REP-P 88-15-001
132E-124-030	REP 88-12-004	132I-14-190	REP 88-07-119	132R-210-120	REP-P 88-15-001
132E-124-040	REP-P 88-08-022	132I-14-200	REP-P 88-03-047	132R-210-130	REP-P 88-15-001
132E-124-040	REP 88-12-004	132I-14-200	REP 88-07-119	132R-210-140	REP-P 88-15-001
132E-124-050	REP-P 88-08-022	132I-14-210	REP-P 88-03-047	132R-210-150	REP-P 88-15-001
132E-124-050	REP 88-12-004	132I-14-210	REP 88-07-119	132R-210-160	REP-P 88-15-001
132E-124-060	REP-P 88-08-022	132I-120-010	NEW-P 88-03-048	132R-210-170	REP-P 88-15-001
132E-124-060	REP 88-12-004	132I-120-010	NEW 88-07-120	132R-210-175	REP-P 88-15-001
132E-168-010	REP-P 88-08-019	132I-120-020	NEW-P 88-03-048	132R-210-180	REP-P 88-15-001
132E-168-010	REP 88-12-006	132I-120-020	NEW 88-07-120	132R-210-210	REP-P 88-15-001
132E-168-020	REP-P 88-08-019	132I-120-030	NEW-P 88-03-048	132R-210-220	REP-P 88-15-001
132E-168-020	REP 88-12-006	132I-120-030	NEW 88-07-120	132R-210-230	REP-P 88-15-001
132E-168-030	REP-P 88-08-019	132I-120-100	NEW-P 88-03-048	132R-210-240	REP-P 88-15-001
132E-168-030	REP 88-12-006	132I-120-100	NEW 88-07-120	132R-210-250	REP-P 88-15-001
132E-168-040	REP-P 88-08-019	132I-120-300	NEW-P 88-03-048	132R-210-260	REP-P 88-15-001
132E-168-040	REP 88-12-006	132I-120-300	NEW 88-07-120	132R-210-265	REP-P 88-15-001
132E-168-050	REP-P 88-08-019	132I-120-305	NEW-P 88-03-048	132R-210-270	REP-P 88-15-001
132E-168-050	REP 88-12-006	132I-120-305	NEW 88-07-120	132R-210-275	REP-P 88-15-001
132E-168-060	REP-P 88-08-019	132I-120-310	NEW-P 88-03-048	132R-210-280	REP-P 88-15-001
132E-168-060	REP 88-12-006	132I-120-310	NEW 88-07-120	132R-210-310	REP-P 88-15-001
132E-168-070	REP-P 88-08-019	132I-120-315	NEW-P 88-03-048	132R-210-320	REP-P 88-15-001
132E-168-070	REP 88-12-006	132I-120-315	NEW 88-07-120	132R-210-330	REP-P 88-15-001
132E-168-080	REP-P 88-08-019	132I-120-320	NEW-P 88-03-048	132R-210-335	REP-P 88-15-001
132E-168-080	REP 88-12-006	132I-120-320	NEW 88-07-120	132R-210-340	REP-P 88-15-001
132E-168-090	REP-P 88-08-019	132I-120-325	NEW-P 88-03-048	132R-210-350	REP-P 88-15-001
132E-168-090	REP 88-12-006	132I-120-325	NEW 88-07-120	132R-210-360	REP-P 88-15-001
132E-276-030	AMD-P 88-08-053	132I-120-330	NEW-P 88-03-048	132R-210-410	REP-P 88-15-001
132E-276-030	AMD 88-12-005	132I-120-330	NEW 88-07-120	132R-210-415	REP-P 88-15-001
132E-276-060	AMD-P 88-10-023	132I-120-335	NEW-P 88-03-048	132R-210-420	REP-P 88-15-001
132E-276-060	AMD 88-14-013	132I-120-335	NEW 88-07-120	132R-210-425	REP-P 88-15-001
132E-276-070	AMD-P 88-10-023	132I-120-340	NEW-P 88-03-048	132R-210-430	REP-P 88-15-001
132E-276-070	AMD 88-14-013	132I-120-340	NEW 88-07-120	132R-210-435	REP-P 88-15-001
132F-120-090	AMD-P 88-03-044	132I-120-345	NEW-P 88-03-048	132R-210-445	REP-P 88-15-001
132F-120-090	AMD 88-08-069	132I-120-345	NEW 88-07-120	132R-210-450	REP-P 88-15-001
132H-105-140	AMD-P 88-06-058	132I-120-400	NEW-P 88-03-048	132R-210-455	REP-P 88-15-001
132H-105-140	AMD-P 88-07-089	132I-120-400	NEW 88-07-120	132R-210-460	REP-P 88-15-001
132H-105-140	AMD 88-13-047	132I-120-405	NEW-P 88-03-048	132R-210-465	REP-P 88-15-001
132H-200-200	NEW-P 88-04-059	132I-120-405	NEW 88-07-120	132R-210-470	REP-P 88-15-001
132H-200-200	NEW 88-07-036	132I-120-410	NEW-P 88-03-048	132R-210-505	REP-P 88-15-001
132H-200-250	NEW-P 88-07-088	132I-120-410	NEW 88-07-120	132R-210-510	REP-P 88-15-001
132H-200-250	NEW 88-13-048	132I-120-415	NEW-P 88-03-048	132R-210-520	REP-P 88-15-001
132I-14-010	REP-P 88-03-047	132I-120-415	NEW 88-07-120	132R-210-570	REP-P 88-15-001
132I-14-010	REP 88-07-119	132I-120-420	NEW-P 88-03-048	132R-210-620	REP-P 88-15-001
132I-14-020	REP-P 88-03-047	132I-120-420	NEW 88-07-120	132R-210-630	REP-P 88-15-001
132I-14-020	REP 88-07-119	132I-120-425	NEW-P 88-03-048	132R-210-701	REP-P 88-15-001
132I-14-030	REP-P 88-03-047	132I-120-425	NEW 88-07-120	132R-210-702	REP-P 88-15-001
132I-14-030	REP 88-07-119	132I-120-430	NEW-P 88-03-048	132R-210-704	REP-P 88-15-001
132I-14-040	REP-P 88-03-047	132I-120-430	NEW 88-07-120	132R-210-706	REP-P 88-15-001
132I-14-040	REP 88-07-119	132I-120-435	NEW-P 88-03-048	132R-210-708	REP-P 88-15-001
132I-14-050	REP-P 88-03-047	132I-120-435	NEW 88-07-120	132R-210-710	REP-P 88-15-001
132I-14-050	REP 88-07-119	132I-120-440	NEW-P 88-03-048	132R-210-712	REP-P 88-15-001
132I-14-060	REP-P 88-03-047	132I-120-440	NEW 88-07-120	132R-210-714	REP-P 88-15-001
132I-14-060	REP 88-07-119	132I-120-445	NEW-P 88-03-048	132R-210-716	REP-P 88-15-001
132I-14-070	REP-P 88-03-047	132I-120-445	NEW 88-07-120	132R-210-718	REP-P 88-15-001
132I-14-070	REP 88-07-119	132I-120-500	NEW-P 88-03-048	132R-210-720	REP-P 88-15-001
132I-14-080	REP-P 88-03-047	132I-120-500	NEW 88-07-120	132R-210-722	REP-P 88-15-001
132I-14-080	REP 88-07-119	132I-120-510	NEW-P 88-03-048	132R-210-724	REP-P 88-15-001
132I-14-090	REP-P 88-03-047	132I-120-510	NEW 88-07-120	132R-210-726	REP-P 88-15-001
132I-14-090	REP 88-07-119	132I-120-520	NEW-P 88-03-048	132R-210-728	REP-P 88-15-001
132I-14-100	REP-P 88-03-047	132I-120-520	NEW 88-07-120	132R-210-730	REP-P 88-15-001
132I-14-100	REP 88-07-119	132N-20-010	NEW-P 88-11-047		
132I-14-110	REP-P 88-03-047	132N-20-020	NEW-P 88-11-047		

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
132U-120-010	NEW-P 88-07-029	132U-140-030	NEW 88-15-005	136-15-060	NEW-P 88-12-079
132U-120-010	NEW 88-15-005	132U-140-040	NEW-P 88-07-029	136-130-050	AMD-C 88-09-034
132U-120-020	NEW-P 88-07-029	132U-140-040	NEW 88-15-005	136-130-050	AMD 88-12-080
132U-120-020	NEW 88-15-005	132U-140-050	NEW-P 88-07-029	136-130-060	AMD 88-05-040
132U-120-030	NEW-P 88-07-029	132U-140-050	NEW 88-15-005	136-130-070	AMD 88-05-040
132U-120-030	NEW 88-15-005	132U-140-060	NEW-P 88-07-029	136-160-050	AMD 88-05-040
132U-120-040	NEW-P 88-07-029	132U-140-060	NEW 88-15-005	136-160-060	AMD-P 88-12-079
132U-120-040	NEW 88-15-005	132U-140-070	NEW-P 88-07-029	136-160-065	NEW 88-05-040
132U-120-050	NEW-P 88-07-029	132U-140-070	NEW 88-15-005	136-220-020	AMD-P 88-12-079
132U-120-050	NEW 88-15-005	132U-276	NEW-C 88-12-020	136-220-030	AMD-P 88-12-079
132U-120-060	NEW-P 88-07-029	132U-276-100	NEW-P 88-07-029	137-60-040	AMD-W 88-04-043
132U-120-060	NEW 88-15-005	132U-276-100	NEW 88-15-005	137-78-010	NEW-P 88-12-002
132U-120-070	NEW-P 88-07-029	132U-276-110	NEW-P 88-07-029	137-78-020	NEW-P 88-12-002
132U-120-070	NEW 88-15-005	132U-276-110	NEW 88-15-005	137-78-030	NEW-P 88-12-002
132U-120-080	NEW-P 88-07-029	132U-276-120	NEW-P 88-07-029	137-78-040	NEW-P 88-12-002
132U-120-080	NEW 88-15-005	132U-276-120	NEW 88-15-005	137-78-050	NEW-P 88-12-002
132U-120-090	NEW-P 88-07-029	132U-276-130	NEW-P 88-07-029	137-78-060	NEW-P 88-12-002
132U-120-090	NEW 88-15-005	132U-276-130	NEW 88-15-005	137-78-070	NEW-P 88-12-002
132U-120-100	NEW-P 88-07-029	132U-276-140	NEW-P 88-07-029	137-78-080	NEW-P 88-12-002
132U-120-100	NEW 88-15-005	132U-276-140	NEW 88-15-005	139-05-810	NEW-P 88-15-028
132U-120-110	NEW-P 88-07-029	132U-276-150	NEW-P 88-07-029	139-25-110	NEW-P 88-15-029
132U-120-110	NEW 88-15-005	132U-276-150	NEW 88-15-005	154-04-040	AMD-P 88-09-075
132U-120-120	NEW-P 88-07-029	132U-276-160	NEW-P 88-07-029	154-04-040	AMD 88-12-028
132U-120-120	NEW 88-15-005	132U-276-160	NEW 88-15-005	154-12-015	AMD-P 88-09-075
132U-120-130	NEW-P 88-07-029	132U-276-170	NEW-P 88-07-029	154-12-015	AMD 88-12-028
132U-120-130	NEW 88-15-005	132U-276-170	NEW 88-15-005	154-12-020	AMD-P 88-09-075
132U-120-140	NEW-P 88-07-029	132U-276-180	NEW-P 88-07-029	154-12-020	AMD 88-12-028
132U-120-140	NEW 88-15-005	132U-276-180	NEW 88-15-005	154-12-030	AMD-P 88-09-075
132U-120-150	NEW-P 88-07-029	132U-276-190	NEW-P 88-07-029	154-12-030	AMD 88-12-028
132U-120-150	NEW 88-15-005	132U-276-190	NEW 88-15-005	154-12-110	AMD-P 88-09-075
132U-120-160	NEW-P 88-07-029	132U-276-200	NEW-P 88-07-029	154-12-110	AMD 88-12-028
132U-120-160	NEW 88-15-005	132U-276-200	NEW 88-15-005	154-24-010	AMD-P 88-09-075
132U-120-170	NEW-P 88-07-029	132U-276-210	NEW-P 88-07-029	154-24-010	AMD 88-12-028
132U-120-170	NEW 88-15-005	132U-276-210	NEW 88-15-005	154-110-010	NEW-P 88-07-104
132U-120-180	NEW-P 88-07-029	132U-276-220	NEW-P 88-07-029	154-110-010	NEW 88-11-028
132U-120-180	NEW 88-15-005	132U-276-220	NEW 88-15-005	154-110-015	NEW-P 88-07-104
132U-120-190	NEW-P 88-07-029	132U-276-230	NEW-P 88-07-029	154-110-015	NEW 88-11-028
132U-120-190	NEW 88-15-005	132U-276-230	NEW 88-15-005	154-110-020	NEW-P 88-07-104
132U-120-200	NEW-P 88-07-029	132U-276-240	NEW-P 88-07-029	154-110-020	NEW 88-11-028
132U-120-200	NEW 88-15-005	132U-276-240	NEW 88-15-005	154-110-030	NEW-P 88-07-104
132U-120-210	NEW-P 88-07-029	132U-280	NEW-C 88-12-020	154-110-030	NEW 88-11-028
132U-120-210	NEW 88-15-005	132U-280-010	NEW-P 88-07-029	154-120-010	NEW-P 88-07-104
132U-120-220	NEW-P 88-07-029	132U-280-010	NEW 88-15-005	154-120-010	NEW 88-11-028
132U-120-220	NEW 88-15-005	132U-280-015	NEW-P 88-07-029	154-120-015	NEW-P 88-07-104
132U-120-230	NEW-P 88-07-029	132U-280-015	NEW 88-15-005	154-120-015	NEW 88-11-028
132U-120-230	NEW 88-15-005	132U-280-020	NEW-P 88-07-029	154-120-020	NEW-P 88-07-104
132U-120-240	NEW-P 88-07-029	132U-280-020	NEW 88-15-005	154-120-020	NEW 88-11-028
132U-120-240	NEW 88-15-005	132U-280-025	NEW-P 88-07-029	154-120-025	NEW-P 88-07-104
132U-120-250	NEW-P 88-07-029	132U-280-025	NEW 88-15-005	154-120-025	NEW 88-11-028
132U-120-250	NEW 88-15-005	132U-280-030	NEW-P 88-07-029	154-120-030	NEW-P 88-07-104
132U-120-260	NEW-P 88-07-029	132U-280-030	NEW 88-15-005	154-120-030	NEW 88-11-028
132U-120-260	NEW 88-15-005	132U-280-035	NEW-P 88-07-029	154-120-035	NEW-P 88-07-104
132U-120-270	NEW-P 88-07-029	132U-280-035	NEW 88-15-005	154-120-035	NEW 88-11-028
132U-120-270	NEW 88-15-005	132U-300	NEW-C 88-12-020	154-120-040	NEW-P 88-07-104
132U-120-280	NEW-P 88-07-029	132U-300-010	NEW-P 88-07-029	154-120-040	NEW 88-11-028
132U-120-280	NEW 88-15-005	132U-300-010	NEW 88-15-005	154-120-045	NEW-P 88-07-104
132U-120-290	NEW-P 88-07-029	132U-300-020	NEW-P 88-07-029	154-120-045	NEW 88-11-028
132U-120-290	NEW 88-15-005	132U-300-020	NEW 88-15-005	154-120-050	NEW-P 88-07-104
132U-120-300	NEW-P 88-07-029	132U-325	NEW-C 88-12-020	154-120-050	NEW 88-11-028
132U-120-300	NEW 88-15-005	132U-325-010	NEW-P 88-07-029	154-120-055	NEW-P 88-07-104
132U-120-310	NEW-P 88-07-029	132U-325-010	NEW 88-15-005	154-120-055	NEW 88-11-028
132U-120-310	NEW 88-15-005	132Y-20-010	REP-P 88-06-023	154-130-010	NEW-P 88-07-104
132U-120-320	NEW-P 88-07-029	132Y-140-001	REP-P 88-06-024	154-130-010	NEW 88-11-028
132U-120-320	NEW 88-15-005	132Y-140-001	REP 88-13-013	154-130-020	NEW-P 88-07-104
132U-120-330	NEW-P 88-07-029	132Y-140-101	REP-P 88-06-024	154-130-020	NEW 88-11-028
132U-120-330	NEW 88-15-005	132Y-140-101	REP 88-13-013	154-130-030	NEW-P 88-07-104
132U-122	NEW-C 88-12-020	132Y-140-108	REP-P 88-06-024	154-130-030	NEW 88-11-028
132U-122-010	NEW-P 88-07-029	132Y-140-108	REP 88-13-013	154-140-010	NEW-P 88-07-104
132U-122-010	NEW 88-15-005	132Y-140-112	REP-P 88-06-024	154-140-010	NEW 88-11-028
132U-122-020	NEW-P 88-07-029	132Y-140-112	REP 88-13-013	154-140-020	NEW-P 88-07-104
132U-122-020	NEW 88-15-005	132Y-140-116	REP-P 88-06-024	154-140-020	NEW 88-11-028
132U-140	NEW-C 88-12-020	132Y-140-116	REP 88-13-013	154-140-030	NEW-P 88-07-104
132U-140-010	NEW-P 88-07-029	136-15-010	NEW-P 88-12-079	154-140-030	NEW 88-11-028
132U-140-010	NEW 88-15-005	136-15-020	NEW-P 88-12-079	154-150-010	NEW-P 88-07-104
132U-140-020	NEW-P 88-07-029	136-15-030	NEW-P 88-12-079	154-150-010	NEW 88-11-028
132U-140-020	NEW 88-15-005	136-15-040	NEW-P 88-12-079	154-150-020	NEW-P 88-07-104
132U-140-030	NEW-P 88-07-029	136-15-050	NEW-P 88-12-079	154-150-020	NEW 88-11-028

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
154-150-030	NEW-P	88-07-104	173-19-2207	AMD-P	88-08-067	173-124-070	NEW-P	88-09-054
154-150-030	NEW	88-11-028	173-19-2207	AMD-C	88-14-091	173-124-070	NEW	88-13-037
154-150-040	NEW-P	88-07-104	173-19-2208	AMD-P	88-08-068	173-124-080	NEW-P	88-09-054
154-150-040	NEW	88-11-028	173-19-2208	AMD-C	88-14-091	173-124-080	NEW	88-13-037
154-150-050	NEW-P	88-07-104	173-19-2507	AMD-C	88-04-092	173-128A-060	NEW-P	88-09-054
154-150-050	NEW	88-11-028	173-19-2507	AMD	88-07-008	173-128A-060	NEW	88-13-037
154-160-010	NEW-P	88-07-104	173-19-2516	AMD-P	88-12-068	173-130A-215	NEW-P	88-09-054
154-160-010	NEW	88-11-028	173-19-310	AMD-W	88-02-053	173-130A-215	NEW	88-13-037
154-160-020	NEW-P	88-07-104	173-19-310	AMD-P	88-02-054	173-130A-217	NEW-P	88-09-054
154-160-020	NEW	88-11-028	173-19-310	AMD	88-07-010	173-130A-217	NEW	88-13-037
154-170-010	NEW-P	88-07-104	173-19-3302	AMD	88-02-064	173-130A-220	AMD-P	88-09-054
154-170-010	NEW	88-11-028	173-19-3501	AMD-P	88-05-066	173-130A-220	AMD	88-13-037
154-180-010	NEW-P	88-07-104	173-19-3501	AMD	88-10-059	173-132-060	NEW-P	88-09-054
154-180-010	NEW	88-11-028	173-19-3512	AMD-C	88-02-063	173-132-060	NEW	88-13-037
154-180-020	NEW-P	88-07-104	173-19-3512	AMD-C	88-04-093	173-134A-150	AMD-P	88-09-054
154-180-020	NEW	88-11-028	173-19-3512	AMD	88-07-007	173-134A-150	AMD	88-13-037
154-180-030	NEW-P	88-07-104	173-19-360	AMD-P	88-12-069	173-134A-165	NEW-P	88-09-054
154-180-030	NEW	88-11-028	173-19-360	AMD-C	88-13-119	173-134A-165	NEW	88-13-037
154-180-040	NEW-P	88-07-104	173-22-0648	AMD	88-03-070	173-134A-170	AMD-P	88-09-054
154-180-040	NEW	88-11-028	173-95-010	NEW-P	88-09-076	173-134A-170	AMD	88-13-037
154-180-050	NEW-P	88-07-104	173-95-010	NEW	88-14-125	173-136-095	NEW-P	88-09-054
154-180-050	NEW	88-11-028	173-95-020	NEW-P	88-09-076	173-136-095	NEW	88-13-037
154-180-060	NEW-P	88-07-104	173-95-020	NEW	88-14-125	173-136-100	AMD-P	88-09-054
154-180-060	NEW	88-11-028	173-95-030	NEW-P	88-09-076	173-136-100	AMD	88-13-037
154-180-070	NEW-P	88-07-104	173-95-030	NEW	88-14-125	173-136-110	NEW-P	88-09-054
154-180-070	NEW	88-11-028	173-95-040	NEW-P	88-09-076	173-136-110	NEW	88-13-037
154-190-010	NEW-P	88-07-104	173-95-040	NEW	88-14-125	173-150-125	NEW-P	88-09-054
154-190-010	NEW	88-11-028	173-95-050	NEW-P	88-09-076	173-150-125	NEW	88-13-037
154-200-010	NEW-P	88-07-104	173-95-050	NEW	88-14-125	173-150-130	AMD-P	88-09-054
154-200-010	NEW	88-11-028	173-95-060	NEW-P	88-09-076	173-150-130	AMD	88-13-037
154-200-020	NEW-P	88-07-104	173-95-060	NEW	88-14-125	173-150-135	NEW-P	88-09-054
154-200-020	NEW	88-11-028	173-95-070	NEW-P	88-09-076	173-150-135	NEW	88-13-037
154-200-030	NEW-P	88-07-104	173-95-070	NEW	88-14-125	173-154-095	NEW-P	88-09-054
154-200-030	NEW	88-11-028	173-95-080	NEW-P	88-09-076	173-154-095	NEW	88-13-037
154-200-040	NEW-P	88-07-104	173-95-080	NEW	88-14-125	173-154-100	AMD-P	88-09-054
154-200-040	NEW	88-11-028	173-95-090	NEW-P	88-09-076	173-154-100	AMD	88-13-037
162-18-010	REP-P	88-09-080	173-95-090	NEW	88-14-125	173-154-105	NEW-P	88-09-054
162-18-020	REP-P	88-09-080	173-95-100	NEW-P	88-09-076	173-154-105	NEW	88-13-037
162-18-030	REP-P	88-09-080	173-95-100	NEW	88-14-125	173-158-010	NEW-P	88-05-042
162-18-040	REP-P	88-09-080	173-95-110	NEW-P	88-09-076	173-158-010	NEW	88-10-058
162-18-050	REP-P	88-09-080	173-95-110	NEW	88-14-125	173-158-020	NEW-P	88-05-042
162-18-060	REP-P	88-09-080	173-95-120	NEW-P	88-09-076	173-158-020	NEW	88-10-058
162-18-070	REP-P	88-09-080	173-95-120	NEW	88-14-125	173-158-030	NEW-P	88-05-042
162-18-080	REP-P	88-09-080	173-95-130	NEW-P	88-09-076	173-158-030	NEW	88-10-058
162-18-090	REP-P	88-09-080	173-95-130	NEW	88-14-125	173-158-040	NEW-P	88-05-042
162-18-100	REP-P	88-09-080	173-95-140	NEW-P	88-09-076	173-158-040	NEW	88-10-058
162-18-110	NEW-P	88-09-080	173-95-140	NEW	88-14-125	173-158-050	NEW-P	88-05-042
162-18-120	NEW-P	88-09-080	173-95-150	NEW-P	88-09-076	173-158-050	NEW	88-10-058
162-18-130	NEW-P	88-09-080	173-95-150	NEW	88-14-125	173-158-060	NEW-P	88-05-042
162-18-140	NEW-P	88-09-080	173-95-160	NEW-P	88-09-076	173-158-060	NEW	88-10-058
162-18-150	NEW-P	88-09-080	173-95-160	NEW	88-14-125	173-158-070	NEW-P	88-05-042
162-18-160	NEW-P	88-09-080	173-100-050	AMD-P	88-09-054	173-158-070	NEW	88-10-058
162-19-010	NEW-P	88-09-080	173-100-050	AMD	88-13-037	173-158-080	NEW-P	88-05-042
162-19-020	NEW-P	88-09-080	173-100-160	NEW-P	88-09-054	173-158-080	NEW	88-10-058
162-19-030	NEW-P	88-09-080	173-110-010	NEW-E	88-08-020	173-158-090	NEW-P	88-05-042
162-19-040	NEW-P	88-09-080	173-110-010	NEW-E	88-14-126	173-158-090	NEW	88-10-058
162-19-060	NEW-P	88-09-080	173-110-010	NEW-E	88-08-020	173-158-100	NEW-P	88-05-042
162-19-070	NEW-P	88-09-080	173-110-020	NEW-E	88-14-126	173-158-100	NEW	88-10-058
162-19-080	NEW-P	88-09-080	173-110-020	NEW-E	88-08-020	173-158-110	NEW-P	88-05-042
162-19-090	NEW-P	88-09-080	173-110-030	NEW-E	88-14-126	173-158-110	NEW	88-10-058
173-14	AMD-C	88-04-091	173-110-030	NEW-E	88-14-126	173-158-120	NEW-P	88-05-042
173-14-030	AMD-W	88-07-006	173-110-040	NEW-E	88-08-020	173-158-120	NEW	88-10-058
173-14-030	AMD-P	88-12-067	173-110-040	NEW-E	88-14-126	173-160	AMD-C	88-04-071
173-14-060	AMD-W	88-07-006	173-110-050	NEW-E	88-08-020	173-160	AMD	88-08-070
173-14-061	NEW-W	88-07-006	173-110-050	NEW-E	88-14-126	173-160-010	AMD	88-08-070
173-18-280	AMD	88-03-070	173-110-060	NEW-E	88-08-020	173-160-020	AMD	88-08-070
173-19-130	AMD	88-07-009	173-110-060	NEW-E	88-14-126	173-160-030	AMD	88-08-070
173-19-220	AMD-P	88-03-069	173-110-070	NEW-E	88-08-020	173-160-040	AMD	88-08-070
173-19-220	AMD-P	88-08-063	173-110-070	NEW-E	88-14-126	173-160-050	AMD	88-08-070
173-19-220	AMD	88-08-089	173-110-080	NEW-E	88-08-020	173-160-055	NEW	88-08-070
173-19-220	AMD-C	88-14-091	173-110-080	NEW-E	88-14-126	173-160-060	REP	88-08-070
173-19-2201	AMD-P	88-08-064	173-110-090	NEW-E	88-08-020	173-160-065	NEW	88-08-070
173-19-2201	AMD-C	88-14-091	173-110-090	NEW-E	88-14-126	173-160-070	REP	88-08-070
173-19-2202	AMD-P	88-08-065	173-110-100	NEW-E	88-08-020	173-160-075	NEW	88-08-070
173-19-2202	AMD-C	88-14-091	173-110-100	NEW-E	88-14-126	173-160-080	REP	88-08-070
173-19-2204	AMD-P	88-08-066	173-124-06001	REP-P	88-09-054	173-160-085	NEW	88-08-070
173-19-2204	AMD-C	88-14-091	173-124-06001	REP	88-13-037	173-160-090	REP	88-08-070

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
173-160-09001	REP	88-08-070	173-162-050	AMD	88-08-070	173-223-100	NEW-P	88-07-103
173-160-095	NEW	88-08-070	173-162-060	AMD	88-08-070	173-223-100	NEW	88-12-035
173-160-100	REP	88-08-070	173-162-100	AMD	88-08-070	173-223-110	NEW	88-12-035
173-160-105	NEW	88-08-070	173-162-110	REP	88-08-070	173-223-120	NEW-P	88-07-103
173-160-110	REP	88-08-070	173-162-130	AMD	88-08-070	173-303	AMD-C	88-03-074
173-160-115	NEW	88-08-070	173-162-140	AMD	88-08-070	173-303	AMD-C	88-06-041
173-160-120	REP	88-08-070	173-162-150	REP	88-08-070	173-303-120	AMD	88-07-039
173-160-125	NEW	88-08-070	173-162-160	REP	88-08-070	173-303-120	AMD-P	88-13-116
173-160-130	REP	88-08-070	173-162-170	AMD	88-08-070	173-303-140	AMD	88-02-057
173-160-135	NEW	88-08-070	173-162-180	REP	88-08-070	173-303-170	AMD	88-02-057
173-160-140	REP	88-08-070	173-162-190	AMD	88-08-070	173-303-280	AMD	88-02-057
173-160-150	REP	88-08-070	173-162-200	NEW	88-08-070	173-303-281	NEW-P	88-13-116
173-160-160	REP	88-08-070	173-162-210	NEW	88-08-070	173-303-283	NEW-P	88-13-116
173-160-170	REP	88-08-070	173-162-220	NEW	88-08-070	173-303-284	NEW	88-07-039
173-160-180	REP	88-08-070	173-164-050	AMD-P	88-09-054	173-303-284	REP-P	88-13-116
173-160-190	REP	88-08-070	173-164-050	AMD	88-13-037	173-303-285	NEW	88-07-039
173-160-200	REP	88-08-070	173-164-080	NEW-P	88-09-054	173-303-285	REP-P	88-13-116
173-160-205	NEW	88-08-070	173-164-080	NEW	88-13-037	173-303-286	NEW	88-07-039
173-160-210	REP	88-08-070	173-166-070	NEW-P	88-09-054	173-303-286	REP-P	88-13-116
173-160-215	NEW	88-08-070	173-166-070	NEW	88-13-037	173-303-400	AMD	88-02-057
173-160-220	REP	88-08-070	173-201	AMD	88-02-058	173-303-420	AMD	88-07-039
173-160-225	NEW	88-08-070	173-201-010	AMD	88-02-058	173-303-420	AMD-P	88-13-116
173-160-230	REP	88-08-070	173-201-025	AMD	88-02-058	173-303-430	AMD	88-07-039
173-160-235	NEW	88-08-070	173-201-035	AMD	88-02-058	173-303-440	AMD	88-07-039
173-160-240	REP	88-08-070	173-201-045	AMD	88-02-058	173-303-510	AMD	88-07-039
173-160-245	NEW	88-08-070	173-201-047	NEW	88-02-058	173-303-510	AMD-P	88-13-116
173-160-250	REP	88-08-070	173-201-070	AMD	88-02-058	173-303-520	AMD	88-07-039
173-160-255	NEW	88-08-070	173-201-080	AMD	88-02-058	173-303-520	AMD-P	88-13-116
173-160-260	REP	88-08-070	173-201-090	AMD	88-02-058	173-303-560	AMD	88-07-039
173-160-265	NEW	88-08-070	173-201-100	AMD	88-02-058	173-303-560	AMD-P	88-13-116
173-160-270	REP	88-08-070	173-202-020	AMD-P	88-12-097	173-303-600	AMD	88-07-039
173-160-275	NEW	88-08-070	173-216-130	AMD-P	88-07-103	173-303-600	AMD-P	88-13-116
173-160-280	REP	88-08-070	173-216-130	AMD	88-12-035	173-303-650	AMD	88-07-039
173-160-285	NEW	88-08-070	173-220-010	AMD-P	88-13-095	173-303-650	AMD-P	88-13-116
173-160-290	REP	88-08-070	173-220-020	AMD-P	88-13-095	173-303-665	AMD	88-02-057
173-160-295	NEW	88-08-070	173-220-030	AMD-P	88-13-095	173-303-800	AMD	88-07-039
173-160-300	REP	88-08-070	173-220-040	AMD-P	88-13-095	173-303-800	AMD-P	88-13-116
173-160-305	NEW	88-08-070	173-220-045	AMD-P	88-13-095	173-303-802	AMD	88-07-039
173-160-310	REP	88-08-070	173-220-050	AMD-P	88-13-095	173-303-802	AMD-P	88-13-116
173-160-315	NEW	88-08-070	173-220-060	AMD-P	88-13-095	173-303-805	AMD	88-07-039
173-160-320	REP	88-08-070	173-220-070	AMD-P	88-13-095	173-303-805	AMD-P	88-13-116
173-160-325	NEW	88-08-070	173-220-080	AMD-P	88-13-095	173-303-806	AMD	88-07-039
173-160-330	REP	88-08-070	173-220-090	AMD-P	88-13-095	173-303-806	AMD-P	88-13-116
173-160-335	NEW	88-08-070	173-220-100	AMD-P	88-13-095	173-303-901	NEW	88-07-039
173-160-340	REP	88-08-070	173-220-120	AMD-P	88-13-095	173-303-901	REP-P	88-13-116
173-160-345	NEW	88-08-070	173-220-130	AMD-P	88-13-095	173-303-905	NEW-P	88-13-116
173-160-350	REP	88-08-070	173-220-140	AMD-P	88-13-095	173-303-910	AMD	88-02-057
173-160-355	NEW	88-08-070	173-220-150	AMD-P	88-07-103	173-304	AMD-C	88-08-062
173-160-360	REP	88-08-070	173-220-150	AMD	88-12-035	173-304-100	AMD-P	88-04-074
173-160-365	NEW	88-08-070	173-220-150	AMD-P	88-13-095	173-304-100	AMD-W	88-14-109
173-160-370	REP	88-08-070	173-220-160	AMD-P	88-13-095	173-304-100	AMD-P	88-14-110
173-160-375	NEW	88-08-070	173-220-180	AMD-P	88-13-095	173-304-400	AMD-P	88-04-074
173-160-380	REP	88-08-070	173-220-190	AMD-P	88-13-095	173-304-400	AMD-W	88-14-109
173-160-385	NEW	88-08-070	173-220-200	AMD-P	88-13-095	173-304-400	AMD-P	88-14-110
173-160-395	NEW	88-08-070	173-220-210	AMD-P	88-13-095	173-304-405	AMD-P	88-04-074
173-160-405	NEW	88-08-070	173-220-220	REP-P	88-13-095	173-304-405	AMD-W	88-14-109
173-160-415	NEW	88-08-070	173-220-225	AMD-P	88-13-095	173-304-405	AMD-P	88-14-110
173-160-420	NEW	88-08-070	173-222-015	AMD-P	88-07-103	173-304-407	NEW-P	88-04-074
173-160-425	NEW	88-08-070	173-222-015	AMD	88-12-035	173-304-407	NEW-W	88-14-109
173-160-435	NEW	88-08-070	173-223-015	NEW-P	88-07-103	173-304-407	NEW-P	88-14-110
173-160-445	NEW	88-08-070	173-223-015	NEW	88-12-035	173-304-430	AMD-P	88-04-074
173-160-455	NEW	88-08-070	173-223-020	NEW-P	88-07-103	173-304-430	AMD-W	88-14-109
173-160-465	NEW	88-08-070	173-223-020	NEW	88-12-035	173-304-430	AMD-P	88-14-110
173-160-475	NEW	88-08-070	173-223-030	NEW-P	88-07-103	173-304-450	AMD-P	88-04-074
173-160-500	NEW	88-08-070	173-223-030	NEW	88-12-035	173-304-450	AMD-W	88-14-109
173-160-510	NEW	88-08-070	173-223-040	NEW-P	88-07-103	173-304-450	AMD-P	88-14-110
173-160-520	NEW	88-08-070	173-223-040	NEW	88-12-035	173-304-460	AMD-P	88-04-074
173-160-530	NEW	88-08-070	173-223-050	NEW-P	88-07-103	173-304-460	AMD-W	88-14-109
173-160-540	NEW	88-08-070	173-223-050	NEW	88-12-035	173-304-460	AMD-P	88-14-110
173-160-550	NEW	88-08-070	173-223-060	NEW-P	88-07-103	173-304-467	NEW-P	88-04-074
173-160-560	NEW	88-08-070	173-223-060	NEW	88-12-035	173-304-467	NEW-W	88-14-109
173-162	AMD-C	88-04-071	173-223-070	NEW-P	88-07-103	173-304-467	NEW-P	88-14-110
173-162	AMD	88-08-070	173-223-070	NEW	88-12-035	173-304-468	NEW-P	88-14-110
173-162-010	AMD	88-08-070	173-223-080	NEW-P	88-07-103	173-304-600	AMD-P	88-04-074
173-162-020	AMD	88-08-070	173-223-080	NEW	88-12-035	173-304-600	AMD-W	88-14-109
173-162-030	AMD	88-08-070	173-223-090	NEW-P	88-07-103	173-304-600	AMD-P	88-14-110
173-162-040	AMD	88-08-070	173-223-090	NEW	88-12-035	173-306-010	NEW-P	88-12-072

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
173-306-010	NEW-E 88-12-073	173-340-010	NEW-E 88-13-085	173-509-030	AMD 88-13-037
173-306-020	NEW-P 88-12-072	173-340-020	NEW-P 88-07-105	173-509-080	AMD-P 88-09-054
173-306-020	NEW-E 88-12-073	173-340-020	NEW-E 88-07-106	173-509-080	AMD 88-13-037
173-306-030	NEW-P 88-12-072	173-340-020	NEW-C 88-10-055	173-509-085	NEW-P 88-09-054
173-306-030	NEW-E 88-12-073	173-340-020	NEW 88-13-036	173-509-085	NEW 88-13-037
173-306-040	NEW-P 88-12-072	173-340-020	NEW-E 88-13-085	173-509-090	AMD-P 88-09-054
173-306-040	NEW-E 88-12-073	173-340-030	NEW-P 88-07-105	173-509-090	AMD 88-13-037
173-306-050	NEW-P 88-12-072	173-340-030	NEW-E 88-07-106	173-510-030	AMD-P 88-09-054
173-306-050	NEW-E 88-12-073	173-340-030	NEW-C 88-10-055	173-510-030	AMD 88-13-037
173-309-010	NEW-P 88-09-049	173-340-030	NEW 88-13-036	173-510-090	AMD-P 88-09-054
173-309-010	NEW-E 88-09-050	173-340-030	NEW-E 88-13-085	173-510-090	AMD 88-13-037
173-309-010	NEW-C 88-11-067	173-340-040	NEW-P 88-07-105	173-510-095	NEW-P 88-09-054
173-309-010	NEW-E 88-15-057	173-340-040	NEW-E 88-07-106	173-510-095	NEW 88-13-037
173-309-020	NEW-P 88-09-049	173-340-040	NEW-C 88-10-055	173-510-100	AMD-P 88-09-054
173-309-020	NEW-E 88-09-050	173-340-040	NEW 88-13-036	173-510-100	AMD 88-13-037
173-309-020	NEW-C 88-11-067	173-340-040	NEW-E 88-13-085	173-511-090	AMD-P 88-09-054
173-309-020	NEW-E 88-15-057	173-340-050	NEW-P 88-07-105	173-511-090	AMD 88-13-037
173-309-030	NEW-P 88-09-049	173-340-050	NEW-E 88-07-106	173-511-095	NEW-P 88-09-054
173-309-030	NEW-E 88-09-050	173-340-050	NEW-C 88-10-055	173-511-095	NEW 88-13-037
173-309-030	NEW-C 88-11-067	173-340-050	NEW 88-13-036	173-511-100	AMD-P 88-09-054
173-309-030	NEW-E 88-15-057	173-340-050	NEW-E 88-13-085	173-511-100	AMD 88-13-037
173-309-040	NEW-P 88-09-049	173-400-115	AMD-P 88-10-053	173-512-070	AMD-P 88-09-054
173-309-040	NEW-E 88-09-050	173-403-030	AMD-P 88-10-053	173-512-070	AMD 88-13-037
173-309-040	NEW-C 88-11-067	173-403-050	AMD-P 88-10-053	173-512-075	NEW-P 88-09-054
173-309-040	NEW-E 88-15-057	173-403-080	AMD-P 88-10-053	173-512-075	NEW 88-13-037
173-309-050	NEW-P 88-09-049	173-425-030	AMD-P 88-10-053	173-512-080	AMD-P 88-09-054
173-309-050	NEW-E 88-09-050	173-425-035	REP-P 88-10-053	173-512-080	AMD 88-13-037
173-309-050	NEW-C 88-11-067	173-425-036	NEW-P 88-10-053	173-513-090	AMD-P 88-09-054
173-309-050	NEW-E 88-15-057	173-425-045	AMD-P 88-10-053	173-513-090	AMD 88-13-037
173-309-060	NEW-P 88-09-049	173-425-065	AMD-P 88-10-053	173-513-095	NEW-P 88-09-054
173-309-060	NEW-E 88-09-050	173-425-075	AMD-P 88-10-053	173-513-095	NEW 88-13-037
173-309-060	NEW-C 88-11-067	173-425-085	AMD-P 88-10-053	173-513-100	AMD-P 88-09-054
173-309-060	NEW-E 88-15-057	173-425-095	AMD-P 88-10-053	173-513-100	AMD 88-13-037
173-309-070	NEW-P 88-09-049	173-425-130	AMD-P 88-10-053	173-514-080	AMD-P 88-09-054
173-309-070	NEW-E 88-09-050	173-433-030	AMD-P 88-10-052	173-514-080	AMD 88-13-037
173-309-070	NEW-C 88-11-067	173-433-100	AMD-P 88-10-052	173-514-085	NEW-P 88-09-054
173-309-070	NEW-E 88-15-057	173-433-100	AMD-E 88-15-069	173-514-085	NEW 88-13-037
173-309-080	NEW-P 88-09-049	173-433-120	AMD-P 88-10-052	173-514-090	AMD-P 88-09-054
173-309-080	NEW-E 88-09-050	173-433-130	NEW-P 88-10-052	173-514-090	AMD 88-13-037
173-309-080	NEW-C 88-11-067	173-435-010	AMD-P 88-10-053	173-515-090	AMD-P 88-09-054
173-309-080	NEW-E 88-15-057	173-435-020	AMD-P 88-10-053	173-515-090	AMD 88-13-037
173-309-090	NEW-P 88-09-049	173-435-030	AMD-P 88-10-053	173-515-095	NEW-P 88-09-054
173-309-090	NEW-E 88-09-050	173-435-040	AMD-P 88-10-053	173-515-095	NEW 88-13-037
173-309-090	NEW-C 88-11-067	173-435-050	AMD-P 88-10-053	173-515-100	AMD-P 88-09-054
173-309-090	NEW-E 88-15-057	173-435-060	AMD-P 88-10-053	173-515-100	AMD 88-13-037
173-326-010	AMD-P 88-15-071	173-435-070	AMD-P 88-10-053	173-522-020	AMD-P 88-09-054
173-326-040	AMD-P 88-15-071	173-470-030	AMD-P 88-10-053	173-522-020	AMD 88-13-037
173-335-010	NEW-E 88-12-070	173-470-100	AMD-P 88-10-053	173-522-070	NEW-P 88-09-054
173-335-010	NEW-P 88-12-071	173-500-010	AMD-P 88-09-054	173-522-070	NEW 88-13-037
173-335-020	NEW-E 88-12-070	173-500-010	AMD 88-13-037	173-522-080	NEW-P 88-09-054
173-335-020	NEW-P 88-12-071	173-500-030	AMD-P 88-09-054	173-522-080	NEW 88-13-037
173-335-030	NEW-E 88-12-070	173-500-030	AMD 88-13-037	173-522-090	NEW-P 88-09-054
173-335-030	NEW-P 88-12-071	173-500-070	NEW-P 88-09-054	173-522-090	NEW 88-13-037
173-335-040	NEW-E 88-12-070	173-500-070	NEW 88-13-037	173-530-910	REP-P 88-09-054
173-335-040	NEW-P 88-12-071	173-501-090	AMD-P 88-09-054	173-530-910	REP 88-13-037
173-335-050	NEW-E 88-12-070	173-501-090	AMD 88-13-037	173-530-920	REP-P 88-09-054
173-335-050	NEW-P 88-12-071	173-501-095	NEW-P 88-09-054	173-530-920	REP 88-13-037
173-336-010	NEW-P 88-11-072	173-501-095	NEW 88-13-037	173-530-930	REP-P 88-09-054
173-336-010	NEW 88-15-038	173-501-100	AMD-P 88-09-054	173-530-930	REP 88-13-037
173-336-020	NEW-P 88-11-072	173-501-100	AMD 88-13-037	173-530-940	REP-P 88-09-054
173-336-020	NEW 88-15-038	173-507-020	AMD-P 88-09-054	173-530-940	REP 88-13-037
173-336-030	NEW-P 88-11-072	173-507-020	AMD 88-13-037	173-530-950	REP-P 88-09-054
173-336-030	NEW 88-15-038	173-507-070	AMD-P 88-09-054	173-530-950	REP 88-13-037
173-338-010	NEW-P 88-11-073	173-507-070	AMD 88-13-037	173-530-960	REP-P 88-09-054
173-338-010	NEW 88-15-037	173-507-075	NEW-P 88-09-054	173-530-960	REP 88-13-037
173-338-020	NEW-P 88-11-073	173-507-075	NEW 88-13-037	173-531A-080	NEW-P 88-09-054
173-338-020	NEW 88-15-037	173-507-080	AMD-P 88-09-054	173-531A-080	NEW 88-13-037
173-338-030	NEW-P 88-11-073	173-507-080	AMD 88-13-037	173-531A-090	NEW-P 88-09-054
173-338-030	NEW 88-15-037	173-508-070	AMD-P 88-09-054	173-531A-090	NEW 88-13-037
173-338-040	NEW-P 88-11-073	173-508-070	AMD 88-13-037	173-532-090	NEW-P 88-09-054
173-338-040	NEW 88-15-037	173-508-090	AMD-P 88-09-054	173-532-090	NEW 88-13-037
173-338-050	NEW-P 88-11-073	173-508-090	AMD 88-13-037	173-532-100	NEW-P 88-09-054
173-338-050	NEW 88-15-037	173-508-095	NEW-P 88-09-054	173-532-100	NEW 88-13-037
173-340-010	NEW-P 88-07-105	173-508-095	NEW 88-13-037	173-532-110	NEW-P 88-09-054
173-340-010	NEW-E 88-07-106	173-508-100	AMD-P 88-09-054	173-532-110	NEW 88-13-037
173-340-010	NEW-C 88-10-055	173-508-100	AMD 88-13-037	173-545-090	AMD-P 88-09-054
173-340-010	NEW 88-13-036	173-509-030	AMD-P 88-09-054	173-545-090	AMD 88-13-037

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
173-545-095	NEW-P 88-09-054	173-596-040	REP 88-13-037	174-120-070	NEW-P 88-14-102
173-545-095	NEW 88-13-037	173-596-045	REP-P 88-09-054	174-120-080	NEW-P 88-14-102
173-545-100	AMD-P 88-09-054	173-596-045	REP 88-13-037	174-120-090	NEW-P 88-14-102
173-545-100	AMD 88-13-037	173-596-050	REP-P 88-09-054	174-124-020	REP-P 88-14-101
173-548-080	NEW-P 88-09-054	173-596-050	REP 88-13-037	174-124-020	REP-P 88-14-102
173-548-080	NEW 88-13-037	173-596-055	REP-P 88-09-054	174-124-030	REP-P 88-14-101
173-548-090	NEW-P 88-09-054	173-596-055	REP 88-13-037	174-124-030	REP-P 88-14-102
173-548-090	NEW 88-13-037	173-596-060	REP-P 88-09-054	174-124-040	REP-P 88-14-101
173-548-100	NEW-P 88-09-054	173-596-060	REP 88-13-037	174-124-040	REP-P 88-14-102
173-548-100	NEW 88-13-037	173-596-065	REP-P 88-09-054	174-124-050	REP-P 88-14-101
173-549-090	AMD-P 88-09-054	173-596-065	REP 88-13-037	174-124-050	REP-P 88-14-102
173-549-090	AMD 88-13-037	174-107-100	REP-P 88-14-101	174-124-120	REP-P 88-14-101
173-549-095	NEW-P 88-09-054	174-107-100	REP-P 88-14-102	174-124-120	REP-P 88-14-102
173-549-095	NEW 88-13-037	174-107-110	REP-P 88-14-101	174-130-010	NEW-P 88-14-101
173-549-100	AMD-P 88-09-054	174-107-110	REP-P 88-14-102	174-130-020	NEW-P 88-14-101
173-549-100	AMD 88-13-037	174-107-120	REP-P 88-14-101	174-130-030	NEW-P 88-14-101
173-555-080	NEW-P 88-09-054	174-107-120	REP-P 88-14-102	174-130-040	NEW-P 88-14-101
173-555-080	NEW 88-13-037	174-107-130	REP-P 88-14-101	174-130-050	NEW-P 88-14-101
173-555-090	NEW-P 88-09-054	174-107-130	REP-P 88-14-102	174-130-060	NEW-P 88-14-101
173-555-090	NEW 88-13-037	174-107-140	REP-P 88-14-101	174-130-070	NEW-P 88-14-101
173-555-100	NEW-P 88-09-054	174-107-140	REP-P 88-14-102	174-130-080	NEW-P 88-14-101
173-555-100	NEW 88-13-037	174-107-150	REP-P 88-14-101	174-130-090	NEW-P 88-14-101
173-559-080	NEW-P 88-09-054	174-107-150	REP-P 88-14-102	174-136-300	NEW-P 88-14-103
173-559-080	NEW 88-13-037	174-107-160	REP-P 88-14-101	174-136-310	NEW-P 88-14-103
173-559-090	NEW-P 88-09-054	174-107-160	REP-P 88-14-102	174-136-320	NEW-P 88-14-103
173-559-090	NEW 88-13-037	174-107-170	REP-P 88-14-101	174-136-330	NEW-P 88-14-103
173-559-100	NEW-P 88-09-054	174-107-170	REP-P 88-14-102	180-16-223	AMD-P 88-05-024
173-559-100	NEW 88-13-037	174-107-180	REP-P 88-14-101	180-16-223	AMD-P 88-05-050
173-563-050	AMD-P 88-09-054	174-107-180	REP-P 88-14-102	180-16-223	AMD 88-08-045
173-563-050	AMD 88-13-037	174-107-190	REP-P 88-14-101	180-57-050	AMD-P 88-08-072
173-563-070	AMD-P 88-09-054	174-107-190	REP-P 88-14-102	180-57-050	AMD 88-13-026
173-563-070	AMD 88-13-037	174-107-200	REP-P 88-14-101	180-75-085	AMD-P 88-08-073
173-563-075	NEW-P 88-09-054	174-107-200	REP-P 88-14-102	180-75-085	AMD 88-13-009
173-563-075	NEW 88-13-037	174-107-210	REP-P 88-14-101	180-78	AMD-C 88-03-025
173-563-080	AMD-P 88-09-054	174-107-210	REP-P 88-14-102	180-78	AMD 88-07-002
173-563-080	AMD 88-13-037	174-107-220	REP-P 88-14-101	180-78-007	NEW 88-07-002
173-563-090	AMD-P 88-09-054	174-107-220	REP-P 88-14-102	180-78-008	NEW 88-07-002
173-563-090	AMD 88-13-037	174-107-360	REP-P 88-14-101	180-78-010	AMD 88-07-002
173-590-090	AMD-P 88-09-054	174-107-360	REP-P 88-14-102	180-78-026	NEW 88-07-002
173-590-090	AMD 88-13-037	174-107-370	REP-P 88-14-101	180-78-027	REP 88-07-002
173-590-110	AMD-P 88-09-054	174-107-370	REP-P 88-14-102	180-78-028	NEW 88-07-002
173-590-110	AMD 88-13-037	174-107-380	REP-P 88-14-101	180-78-029	NEW 88-07-002
173-590-140	AMD-P 88-09-054	174-107-380	REP-P 88-14-102	180-78-030	REP 88-07-002
173-590-140	AMD 88-13-037	174-107-400	REP-P 88-14-101	180-78-033	NEW 88-07-002
173-590-180	AMD-P 88-09-054	174-107-400	REP-P 88-14-102	180-78-035	REP 88-07-002
173-590-180	AMD 88-13-037	174-107-410	REP-P 88-14-101	180-78-036	NEW 88-07-002
173-590-190	NEW-P 88-09-054	174-107-410	REP-P 88-14-102	180-78-037	NEW 88-07-002
173-590-190	NEW 88-13-037	174-107-420	REP-P 88-14-101	180-78-040	REP 88-07-002
173-591-060	AMD-P 88-09-054	174-107-420	REP-P 88-14-102	180-78-047	NEW 88-07-002
173-591-060	AMD 88-13-037	174-107-430	REP-P 88-14-101	180-78-050	REP 88-07-002
173-591-070	AMD-P 88-09-054	174-107-430	REP-P 88-14-102	180-78-055	REP 88-07-002
173-591-070	AMD 88-13-037	174-107-440	REP-P 88-14-101	180-78-057	AMD 88-07-002
173-591-115	NEW-P 88-09-054	174-107-440	REP-P 88-14-102	180-78-060	AMD 88-07-002
173-591-115	NEW 88-13-037	174-107-450	REP-P 88-14-101	180-78-063	NEW 88-07-002
173-591-120	AMD-P 88-09-054	174-107-450	REP-P 88-14-102	180-78-065	NEW 88-07-002
173-591-120	AMD 88-13-037	174-107-460	REP-P 88-14-101	180-78-068	NEW 88-07-002
173-592-060	AMD-P 88-09-054	174-107-460	REP-P 88-14-102	180-78-070	NEW 88-07-002
173-592-060	AMD 88-13-037	174-107-470	REP-P 88-14-101	180-78-073	NEW 88-07-002
173-592-070	AMD-P 88-09-054	174-107-470	REP-P 88-14-102	180-78-074	NEW 88-07-002
173-592-070	AMD 88-13-037	174-107-500	REP-P 88-14-101	180-78-075	NEW 88-07-002
173-592-110	AMD-P 88-09-054	174-107-500	REP-P 88-14-102	180-78-080	NEW 88-07-002
173-592-110	AMD 88-13-037	174-107-510	REP-P 88-14-101	180-78-085	NEW 88-07-002
173-592-115	NEW-P 88-09-054	174-107-510	REP-P 88-14-102	180-78-090	NEW 88-07-002
173-592-115	NEW 88-13-037	174-107-520	REP-P 88-14-101	180-78-095	NEW 88-07-002
173-596-010	REP-P 88-09-054	174-107-520	REP-P 88-14-102	180-78-100	NEW 88-07-002
173-596-010	REP 88-13-037	174-107-530	REP-P 88-14-101	180-78-105	NEW 88-07-002
173-596-015	REP-P 88-09-054	174-107-530	REP-P 88-14-102	180-78-110	NEW 88-07-002
173-596-015	REP 88-13-037	174-107-540	REP-P 88-14-101	180-78-115	NEW 88-07-002
173-596-020	REP-P 88-09-054	174-107-540	REP-P 88-14-102	180-78-120	NEW 88-07-002
173-596-020	REP 88-13-037	174-107-550	REP-P 88-14-101	180-78-125	NEW 88-07-002
173-596-025	REP-P 88-09-054	174-107-550	REP-P 88-14-102	180-78-130	NEW 88-07-002
173-596-025	REP 88-13-037	174-120-010	NEW-P 88-14-102	180-78-140	NEW 88-07-002
173-596-030	REP-P 88-09-054	174-120-020	NEW-P 88-14-102	180-78-145	NEW 88-07-002
173-596-030	REP 88-13-037	174-120-030	NEW-P 88-14-102	180-78-150	NEW 88-07-002
173-596-035	REP-P 88-09-054	174-120-040	NEW-P 88-14-102	180-78-155	NEW 88-07-002
173-596-035	REP 88-13-037	174-120-050	NEW-P 88-14-102	180-78-160	NEW 88-07-002
173-596-040	REP-P 88-09-054	174-120-060	NEW-P 88-14-102	180-78-160	AMD-E 88-12-015

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
180-78-165	NEW 88-07-002	180-79-205	REP 88-05-047	180-115-060	NEW-P 88-05-052
180-78-170	NEW 88-07-002	180-79-210	REP 88-05-047	180-115-060	NEW 88-08-044
180-78-175	NEW 88-07-002	180-79-215	REP 88-05-047	180-115-065	NEW-E 88-05-046
180-78-180	NEW 88-07-002	180-79-230	AMD 88-05-047	180-115-065	NEW-P 88-05-052
180-78-185	NEW 88-07-002	180-79-245	AMD 88-05-047	180-115-065	NEW 88-08-044
180-78-190	NEW 88-07-002	180-79-250	REP 88-05-047	180-115-070	NEW-E 88-05-046
180-78-193	AMD 88-07-002	180-80-205	REP 88-05-048	180-115-070	NEW-P 88-05-052
180-78-194	AMD 88-07-002	180-80-210	REP 88-05-048	180-115-070	NEW 88-08-044
180-78-199	AMD 88-07-002	180-80-215	REP 88-05-048	180-115-075	NEW-E 88-05-046
180-78-205	NEW 88-07-002	180-80-280	REP 88-05-048	180-115-075	NEW-P 88-05-052
180-78-210	NEW 88-07-002	180-80-285	REP 88-05-048	180-115-075	NEW 88-08-044
180-78-215	NEW 88-07-002	180-80-290	REP 88-05-048	180-115-080	NEW-E 88-05-046
180-78-220	NEW 88-07-002	180-80-295	REP 88-05-048	180-115-080	NEW-P 88-05-052
180-78-225	NEW 88-07-002	180-80-300	REP 88-05-048	180-115-080	NEW 88-08-044
180-78-230	NEW 88-07-002	180-80-301	REP 88-05-048	180-115-085	NEW-E 88-05-046
180-78-235	NEW 88-07-002	180-80-302	REP 88-05-048	180-115-085	NEW-P 88-05-052
180-78-240	NEW 88-07-002	180-80-303	REP 88-05-048	180-115-085	NEW 88-08-044
180-78-245	NEW 88-07-002	180-80-312	REP 88-05-048	180-115-090	NEW-E 88-05-046
180-78-250	NEW 88-07-002	180-80-530	REP 88-05-048	180-115-090	NEW-P 88-05-052
180-78-255	NEW 88-07-002	180-80-705	REP 88-05-048	180-115-090	NEW 88-08-044
180-78-260	NEW 88-07-002	180-84-015	REP 88-05-049	180-115-095	NEW-E 88-05-046
180-78-265	NEW 88-07-002	180-84-020	REP 88-05-049	180-115-095	NEW-P 88-05-052
180-78-270	NEW 88-07-002	180-84-025	REP 88-05-049	180-115-095	NEW 88-08-044
180-78-275	NEW 88-07-002	180-84-050	REP 88-05-049	180-115-100	NEW-E 88-05-046
180-78-280	NEW 88-07-002	180-84-055	REP 88-05-049	180-115-100	NEW-P 88-05-052
180-78-285	NEW 88-07-002	180-84-060	REP 88-05-049	180-115-100	NEW 88-08-044
180-78-290	NEW 88-07-002	180-84-075	REP 88-05-049	180-115-105	NEW-E 88-05-046
180-78-295	NEW 88-07-002	180-84-080	REP 88-05-049	180-115-105	NEW-P 88-05-052
180-78-300	NEW 88-07-002	180-84-090	REP 88-05-049	180-115-105	NEW 88-08-044
180-78-305	NEW 88-07-002	180-110-010	NEW 88-06-002	182-12-115	AMD-P 88-09-058
180-78-310	NEW 88-07-002	180-110-015	NEW 88-06-002	182-12-115	AMD 88-12-034
180-78-315	NEW 88-07-002	180-110-017	NEW 88-06-002	182-12-120	REP-P 88-09-058
180-78-320	NEW 88-07-002	180-110-020	NEW 88-06-002	182-12-120	REP 88-12-034
180-78-325	NEW 88-07-002	180-110-030	NEW 88-06-002	182-12-165	AMD-P 88-09-058
180-79-007	AMD-E 88-05-045	180-110-035	NEW 88-06-002	182-12-165	AMD 88-12-034
180-79-007	AMD-P 88-05-051	180-110-040	NEW 88-06-002	192-12-019	AMD-P 88-13-127
180-79-007	AMD 88-08-046	180-110-045	NEW 88-06-002	192-12-205	NEW-P 88-13-126
180-79-010	AMD 88-05-047	180-110-050	NEW 88-06-002	192-16-057	NEW-P 88-07-108
180-79-013	REP 88-05-047	180-110-052	NEW 88-06-002	192-16-057	NEW 88-10-020
180-79-014	REP 88-05-047	180-110-053	NEW 88-06-002	192-16-061	NEW 88-05-034
180-79-045	AMD 88-05-047	180-110-055	NEW 88-06-002	192-16-065	NEW-E 88-07-107
180-79-049	NEW 88-05-047	180-110-060	NEW 88-06-002	192-16-065	NEW-P 88-07-108
180-79-060	AMD 88-05-047	180-110-065	NEW 88-06-002	192-16-065	NEW 88-10-020
180-79-062	NEW 88-05-047	180-115-005	NEW-E 88-05-046	192-18-012	NEW-P 88-13-072
180-79-063	NEW 88-05-047	180-115-005	NEW-P 88-05-052	192-18-012	NEW-E 88-13-073
180-79-065	AMD 88-05-047	180-115-005	NEW 88-08-044	192-28-105	AMD-P 88-07-109
180-79-080	AMD 88-05-047	180-115-010	NEW-E 88-05-046	192-28-105	AMD 88-10-021
180-79-086	AMD 88-05-047	180-115-010	NEW-P 88-05-052	192-28-110	AMD-P 88-07-109
180-79-100	REP 88-05-047	180-115-010	NEW 88-08-044	192-28-110	AMD 88-10-021
180-79-115	AMD 88-05-047	180-115-015	NEW-E 88-05-046	192-28-120	AMD-P 88-07-109
180-79-115	AMD-E 88-12-013	180-115-015	NEW-P 88-05-052	192-28-120	AMD 88-10-021
180-79-116	NEW-E 88-05-045	180-115-015	NEW 88-08-044	192-28-130	NEW-P 88-07-109
180-79-116	NEW-P 88-05-051	180-115-020	NEW-E 88-05-046	192-28-130	NEW 88-10-021
180-79-116	NEW 88-08-046	180-115-020	NEW-P 88-05-052	192-42-005	NEW-P 88-07-110
180-79-117	NEW 88-05-047	180-115-020	NEW 88-08-044	192-42-005	NEW 88-12-051
180-79-120	AMD 88-05-047	180-115-025	NEW-E 88-05-046	192-42-010	NEW-P 88-07-110
180-79-122	NEW 88-05-047	180-115-025	NEW-P 88-05-052	192-42-010	NEW 88-12-051
180-79-125	AMD 88-05-047	180-115-025	NEW 88-08-044	192-42-020	NEW-P 88-07-110
180-79-127	NEW 88-05-047	180-115-030	NEW-E 88-05-046	192-42-020	NEW 88-12-051
180-79-129	NEW-E 88-05-045	180-115-030	NEW-P 88-05-052	192-42-030	NEW-P 88-07-110
180-79-129	NEW-P 88-05-051	180-115-030	NEW 88-08-044	192-42-030	NEW 88-12-051
180-79-129	NEW 88-08-046	180-115-035	NEW-E 88-05-046	192-42-040	NEW-P 88-07-110
180-79-130	REP 88-05-047	180-115-035	NEW-P 88-05-052	192-42-040	NEW 88-12-051
180-79-131	NEW 88-05-047	180-115-035	NEW 88-08-044	192-42-040	NEW-P 88-07-110
180-79-135	REP 88-05-047	180-115-040	NEW-E 88-05-046	192-42-050	NEW 88-12-051
180-79-136	NEW 88-05-047	180-115-040	NEW-P 88-05-052	192-42-050	NEW 88-07-110
180-79-140	NEW 88-05-047	180-115-040	NEW 88-08-044	192-42-060	NEW 88-12-051
180-79-150	REP 88-05-047	180-115-045	NEW-E 88-05-046	192-42-070	NEW-P 88-07-110
180-79-155	REP 88-05-047	180-115-045	NEW-P 88-05-052	192-42-070	NEW 88-12-051
180-79-160	REP 88-05-047	180-115-045	NEW 88-08-044	192-42-080	NEW-P 88-07-110
180-79-170	REP 88-05-047	180-115-050	NEW-E 88-05-046	192-42-080	NEW 88-12-051
180-79-175	REP 88-05-047	180-115-050	NEW-P 88-05-052	192-44-010	NEW-P 88-11-091
180-79-180	REP-E 88-12-014	180-115-050	NEW 88-08-044	192-44-020	NEW-P 88-11-091
180-79-185	REP 88-05-047	180-115-055	NEW-E 88-05-046	192-44-030	NEW-P 88-11-091
180-79-190	REP 88-05-047	180-115-055	NEW-P 88-05-052	192-44-040	NEW-P 88-11-091
180-79-195	REP 88-05-047	180-115-055	NEW 88-08-044	192-44-050	NEW-P 88-11-091
180-79-200	REP 88-05-047	180-115-060	NEW-E 88-05-046	192-44-060	NEW-P 88-11-091

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
192-44-070	NEW-P 88-11-091	204-91-020	REP-P 88-13-058	212-17-265	AMD 88-08-027
192-44-080	NEW-P 88-11-091	204-91-030	REP-P 88-13-058	212-17-270	AMD-P 88-03-014
192-44-090	NEW-P 88-11-091	204-91-040	REP-P 88-13-058	212-17-270	AMD 88-08-027
192-44-100	NEW-P 88-11-091	204-91-050	REP-P 88-13-058	212-17-335	AMD-P 88-03-014
192-44-110	NEW-P 88-11-091	204-91-060	REP-P 88-13-058	212-17-335	AMD 88-08-027
192-44-120	NEW-P 88-11-091	204-91-070	REP-P 88-13-058	212-17-345	AMD-P 88-03-014
192-44-130	NEW-P 88-11-091	204-91-080	REP-P 88-13-058	212-17-345	AMD 88-08-027
192-44-140	NEW-P 88-11-091	204-91-100	REP-P 88-13-058	212-17-352	NEW-P 88-03-014
192-44-150	NEW-P 88-11-091	204-91-110	REP-P 88-13-058	212-17-352	NEW 88-08-027
192-44-160	NEW-P 88-11-091	204-91-120	REP-P 88-13-058	212-17-362	NEW-P 88-03-014
192-44-170	NEW-P 88-11-091	204-91-130	REP-P 88-13-058	212-17-362	NEW 88-08-027
192-44-180	NEW-P 88-11-091	204-91-140	REP-P 88-13-058	220-12-020	AMD-P 88-07-111
192-44-190	NEW-P 88-11-091	204-91-150	REP-P 88-13-058	220-12-020	AMD-C 88-10-041
196-04-025	NEW-E 88-05-064	204-91-160	REP-P 88-13-058	220-12-020	AMD 88-12-025
196-04-025	NEW-P 88-07-094	204-91-170	REP-P 88-13-058	220-16-040	AMD-P 88-14-136
196-04-025	NEW 88-12-044	204-91-180	REP-P 88-13-058	220-16-085	AMD-P 88-03-076
196-04-030	AMD-E 88-05-064	204-91-190	REP-P 88-13-058	220-16-085	AMD 88-10-012
196-04-030	AMD-P 88-07-094	204-91-200	REP-P 88-13-058	220-16-08500A	NEW-E 88-08-002
196-04-030	AMD 88-12-044	204-91A-010	NEW-P 88-13-058	220-16-400	NEW-P 88-14-136
196-12-010	AMD-E 88-05-064	204-91A-020	NEW-P 88-13-058	220-16-405	NEW-P 88-14-136
196-12-010	AMD-P 88-07-094	204-91A-030	NEW-P 88-13-058	220-20-010	AMD-P 88-03-075
196-12-010	AMD 88-12-044	204-91A-041	NEW-P 88-13-058	220-20-010	AMD 88-10-013
196-12-085	AMD-E 88-05-064	204-91A-051	NEW-P 88-13-058	220-20-01000J	NEW-E 88-08-002
196-12-085	AMD-P 88-07-094	204-91A-081	NEW-P 88-13-058	220-20-01000L	NEW-E 88-13-074
196-12-085	AMD 88-12-044	204-91A-100	NEW-P 88-13-058	220-20-060	NEW-P 88-13-005
196-16-007	AMD-E 88-05-064	204-91A-110	NEW-P 88-13-058	220-20-06000A	NEW-E 88-13-006
196-16-007	AMD-P 88-07-094	204-91A-120	NEW-P 88-13-058	220-22-02000D	NEW-E 88-14-024
196-16-007	AMD 88-12-044	204-91A-130	NEW-P 88-13-058	220-22-030	AMD-P 88-10-060
196-20-010	AMD-E 88-05-064	204-91A-140	NEW-P 88-13-058	220-22-030	AMD-C 88-13-069
196-20-010	AMD-P 88-07-094	204-91A-150	NEW-P 88-13-058	220-22-030	AMD 88-14-133
196-20-010	AMD 88-12-044	204-91A-160	NEW-P 88-13-058	220-24-02000B	NEW-E 88-09-023
204-08-020	AMD 88-03-031	204-91A-170	NEW-P 88-13-058	220-24-02000B	REP-E 88-13-063
204-08-030	AMD 88-03-031	204-91A-180	NEW-P 88-13-058	220-24-02000C	NEW-E 88-13-063
204-08-040	AMD 88-03-031	204-91A-190	NEW-P 88-13-058	220-32-016	REP-P 88-14-136
204-08-050	AMD 88-03-031	212-17-001	AMD-P 88-03-014	220-32-017	REP-P 88-14-136
204-29-010	NEW-E 88-14-022	212-17-001	AMD 88-08-027	220-32-020	REP-P 88-14-136
204-36-010	AMD-P 88-11-012	212-17-010	AMD-P 88-03-014	220-32-021	REP-P 88-14-136
204-36-010	AMD 88-15-052	212-17-010	AMD 88-08-027	220-32-022	REP-P 88-14-136
204-36-020	AMD-P 88-11-012	212-17-060	AMD-P 88-03-014	220-32-023	REP-P 88-14-136
204-36-020	AMD 88-15-052	212-17-060	AMD 88-08-027	220-32-024	REP-P 88-14-136
204-36-030	AMD-P 88-11-012	212-17-065	AMD-P 88-03-014	220-32-025	REP-P 88-14-136
204-36-030	AMD 88-15-052	212-17-065	AMD 88-08-027	220-32-030	REP-P 88-14-136
204-36-040	AMD-P 88-11-012	212-17-070	AMD-P 88-03-014	220-32-03000N	NEW-E 88-05-035
204-36-040	AMD 88-15-052	212-17-070	AMD 88-08-027	220-32-03000N	REP-E 88-07-014
204-36-050	AMD-P 88-11-012	212-17-085	AMD-P 88-03-014	220-32-03000P	NEW-E 88-07-014
204-36-050	AMD 88-15-052	212-17-085	AMD 88-08-027	220-32-03000Q	NEW-E 88-13-111
204-36-060	AMD-P 88-11-012	212-17-115	AMD-P 88-03-014	220-32-03000Q	REP-E 88-14-004
204-36-060	AMD 88-15-052	212-17-115	AMD 88-08-027	220-32-03000R	NEW-E 88-14-004
204-36-070	AMD-P 88-11-012	212-17-120	AMD-P 88-03-014	220-32-031	REP-P 88-14-136
204-36-070	AMD 88-15-052	212-17-120	AMD 88-08-027	220-32-032	REP-P 88-14-136
204-38-010	AMD-P 88-11-013	212-17-125	AMD-P 88-03-014	220-32-033	REP-P 88-14-136
204-38-010	AMD 88-15-055	212-17-125	AMD 88-08-027	220-32-034	REP-P 88-14-136
204-38-050	AMD-P 88-11-013	212-17-135	AMD-P 88-03-014	220-32-036	REP-P 88-14-136
204-38-050	AMD 88-15-055	212-17-135	AMD 88-08-027	220-32-040	REP-P 88-14-136
204-40-010	AMD-P 88-11-014	212-17-140	AMD-P 88-03-014	220-32-041	REP-P 88-14-136
204-40-010	AMD 88-15-049	212-17-140	AMD 88-08-027	220-32-04100K	NEW-E 88-11-041
204-40-030	AMD-P 88-11-014	212-17-170	AMD-P 88-03-014	220-32-043	REP-P 88-14-136
204-40-030	AMD 88-15-049	212-17-170	AMD 88-08-027	220-32-044	REP-P 88-14-136
204-50-040	AMD-P 88-11-015	212-17-185	AMD-P 88-03-014	220-32-05100A	NEW-E 88-07-015
204-50-040	AMD 88-15-050	212-17-185	AMD 88-08-027	220-32-05100B	NEW-E 88-13-111
204-50-050	AMD-P 88-11-015	212-17-195	AMD-P 88-03-014	220-32-05100B	REP-E 88-14-004
204-50-050	AMD 88-15-050	212-17-195	AMD 88-08-027	220-32-05100C	NEW-E 88-14-004
204-74-010	AMD-P 88-11-016	212-17-203	AMD-P 88-03-014	220-32-05100C	REP-E 88-14-018
204-74-010	AMD 88-15-051	212-17-203	AMD 88-08-027	220-32-05100D	NEW-E 88-14-018
204-74-040	AMD-P 88-11-016	212-17-225	AMD-P 88-03-014	220-32-05100E	NEW-E 88-14-000
204-74-040	AMD 88-15-051	212-17-225	AMD 88-08-027	220-32-05100Z	NEW-E 88-05-014
204-80-010	AMD-P 88-11-017	212-17-230	AMD-P 88-03-014	220-32-05100Z	REP-E 88-07-015
204-80-010	AMD 88-15-054	212-17-230	AMD 88-08-027	220-32-05700A	NEW-E 88-14-034
204-80-060	NEW-P 88-11-017	212-17-235	AMD-P 88-03-014	220-32-05900N	NEW-E 88-09-052
204-80-060	NEW 88-15-054	212-17-235	AMD 88-08-027	220-33-001	NEW-P 88-14-136
204-88-010	AMD-P 88-11-018	212-17-245	AMD-P 88-03-014	220-33-005	NEW-P 88-14-136
204-88-010	AMD 88-15-053	212-17-245	AMD 88-08-027	220-33-010	NEW-P 88-14-136
204-88-030	AMD-P 88-11-018	212-17-250	AMD-P 88-03-014	220-33-020	NEW-P 88-14-136
204-88-030	AMD 88-15-053	212-17-250	AMD 88-08-027	220-33-030	NEW-P 88-14-136
204-88-070	AMD-P 88-11-018	212-17-260	AMD-P 88-03-014	220-33-040	NEW-P 88-14-136
204-88-070	AMD 88-15-053	212-17-260	AMD 88-08-027	220-33-050	NEW-P 88-14-136
204-91-010	REP-P 88-13-058	212-17-265	AMD-P 88-03-014	220-33-060	NEW-P 88-14-136

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
220-36-021	AMD-P	88-14-135	220-55-105	AMD	88-05-002	220-56-32500K	REP-E	88-14-071
220-36-02100T	NEW-E	88-14-024	220-55-110	AMD	88-05-002	220-56-32500L	NEW-E	88-14-016
220-36-022	REP-P	88-14-135	220-55-112	AMD	88-05-002	220-56-32500M	NEW-E	88-14-071
220-36-024	REP-P	88-14-135	220-55-120	AMD	88-05-002	220-56-335	AMD-P	88-03-075
220-40-021	AMD-P	88-14-135	220-55-12000A	NEW-E	88-02-048	220-56-335	AMD	88-10-013
220-40-02100F	NEW-E	88-14-024	220-55-125	AMD	88-05-002	220-56-33500F	NEW-E	88-08-002
220-40-022	REP-P	88-14-135	220-55-130	AMD	88-05-002	220-56-350	AMD-P	88-03-075
220-40-024	REP-P	88-14-135	220-55-135	AMD	88-05-002	220-56-350	AMD	88-10-013
220-40-025	REP-P	88-14-135	220-55-13000A	NEW-E	88-02-048	220-56-35000D	NEW-E	88-08-002
220-44-03000C	NEW-E	88-13-070	220-56-105	AMD-P	88-03-075	220-56-355	AMD-P	88-03-075
220-44-050	AMD-P	88-09-051	220-56-105	AMD	88-10-013	220-56-355	AMD	88-10-013
220-44-050	AMD	88-14-020	220-56-115	AMD-P	88-03-075	220-56-35500A	NEW-E	88-08-002
220-44-05000M	NEW-E	88-09-004	220-56-115	AMD	88-10-013	220-56-36000P	NEW-E	88-07-013
220-44-05000N	NEW-E	88-14-132	220-56-11500B	NEW-E	88-08-002	220-56-380	AMD-P	88-03-075
220-47-266	AMD-P	88-10-060	220-56-116	AMD-P	88-03-076	220-56-380	AMD-P	88-03-076
220-47-266	AMD-C	88-13-069	220-56-116	AMD	88-10-012	220-56-380	AMD	88-10-012
220-47-266	AMD	88-14-133	220-56-120	AMD-P	88-03-076	220-56-380	AMD	88-10-013
220-47-269	NEW-P	88-10-060	220-56-120	AMD	88-10-012	220-56-38000B	NEW-E	88-08-002
220-47-269	NEW-C	88-13-069	220-56-128	AMD-P	88-03-076	220-57-130	AMD-P	88-03-075
220-47-269	NEW	88-14-133	220-56-128	AMD	88-10-012	220-57-130	AMD	88-10-013
220-47-307	AMD-P	88-10-060	220-56-12800C	NEW-E	88-08-002	220-57-135	AMD-P	88-03-075
220-47-307	AMD-C	88-13-069	220-56-175	AMD	88-05-002	220-57-135	AMD	88-10-013
220-47-307	AMD	88-14-133	220-56-17500A	NEW-E	88-02-048	220-57-14000G	NEW-E	88-12-046
220-47-311	AMD-P	88-10-060	220-56-180	AMD-P	88-03-075	220-57-160	AMD-P	88-03-075
220-47-311	AMD-C	88-13-069	220-56-180	AMD	88-10-013	220-57-160	AMD	88-10-013
220-47-311	AMD	88-14-133	220-56-18000V	NEW-E	88-08-002	220-57-16000N	NEW-E	88-08-002
220-47-312	AMD-P	88-10-060	220-56-18000W	NEW-E	88-08-003	220-57-200	AMD-P	88-03-075
220-47-312	AMD-C	88-13-069	220-56-18000X	NEW-E	88-12-047	220-57-200	AMD	88-10-013
220-47-312	AMD	88-14-133	220-56-185	AMD-P	88-03-075	220-57-220	AMD-P	88-03-075
220-47-313	AMD-P	88-10-060	220-56-185	AMD	88-10-013	220-57-220	AMD	88-10-013
220-47-313	AMD-C	88-13-069	220-56-19000A	NEW-E	88-15-007	220-57-230	AMD-P	88-03-075
220-47-313	AMD	88-14-133	220-56-19000X	NEW-E	88-12-045	220-57-230	AMD	88-10-013
220-47-401	AMD-P	88-10-060	220-56-19000X	REP-E	88-14-017	220-57-240	AMD-P	88-03-075
220-47-401	AMD-C	88-13-069	220-56-19000Y	NEW-E	88-14-017	220-57-240	AMD-P	88-03-076
220-47-401	AMD	88-14-133	220-56-19000Y	REP-E	88-15-007	220-57-240	AMD	88-10-013
220-47-411	AMD-P	88-10-060	220-56-19000Z	NEW-E	88-14-019	220-57-270	AMD-P	88-03-075
220-47-411	AMD-C	88-13-069	220-56-195	AMD-P	88-03-075	220-57-285	AMD-P	88-03-075
220-47-411	AMD	88-14-133	220-56-195	AMD	88-10-013	220-57-290	AMD-P	88-03-075
220-47-412	AMD-P	88-10-060	220-56-19500H	NEW-E	88-08-002	220-57-290	AMD	88-10-013
220-47-412	AMD-C	88-13-069	220-56-199	AMD-P	88-03-075	220-57-29000J	NEW-E	88-08-055
220-47-412	AMD	88-14-133	220-56-199	AMD	88-10-013	220-57-31500H	NEW-E	88-08-055
220-47-413	AMD-P	88-10-060	220-56-19900B	NEW-E	88-08-002	220-57-31500H	REP-E	88-12-046
220-47-413	AMD-C	88-13-069	220-56-205	AMD-P	88-03-075	220-57-31500I	NEW-E	88-12-046
220-47-413	AMD	88-14-133	220-56-205	AMD	88-10-013	220-57-31500I	REP-E	88-14-010
220-47-414	AMD-P	88-10-060	220-56-20500B	NEW-E	88-08-002	220-57-31500J	NEW-E	88-14-010
220-47-414	AMD-C	88-13-069	220-56-235	AMD-P	88-03-075	220-57-327	AMD-P	88-03-075
220-47-414	AMD	88-14-133	220-56-235	AMD	88-10-013	220-57-327	AMD	88-10-013
220-47-900	NEW-E	88-15-025	220-56-23500D	NEW-E	88-08-002	220-57-335	AMD-P	88-03-075
220-47-901	NEW-E	88-15-044	220-56-240	AMD-P	88-03-076	220-57-335	AMD	88-10-013
220-47-902	NEW-E	88-15-067	220-56-240	AMD	88-10-012	220-57-380	AMD-P	88-03-076
220-48-01500A	NEW-E	88-03-009	220-56-24000D	NEW-E	88-08-002	220-57-380	AMD	88-10-012
220-48-01500B	NEW-E	88-07-034	220-56-245	AMD-P	88-03-076	220-57-385	AMD-P	88-03-075
220-48-01500C	NEW-E	88-09-032	220-56-245	AMD	88-10-012	220-57-385	AMD	88-10-013
220-48-02900B	NEW-E	88-03-009	220-56-24500D	NEW-E	88-08-002	220-57-385	AMD	88-10-013
220-48-06200C	NEW-E	88-09-005	220-56-255	AMD-P	88-03-075	220-57-42500N	NEW-E	88-14-019
220-49-02000X	NEW-E	88-09-022	220-56-255	AMD	88-10-013	220-57-42500N	REP-E	88-14-072
220-52-010	AMD-P	88-07-111	220-56-25500A	REP-E	88-06-050	220-57-42500P	NEW-E	88-14-072
220-52-010	AMD-C	88-10-041	220-56-25500B	NEW-E	88-06-050	220-57-445	AMD-P	88-03-075
220-52-010	AMD	88-12-025	220-56-25500B	REP-E	88-08-002	220-57-445	AMD	88-10-013
220-52-05300U	NEW-E	88-12-003	220-56-25500C	NEW-E	88-08-002	220-57-460	AMD-P	88-03-075
220-52-05300U	REP-E	88-13-071	220-56-265	AMD-P	88-03-075	220-57-460	AMD	88-10-013
220-52-05300V	NEW-E	88-13-071	220-56-265	AMD	88-10-013	220-57-495	AMD-P	88-03-075
220-52-05300V	REP-E	88-14-071	220-56-26500A	NEW-E	88-08-002	220-57-495	AMD	88-10-013
220-52-05300W	NEW-E	88-14-071	220-56-285	AMD-P	88-03-076	220-57-49700C	NEW-E	88-12-046
220-55-040	AMD	88-05-002	220-56-285	AMD	88-10-012	220-57-505	AMD-P	88-03-075
220-55-060	AMD	88-05-002	220-56-310	AMD-P	88-03-075	220-57-505	AMD	88-10-013
220-55-065	AMD	88-05-002	220-56-310	AMD-P	88-07-111	220-57-50500N	NEW-E	88-08-055
220-55-06500A	NEW-E	88-02-048	220-56-310	AMD	88-10-013	220-57-515	AMD-P	88-03-075
220-55-070	AMD	88-05-002	220-56-310	AMD-C	88-10-041	220-57-515	AMD	88-10-013
220-55-07000A	NEW-E	88-02-048	220-56-310	AMD	88-12-025	220-57-51500C	NEW-E	88-08-055
220-55-075	AMD	88-05-002	220-56-31000H	NEW-E	88-08-002	220-57A-175	AMD-P	88-03-075
220-55-07500A	NEW-E	88-02-048	220-56-320	AMD-P	88-07-111	220-57A-175	AMD	88-10-013
220-55-07600A	NEW-E	88-02-048	220-56-320	AMD-C	88-10-041	220-57A-17500A	NEW-E	88-14-033
220-55-080	AMD	88-05-002	220-56-320	AMD	88-12-025	220-57A-17500A	REP-E	88-14-134
220-55-085	REP	88-05-002	220-56-320	AMD	88-11-040	220-57A-17500B	NEW-E	88-14-134
220-55-090	AMD	88-05-002	220-56-32500J	NEW-E	88-11-040	220-57A-180	AMD-P	88-03-075
220-55-095	REP	88-05-002	220-56-32500J	REP-E	88-14-016	220-57A-180	AMD	88-10-013
			220-56-32500K	NEW-E	88-12-003	220-69-238	NEW-E	88-02-048

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
220-69-238	NEW	88-05-002	230-30-015	AMD-P	88-03-024	248-18-440	AMD-P	88-13-101
220-69-245	AMD	88-05-002	230-30-015	AMD-P	88-09-020	248-18-445	NEW-P	88-13-102
220-77-10000A	NEW-E	88-12-009	230-30-015	AMD	88-13-060	248-18-655	AMD-P	88-12-032
222-12-090	AMD-P	88-12-033	230-30-018	AMD-P	88-03-024	248-18-718	AMD-P	88-12-032
222-16-010	AMD-P	88-12-033	230-30-018	AMD-P	88-09-020	248-18-99902	AMD-P	88-12-032
222-16-050	AMD-P	88-12-033	230-30-018	AMD	88-13-060	248-19-220	AMD-P	88-11-057
222-20-030	AMD-P	88-12-033	230-30-072	NEW-P	88-03-024	248-19-220	AMD	88-15-021
222-30-010	AMD-P	88-12-033	230-30-072	NEW-P	88-09-020	248-19-328	AMD	88-04-047
222-30-020	AMD-P	88-12-033	230-30-072	NEW	88-13-060	248-19-373	AMD	88-04-047
222-34-050	AMD-P	88-12-033	230-30-300	NEW-P	88-03-024	248-19-440	AMD-P	88-07-121
222-38-020	AMD-P	88-12-033	230-30-300	NEW	88-07-059	248-25	AMD-P	88-12-029
222-50-020	AMD-P	88-12-033	230-40-010	AMD-P	88-15-018	248-25-001	AMD-P	88-12-029
230-02-125	AMD-P	88-13-062	230-40-030	AMD-P	88-13-062	248-25-002	AMD-P	88-12-029
230-02-125	AMD-P	88-15-018	230-40-030	AMD-P	88-15-018	248-25-010	AMD-P	88-12-029
230-02-280	NEW-P	88-03-024	230-40-055	AMD-P	88-13-062	248-25-020	AMD-P	88-12-029
230-02-280	NEW-P	88-09-020	230-40-055	AMD-P	88-15-018	248-25-030	AMD-P	88-12-029
230-02-280	NEW	88-13-060	230-40-120	AMD-P	88-13-062	248-25-035	NEW-P	88-12-029
230-02-290	NEW-P	88-03-024	230-40-200	AMD-P	88-13-062	248-25-040	AMD-P	88-12-029
230-02-290	NEW-P	88-09-020	230-46-020	AMD-E	88-13-061	248-25-045	NEW-P	88-12-029
230-02-290	NEW	88-13-060	230-46-020	AMD-P	88-13-100	248-25-050	AMD-P	88-12-029
230-04-065	AMD-P	88-09-020	230-46-070	NEW-E	88-13-061	248-25-060	AMD-P	88-12-029
230-04-065	AMD	88-13-060	230-46-070	NEW-P	88-13-100	248-25-070	AMD-P	88-12-029
230-04-190	AMD-P	88-09-020	232-12-014	AMD	88-05-032	248-25-100	AMD-P	88-12-029
230-04-190	AMD	88-13-060	232-12-019	AMD-P	88-14-122	248-25-120	AMD-P	88-12-029
230-04-197	REP-P	88-03-024	232-12-024	AMD-P	88-08-085	248-40-040	AMD-P	88-10-044
230-04-197	REP	88-07-059	232-12-024	AMD	88-13-091	248-40-040	AMD	88-13-080
230-04-199	AMD-P	88-13-062	232-12-04507	NEW-E	88-05-022	248-40-040	AMD-E	88-15-047
230-04-201	AMD-P	88-07-061	232-12-054	AMD-P	88-08-084	248-40-050	AMD-P	88-10-044
230-04-201	AMD-P	88-09-020	232-12-054	AMD	88-13-012	248-40-050	AMD	88-13-080
230-04-201	AMD	88-11-071	232-12-154	AMD	88-07-065	248-54-005	AMD	88-05-057
230-04-201	AMD	88-13-060	232-12-181	REP-P	88-14-115	248-54-015	AMD	88-05-057
230-04-260	AMD-P	88-09-020	232-12-182	REP-P	88-14-116	248-54-025	AMD	88-05-057
230-04-260	AMD-P	88-11-070	232-12-183	NEW-P	88-14-117	248-54-035	AMD	88-05-057
230-04-260	AMD	88-15-019	232-12-274	REP	88-05-031	248-54-045	AMD	88-05-057
230-04-455	AMD-P	88-13-062	232-12-275	NEW-P	88-06-064	248-54-055	AMD	88-05-057
230-08-010	AMD-P	88-03-024	232-12-275	NEW	88-09-036	248-54-065	AMD	88-05-057
230-08-010	AMD-P	88-09-020	232-12-276	NEW	88-05-031	248-54-085	REP	88-05-057
230-08-010	AMD	88-13-060	232-12-827	NEW-P	88-08-086	248-54-086	NEW	88-05-057
230-08-017	NEW-P	88-03-024	232-12-827	NEW	88-11-051	248-54-095	REP	88-05-057
230-08-017	NEW-P	88-09-020	232-12-827	AMD-P	88-14-124	248-54-096	NEW	88-05-057
230-08-017	NEW	88-13-060	232-28-110	REP-P	88-14-118	248-54-097	NEW	88-05-057
230-08-025	AMD-P	88-03-024	232-28-213	REP-P	88-08-083	248-54-105	AMD	88-05-057
230-08-025	AMD-P	88-09-020	232-28-213	REP	88-13-090	248-54-115	REP	88-05-057
230-08-025	AMD	88-13-060	232-28-21301	REP-P	88-08-083	248-54-125	AMD	88-05-057
230-08-130	AMD-P	88-03-024	232-28-21301	REP	88-13-090	248-54-131	NEW	88-05-057
230-08-130	AMD-P	88-09-020	232-28-214	REP-P	88-08-083	248-54-135	AMD	88-05-057
230-08-130	AMD	88-13-060	232-28-214	REP	88-13-090	248-54-145	AMD	88-05-057
230-08-170	REP-P	88-03-024	232-28-217	NEW-P	88-08-083	248-54-155	AMD	88-05-057
230-08-170	REP	88-13-117	232-28-217	NEW	88-13-090	248-54-165	AMD	88-05-057
230-08-260	AMD-P	88-11-070	232-28-411	REP-P	88-14-120	248-54-175	AMD	88-05-057
230-08-260	AMD	88-15-019	232-28-412	NEW-P	88-14-120	248-54-185	AMD	88-05-057
230-20-010	AMD-P	88-13-062	232-28-510	REP-P	88-14-119	248-54-194	NEW	88-05-057
230-20-064	AMD-P	88-03-024	232-28-511	NEW-P	88-14-119	248-54-195	REP	88-05-057
230-20-064	AMD-E	88-05-038	232-28-61520	NEW-E	88-03-032	248-54-196	NEW	88-05-057
230-20-064	AMD	88-07-059	232-28-616	REP	88-07-065	248-54-201	NEW	88-05-057
230-20-100	AMD-P	88-13-062	232-28-61618	NEW-E	88-03-023	248-54-205	AMD	88-05-057
230-20-240	AMD-P	88-13-062	232-28-61619	NEW-E	88-06-032	248-54-215	AMD	88-05-057
230-20-241	NEW-P	88-13-062	232-28-61620	NEW-E	88-06-033	248-54-225	AMD	88-05-057
230-20-325	AMD-P	88-03-024	232-28-61621	NEW-E	88-08-004	248-54-235	AMD	88-05-057
230-20-325	AMD	88-07-059	232-28-61622	NEW-E	88-08-005	248-54-255	AMD	88-05-057
230-20-325	AMD-P	88-15-018	232-28-61623	NEW-E	88-08-006	248-54-265	AMD	88-05-057
230-20-605	AMD-P	88-03-024	232-28-617	NEW	88-07-065	248-54-275	REP	88-05-057
230-20-605	AMD	88-07-059	232-28-61701	NEW-E	88-10-010	248-54-285	AMD	88-05-057
230-20-610	AMD-P	88-03-024	232-28-61702	NEW-E	88-11-005	248-54-291	NEW	88-05-057
230-20-610	AMD	88-07-059	232-28-61703	NEW-P	88-14-123	248-63	AMD-P	88-06-092
230-20-615	NEW-P	88-03-024	232-28-61704	NEW-E	88-14-021	248-63	AMD	88-10-027
230-20-615	NEW	88-07-059	232-28-61706	NEW-P	88-14-122	248-63-001	AMD-P	88-06-092
230-20-630	AMD-P	88-03-024	232-28-709	REP	88-06-006	248-63-001	AMD	88-10-027
230-20-630	AMD	88-07-059	232-28-710	NEW	88-06-006	248-63-010	AMD-P	88-06-092
230-20-699	NEW-P	88-03-024	232-28-711	NEW-P	88-05-065	248-63-010	AMD	88-10-027
230-20-699	NEW-P	88-05-029	232-28-711	NEW-W	88-07-093	248-63-020	REP-P	88-06-092
230-20-699	NEW	88-09-021	232-28-809	REP-P	88-06-065	248-63-020	REP	88-10-027
230-25-110	AMD-P	88-15-018	232-28-809	REP	88-13-035	248-63-025	NEW-P	88-06-092
230-25-120	AMD-P	88-15-018	232-28-810	NEW-P	88-06-065	248-63-025	NEW	88-10-027
230-25-150	NEW-P	88-15-018	232-28-810	NEW	88-13-035	248-63-030	REP-P	88-06-092
230-25-160	NEW-P	88-15-018	232-32-040	AMD-P	88-14-121	248-63-030	REP	88-10-027
230-25-250	AMD-P	88-15-018	248-18-001	AMD-P	88-13-101	248-63-035	NEW-P	88-06-092

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
248-63-035	NEW	88-10-027	248-97-100	NEW-P	88-10-005	248-172-301	NEW	88-04-090
248-63-040	REP-P	88-06-092	248-97-100	NEW	88-13-125	248-172-302	NEW	88-04-090
248-63-040	REP	88-10-027	248-97-110	NEW-P	88-10-005	248-172-303	NEW	88-04-090
248-63-045	NEW-P	88-06-092	248-97-110	NEW	88-13-125	248-172-304	NEW	88-04-090
248-63-045	NEW	88-10-027	248-97-120	NEW-P	88-10-005	248-172-401	NEW	88-04-090
248-63-050	REP-P	88-06-092	248-97-120	NEW	88-13-125	248-172-402	NEW	88-04-090
248-63-050	REP	88-10-027	248-97-130	NEW-P	88-10-005	250-20-021	AMD-P	88-06-089
248-63-055	NEW-P	88-06-092	248-97-130	NEW	88-13-125	250-20-021	AMD	88-10-001
248-63-055	NEW	88-10-027	248-97-140	NEW-P	88-10-005	250-20-031	AMD-P	88-06-089
248-63-060	REP-P	88-06-092	248-97-140	NEW	88-13-125	250-20-031	AMD	88-10-001
248-63-060	REP	88-10-027	248-97-150	NEW-P	88-10-005	250-40-030	AMD-P	88-06-090
248-63-065	NEW-P	88-06-092	248-97-150	NEW	88-13-125	250-40-030	AMD	88-10-002
248-63-065	NEW	88-10-027	248-97-160	NEW-P	88-10-005	250-40-040	AMD-P	88-06-090
248-63-070	REP-P	88-06-092	248-97-160	NEW	88-13-125	250-40-040	AMD	88-10-002
248-63-070	REP	88-10-027	248-97-170	NEW-P	88-10-005	250-40-050	AMD-P	88-06-090
248-63-075	NEW-P	88-06-092	248-97-170	NEW	88-13-125	250-40-050	AMD	88-10-002
248-63-075	NEW	88-10-027	248-100-011	AMD-P	88-03-022	250-60-020	AMD-P	88-06-091
248-63-080	REP-P	88-06-092	248-100-011	AMD	88-07-063	250-60-020	AMD	88-10-003
248-63-080	REP	88-10-027	248-100-011	AMD-E	88-09-053	250-60-030	AMD-P	88-06-091
248-63-085	NEW-P	88-06-092	248-100-011	AMD-P	88-13-103	250-60-030	AMD	88-10-003
248-63-085	NEW	88-10-027	248-100-011	AMD-E	88-13-109	250-60-040	AMD-P	88-06-091
248-63-090	REP-P	88-06-092	248-100-016	AMD-P	88-13-103	250-60-040	AMD	88-10-003
248-63-090	REP	88-10-027	248-100-016	AMD-E	88-13-109	250-60-050	AMD-P	88-06-091
248-63-095	NEW-P	88-06-092	248-100-025	REP-P	88-03-022	250-60-050	AMD	88-10-003
248-63-095	NEW	88-10-027	248-100-025	REP	88-07-063	250-60-060	AMD-P	88-06-091
248-63-100	REP-P	88-06-092	248-100-026	NEW-P	88-03-022	250-60-060	AMD	88-10-003
248-63-100	REP	88-10-027	248-100-026	NEW	88-07-063	250-60-070	AMD-P	88-06-091
248-63-105	NEW-P	88-06-092	248-100-036	NEW-P	88-03-022	250-60-070	AMD	88-10-003
248-63-105	NEW	88-10-027	248-100-036	NEW	88-07-063	250-60-080	AMD-P	88-06-091
248-63-110	REP-P	88-06-092	248-100-050	REP-P	88-03-022	250-60-080	AMD	88-10-003
248-63-110	REP	88-10-027	248-100-050	REP	88-07-063	250-60-090	AMD-P	88-06-091
248-63-115	NEW-P	88-06-092	248-100-163	REP-P	88-03-022	250-60-090	AMD	88-10-003
248-63-115	NEW	88-10-027	248-100-163	REP	88-07-063	250-60-100	AMD-P	88-06-091
248-63-120	REP-P	88-06-092	248-100-164	REP-P	88-03-022	250-60-100	AMD	88-10-003
248-63-120	REP	88-10-027	248-100-164	REP	88-07-063	250-60-110	AMD-P	88-06-091
248-63-125	NEW-P	88-06-092	248-100-166	NEW-P	88-03-022	250-60-110	AMD	88-10-003
248-63-125	NEW	88-10-027	248-100-166	NEW	88-07-063	250-60-120	AMD-P	88-06-091
248-63-130	REP-P	88-06-092	248-100-171	NEW-P	88-03-022	250-60-120	AMD	88-10-003
248-63-130	REP	88-10-027	248-100-171	NEW	88-07-063	250-65-010	NEW	88-03-008
248-63-135	NEW-P	88-06-092	248-100-176	NEW-P	88-03-022	250-65-020	NEW	88-03-008
248-63-135	NEW	88-10-027	248-100-176	NEW	88-07-063	250-65-030	NEW	88-03-008
248-63-140	REP-P	88-06-092	248-100-181	NEW-P	88-03-022	250-65-040	NEW	88-03-008
248-63-140	REP	88-10-027	248-100-181	NEW	88-07-063	250-65-050	NEW	88-03-008
248-63-145	NEW-P	88-06-092	248-100-186	NEW-P	88-03-022	250-65-060	NEW	88-03-008
248-63-145	NEW	88-10-027	248-100-186	NEW	88-07-063	250-66-010	NEW-P	88-11-074
248-63-150	REP-P	88-06-092	248-100-191	NEW-P	88-03-022	250-66-010	NEW	88-14-088
248-63-150	REP	88-10-027	248-100-191	NEW	88-07-063	250-66-020	NEW-P	88-11-074
248-63-155	NEW-P	88-06-092	248-100-196	NEW-P	88-03-022	250-66-020	NEW	88-14-088
248-63-155	NEW	88-10-027	248-100-196	NEW	88-07-063	250-66-030	NEW-P	88-11-074
248-63-160	REP-P	88-06-092	248-100-201	NEW-P	88-03-022	250-66-030	NEW	88-14-088
248-63-160	REP	88-10-027	248-100-201	NEW	88-07-063	250-66-040	NEW-P	88-11-074
248-63-165	NEW-P	88-06-092	248-100-206	AMD-P	88-14-079	250-66-040	NEW	88-14-088
248-63-165	NEW	88-10-027	248-100-207	NEW-E	88-09-053	250-66-050	NEW-P	88-11-074
248-63-170	REP-P	88-06-092	248-100-207	NEW-P	88-13-104	250-66-050	NEW	88-14-088
248-63-170	REP	88-10-027	248-100-207	NEW-E	88-13-108	250-66-060	NEW-P	88-11-074
248-63-175	NEW-P	88-06-092	248-100-208	NEW-E	88-09-053	250-66-060	NEW	88-14-088
248-63-175	NEW	88-10-027	248-100-208	NEW-P	88-13-104	250-67-010	NEW-P	88-11-075
248-63-180	REP-P	88-06-092	248-100-208	NEW-E	88-13-108	250-67-010	NEW	88-14-089
248-63-180	REP	88-10-027	248-100-209	NEW-P	88-13-104	250-67-020	NEW-P	88-11-075
248-97-010	NEW-P	88-10-005	248-100-209	NEW-E	88-13-108	250-67-020	NEW	88-14-089
248-97-010	NEW	88-13-125	248-100-231	AMD-P	88-03-022	250-67-030	NEW-P	88-11-075
248-97-020	NEW-P	88-10-005	248-100-231	AMD	88-07-063	250-67-030	NEW	88-14-089
248-97-020	NEW	88-13-125	248-100-236	AMD-P	88-03-022	250-67-040	NEW-P	88-11-075
248-97-030	NEW-P	88-10-005	248-100-236	AMD	88-07-063	250-67-040	NEW	88-14-089
248-97-030	NEW	88-13-125	248-100-440	REP-P	88-03-022	250-67-050	NEW-P	88-11-075
248-97-040	NEW-P	88-10-005	248-100-440	REP	88-07-063	250-67-050	NEW	88-14-089
248-97-040	NEW	88-13-125	248-100-450	REP-P	88-03-022	250-67-060	NEW-P	88-11-075
248-97-050	NEW-P	88-10-005	248-100-450	REP	88-07-063	250-67-060	NEW	88-14-089
248-97-050	NEW	88-13-125	248-100-452	REP-P	88-03-022	251-01-018	NEW-P	88-02-072
248-97-060	NEW-P	88-10-005	248-100-452	REP	88-07-063	251-01-028	NEW-P	88-09-057
248-97-060	NEW	88-13-125	248-172-101	NEW	88-04-090	251-01-028	NEW	88-13-018
248-97-070	NEW-P	88-10-005	248-172-201	NEW	88-04-090	251-01-057	AMD-P	88-09-056
248-97-070	NEW	88-13-125	248-172-202	NEW	88-04-090	251-01-057	AMD	88-13-019
248-97-080	NEW-P	88-10-005	248-172-203	NEW	88-04-090	251-01-255	REP-P	88-02-071
248-97-080	NEW	88-13-125	248-172-204	NEW	88-04-090	251-01-255	AMD-P	88-13-115
248-97-090	NEW-P	88-10-005	248-172-205	NEW	88-04-090	251-01-258	NEW-P	88-02-072
248-97-090	NEW	88-13-125	248-172-206	NEW	88-04-090	251-01-258	NEW-C	88-06-062

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
251-01-258	NEW-P	88-06-075	260-34-120	NEW-P	88-13-011	275-38-565	AMD-P	88-07-122
251-01-258	NEW-C	88-13-112	260-34-130	NEW-P	88-06-052	275-38-565	AMD	88-12-087
251-01-367	NEW-P	88-02-072	260-34-130	NEW-P	88-13-011	275-38-570	AMD-P	88-07-122
251-01-367	NEW-C	88-06-062	260-34-140	NEW-P	88-06-052	275-38-570	AMD	88-12-087
251-01-367	NEW-P	88-06-075	260-34-140	NEW-P	88-13-011	275-38-575	REP-P	88-07-122
251-01-367	NEW-C	88-13-112	260-34-150	NEW-P	88-06-052	275-38-575	REP	88-12-087
251-01-445	REP-P	88-02-072	260-34-150	NEW-P	88-13-011	275-38-585	AMD-P	88-07-122
251-01-445	AMD-P	88-06-075	260-34-160	NEW-P	88-06-052	275-38-585	AMD	88-12-087
251-01-445	AMD-C	88-13-112	260-34-160	NEW-P	88-13-011	275-38-586	NEW-P	88-07-122
251-01-450	REP-P	88-02-072	260-34-170	NEW-P	88-06-052	275-38-586	NEW	88-12-087
251-01-455	REP-P	88-02-072	260-34-170	NEW-P	88-13-011	275-38-600	AMD-P	88-07-122
251-01-455	REP-P	88-06-075	260-34-180	NEW-P	88-06-052	275-38-600	AMD	88-12-087
251-01-455	REP-C	88-13-112	260-34-180	NEW	88-09-033	275-38-605	AMD-P	88-07-122
251-04-040	AMD-P	88-12-052	260-70-010	AMD-P	88-13-011	275-38-605	AMD	88-12-087
251-04-040	AMD	88-15-023	260-70-090	AMD-P	88-13-011	275-38-610	AMD-P	88-07-122
251-08-100	AMD-P	88-12-052	261-40-020	AMD-P	88-10-047	275-38-610	AMD	88-12-087
251-08-100	AMD	88-15-023	261-40-020	AMD-E	88-13-043	275-38-615	AMD-P	88-07-122
251-10-170	AMD-P	88-02-072	261-40-020	AMD	88-13-044	275-38-615	AMD	88-12-087
251-10-170	AMD-C	88-06-062	261-40-150	REVIEW	88-03-065	275-38-620	AMD-P	88-07-122
251-10-170	AMD-P	88-06-075	261-40-150	AMD-E	88-08-013	275-38-620	AMD	88-12-087
251-10-170	AMD-C	88-13-112	261-40-150	AMD-P	88-08-052	275-38-650	AMD-P	88-07-122
251-12-080	AMD-P	88-06-063	261-40-150	AMD	88-11-033	275-38-650	AMD	88-12-087
251-12-081	NEW-P	88-06-063	261-40-150	AMD-P	88-13-053	275-38-655	AMD-P	88-07-122
251-12-250	AMD-P	88-06-063	261-40-150	AMD-P	88-13-132	275-38-655	AMD	88-12-087
251-12-270	AMD-P	88-06-063	261-40-170	AMD-P	88-13-053	275-38-660	AMD-P	88-07-122
251-12-290	AMD-P	88-06-063	261-40-190	NEW-P	88-10-047	275-38-660	AMD	88-12-087
251-14-020	AMD-P	88-02-072	261-40-190	NEW	88-13-044	275-38-667	AMD-P	88-07-122
251-14-020	AMD-C	88-06-062	261-50-035	NEW-P	88-13-052	275-38-667	AMD	88-12-087
251-14-020	AMD-P	88-06-075	261-50-040	AMD-P	88-13-052	275-38-680	AMD-P	88-07-122
251-14-020	AMD-C	88-13-112	261-50-050	AMD-P	88-13-052	275-38-680	AMD	88-12-087
251-14-030	AMD-P	88-02-072	261-50-060	AMD-P	88-13-052	275-38-685	AMD-P	88-07-122
251-14-052	AMD-P	88-02-072	261-50-090	AMD-P	88-13-052	275-38-685	AMD	88-12-087
251-14-052	AMD-C	88-06-062	275-27-220	AMD	88-05-004	275-38-690	AMD-P	88-07-122
251-14-052	AMD-P	88-06-075	275-27-223	NEW	88-05-004	275-38-690	AMD	88-12-087
251-14-052	AMD-C	88-13-112	275-27-400	AMD	88-05-004	275-38-695	AMD-P	88-07-122
251-14-054	AMD-P	88-02-072	275-35-020	AMD-P	88-09-038	275-38-695	AMD	88-12-087
251-14-054	AMD-C	88-06-062	275-35-020	AMD	88-13-028	275-38-700	AMD-P	88-07-122
251-14-054	AMD-P	88-06-075	275-35-030	AMD-P	88-09-038	275-38-700	AMD	88-12-087
251-14-056	AMD-P	88-04-069	275-35-030	AMD	88-13-028	275-38-705	AMD-P	88-07-122
251-14-056	AMD	88-08-018	275-35-040	AMD-P	88-09-038	275-38-705	AMD	88-12-087
251-14-058	AMD-P	88-02-072	275-35-040	AMD	88-13-028	275-38-706	NEW-P	88-07-122
251-14-058	AMD-C	88-06-062	275-35-050	AMD-P	88-09-038	275-38-706	NEW	88-12-087
251-14-058	AMD-P	88-06-075	275-35-050	AMD	88-13-028	275-38-715	AMD-P	88-07-122
251-14-058	AMD-C	88-13-112	275-35-060	AMD-P	88-09-038	275-38-715	AMD	88-12-087
251-17-140	REP-P	88-09-057	275-35-060	AMD	88-13-028	275-38-720	AMD-P	88-07-122
251-17-140	REP	88-13-018	275-35-070	AMD-P	88-09-038	275-38-720	AMD	88-12-087
251-17-170	AMD-P	88-08-021	275-35-070	AMD	88-13-028	275-38-725	AMD-P	88-07-122
251-22-110	AMD-P	88-09-056	275-35-080	AMD-P	88-09-038	275-38-725	AMD	88-12-087
251-22-110	AMD	88-13-019	275-35-080	AMD	88-13-028	275-38-735	REP-P	88-07-122
251-22-110	AMD-P	88-13-114	275-35-090	REP-P	88-09-038	275-38-735	REP	88-12-087
251-22-115	REP-P	88-09-056	275-35-090	REP	88-13-028	275-38-745	AMD-P	88-07-122
251-22-115	REP	88-13-019	275-35-100	AMD-P	88-09-038	275-38-745	AMD	88-12-087
260-16-090	NEW	88-06-017	275-35-100	AMD	88-13-028	275-38-750	AMD-P	88-07-122
260-20-170	AMD	88-06-017	275-38-001	AMD-P	88-07-122	275-38-750	AMD	88-12-087
260-34-010	NEW-P	88-06-052	275-38-001	AMD	88-12-087	275-38-770	AMD-P	88-07-122
260-34-010	NEW	88-09-033	275-38-005	AMD-P	88-07-122	275-38-770	AMD	88-12-087
260-34-020	NEW-P	88-06-052	275-38-005	AMD	88-12-087	275-38-775	AMD-P	88-07-122
260-34-020	NEW	88-09-033	275-38-520	AMD-P	88-07-122	275-38-775	AMD	88-12-087
260-34-030	NEW-P	88-06-052	275-38-520	AMD	88-12-087	275-38-780	AMD-P	88-07-122
260-34-030	NEW	88-09-033	275-38-525	AMD-P	88-07-122	275-38-780	AMD	88-12-087
260-34-040	NEW-P	88-06-052	275-38-525	AMD	88-12-087	275-38-785	AMD-P	88-07-122
260-34-040	NEW	88-09-033	275-38-530	AMD-P	88-07-122	275-38-785	AMD	88-12-087
260-34-050	NEW-P	88-06-052	275-38-530	AMD	88-12-087	275-38-790	AMD-P	88-07-122
260-34-050	NEW	88-09-033	275-38-535	AMD-P	88-07-122	275-38-790	AMD	88-12-087
260-34-060	NEW-P	88-06-052	275-38-535	AMD	88-12-087	275-38-800	AMD-P	88-07-122
260-34-060	NEW	88-09-033	275-38-540	AMD-P	88-07-122	275-38-800	AMD	88-12-087
260-34-070	NEW-P	88-06-052	275-38-540	AMD	88-12-087	275-38-812	AMD-P	88-07-122
260-34-070	NEW	88-09-033	275-38-545	AMD-P	88-07-122	275-38-812	AMD	88-12-087
260-34-080	NEW-P	88-06-052	275-38-545	AMD	88-12-087	275-38-815	AMD-P	88-07-122
260-34-080	NEW	88-09-033	275-38-546	NEW-P	88-07-122	275-38-815	AMD	88-12-087
260-34-090	NEW-P	88-06-052	275-38-546	NEW	88-12-087	275-38-820	AMD-P	88-07-122
260-34-090	NEW	88-09-033	275-38-550	AMD-P	88-07-122	275-38-820	AMD	88-12-087
260-34-100	NEW-P	88-06-052	275-38-550	AMD	88-12-087	275-38-840	AMD-P	88-07-122
260-34-100	NEW	88-09-033	275-38-555	AMD-P	88-07-122	275-38-840	AMD	88-12-087
260-34-110	NEW-P	88-06-052	275-38-555	AMD	88-12-087	275-38-845	AMD-P	88-07-122
260-34-110	NEW-P	88-13-011	275-38-560	AMD-P	88-07-122	275-38-845	AMD	88-12-087
260-34-120	NEW-P	88-06-052	275-38-560	AMD	88-12-087	275-38-846	AMD-P	88-07-122

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
275-38-846	AMD	88-12-087	296-14-400	NEW	88-14-011	296-17-567	AMD	88-12-050
275-38-860	AMD-P	88-07-122	296-14-600	NEW-P	88-09-071	296-17-580	AMD-P	88-06-072
275-38-860	AMD	88-12-087	296-14-600	NEW	88-14-011	296-17-580	AMD	88-12-050
275-38-869	AMD-P	88-07-122	296-14-900	NEW-P	88-04-050	296-17-582	AMD-P	88-06-072
275-38-869	AMD	88-12-087	296-14-900	NEW	88-08-026	296-17-582	AMD	88-12-050
275-38-880	AMD-P	88-07-122	296-14-910	NEW-P	88-04-050	296-17-594	AMD-P	88-06-072
275-38-880	AMD	88-12-087	296-14-910	NEW	88-08-026	296-17-594	AMD	88-12-050
275-38-886	AMD-P	88-07-122	296-14-920	NEW-P	88-04-050	296-17-598	REP-P	88-06-072
275-38-886	AMD	88-12-087	296-14-920	NEW	88-08-026	296-17-598	REP-P	88-06-076
275-38-887	NEW-P	88-07-122	296-14-930	NEW-P	88-04-050	296-17-598	REP	88-12-050
275-38-887	NEW	88-12-087	296-14-930	NEW	88-08-026	296-17-630	AMD-P	88-06-072
275-38-888	NEW-P	88-07-122	296-14-940	NEW-P	88-04-050	296-17-630	AMD	88-12-050
275-38-888	NEW	88-12-087	296-14-940	NEW	88-08-026	296-17-643	AMD-P	88-06-072
275-38-889	NEW-P	88-07-122	296-14-950	NEW-P	88-04-050	296-17-643	AMD	88-12-050
275-38-889	NEW	88-12-087	296-14-950	NEW	88-08-026	296-17-64901	AMD-P	88-06-072
275-38-890	AMD-P	88-07-122	296-14-960	NEW-P	88-04-050	296-17-64901	AMD	88-12-050
275-38-890	AMD	88-12-087	296-14-960	NEW	88-08-026	296-17-64902	AMD-P	88-06-072
275-38-892	AMD-P	88-07-122	296-15-020	AMD-P	88-07-100	296-17-64902	AMD	88-12-050
275-38-892	AMD	88-12-087	296-15-020	AMD	88-12-096	296-17-677	AMD-P	88-06-072
275-38-900	AMD-P	88-07-122	296-15-022	AMD-P	88-07-100	296-17-677	AMD	88-12-050
275-38-900	AMD	88-12-087	296-15-022	AMD	88-12-096	296-17-680	AMD-P	88-06-072
275-38-903	NEW-P	88-07-122	296-15-023	AMD-P	88-07-100	296-17-680	AMD	88-12-050
275-38-903	NEW	88-12-087	296-15-023	AMD	88-12-096	296-17-731	AMD-P	88-06-076
275-38-905	REP-P	88-07-122	296-15-030	AMD-P	88-07-100	296-17-731	AMD	88-12-065
275-38-905	REP	88-12-087	296-15-030	AMD	88-12-096	296-17-73101	NEW-P	88-06-076
275-38-906	NEW-P	88-07-122	296-15-065	AMD-P	88-07-100	296-17-73101	NEW	88-12-065
275-38-906	NEW	88-12-087	296-15-065	AMD	88-12-096	296-17-73102	NEW-P	88-06-076
275-38-925	AMD-P	88-07-122	296-15-070	AMD-P	88-07-100	296-17-73102	NEW	88-12-065
275-38-925	AMD	88-12-087	296-15-070	AMD	88-12-096	296-17-73103	NEW-P	88-06-076
275-38-940	AMD-P	88-07-122	296-15-170	AMD-P	88-07-100	296-17-73103	NEW	88-12-065
275-38-940	AMD	88-12-087	296-15-170	AMD	88-12-096	296-17-73104	NEW-P	88-06-076
275-38-945	AMD-P	88-07-122	296-15-190	AMD-P	88-07-100	296-17-73104	NEW	88-12-065
275-38-945	AMD	88-12-087	296-15-190	AMD	88-12-096	296-17-736	AMD-P	88-06-072
275-38-955	AMD-P	88-07-122	296-15-215	AMD-P	88-07-100	296-17-736	AMD	88-12-050
275-38-955	AMD	88-12-087	296-15-215	AMD	88-12-096	296-17-757	AMD-P	88-06-072
275-38-960	AMD-P	88-07-122	296-15-250	AMD-P	88-07-100	296-17-757	AMD	88-12-050
275-38-960	AMD	88-12-087	296-15-250	AMD	88-12-096	296-17-758	AMD-P	88-06-072
275-110-050	AMD-P	88-12-090	296-17-310	AMD-P	88-06-072	296-17-758	AMD	88-12-050
275-110-050	AMD	88-15-012	296-17-310	AMD-P	88-09-073	296-17-759	AMD-P	88-06-072
275-110-060	AMD-P	88-12-090	296-17-310	AMD	88-12-050	296-17-759	AMD	88-12-050
275-110-060	AMD	88-15-012	296-17-310	AMD-C	88-15-008	296-17-760	AMD-P	88-06-072
275-110-070	AMD-P	88-12-090	296-17-349	NEW-P	88-02-059	296-17-760	AMD	88-12-050
275-110-070	AMD	88-15-012	296-17-349	NEW	88-06-048	296-17-761	AMD-P	88-06-072
275-110-080	AMD-P	88-12-090	296-17-350	AMD-C	88-06-046	296-17-761	AMD	88-12-050
275-110-080	AMD	88-15-012	296-17-350	AMD-P	88-06-076	296-17-762	AMD-P	88-06-072
284-12-080	AMD-P	88-15-036	296-17-350	AMD	88-12-065	296-17-762	AMD	88-12-050
284-30-800	NEW-P	88-07-073	296-17-350	AMD-C	88-12-095	296-17-76201	NEW-P	88-06-072
284-30-800	NEW	88-11-056	296-17-350	AMD	88-14-076	296-17-76201	NEW	88-12-050
284-32-140	AMD	88-05-001	296-17-450	AMD-P	88-06-072	296-17-76202	NEW-P	88-06-072
284-44-450	NEW-P	88-13-123	296-17-450	AMD	88-12-050	296-17-76202	NEW	88-12-050
284-46-100	NEW-P	88-13-123	296-17-455	AMD-P	88-06-072	296-17-76203	NEW-P	88-06-072
284-50-260	NEW-P	88-13-123	296-17-455	AMD	88-12-050	296-17-76203	NEW	88-12-050
284-74-200	NEW	88-04-054	296-17-519	AMD-P	88-06-072	296-17-76204	NEW-P	88-06-072
284-91-010	AMD-E	88-07-051	296-17-519	AMD	88-12-050	296-17-76204	NEW	88-12-050
284-91-010	AMD-P	88-08-051	296-17-520	AMD-P	88-06-072	296-17-76205	NEW-P	88-06-072
284-91-010	AMD	88-11-010	296-17-520	AMD	88-12-050	296-17-76205	NEW	88-12-050
284-91-020	AMD-E	88-07-051	296-17-52102	AMD-P	88-06-072	296-17-76206	NEW-P	88-06-072
284-91-020	AMD-P	88-08-051	296-17-52102	AMD	88-12-050	296-17-76206	NEW	88-12-050
284-91-020	AMD	88-11-010	296-17-52106	NEW-P	88-06-072	296-17-76207	NEW-P	88-06-072
284-91-025	NEW-P	88-04-056	296-17-52106	NEW	88-12-050	296-17-76207	NEW	88-12-050
284-91-025	NEW	88-08-010	296-17-52107	NEW-P	88-06-072	296-17-76208	NEW-P	88-06-072
284-91-027	NEW-P	88-04-056	296-17-52107	NEW	88-12-050	296-17-76208	NEW	88-12-050
284-91-027	NEW	88-08-010	296-17-52108	NEW-P	88-06-072	296-17-76209	NEW-P	88-06-072
296-13	AMD-P	88-11-085	296-17-52108	NEW	88-12-050	296-17-76209	NEW	88-12-050
296-13-001	AMD-P	88-11-085	296-17-52701	AMD-P	88-06-072	296-17-76210	NEW-P	88-06-072
296-13-010	AMD-P	88-11-085	296-17-52701	AMD	88-12-050	296-17-76210	NEW	88-12-050
296-13-020	AMD-P	88-11-085	296-17-536	AMD-P	88-06-072	296-17-76211	NEW-P	88-06-072
296-13-035	AMD-P	88-11-085	296-17-536	AMD	88-12-050	296-17-76211	NEW	88-12-050
296-13-040	AMD-P	88-11-085	296-17-552	AMD-P	88-06-072	296-17-76212	NEW-P	88-06-072
296-13-045	REP-P	88-11-085	296-17-552	AMD	88-12-050	296-17-76212	NEW	88-12-050
296-13-050	AMD-P	88-11-085	296-17-55201	NEW-P	88-02-060	296-17-773	AMD-P	88-06-076
296-13-057	AMD-P	88-11-085	296-17-55201	NEW	88-06-047	296-17-773	AMD	88-12-065
296-14-300	NEW-P	88-09-071	296-17-563	AMD-P	88-06-072	296-17-86502	NEW-P	88-09-073
296-14-300	NEW	88-14-011	296-17-563	AMD	88-12-050	296-17-86502	NEW-C	88-15-008
296-14-350	NEW-P	88-09-071	296-17-56402	NEW-P	88-06-072	296-17-870	AMD-P	88-09-073
296-14-350	NEW	88-14-011	296-17-56402	NEW	88-12-050	296-17-870	AMD-C	88-15-008
296-14-400	NEW-P	88-09-071	296-17-567	AMD-P	88-06-072	296-17-885	AMD-P	88-02-060

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
296-17-885	AMD	88-06-047	296-46-420	AMD-P	88-11-086	296-62-05405	AMD-P	88-09-074
296-17-885	AMD-P	88-06-072	296-46-420	AMD-E	88-11-087	296-62-05405	AMD	88-14-108
296-17-885	AMD-P	88-06-076	296-46-420	AMD	88-15-063	296-62-05407	AMD-P	88-09-074
296-17-885	AMD	88-12-050	296-56-60001	AMD-P	88-09-074	296-62-05407	AMD	88-14-108
296-17-885	AMD	88-12-065	296-56-60001	AMD	88-14-108	296-62-05409	AMD-P	88-09-074
296-17-895	AMD-P	88-02-060	296-56-60081	AMD-P	88-09-074	296-62-05409	AMD	88-14-108
296-17-895	AMD	88-06-047	296-56-60081	AMD	88-14-108	296-62-05411	AMD-P	88-09-074
296-17-895	AMD-P	88-06-072	296-56-60249	AMD-P	88-09-074	296-62-05411	AMD	88-14-108
296-17-895	AMD-P	88-06-076	296-56-60249	AMD	88-14-108	296-62-05413	AMD-P	88-09-074
296-17-895	AMD	88-12-050	296-59-001	NEW-P	88-09-074	296-62-05413	AMD	88-14-108
296-17-895	AMD	88-12-065	296-59-001	NEW	88-14-108	296-62-05415	AMD-P	88-09-074
296-17-910	AMD	88-12-048	296-59-003	NEW-P	88-09-074	296-62-05415	AMD-W	88-14-141
296-17-916	AMD	88-12-048	296-59-003	NEW	88-14-108	296-62-05417	AMD-P	88-09-074
296-17-91601	NEW-P	88-07-102	296-59-005	NEW-P	88-09-074	296-62-05417	AMD	88-14-108
296-17-91601	NEW	88-12-049	296-59-005	NEW	88-14-108	296-62-05421	AMD-P	88-09-074
296-17-91901	AMD-P	88-09-070	296-59-007	NEW-P	88-09-074	296-62-05421	AMD	88-14-108
296-17-91901	AMD-E	88-14-075	296-59-007	NEW	88-14-108	296-62-05423	AMD-P	88-09-074
296-17-91901	AMD	88-14-107	296-59-010	NEW-P	88-09-074	296-62-05423	AMD	88-14-108
296-17-91902	AMD-P	88-09-070	296-59-010	NEW	88-14-108	296-62-05425	AMD-P	88-09-074
296-17-91902	AMD-E	88-14-075	296-59-015	NEW-P	88-09-074	296-62-05425	AMD	88-14-108
296-17-91902	AMD	88-14-107	296-59-015	NEW	88-14-108	296-62-07113	AMD-P	88-09-074
296-17-91903	AMD-P	88-09-070	296-59-020	NEW-P	88-09-074	296-62-07113	AMD	88-14-108
296-17-91903	AMD-E	88-14-075	296-59-020	NEW	88-14-108	296-62-07115	AMD-P	88-09-074
296-17-91903	AMD	88-14-107	296-59-025	NEW-P	88-09-074	296-62-07115	AMD	88-14-108
296-17-91904	AMD-P	88-09-070	296-59-025	NEW	88-14-108	296-62-07336	NEW-P	88-06-073
296-17-91904	AMD-E	88-14-075	296-59-027	NEW-P	88-09-074	296-62-07336	NEW	88-11-021
296-17-91904	AMD	88-14-107	296-59-027	NEW	88-14-108	296-62-07337	NEW-P	88-06-073
296-17-91905	AMD-P	88-09-070	296-59-030	NEW-P	88-09-074	296-62-07337	NEW	88-11-021
296-17-91905	AMD-E	88-14-075	296-59-030	NEW	88-14-108	296-62-07338	NEW-P	88-06-073
296-17-91905	AMD	88-14-107	296-59-035	NEW-P	88-09-074	296-62-07338	NEW	88-11-021
296-18A-445	AMD-P	88-07-100	296-59-035	NEW	88-14-108	296-62-07339	NEW-P	88-06-073
296-18A-445	AMD	88-12-096	296-59-040	NEW-P	88-09-074	296-62-07339	NEW	88-11-021
296-18A-450	AMD-P	88-09-071	296-59-040	NEW	88-14-108	296-62-07340	NEW-P	88-06-073
296-18A-450	AMD	88-14-011	296-59-050	NEW-P	88-09-074	296-62-07340	NEW	88-11-021
296-18A-500	AMD-P	88-07-100	296-59-050	NEW	88-14-108	296-62-07341	REP-P	88-06-073
296-18A-500	AMD	88-12-096	296-59-055	NEW-P	88-09-074	296-62-07341	REP	88-11-021
296-18A-520	AMD-P	88-09-071	296-59-055	NEW	88-14-108	296-62-07342	NEW-P	88-06-073
296-18A-520	AMD	88-14-011	296-59-060	NEW-P	88-09-074	296-62-07342	NEW	88-11-021
296-20-03001	AMD-W	88-04-049	296-59-060	NEW	88-14-108	296-62-07343	NEW-P	88-06-073
296-20-045	AMD-C	88-04-051	296-59-065	NEW-P	88-09-074	296-62-07343	NEW	88-11-021
296-20-045	AMD-C	88-06-036	296-59-065	NEW	88-14-108	296-62-07344	NEW-P	88-06-073
296-20-210	AMD-P	88-09-072	296-59-070	NEW-P	88-09-074	296-62-07344	NEW	88-11-021
296-20-210	AMD	88-14-012	296-59-070	NEW	88-14-108	296-62-07345	REP-P	88-06-073
296-21-035	AMD-P	88-09-072	296-59-075	NEW-P	88-09-074	296-62-07345	REP	88-11-021
296-21-035	AMD	88-14-012	296-59-075	NEW	88-14-108	296-62-07346	NEW-P	88-06-073
296-21-128	AMD	88-04-052	296-59-080	NEW-P	88-09-074	296-62-07346	NEW	88-11-021
296-23-620	REP-C	88-04-051	296-59-080	NEW	88-14-108	296-62-07383	AMD-P	88-09-074
296-23-620	REP-C	88-06-036	296-59-085	NEW-P	88-09-074	296-62-07383	AMD	88-14-108
296-24-19515	REP-P	88-09-074	296-59-085	NEW	88-14-108	296-62-07385	AMD-P	88-09-074
296-24-19515	REP	88-14-108	296-59-090	NEW-P	88-09-074	296-62-07385	AMD	88-14-108
296-24-21701	AMD-P	88-09-074	296-59-090	NEW	88-14-108	296-62-07387	AMD-P	88-09-074
296-24-21701	AMD	88-14-108	296-59-095	NEW-P	88-09-074	296-62-07387	AMD	88-14-108
296-24-21707	AMD-P	88-06-073	296-59-095	NEW	88-14-108	296-62-07389	AMD-P	88-09-074
296-24-21707	AMD	88-11-021	296-59-100	NEW-P	88-09-074	296-62-07389	AMD	88-14-108
296-24-58513	AMD-P	88-09-074	296-59-100	NEW	88-14-108	296-62-07515	AMD-P	88-09-074
296-24-58513	AMD	88-14-108	296-59-102	NEW-P	88-09-074	296-62-07515	AMD	88-14-108
296-24-590	REP-P	88-06-073	296-59-102	NEW	88-14-108	296-62-07521	AMD-P	88-09-074
296-24-590	REP	88-11-021	296-59-103	NEW-P	88-09-074	296-62-07521	AMD	88-14-108
296-24-605	REP-P	88-06-073	296-59-103	NEW	88-14-108	296-62-07523	NEW-P	88-09-074
296-24-605	REP	88-11-021	296-59-105	NEW-P	88-09-074	296-62-07523	NEW-W	88-14-141
296-24-63399	AMD-P	88-09-074	296-59-105	NEW	88-14-108	296-62-07525	NEW-P	88-09-074
296-24-63399	AMD	88-14-108	296-59-107	NEW-P	88-09-074	296-62-07525	NEW-W	88-14-141
296-24-68203	AMD-P	88-06-073	296-59-107	NEW	88-14-108	296-62-07527	NEW-P	88-09-074
296-24-68203	AMD	88-11-021	296-59-109	NEW-P	88-09-074	296-62-07527	NEW-W	88-14-141
296-24-78009	AMD-P	88-06-073	296-59-109	NEW	88-14-108	296-62-07529	NEW-P	88-09-074
296-24-78009	AMD	88-11-021	296-59-115	NEW-P	88-09-074	296-62-07529	NEW-W	88-14-141
296-27-15501	AMD-P	88-09-074	296-59-115	NEW	88-14-108	296-62-07531	NEW-P	88-09-074
296-27-15501	AMD	88-14-108	296-59-120	NEW-P	88-09-074	296-62-07531	NEW-W	88-14-141
296-45-65025	REP-P	88-06-073	296-59-120	NEW	88-14-108	296-62-07533	NEW-P	88-09-074
296-45-65025	REP	88-11-021	296-59-125	NEW-P	88-09-074	296-62-07533	NEW-W	88-14-141
296-45-65026	NEW-P	88-06-073	296-59-125	NEW	88-14-108	296-62-07540	NEW-P	88-09-074
296-45-65026	NEW	88-11-021	296-59-130	NEW-P	88-09-074	296-62-07540	NEW-W	88-14-141
296-45-65037	AMD-P	88-06-073	296-59-130	NEW	88-14-108	296-62-07542	NEW-P	88-09-074
296-45-65037	AMD	88-11-021	296-62-054	AMD-P	88-09-074	296-62-07542	NEW-W	88-14-141
296-46-316	AMD-P	88-11-086	296-62-054	AMD	88-14-108	296-62-07544	NEW-P	88-09-074
296-46-316	AMD-E	88-11-087	296-62-05403	AMD-P	88-09-074	296-62-07544	NEW-W	88-14-141
296-46-316	AMD	88-15-063	296-62-05403	AMD	88-14-108	296-62-07546	NEW-P	88-09-074

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
296-62-07546	NEW-W	88-14-141	296-116-410	NEW-C	88-05-021	296-305-06301	REP	88-14-108
296-62-07548	NEW-P	88-09-074	296-116-410	NEW	88-09-017	296-305-06303	REP-P	88-09-074
296-62-07548	NEW-W	88-14-141	296-116-420	NEW-P	88-06-070	296-305-06303	REP	88-14-108
296-62-07550	NEW-P	88-09-074	296-116-420	NEW	88-10-040	296-305-06305	REP-P	88-09-074
296-62-07550	NEW-W	88-14-141	296-127-022	NEW-E	88-13-045	296-305-06305	REP	88-14-108
296-62-14541	AMD-P	88-09-074	296-127-022	NEW-P	88-14-106	296-305-06307	REP-P	88-09-074
296-62-14541	AMD	88-14-108	296-130-010	NEW-P	88-14-105	296-305-06307	REP	88-14-108
296-62-300	NEW-P	88-09-074	296-130-020	NEW-P	88-14-105	296-305-06309	REP-P	88-09-074
296-62-300	NEW-W	88-14-141	296-130-030	NEW-P	88-14-105	296-305-06309	REP	88-14-108
296-62-3010	NEW-P	88-09-074	296-130-040	NEW-P	88-14-105	296-305-06311	REP-P	88-09-074
296-62-3010	NEW-W	88-14-141	296-130-050	NEW-P	88-14-105	296-305-06311	REP	88-14-108
296-62-3020	NEW-P	88-09-074	296-130-060	NEW-P	88-14-105	296-305-06313	REP-P	88-09-074
296-62-3020	NEW-W	88-14-141	296-130-065	NEW-P	88-14-105	296-305-06313	REP	88-14-108
296-62-3030	NEW-P	88-09-074	296-130-070	NEW-P	88-14-105	296-305-064	NEW-P	88-09-074
296-62-3030	NEW-W	88-14-141	296-130-080	NEW-P	88-14-105	296-305-064	NEW	88-14-108
296-62-3040	NEW-P	88-09-074	296-130-500	NEW-P	88-14-105	296-305-06505	AMD-P	88-09-074
296-62-3040	NEW-W	88-14-141	296-150B-015	AMD-P	88-14-104	296-305-06505	AMD	88-14-108
296-62-3050	NEW-P	88-09-074	296-150B-220	AMD-P	88-14-104	296-305-06507	AMD-P	88-09-074
296-62-3050	NEW-W	88-14-141	296-150B-225	AMD-P	88-14-104	296-305-06507	AMD	88-14-108
296-62-3060	NEW-P	88-09-074	296-150B-245	AMD-P	88-14-104	296-305-06509	AMD-P	88-09-074
296-62-3060	NEW-W	88-14-141	296-155-160	AMD-P	88-09-074	296-305-06509	AMD	88-14-108
296-62-3070	NEW-P	88-09-074	296-155-160	AMD	88-14-108	296-305-07001	AMD-P	88-09-074
296-62-3070	NEW-W	88-14-141	296-155-425	REP-P	88-06-073	296-305-07001	AMD	88-14-108
296-62-3080	NEW-P	88-09-074	296-155-425	REP	88-11-021	296-305-07003	AMD-P	88-09-074
296-62-3080	NEW-W	88-14-141	296-155-426	NEW-P	88-06-073	296-305-07003	AMD	88-14-108
296-62-3090	NEW-P	88-09-074	296-155-426	NEW	88-11-021	296-305-100	AMD-P	88-09-074
296-62-3090	NEW-W	88-14-141	296-155-428	NEW-P	88-06-073	296-305-100	AMD	88-14-108
296-62-3100	NEW-P	88-09-074	296-155-428	NEW	88-11-021	296-305-9901	REP-P	88-09-074
296-62-3100	NEW-W	88-14-141	296-155-429	NEW-P	88-06-073	296-305-9901	REP	88-14-108
296-62-3110	NEW-P	88-09-074	296-155-429	NEW	88-11-021	296-305-9902	REP-P	88-09-074
296-62-3110	NEW-W	88-14-141	296-155-430	REP-P	88-06-073	296-305-9902	REP	88-14-108
296-62-3120	NEW-P	88-09-074	296-155-430	REP	88-11-021	296-305-9903	REP-P	88-09-074
296-62-3120	NEW-W	88-14-141	296-155-432	NEW-P	88-06-073	296-305-9903	REP	88-14-108
296-62-3130	NEW-P	88-09-074	296-155-432	NEW	88-11-021	296-305-9904	REP-P	88-09-074
296-62-3130	NEW-W	88-14-141	296-155-434	NEW-P	88-06-073	296-305-9904	REP	88-14-108
296-62-3140	NEW-P	88-09-074	296-155-434	NEW	88-11-021	296-305-9905	REP-P	88-09-074
296-62-3140	NEW-W	88-14-141	296-155-435	REP-P	88-06-073	296-305-9905	REP	88-14-108
296-62-3150	NEW-P	88-09-074	296-155-435	REP	88-11-021	296-305-9906	REP-P	88-09-074
296-62-3150	NEW-W	88-14-141	296-155-437	NEW-P	88-06-073	296-305-9906	REP	88-14-108
296-62-3152	NEW-P	88-09-074	296-155-437	NEW	88-11-021	296-306-010	AMD-P	88-09-074
296-62-3152	NEW-W	88-14-141	296-155-440	REP-P	88-06-073	296-306-010	AMD	88-14-108
296-62-3160	NEW-P	88-09-074	296-155-441	NEW-P	88-11-021	296-306-085	AMD-P	88-09-074
296-62-3160	NEW-W	88-14-141	296-155-441	NEW	88-06-073	296-306-085	AMD	88-14-108
296-62-3170	NEW-P	88-09-074	296-155-441	NEW	88-11-021	296-306-090	AMD-P	88-09-074
296-62-3170	NEW-W	88-14-141	296-155-444	NEW-P	88-06-073	296-306-090	AMD	88-14-108
296-62-3180	NEW-P	88-09-074	296-155-444	NEW	88-11-021	296-306-090	AMD	88-14-108
296-62-3180	NEW-W	88-14-141	296-155-447	NEW-P	88-06-073	296-400-045	AMD	88-06-037
296-62-3190	NEW-P	88-09-074	296-155-447	NEW	88-11-021	296-401-030	AMD-P	88-11-085
296-62-3190	NEW-W	88-14-141	296-155-449	NEW-P	88-06-073	296-401-080	AMD-P	88-11-085
296-81-007	AMD-P	88-13-128	296-155-449	NEW	88-11-021	296-401-085	NEW-P	88-11-085
296-81-008	AMD-P	88-04-053	296-155-450	REP-P	88-06-073	296-401-087	NEW-P	88-11-085
296-81-008	AMD	88-07-101	296-155-450	REP	88-11-021	296-401-090	AMD-P	88-11-085
296-81-275	NEW-P	88-13-128	296-155-452	NEW-P	88-06-073	296-401-100	AMD-P	88-11-085
296-81-276	NEW-P	88-13-129	296-155-452	NEW	88-11-021	296-401-120	AMD-P	88-11-085
296-116-020	AMD-C	88-05-016	296-155-455	REP-P	88-06-073	296-401-170	AMD-P	88-11-085
296-116-020	AMD	88-09-025	296-155-455	REP	88-11-021	296-401-180	AMD-P	88-11-085
296-116-030	AMD-C	88-05-017	296-155-456	NEW-P	88-06-073	296-402-030	AMD-P	88-11-085
296-116-030	AMD	88-09-026	296-155-456	NEW	88-11-021	296-402-140	AMD-P	88-11-085
296-116-070	AMD-P	88-10-036	296-155-459	NEW-P	88-06-073	296-402-150	AMD-P	88-11-085
296-116-070	AMD	88-14-063	296-155-459	NEW	88-11-021	296-402-190	AMD-P	88-11-085
296-116-080	AMD-C	88-06-066	296-155-462	NEW-P	88-06-073	296-402-200	NEW-P	88-11-085
296-116-080	AMD	88-10-037	296-155-462	NEW	88-11-021	296-403-010	AMD-P	88-11-085
296-116-083	NEW-P	88-06-067	296-304-06013	AMD-P	88-09-074	296-403-070	AMD-P	88-11-085
296-116-083	NEW	88-10-038	296-304-06013	AMD	88-14-108	304-12-290	AMD-E	88-02-046
296-116-120	AMD-C	88-05-018	296-305-007	AMD-P	88-09-074	304-12-290	AMD-P	88-03-018
296-116-120	AMD	88-09-027	296-305-007	AMD	88-14-108	304-12-290	AMD-E	88-07-086
296-116-185	AMD	88-05-043	296-305-060	AMD-P	88-09-074	304-12-290	AMD	88-07-086
296-116-300	AMD	88-05-039	296-305-060	AMD	88-14-108	308-04-001	AMD-E	88-15-062
296-116-320	REP-P	88-06-068	296-305-06003	AMD	88-09-074	308-08-700	NEW-P	88-15-040
296-116-320	REP	88-10-039	296-305-06003	AMD-P	88-09-074	308-11-050	AMD-P	88-15-081
296-116-360	NEW-C	88-05-019	296-305-06005	AMD	88-14-108	308-12-031	AMD-P	88-14-007
296-116-360	NEW	88-09-015	296-305-06005	AMD-P	88-09-074	308-12-050	AMD-P	88-05-037
296-116-370	NEW-P	88-06-069	296-305-06011	AMD	88-14-108	308-12-050	AMD	88-09-066
296-116-370	NEW-C	88-10-035	296-305-06011	AMD-P	88-09-074	308-13-020	AMD-P	88-02-069
296-116-370	NEW	88-14-062	296-305-063	AMD	88-14-108	308-13-020	AMD	88-05-025
296-116-400	NEW-C	88-05-020	296-305-063	AMD-P	88-09-074	308-13-025	AMD-P	88-12-041
296-116-400	NEW	88-09-016	296-305-06301	AMD	88-14-108	308-13-025	AMD	88-15-041
				REP-P	88-09-074	308-13-032	AMD-P	88-06-059

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
308-13-032	AMD	88-12-018	308-34-310	NEW-P	88-15-080	308-51A-010	NEW	88-13-038
308-13-150	AMD	88-04-027	308-34-320	NEW-P	88-15-080	308-51A-020	NEW-P	88-08-088
308-20-010	AMD-P	88-13-130	308-34-330	NEW-P	88-15-080	308-51A-020	NEW	88-13-038
308-20-020	AMD-P	88-13-130	308-34-410	NEW-P	88-15-080	308-51A-030	NEW-P	88-08-088
308-20-030	AMD-P	88-13-130	308-34-420	NEW-P	88-15-080	308-51A-030	NEW	88-13-038
308-20-040	AMD-P	88-13-130	308-34-430	NEW-P	88-15-080	308-51A-040	NEW-P	88-08-088
308-20-050	AMD-P	88-13-130	308-34-440	NEW-P	88-15-080	308-51A-040	NEW	88-13-038
308-20-060	AMD-P	88-13-130	308-34-450	NEW-P	88-15-080	308-51A-050	NEW-P	88-08-088
308-20-070	AMD-P	88-13-130	308-34-460	NEW-P	88-15-080	308-51A-050	NEW	88-13-038
308-20-080	AMD-P	88-13-130	308-34-470	NEW-E	88-15-002	308-51A-060	NEW-P	88-08-088
308-20-090	AMD-P	88-13-130	308-34-470	NEW-P	88-15-080	308-51A-060	NEW	88-13-038
308-20-100	AMD-P	88-13-130	308-34-480	NEW-P	88-15-080	308-52-138	AMD	88-06-008
308-20-105	AMD-P	88-13-130	308-40-030	REP-P	88-09-067	308-52-139	AMD	88-06-008
308-20-107	NEW-P	88-13-130	308-40-030	REP	88-13-131	308-52-140	AMD	88-06-008
308-20-109	NEW-P	88-13-130	308-40-101	AMD-P	88-09-067	308-52-147	NEW	88-06-008
308-20-110	AMD-P	88-13-130	308-40-101	AMD	88-13-131	308-52-148	NEW	88-06-008
308-20-120	AMD-P	88-13-130	308-40-102	AMD-P	88-09-067	308-52-149	NEW	88-06-008
308-20-130	AMD-P	88-13-130	308-40-102	AMD	88-13-131	308-53-010	AMD-P	88-03-071
308-20-140	AMD-P	88-13-130	308-40-103	AMD-P	88-09-067	308-53-010	AMD	88-07-047
308-20-150	AMD-P	88-13-130	308-40-103	AMD	88-13-131	308-53-030	AMD-P	88-03-071
308-20-155	NEW-P	88-13-130	308-40-105	AMD-P	88-09-067	308-53-030	AMD	88-07-047
308-20-171	AMD-P	88-13-130	308-40-105	AMD	88-13-131	308-53-100	AMD-P	88-03-071
308-20-190	AMD-P	88-13-130	308-42-015	NEW-P	88-03-033	308-53-100	AMD	88-07-047
308-20-205	AMD-P	88-13-130	308-42-015	NEW-P	88-08-036	308-53-120	AMD-P	88-03-071
308-25-080	NEW-P	88-15-043	308-48-030	AMD	88-08-015	308-53-120	AMD	88-07-047
308-25-090	NEW-P	88-15-043	308-48-030	AMD-E	88-08-016	308-53-145	AMD-P	88-03-071
308-25-100	NEW-P	88-15-043	308-48-031	NEW	88-08-015	308-53-145	AMD	88-07-047
308-25-110	NEW-P	88-15-043	308-48-031	NEW-E	88-08-016	308-53-170	AMD-P	88-03-071
308-25-120	NEW-P	88-15-043	308-48-085	AMD	88-08-015	308-53-170	AMD	88-07-047
308-25-130	NEW-P	88-15-043	308-48-085	AMD-E	88-08-016	308-53-200	AMD-P	88-14-039
308-25-140	NEW-P	88-15-043	308-48-140	AMD-P	88-08-037	308-54-170	AMD-P	88-10-056
308-25-150	NEW-P	88-15-043	308-48-140	AMD	88-13-010	308-55-035	NEW-P	88-15-043
308-25-160	NEW-P	88-15-043	308-48-790	AMD-P	88-08-037	308-55-045	NEW-P	88-15-043
308-26-055	NEW-P	88-15-043	308-48-790	AMD	88-13-010	308-55-055	NEW-P	88-15-043
308-26-065	NEW-P	88-15-043	308-49-140	AMD-P	88-08-037	308-55-065	NEW-P	88-15-043
308-26-075	NEW-P	88-15-043	308-49-140	AMD	88-13-010	308-55-075	NEW-P	88-15-043
308-26-085	NEW-P	88-15-043	308-49-170	AMD-P	88-08-037	308-55-085	NEW-P	88-15-043
308-26-095	NEW-P	88-15-043	308-49-170	AMD	88-13-010	308-55-095	NEW-P	88-15-043
308-26-105	NEW-P	88-15-043	308-51	AMD-P	88-06-034	308-55-105	NEW-P	88-15-043
308-26-115	NEW-P	88-15-043	308-51	AMD	88-11-011	308-55-115	NEW-P	88-15-043
308-26-125	NEW-P	88-15-043	308-51-010	AMD-P	88-06-034	308-56A-125	AMD-P	88-11-023
308-26-135	NEW-P	88-15-043	308-51-010	AMD	88-11-011	308-56A-275	AMD-P	88-11-023
308-31-010	AMD-P	88-08-075	308-51-020	REP-P	88-06-034	308-56A-285	AMD-P	88-11-023
308-31-010	AMD	88-11-034	308-51-020	REP	88-11-011	308-56A-465	AMD-P	88-11-023
308-31-015	REP-P	88-08-075	308-51-040	REP-P	88-06-034	308-58-020	AMD-P	88-11-023
308-31-015	REP	88-11-034	308-51-040	REP	88-11-011	308-58-030	AMD-P	88-11-023
308-31-056	NEW-P	88-08-075	308-51-050	AMD-P	88-06-034	308-61-026	AMD-E	88-04-026
308-34-010	REP-P	88-15-080	308-51-050	AMD	88-11-011	308-61-026	AMD	88-06-025
308-34-020	REP-P	88-15-080	308-51-060	REP-P	88-06-034	308-61-050	REP-E	88-04-026
308-34-030	REP-P	88-15-080	308-51-060	REP	88-11-011	308-61-050	REP	88-06-025
308-34-040	REP-P	88-15-080	308-51-070	AMD-P	88-06-034	308-61-108	AMD-E	88-04-026
308-34-050	REP-P	88-15-080	308-51-070	REP-P	88-11-055	308-61-108	AMD	88-06-025
308-34-060	REP-P	88-15-080	308-51-070	REP	88-14-097	308-61-135	AMD-E	88-04-026
308-34-070	REP-P	88-15-080	308-51-080	REP-P	88-06-034	308-61-135	AMD	88-06-025
308-34-080	REP-P	88-15-080	308-51-080	REP	88-11-011	308-61-158	AMD-E	88-04-026
308-34-090	REP-P	88-15-080	308-51-100	AMD-P	88-06-034	308-61-158	AMD	88-06-025
308-34-110	NEW-P	88-11-090	308-51-100	AMD	88-11-011	308-61-175	AMD-E	88-04-026
308-34-110	NEW	88-14-009	308-51-110	AMD-P	88-06-034	308-61-175	AMD	88-06-025
308-34-110	AMD-P	88-15-079	308-51-110	AMD	88-11-011	308-61-210	AMD-E	88-04-026
308-34-120	NEW-P	88-11-090	308-51-125	AMD-P	88-06-034	308-61-210	AMD	88-06-025
308-34-120	NEW	88-14-009	308-51-125	AMD	88-11-011	308-61-240	AMD-E	88-04-026
308-34-130	NEW-P	88-11-090	308-51-140	AMD-P	88-06-034	308-61-240	AMD	88-06-025
308-34-130	NEW	88-14-009	308-51-140	AMD	88-11-011	308-61-260	AMD-E	88-04-026
308-34-140	NEW-P	88-11-090	308-51-150	REP-P	88-06-034	308-61-260	AMD	88-06-025
308-34-140	NEW	88-14-009	308-51-150	REP	88-11-011	308-61-330	AMD-E	88-04-026
308-34-150	NEW-P	88-11-090	308-51-220	NEW-P	88-06-034	308-61-330	AMD	88-06-025
308-34-150	NEW	88-14-009	308-51-220	NEW	88-11-011	308-61-430	AMD-E	88-04-026
308-34-160	NEW-P	88-11-090	308-51-230	NEW-P	88-15-043	308-61-430	AMD	88-06-025
308-34-160	NEW	88-14-009	308-51-240	NEW-P	88-15-043	308-72-502	NEW-P	88-04-029
308-34-170	NEW-P	88-11-090	308-51-250	NEW-P	88-15-043	308-72-502	NEW	88-07-095
308-34-170	NEW	88-14-009	308-51-260	NEW-P	88-15-043	308-72-504	NEW-P	88-04-029
308-34-170	AMD-P	88-15-039	308-51-270	NEW-P	88-15-043	308-72-504	NEW	88-07-095
308-34-170	AMD-E	88-15-042	308-51-280	NEW-P	88-15-043	308-72-506	NEW-P	88-04-029
308-34-180	NEW-P	88-11-090	308-51-290	NEW-P	88-15-043	308-72-506	NEW	88-07-095
308-34-180	NEW	88-14-009	308-51-300	NEW-P	88-15-043	308-72-508	NEW-P	88-04-029
308-34-190	NEW-P	88-11-090	308-51-310	NEW-P	88-15-043	308-72-508	NEW	88-07-095
308-34-190	NEW	88-14-009	308-51A-010	NEW-P	88-08-088	308-72-512	NEW-P	88-04-029

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
308-72-512	NEW	88-07-095	308-91-150	NEW	88-06-061	308-120-521	REP-P	88-12-042
308-72-540	AMD-P	88-04-029	308-91-160	NEW-E	88-03-030	308-120-522	REP-P	88-12-042
308-72-540	AMD	88-07-095	308-91-160	NEW-P	88-03-067	308-120-525	NEW-P	88-12-042
308-90-010	REP-E	88-03-001	308-91-160	NEW	88-06-061	308-120-530	NEW-P	88-12-042
308-90-010	REP	88-03-038	308-91-170	NEW-E	88-03-030	308-120-535	NEW-P	88-12-042
308-90-020	REP-E	88-03-001	308-91-170	NEW-P	88-03-067	308-120-540	NEW-P	88-12-042
308-90-020	REP	88-03-038	308-91-170	NEW	88-06-061	308-120-545	NEW-P	88-12-042
308-90-030	AMD-E	88-03-001	308-96A-065	AMD-P	88-07-116	308-120-550	NEW-P	88-12-042
308-90-030	AMD	88-03-038	308-96A-065	AMD	88-12-043	308-120-555	NEW-P	88-12-042
308-90-040	AMD-E	88-03-001	308-96A-066	NEW-P	88-07-116	308-120-560	NEW-P	88-12-042
308-90-040	AMD	88-03-038	308-96A-450	NEW-E	88-14-038	308-120-565	NEW-P	88-12-042
308-90-050	REP-E	88-03-001	308-96A-450	NEW-P	88-14-111	308-120-570	NEW-P	88-12-042
308-90-050	REP	88-03-038	308-96A-460	NEW-E	88-14-038	308-120-575	NEW-P	88-12-042
308-90-060	AMD-E	88-03-001	308-96A-460	NEW-P	88-14-111	308-121-070	NEW-P	88-15-039
308-90-060	AMD	88-03-038	308-96A-470	NEW-E	88-14-038	308-121-070	NEW-E	88-15-042
308-90-070	AMD-E	88-03-001	308-96A-470	NEW-P	88-14-111	308-122-200	AMD-P	88-06-007
308-90-070	AMD	88-03-038	308-96A-480	NEW-E	88-14-038	308-122-200	AMD	88-09-029
308-90-080	AMD-E	88-03-001	308-96A-480	NEW-P	88-14-111	308-122-215	AMD-P	88-06-007
308-90-080	AMD	88-03-038	308-115-220	NEW-P	88-08-035	308-122-215	AMD	88-09-029
308-90-090	AMD-E	88-03-001	308-115-220	NEW	88-12-040	308-122-235	NEW-P	88-06-007
308-90-090	AMD	88-03-038	308-115-230	NEW-P	88-08-035	308-122-235	NEW	88-09-029
308-90-110	AMD-E	88-03-001	308-115-230	NEW	88-12-040	308-122-640	AMD-P	88-06-007
308-90-110	AMD	88-03-038	308-115-240	NEW-P	88-08-035	308-122-640	AMD	88-09-029
308-90-120	NEW-E	88-03-001	308-115-240	NEW	88-12-040	308-122-720	NEW-P	88-06-007
308-90-120	NEW	88-03-038	308-115-250	NEW-P	88-08-035	308-122-720	NEW	88-09-029
308-90-130	NEW-E	88-03-001	308-115-250	NEW	88-12-040	308-124A-130	AMD-P	88-02-051
308-90-130	NEW	88-03-038	308-115-260	NEW-P	88-15-043	308-124A-130	AMD	88-06-039
308-90-140	NEW-E	88-03-001	308-115-270	NEW-P	88-15-043	308-124B-010	REP-E	88-02-050
308-90-140	NEW	88-03-038	308-115-280	NEW-P	88-15-043	308-124B-010	REP-P	88-02-051
308-90-150	NEW-E	88-03-001	308-115-290	NEW-P	88-15-043	308-124B-010	REP	88-06-039
308-90-150	NEW	88-03-038	308-115-310	NEW-P	88-15-043	308-124B-130	AMD-E	88-02-050
308-90-160	NEW-E	88-03-001	308-115-320	NEW-P	88-15-043	308-124B-130	AMD-P	88-02-051
308-90-160	NEW	88-03-038	308-115-330	NEW-P	88-15-043	308-124B-130	AMD	88-06-039
308-91-010	AMD-E	88-03-030	308-115-340	NEW-P	88-15-043	308-124B-150	NEW-E	88-02-050
308-91-010	AMD-P	88-03-067	308-115-350	NEW-P	88-15-043	308-124B-150	NEW-P	88-02-051
308-91-010	AMD	88-06-061	308-117-030	AMD-P	88-04-077	308-124B-150	NEW	88-06-039
308-91-020	REP-E	88-03-030	308-117-030	AMD	88-08-034	308-124E-011	REP-P	88-02-049
308-91-020	REP-P	88-03-067	308-117-030	AMD-P	88-13-094	308-124E-011	REP	88-06-040
308-91-020	REP	88-06-061	308-117-040	AMD-P	88-13-094	308-124E-012	NEW-P	88-02-049
308-91-030	AMD-E	88-03-030	308-117-050	AMD-P	88-13-094	308-124E-012	NEW	88-06-040
308-91-030	AMD-P	88-03-067	308-117-080	AMD	88-05-011	308-124E-013	NEW-P	88-02-049
308-91-030	AMD	88-06-061	308-117-090	AMD-P	88-13-094	308-124E-013	NEW	88-06-040
308-91-040	AMD-E	88-03-030	308-117-095	NEW-P	88-13-094	308-124E-013	AMD-P	88-11-089
308-91-040	AMD-P	88-03-067	308-117-100	AMD-P	88-13-094	308-124E-013	AMD-E	88-10-057
308-91-040	AMD	88-06-061	308-117-105	NEW-P	88-13-094	308-124E-014	NEW-P	88-02-049
308-91-050	AMD-E	88-03-030	308-117-410	NEW-P	88-13-094	308-124E-014	NEW	88-06-040
308-91-050	AMD-P	88-03-067	308-117-420	NEW-P	88-13-094	308-127-150	REP	88-15-017
308-91-050	AMD	88-06-061	308-117-500	AMD-P	88-15-039	308-127-155	NEW	88-15-017
308-91-060	AMD-E	88-03-030	308-117-500	AMD-E	88-15-042	308-128A-010	AMD-P	88-08-087
308-91-060	AMD-P	88-03-067	308-120-100	AMD-P	88-12-042	308-128A-020	AMD-P	88-08-087
308-91-060	AMD	88-06-061	308-120-163	AMD-P	88-12-042	308-128A-030	AMD-P	88-08-087
308-91-070	AMD-E	88-03-030	308-120-164	AMD-P	88-12-042	308-128A-040	AMD-P	88-08-087
308-91-070	AMD-P	88-03-067	308-120-170	AMD-P	88-12-042	308-128B-010	AMD-P	88-08-087
308-91-070	AMD	88-06-061	308-120-180	AMD-P	88-12-042	308-128B-020	AMD-P	88-08-087
308-91-080	AMD-E	88-03-030	308-120-185	AMD-P	88-12-042	308-128B-030	AMD-P	88-08-087
308-91-080	AMD-P	88-03-067	308-120-186	AMD	88-05-010	308-128B-040	REP-P	88-08-087
308-91-080	AMD	88-06-061	308-120-275	AMD-P	88-15-039	308-128B-050	AMD-P	88-08-087
308-91-090	AMD-E	88-03-030	308-120-275	AMD-E	88-15-042	308-128B-060	AMD-P	88-08-087
308-91-090	AMD-P	88-03-067	308-120-335	AMD	88-07-049	308-128B-090	NEW-P	88-08-087
308-91-090	AMD	88-06-061	308-120-338	NEW-P	88-12-042	308-128C-010	REP-P	88-08-087
308-91-100	REP-E	88-03-030	308-120-360	AMD-P	88-12-042	308-128C-040	AMD-P	88-08-087
308-91-100	REP-P	88-03-067	308-120-505	AMD-P	88-12-042	308-128C-050	AMD-P	88-08-087
308-91-100	REP	88-06-061	308-120-506	AMD-P	88-12-042	308-128D-010	AMD-P	88-08-087
308-91-110	REP-E	88-03-030	308-120-507	REP-P	88-12-042	308-128D-020	AMD-P	88-08-087
308-91-110	REP-P	88-03-067	308-120-508	REP-P	88-12-042	308-128D-030	AMD-P	88-08-087
308-91-110	REP	88-06-061	308-120-509	REP-P	88-12-042	308-128D-040	AMD-P	88-08-087
308-91-120	NEW-E	88-03-030	308-120-510	REP-P	88-12-042	308-128D-060	AMD-P	88-08-087
308-91-120	NEW-P	88-03-067	308-120-511	REP-P	88-12-042	308-128D-070	AMD-P	88-08-087
308-91-120	NEW	88-06-061	308-120-512	REP-P	88-12-042	308-128D-080	NEW-P	88-08-087
308-91-130	NEW-E	88-03-030	308-120-513	REP-P	88-12-042	308-128E-010	REP-P	88-08-087
308-91-130	NEW-P	88-03-067	308-120-514	REP-P	88-12-042	308-128E-011	NEW-P	88-08-087
308-91-130	NEW	88-06-061	308-120-515	REP-P	88-12-042	308-128F-010	AMD-P	88-08-087
308-91-140	NEW-E	88-03-030	308-120-516	REP-P	88-12-042	308-128F-020	AMD-P	88-08-087
308-91-140	NEW-P	88-03-067	308-120-517	REP-P	88-12-042	308-128F-030	REP-P	88-08-087
308-91-140	NEW	88-06-061	308-120-518	REP-P	88-12-042	308-128F-040	AMD-P	88-08-087
308-91-150	NEW-E	88-03-030	308-120-519	REP-P	88-12-042	308-128F-050	AMD-P	88-08-087
308-91-150	NEW-P	88-03-067	308-120-520	REP-P	88-12-042	308-128F-070	AMD-P	88-08-087

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
308-130-320	NEW-P 88-15-043	308-177-060	NEW-P 88-15-043	308-195-180	NEW-P 88-15-043
308-130-330	NEW-P 88-15-043	308-177-070	NEW-P 88-15-043	308-195-190	NEW-P 88-15-043
308-130-340	NEW-P 88-15-043	308-177-080	NEW-P 88-15-043	308-210-010	NEW-P 88-05-060
308-130-350	NEW-P 88-15-043	308-177-090	NEW-P 88-15-043	308-210-010	NEW 88-11-025
308-130-360	NEW-P 88-15-043	308-180-120	AMD-P 88-02-061	308-210-020	NEW-P 88-05-060
308-130-370	NEW-P 88-15-043	308-180-120	AMD 88-07-031	308-210-020	NEW 88-11-025
308-130-380	NEW-P 88-15-043	308-180-210	AMD-P 88-02-061	308-210-030	NEW-P 88-05-060
308-130-390	NEW-P 88-15-043	308-180-210	AMD 88-07-031	308-210-030	NEW 88-11-025
308-130-400	NEW-P 88-15-043	308-180-220	AMD-P 88-02-061	308-210-040	NEW-P 88-05-060
308-138-055	AMD-P 88-03-035	308-180-220	AMD 88-07-031	308-210-040	NEW 88-11-025
308-138-055	AMD 88-09-030	308-180-250	AMD-P 88-02-061	308-210-050	NEW-P 88-05-060
308-138-055	AMD-P 88-11-088	308-180-250	AMD 88-07-031	308-210-050	NEW 88-11-025
308-138-055	AMD 88-14-113	308-180-260	AMD-P 88-11-026	308-210-060	NEW-P 88-05-060
308-138-320	AMD-P 88-03-035	308-180-260	AMD 88-15-030	308-210-060	NEW 88-11-025
308-138-320	AMD 88-09-030	308-180-270	NEW-P 88-02-061	308-210-080	NEW-P 88-15-043
308-138-340	NEW-P 88-11-088	308-180-270	NEW 88-07-031	308-210-090	NEW-P 88-15-043
308-138-340	NEW 88-14-113	308-180-280	NEW-P 88-02-061	308-210-100	NEW-P 88-15-043
308-138A-020	AMD-P 88-03-035	308-180-280	NEW 88-07-031	308-210-110	NEW-P 88-15-043
308-138A-020	AMD 88-09-030	308-180-290	NEW-P 88-15-043	308-210-120	NEW-P 88-15-043
308-138A-020	AMD-P 88-11-088	308-180-300	NEW-P 88-15-043	308-210-130	NEW-P 88-15-043
308-138A-020	AMD 88-14-113	308-180-310	NEW-P 88-15-043	308-210-140	NEW-P 88-15-043
308-138A-025	AMD-P 88-03-035	308-180-320	NEW-P 88-15-043	308-210-150	NEW-P 88-15-043
308-138A-025	AMD 88-09-030	308-180-330	NEW-P 88-15-043	308-210-160	NEW-P 88-15-043
308-140-010	REP-P 88-11-027	308-180-340	NEW-P 88-15-043	308-220-010	NEW-P 88-05-062
308-140-010	REP 88-15-031	308-180-350	NEW-P 88-15-043	308-220-010	NEW 88-11-079
308-140-020	REP-P 88-11-027	308-180-360	NEW-P 88-15-043	308-220-020	NEW-P 88-05-062
308-140-020	REP 88-15-031	308-180-370	NEW-P 88-15-043	308-220-020	NEW 88-11-079
308-140-030	REP-P 88-11-027	308-183-010	NEW-P 88-15-043	308-220-030	NEW-P 88-05-062
308-140-030	REP 88-15-031	308-183-020	NEW-P 88-15-043	308-220-030	NEW 88-11-079
308-140-040	REP-P 88-11-027	308-183-030	NEW-P 88-15-043	308-220-040	NEW-P 88-05-062
308-140-040	REP 88-15-031	308-183-040	NEW-P 88-15-043	308-220-040	NEW 88-11-079
308-140-070	REP-P 88-11-027	308-183-050	NEW-P 88-15-043	308-220-050	NEW-P 88-05-062
308-140-070	REP 88-15-031	308-183-060	NEW-P 88-15-043	308-220-050	NEW 88-11-079
308-140-100	REP-P 88-11-027	308-183-070	NEW-P 88-15-043	308-220-060	NEW 88-11-079
308-140-100	REP 88-15-031	308-183-080	NEW-P 88-15-043	308-220-070	NEW-P 88-05-062
308-140-250	REP-P 88-11-027	308-190-030	NEW-P 88-05-059	308-220-070	NEW 88-11-079
308-140-250	REP 88-15-031	308-190-030	NEW 88-11-024	308-220-080	NEW-P 88-05-062
308-140-270	REP-P 88-11-027	308-190-040	NEW-P 88-05-059	308-220-090	NEW-P 88-15-043
308-140-270	REP 88-15-031	308-190-040	NEW 88-11-024	308-220-100	NEW-P 88-15-043
308-140-300	REP-P 88-11-027	308-190-050	NEW-P 88-05-059	308-220-110	NEW-P 88-15-043
308-140-300	REP 88-15-031	308-190-050	NEW 88-11-024	308-220-120	NEW-P 88-15-043
308-150-013	AMD-P 88-05-041	308-190-060	NEW-P 88-15-043	308-220-130	NEW-P 88-15-043
308-150-013	AMD 88-08-033	308-190-070	NEW-P 88-15-043	308-220-140	NEW-P 88-15-043
308-151-080	AMD-P 88-05-041	308-190-080	NEW-P 88-15-043	308-220-150	NEW-P 88-15-043
308-151-080	AMD 88-08-033	308-190-090	NEW-P 88-15-043	308-220-160	NEW-P 88-15-043
308-151-090	AMD-P 88-05-041	308-190-100	NEW-P 88-15-043	308-220-170	NEW-P 88-15-043
308-151-090	AMD 88-08-033	308-190-110	NEW-P 88-15-043	308-230-010	NEW-P 88-05-063
308-153-020	AMD-P 88-05-041	308-190-120	NEW-P 88-15-043	308-230-010	NEW 88-11-078
308-153-020	AMD 88-08-033	308-190-130	NEW-P 88-15-043	308-230-020	NEW-P 88-05-063
308-153-030	AMD-P 88-05-041	308-190-140	NEW-P 88-15-043	308-230-020	NEW 88-11-078
308-153-030	AMD 88-08-033	308-195-020	NEW-P 88-03-034	308-230-030	NEW-P 88-05-063
308-156-060	AMD-P 88-05-041	308-195-020	NEW 88-10-015	308-230-030	NEW 88-11-078
308-156-060	AMD 88-08-033	308-195-030	NEW-P 88-03-034	308-230-040	NEW-P 88-05-063
308-156-090	AMD-P 88-05-041	308-195-030	NEW 88-10-015	308-230-040	NEW 88-11-078
308-156-090	AMD 88-08-033	308-195-040	NEW-P 88-03-034	308-230-050	NEW-P 88-05-063
308-156-100	AMD-P 88-05-041	308-195-040	NEW 88-10-015	308-230-050	NEW 88-11-078
308-156-100	AMD 88-08-033	308-195-050	NEW-P 88-03-034	308-230-060	NEW-P 88-15-043
308-171-010	AMD-P 88-05-061	308-195-050	NEW 88-10-015	308-230-070	NEW-P 88-15-043
308-171-010	AMD 88-09-031	308-195-060	NEW-P 88-03-034	308-230-080	NEW-P 88-15-043
308-171-020	AMD-P 88-05-061	308-195-060	NEW 88-10-015	308-230-090	NEW-P 88-15-043
308-171-020	AMD 88-09-031	308-195-070	NEW-P 88-03-034	308-230-100	NEW-P 88-15-043
308-171-103	AMD-P 88-09-048	308-195-070	NEW 88-10-015	308-230-110	NEW-P 88-15-043
308-173-010	NEW-P 88-15-043	308-195-080	NEW-P 88-03-034	308-230-120	NEW-P 88-15-043
308-173-020	NEW-P 88-15-043	308-195-080	NEW 88-10-015	308-230-130	NEW-P 88-15-043
308-173-030	NEW-P 88-15-043	308-195-090	NEW-P 88-03-034	308-230-140	NEW-P 88-15-043
308-173-040	NEW-P 88-15-043	308-195-090	NEW 88-10-015	308-400	AMD-E 88-14-044
308-173-050	NEW-P 88-15-043	308-195-100	NEW-P 88-03-034	308-400-010	AMD-E 88-14-044
308-173-060	NEW-P 88-15-043	308-195-100	NEW 88-10-015	308-400-020	AMD-E 88-14-044
308-173-070	NEW-P 88-15-043	308-195-110	NEW-P 88-03-034	308-400-025	REP-E 88-14-044
308-173-080	NEW-P 88-15-043	308-195-110	NEW-P 88-14-006	308-400-030	AMD-E 88-14-044
308-173-090	NEW-P 88-15-043	308-195-110	NEW-E 88-14-008	308-400-044	REP-E 88-14-044
308-175-080	REP-P 88-14-094	308-195-120	NEW-P 88-15-043	308-400-047	AMD-E 88-14-044
308-177-010	NEW-P 88-15-043	308-195-130	NEW-P 88-15-043	308-400-048	AMD-E 88-14-044
308-177-020	NEW-P 88-15-043	308-195-140	NEW-P 88-15-043	308-400-050	REP-E 88-14-044
308-177-030	NEW-P 88-15-043	308-195-150	NEW-P 88-15-043	308-400-052	AMD-E 88-14-044
308-177-040	NEW-P 88-15-043	308-195-160	NEW-P 88-15-043	308-400-058	AMD-E 88-14-044
308-177-050	NEW-P 88-15-043	308-195-170	NEW-P 88-15-043	308-400-059	AMD-E 88-14-044

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
308-400-080	REP-E	88-14-044	314-40-040	AMD	88-07-060	326-20-093	NEW-C	88-09-010
308-400-095	AMD-E	88-14-044	314-40-080	AMD-P	88-06-055	326-20-093	NEW	88-09-047
308-400-120	NEW-E	88-14-044	314-40-080	AMD	88-08-056	326-20-094	NEW-E	88-06-043
308-400	AMD-P	88-14-045	314-52-114	AMD-P	88-04-060	326-20-094	NEW-P	88-06-074
308-400-010	AMD-P	88-14-045	314-52-114	AMD-E	88-04-061	326-20-094	NEW-C	88-09-010
308-400-020	AMD-P	88-14-045	314-52-114	AMD	88-07-026	326-20-094	NEW	88-09-047
308-400-025	REP-P	88-14-045	314-60-030	AMD-P	88-13-067	326-20-095	NEW-E	88-06-043
308-400-030	AMD-P	88-14-045	314-64-030	AMD-P	88-11-084	326-20-095	NEW-P	88-06-074
308-400-044	REP-P	88-14-045	314-64-030	AMD	88-14-001	326-20-095	NEW-C	88-09-010
308-400-047	AMD-P	88-14-045	314-64-050	AMD-P	88-11-084	326-20-095	NEW	88-09-047
308-400-048	AMD-P	88-14-045	314-64-050	AMD	88-14-001	326-20-096	NEW-E	88-06-043
308-400-050	REP-P	88-14-045	314-70-020	AMD-P	88-13-065	326-20-096	NEW-P	88-06-074
308-400-052	AMD-P	88-14-045	315-06-090	AMD-P	88-13-122	326-20-096	NEW-C	88-09-010
308-400-058	AMD-P	88-14-045	315-10-030	AMD-P	88-13-122	326-20-096	NEW	88-09-047
308-400-059	AMD-P	88-14-045	315-11-310	NEW-P	88-02-062	326-20-097	NEW-E	88-06-043
308-400-080	REP-P	88-14-045	315-11-310	NEW	88-06-031	326-20-097	NEW-P	88-06-074
308-400-095	AMD-P	88-14-045	315-11-311	NEW-P	88-02-062	326-20-097	NEW-C	88-09-010
308-400-120	NEW-P	88-14-045	315-11-311	NEW	88-06-031	326-20-097	NEW	88-09-047
308-410-010	NEW	88-03-037	315-11-312	NEW-P	88-02-062	326-20-098	NEW-E	88-06-043
308-410-020	NEW	88-03-037	315-11-312	NEW	88-06-031	326-20-098	NEW-P	88-06-074
308-410-030	NEW	88-03-037	315-11-320	NEW-P	88-06-049	326-20-098	NEW-C	88-09-010
308-410-040	NEW	88-03-037	315-11-320	NEW	88-09-014	326-20-098	NEW	88-09-047
308-410-050	NEW	88-03-037	315-11-321	NEW-P	88-06-049	326-20-140	AMD-P	88-14-129
308-410-060	NEW	88-03-037	315-11-321	NEW	88-09-014	326-20-171	AMD-P	88-06-074
308-410-070	NEW	88-03-037	315-11-322	NEW-P	88-06-049	326-20-171	AMD-C	88-09-010
314-08-080	AMD-P	88-06-056	315-11-322	NEW	88-09-014	326-20-171	AMD	88-09-047
314-08-080	AMD	88-08-057	315-11-330	NEW-P	88-09-069	326-20-172	AMD-P	88-06-074
314-12-037	NEW-P	88-05-012	315-11-330	NEW	88-13-008	326-20-172	AMD-C	88-09-010
314-12-037	NEW-P	88-13-003	315-11-331	NEW-P	88-09-069	326-20-172	AMD	88-09-047
314-12-038	NEW-P	88-06-054	315-11-331	NEW	88-13-008	326-20-173	NEW-P	88-14-129
314-12-038	NEW-P	88-13-003	315-11-332	NEW-P	88-09-069	326-20-180	AMD-P	88-06-074
314-12-040	AMD-P	88-13-066	315-11-332	NEW	88-13-008	326-20-180	AMD-C	88-09-010
314-12-100	AMD	88-04-028	315-11-340	NEW-P	88-13-122	326-20-180	AMD	88-09-047
314-12-145	AMD-E	88-07-076	315-11-341	NEW-P	88-13-122	326-20-185	AMD-P	88-06-074
314-12-145	AMD-P	88-07-091	315-11-342	NEW-P	88-13-122	326-20-185	AMD-C	88-09-010
314-12-145	AMD-C	88-09-061	315-11-350	NEW-P	88-13-122	326-20-185	AMD	88-09-047
314-12-145	AMD	88-10-049	315-11-351	NEW-P	88-13-122	326-30-03901	NEW-P	88-14-047
314-12-170	AMD-P	88-14-036	315-11-352	NEW-P	88-13-122	326-30-060	AMD-E	88-09-059
314-16-190	AMD-P	88-04-082	315-20-090	AMD-P	88-02-062	326-30-060	AMD-P	88-14-047
314-16-190	AMD	88-07-058	315-20-090	AMD	88-06-031	326-30-060	AMD-E	88-14-048
314-20-020	AMD-P	88-12-075	315-30-080	AMD-P	88-02-062	332-26-010	NEW-E	88-09-007
314-20-020	AMD	88-14-131	315-32-050	AMD-P	88-02-066	332-26-080	NEW-E	88-14-073
314-22-010	NEW-P	88-05-007	315-32-050	AMD	88-05-030	332-30-166	AMD-P	88-08-074
314-22-010	NEW	88-07-090	316-02-350	AMD-P	88-06-057	332-30-166	AMD	88-13-082
314-24-040	AMD-P	88-12-074	316-02-350	AMD	88-10-019	344-12-043	NEW-P	88-07-115
314-24-040	AMD-C	88-14-130	316-02-820	AMD-P	88-06-057	344-12-043	NEW	88-14-026
314-24-060	AMD-P	88-08-025	316-02-820	AMD	88-10-019	344-12-050	AMD-P	88-07-115
314-24-060	AMD	88-11-009	316-45-110	AMD-P	88-06-057	344-12-050	AMD	88-14-026
314-26-010	AMD-P	88-11-001	316-45-110	AMD	88-10-019	344-12-064	NEW-P	88-07-115
314-26-010	AMD	88-13-118	316-45-550	AMD-P	88-06-057	344-12-064	NEW	88-14-026
314-36-010	AMD-P	88-04-087	316-45-550	AMD	88-10-019	344-12-145	AMD-P	88-07-115
314-36-010	AMD	88-07-025	320-16-020	NEW	88-04-080	344-12-145	AMD	88-14-026
314-36-020	AMD-P	88-04-087	320-18-030	NEW-P	88-09-068	352-12-010	AMD-P	88-04-075
314-36-020	AMD	88-07-025	320-18-030	NEW	88-14-112	352-12-010	AMD	88-07-074
314-36-030	AMD-P	88-04-087	326-02-030	AMD	88-08-031	352-12-020	AMD-P	88-04-075
314-36-030	AMD	88-07-025	326-02-030	AMD-P	88-09-060	352-12-020	AMD	88-07-074
314-36-040	AMD-P	88-04-087	326-02-030	AMD	88-12-060	352-32-035	AMD-P	88-04-075
314-36-040	AMD	88-07-025	326-02-040	NEW-P	88-14-129	352-32-035	AMD	88-07-074
314-36-050	AMD-P	88-04-087	326-02-050	NEW-P	88-14-129	352-32-045	AMD-P	88-04-075
314-36-050	AMD	88-07-025	326-02-060	NEW-P	88-14-129	352-32-045	AMD	88-07-074
314-36-060	AMD-P	88-04-087	326-02-070	NEW-P	88-14-129	352-32-15001	NEW-P	88-06-095
314-36-060	AMD	88-07-025	326-02-080	NEW-P	88-14-129	352-32-15001	NEW	88-10-017
314-36-070	AMD-P	88-04-087	326-02-090	NEW-P	88-14-129	352-32-250	AMD-P	88-04-075
314-36-070	AMD	88-07-025	326-20-080	AMD-P	88-09-060	352-32-250	AMD	88-07-074
314-36-080	AMD-P	88-04-087	326-20-080	AMD	88-12-060	352-32-285	AMD-P	88-12-066
314-36-080	AMD	88-07-025	326-20-090	REP-E	88-06-029	352-32-285	AMD	88-15-068
314-36-090	AMD-P	88-04-087	326-20-090	REP	88-06-030	352-36-040	AMD-P	88-06-095
314-36-090	AMD	88-07-025	326-20-091	NEW-E	88-06-043	352-36-040	AMD	88-10-017
314-36-100	AMD-P	88-04-087	326-20-091	NEW-P	88-06-074	352-74-030	AMD-P	88-04-075
314-36-100	AMD	88-07-025	326-20-091	NEW-C	88-09-010	352-74-030	AMD	88-07-074
314-36-110	AMD-P	88-04-087	326-20-091	NEW	88-09-047	352-74-040	AMD-P	88-04-075
314-36-110	AMD	88-07-025	326-20-092	NEW-E	88-06-043	352-74-040	AMD	88-07-074
314-36-120	REP-P	88-04-087	326-20-092	NEW-P	88-06-074	352-74-060	AMD-P	88-04-075
314-36-120	REP	88-07-025	326-20-092	NEW-C	88-09-010	352-74-060	AMD	88-07-074
314-36-130	AMD-P	88-04-087	326-20-092	NEW	88-09-047	352-74-070	AMD-P	88-04-075
314-36-130	AMD	88-07-025	326-20-093	NEW-E	88-06-043	352-74-070	AMD	88-07-074
314-40-040	AMD-P	88-04-083	326-20-093	NEW-P	88-06-074	356-05-005	REP-P	88-04-066

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
356-05-123	NEW-C	88-06-014	356-18-130	REP	88-07-045
356-05-123	NEW-C	88-07-040	356-18-190	AMD-P	88-04-068
356-05-128	NEW	88-03-042	356-18-190	AMD-P	88-14-065
356-05-145	REP-P	88-04-066	356-26-050	AMD-P	88-04-068
356-05-311	NEW-P	88-04-032	356-26-050	AMD-P	88-14-065
356-05-311	NEW-C	88-07-041	356-26-060	AMD-P	88-04-031
356-05-320	AMD-P	88-04-068	356-26-080	AMD-P	88-04-068
356-05-320	AMD-P	88-14-065	356-26-080	AMD-P	88-14-065
356-05-330	REP-P	88-04-066	356-30-015	AMD-P	88-04-068
356-05-360	AMD	88-03-041	356-30-015	AMD-P	88-14-065
356-05-415	AMD-P	88-04-068	356-30-020	REP-P	88-04-066
356-05-415	AMD-P	88-14-065	356-30-030	REP-P	88-04-066
356-05-450	REP-C	88-07-044	356-30-040	REP-P	88-04-066
356-05-450	REP-P	88-10-030	356-30-050	REP-P	88-04-066
356-05-450	REP-C	88-13-056	356-30-065	AMD-P	88-04-068
356-05-450	REP-C	88-15-059	356-30-065	AMD-P	88-14-065
356-05-451	NEW-C	88-07-044	356-30-067	NEW-P	88-04-068
356-05-451	NEW-P	88-10-030	356-30-067	NEW-P	88-14-065
356-05-451	NEW-C	88-13-056	356-30-070	REP-P	88-04-066
356-05-451	NEW-C	88-15-059	356-30-080	REP-P	88-04-066
356-05-452	NEW-C	88-07-044	356-30-140	AMD-P	88-04-068
356-05-452	NEW-P	88-10-030	356-30-140	AMD-P	88-14-065
356-05-452	NEW-C	88-13-056	356-30-145	AMD-P	88-04-068
356-05-452	NEW-C	88-15-059	356-30-145	AMD-P	88-14-065
356-05-455	REP-C	88-07-044	356-30-260	AMD-C	88-03-039
356-05-455	REP-P	88-10-030	356-30-260	AMD	88-06-001
356-05-455	REP-C	88-13-056	356-30-305	AMD-C	88-03-039
356-05-455	REP-C	88-15-059	356-30-305	AMD	88-06-001
356-05-456	NEW-C	88-07-044	356-30-330	AMD-P	88-04-068
356-05-456	NEW-P	88-10-030	356-30-330	AMD-P	88-14-065
356-05-456	NEW-C	88-13-056	356-34-010	AMD-P	88-04-067
356-05-456	NEW-C	88-15-059	356-34-020	AMD	88-03-043
356-05-460	REP-C	88-07-044	356-34-030	AMD	88-03-043
356-05-460	REP-P	88-10-030	356-34-040	AMD	88-03-043
356-05-460	REP-C	88-13-056	356-34-045	NEW	88-03-043
356-05-460	REP-C	88-15-059	356-34-050	AMD	88-03-043
356-05-461	NEW-C	88-07-044	356-34-150	REP-P	88-08-058
356-05-461	NEW-P	88-10-030	356-34-150	REP	88-11-037
356-05-461	NEW-C	88-13-056	356-34-170	AMD-P	88-08-058
356-05-461	NEW-C	88-15-059	356-34-170	AMD	88-11-037
356-05-465	AMD-P	88-08-009	356-42-010	AMD-C	88-07-044
356-05-465	AMD-C	88-11-038	356-42-010	AMD-P	88-10-030
356-05-465	AMD	88-14-070	356-42-010	AMD-C	88-13-056
356-10-030	AMD-P	88-10-031	356-42-010	AMD-C	88-15-059
356-10-030	AMD-C	88-13-055	356-42-020	AMD-C	88-07-043
356-10-030	AMD	88-15-060	356-42-020	AMD-P	88-10-029
356-10-050	AMD-P	88-10-031	356-42-020	AMD-C	88-13-054
356-10-050	AMD-C	88-13-055	356-42-020	AMD-C	88-15-058
356-10-050	AMD-E	88-14-069	356-42-042	NEW-C	88-07-043
356-10-050	AMD-P	88-14-092	356-42-042	NEW-P	88-10-029
356-10-050	AMD	88-15-060	356-42-042	NEW-C	88-13-054
356-14-240	AMD	88-08-008	356-42-042	NEW-C	88-15-058
356-14-240	AMD-C	88-11-039	356-42-043	AMD-C	88-07-043
356-14-240	AMD-C	88-13-068	356-42-043	AMD-C	88-07-044
356-15-020	AMD	88-05-028	356-42-043	AMD-P	88-10-029
356-15-063	NEW-P	88-14-066	356-42-043	AMD-P	88-10-030
356-15-063	NEW-E	88-14-068	356-42-043	AMD-C	88-13-056
356-15-063	NEW-E	88-15-061	356-42-043	AMD-C	88-13-054
356-15-080	AMD-P	88-14-067	356-42-043	AMD-C	88-15-058
356-15-085	AMD-P	88-04-035	356-42-043	AMD-C	88-15-059
356-15-085	AMD-C	88-07-042	356-42-045	AMD-C	88-07-043
356-15-090	AMD-P	88-08-008	356-42-045	AMD-C	88-07-044
356-15-090	AMD-C	88-11-039	356-42-045	AMD-P	88-10-029
356-15-090	AMD-C	88-13-068	356-42-045	AMD-P	88-10-030
356-15-100	AMD-P	88-04-033	356-42-045	AMD-C	88-13-056
356-15-110	AMD-P	88-04-033	356-42-045	AMD-C	88-13-054
356-15-115	NEW-P	88-04-033	356-42-045	AMD-C	88-15-058
356-18-030	AMD-P	88-06-022	356-42-045	AMD-C	88-15-059
356-18-030	AMD-C	88-09-035	356-42-047	AMD-C	88-07-044
356-18-030	AMD-E	88-11-035	356-42-047	AMD-P	88-10-030
356-18-030	AMD	88-11-036	356-42-047	AMD-C	88-13-056
356-18-114	NEW-P	88-04-032	356-42-047	AMD-C	88-15-059
356-18-114	NEW-C	88-07-041	356-42-049	NEW-C	88-07-043
356-18-120	AMD-P	88-04-034	356-42-049	NEW-P	88-10-029
356-18-120	AMD	88-07-046	356-42-049	NEW-C	88-13-054
356-18-130	REP-E	88-04-030	356-42-049	NEW-C	88-15-058
356-18-130	REP-P	88-04-065	356-42-050	AMD-C	88-07-044
356-42-050	AMD-P	88-10-030	356-42-050	AMD-P	88-04-068
356-42-050	AMD-C	88-13-056	356-42-050	AMD-C	88-15-059
356-42-050	AMD-C	88-07-043	356-42-055	AMD-C	88-07-043
356-42-055	AMD-P	88-10-029	356-42-055	AMD-P	88-10-029
356-42-055	AMD-C	88-13-054	356-42-055	AMD-C	88-13-054
356-42-055	AMD-C	88-15-058	356-42-060	AMD-C	88-15-058
356-42-060	AMD-C	88-07-044	356-42-060	AMD-C	88-07-044
356-42-060	AMD-P	88-10-030	356-42-060	AMD-P	88-10-030
356-42-060	AMD-C	88-13-056	356-42-060	AMD-C	88-13-056
356-42-060	AMD-C	88-15-059	356-42-060	AMD-C	88-15-059
356-42-070	AMD-C	88-07-044	356-42-070	AMD-C	88-07-044
356-42-070	AMD-P	88-10-030	356-42-070	AMD-P	88-10-030
356-42-070	AMD-C	88-13-056	356-42-070	AMD-C	88-13-056
356-42-070	AMD-C	88-15-059	356-42-082	AMD-C	88-07-043
356-42-082	AMD-C	88-07-043	356-42-082	AMD-P	88-10-029
356-42-082	AMD-C	88-13-054	356-42-082	AMD-C	88-13-054
356-42-082	AMD-C	88-15-058	356-42-082	AMD-C	88-15-058
356-42-084	AMD-C	88-07-043	356-42-084	AMD-C	88-07-043
356-42-084	AMD-P	88-10-029	356-42-084	AMD-C	88-10-029
356-42-084	AMD-C	88-13-056	356-42-084	AMD-C	88-13-054
356-42-084	AMD-C	88-15-059	356-42-084	AMD-C	88-15-058
356-42-105	NEW-C	88-07-043	356-42-105	NEW-C	88-07-043
356-42-105	NEW-P	88-10-029	356-42-105	NEW-P	88-10-029
356-42-105	NEW-C	88-13-054	356-42-105	NEW-C	88-13-054
356-42-105	NEW-C	88-15-058	356-42-105	NEW-C	88-15-058
356-42-105	NEW	88-03-042	356-42-105	NEW	88-03-042
356-47-030	AMD-P	88-04-068	356-47-030	AMD-P	88-04-068
356-47-030	AMD-P	88-14-065	356-47-030	AMD-P	88-14-065
356-47-045	AMD-P	88-04-068	356-47-045	AMD-P	88-04-068
356-47-045	AMD-P	88-14-065	356-47-045	AMD-P	88-14-065
360-08-005	NEW-P	88-03-036	360-08-005	NEW-P	88-03-036
360-08-005	NEW	88-06-026	360-08-005	NEW	88-06-026
360-08-030	REP-P	88-03-036	360-08-030	REP-P	88-03-036
360-08-030	REP	88-06-026	360-08-030	REP	88-06-026
360-08-070	REP-P	88-03-036	360-08-070	REP-P	88-03-036
360-08-070	REP	88-06-026	360-08-070	REP	88-06-026
360-08-080	REP-P	88-03-036	360-08-080	REP-P	88-03-036
360-08-080	REP	88-06-026	360-08-080	REP	88-06-026
360-08-090	REP-P	88-03-036	360-08-090	REP-P	88-03-036
360-08-090	REP	88-06-026	360-08-090	REP	88-06-026
360-08-100	REP-P	88-03-036	360-08-100	REP-P	88-03-036
360-08-100	REP	88-06-026	360-08-100	REP	88-06-026
360-08-110	REP-P	88-03-036	360-08-110	REP-P	88-03-036
360-08-110	REP	88-06-026	360-08-110	REP	88-06-026
360-08-120	REP-P	88-03-036	360-08-120	REP-P	88-03-036
360-08-120	REP	88-06-026	360-08-120	REP	88-06-026
360-08-130	REP-P	88-03-036	360-08-130	REP-P	88-03-036
360-08-130	REP	88-06-026	360-08-130	REP	88-06-026
360-08-140	REP-P	88-03-036	360-08-140	REP-P	88-03-036
360-08-140	REP	88-06-026	360-08-140	REP	88-06-026
360-08-430	REP-P	88-03-036	360-08-430	REP-P	88-03-036
360-08-430	REP	88-06-026	360-08-430	REP	88-06-026
360-08-440	REP-P	88-03-036	360-08-440	REP-P	88-03-036
360-08-440	REP	88-06-026	360-08-440	REP	88-06-026
360-08-450	REP-P	88-03-036	360-08-450	REP-P	88-03-036
360-08-450	REP	88-06-026	360-08-450	REP	88-06-026
360-08-460	REP-P	88-03-036	360-08-460	REP-P	88-03-036
360-08-460	REP	88-06-026	360-08-460	REP	88-06-026
360-08-470	REP-P	88-03-036	360-08-470	REP-P	88-03-036
360-08-470	REP	88-06-026	360-08-470	REP	88-06-026
360-08-480	REP-P	88-03-036	360-08-480	REP-P	88-03-036
360-08-480	REP	88-06-026	360-08-480	REP	88-06-026
360-08-500	REP-P	88-03-036	360-08-500	REP-P	88-03-036
360-08-500	REP	88-06-026	360-08-500	REP	88-06-026
360-08-510	REP-P	88-03-036	360-08-510	REP-P	88-03-036
360-08-510	REP	88-06-026	360-08-510	REP	88-06-026
360-10-010	AMD	88-06-060	360-10-010	AMD	88-06-060
360-10-050	AMD	88-06-060	360-10-050	AMD	88-06-060
360-10-060	AMD	88-06-060	360-10-060	AMD	88-06-060
360-13-066	AMD-P	88-07-097	360-13-066	AMD-P	88-07-097
360-13-066	AMD	88-11-007	360-13-066	AMD	88-11-007

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
388-14-030	AMD-P	88-15-046	388-15-215	AMD	88-11-062
388-14-200	AMD-P	88-02-055	388-15-217	AMD-P	88-02-065
388-14-200	AMD-E	88-02-056	388-15-217	AMD-P	88-08-059
388-14-200	AMD	88-07-012	388-15-217	AMD	88-11-062
388-14-200	AMD-P	88-15-046	388-15-690	NEW	88-03-020
388-14-205	AMD-P	88-02-055	388-15-695	NEW	88-03-020
388-14-205	AMD-E	88-02-056	388-15-700	NEW	88-03-020
388-14-205	AMD	88-07-012	388-15-705	NEW	88-03-020
388-14-205	AMD-P	88-15-046	388-15-710	NEW	88-03-020
388-14-210	AMD-P	88-02-055	388-15-715	NEW	88-03-020
388-14-210	AMD-E	88-02-056	388-19-005	NEW-P	88-10-043
388-14-210	AMD	88-07-012	388-19-005	NEW	88-14-037
388-14-220	AMD-P	88-02-055	388-19-015	NEW-P	88-10-043
388-14-220	AMD-E	88-02-056	388-19-015	NEW	88-14-037
388-14-220	AMD	88-07-012	388-19-020	NEW-P	88-10-043
388-14-270	AMD-P	88-02-055	388-19-020	NEW	88-14-037
388-14-270	AMD-E	88-02-056	388-19-020	AMD-P	88-15-077
388-14-270	AMD	88-07-012	388-19-025	NEW-P	88-10-043
388-14-270	AMD-P	88-15-046	388-19-025	NEW	88-14-037
388-14-302	AMD-P	88-02-055	388-19-030	NEW-P	88-10-043
388-14-302	AMD-E	88-02-056	388-19-030	NEW	88-14-037
388-14-302	AMD	88-07-012	388-19-035	NEW-P	88-10-043
388-14-305	AMD-P	88-02-055	388-19-035	NEW	88-14-037
388-14-305	AMD-E	88-02-056	388-19-040	NEW-P	88-10-043
388-14-305	AMD	88-07-012	388-19-040	NEW	88-14-037
388-14-310	AMD-P	88-02-055	388-19-045	NEW-P	88-10-043
388-14-310	AMD-E	88-02-056	388-19-045	NEW	88-14-037
388-14-310	AMD	88-07-012	388-19-045	AMD-P	88-15-077
388-14-320	REP-P	88-02-055	388-19-050	NEW-P	88-10-043
388-14-320	REP-E	88-02-056	388-19-050	NEW	88-14-037
388-14-320	REP	88-07-012	388-19-050	AMD-P	88-15-077
388-14-325	REP-P	88-02-055	388-24-040	AMD-P	88-04-036
388-14-325	REP-E	88-02-056	388-24-040	AMD-E	88-04-039
388-14-325	REP	88-07-012	388-24-040	AMD	88-09-039
388-14-370	AMD-P	88-02-055	388-24-050	AMD-P	88-04-036
388-14-370	AMD-E	88-02-056	388-24-050	AMD-E	88-04-039
388-14-370	AMD	88-07-012	388-24-050	AMD	88-09-039
388-14-385	AMD-P	88-02-055	388-24-074	AMD	88-06-084
388-14-385	AMD-E	88-02-056	388-24-074	AMD	88-07-056
388-14-385	AMD	88-07-012	388-24-090	AMD	88-06-084
388-14-385	AMD-P	88-15-046	388-24-090	AMD	88-07-056
388-14-405	AMD-P	88-02-055	388-24-107	AMD	88-06-084
388-14-405	AMD-E	88-02-056	388-24-107	AMD	88-07-056
388-14-405	AMD	88-07-012	388-24-125	AMD-P	88-04-036
388-14-415	AMD-P	88-02-055	388-24-125	AMD-E	88-04-039
388-14-415	AMD-E	88-02-056	388-24-125	AMD	88-09-039
388-14-415	AMD	88-07-012	388-24-260	AMD-P	88-14-049
388-14-420	NEW-P	88-02-055	388-24-260	AMD-E	88-14-058
388-14-420	NEW-E	88-02-056	388-28-365	AMD-E	88-15-076
388-14-420	NEW	88-07-012	388-28-365	AMD-P	88-15-078
388-14-425	NEW-P	88-02-055	388-28-370	AMD-E	88-15-076
388-14-425	NEW-E	88-02-056	388-28-370	AMD-P	88-15-078
388-14-425	NEW	88-07-012	388-28-425	AMD-E	88-15-076
388-14-425	AMD-P	88-15-046	388-28-425	AMD-P	88-15-078
388-14-430	NEW-P	88-02-055	388-28-435	AMD	88-05-013
388-14-430	NEW-E	88-02-056	388-28-440	AMD-P	88-04-045
388-14-430	NEW	88-07-012	388-28-440	AMD	88-07-052
388-15-207	AMD-P	88-02-065	388-28-475	AMD-P	88-04-045
388-15-207	AMD	88-06-088	388-28-475	AMD	88-07-052
388-15-207	AMD-P	88-13-105	388-28-480	AMD	88-07-117
388-15-208	AMD-P	88-02-065	388-28-482	AMD	88-07-117
388-15-208	AMD	88-06-088	388-28-483	AMD	88-07-117
388-15-208	AMD-P	88-13-105	388-28-560	AMD	88-04-018
388-15-209	AMD-P	88-02-065	388-29-001	AMD-P	88-14-137
388-15-209	AMD	88-06-088	388-29-100	AMD	88-04-019
388-15-209	AMD-P	88-13-105	388-29-100	AMD-P	88-14-137
388-15-212	AMD-P	88-02-065	388-29-125	AMD	88-04-019
388-15-212	AMD	88-06-088	388-29-125	AMD-P	88-13-106
388-15-212	AMD-P	88-13-105	388-29-125	AMD-E	88-14-054
388-15-213	AMD-P	88-02-065	388-29-130	AMD	88-04-019
388-15-213	AMD	88-06-088	388-29-130	AMD-P	88-14-137
388-15-213	AMD-P	88-13-105	388-29-145	REP-P	88-04-037
388-15-214	NEW-P	88-02-065	388-29-145	REP-E	88-04-040
388-15-214	NEW	88-06-088	388-29-145	REP	88-07-062
388-15-214	AMD-P	88-12-031	388-29-146	REP	88-04-019
388-15-215	AMD-P	88-02-065	388-29-280	AMD	88-04-019
388-15-215	AMD-P	88-08-059	388-29-280	AMD-P	88-14-137
388-33-135	AMD	88-07-117	388-33-480	NEW-P	88-11-058
388-33-480	NEW-P	88-11-058	388-33-480	NEW-E	88-14-060
388-33-480	NEW	88-14-061	388-37-110	AMD-E	88-12-086
388-37-110	AMD-P	88-12-094	388-37-110	AMD	88-15-013
388-37-130	AMD-E	88-12-086	388-37-130	AMD-P	88-12-094
388-37-130	AMD-P	88-12-094	388-37-160	AMD-E	88-12-086
388-37-160	AMD	88-15-013	388-37-160	AMD-P	88-12-094
388-37-160	AMD-E	88-12-086	388-37-170	AMD	88-15-013
388-37-170	AMD-P	88-12-094	388-37-190	AMD-E	88-12-086
388-37-190	AMD	88-15-013	388-37-190	AMD-P	88-12-094
388-38-110	AMD-P	88-04-038	388-38-110	AMD	88-07-118
388-38-110	AMD	88-07-118	388-40	AMD-P	88-10-042
388-40	AMD-P	88-10-042	388-40	AMD-E	88-10-045
388-40	AMD-E	88-10-045	388-40	AMD	88-13-110
388-40	AMD	88-13-110	388-40-040	AMD-P	88-10-042
388-40-040	AMD-P	88-10-042	388-40-040	AMD-E	88-10-045
388-40-040	AMD-E	88-10-045	388-40-040	AMD	88-13-110
388-40-080	AMD	88-13-110	388-40-080	AMD-P	88-07-053
388-40-080	AMD-P	88-07-053	388-40-080	AMD-E	88-07-054
388-40-080	AMD-E	88-07-054	388-40-080	AMD-W	88-08-001
388-40-080	AMD-W	88-08-001	388-40-080	AMD-P	88-10-042
388-40-080	AMD-E	88-10-045	388-40-080	AMD-E	88-10-045
388-40-080	AMD	88-13-110	388-40-080	AMD	88-13-110
388-40-090	AMD-P	88-07-053	388-40-090	AMD-E	88-07-054
388-40-090	AMD-E	88-07-054	388-40-090	AMD-W	88-08-001
388-40-090	AMD-W	88-08-001	388-40-090	AMD-P	88-10-042
388-40-090	AMD-P	88-10-042	388-40-090	AMD-E	88-10-045
388-40-090	AMD-E	88-10-045	388-40-090	AMD	88-13-110
388-40-095	NEW-P	88-10-042	388-40-095	NEW-P	88-10-042
388-40-095	NEW-E	88-10-045	388-40-095	NEW-E	88-10-045
388-40-095	NEW	88-13-110	388-40-095	NEW	88-13-110
388-40-100	AMD-P	88-07-053	388-40-100	AMD-P	88-07-053
388-40-100	AMD-E	88-07-054	388-40-100	AMD-E	88-07-054
388-40-100	AMD-W	88-08-001	388-40-100	AMD-P	88-10-042
388-40-100	AMD-P	88-10-042	388-40-100	AMD-E	88-10-045
388-40-100	AMD-E	88-10-045	388-40-100	AMD	88-13-110
388-40-110	NEW-P	88-07-053	388-40-110	NEW-P	88-07-053
388-40-110	NEW-E	88-07-054	388-40-110	NEW-E	88-07-054
388-40-110	NEW-W	88-08-001	388-40-110	NEW-W	88-08-001
388-40-110	NEW-P	88-10-042	388-40-110	NEW-P	88-10-042
388-40-110	NEW-E	88-10-045	388-40-110	NEW-E	88-10-045
388-40-110	NEW	88-13-110	388-40-110	NEW	88-13-110
388-42-150	AMD-P	88-15-009	388-42-150	AMD-P	88-15-009
388-44-330	NEW-P	88-10-004	388-44-330	NEW-P	88-10-004
388-44-330	NEW	88-13-059	388-44-330	NEW	88-13-059
388-49-015	AMD-P	88-15-045	388-49-015	AMD-P	88-15-045
388-49-020	AMD-P	88-06-079	388-49-020	AMD-P	88-06-079
388-49-020	AMD	88-08-080	388-49-020	AMD	88-08-080
388-49-020	AMD-P	88-12-030	388-49-020	AMD-P	88-12-030
388-49-190	AMD-P	88-12-030	388-49-190	AMD-P	88-12-030
388-49-191	NEW-P	88-14-080	388-49-191	NEW-P	88-14-080
388-49-191	NEW-E	88-14-083	388-49-191	NEW-E	88-14-083
388-49-250	AMD-P	88-11-059	388-49-250	AMD-P	88-11-059
388-49-260	AMD-P	88-12-030	388-49-260	AMD-P	88-12-030
388-49-310	AMD-P	88-13-027	388-49-310	AMD-P	88-13-027
388-49-410	AMD-P	88-06-080	388-49-410	AMD-P	88-06-080
388-49-410	AMD	88-08-081	388-49-410	AMD	88-08-081
388-49-410	AMD-P	88-12-030	388-49-410	AMD-P	88-12-030
388-49-420	AMD-P	88-12-030	388-49-420	AMD-P	88-12-030
388-49-470	AMD-P	88-05-005	388-49-470	AMD-P	88-05-005
388-49-470	AMD-E	88-05-006	388-49-470	AMD-E	88-05-006
388-49-470	AMD-P	88-06-081	388-49-470	AMD-P	88-06-081

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
388-49-470	AMD	88-08-079	388-77-045	NEW-P	88-09-079	388-77-515	NEW-W	88-08-038
388-49-480	AMD-P	88-12-030	388-77-045	NEW	88-12-093	388-77-515	NEW-P	88-09-079
388-49-500	AMD-P	88-06-082	388-77-055	NEW-P	88-04-089	388-77-515	NEW	88-12-093
388-49-500	AMD	88-08-078	388-77-055	NEW-W	88-08-038	388-77-515	AMD-P	88-14-081
388-49-505	NEW	88-04-042	388-77-065	NEW-P	88-04-089	388-77-515	AMD-E	88-14-082
388-49-515	NEW-P	88-12-091	388-77-065	NEW-W	88-08-038	388-77-520	NEW-P	88-04-089
388-49-520	AMD-P	88-12-091	388-77-200	NEW-P	88-04-089	388-77-520	NEW-W	88-08-038
388-49-530	AMD-P	88-12-091	388-77-200	NEW-W	88-08-038	388-77-520	NEW-P	88-09-079
388-49-535	NEW-P	88-12-091	388-77-200	NEW-P	88-09-079	388-77-520	NEW	88-12-093
388-49-610	AMD-P	88-12-092	388-77-200	NEW	88-12-093	388-77-525	NEW-P	88-04-089
388-49-620	AMD-P	88-12-092	388-77-210	NEW-P	88-04-089	388-77-525	NEW-W	88-08-038
388-49-640	AMD-P	88-04-088	388-77-210	NEW-W	88-08-038	388-77-525	NEW-P	88-09-079
388-49-640	AMD	88-08-039	388-77-210	NEW-P	88-09-079	388-77-525	NEW	88-12-093
388-49-660	AMD-P	88-04-046	388-77-210	NEW	88-12-093	388-77-530	NEW-P	88-04-089
388-49-660	AMD	88-08-040	388-77-215	NEW-P	88-04-089	388-77-530	NEW-W	88-08-038
388-57-010	REP	88-07-055	388-77-215	NEW-W	88-08-038	388-77-530	NEW-P	88-14-081
388-57-011	NEW	88-07-055	388-77-230	NEW-P	88-09-079	388-77-530	NEW-E	88-14-082
388-57-015	REP	88-07-055	388-77-230	NEW	88-12-093	388-77-545	NEW-P	88-04-089
388-57-020	REP	88-07-055	388-77-240	NEW-P	88-04-089	388-77-545	NEW-W	88-08-038
388-57-028	REP	88-07-055	388-77-240	NEW-W	88-08-038	388-77-550	NEW-P	88-04-089
388-57-032	REP	88-07-055	388-77-240	NEW-P	88-09-079	388-77-550	NEW-W	88-08-038
388-57-036	REP	88-07-055	388-77-240	NEW	88-12-093	388-77-555	NEW-P	88-04-089
388-57-040	AMD	88-07-055	388-77-245	NEW-P	88-04-089	388-77-555	NEW-W	88-08-038
388-57-045	REP	88-07-055	388-77-245	NEW-W	88-08-038	388-77-555	NEW-P	88-09-079
388-57-056	REP	88-07-055	388-77-255	NEW-P	88-04-089	388-77-555	NEW	88-12-093
388-57-057	AMD	88-07-055	388-77-255	NEW-W	88-08-038	388-77-560	NEW-P	88-04-089
388-57-059	NEW	88-07-055	388-77-255	NEW-P	88-09-079	388-77-560	NEW-W	88-08-038
388-57-061	REP	88-07-055	388-77-255	NEW	88-12-093	388-77-600	NEW-P	88-04-089
388-57-063	NEW	88-07-055	388-77-270	NEW-P	88-04-089	388-77-600	NEW-W	88-08-038
388-57-064	REP	88-07-055	388-77-270	NEW-W	88-08-038	388-77-600	NEW-P	88-09-079
388-57-066	NEW	88-07-055	388-77-270	NEW-P	88-09-079	388-77-600	NEW	88-12-093
388-57-067	NEW	88-07-055	388-77-270	NEW	88-12-093	388-77-600	AMD-P	88-14-081
388-57-070	REP	88-07-055	388-77-270	AMD-P	88-14-081	388-77-600	AMD-E	88-14-082
388-57-071	NEW	88-07-055	388-77-270	AMD-E	88-14-082	388-77-605	NEW-P	88-04-089
388-57-074	NEW	88-07-055	388-77-275	NEW-P	88-04-089	388-77-605	NEW-W	88-08-038
388-57-090	REP	88-07-055	388-77-275	NEW-W	88-08-038	388-77-605	NEW-P	88-09-079
388-57-097	AMD	88-07-055	388-77-280	NEW-P	88-04-089	388-77-605	NEW	88-12-093
388-57-100	AMD	88-07-055	388-77-280	NEW-W	88-08-038	388-77-610	NEW-P	88-04-089
388-57-105	NEW	88-07-055	388-77-285	NEW-P	88-04-089	388-77-610	NEW-W	88-08-038
388-57-112	NEW	88-07-055	388-77-285	NEW-W	88-08-038	388-77-610	NEW-P	88-09-079
388-57-115	NEW	88-07-055	388-77-285	NEW-P	88-09-079	388-77-610	NEW	88-12-093
388-57-117	NEW	88-07-055	388-77-285	NEW	88-12-093	388-77-610	AMD-P	88-14-081
388-57-120	AMD	88-07-055	388-77-310	NEW-P	88-04-089	388-77-610	AMD-E	88-14-082
388-57-121	REP	88-07-055	388-77-310	NEW-W	88-08-038	388-77-615	NEW-P	88-04-089
388-57-123	AMD	88-07-055	388-77-320	NEW-P	88-04-089	388-77-615	NEW-W	88-08-038
388-57-124	AMD	88-07-055	388-77-320	NEW-W	88-08-038	388-77-615	NEW-P	88-09-079
388-57-125	AMD	88-07-055	388-77-320	NEW-P	88-09-079	388-77-615	NEW	88-12-093
388-70-013	AMD-P	88-13-124	388-77-320	NEW	88-12-093	388-77-620	NEW-P	88-04-089
388-70-013	AMD-E	88-14-055	388-77-330	NEW-P	88-04-089	388-77-640	NEW-W	88-08-038
388-77-005	NEW-P	88-04-089	388-77-330	NEW-W	88-08-038	388-77-700	NEW-P	88-04-089
388-77-005	NEW-W	88-08-038	388-77-335	NEW-P	88-04-089	388-77-700	NEW-W	88-08-038
388-77-005	NEW-P	88-09-079	388-77-335	NEW-W	88-08-038	388-77-710	NEW-P	88-04-089
388-77-005	NEW	88-12-093	388-77-340	NEW-P	88-04-089	388-77-710	NEW-W	88-08-038
388-77-005	AMD-P	88-14-081	388-77-340	NEW-W	88-08-038	388-77-720	NEW-P	88-04-089
388-77-005	AMD-E	88-14-082	388-77-350	NEW-P	88-04-089	388-77-720	NEW-W	88-08-038
388-77-010	NEW-P	88-04-089	388-77-350	NEW-W	88-08-038	388-77-725	NEW-P	88-04-089
388-77-010	NEW-W	88-08-038	388-77-355	NEW-P	88-04-089	388-77-725	NEW-W	88-08-038
388-77-010	NEW-P	88-09-079	388-77-355	NEW-W	88-08-038	388-77-730	NEW-P	88-04-089
388-77-010	NEW	88-12-093	388-77-360	NEW-P	88-04-089	388-77-730	NEW-W	88-08-038
388-77-015	NEW-P	88-04-089	388-77-360	NEW-W	88-08-038	388-77-735	NEW-P	88-04-089
388-77-015	NEW-W	88-08-038	388-77-365	NEW-P	88-04-089	388-77-735	NEW-W	88-08-038
388-77-015	NEW-P	88-09-079	388-77-365	NEW-W	88-08-038	388-77-735	NEW-P	88-09-079
388-77-015	NEW	88-12-093	388-77-370	NEW-P	88-04-089	388-77-735	NEW	88-12-093
388-77-015	AMD-P	88-14-081	388-77-370	NEW-W	88-08-038	388-77-737	NEW-P	88-04-089
388-77-015	AMD-E	88-14-082	388-77-375	NEW-P	88-04-089	388-77-737	NEW-W	88-08-038
388-77-020	NEW-P	88-04-089	388-77-375	NEW-W	88-08-038	388-77-737	NEW-P	88-09-079
388-77-020	NEW-W	88-08-038	388-77-500	NEW-P	88-04-089	388-77-737	NEW	88-12-093
388-77-025	NEW-P	88-04-089	388-77-500	NEW-W	88-08-038	388-77-740	NEW-P	88-04-089
388-77-025	NEW-W	88-08-038	388-77-500	NEW-P	88-09-079	388-77-740	NEW-W	88-08-038
388-77-030	NEW-P	88-04-089	388-77-500	NEW	88-12-093	388-77-745	NEW-P	88-04-089
388-77-030	NEW-W	88-08-038	388-77-500	AMD-P	88-14-081	388-77-745	NEW-W	88-08-038
388-77-035	NEW-P	88-04-089	388-77-500	AMD-E	88-14-082	388-77-750	NEW-P	88-04-089
388-77-035	NEW-W	88-08-038	388-77-505	NEW-P	88-04-089	388-77-750	NEW-W	88-08-038
388-77-040	NEW-P	88-04-089	388-77-505	NEW-W	88-08-038	388-77-755	NEW-P	88-04-089
388-77-040	NEW-W	88-08-038	388-77-510	NEW-P	88-04-089	388-77-755	NEW-W	88-08-038
388-77-045	NEW-P	88-04-089	388-77-510	NEW-W	88-08-038	388-77-760	NEW-P	88-04-089
388-77-045	NEW-W	88-08-038	388-77-515	NEW-P	88-04-089	388-77-760	NEW-W	88-08-038

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
388-77-765	NEW-P	88-04-089	388-82-115	AMD-P	88-14-050	388-98-015	NEW-E	88-03-051
388-77-765	NEW-W	88-08-038	388-82-115	AMD-E	88-14-057	388-98-015	NEW-P	88-03-054
388-77-770	NEW-P	88-04-089	388-83-032	AMD-P	88-08-041	388-98-015	NEW	88-06-086
388-77-770	NEW-W	88-08-038	388-83-032	AMD-E	88-08-042	388-98-020	NEW-E	88-03-051
388-77-780	NEW-P	88-04-089	388-83-032	AMD	88-11-063	388-98-020	NEW-P	88-03-054
388-77-780	NEW-W	88-08-038	388-83-036	AMD-P	88-14-051	388-98-020	NEW	88-06-086
388-77-810	NEW-P	88-04-089	388-83-036	AMD-E	88-14-059	388-99-010	AMD-P	88-06-077
388-77-810	NEW-W	88-08-038	388-83-130	AMD-P	88-14-051	388-99-010	AMD	88-09-037
388-77-810	NEW-P	88-09-079	388-83-130	AMD-E	88-14-059	388-99-020	AMD	88-05-056
388-77-810	NEW	88-12-093	388-84-105	AMD-P	88-14-051	390-05-210	AMD-P	88-11-064
388-77-815	NEW-P	88-04-089	388-84-105	AMD-E	88-14-059	390-05-210	AMD	88-14-064
388-77-815	NEW-W	88-08-038	388-85-105	AMD-P	88-14-051	390-16-223	NEW-P	88-11-064
388-77-820	NEW-P	88-04-089	388-85-105	AMD-E	88-14-059	390-16-223	NEW	88-14-064
388-77-820	NEW-W	88-08-038	388-86-005	AMD-P	88-03-021	390-18-040	AMD-P	88-11-064
388-77-820	NEW-P	88-09-079	388-86-005	AMD	88-06-083	390-18-040	AMD	88-14-064
388-77-820	NEW	88-12-093	388-86-009	AMD-P	88-09-078	390-20-022	NEW-C	88-04-062
388-77-820	AMD-P	88-14-080	388-86-009	AMD	88-12-089	390-20-022	NEW	88-06-019
388-77-820	AMD-E	88-14-083	388-86-021	AMD-P	88-11-043	390-20-056	NEW-P	88-04-063
388-77-825	NEW-P	88-04-089	388-86-021	AMD-E	88-11-044	390-20-056	NEW-C	88-09-008
388-77-825	NEW-W	88-08-038	388-86-021	AMD	88-15-010	390-20-105	AMD-P	88-11-064
388-77-830	NEW-P	88-04-089	388-86-050	AMD	88-04-048	390-20-105	AMD	88-14-064
388-77-830	NEW-W	88-08-038	388-86-050	AMD-P	88-11-043	391-08-120	AMD-P	88-07-079
388-77-835	NEW-P	88-04-089	388-86-050	AMD-E	88-11-044	391-08-120	AMD	88-12-053
388-77-835	NEW-W	88-08-038	388-86-050	AMD	88-15-010	391-25-090	AMD-P	88-07-080
388-77-870	NEW-P	88-04-089	388-86-051	NEW	88-04-048	391-25-090	AMD	88-12-054
388-77-870	NEW-W	88-08-038	388-86-075	AMD-P	88-11-043	391-25-110	AMD-P	88-07-080
388-77-880	NEW-P	88-04-089	388-86-075	AMD-E	88-11-044	391-25-110	AMD	88-12-054
388-77-880	NEW-W	88-08-038	388-86-075	AMD	88-15-010	391-25-140	NEW-P	88-07-080
388-77-900	NEW-P	88-04-089	388-86-085	AMD-P	88-03-021	391-25-140	NEW	88-12-054
388-77-900	NEW-W	88-08-038	388-86-085	AMD	88-06-083	391-25-190	AMD-P	88-07-080
388-77-900	NEW-P	88-09-079	388-86-086	NEW-P	88-03-021	391-25-190	AMD	88-12-054
388-77-900	NEW	88-12-093	388-86-086	NEW	88-06-083	391-25-290	AMD-P	88-07-080
388-77-900	AMD-P	88-14-081	388-86-095	AMD-P	88-11-043	391-25-290	AMD	88-12-054
388-77-900	AMD-E	88-14-082	388-86-095	AMD-E	88-11-044	391-25-390	AMD-P	88-07-080
388-77-905	NEW-P	88-04-089	388-86-095	AMD	88-15-010	391-25-390	AMD	88-12-054
388-77-905	NEW-W	88-08-038	388-86-09601	AMD-P	88-11-043	391-25-470	AMD-P	88-07-080
388-77-915	NEW-P	88-04-089	388-86-09601	AMD-E	88-11-044	391-25-470	AMD	88-12-054
388-77-915	NEW-W	88-08-038	388-86-09601	AMD	88-15-010	391-35-020	NEW-P	88-07-081
388-77-920	NEW-P	88-04-089	388-86-098	AMD-P	88-11-043	391-35-020	NEW	88-12-061
388-77-920	NEW-W	88-08-038	388-86-098	AMD-E	88-11-044	391-35-300	NEW-P	88-07-081
388-77-925	NEW-P	88-04-089	388-86-098	AMD	88-15-010	391-45-013	REP-P	88-07-082
388-77-925	NEW-W	88-08-038	388-87-005	AMD-P	88-13-107	391-45-013	REP	88-12-056
388-77-930	NEW-P	88-04-089	388-87-005	AMD-E	88-14-056	391-45-013	REP-E	88-12-062
388-77-930	NEW-W	88-08-038	388-87-007	AMD-P	88-13-107	391-45-260	NEW-P	88-07-082
388-77-940	NEW-P	88-04-089	388-87-010	AMD-P	88-03-021	391-45-260	NEW	88-12-056
388-77-940	NEW-W	88-08-038	388-87-010	AMD	88-06-083	391-55-002	AMD-P	88-07-083
388-77-945	NEW-P	88-04-089	388-87-011	AMD-P	88-08-060	391-55-002	AMD	88-12-055
388-77-945	NEW-W	88-08-038	388-87-011	AMD	88-11-061	391-55-033	REP-P	88-07-083
388-77-975	NEW-P	88-04-089	388-87-013	AMD	88-04-048	391-55-033	REP	88-12-055
388-77-975	NEW-W	88-08-038	388-87-027	AMD-P	88-03-021	391-55-033	REP-E	88-12-063
388-78-005	NEW-P	88-06-078	388-87-027	AMD	88-06-083	391-55-071	NEW-P	88-07-083
388-78-005	NEW	88-12-088	388-87-035	AMD-P	88-03-021	391-55-071	NEW	88-12-055
388-78-010	NEW-P	88-06-078	388-87-035	AMD	88-06-083	391-55-071	NEW-E	88-12-064
388-78-010	NEW	88-12-088	388-87-036	NEW-P	88-03-021	391-55-400	AMD-P	88-07-083
388-78-015	NEW-P	88-06-078	388-87-036	NEW	88-06-083	391-55-400	AMD	88-12-055
388-78-015	NEW	88-12-088	388-87-070	AMD	88-04-048	391-55-410	AMD-P	88-07-083
388-78-020	NEW-P	88-06-078	388-88-050	AMD	88-04-041	391-55-410	AMD	88-12-055
388-78-020	NEW	88-12-088	388-88-101	AMD	88-04-041	391-55-415	AMD-P	88-07-083
388-78-100	NEW-P	88-06-078	388-88-045	AMD-P	88-03-072	391-55-415	AMD	88-12-055
388-78-100	NEW	88-12-088	388-92-045	AMD	88-06-087	391-55-420	AMD-P	88-07-083
388-78-120	NEW-P	88-06-078	388-95-360	AMD-P	88-14-051	391-55-420	AMD	88-12-055
388-78-120	NEW	88-12-088	388-95-360	AMD-E	88-14-059	391-55-425	AMD-P	88-07-083
388-78-205	NEW-P	88-06-078	388-95-380	AMD-P	88-03-072	391-55-425	AMD	88-12-055
388-78-205	NEW	88-12-088	388-95-380	AMD	88-06-087	391-55-430	AMD-P	88-07-083
388-78-210	NEW-P	88-06-078	388-95-400	AMD-P	88-14-051	391-55-430	AMD	88-12-055
388-78-210	NEW	88-12-088	388-95-400	AMD-E	88-14-059	391-55-435	AMD-P	88-07-083
388-78-215	NEW-P	88-06-078	388-96-559	AMD-P	88-13-078	391-55-435	AMD	88-12-055
388-78-215	NEW	88-12-088	388-96-559	AMD-E	88-13-079	391-55-440	AMD-P	88-07-083
388-78-220	NEW-P	88-06-078	388-96-771	NEW-E	88-03-052	391-55-440	AMD	88-12-055
388-78-220	NEW	88-12-088	388-96-771	NEW-P	88-03-053	391-55-445	AMD-P	88-07-083
388-81-047	NEW	88-03-050	388-96-771	NEW	88-06-085	391-55-445	AMD	88-12-055
388-82-008	NEW-P	88-14-051	388-98-005	NEW-E	88-03-051	391-55-450	AMD-P	88-07-083
388-82-008	NEW-E	88-14-059	388-98-005	NEW-P	88-03-054	391-55-450	AMD	88-12-055
388-82-010	AMD-P	88-06-077	388-98-005	NEW	88-06-086	391-55-455	AMD-P	88-07-083
388-82-010	AMD	88-09-037	388-98-010	NEW-E	88-03-051	391-55-455	AMD	88-12-055
388-82-115	AMD-P	88-06-077	388-98-010	NEW-P	88-03-054	391-55-505	REP-P	88-07-083
388-82-115	AMD	88-09-037	388-98-010	NEW	88-06-086	391-55-505	REP	88-12-055

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
392-140-158	NEW 88-03-005	392-164-115	NEW 88-13-089	392-164-310	NEW-P 88-07-113
392-140-159	NEW 88-03-005	392-164-120	NEW-P 88-07-113	392-164-310	NEW 88-13-089
392-140-160	NEW-P 88-06-093	392-164-120	NEW 88-13-089	392-164-315	NEW-P 88-07-113
392-140-160	NEW 88-09-045	392-164-125	NEW-P 88-07-113	392-164-315	NEW 88-13-089
392-140-161	NEW-P 88-06-093	392-164-125	NEW 88-13-089	392-164-320	NEW-P 88-07-113
392-140-161	NEW 88-09-045	392-164-130	NEW-P 88-07-113	392-164-320	NEW 88-13-089
392-140-162	NEW-P 88-06-093	392-164-130	NEW 88-13-089	392-164-325	NEW-P 88-07-113
392-140-162	NEW 88-09-045	392-164-135	NEW-P 88-07-113	392-164-325	NEW 88-13-089
392-140-163	NEW-P 88-06-093	392-164-135	NEW 88-13-089	392-164-330	NEW-P 88-07-113
392-140-163	NEW 88-09-045	392-164-140	NEW-P 88-07-113	392-164-330	NEW 88-13-089
392-140-164	NEW-P 88-06-093	392-164-140	NEW 88-13-089	392-164-335	NEW-P 88-07-113
392-140-164	NEW 88-09-045	392-164-145	NEW-P 88-07-113	392-164-335	NEW 88-13-089
392-140-165	NEW-P 88-06-093	392-164-145	NEW 88-13-089	392-164-340	NEW-P 88-07-113
392-140-165	NEW 88-09-045	392-164-150	NEW-P 88-07-113	392-164-340	NEW 88-13-089
392-140-166	NEW-P 88-06-093	392-164-150	NEW 88-13-089	392-164-345	NEW-P 88-07-113
392-140-166	NEW 88-09-045	392-164-155	NEW-P 88-07-113	392-164-345	NEW 88-13-089
392-140-167	NEW-P 88-06-093	392-164-155	NEW 88-13-089	392-164-350	NEW-P 88-07-113
392-140-167	NEW 88-09-045	392-164-160	NEW-P 88-07-113	392-164-350	NEW 88-13-089
392-140-168	NEW-P 88-06-093	392-164-160	NEW 88-13-089	392-164-355	NEW-P 88-07-113
392-140-168	NEW 88-09-045	392-164-165	NEW-P 88-07-113	392-164-355	NEW 88-13-089
392-140-169	NEW-P 88-06-093	392-164-165	NEW 88-13-089	392-164-360	NEW-P 88-07-113
392-140-169	NEW 88-09-045	392-164-170	NEW-P 88-07-113	392-164-360	NEW 88-13-089
392-140-170	NEW-P 88-06-093	392-164-170	NEW 88-13-089	392-164-365	NEW-P 88-07-113
392-140-170	NEW 88-09-045	392-164-175	NEW-P 88-07-113	392-164-365	NEW 88-13-089
392-140-171	NEW-P 88-06-093	392-164-175	NEW 88-13-089	392-164-370	NEW-P 88-07-113
392-140-171	NEW 88-09-045	392-164-180	NEW-P 88-07-113	392-164-370	NEW 88-13-089
392-140-172	NEW-P 88-06-093	392-164-180	NEW 88-13-089	392-164-375	NEW-P 88-07-113
392-140-172	NEW 88-09-045	392-164-185	NEW-P 88-07-113	392-164-375	NEW 88-13-089
392-140-173	NEW-P 88-06-093	392-164-185	NEW 88-13-089	392-164-380	NEW-P 88-07-113
392-140-173	NEW 88-09-045	392-164-190	NEW-P 88-07-113	392-164-380	NEW 88-13-089
392-140-174	NEW-P 88-06-093	392-164-190	NEW 88-13-089	392-164-385	NEW-P 88-07-113
392-140-174	NEW 88-09-045	392-164-195	NEW-P 88-07-113	392-164-385	NEW 88-13-089
392-164	AMD-P 88-07-113	392-164-195	NEW 88-13-089	392-164-390	NEW-P 88-07-113
392-164	AMD 88-13-089	392-164-200	NEW-P 88-07-113	392-164-390	NEW 88-13-089
392-164-005	REP-P 88-09-043	392-164-200	NEW 88-13-089	392-164-395	NEW-P 88-07-113
392-164-005	REP 88-13-002	392-164-205	NEW-P 88-07-113	392-164-395	NEW 88-13-089
392-164-010	REP-P 88-09-043	392-164-205	NEW 88-13-089	392-164-400	NEW-P 88-07-113
392-164-010	REP 88-13-002	392-164-210	NEW-P 88-07-113	392-164-400	NEW 88-13-089
392-164-015	REP-P 88-09-043	392-164-210	NEW 88-13-089	392-164-405	NEW-P 88-07-113
392-164-015	REP 88-13-002	392-164-215	NEW-P 88-07-113	392-164-405	NEW 88-13-089
392-164-020	REP-P 88-09-043	392-164-215	NEW 88-13-089	392-164-410	NEW-P 88-07-113
392-164-020	REP 88-13-002	392-164-220	NEW-P 88-07-113	392-164-410	NEW 88-13-089
392-164-025	REP-P 88-09-043	392-164-220	NEW 88-13-089	392-164-415	NEW-P 88-07-113
392-164-025	REP 88-13-002	392-164-225	NEW-P 88-07-113	392-164-415	NEW 88-13-089
392-164-030	REP-P 88-09-043	392-164-225	NEW 88-13-089	392-168	AMD-P 88-06-094
392-164-030	REP 88-13-002	392-164-230	NEW-P 88-07-113	392-168	AMD 88-09-042
392-164-035	REP-P 88-09-043	392-164-230	NEW 88-13-089	392-168-005	REP-P 88-06-094
392-164-035	REP 88-13-002	392-164-235	NEW-P 88-07-113	392-168-005	REP 88-09-042
392-164-040	REP-P 88-09-043	392-164-235	NEW 88-13-089	392-168-105	NEW-P 88-06-094
392-164-040	REP 88-13-002	392-164-240	NEW-P 88-07-113	392-168-105	NEW 88-09-042
392-164-045	REP-P 88-09-043	392-164-240	NEW 88-13-089	392-168-110	NEW-P 88-06-094
392-164-045	REP 88-13-002	392-164-245	NEW-P 88-07-113	392-168-110	NEW 88-09-042
392-164-050	REP-P 88-09-043	392-164-245	NEW 88-13-089	392-168-115	NEW-P 88-06-094
392-164-050	REP 88-13-002	392-164-250	NEW-P 88-07-113	392-168-115	NEW 88-09-042
392-164-055	REP-P 88-09-043	392-164-250	NEW 88-13-089	392-168-120	NEW-P 88-06-094
392-164-055	REP 88-13-002	392-164-255	NEW-P 88-07-113	392-168-120	NEW 88-09-042
392-164-060	REP-P 88-09-043	392-164-255	NEW 88-13-089	392-168-125	NEW-P 88-06-094
392-164-060	REP 88-13-002	392-164-260	NEW-P 88-07-113	392-168-125	NEW 88-09-042
392-164-065	REP-P 88-09-043	392-164-260	NEW 88-13-089	392-168-130	NEW-P 88-06-094
392-164-065	REP 88-13-002	392-164-265	NEW-P 88-07-113	392-168-130	NEW 88-09-042
392-164-070	REP-P 88-09-043	392-164-265	NEW 88-13-089	392-168-135	NEW-P 88-06-094
392-164-070	REP 88-13-002	392-164-270	NEW-P 88-07-113	392-168-135	NEW 88-09-042
392-164-075	REP-P 88-09-043	392-164-270	NEW 88-13-089	392-168-140	NEW-P 88-06-094
392-164-075	REP 88-13-002	392-164-275	NEW-P 88-07-113	392-168-140	NEW 88-09-042
392-164-080	REP-P 88-09-043	392-164-275	NEW 88-13-089	392-168-145	NEW-P 88-06-094
392-164-080	REP 88-13-002	392-164-280	NEW-P 88-07-113	392-168-145	NEW 88-09-042
392-164-085	REP-P 88-09-043	392-164-280	NEW 88-13-089	392-168-150	NEW-P 88-06-094
392-164-085	REP 88-13-002	392-164-285	NEW-P 88-07-113	392-168-150	NEW 88-09-042
392-164-090	REP-P 88-09-043	392-164-285	NEW 88-13-089	392-168-155	NEW-P 88-06-094
392-164-090	REP 88-13-002	392-164-290	NEW-P 88-07-113	392-168-155	NEW 88-09-042
392-164-095	REP-P 88-09-043	392-164-290	NEW 88-13-089	392-168-160	NEW-P 88-06-094
392-164-095	REP 88-13-002	392-164-295	NEW-P 88-07-113	392-168-160	NEW 88-09-042
392-164-100	NEW-P 88-07-113	392-164-295	NEW 88-13-089	392-168-165	NEW-P 88-06-094
392-164-100	NEW 88-13-089	392-164-300	NEW-P 88-07-113	392-168-165	NEW 88-09-042
392-164-105	NEW-P 88-07-113	392-164-300	NEW 88-13-089	392-168-170	NEW-P 88-06-094
392-164-105	NEW 88-13-089	392-164-305	NEW-P 88-07-113	392-168-170	NEW 88-09-042
392-164-115	NEW-P 88-07-113	392-164-305	NEW 88-13-089	392-168-175	NEW-P 88-06-094

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
392-168-175	NEW	88-09-042	392-220-095	NEW-E	88-03-012	400-12-120	NEW	88-06-053
392-168-180	NEW-P	88-06-094	392-220-100	NEW-P	88-03-011	400-12-200	NEW	88-06-053
392-168-180	NEW	88-09-042	392-220-100	NEW-E	88-03-012	400-12-210	NEW	88-06-053
392-168-185	NEW-P	88-06-094	392-220-105	NEW-P	88-03-011	400-12-220	NEW	88-06-053
392-168-185	NEW	88-09-042	392-220-105	NEW-E	88-03-012	400-12-300	NEW	88-06-053
392-168-190	NEW-P	88-06-094	392-220-110	NEW-P	88-03-011	400-12-310	NEW	88-06-053
392-168-190	NEW	88-09-042	392-220-110	NEW-E	88-03-012	400-12-320	NEW	88-06-053
392-171-761	REP-P	88-07-112	392-220-115	NEW-P	88-03-011	400-12-400	NEW	88-06-053
392-171-761	AMD-P	88-12-016	392-220-115	NEW-E	88-03-012	400-12-410	NEW	88-06-053
392-171-761	AMD	88-15-020	392-220-120	NEW-P	88-03-011	400-12-420	NEW	88-06-053
392-171-766	REP-P	88-07-112	392-220-120	NEW-E	88-03-012	400-12-500	NEW	88-06-053
392-171-766	REP	88-12-017	392-220-125	NEW-P	88-03-011	400-12-510	NEW	88-06-053
392-171-771	REP-P	88-07-112	392-220-125	NEW-E	88-03-012	400-12-520	NEW	88-06-053
392-171-771	REP	88-12-017	392-220-130	NEW-P	88-03-011	400-12-530	NEW	88-06-053
392-171-776	REP-P	88-07-112	392-220-130	NEW-E	88-03-012	400-12-540	NEW	88-06-053
392-171-776	REP	88-12-017	392-220-135	NEW-P	88-03-011	400-12-550	NEW	88-06-053
392-171-781	REP-P	88-07-112	392-220-135	NEW-E	88-03-012	400-12-560	NEW	88-06-053
392-171-781	REP	88-12-017	392-220-140	NEW-P	88-03-011	400-12-570	NEW	88-06-053
392-195-010	AMD	88-03-006	392-220-140	NEW-E	88-03-012	400-12-600	NEW	88-06-053
392-195-015	AMD	88-03-006	392-220-145	NEW-P	88-03-011	400-12-610	NEW	88-06-053
392-196-020	AMD-P	88-15-026	392-220-145	NEW-E	88-03-012	400-12-620	NEW	88-06-053
392-196-020	AMD-E	88-15-027	392-220-150	NEW-P	88-03-011	400-12-630	NEW	88-06-053
392-196-045	AMD-P	88-15-026	392-220-150	NEW-E	88-03-012	400-12-640	NEW	88-06-053
392-196-045	AMD-E	88-15-027	392-220-155	NEW-P	88-03-011	400-12-650	NEW	88-06-053
392-196-050	AMD-P	88-15-026	392-220-155	NEW-E	88-03-012	400-12-660	NEW	88-06-053
392-196-050	AMD-E	88-15-027	392-310-010	NEW-P	88-03-073	400-12-700	NEW	88-06-053
392-196-052	AMD-P	88-15-026	392-310-010	NEW-E	88-04-002	400-12-710	NEW	88-06-053
392-196-052	AMD-E	88-15-027	392-310-010	NEW	88-06-042	400-12-720	NEW	88-06-053
392-196-055	AMD-P	88-15-026	392-310-015	NEW-P	88-03-073	402-80-040	AMD-P	88-14-052
392-196-055	AMD-E	88-15-027	392-310-015	NEW-E	88-04-002	402-80-060	AMD-P	88-14-052
392-196-060	AMD-P	88-15-026	392-310-015	NEW	88-06-042	402-80-065	NEW-P	88-14-052
392-196-060	AMD-E	88-15-027	392-310-020	NEW-P	88-03-073	415-02-090	AMD-P	88-13-121
392-196-070	AMD-P	88-15-026	392-310-020	NEW-E	88-04-002	415-108-450	NEW	88-11-030
392-196-070	AMD-E	88-15-027	392-310-020	NEW	88-06-042	415-108-460	NEW	88-11-030
392-196-072	AMD-P	88-15-026	392-310-025	NEW-P	88-03-073	415-112-330	NEW-P	88-13-120
392-196-072	AMD-E	88-15-027	392-310-025	NEW-E	88-04-002	415-112-410	AMD	88-11-031
392-196-075	AMD-P	88-15-026	392-310-025	NEW	88-06-042	415-112-411	NEW	88-11-031
392-196-075	AMD-E	88-15-027	392-315-005	NEW	88-09-044	419-32-070	REP-P	88-11-049
392-196-080	AMD-P	88-15-026	392-315-010	NEW	88-09-044	419-32-080	REP-P	88-11-049
392-196-080	AMD-E	88-15-027	392-315-015	NEW	88-09-044	419-32-090	REP-P	88-11-049
392-220-005	NEW-P	88-03-011	392-315-020	NEW	88-09-044	419-32-100	REP-P	88-11-049
392-220-005	NEW-E	88-03-012	392-315-025	NEW	88-09-044	419-32-110	REP-P	88-11-049
392-220-010	NEW-P	88-03-011	392-315-030	NEW	88-09-044	419-32-120	REP-P	88-11-049
392-220-010	NEW-E	88-03-012	392-315-035	NEW	88-09-044	419-32-130	REP-P	88-11-049
392-220-015	NEW-P	88-03-011	392-315-040	NEW	88-09-044	419-32-140	REP-P	88-11-049
392-220-015	NEW-E	88-03-012	392-315-045	NEW	88-09-044	419-32-150	REP-P	88-11-049
392-220-020	NEW-P	88-03-011	392-315-050	NEW	88-09-044	419-32-160	REP-P	88-11-049
392-220-020	NEW-E	88-03-012	392-315-055	NEW	88-09-044	419-32-170	REP-P	88-11-049
392-220-025	NEW-P	88-03-011	392-315-060	NEW	88-09-044	419-56-010	NEW	88-02-068
392-220-025	NEW-E	88-03-012	392-315-065	NEW	88-09-044	419-56-020	NEW	88-02-068
392-220-030	NEW-P	88-03-011	392-315-070	NEW	88-09-044	419-56-030	NEW	88-02-068
392-220-030	NEW-E	88-03-012	392-315-075	NEW	88-09-044	419-56-040	NEW	88-02-068
392-220-035	NEW-P	88-03-011	392-315-080	NEW	88-09-044	419-56-050	NEW	88-02-068
392-220-035	NEW-E	88-03-012	392-315-085	NEW	88-09-044	419-56-060	NEW	88-02-068
392-220-040	NEW-P	88-03-011	392-315-090	NEW	88-09-044	419-56-070	NEW	88-02-068
392-220-040	NEW-E	88-03-012	392-315-095	NEW	88-09-044	419-56-080	NEW	88-02-068
392-220-045	NEW-P	88-03-011	392-315-100	NEW	88-09-044	419-56-090	NEW	88-02-068
392-220-045	NEW-E	88-03-012	392-315-105	NEW	88-09-044	419-60-010	NEW	88-02-067
392-220-050	NEW-P	88-03-011	392-315-110	NEW	88-09-044	419-60-020	NEW	88-02-067
392-220-050	NEW-E	88-03-012	392-315-115	NEW	88-09-044	419-60-030	NEW	88-02-067
392-220-055	NEW-P	88-03-011	392-315-120	NEW	88-09-044	419-64-010	NEW-P	88-11-050
392-220-055	NEW-E	88-03-012	392-315-125	NEW	88-09-044	419-64-020	NEW-P	88-11-050
392-220-060	NEW-P	88-03-011	392-315-130	NEW	88-09-044	419-64-030	NEW-P	88-11-050
392-220-060	NEW-E	88-03-012	392-315-135	NEW	88-09-044	419-64-040	NEW-P	88-11-050
392-220-065	NEW-P	88-03-011	392-315-140	NEW	88-09-044	434-19-010	NEW-P	88-05-054
392-220-065	NEW-E	88-03-012	392-315-145	NEW	88-09-044	434-19-010	NEW	88-09-028
392-220-070	NEW-P	88-03-011	392-315-150	NEW	88-09-044	434-19-012	NEW-P	88-05-054
392-220-070	NEW-E	88-03-012	392-315-155	NEW	88-09-044	434-19-012	NEW	88-09-028
392-220-075	NEW-P	88-03-011	392-315-160	NEW	88-09-044	434-19-013	NEW-P	88-05-054
392-220-075	NEW-E	88-03-012	392-315-165	NEW	88-09-044	434-19-013	NEW	88-09-028
392-220-080	NEW-P	88-03-011	399-30-040	AMD-P	88-06-045	434-19-014	NEW-P	88-05-054
392-220-080	NEW-E	88-03-012	399-30-040	AMD	88-10-009	434-19-014	NEW	88-09-028
392-220-085	NEW-P	88-03-011	399-30-042	NEW-P	88-13-023	434-19-015	NEW-P	88-05-054
392-220-085	NEW-E	88-03-012	399-30-042	NEW-E	88-13-024	434-19-015	NEW	88-09-028
392-220-090	NEW-P	88-03-011	400-12	NEW-C	88-04-023	434-19-016	NEW-P	88-05-054
392-220-090	NEW-E	88-03-012	400-12-100	NEW	88-06-053	434-19-016	NEW	88-09-028
392-220-095	NEW-P	88-03-011	400-12-110	NEW	88-06-053	434-19-017	NEW-P	88-05-054

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
434-19-017	NEW	88-09-028	434-19-195	NEW-P	88-05-054	458-18-060	AMD-P	88-10-026
434-19-018	NEW-P	88-05-054	434-19-195	NEW	88-09-028	458-18-060	AMD	88-13-042
434-19-018	NEW	88-09-028	434-19-230	NEW-P	88-05-054	458-18-220	AMD-E	88-02-070
434-19-020	NEW-P	88-05-054	434-19-230	NEW	88-09-028	458-18-220	AMD-P	88-03-016
434-19-020	NEW	88-09-028	434-40-005	NEW	88-03-019	458-18-220	AMD	88-07-003
434-19-050	NEW-P	88-05-054	434-40-010	NEW	88-03-019	458-20-176	AMD	88-03-055
434-19-050	NEW	88-09-028	434-40-020	NEW	88-03-019	458-20-240	AMD-P	88-14-005
434-19-051	NEW-P	88-05-054	434-40-030	NEW	88-03-019	458-20-24001	AMD-P	88-14-005
434-19-051	NEW	88-09-028	434-40-040	NEW	88-03-019	458-20-24002	AMD-P	88-14-005
434-19-052	NEW-P	88-05-054	434-40-050	NEW	88-03-019	458-20-244	AMD-E	88-12-023
434-19-052	NEW	88-09-028	434-40-060	NEW	88-03-019	458-20-244	AMD-P	88-12-024
434-19-053	NEW-P	88-05-054	434-40-070	NEW	88-03-019	458-20-244	AMD	88-15-066
434-19-053	NEW	88-09-028	434-40-080	NEW	88-03-019	458-20-252	NEW	88-06-028
434-19-054	NEW-P	88-05-054	434-40-090	NEW	88-03-019	458-30-510	AMD-P	88-13-034
434-19-054	NEW	88-09-028	434-40-100	NEW	88-03-019	458-30-520	AMD-P	88-13-034
434-19-055	NEW-P	88-05-054	434-40-110	NEW	88-03-019	458-30-530	AMD-P	88-13-034
434-19-055	NEW	88-09-028	434-40-120	NEW	88-03-019	458-30-540	AMD-P	88-13-034
434-19-056	NEW-P	88-05-054	434-40-130	NEW	88-03-019	458-30-550	AMD-P	88-13-034
434-19-056	NEW	88-09-028	434-40-140	NEW	88-03-019	458-30-560	AMD-P	88-13-034
434-19-059	NEW-P	88-05-054	434-40-150	NEW	88-03-019	458-30-570	AMD-P	88-13-034
434-19-059	NEW	88-09-028	434-40-160	NEW	88-03-019	458-30-580	AMD-P	88-13-034
434-19-060	NEW-P	88-05-054	434-40-170	NEW	88-03-019	458-30-590	AMD-P	88-03-017
434-19-060	NEW	88-09-028	434-40-180	NEW	88-03-019	458-30-590	AMD	88-07-004
434-19-061	NEW	88-09-028	434-40-190	NEW	88-03-019	458-40-650	AMD-P	88-10-048
434-19-065	NEW-P	88-05-054	434-40-200	NEW	88-03-019	458-40-650	AMD-E	88-14-031
434-19-075	NEW-P	88-05-054	434-40-210	NEW	88-03-019	458-40-650	AMD	88-14-032
434-19-075	NEW	88-09-028	434-40-220	NEW	88-03-019	458-40-660	AMD-P	88-10-048
434-19-077	NEW-P	88-05-054	434-40-230	NEW	88-03-019	458-40-660	AMD-E	88-14-031
434-19-077	NEW	88-09-028	434-40-240	NEW	88-03-019	458-40-660	AMD	88-14-032
434-19-078	NEW-P	88-05-054	434-40-250	NEW	88-03-019	458-40-670	AMD-P	88-10-048
434-19-078	NEW	88-09-028	434-40-260	NEW	88-03-019	458-40-670	AMD-E	88-14-031
434-19-080	NEW-P	88-05-054	434-40-270	NEW	88-03-019	458-40-670	AMD	88-14-032
434-19-080	NEW	88-09-028	434-40-280	NEW	88-03-019	458-50-070	AMD-P	88-12-084
434-19-081	NEW-P	88-05-054	434-40-290	NEW	88-03-019	458-50-070	AMD-E	88-12-085
434-19-081	NEW	88-09-028	434-40-300	NEW	88-03-019	458-50-070	AMD	88-15-016
434-19-082	NEW-P	88-05-054	434-40-310	NEW	88-03-019	460-16A-050	AMD	88-03-015
434-19-082	NEW	88-09-028	440-44-062	NEW-P	88-14-053	460-16A-100	REP	88-03-015
434-19-083	NEW-P	88-05-054	440-44-095	AMD-P	88-11-060	460-16A-101	NEW	88-03-015
434-19-083	NEW	88-09-028	440-44-095	AMD	88-15-011	460-16A-102	NEW	88-03-015
434-19-084	NEW-P	88-05-054	446-20-020	AMD-P	88-03-056	460-16A-103	NEW	88-03-015
434-19-084	NEW	88-09-028	446-20-020	AMD	88-07-066	460-16A-104	NEW	88-03-015
434-19-086	NEW-P	88-05-054	446-20-020	AMD-E	88-07-072	460-16A-105	AMD	88-03-015
434-19-086	NEW	88-09-028	446-20-285	NEW-P	88-03-056	460-16A-106	AMD	88-03-015
434-19-087	NEW-P	88-05-054	446-20-285	NEW	88-07-066	460-16A-107	REP	88-03-015
434-19-087	NEW	88-09-028	446-20-285	NEW-E	88-07-072	460-16A-108	AMD	88-03-015
434-19-088	NEW-P	88-05-054	446-20-290	AMD-P	88-03-056	460-16A-109	AMD	88-03-015
434-19-088	NEW	88-09-028	446-20-290	AMD	88-07-066	460-16A-110	AMD	88-03-015
434-19-090	NEW-P	88-05-054	446-20-290	AMD-E	88-07-072	460-16A-126	AMD	88-03-015
434-19-090	NEW	88-09-028	446-20-300	AMD-P	88-03-056	460-16A-130	REP	88-03-015
434-19-100	NEW-P	88-05-054	446-20-300	AMD	88-07-066	460-16A-135	REP	88-03-015
434-19-100	NEW	88-09-028	446-20-300	AMD-E	88-07-072	460-16A-140	REP	88-03-015
434-19-101	NEW-P	88-05-054	446-20-310	AMD-P	88-03-056	460-16A-145	REP	88-03-015
434-19-101	NEW	88-09-028	446-20-310	AMD	88-07-066	460-17A-010	NEW-P	88-12-026
434-19-102	NEW-P	88-05-054	446-20-310	AMD-E	88-07-072	460-17A-020	NEW-P	88-12-026
434-19-102	NEW	88-09-028	446-40-020	AMD-P	88-14-023	460-17A-030	NEW-P	88-12-026
434-19-105	NEW-P	88-05-054	446-40-025	NEW-P	88-14-023	460-17A-040	NEW-P	88-12-026
434-19-110	NEW-P	88-05-054	456-08-006	AMD-P	88-10-051	460-17A-050	NEW-P	88-12-026
434-19-110	NEW	88-09-028	456-08-006	AMD-E	88-13-020	460-17A-060	NEW-P	88-12-026
434-19-113	NEW-P	88-05-054	456-08-006	AMD	88-13-021	460-17A-070	NEW-P	88-12-026
434-19-113	NEW	88-09-028	456-08-009	NEW-E	88-13-020	460-20A-220	AMD-P	88-12-027
434-19-114	NEW-P	88-05-054	456-08-705	AMD-P	88-10-051	460-20A-225	REP-P	88-12-027
434-19-114	NEW	88-09-028	456-08-705	AMD-E	88-13-020	460-20A-230	AMD-P	88-12-027
434-19-115	NEW-P	88-05-054	456-08-705	AMD	88-13-021	460-24A-055	NEW-P	88-12-027
434-19-115	NEW	88-09-028	458-12-012	NEW	88-04-020	460-44A-500	AMD-P	88-11-083
434-19-116	NEW-P	88-05-054	458-14-020	AMD	88-07-005	460-44A-500	AMD	88-15-024
434-19-118	NEW-P	88-05-054	458-14-040	AMD	88-07-005	460-44A-501	AMD-E	88-11-032
434-19-118	NEW	88-09-028	458-14-045	AMD	88-07-005	460-44A-501	AMD-P	88-11-083
434-19-190	NEW-P	88-05-054	458-16-030	AMD-P	88-10-025	460-44A-501	AMD	88-15-024
434-19-190	NEW	88-09-028	458-16-030	AMD	88-13-041	460-44A-502	AMD-E	88-11-032
434-19-191	NEW-P	88-05-054	458-16-111	AMD-P	88-10-025	460-44A-502	AMD-P	88-11-083
434-19-191	NEW	88-09-028	458-16-111	AMD	88-13-041	460-44A-502	AMD	88-15-024
434-19-192	NEW-P	88-05-054	458-16-130	AMD-P	88-10-025	460-44A-503	AMD-P	88-11-083
434-19-192	NEW	88-09-028	458-16-130	AMD	88-13-041	460-44A-503	AMD	88-15-024
434-19-193	NEW-P	88-05-054	458-18-010	AMD-P	88-10-026	460-44A-505	AMD-E	88-11-032
434-19-193	NEW	88-09-028	458-18-010	AMD	88-13-042	460-44A-505	AMD-P	88-11-083
434-19-194	NEW-P	88-05-054	458-18-020	AMD-P	88-10-026	460-44A-505	AMD	88-15-024
434-19-194	NEW	88-09-028	458-18-020	AMD	88-13-042	460-44A-506	AMD-E	88-11-032

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #		
460-44A-506	AMD-P	88-11-083	508-12-100	AMD	88-13-037
460-44A-506	AMD	88-15-024	508-12-110	AMD-P	88-09-054
460-90A-145	NEW-E	88-15-006	508-12-110	AMD	88-13-037
478-136-030	AMD-P	88-14-084	508-12-120	AMD-P	88-09-054
478-138-030	AMD-P	88-14-139	508-12-120	AMD	88-13-037
478-355-020	AMD-P	88-14-140	508-12-150	AMD-P	88-09-054
478-355-030	AMD-P	88-14-140	508-12-150	AMD	88-13-037
478-355-040	AMD-P	88-14-140	508-12-160	AMD-P	88-09-054
478-355-060	AMD-P	88-14-140	508-12-160	AMD	88-13-037
480-40-010	AMD-E	88-13-033	508-12-170	AMD-P	88-09-054
480-40-010	AMD-P	88-15-072	508-12-170	AMD	88-13-037
480-40-020	AMD-E	88-13-033	508-12-180	AMD-P	88-09-054
480-40-020	AMD-P	88-15-072	508-12-180	AMD	88-13-037
480-40-030	AMD-E	88-13-033	508-12-190	AMD-P	88-09-054
480-40-030	AMD-P	88-15-072	508-12-190	AMD	88-13-037
480-40-033	REP-E	88-13-033	508-12-200	AMD-P	88-09-054
480-40-033	REP-P	88-15-072	508-12-200	AMD	88-13-037
480-40-036	REP-E	88-13-033	508-12-210	AMD-P	88-09-054
480-40-036	REP-P	88-15-072	508-12-210	AMD	88-13-037
480-40-039	REP-E	88-13-033	508-12-220	AMD-P	88-09-054
480-40-039	REP-P	88-15-072	508-12-220	AMD	88-13-037
480-40-040	AMD-E	88-13-033	508-12-240	AMD-P	88-09-054
480-40-040	AMD-P	88-15-072	508-12-240	AMD	88-13-037
480-40-050	AMD-E	88-13-033	508-12-250	AMD-P	88-09-054
480-40-050	AMD-P	88-15-072	508-12-250	AMD	88-13-037
480-40-060	AMD-E	88-13-033	508-12-280	AMD-P	88-09-054
480-40-060	AMD-P	88-15-072	508-12-280	AMD	88-13-037
480-40-070	AMD-E	88-13-033	508-12-390	NEW-P	88-09-054
480-40-070	AMD-P	88-15-072	508-12-390	NEW	88-13-037
480-40-075	AMD-E	88-13-033	508-12-400	NEW-P	88-09-054
480-40-075	AMD-P	88-15-072	508-12-400	NEW	88-13-037
480-40-080	REP-E	88-13-033	508-12-410	NEW-P	88-09-054
480-40-080	REP-P	88-15-072	508-12-410	NEW	88-13-037
480-40-090	REP-E	88-13-033	508-14-040	NEW-P	88-09-054
480-40-090	REP-P	88-15-072	508-14-040	NEW	88-13-037
480-40-110	NEW-E	88-13-033	508-14-050	NEW-P	88-09-054
480-40-110	NEW-P	88-15-072	508-14-050	NEW	88-13-037
480-40-120	NEW-E	88-13-033	508-64-010	AMD-P	88-09-054
480-40-120	NEW-P	88-15-072	508-64-010	AMD	88-13-037
480-40-130	NEW-E	88-13-033	508-64-030	AMD-P	88-09-054
480-40-130	NEW-P	88-15-072	508-64-030	AMD	88-13-037
480-40-140	NEW-E	88-13-033	508-64-040	AMD-P	88-09-054
480-40-140	NEW-P	88-15-072	508-64-040	AMD	88-13-037
480-90-071	AMD-P	88-04-076	508-64-050	AMD-P	88-09-054
480-90-071	AMD	88-07-070	508-64-050	AMD	88-13-037
480-100-071	AMD-P	88-04-076	508-64-060	AMD-P	88-09-054
480-100-071	AMD	88-07-070	508-64-060	AMD	88-13-037
480-120-028	NEW-P	88-07-069	508-64-070	NEW-P	88-09-054
480-120-028	NEW-C	88-13-031	508-64-070	NEW	88-13-037
480-120-056	AMD-C	88-04-057	508-64-080	NEW-P	88-09-054
480-120-056	AMD-P	88-07-027	508-64-080	NEW	88-13-037
480-120-056	AMD-C	88-10-050			
480-120-056	AMD	88-13-099			
480-120-081	AMD-P	88-13-032			
480-120-089	NEW-P	88-13-098			
480-149-120	AMD-P	88-05-044			
480-149-120	AMD	88-08-047			
504-17-025	NEW-P	88-07-098			
504-17-220	AMD-P	88-07-098			
504-17-220	AMD	88-12-007			
504-17-235	AMD-P	88-07-098			
504-17-235	AMD	88-12-007			
508-12-010	AMD-P	88-09-054			
508-12-010	AMD	88-13-037			
508-12-020	AMD-P	88-09-054			
508-12-020	AMD	88-13-037			
508-12-030	AMD-P	88-09-054			
508-12-030	AMD	88-13-037			
508-12-050	AMD-P	88-09-054			
508-12-050	AMD	88-13-037			
508-12-060	AMD-P	88-09-054			
508-12-060	AMD	88-13-037			
508-12-070	REP-P	88-09-054			
508-12-070	REP	88-13-037			
508-12-080	AMD-P	88-09-054			
508-12-080	AMD	88-13-037			
508-12-100	AMD-P	88-09-054			

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

ACCOUNTANCY, BOARD OF

CPA exam 88-05-015
Experience 88-06-021

AGRICULTURE, DEPARTMENT OF

Alfalfa
chemical restrictions 88-05-055
88-08-050
pesticide use 88-13-025

Apples
color requirements 88-14-127
standards 88-11-068
88-14-128
tolerances 88-11-068
88-14-128

Barley
assessments and collections 88-09-018

Bees
apiary inspection fees 88-03-058
88-07-018
colony strength 88-03-058
88-07-018
definitions 88-12-082
88-12-083
Varroa mite 88-09-002
88-12-082
88-12-083
88-13-081

Blueberry quarantine

Brucellosis
cattle 88-01-123
88-05-003
goats 88-01-123
88-05-003

Clover
chemical restrictions 88-05-055
88-08-050

**Dinoseb, use of on dry peas, chickpeas,
and lentils** 88-07-033

**Farm slaughter
fee** 88-07-096
88-12-036
88-07-096
88-12-036

Feedlots
commercial registered 88-01-123
88-05-003
quarantine registered 88-01-123
88-05-003

Herbicides
restricted use 88-01-128
88-05-033
88-06-071
88-07-038
88-09-013
88-15-048

Hops
labeling 88-10-034
88-13-050

Importation of animals 88-01-123
88-05-003

Laboratory fees, schedule 88-01-034

**Noxious weed board
definitions** 88-13-007
88-13-049
88-04-044
88-03-057
88-03-059
88-07-016
88-13-007
88-13-049
88-13-007
88-13-049
88-13-049
88-03-057
88-03-059

**grant program
list**

region descriptions

schedule of penalties

Organic foods 88-04-073
88-07-024

AGRICULTURE, DEPARTMENT OF—cont.

Peaches
grading 88-08-071
88-11-048
tolerances 88-08-071
88-11-048
88-09-077
88-14-074

Pesticides 88-04-072
88-07-071
88-07-114
88-11-042

Rapeseed

Seed, certification and inspection

Tuberculosis
cattle 88-01-123
goats 88-01-123

Wheat
assessments 88-08-061
88-09-019
88-12-019

AIR POLLUTION

(See **ECOLOGY, DEPARTMENT OF**)

ARCHITECTS, BOARD OF REGISTRATION FOR

(See **LICENSING, DEPARTMENT OF**)

ASIAN AMERICAN AFFAIRS, COMMISSION ON

Meetings 88-01-003

ATTORNEY GENERAL'S OFFICE

Attorney general opinions
architects and engineers, contracts
(No. 14, 1988) 88-14-014
architectural and design services
(No. 4, 1988) 88-06-012
attorney staffmember dues (No. 26, 1987)
88-04-012
central dispatch, recording conversations
(No. 11, 1988) 88-12-022
child abuse (No. 5, 1988) 88-07-028
city trust fund (No. 27, 1987) 88-04-013
concealed weapon permits (No. 28, 1987)
88-04-014
crimes, county to assume costs
(No. 9, 1988) 88-11-019
88-12-011
firearms (No. 10, 1988) 88-04-006
gambling, amusement games (No. 20, 1987)
higher education joint center
board (No. 22, 1987) 88-04-008
hospital districts (No. 15, 1988) 88-14-098
juvenile courts (No. 23, 1987)
addendum 88-07-001
legislative vacancy, county
commissioner (No. 21, 1987) 88-04-007
public disclosure, confidential
income information (No. 12, 1988) 88-13-083
road construction
county (No. 18, 1987) 88-04-004
state (No. 8, 1988) 88-08-014
school districts
bond issues, tax levies, equipment
purchases (No. 13, 1988) 88-13-084
levy reduction funds (No. 1, 1988) 88-06-009
statutory authority (No. 2, 1988) 88-06-010
seat of government (No. 24, 1987) 88-04-010
sexual psychopath parole plan (No. 19, 1987)
88-04-005
social and health services, family
assistance plan (No. 6, 1988) 88-07-037
state agencies, housing of prisoners
(No. 3, 1988) 88-06-011
state patrol, commission on
equipment (No. 25, 1987) 88-04-011
tax appeals board, civil
service (No. 17, 1987) 88-04-003
taxation, platting and subdivisions
(No. 7, 1988) 88-08-007

Motor vehicle warranties
arbitration 88-01-091
88-01-092
88-01-093
88-02-014
88-03-063

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

ATTORNEY GENERAL'S OFFICE—cont.		CENTRAL WASHINGTON UNIVERSITY—cont.	
	88-03-064	Parking and traffic regulations	88-07-017
	88-04-081		88-11-065
	88-09-062		88-11-066
	88-09-065	CHILD SUPPORT SCHEDULE COMMISSION	
arbitration requests, replacing		Economic table	88-11-004
or repurchasing vehicle	88-13-088	Instructions	88-11-004
consumer disclosure form	88-03-063	Standards	88-11-004
	88-03-064	Worksheets	88-11-004
	88-09-062	CHIROPRACTIC DISCIPLINARY BOARD	
	88-09-065	Billing	88-02-037
	88-13-039	Scope of practice	88-05-058
resale notice	88-03-063		88-14-040
	88-03-064	CHIROPRACTIC EXAMINERS, BOARD OF	
	88-09-064	Continuing education	88-14-095
	88-09-065	License renewal	88-14-095
technical expert prehearing inspection		CLARK COLLEGE	
reports	88-04-078	Meetings	88-01-084
	88-04-079	Student conduct code	88-11-047
	88-09-063	CLEMENCY AND PARDONS BOARD	
	88-09-065	Meetings	88-05-026
warranty period	88-03-063	COLUMBIA RIVER GORGE COMMISSION	
	88-03-064	Development review process	88-07-077
	88-09-064		88-11-052
	88-09-065	National Scenic Area Act	88-07-078
BASIC HEALTH PLAN			88-11-052
Benefits	88-15-073	Procedures	88-01-013
Contracts	88-15-073	COMMUNITY COLLEGE EDUCATION, BOARD FOR	
Definitions	88-15-073	Meetings	88-01-008
Eligibility	88-15-073	COMMUNITY DEVELOPMENT, DEPARTMENT OF	
Enrollment/disenrollment	88-15-073	Community services, division for	
Grievances	88-15-073	energy matchmakers program	88-02-042
Premiums	88-15-073		88-03-068
BELLEVUE COMMUNITY COLLEGE		meetings	88-02-052
Bylaws and standing orders	88-06-058		88-15-082
	88-07-089	Development loan fund committee	
	88-13-047	meetings	88-07-064
Commercial activity policy	88-04-059	Early childhood education and	
	88-07-036	assistance program	88-15-075
Meetings	88-01-055	Emergency management, division of	
Operating policies, general	88-07-088	hazardous chemical reporting	88-15-074
	88-13-048	Emergency response commission	
BIG BEND COMMUNITY COLLEGE		meetings	88-01-094
Personnel rules, European project	88-15-001	Fire protection services division	
BLIND, DEPARTMENT OF SERVICES FOR THE		fireworks	88-03-014
Public disclosure	88-04-016		88-08-027
	88-09-006	meetings	88-02-006
Vocational rehabilitation and services	88-04-016	Hazardous materials planning committee	
	88-09-006	meetings	88-01-048
BUILDING CODE COUNCIL		Head start programs	88-01-058
Barrier-free facilities	88-14-078	Public works board	
Energy code	88-14-114	application evaluation procedures	88-06-045
Meetings	88-01-112		88-10-009
	88-06-038		88-13-023
	88-12-076		88-13-024
Uniform codes		deliberations	88-06-045
building	88-14-077		88-10-009
fire	88-14-077		88-13-023
mechanical	88-14-077		88-13-024
plumbing	88-14-077	meetings	88-01-021
CEMETERY BOARD			88-03-029
(See LICENSING, DEPARTMENT OF)			88-13-030
CENTENNIAL COMMISSION		COMMUNITY ECONOMIC	
Committees	88-11-076	REVITALIZATION BOARD	
	88-11-077	(See TRADE AND ECONOMIC	
Meetings	88-01-076	DEVELOPMENT, DEPARTMENT OF)	
CENTRALIA COLLEGE		COMMUNITY SERVICES, DIVISION FOR	
Meetings	88-13-022	(See COMMUNITY DEVELOPMENT,	
	88-15-032	DEPARTMENT OF)	
CENTRAL WASHINGTON UNIVERSITY		CONVENTION AND TRADE CENTER	
Meetings	88-14-035	Meetings	88-01-049
			88-01-065

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

CONVENTION AND TRADE CENTER—cont.

88-02-007
88-07-022
88-07-067
88-07-099
88-10-006
88-10-046
88-11-053
88-12-021
88-14-025
88-15-022

CORRECTIONS, DEPARTMENT OF

Assault benefits for employees 88-12-002
Furlough eligibility 88-04-043

COUNTY ROAD ADMINISTRATION BOARD

RATA funds
allocation to approved RAP projects 88-01-110
88-05-040
emergent projects 88-01-110
88-05-040
limitation on use 88-12-079
matching funds 88-12-079
projects approval 88-01-110
88-05-040

Regional prioritization of regional
RAP projects 88-01-110
88-05-040
88-09-034
88-12-080
88-12-079

Six-year road program 88-12-079

CRIMINAL JUSTICE TRAINING COMMISSION

Law enforcement and corrections personnel
certification 88-15-029
requirements 88-15-029
training 88-15-029
Reserve officers, basic training 88-15-028

DEFERRED COMPENSATION, COMMITTEE FOR

Benefits
paid by committee 88-09-075
88-12-028

Deferrals
catch-up provision 88-09-075
88-12-028
distribution 88-09-075
88-12-028
limitations 88-09-075
88-12-028

Dependent care assistance salary
reduction plan 88-07-104
88-11-028

Interplan transfers 88-09-075
88-12-028

Retirement age 88-09-075
88-12-028

DENTAL EXAMINERS, BOARD OF

(See LICENSING, DEPARTMENT OF)

ECOLOGY, DEPARTMENT OF

Air contaminant sources 88-10-053
Air pollution
kraft pulping mills 88-01-057
particulate matter 88-10-053
primary aluminum plants 88-01-057
solid fuel burning device standards 88-01-056
88-10-052
sources 88-10-053
sulfite pulping mills 88-01-057
Conditional use defined 88-12-067
Construction grants and loans
municipal wastewater treatment 88-11-069
project priority lists 88-11-069
Dangerous waste
generation and management 88-02-057

ECOLOGY, DEPARTMENT OF—cont.

permits
final facility 88-13-116
interim status 88-13-116
requirements 88-13-116
recycled, reclaimed and recovered
wastes 88-13-116
siting of facilities 88-03-074
88-06-041
88-07-039
88-13-116
standards 88-13-116
Drought relief 88-08-020
88-14-126
Emergency episode plan 88-10-053
Floodplain management 88-05-042
88-10-058

Forest practices rules adopted by
reference 88-12-097
Hazardous substance sites
investigation of 88-11-072
88-15-038
88-11-073
ranking system **88-15-037**

Hazardous waste cleanup settlement 88-07-105
88-07-106
88-10-055
88-13-036
88-13-085
Interim financial assistance program 88-09-049
88-09-050
88-11-067
88-15-057

National pollutant discharge elimination
system permit program 88-13-095
Open burning 88-10-053
Pollution control commission
name change 88-10-061
88-13-029

Radioactive waste
site use permit **88-15-071**
Shorelines
development permits 88-01-014
88-04-091
88-07-006

master programs
Aberdeen 88-08-064
88-14-091
Bonney Lake 88-05-066
88-10-059
Clallam County 88-01-119
88-07-009
Cosmopolis 88-08-065
88-14-091
Des Moines 88-04-092
88-07-008
Grays Harbor County 88-03-069
88-08-063
88-08-089
88-14-091
Hoquiam 88-08-066
88-14-091
Long Beach 88-02-064
Mason County 88-02-053
88-02-054
88-07-010
Normandy Park 88-12-068
Ocean Shores 88-08-067
88-14-091
Okanogan County 88-03-070
San Juan County 88-12-069
88-13-119
Steilacoom 88-02-063
88-04-093
88-07-007
Westport 88-08-068
88-14-091

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

ECOLOGY, DEPARTMENT OF—cont.		EDUCATION, STATE BOARD OF—cont.	
Solid fuel burning device standards	88-01-056 88-10-052 88-15-069	State support of public schools	88-05-024 88-05-050 88-08-045 88-05-048 88-12-013
Solid waste		Teacher education and certification	
financial assistance	88-12-072 88-12-073		
handling	88-04-074 88-08-062 88-14-109 88-14-110 88-08-082	EMERGENCY MANAGEMENT, DIVISION OF (See COMMUNITY DEVELOPMENT, DEPARTMENT OF)	
State/EPA agreement		EMERGENCY RESPONSE COMMISSION (See COMMUNITY DEVELOPMENT, DEPARTMENT OF)	
Tire dumps		EMPLOYMENT SECURITY DEPARTMENT	
financial assistance program	88-12-070 88-12-071	Benefit charge relief, employer request	88-13-127
Wastewater discharge permit application	88-07-103 88-12-035	Benefit overpayments, recovery of	88-07-109 88-10-021 88-07-110 88-12-051
fees	88-07-103 88-12-035	Family independence program	
modification, suspension, or revocation	88-07-103 88-12-035	Interpretive regulations	
terms and conditions	88-07-103 88-12-035	employment, terms and conditions of	88-07-108 88-10-020
Water pollution control activities	88-09-076 88-14-125	residency	88-01-052 88-01-053 88-05-034 88-07-107 88-07-108 88-10-020
Water quality		strikes or lockouts	
ground water		Personal identification number	88-13-072
Methow River	88-02-073	Targeted jobs tax credit program	88-13-073
surface water standards	88-02-058	Truck drivers, exemptions	88-11-091 88-13-126
Water resources program	88-09-054 88-13-037	ENGINEERS AND LAND SURVEYORS	
Wells		Applications	88-05-064 88-07-094 88-12-044 88-05-063 88-07-094 88-12-044 88-05-064 88-07-094 88-12-044
contractors and operators	88-04-071 88-08-070	corporation or joint stock associations	
maintenance	88-04-071 88-08-070	Powers and duties	
Woodstoves, etc.	88-01-056		
EDMONDS COMMUNITY COLLEGE		EQUIPMENT, COMMISSION ON (See STATE PATROL)	
Faculty member dismissal	88-06-024 88-13-013	EVERETT COMMUNITY COLLEGE	
Meetings	88-01-004 88-04-022 88-05-027 88-11-046 88-12-059 88-13-077 88-15-035 88-06-023	Central and field organization	88-08-053 88-12-005 88-13-096 88-08-019 88-12-006 88-02-040 88-04-025 88-10-023 88-14-013 88-06-020 88-10-014 88-10-023 88-14-013 88-13-001 88-13-097 88-08-022 88-12-004
Tuition and fees policy		Disclosure of student information	
EDUCATION, STATE BOARD OF		Library code	
Courses of study and equivalencies	88-01-108	Meetings	
Educational staff associates, generic standards	88-12-014	Office hours	
Grade reporting and calculation system	88-08-072 88-13-026	Professional negotiations law	
Grant program		Records officer	
schools for the 21st century	88-01-079 88-01-080 88-06-002	Repealing obsolete rules	
student teaching pilot projects	88-05-046 88-05-052 88-08-044 88-01-109	Smoking regulations repealed	
High school graduation requirements		EVERGREEN STATE COLLEGE, THE	
Professional certification		Affirmative action	88-01-047
continuing education requirements	88-01-086 88-01-085 88-05-045 88-05-047 88-05-051 88-08-046 88-08-073 88-13-009	Community code of conduct	88-14-101 88-14-102 88-01-047 88-01-047 88-14-101 88-14-102 88-01-047 88-02-002 88-05-053 88-06-027 88-13-057
general provisions		Equal opportunity	
preparation program		Governance and decision making	
approval	88-03-025 88-07-002	Meetings	
candidate admission and retention	88-12-015		
Specialized personnel standards	88-05-049		

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

EVERGREEN STATE COLLEGE, THE—cont.		FISHERIES, DEPARTMENT OF—cont.	
Personnel information, release	88-01-047	separation zone	88-10-060
Pet policy	88-14-103		88-13-069
Staff education benefits	88-01-047		88-14-133
Student code of conduct	88-14-101	Strait of Juan de Fuca salmon	
	88-14-102	preserve	88-10-060
			88-13-069
FINANCIAL MANAGEMENT, OFFICE OF			88-14-133
Paydates	88-13-092	shad, seasons and areas	88-11-041
FIRE PROTECTION SERVICES DIVISION		shellfish	
(See COMMUNITY DEVELOPMENT,		classification	88-07-111
DEPARTMENT OF)			88-10-041
FISHERIES, DEPARTMENT OF			88-12-025
Aquaculture disease control	88-12-009	shrimp season, Hood Canal	88-12-003
<u>Commercial</u>			88-13-071
bottomfish			88-14-071
beam trawl opening/closure	88-03-009	unlawful acts	88-07-111
	88-09-032		88-10-041
coastal catch limits	88-02-041		88-12-025
	88-09-004	Willapa Harbor areas	88-14-024
	88-09-051	<u>Personal use</u>	
	88-14-020	bag limits	88-08-055
	88-14-132		88-12-046
dogfish	88-03-009		88-14-010
drag seine seasons	88-09-005	bottomfish	
Pacific whiting seasons	88-07-034	possession limits	88-08-002
trawl gear restrictions	88-13-070	Columbia River	88-08-002
Columbia River		food fish	
areas, seasons, gear	88-14-136	closure	
commercial fisheries	88-14-136	Enetai Hatchery Outfall Creek	88-08-002
definitions	88-14-136	disability permit	88-08-002
gear testing areas	88-13-074	free license procedure	88-02-048
herring seasons	88-09-022	halibut	88-01-036
Hood Canal shrimp season	88-12-003		88-03-075
	88-13-071		88-03-076
	88-14-071		88-06-050
	88-13-005		88-08-002
license transfer, notarization	88-13-006		88-10-012
			88-10-013
salmon		Hood Canal shrimp season	88-12-003
Columbia River	88-05-014		88-14-071
	88-05-035	Lake Washington	88-14-033
	88-07-014		88-14-134
	88-07-015	licenses generally	88-05-002
	88-09-023	perch	88-03-075
	88-09-052		88-10-013
	88-13-063	salmon	
	88-13-111	bag limits	88-08-002
	88-14-004		88-08-003
	88-14-018		88-12-045
	88-14-034		88-12-047
	88-14-100		88-14-017
Puget Sound			88-14-019
all-citizen	88-01-009	baitfish jigger gear	88-14-072
	88-02-019		88-03-075
	88-15-025	catch area	88-10-013
	88-15-044		88-03-075
	88-15-067		88-03-076
catch reporting areas	88-10-060		88-08-002
	88-13-069		88-10-012
	88-14-133	catch record	88-02-048
closed areas	88-10-060		88-05-002
	88-13-069	harvests	88-03-075
	88-14-133		88-03-076
seasons			88-10-012
gill net	88-10-060		88-10-013
	88-13-069	hooks	
	88-14-024	single	88-08-002
	88-14-133	treble	88-03-075
	88-14-135		88-10-013
purse seine	88-10-060	saltwater seasons	88-12-045
	88-13-069		88-14-017
	88-14-133		88-14-019
reef net	88-10-060		88-15-007
	88-13-069	validation stamp	88-02-048
	88-14-133		88-05-002

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

FISHERIES, DEPARTMENT OF—cont.

shellfish
 areas and seasons 88-08-002
 bag limits 88-07-111
 88-08-002
 88-10-041
 88-12-025
 88-03-075
 88-07-013
 88-08-002
 88-10-013
 88-03-075
 88-08-002
 88-10-013
 88-07-111
 88-08-002
 88-10-041
 88-03-075
 88-03-076
 88-08-002
 88-10-012
 88-10-013

clams
 88-03-075
 88-07-013
 88-08-002
 88-10-013
 88-03-075
 88-08-002
 88-10-013

crabs
 88-03-075
 88-08-002
 88-10-013

gear
 88-07-111
 88-08-002
 88-10-041

oysters
 88-03-075
 88-03-076
 88-08-002
 88-10-012
 88-10-013

shrimp
 Hood Canal 88-12-003
 88-14-071
 Sequim Bay 88-11-040
 88-14-016

unlawful acts 88-07-111
 88-08-002
 88-10-041
 88-12-025

sturgeon
 bag limits 88-08-002
 catch areas 88-03-076
 88-10-012
 catch record 88-02-048
 88-05-002
 Columbia River 88-05-014
 88-05-035
 license 88-02-048
 validation stamp 88-02-048

FOREST PRACTICES BOARD

Definitions, general 88-12-033
Forest practices
 agency requirements 88-12-033
 classes 88-12-033
Manual 88-12-033
Meetings 88-02-013
 88-09-046
 88-14-090
Reforestation requirements 88-12-033
Timber harvesting 88-12-033

FUNERAL DIRECTORS AND EMBALMERS
(See LICENSING, DEPARTMENT OF)

GAMBLING COMMISSION

Amusement games 88-03-024
 88-05-029
 88-07-059
 88-09-021
 88-13-062
Bingo 88-03-024
 88-05-038
 88-07-059
 88-13-062
Card games/rooms 88-13-062
 88-15-018
Definitions 88-13-061
 88-13-100
Fees 88-07-061
 88-09-020
 88-11-071
 88-13-060
Fundraising events
 activity report 88-11-070
 88-15-019

GAMBLING COMMISSION—cont.

pull tabs **88-15-018**
Identification tags 88-13-062
Licenses
 class income limit 88-09-020
 88-11-070
 88-15-019
 88-09-020
 88-13-060
 88-09-020
 88-13-060
 88-03-024
 88-07-059
 88-09-020
 88-13-061
 88-13-100
 88-13-117
 88-15-018
 88-03-024
 88-07-059
 88-15-018
 88-13-062
 88-15-018
 88-03-024
 88-09-020
 88-13-060
 88-09-020
 88-13-060
 88-03-024
 88-09-020
 88-13-060
 88-03-024
 88-09-020
 88-13-060

issuance
 lower volume gambling activities 88-09-020
 88-13-060

Punchboards/pull tabs
 88-03-024
 88-07-059
 88-09-020
 88-13-061
 88-13-100
 88-13-117
 88-15-018
 88-03-024
 88-07-059
 88-15-018
 88-13-062
 88-15-018
 88-03-024
 88-09-020
 88-13-060
 88-09-020
 88-13-060
 88-03-024
 88-09-020
 88-13-060

Raffles
 88-03-024
 88-07-059
 88-15-018
 88-13-062
 88-15-018
 88-03-024
 88-09-020
 88-13-060
 88-09-020
 88-13-060
 88-03-024
 88-09-020
 88-13-060

Receipts
 88-15-018
 88-03-024
 88-09-020
 88-13-060
 88-09-020
 88-13-060
 88-03-024
 88-09-020
 88-13-060

Records
 88-03-024
 88-09-020
 88-13-060
 88-09-020
 88-13-060
 88-03-024
 88-09-020
 88-13-060

Reports
 88-09-020
 88-13-060
 88-03-024
 88-09-020
 88-13-060

Stamps
 88-03-024
 88-09-020
 88-13-060

GAME

(See WILDLIFE, DEPARTMENT OF)

**GENERAL ADMINISTRATION,
DEPARTMENT OF**

Banking
 definitions 88-11-002
 88-13-064
 industrial loan companies
 restrictions on charges 88-13-051
 88-14-002
 88-14-093
 88-13-051
 88-14-002
 88-14-093
 statement to borrower 88-11-050
 Savings and loan associations
 credit union business loans 88-11-050
 de novo branches by foreign
 associations 88-02-067
 mobile home lending 88-11-049
 trust powers 88-02-068

GEOGRAPHIC NAMES, BOARD ON

Updating names 88-07-050

GOVERNOR, OFFICE OF THE

Alliance against drugs 88-14-030
Coastal salmon troll license fees 88-10-007
Motor vehicle advisory committee 88-14-003
Retrocession of jurisdiction of
 various Indian tribes 88-13-040
Twin Rivers Corrections Center 88-07-092
Washington's financial future,
 committee on 88-09-001
Wetlands study 88-11-008

GREEN RIVER COMMUNITY COLLEGE

Meetings 88-02-045
 88-12-077

**HAZARDOUS MATERIALS PLANNING
COMMITTEE**

(See COMMUNITY DEVELOPMENT,
DEPARTMENT OF)

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

HEALTH, BOARD OF			HIGHER EDUCATION PERSONNEL BOARD—cont.	
Communicable and certain other diseases	88-03-022		Conclusions of law	88-06-063
	88-07-063		Employee listings	88-04-069
	88-09-053			88-08-018
	88-13-103		Examinations	
	88-13-104		administration	88-02-018
	88-13-108		eligibility	
	88-13-109		appeals	
Human remains			generally	88-02-017
handling and care	88-10-044		right of appeal	88-02-018
	88-13-080			88-08-021
	88-15-047		employee release time	88-02-018
transportation of	88-10-044		evaluation of	88-02-018
	88-13-080		final score	88-02-017
Labor camps	88-06-092		medical	88-02-018
	88-10-027		promotional organization units	88-02-018
Public water supplies	88-05-057		records requirements	88-02-018
Recreational water contact facilities	88-10-005		requirement, responsibilities	88-02-018
	88-13-125		results, notification, review	88-02-018
Sexually transmitted diseases	88-14-079		veterans preference	88-02-018
HIGHER EDUCATION COORDINATING BOARD			Exemptions	
Future teacher conditional scholarship program	88-03-008		classifications, positions, and employees	88-12-052
Math/science teacher incentive loan program	88-06-091			88-15-023
	88-10-003		general provisions	88-02-017
Need grant program	88-06-089		Findings of fact	88-06-063
	88-10-001		Labor relations	
Nurses conditional scholarship program	88-11-075		agency shop	
	88-14-089		decertification election	88-02-072
Washington state scholars program	88-11-074			88-06-062
	88-14-088		defined	88-02-072
Work study program	88-06-090		dismissal	88-02-072
	88-10-002			88-06-062
			nonassociation fee	88-02-072
				88-06-062
			representation fee	88-02-072
				88-06-062
			representative election	88-02-072
				88-06-062
			requirements	88-02-072
				88-06-062
			bargaining units	88-02-072
			employee organization filing requirements	88-02-072
				88-06-062
				88-06-075
				88-13-112
			unfair labor practices described	88-02-027
				88-02-071
			Layoff	
			generally	88-02-017
			lists, institution-wide	88-02-017
			special employment programs	88-02-017
			Lead	88-02-071
				88-13-115
			Leave	
			emergency	
			child care	88-09-056
				88-13-019
			maternity	88-09-056
				88-13-019
			sick	88-09-056
				88-13-019
				88-13-114
			vacation	
			accrual	88-02-018
			anniversary date	88-09-057
				88-13-018
			Lists	
			certification, specific positions	88-02-018
			eligible list	
			definition, composition	88-02-018
			related list	88-02-018
			modifications of minimum qualifications	88-02-018
			removal of name, notice	88-02-018

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

HIGHER EDUCATION PERSONNEL BOARD—cont.

Meetings	88-01-107
	88-07-021
	88-08-048
	88-09-055
	88-13-113
Noncompetitive service	88-02-018
Periodic increment date	88-12-052
	88-15-023
Position reallocation effect on incumbent	88-02-017
Recruitment notice publicity, duration required content	88-02-018
Relief from effect of board's order	88-02-017
Salaries conversion of exempt position periodic increment date reallocation	88-02-017
	88-02-017
	88-02-027
	88-02-071
Superior court appeals	88-06-063
Training general provisions	88-02-017
Union shop dismissal	88-06-075
	88-13-112
nonassociation fee	88-06-075
	88-13-112
representative election	88-06-075
	88-13-112
representative fee	88-06-075
	88-13-112
requirements	88-06-075
	88-13-112

HIGHLINE COMMUNITY COLLEGE

Meetings	88-10-018
Student rights and responsibilities	88-03-047
	88-03-048
	88-07-119
	88-07-120

HISPANIC AFFAIRS, COMMISSION ON

Meetings	88-07-048
----------	-----------

HORSE RACING COMMISSION

Alcohol violations	88-13-011
Arabian horses certification	88-01-077
	88-06-017
Definitions	88-13-011
First-aid equipment and personnel	88-01-077
	88-06-017
Medication	88-13-011
Testing	88-06-052
	88-09-033

HOSPITAL COMMISSION

Patient discharge information	88-13-052
Rate/budget methodology	88-08-013
	88-08-052
	88-10-047
	88-11-033
	88-13-043
	88-13-044
	88-13-053
	88-13-132
Review of rules review committee's findings	88-03-065

HUMAN RIGHTS COMMISSION

Affirmative action	88-09-080
Corrective employment programs	88-09-080

HUMAN RIGHTS COMMISSION—cont.

Meetings	88-01-105
	88-01-106
	88-04-064
	88-06-051
	88-08-054
	88-10-028
	88-10-054
	88-12-081
	88-14-086
	88-14-087
	88-09-080
Noncompliance by agencies/institutions	
INDETERMINATE SENTENCE REVIEW BOARD Policies and procedures manual	88-09-040
INFORMATION SERVICES, DEPARTMENT OF Meetings	88-06-018
INSURANCE COMMISSIONER Continuing education Health care pool	88-01-074
	88-04-056
	88-07-051
	88-08-010
	88-08-051
	88-11-010
Life insurance individual, franchise, group cash surrender values	88-01-059
	88-04-054
Phenylketonuria formula coverage requirements and exceptions	88-13-123
Premiums, separation and accounting	88-15-036
Unfair practices	88-07-073
	88-11-056
	88-01-007
Washington insurance guaranty association	88-05-001

INTEREST RATES

(See inside front cover)

INVESTMENT BOARD

Meetings	88-01-078
----------	-----------

LABOR AND INDUSTRIES, DEPARTMENT OF

Amusement rides or structures appeals definitions Attorneys general	88-11-085
	88-11-085
	88-04-050
	88-08-026
Boilers, etc. inspection	88-01-064
Electrical board definitions duties hearings meetings officers	88-11-085
	88-11-085
	88-11-085
	88-11-085
Electrical testing laboratory accreditation appeals definitions evaluation renewals revocation and suspension	88-11-085
	88-11-085
	88-11-085
	88-11-085
	88-04-053
	88-07-101
	88-13-128
	88-13-129
Family leave	88-14-105
Industrial insurance	88-09-071
	88-14-011
Journeyman electricians certificates eligibility experience temporary permits	88-11-085
	88-11-085
	88-11-085
	88-11-085

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

LABOR AND INDUSTRIES, DEPARTMENT OF

—cont.

Medical aid rules and maximum fee schedules	88-01-111 88-04-051 88-04-052 88-06-036 88-09-072 88-14-012
Mobile homes	
definitions	88-14-104
foundation facia	88-14-104
inspection	88-14-104
site preparation	88-14-104
National electrical code, table headings	88-11-086 88-11-087 88-15-063
Nonmetallic cable systems	88-11-086 88-11-087 88-15-063
Plumbers	
certification	88-06-037
exam	88-06-037
journeyman and specialty plumbers	
fee increase	88-01-046
reinstatement	88-06-037
temporary permits	88-06-037
Public works contracts	
overtime rates	88-13-045 88-14-106
Rehabilitation review	88-07-100 88-12-096
Safety and health standards	
agriculture	88-09-074 88-14-108
construction work	88-06-073 88-09-074 88-11-021 88-14-108
electrical workers	88-06-073 88-11-021
firefighters	88-09-074 88-14-108
general	88-06-073 88-09-074 88-11-021 88-14-108 88-14-141
longshore, stevedore, waterfront operations	88-09-074 88-14-108
occupational	88-09-074 88-14-108
recordkeeping and reporting	88-09-074 88-14-108
ship repairing, building and breaking	88-09-074 88-14-108
ski area facilities	88-09-074 88-14-108
Self-insured employers	88-07-100 88-12-096
Vocational rehabilitation	88-09-071 88-14-011
Worker's compensation	
boat building	88-06-072 88-12-050
building construction	88-06-072 88-12-050
employer group qualifications	88-12-048
fertilizer	88-06-072 88-12-050
horse racing	88-06-076 88-12-065
partnerships	
corporate officers and partners	88-02-059 88-06-048

LABOR AND INDUSTRIES, DEPARTMENT OF

—cont.

piece rate rule	
hours worked	88-01-118 88-06-046 88-12-095 88-14-076
retrospective rating plans and group insurance plans	88-14-075 88-07-102 88-12-049
ninety-day open option	88-02-021 88-02-060 88-06-047 88-09-070 88-09-073 88-14-107 88-15-008
risk classifications	88-04-049
treatment requiring authorization	
LANDSCAPE ARCHITECTS, BOARD OF REGISTRATION FOR	
(See LICENSING, DEPARTMENT OF)	
LEGAL FOUNDATION OF WASHINGTON	
Meetings	88-02-003 88-06-044
LIBRARIES	
(See WASHINGTON STATE LIBRARY)	
LICENSING, DEPARTMENT OF	
Acupuncture	
fees	88-11-026 88-15-030
practice and procedure	88-02-061 88-07-031
Architects, board of registration for reciprocity	88-05-037 88-09-066 88-01-035 88-14-007
registration examination	
Auctioneers	
renewal of registration	88-01-122
surety bond	88-15-081
Cemetery board	
cremation	88-03-062 88-07-032 88-03-062 88-07-032
section defined	88-11-027 88-15-031
Charitable solicitations	88-13-130 88-05-059 88-11-024
Cosmetologists, barbers, and manicurists	
Counselors, registered	88-09-067 88-13-131 88-15-062
Dental examiners, board of examinations	88-08-023 88-08-087 88-15-017 88-15-039 88-15-042
Fees	88-01-060 88-01-062
Franchise Investment Protection Act	
Funeral directors and embalmers	
apprenticeships	
termination, transfer and credit	88-01-024
continuing education	88-01-024
embalming/preparation room	88-01-132 88-08-015 88-08-016 88-08-037 88-13-010
endorsements	88-01-132 88-08-015 88-08-016
inspections	88-01-132 88-08-015 88-08-016

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

LICENSING, DEPARTMENT OF—cont.		LICENSING, DEPARTMENT OF—cont.	
licenses	88-08-037	vehicle registration reciprocity	
	88-13-010	and proration (IRP)	88-03-030
prearrangement contracts	88-01-132		88-03-067
	88-08-037		88-06-061
	88-13-010	Naturopathy services	88-11-090
restrictions	88-01-132		88-14-009
	88-08-015		88-15-079
	88-08-016		88-15-080
Health care assistants		Nursing, board of	
minimum training	88-14-094	appeals	88-12-042
Hulk haulers and scrap processors	88-01-032	ARNP	
	88-04-026	application requirements	88-01-102
	88-06-025		88-07-049
Landscape architects			88-12-042
examination		termination of	88-12-042
qualifications for admittance	88-02-069	consultation services	88-12-042
	88-05-025	definitions	88-12-042
fees	88-04-027	examinations	
licenses		licensing	88-12-042
exam	88-06-059	release of results	88-12-042
	88-12-018	license renewal	88-12-042
renewal	88-01-022	nursing education programs, approval	88-12-042
	88-01-023	refresher courses, approval criteria	88-01-103
proctoring program	88-12-041		88-05-010
	88-15-041	schools of nursing, approval	88-12-042
Marriage/family therapists	88-05-062	Nursing home administrators, board	
	88-11-079	of examiners for	
Massage, board of		temporary permits	88-10-056
communicable diseases	88-11-055	Occupational therapy practice board	
	88-14-097	educational programs	88-05-061
education	88-08-088		88-09-031
	88-13-038	licensure exemption	88-09-048
practitioners	88-06-034	Optometry, board of	
	88-11-011	continuing education	88-03-071
	88-15-002		88-07-047
Mechanotherapy		credits	
Medical disciplinary board		courses	88-03-071
drug/autotransfusion			88-07-047
prohibited use to enhance athletic		reports	88-03-071
ability	88-09-068		88-07-047
	88-14-112	surplus hours	88-03-071
investigations, cooperation	88-04-080		88-07-047
meetings	88-02-001	equipment requirements	88-14-039
	88-08-017	licenses	
Medical examiners, board of		renewal	88-03-071
meetings	88-02-001		88-07-047
	88-04-015	permits	
	88-08-076	temporary	88-03-071
	88-10-008		88-07-047
physician assistants	88-06-008	Osteopathic medicine and surgery,	
Medical health counselors	88-05-060	board of	
	88-11-025	drug/autotransfusion	
Midwifery	88-08-035	prohibited use to enhance athletic	
	88-12-040	ability	88-11-088
Motor vehicles			88-14-113
certificates of title	88-11-023	examination	88-03-035
disabled person parking privileges	88-01-010		88-09-030
driving without valid license	88-14-038		88-11-088
	88-14-111		88-14-113
fuel tax	88-04-029	health care services contractors and	
	88-07-095	insurance carriers	88-01-104
plates		malpractice suit reporting	88-03-035
cancellation of	88-14-038		88-09-030
	88-14-111	physicians' assistants	88-03-035
disabled persons	88-01-010		88-09-030
honorary consulars	88-01-010		88-11-088
Pearl Harbor survivors	88-01-010		88-14-113
personalized	88-07-116	professional review organizations	88-01-104
	88-12-043	Physical therapy board	
preexisting	88-07-116	examination	
veteran's free license	88-01-010	appeal procedures	88-03-033
registration	88-14-038		88-08-036
	88-14-111	Podiatry board	
ride-sharing vehicles	88-01-010	licenses	
		examinations	88-08-075
			88-11-034

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

LICENSING, DEPARTMENT OF—cont.

renewals	88-08-075
meetings	88-04-015 88-06-035
Practical nursing, board of	
advisory opinions	88-13-094
authorization to practice	88-13-094
licensing	
examinations	88-13-094
graduates of foreign schools	88-01-121 88-05-011
qualifications	88-04-077 88-08-034 88-13-094 88-13-094
renewal	88-13-094
refresher courses	88-13-094
return to active status	88-13-094
Professional licensing examination	
appeals	88-15-040
Psychology, examining board of	
licenses	
education	88-06-007 88-09-029
experience	88-06-007 88-09-029
reciprocity	88-06-007 88-09-029
permits	
temporary	88-06-007 88-09-029
public statements	88-06-007 88-09-029
Real estate	
funds held in trust	88-02-038 88-02-049 88-06-040 88-10-057 88-11-089
meetings	88-08-024 88-12-008
names prohibited	88-02-050 88-02-051 88-06-039
office requirement if licensed in another jurisdiction	88-02-050 88-02-051 88-06-039
salesperson, associate broker	
license	
termination	88-02-051 88-06-039
Reporting of unprofessional conduct	
mandatory	88-15-043
Respiratory care practitioners	
certification	88-03-034 88-10-015
examination	88-03-034 88-10-015
exemption	88-03-034 88-10-015
fees	88-14-006 88-14-008
Securities	
blue chip exemption	88-01-061
definitions and terms	88-11-032 88-11-083 88-15-024
exemptions	88-11-032 88-11-083 88-15-024
fees	88-15-006
license effective date	88-12-027
preliminary notes	88-11-032 88-11-083 88-15-024
regulation and registration	88-03-015

LICENSING, DEPARTMENT OF—cont.

salesperson	
exemption from examination	88-12-027
registration and examination	88-12-027
uniform limited offering registration	88-12-026
Social workers	88-05-063 88-11-078
Tow trucks	88-01-032 88-04-026 88-06-025
Uniform commercial code	
field access	88-03-037
filing forms and procedures	88-14-044 88-14-045
Unprofessional conduct, mandatory	
reporting	88-15-043
Vessels	
dealer registration	88-03-001 88-03-038
temporary permits to operate	88-01-011
Veterinary board of governors	
emergency services	88-05-041 88-08-033
examinations	88-05-041 88-08-033
medical facilities	88-05-041 88-08-033
Wreckers	88-01-032 88-04-026 88-06-025

LIQUOR CONTROL BOARD

Advertising	88-04-060 88-04-061 88-07-026
Beer labels	88-12-075 88-14-131
Business entertainment activities	88-05-012 88-13-003
Central and field organization	88-13-067
Change of name	88-01-033 88-04-028
Chemical analysis procedures	88-11-084 88-14-001
Class H restaurant	88-04-082
Clubs, designation of portion	88-07-058 88-06-055 88-08-056
Containers	
biodegradable and recyclable	88-08-028
Contested cases	
hearings	88-06-056 88-08-057
Gifts or money, affidavit, oath	88-06-054 88-13-003
Guest and courtesy cards	88-01-016 88-04-083 88-07-060
Index	88-01-030
Licenses	
nonretail	88-05-007 88-07-090
prorating fee	88-13-066
suspension	88-14-036
Liquor importation	88-04-087 88-07-025 88-02-022
Meetings	
Minors	
employment	88-01-015
Nonliquor food items	88-07-076 88-07-091 88-09-061 88-10-049
Quality standards	88-08-025 88-11-009
Review of rules	88-02-023
Seized liquor disposal	88-13-065

Subject/Agency Index
(Citations in bold type refer to material in this issue)

LIQUOR CONTROL BOARD—cont.		MINORITY AND WOMEN'S BUSINESS ENTERPRISES, OFFICE OF—cont.	
Tax refunds	88-11-001	Definitions	88-06-074
Wine labels	88-13-118		88-08-031
	88-12-074		88-09-010
	88-14-130		88-09-047
LOTTERY COMMISSION			88-09-060
Contested cases	88-02-062	Goals	88-12-060
	88-06-031	Ownership control determination	88-14-047
Instant games criteria	88-13-122		88-09-060
<u>Instant game number 29 – Windfall</u>		Penalties	88-12-060
criteria	88-02-005	Size	88-14-129
definitions	88-02-005		88-06-043
ticket validation	88-02-005		88-06-074
<u>Instant game number 30 – Quick Silver</u>			88-09-010
criteria	88-02-004	Size and length of time in business	88-09-047
definitions	88-02-004		88-06-029
ticket validation	88-02-004		88-06-030
<u>Instant game number 31 – Three of a Kind</u>			88-06-074
criteria	88-02-062		88-09-010
	88-06-031		88-09-047
definitions	88-02-062	Small business concern	88-06-043
	88-06-031		88-06-074
ticket validation	88-02-062		88-09-010
	88-06-031		88-09-047
<u>Instant game number 32 – Double Decker</u>		Violations	88-14-129
criteria	88-06-049		
	88-09-014	NATURAL RESOURCES, DEPARTMENT OF	
definitions	88-06-049	Forest fire advisory board	
	88-09-014	meetings	88-04-017
ticket validation	88-06-049		88-13-004
	88-09-014		88-15-070
<u>Instant game number 33 – Instant Replay</u>		Industrial fire tool requirements	
criteria	88-09-069	closed season	88-09-007
	88-13-008	Meetings	88-09-011
definitions	88-09-069		88-11-006
	88-13-008		88-12-001
ticket validation	88-09-069	Natural heritage advisory council	
	88-13-008	meetings	88-01-117
<u>Instant game number 34 – Tic-Tac-Toe</u>			88-09-003
criteria	88-13-122	Open water disposal sites	88-08-074
definitions	88-13-122		88-13-082
ticket validation	88-13-122	Outdoor rule burn	
<u>Instant game number 35 – Stocking Stuffer</u>		Eastern Washington	88-14-073
criteria	88-13-122	Woodard Bay acquisition	88-06-016
definitions	88-13-122		
ticket validation	88-13-122	NOXIOUS WEED BOARD	
On-line games		(See AGRICULTURE, DEPARTMENT OF)	
retailer selection criteria	88-02-062	NUCLEAR WASTE BOARD	
Proposed orders	88-06-031	Nuclear waste advisory council	
Ticket purchases	88-02-066	meetings	88-02-028
	88-05-030		
Video machines prohibited	88-13-122	NURSING, BOARD OF	
		(See LICENSING, DEPARTMENT OF)	
MARINE EMPLOYEES' COMMISSION		NURSING HOME ADMINISTRATORS, BOARD OF EXAMINERS FOR	
Address	88-06-057	(See LICENSING, DEPARTMENT OF)	
	88-10-019	OCCUPATIONAL THERAPY PRACTICE BOARD	
Subpoenas	88-06-057	(See LICENSING, DEPARTMENT OF)	
	88-10-019	OIL AND GAS CONSERVATION COMMITTEE	
MASSAGE, BOARD OF		Meetings	88-06-003
(See LICENSING, DEPARTMENT OF)			88-06-005
MEDICAL DISCIPLINARY BOARD		Seismic surveys	88-07-115
(See LICENSING, DEPARTMENT OF)			88-14-026
MEDICAL EXAMINERS, BOARD OF		Wells	
(See LICENSING, DEPARTMENT OF)		application to drill	88-07-115
MINORITY AND WOMEN'S BUSINESS ENTERPRISES, OFFICE OF			88-14-026
Activities prohibited	88-14-129	exploratory locations	88-07-115
Certification/decertification/recertification	88-06-043		88-14-026
	88-06-074	reclamation plan	88-07-115
	88-09-010		88-14-026
	88-09-047	OPTOMETRY, BOARD OF	
Contracting base exclusions	88-09-059	(See LICENSING, DEPARTMENT OF)	
	88-14-047	OSTEOPATHIC MEDICINE AND SURGERY, BOARD OF	
	88-14-048	(See LICENSING, DEPARTMENT OF)	
Death or disability of owner	88-14-129		

Subject/Agency Index
(Citations in bold type refer to material in this issue)

**OUTDOOR RECREATION, INTERAGENCY
COMMITTEE FOR**

Meetings 88-04-058
88-11-022

PARKS AND RECREATION COMMISSION

Campsite reservations 88-04-075
88-07-074
Fees 88-04-075
88-07-074
Filming 88-04-075
88-07-074
Little Spokane River natural area 88-06-095
88-10-017
Marine facilities 88-04-075
88-07-074
Meetings 88-01-026
Restricted areas 88-06-095
88-10-017
Volunteers in parks, applicability of
standard fees 88-12-066
88-15-068

PERSONNEL, DEPARTMENT OF

Agency shop 88-01-072
88-07-044
88-10-030
88-13-056
88-15-059
Allocation/reallocation 88-10-031
88-13-055
88-15-060
Appointments 88-04-066
88-04-067
88-14-065
Arbitration 88-01-073
88-07-043
88-10-029
88-13-054
88-15-058
Bargaining unit 88-01-073
88-07-043
88-10-029
88-13-054
88-15-058
Call-back 88-04-033
Career executive program 88-04-068
88-14-065
Certification
exhausted register 88-04-068
88-14-065
general methods 88-04-031
requests 88-04-068
88-14-065
Disciplinary action 88-01-067
88-03-040
88-04-067
88-06-013
88-06-014
88-07-040
Dismissal 88-01-071
Drug testing 88-01-068
88-03-042
88-01-073
88-07-043
88-10-029
88-13-054
88-15-058
Employee appointment status
upward reallocation 88-01-069
88-10-031
88-13-055
88-14-069
88-14-092
88-15-060

PERSONNEL, DEPARTMENT OF—cont.

Employee organizations 88-01-072
88-07-044
88-10-030
88-13-056
88-15-059
Exclusive representative 88-01-073
88-07-043
88-10-029
88-13-054
88-15-058
Filing papers, computation of time 88-08-058
88-11-037
Holidays 88-06-022
88-09-035
88-11-035
88-11-036
88-04-035
88-07-042
Intermittent employment 88-04-068
88-14-065
Leave
military training 88-04-030
88-04-065
88-07-045
miscellaneous 88-04-034
88-07-046
productivity award 88-04-032
88-07-041
Mediation 88-01-073
88-07-043
88-10-029
88-13-054
88-15-058
Notice to employee 88-01-071
Overtime compensation 88-08-008
88-11-039
88-13-068
Probationary period
status of employee 88-01-070
88-03-039
88-06-001
Project employment 88-04-068
88-14-065
Reduction in force 88-04-068
88-14-065
Reduction in salary
demotion 88-01-071
88-03-043
Resignation 88-03-041
Schedule change 88-08-008
88-11-039
88-13-068
Shift premium for nurses 88-14-066
88-14-068
88-15-061
88-14-067
Standby compensation
Suspension
dismissal 88-01-071
88-03-043
duration 88-01-071
88-03-043
notice 88-03-043
Temporary employment 88-04-068
88-14-065
Trial service period 88-01-070
88-03-039
88-06-001
Unfair labor practices 88-01-072
88-01-073
88-07-043
88-07-044
88-10-029
88-10-030

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

PERSONNEL, DEPARTMENT OF—cont.

	88-13-054
	88-13-056
	88-15-058
	88-15-059
Union shop	88-01-072
	88-01-073
	88-07-043
	88-07-044
	88-10-029
	88-10-030
	88-13-054
	88-13-056
	88-15-058
	88-15-059
Veteran	88-08-009
	88-11-038
	88-14-070
Work period designations	88-01-031
	88-05-028
PHARMACY, BOARD OF	
Buildings or facilities	88-13-093
	88-14-029
Components	88-13-093
	88-14-029
Containers and closures	88-01-025
Contested cases	88-03-036
	88-06-026
Definitions	88-11-082
	88-13-093
	88-14-029
Dialysis	88-03-036
	88-06-026
Equipment	88-13-093
	88-14-029
Fees	88-03-066
	88-07-011
	88-10-033
	88-11-082
	88-14-042
Internships	88-01-025
	88-06-060
Laboratory controls	88-13-093
	88-14-029
License renewal	88-11-081
	88-11-082
	88-14-041
	88-14-042
Manufacturing practices	88-11-082
	88-13-093
	88-14-029
Packaging and labeling	88-13-093
	88-14-029
Personnel	88-13-093
	88-14-029
Pharmaceutical services	88-07-097
	88-11-007
Pharmacy assistants	
board of approval	88-11-080
	88-14-043
level A	88-11-080
	88-14-043
level B	88-11-080
	88-14-043
Precursors	
immediate	88-06-060
	88-07-097
	88-11-007
substance control	88-10-032
	88-11-082
	88-14-096
Prescriptions	
records	88-11-081
transfers	88-11-081
Production and control	88-13-093
	88-14-029

PHARMACY, BOARD OF—cont.

Records	88-13-093
	88-14-029
Teat dip, reuse of containers and closures	88-01-025
PHYSICAL THERAPY BOARD	
(See LICENSING, DEPARTMENT OF)	
PILOTAGE COMMISSIONERS, BOARD OF	
Disciplinary or corrective action	88-06-069
	88-10-035
	88-14-062
Emergency meeting	88-01-095
	88-05-016
	88-09-026
Examination review and appeal procedures	88-06-067
	88-10-038
Exempt vessels	88-01-099
	88-05-019
	88-09-015
Fees	88-10-036
	88-14-063
Grays Harbor district	
definition	88-01-101
	88-05-021
	88-09-017
tariffs and rates	88-05-043
Licensing of pilots	88-01-097
	88-06-066
	88-10-037
summary/temporary suspension	88-06-070
	88-10-040
Physical requirements	88-01-098
	88-05-018
	88-09-027
Puget Sound district	
rates	88-05-039
Refusal of certain pilots, procedure	88-01-100
	88-05-020
	88-09-016
Retirement fund contribution	88-06-068
	88-10-039
Special meeting	88-01-096
	88-05-017
	88-09-025
POLLUTION CONTROL COMMISSION	
(See ECOLOGY, DEPARTMENT OF)	
PRACTICAL NURSING, BOARD OF	
(See LICENSING, DEPARTMENT OF)	
PRODUCTIVITY BOARD	
Teamwork incentive program	88-12-078
	88-15-033
PROFESSIONAL ENGINEERS AND LAND SURVEYORS, BOARD OF REGISTRATION FOR	
(See ENGINEERS AND LAND SURVEYORS)	
PSYCHOLOGY, EXAMINING BOARD OF	
(See LICENSING, DEPARTMENT OF)	
PUBLIC DISCLOSURE COMMISSION	
Agency lobbying	
constituent group relations	88-04-063
	88-09-008
Definitions	88-01-001
	88-04-062
	88-06-019
	88-11-064
	88-14-064
PUBLIC EMPLOYMENT RELATIONS COMMISSION	
Case rules	
grievance arbitration	88-07-084
	88-12-057
impasse resolution	88-07-083
	88-12-055

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

PUBLIC EMPLOYMENT RELATIONS		REVENUE, DEPARTMENT OF—cont.	
COMMISSION—cont.		Manufacturers, tax credits	88-14-005
representation	88-07-080	Nonprofit, nonsectarian organizations	88-02-010
	88-12-054	Public utilities	
unfair labor practice	88-07-082	apportionment of operating property	
	88-12-056	to various entities	88-02-009
union security	88-07-085	Real property, exempt use	88-10-025
	88-12-058		88-13-041
unit clarification	88-07-081	Refunds	
	88-12-061	interest rates	88-02-070
General procedures	88-07-079		88-03-016
	88-12-053		88-07-003
Special provision		Returned goods, allowances, cash	
academic employees	88-12-062	discounts	88-01-050
	88-12-063	Sales and use tax deferral	88-14-005
state patrol personnel	88-12-064	Senior citizen and disabled persons	
		exemption	88-02-008
PUBLIC INSTRUCTION			88-10-025
(See SUPERINTENDENT OF			88-13-041
PUBLIC INSTRUCTION)		Special assessments and/or property	
PUBLIC WORKS BOARD		taxes deferral	
(See COMMUNITY DEVELOPMENT,		definitions	88-10-026
DEPARTMENT OF)			88-13-042
PUGET SOUND WATER QUALITY AUTHORITY		farm and agricultural land	88-13-034
Meetings	88-01-083	limitations	88-10-026
	88-07-023		88-13-042
	88-10-016	qualifications	88-10-026
	88-11-020		88-13-042
Nonpoint source pollution	88-04-023		
	88-06-053	RULES REVIEW COMMITTEE	
		Letter to governor requesting positive	
		action on suspension of WAC	
		388-100-005	88-10-011
RETIREMENT SYSTEMS, DEPARTMENT OF		SEATTLE COMMUNITY COLLEGES	
Actuarial tables	88-13-121	Meetings	88-04-021
Public employees' retirement board			88-06-004
tax treatment revision, earnable			88-08-011
compensation redefined	88-01-129		88-08-077
	88-11-030		88-11-029
Teachers' retirement board of trustees			88-12-037
service credit, full and part time	88-01-130		88-13-086
	88-13-120		88-13-087
tax treatment revision, earnable			88-14-099
compensation redefined	88-01-131		88-15-064
	88-11-031		88-03-044
			88-08-069
REVENUE, DEPARTMENT OF		Student complaints	
Annual assessment, company's procedures	88-12-084		
	88-12-085	SEATTLE-KING COUNTY DEPARTMENT OF	
	88-15-016	PUBLIC HEALTH	
Application for property tax exemption	88-10-025	Meetings	88-13-076
	88-13-041	SECRETARY OF STATE	
Commercial deep sea and passenger fishing		Absentee ballots, uniform procedures	88-03-019
diesel fuel	88-01-051	Charitable solicitations	88-05-054
	88-03-055		88-09-028
Day care centers, libraries, orphanages,		SECURITIES DIVISION	
homes for the aged, homes for		(See LICENSING, DEPARTMENT OF)	
the sick or infirm, hospitals	88-02-010	SHORELINE COMMUNITY COLLEGE	
Equalization boards		Meetings	88-01-120
reconvening	88-07-005	SKAGIT VALLEY COLLEGE	
Food products	88-12-023	Meetings	88-01-054
	88-12-024		
	88-15-066	SOCIAL AND HEALTH SERVICES,	
Forest land and timber	88-02-025	DEPARTMENT OF	
	88-02-026	AFDC and general assistance	
	88-10-048	child in need of specialized education	
	88-14-031	or training	88-04-037
	88-14-032		88-04-040
Hazardous substance tax	88-02-011		88-07-062
	88-02-012		88-12-086
	88-06-028		88-12-094
Hospitals, medical care facilities, and			88-15-013
adult family homes	88-01-050	definitions, general	88-01-045
Inflation rates	88-03-017		88-05-013
	88-07-004		
Irrigation systems	88-04-020	disregard of income and resources	
Lien for taxes	88-01-050	effect of resources on financial need	88-05-013

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

**SOCIAL AND HEALTH SERVICES,
DEPARTMENT OF—cont.**

eligibility	88-01-125
	88-04-019
	88-04-036
	88-04-039
	88-04-045
	88-06-084
	88-07-052
	88-07-056
	88-09-039
	88-14-137
	88-07-117
	88-07-055
date of change	
employment and training programs	
income	
deductions	88-06-082
	88-08-078
exclusions	88-05-005
	88-05-006
	88-06-081
	88-08-079
potentials	88-07-117
progressive evaluation process	88-12-086
	88-12-094
	88-15-013
support of legal dependents	88-04-018
use of	88-07-117
overissuance	88-04-088
	88-08-039
prepaid health plans	88-09-078
	88-12-089
program violations disqualification	
hearing	88-04-046
	88-08-040
property, determination of ownership	88-15-076
	88-15-078
resources, exempt	88-06-080
	88-08-081
time limit for disposal	88-04-038
	88-07-118
Alcoholism detoxification program	88-07-053
	88-07-054
	88-08-001
	88-10-042
	88-10-045
	88-13-110
Boards	
definition	88-11-059
Burial services, cost standards	88-15-009
Certificate of need	
transfer prohibited	88-07-121
Child protective services	
definitions	88-02-029
	88-02-035
goals	88-02-029
	88-02-035
guidelines for interviewing	88-02-029
	88-02-035
notification	88-02-029
	88-02-035
Child support obligations	88-14-085
	88-14-138
Chore services	
control expenditures	88-02-065
	88-06-088
	88-08-059
	88-11-062
definitions	88-01-037
	88-01-039
	88-13-105
eligible individuals	88-13-105
employed disabled applicants	88-02-065
	88-06-088
legal basis for program	88-13-105
monthly dollar lid	88-01-037
	88-01-039
	88-12-031

**SOCIAL AND HEALTH SERVICES,
DEPARTMENT OF—cont.**

payment	88-13-105
service determinations	88-13-105
Criminal justice cost reimbursement	88-12-090
	88-15-012
Deaf services	
TDD	88-01-124
	88-01-127
	88-04-090
	88-08-080
	88-11-057
	88-15-021
Definitions	
Developmentally disabled	
IMR program and reimbursement system	88-07-122
	88-12-087
Emergency assistance program	88-14-049
	88-14-058
Family independence program	88-01-082
	88-04-089
	88-08-038
	88-09-079
	88-12-093
	88-14-051
	88-14-059
	88-14-081
	88-14-082
employment and training programs	88-06-078
	88-12-088
food assistance	88-14-080
	88-14-083
household composition	88-14-080
	88-14-083
meetings	88-03-049
Family support services	88-01-027
	88-01-028
	88-05-004
Food program for women, infants and children	88-10-043
	88-14-037
	88-15-077
Food stamps	
budget month changes	88-12-092
citizenship and alien status	88-13-027
definitions	88-12-030
generally	88-02-031
	88-15-045
household defined	88-12-030
income budgeting	88-12-091
nonhousehold and ineligible household members	88-12-030
resources, exempt and nonexempt	88-12-030
standard utility allowance	88-04-042
Foster care placement	88-13-124
	88-14-055
Hospitals	88-12-032
definitions	88-13-101
discharge planning	88-13-102
general design requirements	88-12-032
radiology facilities	88-12-032
recordkeeping	88-13-101
IMR, see Developmentally disabled	
Inpatient hospital care	88-04-048
Juvenile services programs	88-09-038
	88-13-028
Landlords, direct receipt of rental payments	88-11-058
	88-14-060
	88-14-061
Medicaid eligibility	
needy infants, children and pregnant women	88-08-041
	88-08-042
	88-11-063
ownership of resources	88-01-042

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

SOCIAL AND HEALTH SERVICES, DEPARTMENT OF—cont.		SOUTH PUGET SOUND COMMUNITY COLLEGE	
Medical assistance		Meetings	88-13-046
categorically needy	88-03-021 88-06-077 88-09-037 88-14-050 88-14-057 88-02-033 88-02-034		88-15-056
		SPOKANE COMMUNITY COLLEGES	
dental services		Meetings	88-01-088
eligibility		STATE EMPLOYEES INSURANCE BOARD	
certification	88-01-044	Eligibility	88-09-058
medically needy in own home	88-02-030 88-02-036 88-05-056	State contribution	88-12-034 88-09-058 88-12-034
Medical care		STATE PATROL	
payments		Child and adult abuse	
billing limitations	88-01-041	conviction information, release	
eligible providers	88-13-107 88-14-056	procedure	88-02-016
general	88-03-021	Criminal records	88-03-056 88-07-066 88-07-072
services provided	88-06-083 88-11-043 88-11-044 88-15-010	Definitions	88-14-023
Medical institutions		Disabilities, line duty	88-14-023
clothing and personal incidentals	88-13-106 88-14-054	Equipment, commission on	
Medicare		brake adjustments, bolt clamp and	
deductible and coinsurance	88-08-060 88-11-061	wedge type	88-01-018
Nursing homes		emergency vehicles	
accounting and reimbursement	88-01-126 88-02-032 88-13-078 88-13-079	lighting	88-11-018 88-15-053
depreciation base	88-01-038 88-04-041	permits	88-11-012 88-15-052
adequate care	88-04-047	firemen's private vehicles, green	
bed needs	88-04-047	light devices	88-11-014 88-15-049
concurrent review cycles	88-03-051	flashing amber lamps	88-11-013 88-15-055
program administration	88-03-054 88-06-086 88-03-052 88-03-053 88-06-085 88-01-038 88-04-041	head lamp flashing system	88-11-017 88-15-054
receivership		ignition interlock devices	88-01-020 88-11-015 88-15-050
residents' rights		license plates, marking	88-14-022
Overpayments		rule making	88-03-031
time limits, write-offs and compromises	88-10-004 88-13-059	school bus warning lights	88-11-016 88-15-051
Parental control defined	88-06-079	special motor vehicles defined	88-01-017
Physical therapy eligibility	88-01-043	towing businesses	88-13-058
Prepaid health plans	88-09-078 88-12-089	SUPERINTENDENT OF PUBLIC INSTRUCTION	
Radioactive materials		Citizen complaint, categorical federal	
airborne emission permits	88-14-052	programs	88-06-094 88-09-042
fees	88-14-053	Complaints	
definitions	88-14-052	actions in response to	88-07-112 88-12-017
registration	88-14-052	directed to school district	88-07-112 88-12-017
Recovery from estates	88-03-050	investigation of	88-07-112 88-12-017
Rehabilitation		right to register and process	88-07-112 88-12-016 88-15-020
adult residential centers	88-12-029	Definitions	88-03-006
private adult treatment homes	88-12-029	Finance	
Respite care services	88-03-020	administrative salary and insurance	
SSI		benefit compliance	88-03-004
excluded resources	88-03-072 88-06-087	compensation lid compliance	88-03-003
standards of assistance	88-01-040	employee benefits, self-funded plans	88-04-001
Support enforcement	88-02-055 88-02-056 88-07-012 88-15-046	general apportionment	88-03-013
Vital records fees	88-11-060 88-15-011	maintenance and operation levies	88-03-007
		special allocations	88-03-005
		Funding	
		applications	88-03-006
		Grants management	88-09-043 88-13-002
		Local program enhancement	88-06-093
		Project even start	88-09-045 88-03-011 88-03-012 88-09-044

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

WALLA WALLA COMMUNITY COLLEGE		WILDLIFE COMMISSION/DEPARTMENT—cont.	
Professional improvement units	88-03-045	Dogs	88-05-022
	88-07-019	Endangered species	88-05-032
Reduction in force	88-03-046	Fishing	
	88-07-020	Amber Lake	88-10-010
WASHINGTON INSTITUTE OF APPLIED TECHNOLOGY		Bogachiel River	88-01-006
Meetings	88-05-036	Calawah River	88-01-006
WASHINGTON STATE LIBRARY		Carbon River	88-03-023
Commission meetings	88-04-086	classification of game fish	88-14-122
	88-11-045	Clay Pit Pond	88-11-005
Construction match			88-14-123
asbestos impact	88-02-046	Cowlitz River	88-14-021
	88-03-018	Dickey River	88-01-006
	88-07-086	Grand Ronde River	88-02-020
	88-07-087		88-08-005
	88-05-023	juvenile	88-07-065
Meetings		Lenice Lake	88-06-032
Western library network		Merry Lake	88-06-032
meetings	88-01-012	Nunnally Lake	88-06-032
	88-08-032	Puyallup River	88-03-023
WASHINGTON STATE UNIVERSITY		Quarry Pond	88-06-033
Meetings	88-09-041	Quillayute River	88-01-006
Parking and traffic regulations	88-07-098	Skagit River	88-08-006
	88-12-007	Soleduck River	88-01-006
WESTERN WASHINGTON UNIVERSITY		Tucannon River	88-08-004
Meetings	88-08-012	Wapato Lake	88-14-122
	88-15-003	1987-88 game fish regulations	88-07-065
WHATCOM COMMUNITY COLLEGE		1988-90 game fish regulations	88-07-065
Debts outstanding	88-07-029	Hunting	
	88-12-020	bear	88-05-065
	88-15-005		88-06-006
Facilities, use of	88-07-029	bow and arrow requirements	88-07-093
	88-12-020		88-08-084
	88-15-005	cougar	88-13-012
Faculty employment	88-07-029		88-06-065
	88-12-020	disabled persons	88-13-035
	88-15-005		88-08-086
Family Educational Rights and Privacy Act	88-07-029	elk	88-11-051
	88-12-020	White River unit	88-14-124
	88-15-005	goat	88-03-032
Grievances	88-07-029		88-06-065
	88-12-020	lynx	88-13-035
	88-15-005		88-06-065
Health and safety	88-02-039	moose	88-13-035
	88-02-047		88-06-065
	88-04-070	sheep	88-13-035
	88-07-057		88-06-065
Meetings	88-02-044	turkey	88-13-035
	88-04-085	1987 hunting seasons and bag limits	88-06-006
	88-06-015		88-08-083
	88-07-029	1987 upland migratory game bird seasons	88-13-090
	88-07-035	1987-88 trapping seasons and regulations	88-14-118
	88-08-030	1987-88 upland game bird and migratory	88-14-119
	88-10-022	waterfowl seasons	
	88-12-020	1988 hunting seasons and bag limits	88-14-120
	88-14-028		88-08-083
	88-15-005	1988-89 and 1989-90 trapping seasons	88-13-090
Parking and traffic	88-02-039	and regulations	
	88-02-047	1988-89 and 1989-90 upland game bird	88-14-119
	88-04-070	and migratory waterfowl seasons	
	88-07-057	Livestock grazing on department lands	88-14-120
Public records access	88-07-029		88-14-115
	88-12-020	Scientific permits	88-14-116
	88-15-005	Tagging requirements	88-14-117
SEPA rules	88-07-029	bobcat, Canada lynx, cougar and	88-05-031
	88-12-020	river otter	88-08-085
	88-15-005		88-13-091
Student rights and responsibilities	88-07-029	Wildlife rehabilitation permits	88-06-064
	88-12-020		88-09-036
	88-15-005		
WILDLIFE COMMISSION/DEPARTMENT		YAKIMA COMMUNITY COLLEGE	
Cooperative road management program	88-08-083	Children's participation in college	
	88-13-090	activities	88-04-024
Cooperative wildlife projects, review			88-12-012
and selection process	88-14-121		

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