

# Washington State Register

**JULY 3, 1991**

**OLYMPIA, WASHINGTON**

**ISSUE 91-13**



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## CITATION

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

## PUBLIC INSPECTION OF DOCUMENTS

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## REPUBLICATION OF OFFICIAL DOCUMENTS

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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

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## STATE MAXIMUM INTEREST RATE

The maximum allowable interest rate applicable for the month of July 1991 pursuant to RCW 19.52.020 is twelve point zero percent (12.00%).

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 1991 pursuant to RCW 63.14.130(1)(a) is thirteen point seven five percent (13.75%).

The maximum allowable retail installment contract service charge for the purchase of a motor vehicle pursuant to RCW 63.14.130(2)(a) is twelve point zero percent (12.0%) for the third calendar quarter of 1991.

The maximum allowable retail installment contract service charge for the purchase of a vessel pursuant to RCW 63.14.130(3)(a) is twelve point zero percent (12.0%) for the third calendar quarter of 1991.

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# 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 34.05 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 34.05.395 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 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 normally 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 or advanced and such an 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 unless a later date is provided by the agency. They remain effective for a maximum of one-hundred-twenty days from the date of filing.
- (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.

1990 – 1991

DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue No.	Closing Dates <sup>1</sup>			Distribution Date	First Agency Hearing Date <sup>3</sup>
	Non-OTS & 30 p. or more	Non-OTS & 11 to 29 p.	OTS <sup>2</sup> or 10 p. max. Non-OTS		
For Inclusion in—	File no later than—			Count 20 days from—	For hearing on or after
90-14	Jun 7	Jun 21	Jul 5	Jul 18	Aug 7
90-15	Jun 20	Jul 5	Jul 18	Aug 1	Aug 21
90-16	Jul 5	Jul 18	Aug 1	Aug 15	Sep 4
90-17	Jul 25	Aug 8	Aug 22	Sep 5	Sep 25
90-18	Aug 8	Aug 22	Sep 5	Sep 19	Oct 9
90-19	Aug 22	Sep 5	Sep 19	Oct 3	Oct 23
90-20	Sep 5	Sep 19	Oct 3	Oct 17	Nov 6
90-21	Sep 26	Oct 10	Oct 24	Nov 7	Nov 27
90-22	Oct 10	Oct 24	Nov 7	Nov 21	Dec 11
90-23	Oct 24	Nov 7	Nov 21	Dec 5	Dec 25
90-24	Nov 7	Nov 21	Dec 5	Dec 19	Jan 8, 1991
91-01	Nov 21	Dec 5	Dec 19, 1990	Jan 2, 1991	Jan 22
91-02	Dec 5	Dec 19, 1990	Jan 2, 1991	Jan 16	Feb 5
91-03	Dec 26, 1990	Jan 9, 1991	Jan 23	Feb 6	Feb 26
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91-05	Jan 23	Feb 6	Feb 20	Mar 6	Mar 26
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91-11	Apr 24	May 8	May 22	Jun 5	Jun 25
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91-17	Jul 24	Aug 7	Aug 21	Sep 4	Sep 24
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91-19	Aug 21	Sep 4	Sep 18	Oct 2	Oct 22
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91-22	Oct 9	Oct 23	Nov 6	Nov 20	Dec 10
91-23	Oct 23	Nov 6	Nov 20	Dec 4	Dec 24
91-24	Nov 6	Nov 20	Dec 4	Dec 18	Jan 7, 1992

<sup>1</sup>All 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 1-21-040.

<sup>2</sup>A filing of any length will be accepted on the closing dates of this column if it has been prepared and completed by the order typing service (OTS) of the code reviser's office; see WAC 1-21-040. Agency-typed material is subject to a ten page limit for these dates; longer agency-typed material is subject to the earlier non-OTS dates.

<sup>3</sup>At least twenty days before the rule-making hearing, the agency shall cause notice of the hearing to be published in the Register; see RCW 34.05.320(1). These dates represent the twentieth day after the distribution date of the applicable Register.



## NOTICE OF REJECTION

**REVISER'S NOTE:** The amendment of WAC 478-116-290, filed and published under WSR 91-12-047, is rejected by the Code Reviser's Office under RCW 34.05.345 for failure to give twenty-days notice.

**WSR 91-13-001**  
**EMERGENCY RULES**  
**BOARD FOR**  
**COMMUNITY COLLEGE EDUCATION**

[Order 128, Resolution 91-15—Filed June 6, 1991, 1:46 p.m.]

Date of Adoption: May 30, 1991.

Purpose: To amend rules concerning [concerning] permissible compensation elements for community college presidents.

Citation of Existing Rules Affected by this Order: Amending WAC 131-16-500.

Statutory Authority for Adoption: RCW 28B.50.140, as amended by chapter 135, Laws of 1990.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The amendment is necessary to bring the existing rule in line with a legal opinion that limited the range of compensation elements and to extend the coverage of the rule to new institutions becoming members of the community and technical college system in a timely manner prior to salary setting determinations by college boards of trustees.

Effective Date of Rule: Immediately.

March [June] 5, 1991

Gilbert J. Carbone

Assistant Director

[AMENDATORY SECTION (Amending Order 122, Resolution Nos. 90-42 and 90-43, filed 9/20/90, effective 10/21/90)]

WAC 131-16-500 PERMISSIBLE COMPENSATION ELEMENTS FOR COMMUNITY COLLEGE PRESIDENTS (1) RCW 28B.50.140(3) requires the state board for community college education to adopt rules defining the permissible elements of compensation which college boards may approve for community college presidents.

(2) Compensation (including salary) increases granted in accordance with this section shall not exceed the amount or percentage established for that purpose in the state Omnibus Appropriations Act as allocated to the college boards by the state board for community college education.

(3) For purposes of implementation of RCW 28B.50.140(3), the permissible elements of compensation for community college presidents are defined as: (a) salary, (b) ~~(a stipend to compensate the president for providing and maintaining a private automobile for the~~

~~president's use on college business, (c))~~ medical, life, accidental death and dismemberment, long-term disability and liability insurance, ~~((d))~~ (c) deferred compensation, ~~((e))~~ (d) tax-deferred annuities, ~~((f))~~ (e) relocation assistance, and ~~((g))~~ (f) deferred payment for accrued annual leave upon termination of employment in accordance with RCW 43.01.041, and ~~((h))~~ (g) deferred payment for accrued sick leave upon retirement in accordance with RCW 41.04.340; provided that benefits listed in (b) through ~~((h))~~ (g) of this subsection shall not affect but may supplement such benefits otherwise applicable to presidents as state employees.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**Reviser's note:** RCW 34.05.395 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 91-13-002**  
**PERMANENT RULES**  
**DEPARTMENT OF HEALTH**  
[Order 173—Filed June 6, 1991, 3:18 p.m.]

Date of Adoption: June 4, 1991.

Purpose: Fees for health profession licenses are proposed to support the proposed 1991-93 biennium budget.

Citation of Existing Rules Affected by this Order: Amending WAC 246-802-990 Acupuncture fees, 246-815-990 Dental hygiene fees, 246-822-990 Dietitian and nutritionist fees, 246-826-990 Health care assistant fees, 246-834-990 Midwifery fees, 246-838-990 Practical nurse fees, 246-845-990 Nursing pool fees, 246-847-990 Occupational therapy fees, 246-851-990 Optometry fees, 246-853-990 Osteopathic fees, 246-915-990 Physical therapy fees, 246-922-990 Podiatry fees, 246-924-990 Psychology fees, 246-828-990 Hearing aid fitter/dispenser fees, 360-12-128 Retired pharmacist license, and 360-18-020 Pharmacist fees.

Statutory Authority for Adoption: RCW 43.70.250.

Pursuant to notice filed as WSR 91-08-078 on April 3, 1991.

Changes Other than Editing from Proposed to Adopted Version: Acupuncture, fees for written exam, practical exam and partial retake of exam are eliminated; health care assistant, first certification fee reduced to \$35, renewal fee reduced to \$33; and psychology, fee for certificate of qualification application is eliminated.

Effective Date of Rule: Thirty-one days after filing.

June 4, 1991

Kristine M. Gebbie

Secretary

AMENDATORY SECTION (Amending Order 137, filed 2/26/91, effective 3/29/91)

WAC 246-851-990 OPTOMETRY FEES. The following fees shall be charged by the professional licensing division of the department of ~~((licensing))~~ health:

Title of Fee	Fee
Application—Nonrefundable	\$100.00
Examination ((or reexamination))	<del>(\$100.00)</del>
/initial license	250.00
<del>((Initial license</del>	<del>150.00))</del>
Reexamination/initial license	250.00
License renewal	160.00
Late renewal	45.00
Duplicate license	15.00
Certification	25.00

**AMENDATORY SECTION** (Amending Order 135, filed 2/12/91, effective 3/15/91)

WAC 246-847-990 OCCUPATIONAL THERAPY FEES. The following fees shall be charged by the professional licensing division of the department of ((licensing)) health:

Title of Fee	Fee
<b>Occupational therapist:</b>	
Application fee (nonrefundable)	\$ 90.00
Initial license	80.00
License renewal	125.00
Limited permit fee	40.00
Late renewal fee	60.00
Duplicate	15.00
Certification	25.00
<b>Occupational therapy assistant:</b>	
Application fee (nonrefundable)	<del>((60.00))</del> 90.00
Initial license	<del>((50.00))</del> 80.00
License renewal	<del>((60.00))</del> 125.00
Late renewal fee	<del>((40.00))</del> 60.00
Limited permit fee	<del>((20.00))</del> 40.00
Duplicate	15.00
Certification	25.00

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-838-990 PRACTICAL NURSE FEES. The following fees shall be charged by the professional licensing division of the department of health:

Title of Fee	Fee
Application (examination and reexamination)	<del>((55.00))</del> 65.00
License renewal	<del>((31.00))</del> 35.00
Late renewal penalty	35.00
Inactive renewal	20.00
Inactive late renewal penalty	20.00

Title of Fee	Fee
Endorsement – reciprocity	<del>((55.00))</del> 65.00
Duplicate license	20.00
Certification	40.00
Interim permits	15.00

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-845-990 NURSING POOL FEES. The following fees shall be charged by the professional licensing division of the department of health.

Title	Fee
Registration application	\$ 125.00
Registration renewal	125.00
Late renewal penalty	75.00
Duplicate registration	15.00

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-834-990 MIDWIFERY FEES. The following fees shall be charged by the professional licensing division of the department of health:

Title of Fee	Fee
Initial application <u>nonrefundable</u>	<del>((337.50))</del> 375.00
Examination	375.00
Reexamination (second subsequent or more)	375.00
Renewal	<del>((275.00))</del> 325.00
Late renewal penalty	<del>((275.00))</del> 325.00
Duplicate license	15.00
Certification	25.00
Application fee—Midwife-in-training program	75.00

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-822-990 DIETITIAN AND NUTRITIONIST FEES. The following fees shall be charged by the professional licensing division of the department of health:

Title	Fee
Application	<del>((85.00))</del> 100.00
Renewal	<del>((75.00))</del> 80.00
Late renewal	25.00
Certification	25.00
Duplicate	15.00
<del>((Reexamination</del>	<del>75.00))</del>

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-815-990 DENTAL HYGIENE FEES. The following fees shall be charged by the professional licensing division of the department of health:

Title of Fee	Fee
Application examination and reexamination	\$200.00
Renewal	<del>((75.00))</del>
	95.00
Late renewal penalty	60.00
Credentialing application	300.00
Duplicate license	15.00
Certification	35.00
Education program evaluation	200.00

AMENDATORY SECTION (Amending Order 203, filed 12/2/86)

WAC 360-12-128 RETIRED PHARMACIST LICENSE. (1) Any pharmacist who has been licensed in the state for twenty-five consecutive years, who wishes to retire from the practice of pharmacy, may apply to the board of pharmacy for a retired pharmacist license. The fee for the original retired pharmacist license shall be twenty dollars.

(2) The holder of a retired pharmacist license shall not be authorized to practice pharmacy and need not comply with the continuing education requirements of chapter 360-11 WAC.

(3) A retired pharmacist license shall be granted to any qualified applicant and shall entitle such person to receive mailings from the board of pharmacy: PROVIDED, That lawbook updates shall not be mailed without charge.

(4) In order to reactivate a retired pharmacist license, the holder must comply with the provision of WAC 360-12-130.

(5) The annual renewal fee for a retired pharmacist license shall be ~~((twenty))~~ twenty-five dollars.

AMENDATORY SECTION (Amending Order 134, filed 2/12/91, effective 3/15/91)

WAC 246-922-990 PODIATRY FEES. The following fees shall be charged by the professional licensing division of the department of health:

Title of Fee	Fee
Application (examination and reexamination)	\$500.00
Reciprocity application	400.00
License renewal	650.00
Inactive license renewal	135.00
Late renewal penalty	<del>((10.00))</del>
	100.00
Duplicate license	15.00
Certification	25.00

AMENDATORY SECTION (Amending Order 128, filed 2/7/91, effective 3/10/91)

WAC 246-915-990 PHYSICAL THERAPY FEES. The following fees shall be charged by the professional licensing services division of the department of health:

Title of Fee	Fee
Application— <del>((Fee))</del> <u>Nonrefundable</u>	<del>((100.00))</del>
	\$150.00
License renewal	<del>((35.00))</del>
	70.00
Late renewal penalty	<del>((35.00))</del>
	70.00
Duplicate license	15.00
Certification	25.00

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-853-990 OSTEOPATHIC FEES. The following fees shall be charged by the professional licensing division of the department of health:

Title of Fee	Fee
Osteopath:	
Renewal	<del>((300.00))</del>
	\$410.00
Duplicate	15.00
Certification	25.00
Osteopathic physician:	
Endorsement application	<del>((400.00))</del>
	500.00
License renewal	<del>((300.00))</del>
	410.00
Late renewal penalty	50.00
Flex exam/state exam application	600.00
Endorsement/state exam application	500.00
Retake flex I	300.00
Retake flex II	350.00
Reexam	100.00
Duplicate license	15.00
Certification	25.00
Osteopathic physician assistant:	
Application	150.00
Renewal	50.00
Duplicate license	15.00

AMENDATORY SECTION (Amending Order 222, filed 1/23/89)

WAC 360-18-020 FEES. The following fees shall be charged by the board of pharmacy:

(a) PHARMACY LOCATION	
Original pharmacy fee	<del>((165.00))</del>
	\$285.00
Original pharmacy assistant utilization fee	<del>((35.00))</del>
	50.00
Renewal pharmacy fee	<del>((85.00))</del>

	<u>200.00</u>	(g) DRUG WHOLESALER – OTC only	
Renewal pharmacy assistant utilization fee	<del>((35.00))</del>	Original fee	<del>((150.00))</del>
	<u>75.00</u>		<u>250.00</u>
Penalty pharmacy fee	<del>((165.00))</del>	Renewal fee	<del>((150.00))</del>
	<u>275.00</u>		<u>250.00</u>
(b) VENDOR		Penalty fee	<del>((150.00))</del>
Original fee	<del>((40.00))</del>		<u>250.00</u>
	<u>60.00</u>	(h) DRUG WHOLESALER – export	
Renewal fee	<del>((40.00))</del>	Original fee	<del>((250.00))</del>
	<u>60.00</u>		<u>450.00</u>
Penalty fee	<del>((40.00))</del>	Renewal fee	<del>((250.00))</del>
	<u>60.00</u>		<u>450.00</u>
(c) PHARMACIST		Penalty	<del>((250.00))</del>
Exam fee (full exam)	<del>((175.00))</del>		<u>450.00</u>
	<u>275.00</u>	(i) PHARMACY ASSISTANT – Level "A"	
Reexamination fee (jurisprudence portion)	<del>((25.00))</del>	Original fee	<del>((30.00))</del>
	<u>40.00</u>		<u>40.00</u>
Original license fee	<del>((75.00))</del>	Renewal fee	<del>((20.00))</del>
	<u>125.00</u>		<u>30.00</u>
Renewal fee, active and inactive license	<del>((61.00))</del>	(j) PHARMACY INTERN	
	<u>115.00</u>	Original registration fee	15.00
Penalty fee	<del>((60.00))</del>	Renewal registration fee	15.00
	<u>115.00</u>	(k) CONTROLLED SUBSTANCES ACT (CSA)	
Reciprocity fee	<u>250.00</u>	REGISTRATIONS	
Certification of license status to other states	<del>((10.00))</del>	Dispensing registration fee (i.e. pharmacies)	<del>((35.00))</del>
	<u>20.00</u>		<u>65.00</u>
(d) SHOPKEEPER		Dispensing renewal fee (i.e. pharmacies)	<del>((30.00))</del>
(i) SHOPKEEPER – sixteen or more drugs			<u>55.00</u>
Original fee	<del>((10.00))</del>	Distributors registration fee (i.e. wholesalers)	<del>((50.00))</del>
	<u>25.00</u>		<u>90.00</u>
Renewal fee	<del>((10.00))</del>	Distributors renewal fee (i.e. wholesalers)	<del>((50.00))</del>
	<u>25.00</u>		<u>90.00</u>
Penalty fee	<del>((5.00))</del>	Manufacturers registration fee	<del>((50.00))</del>
	<u>10.00</u>		<u>90.00</u>
(ii) SHOPKEEPER – with differential hours		Manufacturers renewal fee	<del>((50.00))</del>
Original fee	<del>((10.00))</del>		<u>90.00</u>
	<u>25.00</u>	Physician assistant registration fee	15.00
Renewal fee	<del>((10.00))</del>	Physician assistant renewal fee	10.00
	<u>25.00</u>	ARNP with prescriptive authorization registration fee	<del>((15.00))</del>
Penalty fee	<del>((5.00))</del>		<u>20.00</u>
	<u>10.00</u>	ARNP with prescriptive authorization renewal fee	<del>((10.00))</del>
(e) DRUG MANUFACTURER			<u>20.00</u>
Original fee	<del>((250.00))</del>	Sodium pentobarbital for animal euthanization registration fee	<del>((20.00))</del>
	<u>450.00</u>		<u>30.00</u>
Renewal fee	<del>((250.00))</del>	Sodium pentobarbital for animal euthanization renewal fee	<del>((15.00))</del>
	<u>450.00</u>		<u>30.00</u>
Penalty fee	<del>((250.00))</del>	(l) LEGEND DRUG SAMPLE – distributor registration fees	
	<u>450.00</u>	Original fee	<del>((125.00))</del>
(f) DRUG WHOLESALER – full line			<u>285.00</u>
Original fee	<del>((250.00))</del>	Renewal fee	<del>((85.00))</del>
	<u>450.00</u>		<u>200.00</u>
Renewal fee	<del>((250.00))</del>		
	<u>450.00</u>		
Penalty fee	<del>((250.00))</del>		
	<u>450.00</u>		

(m) POISON MANUFACTURER/SELLER - license fees	
Original fee	<del>((20.00))</del> 30.00
Renewal fee	<del>((20.00))</del> 30.00
(n) Facility inspection fee	
	<del>((100.00))</del> 150.00
(o) PRECURSOR CONTROL PERMIT	
Original fee	<del>((40.00))</del> 50.00
Renewal fee	<del>((40.00))</del> 50.00

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-802-990 ACUPUNCTURE FEES. The following fees shall be charged by the professional licensing division of the department of health:

Title of Fee	Fee
Application <u>nonrefundable</u>	<del>((125.00))</del> \$200.00
<del>((Written examination</del>	<del>125.00))</del>
<del>((Practical examination</del>	<del>250.00))</del>
Annual license renewal	<del>((450.00))</del> 610.00
Late renewal penalty	100.00
Duplicate license	15.00
Certification	25.00
Acupuncture training program application	500.00

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-826-990 HEALTH CARE ASSISTANT FEES. The following fees shall be charged by the professional licensing division of the department of health:

Title of Fee	Fee
<del>((Initial))</del> <u>First certification</u>	<del>((25.00))</del> \$35.00
<del>((Continuing certification))</del> <u>Renewal</u>	<del>((25.00))</del> 33.00
<u>Recertification</u>	35.00
<u>Duplicate</u>	15.00

**AMENDATORY SECTION** (Amending Order 133, filed 2/12/91, effective 3/15/91)

WAC 246-924-990 PSYCHOLOGY FEES. The following fees shall be charged by the professional licensing division of the department of health:

Title of Fee	Fee
Application— <u>Nonrefundable</u>	<del>((100.00))</del> \$250.00
Application—Written examination (initial and retake)	<del>((200.00))</del> 225.00

Title of Fee	Fee
Application—Oral examination (initial and retake)	<del>((200.00))</del> 250.00
Renewal	<del>((210.00))</del> 275.00
Late renewal penalty	<del>((50.00))</del> 100.00
Duplicate license	<del>((15.00))</del> 25.00
<del>((Certificate of qualification application</del>	<del>100.00))</del>
Written examination	<del>((200.00))</del> 225.00
Oral examination	<del>((200.00))</del> 250.00
Certification	25.00
Renewal	<del>((210.00))</del> 275.00
Renewal penalty	<del>((50.00))</del> 100.00
Amendment of certificate of qualification	30.00

**AMENDATORY SECTION** (Amending Order 029 [Order 139], filed 2/7/90 [5/8/91], effective 3/10/90 [6/8/91])

WAC 246-828-990 HEARING AID FITTER/DISPENSER FEES. The following fees shall be charged by the professional licensing division of the department of health:

Title of Fee	Fee
Trainee:	
Initial application	<del>((300.00))</del> \$350.00
Trainee transfer of sponsor—Within fifteen days	100.00
Trainee transfer of sponsor—Over fifteen days	<del>((150.00))</del> 200.00
Extension of trainee license	200.00
Fitter/dispenser:	
Examination or reexamination (full)	500.00
Partial reexamination	<del>((250.00))</del> 300.00
Initial license	<del>((250.00))</del> 300.00
Renewal	<del>((325.00))</del> 500.00
Late renewal penalty	<del>((25.00))</del> 400.00
Duplicate license	15.00
Certification	25.00

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

**WSR 91-13-003**  
**PERMANENT RULES**  
**UTILITIES AND TRANSPORTATION**  
**COMMISSION**

[Order R-344, Docket No. UT-900880—Filed June 6, 1991, 4:10 p.m.]

In the matter of a petition for rule making of US West Communications for annual access charge updates, WAC 480-80-047.

This action is taken pursuant to Notice No. WSR 91-03-121 filed with the code reviser on January 23, 1991. The rule change hereinafter adopted shall take effect pursuant to RCW 34.05.380(2).

This rule-making proceeding is brought on pursuant to RCW 80.01.040 and is intended administratively to implement these statutes.

This rule-making proceeding is in compliance with the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.05 RCW), the State Register Act (chapter 34.08 RCW), the State Environmental Policy Act of 1971 (chapter 43.21C RCW) and the Regulatory Fairness Act (chapter 19.85 RCW).

Pursuant to Notice No. WSR 91-03-121 this matter was scheduled for consideration at 9:00 a.m., Wednesday, March 6, 1991, at the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA, before Chairman Sharon L. Nelson and Commissioners Richard D. Casad and A. J. Pardini.

Under the terms of said notice, interested persons were afforded the opportunity to submit data, views, or arguments to the commission in writing prior to February 25, 1991, and orally at 9:00 a.m., Wednesday, March 6, 1991, in the commission's hearing room above noted. At the March 6, 1991, meeting the commission considered the rule change proposal. No action was taken at that time, and the matter was continued on the record to the commission's April 3, 1991, meeting at the same time and place. Further comments were received. Again no action was taken. The matter was again continued on the record to the commission's April 15, 1991, meeting. In this docket, written comments were received from several persons, including United Telephone Company of the Northwest, Washington Independent Telephone Association (WITA), US WEST Communications, Public Counsel, GTE Northwest Incorporated (GTE-NW), AT&T Communications of the Pacific Northwest and MCI. Oral comments at the various meetings were received from Ed Shaw, US WEST; Terry Vann and Rick Finnigan, WITA; Arnie Haynes, Mashell Telephone Company; Robert Snyder, Whidbey Telephone Company and McDaniel Telephone Company; Judy Endejan and Dean Randal, GTE-NW; Bob Smith, Pacific Telecom; Rich Beuchel, Hood Canal Telephone Co., Inc.; and Arthur Butler, TRACER.

The rule change affects no economic values.

In reviewing the entire record herein, it has been determined that WAC 480-80-047 should be adopted to read as set forth in Appendix A shown below and by this

reference made a part hereof. WAC 480-80-047 requires all local telecommunications companies in the state to review, and if necessary, update, on an annual basis, traffic sensitive and nontraffic sensitive carrier common line switched access tariffs and billing and collection tariffs on file with the commission. The manner of the review is prescribed by the commission's Eighteenth and Nineteenth Supplemental Orders in Cause No. U-85-23 et al., including the transition to a 25% allocation factor, or as may be otherwise prescribed by the commission. Changes in access charge revenue requirement shall also be adjusted for changes in extended area service routes that have occurred since the previous update.

The rule establishes filing requirements for the review documents. This is a change from the initially noticed rule, which would have required tariff changes. The adopted rule avoids, but does not resolve legal issues raised regarding the initial draft's tariff filing requirements. As another change from the initially noticed rule, the rule requires the first report to be filed by October 1, 1991, and every July 1 thereafter, beginning in 1992. This will increase the ability of companies to comply. The initial filing date is later than initially proposed. Detailed data and workpapers sufficient for commission staff review shall be filed simultaneously. Tariffs may be filed with an effective date 30 days after the October 1 or July 1 filing date.

The commission is concerned about the ability of small companies to provide the required data in a timely manner. Accordingly, waivers may be requested by small companies, another change from the noticed rule.

#### ORDER

WHEREFORE, IT IS ORDERED That WAC 480-80-047 should be adopted as set forth in Appendix A, as a rule of the Washington Utilities and Transportation Commission to take effect pursuant to RCW 34.05.380(2).

IT IS FURTHER ORDERED That the order and the annexed rule, after first being recorded in the order register of the Washington Utilities and Transportation Commission, shall be forwarded to the code reviser for filing pursuant to chapter 34.05 RCW and chapter 1-21 WAC.

DATED at Olympia, Washington, this 6th day of June, 1991.

Washington Utilities and Transportation Commission  
 Sharon L. Nelson, Chairman  
 Richard D. Casad, Commissioner  
 A. J. Pardini, Commissioner

#### APPENDIX "A"

#### NEW SECTION

WAC 480-80-047 ACCESS CHARGES. (1) Review of tariffed access charges required. All local exchange telecommunications companies in the state of Washington shall annually review and if necessary update the traffic sensitive and nontraffic sensitive carrier common line switched access tariffs and billing and collection tariffs on file with the commission. The review

shall be conducted in the manner prescribed in the Eighteenth and Nineteenth Supplemental Orders in Cause No. U-85-23 et al., including the transition to a twenty-five percent allocation factor, or as may be otherwise prescribed by commission order or rule, and each company's access charge revenue requirement shall be adjusted for changes in extended area service routes that have occurred since the previous update.

(2) Filing dates. The review shall be conducted and a report of results filed by July 1 of each year beginning October 1, 1991. Each company shall at the same time file such revised tariffs as it may deem to be required by its report. The tariffs shall be effective September 1 of the same year. The tariffs shall reflect usage and cost data of the previous year.

(3) Data filing requirement. With each annual report, each company shall also file complete workpapers and data sufficient for the staff of the commission (and others) to review the correctness of the report and related tariff filing, if any.

(4) A company with special circumstances may petition for exemption from this rule. A company with less than five thousand access lines may seek and obtain a waiver of this rule for a given year: PROVIDED, That the rule may not be waived in two consecutive calendar years.

**WSR 91-13-004**

**PERMANENT RULES**

**DEPARTMENT OF HEALTH**

**(Board of Pharmacy)**

[Order 174B—Filed June 7, 1991, 10:36 a.m.]

Date of Adoption: March 28, 1991.

Purpose: To implement RCW 69.41.120 which allows pharmacists to substitute a therapeutically equivalent generic drug product on prescriptions written by practitioners in another state.

Citation of Existing Rules Affected by this Order: Amending WAC 360-49-050.

Statutory Authority for Adoption: RCW 18.64.005.

Pursuant to notice filed as WSR 91-05-090 on February 20, 1991.

Changes Other than Editing from Proposed to Adopted Version: Language was added to subsection (2) to clarify that the pharmacist must use one of the methods listed in the rule to verify that substitution is permitted.

Effective Date of Rule: Thirty days after filing.

March 28, 1991

Joyce A. Gillie  
Chair

**NEW SECTION**

**WAC 360-49-050 OUT-OF-STATE PRESCRIPTIONS.** (1) When dispensing a prescription issued by a practitioner licensed in a state other than Washington,

and recognized in RCW 69.41.030, the pharmacist must honor the instructions of the practitioner regarding substitution. These instructions may be on a prescription blank different than that required for Washington practitioners by RCW 69.41.120 and may include the use of the words "dispense as written," words of similar meaning, a checkoff box, or some other indication or intent.

(2) If the practitioner has not clearly provided instructions regarding substitution, a pharmacist may substitute a therapeutically equivalent generic drug only if the pharmacist has determined substitution is permitted by one of the following means:

(a) The pharmacist has personal knowledge and is familiar with the laws and rules regarding substitution in the state of origin; or

(b) The pharmacist obtains oral or written authorization from the practitioner; or

(c) The pharmacist obtains current information regarding the manner in which an out-of-state practitioner provides instruction from:

(i) The Washington state board of pharmacy; or

(ii) The board of pharmacy in the state, other than Washington, in which the practitioner practices; or

(iii) Some other professional source.

(3) Drug product selection shall be based on Washington law and rule as set forth in WAC 360-49-020.

**WSR 91-13-005**

**NOTICE OF PUBLIC MEETINGS  
CONVENTION AND TRADE  
CENTER**

[Memorandum—June 5, 1991]

The Design Committee of the Washington State Convention and Trade Center will meet on Wednesday, June 12, 1991, a 12:00 noon in Room 601 of the Convention Center, 800 Convention Place, Seattle.

The WSCTC board of directors will also meet on Wednesday, June 12, 1991, at 2:00 p.m. in the 5th Floor Board Room of the Convention Center, 800 Convention Place, Seattle.

If you have any questions regarding these meetings, please call 447-5000.

**WSR 91-13-006**

**NOTICE OF PUBLIC MEETINGS  
SOUTH PUGET SOUND  
COMMUNITY COLLEGE**

[Memorandum—June 5, 1991]

At their June 4, 1991, meeting, the board of trustees changed the July 11 meeting date to July 9, 1991.

WSR 91-13-007
RULES OF COURT
STATE SUPREME COURT
[June, 1991]

Proposed Amendment

Regulation 101 to
Admission to Practice Rule 11 (APR 11)

In the Matter of the Adoption
of APR 12 New Admission and
Certification to Limited
Practice Rule 19

NO. 25700-A-477

ORDER

Regulation 101
(a) through (j). (No change).

[New Section]

(K). "(k) "Attending" an approved continuing legal
education activity shall include and encompass (1) pres-
ence in an audience of two or more persons being ad-
dressed by participants in an approved continuing legal
education activity, and (2) viewing or listening individu-
ally to video or audio tapes approved by the Board.

The Limited Practice Board having, pursuant to APR
12 (b)(ix), recommended the adoption of new Admission
and Certification to Limited Practice Rule 19 and the
Court having determined that the adoption will aid the
Limited Practice Board in fulfilling the duties as re-
quired under APR 12.

Now, therefore, it is hereby

ORDERED:

That new Admission and Certification to Limited
Practice Rule 19 as shown below is adopted.

DATED at Olympia, Washington this .....
day of June, 1991.

Fred H. Dore

CHIEF JUSTICE

RULE 19

LPO NAME AND NUMBER REQUIRED
ON DISCLOSURE FORM

The Limited Practice Officer (LPO) who selects, pre-
pares and/or completes the documents shall be identified
on the disclosure form by name, as required by APR 12
(e)(2), along with their Limited Practice Board number.
The documents, selected, prepared, and/or completed by
the LPO shall be particularly identified on the disclosure
form.

Proposed Amendment

Regulation 104 to
Admission to Practice Rule 11 (APR 11)

Regulation 104 Standards for Approval

- (a). (No change).
(b). (No change).
(c). (No change).
(d). (No change).
(e). (No change).

(f). No course will be approved which involves solely
television viewing in the home or correspondence work
or self-study. Video, motion picture or sound tape pre-
sentations may be approved provided a teacher is in at-
tendance at each presentation to comment thereon and
answer questions.

[Reserved.]

- (g). (No change).

WSR 91-13-008
RULES OF COURT
STATE SUPREME COURT
[June, 1991]

WSR 91-13-009
RULES OF COURT
STATE SUPREME COURT
[June 6, 1991]

In the Matter of the Adoption
of the Amendments to Regulations
101 and 104 to APR 11

NO. 25700-A-478

ORDER

In the Matter of the Adoption
of the Amendment to RLD 11.1

NO. 25700-A-479
ORDER

The Board of Continuing Legal Education of the
Washington State Bar Association having recommended
the adoption of the amendments to Regulations 101 and
104 to APR 11, and the Court having approved the pro-
posed amendments to the regulations;

Now, therefore, it is hereby

ORDERED:

That the amendments to Regulations 101 and 104 to
APR 11 are hereby adopted.

DATED at Olympia, Washington this .....
day of June, 1991.

Fred H. Dore

CHIEF JUSTICE

The Washington State Bar Association having pro-
posed the amendment to RLD 11.1 and the Court hav-
ing determined that the amendment will aid in the
prompt and orderly administration of justice and having
further determined that an emergency exists which ne-
cessitates an early adoption;

Now, therefore, it is hereby

ORDERED:

- (a) That the amendment as shown below 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 6th day of
June, 1991.



	Fred H. Dore
Utter, J.	James Dolliver
Andersen J.	Smith, J.
Durham, J.	Guy, J.
Brachtenbach, J.	Johnson, J.

**RULE 11.1  
PENDING INVESTIGATIONS AND  
PROCEEDINGS**

(a) Investigations Confidential. An investigation into an alleged act of misconduct by a lawyer shall be confidential except as necessary to conduct the investigation or to keep a complainant advised of the status of a matter, but the pendency, subject matter, and status of an investigation may be disclosed if:

- (1) Both the respondent lawyer and the complainant have waived confidentiality; or
- (2) The proceeding is based upon the conviction of a crime; or
- (3) A review panel finds that the investigation is based upon allegations that have become generally known to the public.

In furtherance of its supervisory function, and not in derogation of the foregoing, the Board of Governors shall have access to all records and information of the disciplinary department.

**WSR 91-13-010  
RULES OF COURT  
STATE SUPREME COURT  
[June 6, 1991]**

IN THE MATTER OF THE ADOPTION OF THE AMENDMENTS TO GR 7, RAP 7.2(f), RAP 10.2(c), RAP 16.4(d), RAP 18.3(e), RAP 18.15(g), New AR 5 (Published for Comment as AR 4), MAR 1.3(b), CrR 3.2(f), CrR 4.2 (f)(g), New CrR 4.10, CrR 6.12(e) (Deleted), CrR 7.2(b), CrR 7.4(b) CrR 7.8(b), RALJ 2.2(a), RALJ 9.1 (d)(e)(f)(g), CrRLJ 2.2 (a)(b), CrRLJ 2.5, CrRLJ 3.2(f), CrRLJ 4.2(g), CrRLJ 7.2(b), CrRLJ 7.4(b), CrRLJ 7.5(b) and CrRLJ 7.8

NO. 25700-A-480  
ORDER

The Washington State Bar Association having recommended the adoption of the amendments to GR 7, RAP 7.2(f), RAP 10.2(c), RAP 16.4(d), RAP 18.3(e), RAP 18.15(g), New AR 5 (Published for Comment as AR 4), MAR 1.3(b), CrR 3.2(f), CrR 4.2 (f)(g), New CrR 4.10, CrR 6.12(e) (Deleted), CrR 7.2(b), CrR 7.4(b) CrR 7.8(b), RALJ 2.2(a), RALJ 9.1 (d)(e)(f)(g), CrRLJ 2.2 (a)(b), CrRLJ 2.5, CrRLJ 3.2(f), CrRLJ 4.2(g), CrRLJ 7.2(b), CrRLJ 7.4(b), CrRLJ 7.5(b) and CrRLJ 7.8 and the Court having considered the proposed Rules, Amendments and comments submitted thereto, and having determined that the proposed Rules

and Amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

**ORDERED:**

(a) That the Rules and Amendments as shown below are adopted;

(b) That the Rules and Amendments will be published in the special rules edition of the Washington Reports in July, 1991, and will become effective September 1, 1991

DATED at Olympia, Washington this 6th day of June, 1991.

	Fred H. Dore
Utter, J.	James Dolliver
Andersen, J.	Smith, J.
Durham, J.	Guy, J.
Brachtenbach, J.	Johnson, J.

**Reviser's note:** The spelling error in the above material occurred in the copy filed by the State Supreme Court and appears in the Register pursuant to the requirements of RCW 34.08.040.

**Reviser's note:** The material contained in this filing will appear in the 91-15 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 1-21-040.

**WSR 91-13-011  
PERMANENT RULES  
HIGHER EDUCATION  
PERSONNEL BOARD**

[Filed June 7, 1991, 1:54 p.m., effective June 7, 1991]

Date of Adoption: June 6, 1991.

Purpose: WAC 251-04-160 specifies that higher education institutions shall comply with the Higher Education Personnel Board rules unless this would cause them to violate the Fair Labor Standards Act; WAC 251-22-215 specifies that excepted work period employees shall not be charged leave of absence without pay for partial days of authorized absence; and WAC 251-08-112 sets forth criteria for salary adjustments when an employee is reallocated.

Citation of Existing Rules Affected by this Order: Amending WAC 251-08-112; and new WAC 251-04-160 and 251-22-215.

Statutory Authority for Adoption: Chapter 28B.16 RCW.

Pursuant to notice filed as WSR 91-10-059 and 91-10-061 on April 30, 1991.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: In order to clear up confusion created by the 9th Circuit Court case (*Abshire v. County of Kern*, 908 F.2d 483 (9th Cir 1990)) as soon as possible, it is necessary to have the modifications to WAC 251-04-160 and 251-22-215 in place immediately. WAC 251-08-112 must be effective prior to board adoption of the office support

study, potentially to be effective July 1, 1991, which will cause many reallocation decisions to be implemented.

Effective Date of Rule: June 7, 1991.

June 6, 1991  
John A. Spitz  
Director

### NEW SECTION

WAC 251-04-160 FEDERAL PREEMPTION—FAIR LABOR STANDARDS ACT. Institutions shall comply with higher education personnel board rules (Title 251 WAC) unless doing so would cause them to violate the Fair Labor Standards Act (29 U.S.C. 201 et seq.).

### NEW SECTION

WAC 251-22-215 LEAVE OF ABSENCE WITHOUT PAY—EXCEPTED WORK PERIOD. Notwithstanding any other provision of Title 251 WAC, excepted work period employees shall not be charged leave of absence without pay for partial days of absence.

AMENDATORY SECTION (Amending WSR 91-10-003, filed 4/18/91, effective 6/1/91)

WAC 251-08-112 SALARY—REALLOCATION. (1) An employee occupying a position that is reallocated to an existing class with a higher salary range maximum shall receive an increase in the same manner as is provided for promotion in WAC 251-08-110. The periodic increment date shall be established as provided in WAC 251-08-100.

(2) An employee occupying a position that is reallocated to an existing class with a lower salary maximum shall be placed in the salary step in the new range which is closest to the current salary, provided such salary does not exceed the top step of the new salary range.

(3) When reallocation is necessary because the board has created, abolished, or modified a class, the incumbent will remain in the position and ~~((the following will apply))~~ therefore will not be afforded layoff rights. Employees will be affected as follows:

(a) An employee occupying a position reallocated to a class with a lower salary range maximum will retain his/her ~~((current))~~ salary as of the date preceding the effective date of the board's action and will be allowed to achieve the salary maximum of the former class ~~((at the time of reallocation))~~. The employee will lose the right to such salary maintenance if he/she subsequently voluntarily demotes, promotes, or moves to another class;

(b) An employee occupying a position reallocated to a class with a higher salary range maximum will have his/her salary adjusted to the same step in the new range as was held in the previous range. The periodic increment date of the affected employee will remain unchanged;

(c) ~~((A reallocation which results from))~~ Reallocations due to the board's creation, abolishment, or modification of a class ((will be)) become effective on the effective date of the board's action.

### WSR 91-13-012 PERMANENT RULES HIGHER EDUCATION PERSONNEL BOARD

[Filed June 7, 1991, 1:55 p.m., effective August 1, 1991]

Date of Adoption: June 6, 1991.

Purpose: Revision of WAC 251-22-112 and 251-22-250 extend bereavement leave for death of household member and clarify who may be considered as a household member.

Citation of Existing Rules Affected by this Order: Amending WAC 251-22-112 and 251-22-250.

Statutory Authority for Adoption: Chapter 28B.16 RCW.

Pursuant to notice filed as WSR 91-10-060 on April 30, 1991.

Effective Date of Rule: August 1, 1991.

June 6, 1991  
John A. Spitz  
Director

AMENDATORY SECTION (Amending Order 156, filed 7/1/87, effective 8/1/87)

WAC 251-22-112 BEREAVEMENT LEAVE. ~~((Sick))~~ Paid leave in addition to that as provided in WAC 251-22-100 shall be granted for bereavement as follows:

One day of bereavement leave shall be granted for each death of a family member or household member as defined in WAC 251-22-250(2). Bereavement leave may be extended to a maximum of three days with the approval of the employing official and the personnel officer.

AMENDATORY SECTION (Amending WSR 89-22-019, filed 10/24/89, effective 12/1/89)

WAC 251-22-250 SHARED LEAVE. The purpose of the Washington state leave sharing program is to permit state employees, at no significantly increased cost to the state of providing annual leave, to come to the aid of another state employee who is suffering from or has a relative or household member suffering from an extraordinary or severe illness, injury, impairment, or physical or mental condition which has caused or is likely to cause the employee to take leave without pay or terminate his or her employment. For purposes of the Washington state leave sharing program, the following definitions apply:

(1) "Employee's relative" normally shall be limited to the employee's spouse, child, stepchild, grandchild, grandparent, or parent.

(2) "Household members" is defined as persons who reside in the same home who have reciprocal duties to and do provide financial support for one another. This term shall include, but is not limited to, foster children and legal wards. The term does not include persons sharing the same general house when the living style is primarily that of a dormitory or commune.

(3) "Severe" or "extraordinary" condition is defined as serious or extreme and/or life threatening.

**WSR 91-13-013**  
**EMERGENCY RULES**  
**HIGHER EDUCATION**  
**PERSONNEL BOARD**  
 [Filed June 7, 1991, 1:57 p.m.]

Date of Adoption: June 6, 1991.

Purpose: Clarifies rule to apply to reporting for active duty as well as active training.

Citation of Existing Rules Affected by this Order: Amending WAC 251-22-170 Military active duty leave.

Statutory Authority for Adoption: Chapter 28B.16 RCW and HB 1364 (RCW 38.40.060).

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: HB 1364 amends RCW 38.40.060; this law became effective immediately upon being signed April 22, 1991. The applicable rule for the Higher Education Personnel Board system therefore must be effective immediately. Because the law is retroactive to August 2, 1990, institutions will need to make appropriate adjustments to employee leave balances in accordance with the statute.

Effective Date of Rule: Immediately.

June 6, 1991  
 John A. Spitz  
 Director

**AMENDATORY SECTION** (Amending WSR 89-22-018, filed 10/24/89, effective 12/1/89)

**WAC 251-22-170 MILITARY ((TRAINING)) LEAVE.** (1) Employees shall be entitled to military leave with pay not to exceed fifteen working days in any one calendar year in order to report for active duty, when called, or to take part in active training duty in such manner and at such time as s/he may be ordered to active duty or ((for)) active training duty in the Washington National Guard((-)), or of the Army, Navy, Air Force, Coast Guard, or Marine Corps((- or Naval Reserve forces)) reserve of the United States, or of any organized reserve or armed forces of the United States ((for annual field training or otherwise discharging reserve obligations)).

(2) Such leave shall be in addition to any vacation and sick leave to which an employee is entitled and shall not result in any ((loss)) reduction of benefits, performance ratings, privileges or pay.

(3) During military ((training)) leave, the employee shall receive the normal base pay.

(4) Employees required to appear during working hours for a physical examination to determine physical fitness for military service shall receive full pay for the time required to complete the examination.

Reviser's note: RCW 34.05.395 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 91-13-014**  
**EMERGENCY RULES**  
**HIGHER EDUCATION**  
**PERSONNEL BOARD**  
 [Filed June 7, 1991, 1:59 p.m.]

Date of Adoption: June 6, 1991.

Purpose: Specifies that the excepted work period designation applies to classes and positions which meet the Fair Labor Standards Act definitions of executive, administrative, or professional employees.

Citation of Existing Rules Affected by this Order: Amending WAC 251-09-020 Work period designations.

Statutory Authority for Adoption: Chapter 28B.16 RCW.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: A 9th Circuit Court decision (*Abshire v. County of Kern*, 908 F.2d 483) has created confusion for the Higher Education Personnel Board system regarding Fair Labor Standards Act. In an effort to clarify the FLSA situation as soon as possible, the Higher Education Personnel Board adopted this rule modification effective June 7, 1991.

Effective Date of Rule: Immediately.

June 7, 1991  
 John A. Spitz  
 Director

**AMENDATORY SECTION** (Amending Order 108, filed 9/23/83, effective 10/24/83)

**WAC 251-09-020 WORK PERIOD DESIGNATIONS.** Each position will be assigned by the personnel officer to one of the work period designations identified below, and employees will be informed of their eligibility for overtime compensation.

(1) **SCHEDULED WORK PERIODS**, within which there are three work schedules;

(a) **REGULAR WORK SCHEDULE.** The regular work schedule for full-time classified employees shall consist of five consecutive and uniformly scheduled eight hour days in a seven day period. Uniformly scheduled means a daily repetition of the same working hours and a weekly repetition of the same working hours.

(b) **ALTERNATE WORK SCHEDULE.** Operational necessity or employee convenience may require positions that are normally designated regular work schedule to work an alternate forty hour work schedule (other than five uniform and consecutive eight hour days in a seven day period), or as provided by the Washington state minimum wage law in conjunction with the federal law which provides for an eighty hour workweek in a fourteen day period for hospital personnel. Alternate work schedules shall be made available upon request of the director.

(c) **EMERGENCY RESPONSE FIRE OFFICER WORK SCHEDULE.** Institutions which operate an emergency response fire department may establish work week schedules for emergency response personnel which provide for a daily work shift of twenty-four hours. The weekly schedule shall provide for at least forty-eight hours, but not more than fifty-six hours, as required to meet operational requirements. Emergency response personnel assigned to twenty-four hour schedules shall be subject to the following conditions:

(i) All rules in chapter 251-22 WAC shall apply;

(ii) Changes to the established work schedule shall be made as provided in WAC 251-09-025.

(iii) Shift differential shall not be paid.

(iv) Overtime shall be paid for work performed in excess of the scheduled daily work shift or the scheduled work week. The overtime compensation shall be as provided in WAC 251-09-030 (2) and (3).

(v) Holidays shall be as provided in WAC 251-22-040 and 251-22-045. When assigned to work on a designated holiday, emergency response personnel shall receive their regular daily pay plus eight hours of holiday pay. Compensation for the eight hours of holiday time shall be at the rate of time and one-half.

(2) **NONSCHEDULED WORK PERIOD.** The nonscheduled work period designation applies to those positions for which the hours cannot be scheduled but which work a forty hour week and do not meet any of the other work period designations. The personnel officer shall designate positions as nonscheduled in accordance with the institution's procedure approved by the director.

(3) **EXCEPTED WORK PERIOD.** The excepted work period designation applies to classes and positions which meet the ((~~HEPB~~)) Fair Labor Standards Act definitions of executive, administrative, or professional employees ((~~and are assigned to salary ranges twenty-three and above. Qualifying classes will be approved by the director~~)). Each personnel officer will be responsible for determining the positions designated "excepted" at his/her institution. ((~~The personnel officer will develop a procedure for verifying "excepted" positions which will be available for review by the director.~~))

**Reviser's note:** RCW 34.05.395 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 91-13-015**  
**PROCLAMATION NO. 91-01**  
**OFFICE OF THE GOVERNOR**  
[June 4, 1991]

WHEREAS, in accordance with Article II, Section 12 (Amendment 68), the Legislature adjourned the 1991 Regular Session on April 28, 1991, without finishing its essential tasks; and

WHEREAS, it is therefore necessary for me to convene a Special Session for the purpose of adequately addressing those essential tasks not completed;

NOW, THEREFORE, I, Booth Gardner, Governor of the State of Washington, by virtue of the authority vested in me by Article II, Section 12 (Amendment 68), and Article III, Section 7 of the State Constitution, do hereby convene the Legislature of the State of Washington on Monday, the tenth day of June, 1991, at 10:00 A.M.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the State of Washington to be affixed at Olympia this 4th day of June, A.D., nineteen hundred and ninety-one.

Booth Gardner

Governor of Washington

BY THE GOVERNOR:

Ralph Munro

Secretary of State

**WSR 91-13-016**  
**PROPOSED RULES**  
**SECRETARY OF STATE**  
[Filed June 10, 1991, 9:12 a.m.]

Original Notice.

Title of Rule: Presidential preference primary.

Purpose: Implement the provisions of chapter 29.19 RCW, which created a presidential preference primary for Washington.

Statutory Authority for Adoption: RCW 29.19.070.

Statute Being Implemented: Chapter 29.19 RCW.

Summary: These rules are designed to facilitate the operation, accomplishment, and purpose of chapter 29.19 RCW.

Reasons Supporting Proposal: The rules are required to establish uniform and orderly procedures for the administration of the presidential preference primary.

Name of Agency Personnel Responsible for Drafting: John Pearson, Olympia, 753-2336; Implementation and Enforcement: Ralph Munro, Olympia, 753-7121.

Name of Proponent: Office of the Secretary of State, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: There are no current rules covering the manner in which Washington's presidential preference primary is to be conducted. Chapter 29.19 RCW merely provides the framework for the primary, and requires, through RCW 29.19.070, that the details of the process be covered by administrative rule.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Hearing Room C, John L. O'Brien Building, Olympia, Washington 98504, on August 12, 1991, at 10:00 a.m.

Submit Written Comments to: Ralph Munro, Secretary of State, Legislative Building, AS-22, Olympia, by August 5, 1991.

Date of Intended Adoption: August 26, 1991.

June 10, 1991  
Ralph Munro  
Secretary of State

Chapter 434-75 WAC  
PRESIDENTIAL PREFERENCE PRIMARY

NEW SECTION

WAC 434-75-010 AUTHORITY AND PURPOSE. These rules are adopted under the authority of RCW 29.19.070 for the purposes of assuring uniformity in the conduct of a presidential preference primary and to facilitate the operation of the procedures mandated by that chapter.

NEW SECTION

WAC 434-75-020 DEFINITIONS. As used in this chapter:

(1) "County auditor" means the county auditor in a noncharter county or the officer, irrespective of title, having the overall responsibility to maintain voter registration information and conduct state and local elections in a charter county, and his or her deputies or staff where the context indicates;

(2) "Northwest states" means the states of Washington, Oregon, Idaho, Montana, and Alaska;

(3) "Regional primary" means whenever Washington and at least one other northwest state hold a presidential primary on the same day;

(4) "Major political party" means a political party of which at least one nominee for president, vice-president, United States senator, or state-wide office received at least five percent of the total vote cast at the last preceding state general election in an even-numbered year, or as defined by RCW 29.01.090 if that definition is different;

(5) "Members of a political party" means those persons who, in conjunction with a presidential primary, sign a statement of intent to file a nominating petition or sign a nominating petition, and indicate on that statement or petition that they consider themselves to be members of a particular major political party;

(6) "Ballot" means, as the context implies, either:

(a) The issues and offices to be voted upon in a jurisdiction or portion of a jurisdiction at a presidential preference primary;

(b) A facsimile of the contents of a particular ballot, whether printed on a paper ballot or ballot card or as part of a voting machine or voting device;

(c) A physical or electronic record of the choices of an individual voter at a presidential preference primary;

(d) A physical document on which the voter's choices are to be recorded;

(7) "Paper ballot" means a piece of paper on which the ballot for a presidential primary has been printed, on which a voter may record his or her choices for any candidate or for or against any measure, and that is to be tabulated manually;

(8) "Ballot card" means any type of card or piece of paper of any size on which a voter may record his or her choices for any candidate and for or against any measure, and that is to be tabulated on a vote-tallying system;

(9) "Voting system" means a voting device, vote tallying system, or combination of these together with ballots and other supplies or equipment used to conduct a presidential preference primary or to canvass votes cast in a presidential preference primary;

(10) "Voting device" means a piece of equipment used for the purpose of marking, or to facilitate the marking, of a ballot to be tabulated by a vote tallying system, or a piece of mechanical or electronic equipment used to directly record votes and to accumulate results for a number of issues or offices from a series of voters; and

(11) "Vote tallying system" means a piece of mechanical or electronic equipment and associated data processing software used to tabulate votes cast on ballot cards or otherwise recorded on a voting device or to prepare that system to tabulate ballot cards or count votes.

NEW SECTION

WAC 434-75-030 PRESIDENTIAL PREFERENCE PRIMARY—WHEN HELD. Washington's presidential preference primary shall be held on the fourth Tuesday in May of each year in which a president of the United States is to be elected, or on a date selected by the secretary of state pursuant to the provisions of RCW 29.19.020, WAC 434-75-040, and 434-75-050.

NEW SECTION

WAC 434-75-040 PRESIDENTIAL PREFERENCE PRIMARY—CHANGING THE DATE. The secretary of state may, pursuant to the provisions of RCW 29.19.020 and in the manner provided by WAC 434-75-050, change the date of the presidential preference primary in order to advance the cause of a regional primary.

NEW SECTION

WAC 434-75-050 PROCEDURES TO BE FOLLOWED WHEN CHANGING PRIMARY DATE. In the event the secretary of state chooses to change the date of the presidential primary from the fourth Tuesday in May to another date, he or she shall, not later than June 1 of the odd-numbered year immediately preceding the year in which a president is to be elected, notify the following persons or organizations, in writing, of his or her intent to change the date:

- (1) The governor of the state of Washington;
- (2) The speaker of the Washington state house of representatives;
- (3) The president of the Washington state senate;
- (4) The county auditors of the state of Washington;
- (5) The chairpersons of each major political party's state central committee;
- (6) The chairpersons of each major political party's national committee;
- (7) The secretaries of state of the northwest states;
- (8) The Federal Election Commission;
- (9) Any other person or organization he or she deems appropriate.

Not later than thirty days following the notification of intent to change the date, the secretary shall notify the above listed persons of his or her final decision regarding the date of the primary.

NEW SECTION

WAC 434-75-060 DESIGNATION OF CANDIDATES BY SECRETARY OF STATE. Not less than ninety days prior to the date set for the presidential primary, the secretary of state shall compile a list of persons whose candidacy for the office of President of the United States is generally advocated or whose candidacy is generally recognized in the national news media. He or she shall promptly notify, in writing, all persons and organizations listed in WAC 434-75-050 and all candidates so designated.

NEW SECTION

WAC 434-75-070 REMOVAL FROM LIST OF DESIGNEES. Each candidate designated by the secretary of state shall appear on the primary ballot unless, not later than thirty-five days prior to the primary, the candidate files with the secretary of state a signed, notarized statement that he or she is not now and will not become a candidate for president. The secretary of state shall promptly notify all persons and organizations notified under the provisions of WAC 434-75-050, and all remaining candidates, of any names removed from the list of candidates.

NEW SECTION

WAC 434-75-080 PETITION PROCESS FOR BALLOT ACCESS. Members of a major political party may petition the secretary of state to include on the presidential primary ballot the name of any candidate not designated by the secretary. Any person intending to file such a petition with the secretary of state must, not later than forty-five days prior to the primary, file a statement of intent with the secretary, signed by at least one registered voter who states that he or she is a member of the same political party as the person on whose behalf the petition is to be filed. Such petitions must be filed with the secretary of state not later than the thirty-ninth day preceding the primary, shall be accompanied by a signed, notarized statement by the candidate concerned giving his or her consent to the nomination, and must bear

the signatures of at least one thousand persons registered to vote in the state of Washington at the time the petition signatures are verified.

#### NEW SECTION

WAC 434-75-090 FORM OF THE NOMINATING PETITION. Nominating petitions shall be addressed to the secretary of state, be uniform in size, and shall contain the following:

- (1) The name of the candidate and his or her political party;
- (2) A statement that the persons signing the petition are registered voters of the state of Washington, that they are members of the political party of the person on whose behalf the petition is filed, and that they have only signed the petition once;
- (3) Numbered lines for no more than twenty signatures;
- (4) Space for the signature, printed name, and address at which each petition signer is registered to vote, including county of residence;
- (5) Space for the signer to list the name or number of his or her precinct, if known;
- (6) Space for the signer to indicate his or her party affiliation.

#### NEW SECTION

WAC 434-75-100 VERIFICATION OF SIGNATURES BY SECRETARY OF STATE. Upon receipt of any nominating petition filed pursuant to WAC 434-75-080, the secretary of state shall promptly canvass and verify the signatures in order to determine the validity of the petition. The secretary may reject, without verification of signatures, any petition for which no statement of intent was filed, any petition that clearly bears insufficient signatures, any petition that is not accompanied by a consent to the nomination by the candidate, or any petition that is in a form inconsistent with the provisions of WAC 434-75-090. To the extent that it is not inconsistent with other provisions of these rules, the canvass and verification process may be observed in the same manner as that specified in RCW 29.79.200 for the observation of the canvass and verification of initiative signatures. The secretary of state shall reject the signature of any person not registered to vote in Washington, and any multiple signatures from the same voter. No signature may be rejected solely on the basis that it is not accompanied by the precinct name or number of the signer.

#### NEW SECTION

WAC 434-75-110 DETERMINATION OF INSUFFICIENT SIGNATURES. In the event the secretary of state determines that the petition contains insufficient signatures he or she shall notify the person filing the original statement of intent to file the petition and the candidate on whose behalf the petition was filed. Persons so notified may submit additional signatures in support of the nomination as long as those signatures are submitted prior to the deadline established by RCW 29.19.030. The secretary's final determination of the sufficiency or insufficiency of any petition filed pursuant to the provisions of WAC 434-75-080 may be appealed to the superior court of Thurston County only if the petition was filed forty-five or more days prior to the primary. The court shall promptly hear such challenges and the superior court decision shall be final.

#### NEW SECTION

WAC 434-75-120 CERTIFICATION OF CANDIDATES. In the event the secretary determines a petition bears sufficient signatures he or she shall include the name of the candidate concerned on his or her official certification of candidates to the county auditors. This certification shall be done as soon as possible following the last day for candidates to withdraw, but in any event not later than the fourth Tuesday prior to the primary. The secretary shall send a copy of this certification to all persons notified of the original list of designated candidates.

#### NEW SECTION

WAC 434-75-130 CONDUCT OF THE PRESIDENTIAL PREFERENCE PRIMARY. All procedures relevant to the conduct of a presidential preference primary pursuant to chapter 29.19 RCW, including the form of the ballot, the arrangement of candidate names, and the processing of absentee ballots and vote-by-mail ballots shall be the same as the procedures for the conduct of any partisan primary within the state except as may be modified by chapter 29.19 RCW or the rules contained in this chapter.

#### NEW SECTION

WAC 434-75-140 PARTY DECLARATION BY VOTER. Each registered voter desiring to participate in the presidential preference primary shall, prior to being issued either an absentee or a regular ballot, sign a statement in substantially the following form:

I, the undersigned registered voter of the state of Washington, hereby declare my desire to participate in the presidential preference primary of the party designated on this form, and I further request that the ballot of that party be provided to me.

\_\_\_\_\_  
Signature of voter

\_\_\_\_\_  
Address if different from  
registration address

#### NEW SECTION

WAC 434-75-150 BALLOT REQUEST FORM USED AT THE POLLING PLACE. The ballot request statement required by RCW 20.19.050 and WAC 434-75-140, when provided to a voter desiring to vote at a polling place, may appear on either:

- (1) A paper form of uniform size. The form shall identify the primary and the date, and shall have space for the voter to sign his or her name and address and shall also provide a method whereby the voter can indicate party preference. The voter's precinct shall be clearly indicated on the form. Multiple-part reproducible forms may be used for this purpose. The signed ballot request forms shall be collected by the precinct election officers and transmitted to the county auditor at the end of the voting day. The county auditor shall provide appropriate instructions for the precinct election officers regarding the handling, maintaining, and transportation of the ballot request forms; or
- (2) A special format printed in the poll book which would permit the voter to sign his or her name and address and to indicate his or her political party preference; or
- (3) Separate poll books for each major political party.

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

#### NEW SECTION

WAC 434-75-160 BALLOT—SEPARATION OF POLITICAL PARTIES. Separate ballots for each major political party shall be maintained as follows:

- (1) Where a paper ballot is used, a separate ballot shall be prepared for each major political party containing the names certified by the secretary of state pursuant to the provisions of WAC 434-75-120;
- (2) Where a ballot card is used, separate ballot cards shall be prepared for each political party and for any alternate ballot issued pursuant to the provisions of WAC 434-75-200. Additionally, counties using voting systems which have ballot pages shall use a separate page or pages for each party. Counties may also employ separate voting devices to distinguish the types of ballots used within a precinct. Ballot cards must contain a machine readable pre-punch or a machine readable ballot code to distinguish, within each precinct, each ballot type used;
- (3) Where a voting device is used that directly records the vote on mechanical equipment or on direct recording electronic equipment, separate voting labels shall be prepared for each major political party. The labels with the slate of candidates for each major political party shall be easily discernible on the voting panel. The mechanical voting device or direct recording electronic voting device shall be programmed so that the individual voter shall be able to vote only for candidates listed on the slate of the major political party indicated on the ballot request form.

#### NEW SECTION

WAC 434-75-170 SECRETARY OF STATE TO DESIGNATE COLOR OF BALLOTS AND ELECTION MATERIALS. Not later than six months prior to the date of the presidential preference primary, the secretary of state shall determine the color of ballot to be used for each political party participating in the primary, and shall notify the county auditors of the colors designated. In the event Oregon and/or Idaho conduct a presidential preference primary on the same day as Washington, and either or both states are using specific colors for each political party, the secretary shall, wherever practical, designate the same colors for use in Washington. If Oregon and Idaho are both





ballots issued to ongoing absentee voters, as provided by statute and these rules.

#### NEW SECTION

WAC 434-75-280 **BALLOTS NOT TABULATED.** The county auditor shall not count presidential primary ballots in the following cases:

- (1) Where the voter has no request on file indicating which political party ballot he or she requested;
- (2) Where the voter has voted the ballot of a party other than the one he or she requested;
- (3) Where the voter has attempted to vote more than once;
- (4) Where the voter has voted for candidates of more than one political party, in which case all such votes shall be rejected;
- (5) Where a write-in vote is made for a person who has declined the nomination as provided by WAC 434-75-070;
- (6) Where a write-in vote is made with the incorrect party designation;
- (7) Where the person issued a questioned or challenged ballot does not otherwise satisfy the constitutional or statutory requirements for voting.

In those instances where the auditor is not sure whether a ballot should be counted, he or she shall refer that ballot to the county canvassing board for their determination. The auditor shall maintain a record of those ballots not counted and the reason why they were not part of the official canvass of the primary.

#### NEW SECTION

WAC 434-75-290 **CANVASSING AND CERTIFICATION OF PRESIDENTIAL PREFERENCE PRIMARY.** Wherever applicable, the time deadlines and procedures established by chapter 29.62 RCW for the canvassing of state primaries shall apply to the canvassing of a presidential preference primary. Not later than the third Tuesday following the presidential preference primary, the secretary of state shall notify the persons and organizations listed in WAC 434-75-050 of the votes cast for each candidate listed on the ballot of each major political party, and of write-in votes cast for any candidate receiving at least five percent of the votes cast for candidates of that party.

#### NEW SECTION

WAC 434-75-300 **CANVASSING AND TABULATION OF OTHER SPECIAL ELECTIONS.** In those instances where other special elections are being held in conjunction with the presidential primary and where either the county auditor or the canvassing board has decided not to count a presidential primary ballot for one of the reasons specified in WAC 434-75-280, the votes cast for other issues on the ballot shall be counted if the voter has otherwise satisfied the constitutional, statutory, and regulatory requirements for voting.

#### NEW SECTION

WAC 434-75-310 **MANDATORY RECOUNT PROVISIONS DO NOT APPLY.** The provisions of chapter 29.64 RCW regarding mandatory recounts do not apply to the conduct of a presidential preference primary. However, recounts may be requested pursuant to the provisions of that chapter.

#### NEW SECTION

WAC 434-75-320 **POLITICAL PARTY PREFERENCE DATA—TRANSMITTAL TO THE MAJOR POLITICAL PARTIES.** Not less than thirty days following the certification of the returns of the presidential preference primary by the secretary of state, the county auditor shall provide to the state central committee of each major political party, at actual reproduction cost, the names and addresses of those voters participating in the primary for that major political party. This may be accomplished by either:

- (1) Integrating the ballot request and party preference data with the regular voter registration file and producing a registered voter report containing the consolidated data in either machine-readable or printed format, which is provided to each major political party; or
- (2) Providing to each major political party copies of the ballot request forms that indicate the primary in which the voter participated, segregated by precinct; or

- (3) Providing each major political party with a copy of the poll book pages upon which the voter has indicated the primary in which he or she participated, segregated by precinct, and a separate report covering the preferences of absentee voters.

#### NEW SECTION

WAC 434-75-330 **RETENTION OF ELECTION MATERIAL.** The county auditor shall maintain all presidential preference primary material, including ballot request forms, absentee ballot envelopes, poll books, and ballots, for a period of twenty-two months following the primary. Except for the ballot request form, the auditor shall, within sixty days following the certification of the returns by the secretary of state, remove from his or her files any other record of the party designation of any voter casting a ballot at the presidential preference primary.

#### NEW SECTION

WAC 434-75-340 **CLAIMS FOR REIMBURSEMENT.** Following the presidential preference primary each county auditor shall provide to the secretary of state a completed claim for reimbursement of expenses incurred by the county in conducting the primary. This cost shall be prorated with any other jurisdictions holding special elections in conjunction with the primary. The procedures for allocating such costs shall be the same as those prescribed by the office of the state auditor for election cost allocations to the state, cities, towns, and special purpose districts.

#### NEW SECTION

WAC 434-75-350 **TIME FOR SUBMISSION AND PAYMENT OF CLAIMS FOR REIMBURSEMENT.** Claims for reimbursement and supporting documents shall be submitted to the secretary of state not later than sixty days following the certification of the returns of the presidential preference primary. The secretary of state shall compile such claims and present them to the state legislature at the next succeeding legislative session. Upon the granting of the relief claims by the legislature the secretary of state shall issue a warrant to each county submitting a claim.

### WSR 91-13-017

#### ATTORNEY GENERAL OPINION

Cite as: AGO 1991 No. 20

[June 7, 1991]

**HEALTH—INSURANCE—HEALTH INSURANCE POOL—CHIROPRACTORS—ASSESSMENT OF HEALTH CARE SERVICE CONTRACTOR THAT PROVIDES COVERAGE EXCLUSIVELY FOR CHIROPRACTIC SERVICES**

RCW 48.41.090 provides for assessment of members of the Washington State Health Insurance Pool based on the number of persons insured under the member's health plan. A member is not subject to assessment if the coverage provided does not fall within the definition of "health plan." RCW 48.41.030(9) defines "health plan" as an arrangement that includes coverage for both hospital and medical benefits. Thus, coverage that is limited exclusively to chiropractic services with no hospital services is not a health plan and a member is not subject to assessment with respect to persons so covered.

Requested by:

Honorable Larry L. Vognild  
State Senator, District 38  
408-A Legislative Building  
Olympia, Washington 98504



**WSR 91-13-018**

**PERMANENT RULES**

**DEPARTMENT OF AGRICULTURE**

[Order 2086—Filed June 10, 1991, 3:24 p.m., effective January 1, 1992]

Date of Adoption: June 10, 1991.

Purpose: To adopt rules requiring the identification and labeling of aquatic farm products.

Statutory Authority for Adoption: RCW 15.85.040.

Other Authority: RCW 15.85.060.

Pursuant to notice filed as WSR 91-09-042 on April 16, 1991.

Changes Other than Editing from Proposed to Adopted Version: Labeling requirements are eliminated for private sector cultured aquatic products that are rendered, disposed of as unmarketable solid waste, or covered under a fisheries aquatic disease control permit.

Effective Date of Rule: January 1, 1992.

June 10, 1991

Michael V. Schwisow

Deputy Director

for C. Alan Pettibone

**Chapter 16-603 WAC**

**AQUACULTURE IDENTIFICATION REQUIREMENTS**

**NEW SECTION**

**WAC 16-603-010 AQUACULTURE IDENTIFICATION REQUIREMENTS.** (1) Any sale or movement of private sector cultured aquatic products made by an aquatic farmer, other than retail sale for personal use by the purchaser or rendering or unmarketable solid waste disposal, shall:

(a) Be accompanied by a shipping document showing:

(i) The aquatic farmer's name;

(ii) The aquatic farm mailing address;

(iii) The aquatic farm registration number required by RCW 75.58.040;

(iv) The date of transfer by the aquatic farmer;

(v) The quantity of each species; and

(b) Be labeled, showing the name of the aquatic farmer and the farmer's aquatic farm registration number on each container of cultured aquatic products.

(c) The shipping documents and labeling required under this section shall be retained and maintained by the purchaser while the private sector cultured aquatic products are under the purchaser's possession or control.

(2) The provisions of this section do not apply to shellfish if the shellfish comply with rules enacted under the labeling requirements for the Sanitary Control of Shellfish Act (WAC 248-58-070), or to live finfish or their reproductive tissues, if the finfish comply with rules enacted under the Washington department of fisheries transfer procedure set forth in chapter 220-77 WAC.

**WSR 91-13-019**

**NOTICE OF PUBLIC MEETINGS  
INTERAGENCY COMMITTEE  
FOR OUTDOOR RECREATION**

[Memorandum—June 10, 1991]

The July 26, 1991, meeting of the Interagency Committee for Outdoor Recreation will be held at the Vancouver City Hall Council Chambers, Vancouver, Washington beginning at 9:00 a.m.

This meeting is not a funding session. Agenda items will include the usual status reports, certain project changes, NOVA program report, legislation 91, Washington wildlife and recreation program manual, habitat conservation account and outdoor recreation account manual, state agencies projects master list approval.

**WSR 91-13-020**

**EMERGENCY RULES  
REDISTRICTING COMMISSION**

[Filed June 11, 1991, 10:52 a.m.]

Date of Adoption: May 9, 1991.

Purpose: The purpose of these rules is to establish administrative rules for the Washington State Redistricting Commission and to implement the provisions of Article 2, Section 43 of the state constitution and chapter 44.05 RCW.

Statutory Authority for Adoption: RCW 44.05.080(1).

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The Redistricting Commission is statutorily required to conduct its proceedings pursuant to rules under RCW 44.05.080. Timely completion of the redistricting plan the commission is required to submit to the legislature requires emergency adoption of rules in order that such process may immediately commence. Therefore, immediate adoption is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice. The commission will consider adopting permanent rules as required under chapter 34.05 RCW and will provide public notice and a public hearing to consider public comment on proposed permanent rules.

Effective Date of Rule: Immediately.

June 10, 1991

Graham H. Fernald

Commission Chair

**CHAPTER 417-02 WAC  
EMERGENCY RULES  
WASHINGTON STATE REDISTRICTING  
COMMISSION  
PUBLIC RECORDS**

**WAC**

- 417-02-100 Purpose.  
 417-02-105 Definitions.  
 417-02-110 Public Records Available.  
 417-02-115 Public Records Officer.  
 417-02-120 Office Hours.  
 417-02-125 Request of Public Records.  
 417-02-130 Copying.  
 417-02-135 Exemptions.  
 417-02-140 Review of Denials of Public Records Requests.  
 414-02-145 Protection of Public Records.  
 417-02-150 Adoption of Form.  
 417-02-155 Records Index.

**NEW SECTION**

WAC 417-02-100 **PURPOSE.** The purpose of this chapter is to establish methods by which the Commission will comply with the provisions of Chapter 42.17 RCW dealing with public records.

**NEW SECTION**

WAC 417-02-105 **DEFINITIONS.** As used in this Chapter:

(1) All words and phrases defined in Chapter One of his title (WAC 417-01-105) shall have the same meaning for the purpose of this Chapter.

(2) "Public records" include any writing (including communications of any type, maps, computer prints, magnetic and paper tapes, computer disks and diskettes, photographs, and other documents) in the possession or control of the Commission: provided, that "public records" do not include any writing, map or other document prepared on Commission equipment pursuant to a contract with another person or entity; further provided, that "public records" do not include any plans, supporting materials, maps or other documents prepared for an individual Commissioner prior to the time that such materials are submitted to the Commission.

**NEW SECTION**

WAC 417-02-110 **PUBLIC RECORDS AVAILABLE.** All public records of the Commission are available for public inspection and copying pursuant to these rules except as otherwise provided in RCW 42.17.310.

**NEW SECTION**

WAC 417-02-115 **PUBLIC RECORDS OFFICER.** The Commission's public records shall be in the charge of the public records officer, who shall be the Executive Director of the Commission. The public records officer shall be responsible for: implementation of Commission policy as to release of public records; authorizing release of records, which authorization shall be in writing; and insuring staff compliance with the requirements of these rules. The public records officer may designate in writing an assistant public records officer to perform the duties of public records officer when she is absent or unavailable.

**NEW SECTION**

WAC 417-02-120 **OFFICE HOURS.** Public records shall be available for inspection and copying on Monday through Friday (except state holidays) from 9 a.m. until noon, and from 1:00 p.m. to 4:00 p.m. All public records shall be located at the Washington State Redistricting Commission, Suite 306, 1110 Capitol Way South, Olympia, Washington 98504.

**NEW SECTION**

WAC 417-02-125 **REQUESTS FOR PUBLIC RECORDS.** In accordance with the requirements of Chapter 42.17 RCW that agencies prevent unreasonable invasion of privacy, protect public records from damage or disorganization and prevent excessive interference with essential functions of the agency, public records may be inspected or copied, or copies of such records may be obtained by members of the public upon compliance with the following procedure:

(1) A request shall be made in writing upon a form prescribed herein which shall be available at the Commission's office. The form shall be presented to the public records officer, or to the designated assistant public records officer if the public records officer is not available, during the office hours established in this Chapter. The request shall include the following information:

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

(2) The public records officer, or the designated assistant public records officer if the public records officer is not available, will ascertain whether or not the information requested is exempt from public inspection and copying as defined in RCW 42.17.310. Included therein, but not limited to, are such exemptions as personal information that may violate the rights of privacy of the individual, and other particular information.

(3) Only after a determination has been made that all or such portion of a public record as is not deleted may be inspected shall such public record or portion thereof be made available for inspection by a member of the public.

(4) In all cases, it shall be the obligation of the public records officer, or the designated assistant public records officer if the public records officer is not available, to:

- (a) Locate the specific document(s) requested by the member of the public in the most timely manner possible;
- (b) Assist the member of the public in appropriately identifying the public record requested;
- (c) Protect and otherwise prevent damage to the public record being inspected and copies;

(d) Prevent disorganization of file folders or document containers;

(e) Prevent excessive interference with the other essential functions of the Commission.

(5) Only the staff and Commissioners may open files to gain access to Commission records.

(6) No public record of the Commission may be taken from the premises of the Commission by a member of the public.

(7) Public inspection of Commission records shall be done only in such locations as are approved by the public records officer, or the designated assistant public records officer if the public records officer is not available, which locations must provide an opportunity for staff to ensure that no public record of the Commission is damaged, destroyed, unreasonably disorganized, or removed from its proper location or order by a member of the public.

(8) Public records of the Commission may be copied only on the copying machine of the Commission unless other arrangements are authorized by public records officer, or the designated assistant public records officer if the public records officer is not available.

#### NEW SECTION

**WAC 417-02-130 COPYING.** No fee shall be charged for the inspection of public records. The Commission shall charge for copies of public records and the use of Commission copy equipment such amount as is necessary to reimburse the Commission for its actual cost incident to such copying. The Executive Director shall establish charges for copying public records. If the public records officer, or the designated assistant public records officer if the public records officer is not available, deems it more efficient to have copying done outside the office of the Commission, the charges will be based on the actual cost of such outside copying service.

#### NEW SECTION

**WAC 417-02-135 EXEMPTIONS.** (1) The Commission reserves the right to determine that a public record requested in accordance with the procedures outlined herein in WAC 30-40-050 is exempt under the provisions of RCW 42.17.310.

(2) The Commission reserves the right to allow the public to inspect but not copy certain public records where there is reason to believe that the ability to copy such records would be a violation of copyright agreements, contracts, or Census Bureau or other governmental requirements.

(3) Pursuant to RCW 42.17.260, the Commission reserves the right to delete identifying details when it makes available or publishes any public record in any cases where there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by Chapter 42.17 RCW. The public records officer, or the designated assistant public records officer if the public records officer is not available, will justify such deletion in writing.

(4) All denials of requests for public records must be accompanied by a written statement specifying the reason for the denial, including a statement of the specific

exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the records withheld.

#### NEW SECTION

**WAC 417-02-140 REVIEW OF DENIALS OF PUBLIC RECORDS REQUESTS.** (1) Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by rendering a written request for review. The written request shall specifically refer to the written statement by the public records officer, or the designated assistant public records officer, which constituted or accompanied the denial.

(2) Immediately after receiving a written request or review of a decision denying a public record, the public records officer or the designated assistant public records officer denying the request shall refer it to the Chair. The Chair shall immediately consider the matter and either affirm or reverse such denial. In any case, the request shall be returned with a final decision, within three working days following the written request for review of the original denial.

(3) Administrative remedies shall not be considered exhausted until the Chair has returned the petition with a decision or until the close of the third business day following the request for review, whichever occurs first.

#### NEW SECTION

**WAC 417-02-145 PROTECTION OF PUBLIC RECORDS** (1) Records are available for inspection and copying at the location and during office hours identified in this Chapter and then only in the presence of an authorized staff person of the Commission and with the aid and assistance of such staff person.

(2) The viewing of those records that require specialized equipment shall be limited to the availability of that equipment located at the Commission office and the availability of authorized staff to operate the equipment.

(3) The viewing of those public records that require specialized equipment shall be by appointment only. The Request for an appointment shall be made on the Request for Public Record Form as provided in this Chapter. Staff shall acknowledge such request for an appointment within three working days of the receipt of such request and will provide the requester with the date(s) that such an appointment could be kept by an authorized staff person or shall advise the requester that authorized staff is not available to operate the equipment for the purposes requested, giving the reasons therefor.

#### NEW SECTION

**WAC 417-02-150 ADOPTION OF FORM.** The Commission hereby adopts for use by all persons requesting inspection or copies of its records, the form attached hereto entitled "Request for Public Record Form."

#### NEW SECTION

**WAC 417-02-155 RECORDS INDEX.** The Commission shall provide a current records index based on

those records available in the Commission office and outlined on the Commission's schedule for archival of official agency records. Those records which are considered exempt for the purposes of this Chapter and RCW 42.17.310 shall be noted on the index.

REQUEST FOR PUBLIC RECORD

REDISTRICTING COMMISSION
1110 Capitol Way South, Suite 306 (AN-31)
Olympia, Washington 98504
Telephone: (206) 786-7935
FAX : (206) 786-1869

NAME OF REQUESTER: PHONE:
STREET ADDRESS:
CITY: STATE: ZIP:
DATE OF REQUEST (M/D/Y): TIME A.M. P.M.

PUBLIC RECORDS OR INFORMATION REQUESTED:

Record Provided by Public Records Officer: \_\_\_\_\_

Table with 3 columns: NUMBER OF COPIES, IF REQUESTED; NUMBER OF COPIES PROVIDED; AMOUNT RECEIVED FOR COPIES: \$

APPOINTMENT TO VIEW RECORDS: (Preferred Dates)

(1st) DATE:TIME: APPOINTMENT:
(2nd) DATE:TIME: CONFIRMED:
(3rd) DATE:TIME: DATE: TIME: STAFF:

IF SPECIAL EQUIPMENT REQUIRED FOR VIEWING RECORDS, PLEASE DESCRIBE:

AGREEMENTS: I have read, understand, and will comply with the rules of the Washington State Redistricting Commission governing the inspection and copying of public records. I also agree that any list of individuals and/or information provided me by the Commission shall not be used for any commercial purpose by me or by any organizations I represent.

SIGNATURE OF REQUESTER: DATE:

ACKNOWLEDGEMENT OF RECEIPT

DATE: TIME: A.M. P.M.

SIGNATURE OF STAFF RECIPIENT:

REASON IF AGENCY IS UNABLE TO COMPLY:

WASHINGTON STATE REDISTRICTING COMMISSION

WSR 91-13-021
EMERGENCY RULES
REDISTRICTING COMMISSION
[Filed June 11, 1991, 10:57 a.m.]

Date of Adoption: June 6, 1991.

Purpose: The purpose of these rules is to establish administrative rules for the Washington State Redistricting Commission and to implement the provisions of Article 2, Section 43 of the state constitution and chapter 44.05 RCW.

Statutory Authority for Adoption: RCW 44.05.080(1).

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The Redistricting Commission is statutorily required to conduct its proceedings pursuant to rules under RCW 44.05.080. Timely completion of the redistricting plan the commission is required to submit to the legislature requires emergency adoption of rules in order that such process may immediately commence. Therefore, immediate adoption is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice. The commission will consider adopting permanent rules as required under chapter 34.05 RCW and will provide public notice and a public hearing to consider public comment on proposed permanent rules.

Effective Date of Rule: Immediately.

June 10, 1991
Graham H. Fernald
Chair

CHAPTER 417-06 WAC
EMERGENCY RULES
WASHINGTON STATE REDISTRICTING
COMMISSION
THIRD PARTY SUBMISSIONS

WAC

- 417-06-100 Purpose.
417-06-110 Definitions.
417-06-120 Requirements Applicable to Third Party Plans.
417-06-130 Format for Formal Plans.
417-06-140 Format for Informal Plans.
417-06-150 Time and Place of Submission.
417-06-160 Public Access to Third Party Plans.

**417-06-170 Public Rights in Third Party Plans.****NEW SECTION**

**WAC 417-06-100 PURPOSE.** The Commission encourages individuals and interest groups to submit proposed redistricting plans to the Commission. The purpose of this Chapter is to establish methods by which such plans may be submitted to the Commission.

**NEW SECTION**

**WAC 417-06-110 DEFINITIONS.** As used in this Chapter:

(1) All words and phrases defined in Chapter One of this title (WAC 417-01-105) shall have the same meaning for the purposes of this Chapter.

(2) "Commission Plan" means a proposed plan of redistricting, including any amendment to a proposed plan of redistricting, that is submitted to the Commission by a Commissioner, or by the Chair or the staff of the Commission. It also means a plan of redistricting, including any amendment to a proposed plan of redistricting, that is prepared by or at the direction of one or more of the Commissioners.

(3) "Formal Plan" means a redistricting plan other than a Commission Plan that meets the requirements of WAC 417-06-130 and that covers all of the territory of the State, or that covers at least all of the territory of the State that lies to the east of, or to the west of, the crest of the Cascade range.

(4) "Informal Plan" means a redistricting plan other than a Commission plan that does not qualify as a Formal Plan.

(5) "Third Party Amendment" means a proposal for an amendment to a Commission Plan or a Third Party Plan, submitted to the Commission by an individual or interest group other than the Commissioners or the Chair or staff of the Commission. A Third Party Amendment may be a Formal Plan or an Informal Plan.

(6) "Third Party Plan" means a plan of redistricting that is a Formal Plan or an Informal Plan or a Third Party Amendment, submitted to the Commission by an individual or interest group other than the Commissioners or the Chair or staff of the Commission.

**NEW SECTION**

**WAC 417-06-120 REQUIREMENTS APPLICABLE TO THIRD PARTY PLANS.** Any Third Party Plan must adhere to the statutory requirements applicable to Commission Plans, in Art. 2, Sec. 43 of the Constitution of the State of Washington and RCW 44.05.090.

**NEW SECTION**

**WAC 417-06-130 FORMAT FOR FORMAL PLANS.** Any Formal Plan submitted to the Commission should be submitted in one of the following approved formats:

**Paper Maps:** The Commission will have available for public purchase 11-inch x 17-inch paper maps, created using geographic data provided by the U.S. Bureau of

the Census. The maps will be sold for an amount (to be established by the Executive Director) sufficient to cover the cost to the Commission of producing the map copies. Map scale will vary, depending on the population density in the area covered. Maps may be purchased singly or in sets. Individuals and groups may submit Formal Plans using such maps. Submissions should be made on the maps provided by the Commission, or on full-size copies thereof. Explanations of the Commission's maps, and instructions to users for submission of Formal Plans, are available free of charge from the Commission.

**Electronic Disks:** Individuals and groups may submit Formal Plans on 3.5-inch or 5.25-inch floppy disks in MS-DOS, ASCII format approved by the National Conference of State Legislatures and the U.S. Department of Justice. Materials explaining this format are available free of charge from the Commission. The Commission has disks available for sale in the CD-ROM format which include census and geographic data.

Individuals and groups submitting Formal Plans should supplement their paper map or data disk submissions with a narrative explanation of the Plan's compliance with the constitutional and statutory requirements identified in WAC 417-06-120. They may also include with the Formal Plan such other supporting materials and data as they deem appropriate.

**NEW SECTION**

**WAC 417-06-140 FORMAT FOR INFORMAL PLANS.** The Commission requests that individuals and interest groups submitting Informal Plans use the paper map or electronic disk formats that are required for Formal Plans. Informal Plans that are submitted in non-conforming formats may not be capable of being tested for population data against the census geography that is incorporated in the Commission's systems.

**NEW SECTION**

**WAC 417-06-150 TIME AND PLACE OF SUBMISSIONS.** Early submission of Third Party Plans is encouraged. All submissions should be mailed or delivered to the Commission's office (not to a Commissioner) in Olympia, or they may be presented to Commission staff at any public hearing held by the Commission.

**NEW SECTION**

**WAC 417-06-160 PUBLIC ACCESS TO THIRD PARTY PLANS.** Any Third Party Plan submitted to the Commission, together with any supporting materials or data submitted in connection therewith, will be a public document, subject to inspection and copying in compliance with the Commission's rules with respect to public records (Chapter 417-02 WAC).

**NEW SECTION**

**WAC 417-06-170 PUBLIC RIGHTS IN THIRD PARTY PLANS.** The submission of any Third Party Plan to the Commission shall be deemed for all purposes a release and waiver, and an unconditional assignment to the State, of any proprietary or ownership rights therein,

and in any materials or data submitted in connection therewith. The Commission, the State Supreme Court, and any other person or entity shall have the free and unrestricted right to make any use whatever, without any charge and free of any trademark, copyright or similar restriction, of all or any part of any such Third Party Plan, and any such materials or data.

**WSR 91-13-022**  
**PROPOSED RULES**  
**SECRETARY OF STATE**  
 [Filed June 11, 1991, 2:10 p.m.]

Original Notice.

Title of Rule: Motor voter registration.

Purpose: Implement the provisions of chapter 29.07 RCW which allows for the registration of voters at Department of Licensing, driver licensing facilities.

Statutory Authority for Adoption: Chapter 29.07 RCW.

Statute Being Implemented: RCW 29.07.260- [29.07.]320.

Summary: These rules are intended to facilitate the registration of voters at driver license facilities. The rules also describe the process of distribution from the state to counties.

Reasons Supporting Proposal: The rules are required to establish uniform and orderly procedures for the administration of the motor voter program.

Name of Agency Personnel Responsible for Drafting: David M. Elliott, Olympia, 753-2336; Implementation and Enforcement: Ralph Munro, Olympia, 753-7121.

Name of Proponent: Office of the Secretary of State, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: These rules will cover the methods and logistics associated with the administration of the motor voter program described in chapter 29.07 RCW.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Hearing Room C, John L. O'Brien Building, Olympia, Washington 98504, on August 12, 1991, at 1:30 p.m.

Submit Written Comments to: Ralph Munro, Secretary of State, Legislative Building, AS-22, Olympia, by August 5, 1991.

Date of Intended Adoption: August 26, 1991.

June 11, 1991  
 Ralph Munro  
 Secretary of State

Chapter 434-26 WAC  
 MOTOR VOTER

**NEW SECTION**

WAC 434-26-005 **AUTHORITY AND PURPOSE.** These rules are adopted under the authority of chapter 143, Laws of 1990, for the

purpose of establishing standards and procedures for the registration of voters by driver license agents, at driver licensing facilities.

**NEW SECTION**

WAC 434-26-010 **DEFINITIONS.** As used in this chapter.

(1) "County auditor" and "auditor" mean the county auditor in a noncharter county or the officer, irrespective of title, having the overall responsibility to maintain voter registration information and his or her deputies as the context indicates;

(2) "Licensing agent" or "agent" mean the employees serving the public at the driver licensing offices operated by the department of licensing;

(3) "Applicant" means a United States citizen who is applying for, or renewing, a driver license or state identification card, under chapter 46.20 RCW.

(4) "Data" means computer information concerning an applicant that is common to both driver license and voter registration records. This includes name, address, date of birth, sex, the date of the application, the location of the office where the application was submitted, the applicant's driver license number, the applicant's Social Security number (if provided), and the applicant's previous driver license number if the applicant has changed names.

**NEW SECTION**

WAC 434-26-015 **VOTER REGISTRATION AT DRIVER LICENSE FACILITIES.** Pursuant to RCW 29.07.260 a person may register to vote or transfer a voter registration when he or she applies for or renews a driver license or state identification card. Nothing in these rules should be interpreted as allowing voter registration by mail.

**NEW SECTION**

WAC 434-26-020 **REGISTRATION PROCEDURE.** When processing each applicant, at a driver license agency, the agent will inquire whether the applicant wishes to register to vote or transfer their voter registration address. If the applicant wishes, the agent shall present a voter registration application (Exhibit A) and the applicant shall provide the following information in writing:

(1) His or her full name;

(2) The applicant's residence address for voting purposes, if it is different from the address on the driver license;

(3) His or her mailing address, if it is different from the voter registration residence address;

(4) Additional information on the physical location of the voting address if it is only identified by route or box. If the address is identified by route or box, the agent will require that the form contain either the legal description of the residence, or the names and locations of the nearest cross streets;

(5) The last address at which he or she was registered to vote; Additionally the applicant may provide the following information in writing:

(a) Daytime phone number;

(b) Place of birth;

(c) Social Security number.

**NEW SECTION**

WAC 434-26-025 **OBTAINING ADDITIONAL INFORMATION FROM THE APPLICANT.** No other data will be required of the applicant. Additional information about the applicant will be gathered electronically from the applicant's department of licensing driver license computer record or driver license application.

**NEW SECTION**

WAC 434-26-030 **OATHS AND WARNINGS.** The agent will request that the applicant read the warning concerning fraudulent registration. The applicant will then sign an oath attesting to his or her citizenship. The applicant will also sign the application portion for an initiative signature record for the secretary of state's files.

The agent will then note the applicant's registration on the licensing system computer.

**NEW SECTION**

WAC 434-26-035 **CANCELLATION OF PREVIOUS NAME REGISTRATION.** If the applicant is changing his or her name the

agent shall offer a cancellation card to be completed in applicant's previous name and returned to the agent to be forwarded to the secretary of state and the auditor in his or her county.

#### NEW SECTION

WAC 434-26-040 TRANSFER OF INFORMATION FROM THE DEPARTMENT OF LICENSING TO THE SECRETARY OF STATE. The completed voter registration application forms will be transmitted by the department of licensing to the office of the secretary of state at least once each week.

#### NEW SECTION

WAC 434-26-045 WEEKLY TRANSMITTAL OF DATA FROM THE DEPARTMENT OF LICENSING TO THE SECRETARY OF STATE. Once each week the data processing division of the department of licensing will electronically transmit that week's computer data record of the voter registration transactions, to the office of the secretary of state. There will be one record for each transaction, each record will contain at least the following information:

The name, address, date of birth, sex, and driver's license number of the applicant, the applicant's Social Security number (if provided), the applicant's previous driver license number in the case of a name change, the date on which the application was submitted, and the location of the office at which the application was submitted.

#### NEW SECTION

WAC 434-26-050 TRANSFER OF DATA, AND REPORTS FROM THE SECRETARY OF STATE TO THE COUNTY AUDITORS. Each week the secretary of state will amend any computer record that requires an address for voting purposes that is different from the one supplied to the department of licensing. The computer records will then be sorted according to the county in which the voter applicant resides. The records will then be placed in the Uniform Transfer Format (Exhibit b) and copied to a disk or tape for shipment to the appropriate county auditor.

An exception report will be created for use by the secretary of state for voter applications where the address for voting purposes is different from the address provided by the department of licensing. Each county will receive a copy of this report with the computer disk.

The secretary of state shall produce a list of voter transactions by county. This list shall accompany the computer disk shipped to each county. This list shall contain at least the voter name, address, and mailing address.

#### NEW SECTION

WAC 434-26-055 TRANSFER OF VOTER REGISTRATION FORMS TO COUNTIES. The completed voter registration application forms will be sorted by county. If the voter has listed a previous address that is in another county or state the secretary of state shall copy the original registration and forward such copy to the appropriate county or state for cancellation of the former registration. The portion of the voter registration form that is the initiative signature card shall be detached and retained by the secretary of state. These forms will then be shipped to the county auditors along with the disk or tape copy of the matching computer records. This shipment will be made as soon as possible, no later than ten days after the secretary of state receives the data from the department of licensing. The shipment shall be made by first class mail with the following exception; within forty-five days of any primary, general, or presidential preference primary the shipment shall be made via a "next day delivery" package delivery courier. If there are no applications for a county the secretary of state shall immediately notify the county auditor.

#### NEW SECTION

WAC 434-26-060 PROCESSING RECORDS RECEIVED FROM THE SECRETARY OF STATE. Whenever a county auditor receives a shipment of voter registration information from the secretary of state, he or she will process these records in a timely manner. Any voter registrations that the auditor receives for a voter residing in another county shall be forwarded to the appropriate county auditor as soon as possible after receipt, a hard copy of the computer data must accompany the card.

These records shall be processed into the auditor's existing data base by adding a voter identification number, precinct codes, levy codes and

any other usual information. The signature card shall be included in the auditor's signature file.

#### NEW SECTION

WAC 434-26-065 REIMBURSEMENT OF COUNTY AUDITORS AND THE DEPARTMENT OF LICENSING FOR ROUTINE TRANSACTION COSTS. Each year at the end of the calendar year the county auditor and the state department of licensing may file a voucher with the secretary of state for reimbursement of costs. These costs must be associated with the data processing and shipping, incurred through the registration of voters by the department of licensing.

#### NEW SECTION

WAC 434-26-900 REIMBURSEMENT OF COUNTY AUDITORS AND THE DEPARTMENT OF LICENSING FOR COSTS ASSOCIATED WITH IMPLEMENTATION OF THIS CHAPTER. By June 1, 1992, county auditors and the department of licensing shall file all claims for reimbursement for expenses related to the development, testing, and implementation of this program and chapter, including the conversion to the Uniform Transfer Format. This will be the only opportunity for reimbursement of these expenses.

### WSR 91-13-023

#### PERMANENT RULES

#### DEPARTMENT OF HEALTH (Board of Practical Nursing)

[Order 175B—Filed June 11, 1991, 2:15 p.m.]

Date of Adoption: May 23, 1991.

Purpose: WAC 246-838-026, to define mandatory reporting for practical nurses; WAC 246-838-040, 246-838-060, 246-838-070, 246-838-090, 246-838-120, 246-838-130, 246-838-210 and 246-838-250, are housekeeping changes; WAC 246-838-100, has two changes, approves tests given in other states before the national licensure examination was used nationwide, and allows licensee with inactive license to endorse into Washington state; WAC 246-838-260, adds two competencies to standards of practice, administration of medications safely and accurately, and demonstrates ability to communicate effectively in English; and WAC 246-838-270, allows inactive licensees from other states to receive a limited education license for clinical studies in order to become active.

Citation of Existing Rules Affected by this Order: WAC 246-838-026 Mandatory reporting, 246-838-040 Licensure requirements, 246-838-060 Release of results of examination, 246-838-070 Filing of application for licensing, 246-838-090 Licensure of graduates of foreign schools of nursing, 246-838-100 Licensure by interstate endorsement, 246-838-110 Documents which indicate authorization to practice practical nursing in Washington, 246-838-120 Renewal of licenses, 246-838-130 Return to active status from inactive or lapsed status, 246-838-210 Clinical practice areas, 246-838-250 AIDS education and training, 246-838-260 Standards/competencies, and 246-838-270 Criteria for approved refresher course.

Statutory Authority for Adoption: WAC 246-838-026 is RCW 18.78.054 and 18.130.070; WAC 246-838-040, 246-838-060, 246-838-070, 246-838-090, 246-838-100, and 246-838-120 is RCW 18.78.050 and 18.130.050; WAC 246-838-110, 246-838-130, 246-838-

210, 246-838-260 and 246-838-270 is RCW 18.78.050; and WAC 246-838-250 is RCW 70.24.270.

Pursuant to notice filed as WSR 91-09-014 on April 9, 1991.

Changes Other than Editing from Proposed to Adopted Version: WAC 246-838-040 Licensure requirements, subsection (2), incorrectly changed registered nurse to licensed practical nurse.

Effective Date of Rule: Thirty-one days after filing.

May 30, 1991

Susan L. Boots  
Program Administrator

### NEW SECTION

WAC 246-838-026 MANDATORY REPORTING. The board of practical nursing does not intend to cause every nursing error to be reported or that mandatory reporting take away the disciplinary ability and responsibility from the employer of the practical nurse.

(1) Any person, including health care facilities and agencies and state or local government, who is aware of a conviction or has made a determination or finding that a practical nurse has committed an act constituting unprofessional conduct as defined in RCW 18.130.180, including violation of chapter 246-838 WAC, shall report such conviction, determination or finding to the board.

(2) Any person, including health care facilities and agencies and state or local government, who has information that a practical nurse may not be able to practice with reasonable skill and safety as a result of a mental or physical condition, shall report such information to the board.

AMENDATORY SECTION (Amending Order 109B, filed 12/17/90, effective 1/31/91)

WAC 246-838-040 LICENSURE QUALIFICATIONS. (1) In order to be eligible for licensure by examination the applicant shall have satisfactorily completed an approved practical nursing program, fulfilling all the basic course content as stated in WAC ((~~308-117-300~~)) 246-838-240, or its equivalent as determined by the board. ((~~Effective May 1, 1988,~~)) Every applicant must have satisfactorily completed an approved practical nursing program within two years of the date of the first examination taken or the applicant must meet other requirements of the board to determine current theoretical and clinical knowledge of practical nursing practice.

(2) An applicant who has not completed an approved practical nurse program must establish evidence of successful completion of nursing and related courses at an approved school preparing persons for licensure as registered nurses, which courses include personal and vocational relationships of the practical nurse, basic science and psychosocial concepts, theory and clinical practice in medications and the nursing process, and theory and clinical practice in medical, surgical, geriatric, pediatric, obstetric and mental health nursing. These courses must be equivalent to those same courses in a practical nursing program approved by the board.

(3) An interim permit (WAC ((~~308-117-095~~)) 246-838-110) and a notice of eligibility for admission to the

licensing examination may be issued to all new graduates from board approved practical nursing programs after the filing of a completed application, payment of the application fee, and official notification from the program certifying that the individual has satisfactorily completed all requirements for the diploma/certification. The interim permit is only issued for the first examination period for which the applicant is eligible after graduation.

(4) All other requirements of the statute and regulations shall be met.

AMENDATORY SECTION (Amending Order 109B, filed 12/17/90, effective 1/31/91)

WAC 246-838-060 RELEASE OF RESULTS OF EXAMINATION. (1) Applicants shall be notified regarding the examination results by mail only. The results will not be released until the candidate's official transcript is on file with the board.

(2) Applicants who pass shall receive a license to practice as a licensed practical nurse provided all other requirements are met.

(3) Applicants who fail shall receive a letter of notification regarding their eligibility to retake the examination.

(4) In addition to a listing of the names of graduates indicating whether each passed or failed the examination, each practical nursing program in Washington shall receive a statistical report of the examination results of applicants from that school and a report of state and national statistics.

(5) Examination results for all candidates will be maintained in the application files in the division of professional licensing services, department of ((~~licensing~~)) health.

AMENDATORY SECTION (Amending Order 109B, filed 12/17/90, effective 1/31/91)

WAC 246-838-070 FILING OF APPLICATION FOR LICENSING EXAMINATION. (1) All applicants shall file with the Washington state board of practical nursing a completed ((~~notarized~~)) application, with the required fee prior to February 15, for the April examination and August 15, for the October examination. The fee is not refundable.

(2) Applicants shall submit with the application one recent U.S. passport identification photograph of the applicant unmounted and signed by the applicant across the front.

(3) Applicants shall request the school of nursing to send an official transcript directly to the board of practical nursing. The transcript shall contain adequate documentation to verify that statutory requirements are met and shall include course names and credits accepted from other programs.

(4) Applicants shall also file an examination application, along with the required fee, directly with the testing service.

(5) Applicants who have filed the required applications and met all qualifications will be notified of their



eligibility, and only such applicants will be admitted to the examination.

(6) ~~((Effective January 1, 1989;))~~ Persons applying for licensure shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of WAC ~~((308-117-360))~~ 246-838-250.

AMENDATORY SECTION (Amending Order 109B, filed 12/17/90, effective 1/31/91)

WAC 246-838-090 LICENSURE OF GRADUATES OF FOREIGN SCHOOLS OF NURSING. Applicants who received their nursing education outside the United States or its territories shall meet the following requirements for licensing:

(1) Satisfactory completion of a basic nursing education program approved by the country of original licensure. The nursing education program shall be equivalent to the minimum standards prevailing for state board approved schools of practical nursing in Washington at the time of graduation.

(2) Satisfactory passage of the test of English as a foreign language (TOEFL). ~~((As of May 1, 1988;))~~ All applicants with nursing educations obtained in countries outside of the United States and never before licensed in another jurisdiction or territory of the United States, shall be required to take the TOEFL and attain a minimum score of fifty in each section. Once an applicant obtains a score of fifty in a section, the board will require reexamination and passage only in the section(s) failed. Passage of all sections of the TOEFL must be attained and the applicant must cause TOEFL services to forward directly to the board a copy of the official examinee's score record. These results must be timely received with the individual's application before the NCLEX can be taken. Exceptions may be made, in the board's discretion and for good cause, to this requirement.

(3) All other requirements of the statute and regulations shall be met.

(4) File with the board of practical nursing a completed ~~((notarized))~~ license application with the required fee prior to February 15 for the April examination and prior to August 15 for the October examination. The fees are not refundable.

(5) Submit one recent United States passport identification photograph of the applicant unmounted and signed by the applicant across the front.

(6) Request the school of nursing to submit an official transcript directly to the board of practical nursing. The transcript shall contain the date of graduation and the credential conferred, and shall be in English or accompanied by an official English translation notarized as a true and correct copy.

(7) File an examination application, along with the required fee, directly with the testing service.

(8) Successfully pass the current state board licensing examination for practical nurses or show evidence of having already successfully passed the state board licensing examination for practical nurses in another jurisdiction or territory of the United States with the passing score required in Washington.

AMENDATORY SECTION (Amending Order 109B, filed 12/17/90, effective 1/31/91)

WAC 246-838-100 LICENSURE BY INTER-STATE ENDORSEMENT. A license to practice as a licensed practical nurse in Washington may be issued without examination provided the applicant meets all the following requirements:

(1) The applicant has graduated and holds a credential from:

(a) A state board approved program preparing candidates for licensure as a practical nurse; or

(b) Its equivalent as determined by the board((:

~~((a) The applicant has fulfilled)),~~ which program must fulfill the minimum requirement((s-prevailing)) for state board approved practical nursing programs in Washington at the time of ~~((the applicant's))~~ graduation.

~~((b) Applicants who take the NCLEX after October 1, 1988, shall present a score of pass. All other applicants shall present a minimum score of 350 on the state board test pool examination or NCLEX, except those applicants who were licensed after October 1, 1973, but before October 1, 1982, shall present a minimum score of 400 on the state board test pool examination.))~~

(2) Applicants shall have passed a state board constructed test, the SBTPE, or NCLEX in their original state of licensure.

(3) The applicant held or currently holds a ((valid current)) license to practice as a practical nurse in another state or territory. If the license is lapsed or inactive for three years or more, the applicant must successfully complete a board approved refresher course before an active Washington license is issued.

~~((3))~~ (4) That grounds do not exist for denial under chapter 18.130 RCW.

(5) The applicant shall:

(a) Submit a completed application with the required fee. The fee is not refundable.

(b) ~~((Request the nursing education program to send directly to the board of practical nursing an official transcript verifying graduation from an approved practical nursing program. The transcript shall provide sufficient documentation to verify that statutory requirements are met.~~

~~((c))~~ Submit, in addition to the other requirements, evidence to show compliance with the education requirements of WAC ~~((308-117-360))~~ 246-838-250.

AMENDATORY SECTION (Amending Order 109B, filed 12/17/90, effective 1/31/91)

WAC 246-838-110 DOCUMENTS WHICH INDICATE AUTHORIZATION TO PRACTICE PRACTICAL NURSING IN WASHINGTON. The following documents are the only documents that indicate legal authorization to practice as a practical nurse in Washington.

(1) License - Active status. A license is issued upon completion of all requirements for licensure and confers the right to use the title licensed practical nurse and its abbreviation, L.P.N., and to practice in the state of Washington.

(2) Interim permit. An interim permit may be issued to a graduate from an approved practical nursing program who has met all qualifications, has filed an application for examination, and is eligible for admission to the licensing examination.

(a) This permit expires when a license is issued or when the candidate receives first notice of failure, whichever is the earliest date. The permit is not renewable.

(b) An applicant who does not write the examination on the date scheduled shall return the permit within three days to the division of professional licensing.

(c) The interim permit authorizes the holder to perform functions of practical nursing as described in chapter 18.78 RCW. The holder of an interim permit must practice under the direct supervision of a health professional as defined in RCW 18.78.010, cannot work as a charge nurse, and cannot work for employment agencies or nursing pools.

(d) It is in violation of the law regulating the practice of practical nursing to use the title "licensed practical nurse." The title "graduate practical nurse," or its abbreviation G.P.N., may be used.

(3) Limited educational license. A limited educational license may be issued to a person who has been on inactive or lapsed status for three years or more and who wishes to return to active status (see WAC ((~~308-117-105~~)) 246-838-130).

(4) Inactive license. A license issued to a practical nurse who is temporarily or permanently retired from practice. The holder of an inactive license shall not practice practical nursing in this state.

**AMENDATORY SECTION** (Amending Order 109B, filed 12/17/90, effective 1/31/91)

**WAC 246-838-120 RENEWAL OF LICENSES.**

(1) Individuals making applications for initial license and examination, provided they meet all such requirements, will be issued a license, to expire on their birth anniversary date.

(2) Individuals making application for initial license with the state of Washington under the interstate endorsement regulations, provided they meet all such requirements, will be issued a license, to expire on their birth anniversary date.

(3) Issuance of license - Licensed practical nurses who complete the renewal application accurately, are practicing practical nursing in compliance with the law, and pay the renewal fee, shall be issued a license to practice. Should the licensee fail to renew his or her license prior to the expiration date, the individual is subject to the penalty fee as stated in RCW 18.78.090. If the licensee fails to renew the license within one year from date of expiration, application for renewal of license shall be made under statutory conditions then in force.

(4) A license, active or inactive, that is not renewed is considered lapsed. If the licensee fails to renew the license within three years from the expiration date, the individual must also meet the requirements of WAC ((~~308-117-105~~)) 246-838-130.

(5) Illegal practice - Any person practicing as a licensed practical nurse during the time that such individual's license is inactive or has lapsed shall be considered an illegal practitioner and shall be subjected to the penalties provided for violators under the provisions of RCW 18.130.190.

(6) ((Effective January 1, 1989, all persons making application for their 1989 license renewal shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of WAC ~~308-117-360~~. Persons whose 1989 license expires on or before March 31, 1989, may, upon written application, be granted an extension to April 15, 1989, to meet the AIDS education requirement.)) It is the licensee's responsibility to inform the board of changes of address.

**AMENDATORY SECTION** (Amending Order 109B, filed 12/17/90, effective 1/31/91)

**WAC 246-838-130 RETURN TO ACTIVE STATUS FROM INACTIVE OR LAPSED STATUS.** ((After October 1, 1988;)) Persons on inactive and/or lapsed status for three years or more, who do not hold a current active license in any other United States jurisdiction and who wish to return to active status shall be issued a limited educational license to enroll in a board approved refresher course. Upon successful completion of the course, the individual's license shall be returned to active status.

**AMENDATORY SECTION** (Amending Order 109B, filed 12/17/90, effective 1/31/91)

**WAC 246-838-210 CLINICAL PRACTICE AREAS.** (1) Clinical learning opportunities shall be selected so that they enable the student to observe and practice safe nursing care and provide experiences in the care of persons at each stage of the human life cycle. These experiences shall include opportunities for the student to learn and provide nursing care to clients in the areas of acute and chronic illnesses, promotion and maintenance of wellness, prevention of illness, rehabilitation and support in death. The emphasis placed on these areas, the scope encompassed, and other allied experiences offered shall be in keeping with the purpose, philosophy and objectives of the program.

(2) There shall be sufficient experienced and supervisory personnel in clinical practice areas to safeguard the client's well-being and the interests of students so that curriculum objectives can be attained.

(3) The manner in which experiences in each clinical area contribute to achievement of the identified student terminal objectives shall be documented and maintained on file.

(4) The students' curriculum objectives shall not be sacrificed in order to provide nursing service for clients.

(5) Facilities utilized as clinical practice areas shall be licensed and/or accredited by the appropriate agency.

(6) When a practical nursing program plans to add a new clinical practice area for student experience, it shall notify the board and submit the objectives to be gained from the experiences 60 days prior to the scheduled use.

The new clinical practice area must meet all the requirements of this rule.

**AMENDATORY SECTION** (Amending Order 109B, filed 12/17/90, effective 1/31/91)

**WAC 246-838-250 AIDS EDUCATION AND TRAINING.** (1) Acceptable education and training. Effective January 1, 1989, the board will accept education and training that is consistent with the model curriculum available from the office on AIDS. Such education and training shall be a minimum of seven hours and shall include, but is not limited to, the following: Etiology and epidemiology; testing and counseling; infection control guidelines; clinical manifestations and treatment; legal and ethical issues to include confidentiality; and psychosocial issues to include special population considerations.

(2) Implementation. ~~((Effective January 1, 1989,))~~ The requirement for licensure application ~~((, renewal,))~~ or reinstatement of any license on lapsed, inactive, or disciplinary status shall include completion of AIDS education and training. All persons affected by this section shall show evidence of completion of an education and training program, which meets the requirements of subsection (1) of this section.

(3) Documentation. The licensee shall:

(a) Certify, on forms provided, that the minimum education and training has been completed ~~((after January 1, 1987, and before renewal date or December 31, 1989, whichever date is earlier));~~

(b) Keep records for two years documenting attendance and description of the learning; and

(c) Be prepared to validate, through submission of these records, that education and training has taken place.

**AMENDATORY SECTION** (Amending Order 109B, filed 12/17/90, effective 1/31/91)

**WAC 246-838-260 STANDARDS/COMPETENCIES.** Minimum standards of competency expected of beginning licensed practical nurses include the following:

(1) **STANDARD I** – The practical nurse assists in implementing the nursing process. The nursing process is defined as a systematic approach to nursing care which has the goal of facilitating an optimal level of functioning for the client, recognizing cultural and religious diversity.

The components of the nursing process are assessing, planning, implementing and evaluating. Written and verbal communication is essential to the nursing process.

**COMPETENCIES:**

(a) **Assessment** – Makes observations, gathers data and assists in identification of needs and problems relevant to the client.

(i) Makes basic observations of clients' safety and comfort needs.

(ii) Identifies physical discomfort and environmental threats to client safety.

(iii) Identifies basic physiological, emotional, sociological, cultural, economic, and spiritual needs.

(iv) Collects specific data as directed.

(v) Identifies major deviation from normal.

(vi) Selects data from established sources relevant to client's needs or problems.

(vii) Collaborates in organizing data.

(viii) Assists in formulating the list of clients' needs or problems.

(ix) Identifies major short and long term needs of clients.

(b) **Planning** – Contributes to the development of approaches to meet the needs of clients and families.

(i) Develops client care plans, utilizing a standardized nursing care plan.

(ii) Assists in setting priorities for nursing care.

(iii) Participates in client care conferences.

(c) **Implementation** – Carries out planned approaches to client care.

(i) Carries out nursing actions developed in care plan to ensure safe and effective nursing care.

(ii) Performs common therapeutic nursing techniques.

(iii) Administers medications safely and accurately, within institutional policies and procedures, and with knowledge of the medication being administered.

(d) **Evaluation** – Utilizing a standard plan for nursing care, appraises the effectiveness of client care.

(i) Collaborates in data collection relevant to outcome of care.

(ii) Assists in comparing outcome of care to formulated objective.

(iii) Assists with adjustments in care.

(iv) Reports outcome of care given.

(2) **STANDARD II.** The practical nurse uses communication skills effectively in order to function as a member of the nursing team. Communication is defined as a process by which information is exchanged between individuals through a common system of symbols, signs, or behaviors that serves as both a means of gathering information and of influencing the behavior and feelings of others.

**COMPETENCIES:**

~~((a))~~ Applies beginning skills in verbal, nonverbal and written communication, recognizing and respecting cultural diversity and respecting the spiritual beliefs of individual clients.

~~((b))~~ (a) Uses common medical terminology and abbreviations.

~~((c))~~ (b) Interprets common medical terminology and abbreviations.

~~((d))~~ (c) Reports pertinent client communications regarding his/her physical and psycho-social welfare.

~~((e))~~ (d) Develops a working relationship with the client, family, and health team members.

~~((f))~~ (e) Interviews clients to collect specific data with or without a structured tool.

~~((g))~~ (f) Identifies possible communication blocks.

~~((h))~~ (g) Recognizes that communication can be facilitated by certain responses.

~~((i))~~ (h) Interacts appropriately in a one-to-one relationship and in a group setting.

~~((j))~~ (i) Modifies own communication pattern.

~~((k))~~ (j) Documents observations and actions correctly in the chart.

(k) Demonstrates the ability to communicate effectively in the work setting.

(3) STANDARD III. In a structured setting the practical nurse demonstrates responsibility for own actions by using common techniques of problem solving and decision making to plan and organize own assignment. Problem solving and decision making include utilization of available resources to secure a desired result.

## COMPETENCIES:

- (a) Participates in self-assessment.
- (i) Identifies own strengths and weaknesses.
- (ii) Maintains personal health.
- (iii) Maintains appropriate appearance.
- (iv) Seeks assistance as needed.
- (v) Requests recommendations for improvements.
- (vi) Incorporates new and appropriate behaviors in nursing action.
- (vii) Evaluates completion of assigned duties.
- (b) Seeks learning opportunities that will foster growth.
  - (i) Plans goals for self improvement of performance with help of a supervisor.
  - (ii) Seeks opportunities for personal vocational growth.
  - (iii) Utilizes new knowledge and skills.
  - (iv) Participates in staff development.
  - (v) Demonstrates knowledge of professional organization and other (~~contributors~~) contributors to past and present nursing advancement.
- (c) Applies knowledge of ethical and legal principles and responsibilities pertinent to self, clients, and others.
  - (i) Identifies scope and limitations of own role.
  - (ii) Functions within the law regulating the practice of practical nursing.
  - (iii) Demonstrates ethical practice in providing client care.
  - (iv) Respects and maintains the client's privacy interests.
    - (d) Practices conservation of available resources.
      - (i) Demonstrates an understanding of hospital and client costs by economical use of supplies and equipment.
      - (ii) Participates in nursing audit.
    - (e) Follows employer rules and regulations.
      - (i) Functions according to the job description, recognizing employer/employee expectations.
      - (ii) Explains employer rules and regulations as they apply to client and family.

(4) STANDARD IV. The practical nurse assists in the health teaching of clients recognizing individual differences. Health teaching is defined as facilitating learning and instructing clients and significant others in preventive and therapeutic measures.

## COMPETENCIES:

- (a) Health teaching – Assists in the development of teaching plans for the individual client.
  - (i) Identifies major health education needs and problems of clients.
  - (ii) Communicates observation of health and learning needs.
  - (iii) Assists in individualizing the teaching plan to include others when appropriate.

(b) Implements teaching of basic health information according to the appropriate teaching plan.

(c) Communicates client's request for information to appropriate team member.

(d) Documents client teaching on the appropriate records.

(5) STANDARD V. The practical nurse demonstrates an understanding of own role in the health care delivery system. Health care delivery systems are defined as the voluntary and governmental organizations and institutions at international, national, state, and local levels that influence health policy and encompass comprehensive services.

## COMPETENCIES:

- (a) Functions as a practical nurse within the health care delivery system. (See chapter 18.78 RCW.)
  - (i) Functions within the role of the practical nurse.
  - (ii) Identifies the basic functions of members of the health care delivery team.
    - (b) Recognizes functions of health care delivery systems.
      - (i) Identifies supportive services in client care settings.
      - (ii) Identifies community resources.
      - (iii) Identifies the need for assistance from other agencies.
        - (iv) Demonstrates ability to obtain information about health care agencies.
    - (c) Acts as client advocate in health maintenance and clinical care.
      - (i) Recognizes the rights of individuals to control their own health needs and make decisions about health services.
      - (ii) Provides client education concerning health care delivery systems.

(6) STANDARD VI. The practical nurse recognizes the need for change in a structured health care setting and demonstrates willingness to participate in effecting change. Change is defined as a systematic process which includes careful assessment and acceptance of responsibility for own actions, resulting in a significant alteration.

## COMPETENCIES:

- ((~~(a)~~)) Recognizes need to adjust functions to comply with the accepted practical nurse role and assists in assessing effectiveness of current nursing practices in a given health care delivery system.
- ((~~(i)~~)) (a) Recognizes problems and the need for change in current nursing practice.
- ((~~(ii)~~)) (b) Communicates needs for further change through appropriate channels.
- ((~~(iii)~~)) (c) Identifies personal factors which influence response to change. Adapts own behavior.
- ((~~(iv)~~)) (d) Accepts potential risks with instituting change.

AMENDATORY SECTION (Amending Order 109B, filed 12/17/90, effective 1/31/91)

WAC 246-838-270 CRITERIA FOR APPROVED REFRESHER COURSE. (1) Philosophy, purpose, and objectives.

(a) Philosophy, purpose, and objectives of the course shall be clearly stated and available in written form.

They shall be consistent with the definition of practical nursing as outlined in chapter 18.78 RCW.

(b) Objectives reflecting the philosophy shall be stated in behavioral terms and describe the capabilities and competencies of the graduate.

(2) Faculty.

(a) All faculty shall be qualified academically and professionally for their respective areas of responsibility.

(b) All faculty shall be qualified to develop and implement the program of study.

(c) Faculty shall be sufficient in number to achieve the stated program objectives.

(3) Course content.

(a) The course content shall consist of a minimum of sixty hours of theory content and one hundred twenty hours of clinical practice.

(b) The course content, length, methods of instruction, and learning experiences shall be consistent with the philosophy and objectives of the course. Outlines and descriptions of all learning experiences shall be available in writing.

(c) The theory course content shall include, but not be limited to, a minimum of sixty hours in current basic concepts of:

(i) Nursing process;

(ii) Pharmacology;

(iii) Review of the concepts in the areas of:

(A) Practical nursing today including legal expectations;

(B) Basic communications and observational practices needed for identification, reporting, and recording patient needs; and

(C) Basic physical, biological, and social sciences necessary for practice; and

(iv) Review and updating of practical nursing knowledge and skills to include, but not be limited to, concepts of fundamentals, medical/surgical, parent/child, geriatric, and mental health nursing.

(d) The clinical course content shall include a minimum of one hundred twenty hours of clinical practice in the area(s) listed in (c) of this subsection. Exceptions shall be justified to and approved by the board.

(4) Evaluation.

(a) Evaluation methods shall be used to measure the student's achievement of the stated theory and clinical objectives.

(b) The course shall be periodically evaluated by faculty and students.

(5) Admission requirements.

(a) Requirements for admission shall be available in writing.

(b) All students shall hold a current valid practical nurse license or a limited educational license approved by the board.

(c) Any person holding an inactive or lapsed practical nurse license in another state may apply for a limited educational license provided that the applicant meets the requirements of WAC 246-838-100.

(6) Records.

(a) Evidence that the student has successfully completed the course and met the stated objectives shall be kept on file.

(b) The refresher course provider shall submit a certification of successful completion of the course to the board.

(7) Refresher courses taken outside of the state of Washington shall be reviewed individually for approval by the board prior to starting the course.

(8) Approval of refresher courses shall be requested and approved in advance as directed by the board.

## WSR 91-13-024

### PROPOSED RULES

#### DEPARTMENT OF TRANSPORTATION

[Filed June 11, 1991, 2:23 p.m.]

#### Original Notice.

Title of Rule: Chapter 468-70 WAC, Motorist information signs.

Purpose: Amendments to motorist information signs, chapter 468-70 WAC.

Statutory Authority for Adoption: Chapter 47.42 RCW and RCW 47.01.101.

Summary: Revises nine sections of existing chapter 468-70 WAC for clarity.

Reasons Supporting Proposal: Proposal will provide additional clarity for situations previously not addressed in the WAC.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: David K. Peach, Olympia, Washington, 753-6090.

Name of Proponent: Washington State Department of Transportation, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Clarification of existing rules to enhance administrative efficiency.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Commission Board Room 102, Transportation Building, Olympia, Washington 98504, on August 8, 1991, at 10:00 a.m.

Submit Written Comments to: David K. Peach, Transportation Building, Olympia, Washington 98504, by August 2, 1991.

Date of Intended Adoption: August 8, 1991.

June 11, 1991

Ed W. Ferguson  
Deputy Secretary

#### AMENDATORY SECTION (Amending Order 103, filed 3/25/86)

WAC 468-70-030 LOCATION OF PANELS AND SIGNS. (1) Specific information panels will be provided on interchange approaches and in advance of intersections. Where a qualified type of motorist activity is not present, a panel will not be erected. Generally, these panels should be located near the right of way line and readable from the main traveled way. Normally, the panels will be erected as follows:

(a) For freeways and interchanges on expressways the panels shall be erected between the previous interchange and at least eight hundred feet in advance of the exit direction sign at the interchange from which the services are available. There shall be at least eight hundred feet spacing between the panels, and there will be one panel each for GAS,

FOOD, LODGING, and CAMPING/RECREATION except as provided in (c) of this subsection.

(b) For conventional roads the panels shall be erected between the previous intersection and at least three hundred feet in advance of the intersection from which the services are available, signing should not be provided to any service visible at least three hundred feet along the mainline prior to the intersection or driveway approach serving the business. There will be one panel each for GAS, FOOD, LODGING, and CAMPING/RECREATION, except as provided in (c) of this subsection.

(c) At remote rural interchanges and on conventional road intersections, not more than two types of business activities may be combined on one panel. No more than two logos per activity may be displayed. Ramp panels to direct motorists to the right or to the left may display more than one type of business activity. No other mixed panels may be used.

(2) Information for specific information panels on the mainline of expressways/freeways will be repeated on the supplemental directional panels located along the interchange ramp(s)<sub>2</sub>, or at the ramp terminal<sub>2</sub>, where the services are not visible from the ramp. Supplemental directional panels may be used only to repeat messages installed on the mainline.

(3) One tourist-oriented directional (TOD) sign panel may be placed in advance of the GAS, FOOD, LODGING, and CAMPING/RECREATION specific information panels. Spacing shall be the same as for the specific information panels. For interchanges supplemental TOD sign assemblies will be repeated along the ramps or at ramp terminals where the activities are not visible from the ramp. TOD sign panels are not allowed in lieu of the GAS, FOOD, LODGING, and CAMPING/RECREATION specific information panels, or along interstate highways.

(4) The spacing between sign panels, and between sign panels and official traffic control signs shall be in accordance with the Manual on Uniform Traffic Control Devices. Where there is insufficient spacing for both official traffic control signs and specific information/TOD sign panels, the official traffic control signs only shall be installed.

#### AMENDATORY SECTION (Amending Order 106, filed 12/16/86)

WAC 468-70-050 BUSINESS ELIGIBILITY. (1) To be eligible for placement of a business sign on a specific information panel a motorist activity must conform to the following standards:

(a) Gas activity:

(i) Provide vehicle services including fuel, oil, (~~(lubrication)~~) tire repair and water; and

(ii) Be in continuous operation at least sixteen hours a day, seven days a week; and

(iii) Provide restroom facilities, drinking water and a telephone access;

(iv) Specific information panels may be installed and existing signing will not be removed when the service facility is closed for a short period of time or when its hours of operation have been reduced as a result of a shortage of gasoline;

(v) Facilities not meeting the tire repair requirement(s) of (i) of this subsection but have (~~(at least)~~) gas, oil, and water may qualify for signing provided that (~~(other facilities meeting the requirements of (i) of this subsection are available within the distances from the interchange as specified in subsection (3)(a) of this section)~~) the specific information panel displays fewer than the full complement of business signs. A telephone must also be available at no cost for a person to use to acquire tire repair. Where business signs for facilities not meeting the tire repair requirements complete the full complement of business signs on a specific information panel, the most recently installed of such business signs shall be substituted for in the event that a qualifying facility meeting the tire repair requirements applies to receive business signs.

(b) Food activity:

(i) Be licensed or approved by the county health office; and

(ii) Be in continuous operation for a minimum of twelve hours a day to serve three meals a day, breakfast, lunch, and dinner seven days a week; and

(iii) Have seats for a minimum of twenty patrons and (~~(for)~~) parking (~~(and drive-in)~~) facilities for a minimum of ten vehicles; and

(iv) Provide telephone and restroom facilities.

(c) Lodging activity:

(i) Be licensed or approved by the Washington department of social and health services; and

(ii) Provide adequate sleeping and bathroom accommodations available without reservations for rental on a daily basis; and

(iii) Provide public telephone facilities.

(d) Camping activity (applicable only for activities on fully controlled limited access highways):

(i) Be licensed or approved by the Washington department of social and health services or county health office;

(ii) Consist of at least twenty camping spaces, at least fifty percent of which will accommodate tents, and have adequate parking, modern sanitary and drinking water facilities for such spaces; and

(iii) Have an attendant on duty to manage and maintain the facility twenty-four hours a day while in operation.

(e) Recreation activity (applicable only for activity on scenic system or primary system highways with partial access control or no access control):

(i) Consist of activities and sports of interest to family groups and the public generally in which people participate for purposes of active physical exercise, collective amusement or enjoyment of nature; e.g., hiking, golfing, skiing, boating, swimming, picnicking, camping, fishing, tennis, horseback riding, ice skating and gun clubs; and

(ii) Be licensed or approved by the state or local agency regulating the particular type of business; and

(iii) When the recreational activity is a campground, it must meet the criteria specified in WAC 468-70-050 (1)(d)(i) thru (iii).

(f) Tourist-oriented business activity (not applicable for activities on interstate highways):

(i) A natural, recreational, historical, cultural, educational, or entertainment activity, or a unique or unusual commercial or nonprofit activity, the major portion of whose income or visitors are derived during its normal business seasons from motorists not residing in the immediate area of the activity.

(ii) Activities must be open to the motoring public without appointment, at least eight hours a day, five days a week including Saturday and/or Sunday.

(2) Distances prescribed herein will be measured from the center of the interchange or intersection along the centerline of the most direct public road to the facility access.

(3) The maximum distance that GAS, FOOD, LODGING, CAMPING or RECREATIONAL activities can be located on either side of an interchange or intersection to qualify for a business sign shall be as follows:

(a) From an interchange on a fully controlled limited access highway, GAS, FOOD and LODGING activities shall be located within three miles in either direction. CAMPING activities shall be located within five miles in either direction;

(b) From an interchange or intersection on a highway with partial access control or no access control, GAS, FOOD, LODGING, or CAMPING activities shall be located within five miles in either direction.

(c) Where there are fewer than the maximum number, as specified in WAC 468-70-060, of eligible services within the distance limits prescribed in subsection (3)(a) and (b) of this section, the distance limits may be increased in three-mile increments up to a maximum of fifteen miles to complete the balance of allowable signs.

(d) From an interchange or intersection on a highway with partial access control or no access control, RECREATIONAL activities shall be located within ten miles in either direction. If within such ten mile limit there are fewer than the maximum number, as specified in WAC 468-70-060, of RECREATIONAL activities available, then activities of such type located within a fifteen mile limit shall qualify.

(e) Qualified tourist-oriented business must be located within fifteen miles of the state highway.

(f) Specific information panels or tourist-oriented directional panels will not be provided until the required supplemental panels, if needed, are installed by local agencies.

(g) Within cities and towns having a population greater than fifteen thousand, the department of transportation shall obtain concurrence from the municipality of locations for installing panels, and may have the municipality install the panels.

(4) A GAS, FOOD, LODGING, CAMPING/RECREATIONAL, or TOURIST-ORIENTED activity visible from the mainline at least three hundred feet prior to an intersection shall not qualify for a business sign on such highway.

(5) To be eligible for business sign placement (~~(on)~~) on supplemental direction panel the activity must be eligible for specific information panel placement.

(6) When (~~(an)~~) a multiple business activity qualifies for business sign placement on more than one type of specific information panel, placement will be made on that type of panel which, as determined by the department, best describes the main product or service. Additional business signs for a qualifying multiple business activity may only be placed on more than one type of specific information panel where the

applicable panels display fewer than a full complement of business signs. Where these additional business signs complete the full complement of business signs on a specific information panel, the most recently installed of such additional business signs shall be substituted for in the event that a qualifying single business activity applies to receive business signs.

(7) ~~((When appropriate, the department may require an applicant activity to file written assurances that))~~ Specific information panels will not be erected and maintained by the department until adequate follow-through signing, as specified by the department, ~~((will be))~~ is erected ~~((and maintained))~~ on local roads and/or streets. Written assurance that the follow-through signs will be maintained is required.

(8) Where operations are seasonal, business signs for each specific location shall be removed or covered during the appropriate period as determined by the department.

#### AMENDATORY SECTION (Amending Order 106, filed 12/16/86)

WAC 468-70-060 SIGNING DETAILS. (1) Specifications. All specific information panels, supplemental directional panels, and business signs shall be constructed in accordance with the Washington state standard specifications, standard plans and amendments thereto. All business signs shall be constructed of a single piece of 0.063 inch thick aluminum. All panels and business signs shall be fully reflectorized to show the same shape and color both by day and night.

(2) Color of panels and signs:

(a) The background color for GAS, FOOD, LODGING, CAMPING and TOD specific information panels and supplemental directional panels shall be blue. The background color for RECREATION specific information panels and supplemental directional panels shall be brown. The border and lettering on all such signs shall be white.

(b) The background color and letter color for business signs manufactured by the department shall be standard highway sign sheeting and inks which are available in white (silver), blue, black, yellow, red, orange, green, and brown. A description of business signs which the department will manufacture is provided in WAC 468-70-070 (8)(b).

(3) Composition of specific information panels:

(a) For interchanges, the maximum number of business signs which may be displayed on a specific information panel are six for each gas ~~((and four each for))~~, food, lodging, camping/recreation and TODS ~~((activities))~~ panel. For intersections, ~~((all are))~~ each panel is limited to four business signs.

(b) Sign panel fabrication layouts, and business sign sizes, are provided in the Appendices of the Scenic Vistas Act Booklet published by the Washington state department of transportation.

(i) The panel size shall be sufficient to accommodate the various sizes of business signs and directional information.

(ii) For qualifying businesses located more than one mile from an intersection the business sign shall show the mileage to the business to the nearest mile. For interchanges the mileage will be shown on the supplemental directional panel business signs installed along the interchange ramp or at the ramp terminal.

#### AMENDATORY SECTION (Amending Order 115, filed 10/20/88)

WAC 468-70-070 PERMITS AND PROCEDURE. (1) No business signs will be installed on information panels prior to issuance of a permit by the department. Permits will be issued by the department in accordance with this chapter.

(2) Permit applications will be accepted at the appropriate department of transportation district office in care of the district administrator. Applications transmitted by mail shall be effective from date of receipt rather than of mailing.

(3) One permit application will be for all the signing that the applicant will qualify for at a single interchange or intersection.

(4) Application, forms for which may be obtained from the department, shall contain the following information:

(a) Name and address of the owner of the business to be advertised.

(b) The highway for which the applicant seeks signing.

(c) A description of the interchange or intersection for which the business sign is to be installed.

(d) A statement of location including exact travel distance from the interchange or intersection and precise roads used for access.

(e) An agreement to limit the height of any on-premise sign to no greater than fifteen feet higher than the roof of the main building, for businesses located within one mile of an interchange or intersection.

(Not applicable along interstate highways if the sign is not visible to the highway.)

Pursuant to RCW 47.42.046, for on-premise signs visible along rural interstate highways the department may waive the fifteen-foot height requirement, on a case-by-case basis, where granting the waiver will not preclude another business having an on-premise sign which complies with the fifteen-foot height requirement from receiving business signs.

(f) Such other information as may be required by the department.

(5) Each permit application will include a sketch, drawing or picture of the message to be placed on the business signs. The department shall have final approval of the design of the business sign and may modify such submissions to achieve uniformity.

(6) A standard application processing fee of seventy-five dollars will accompany each application. Such fee will be returned if an application is denied or if after approval the activity is not signed for reasons caused by the department.

(7) Any party aggrieved by an application determination of the department shall be accorded hearing rights before the secretary of transportation or his designee pursuant to chapter ~~((34-04))~~ 34.05 RCW.

(8) Fabrication and installation of business signs:

(a) Once an application is approved, the department will request the business to provide the signs for installation. Such signs shall be built to the department's specifications prescribed by WAC 468-70-060. Prior to installation the business shall be billed and pay for the installation cost prescribed in WAC 468-70-080.

(b) When requested by a business, the department will manufacture business signs composed of standard solid color background with standard die cut or silk screened highway sign letters used for messages. The department does not manufacture business signs having nonstandard colors, nonstandard letters, or pictorial business symbols or trademarks. The manufacturing and installation fees for signs manufactured by the department are prescribed in WAC 468-70-080.

(9) Business sign annual permit, maintenance, and replacement:

(a) For a business which provides its own signs to the department, an annual permit fee of ten dollars shall be charged.

Maintenance replacement signs shall be provided by the business, when requested by the department to replace weather worn signs. After installation the business will be billed for the installation cost as prescribed in WAC 468-70-080.

(b) For signs manufactured and maintained by the department, an annual maintenance fee shall be paid, as prescribed in WAC 468-70-080, for each business sign.

(c) Annual permit renewal and maintenance fees shall be paid ~~((by February 1 of the calendar year it is due))~~ within thirty calendar days after the anniversary of the permit issue. These fees will not be prorated for fractions of the year in the event of business sign removal or coverage. Failure to pay the annual fee ~~((by February 1 of the year due))~~ within thirty calendar days after the anniversary of the permit issue will cause the permit to expire and the business signs ~~((with))~~ to be removed from the ~~((back))~~ specific information panels.

(10) In the event of change of ownership or operation, assignment of permits in good standing shall be effective only upon receipt of assignment by the department.

(11) Revocation and expiration:

(a) After hearing before the secretary of transportation or his designee, as required by chapter ~~((34-04))~~ 34.05 RCW (Administrative Procedure Act) and the rules and regulations of the department adopted pursuant thereto, any permit may be revoked by the secretary or the secretary's designee who has conducted the hearing for any of the following reasons:

(i) For the making of any false or misleading statements in the application for any permit, whether or not the same is material to or relied upon by the department in the issuance of such permit when such false or misleading statement or information shall remain uncorrected after the expiration of thirty days following written notification thereof.

(ii) For allowing or suffering any on-premise sign to remain that does exceed the height requirements set forth in the act or this chapter.

(iii) For failure to provide the services and/or facilities required by WAC 468-70-050 and this section.

(b) If a permit is revoked or is allowed to expire, a new application may be accepted by the department and the application must meet the requirements of any other new application.



**WSR 91-13-025**  
**PROPOSED RULES**  
**INTERAGENCY COMMITTEE**  
**FOR OUTDOOR RECREATION**

[Filed June 11, 1991, 2:57 p.m.]

**Original Notice.**

**Title of Rule:** Chapter 286-27 WAC, Washington wildlife and recreation program.

**Purpose:** To provide a process to determine eligibility criteria for grants approved for the Washington wildlife and recreation program.

**Statutory Authority for Adoption:** Chapter 43.99 RCW.

**Statute Being Implemented:** Chapter 43.98A RCW.

**Summary:** Provides guidelines to administer the Interagency Committee for Outdoor Recreation Washington wildlife and recreation program.

**Reasons Supporting Proposal:** To provide an orderly grant administration process per chapter 43.98A RCW.

**Name of Agency Personnel Responsible for Drafting:** Gary Ogden or Greg Lovelady, 4800 Capitol Boulevard, Tumwater, 753-7140; **Implementation:** Larry Fairleigh and Greg Lovelady, 4800 Capitol Boulevard, Tumwater, 753-7140; and **Enforcement:** Robert L. Wilder, 4800 Capitol Boulevard, Tumwater, 753-7140.

**Name of Proponent:** Interagency Committee for Outdoor Recreation, governmental.

Rule is not necessitated by federal law, federal or state court decision.

**Explanation of Rule, its Purpose, and Anticipated Effects:** This rule will determine an orderly process and publish rules for eligibility for state and local agencies to receive grant awards under chapter 43.98A RCW.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Our review indicates there is no impact on small businesses. No grants will be made to private businesses.

**Hearing Location:** City of Vancouver, City Council Chambers, 210 East 13th Street, Vancouver, WA 98668, on July 26, 1991, at 1:00 p.m.

**Submit Written Comments to:** Gary Ogden, IAC, 4800 Capitol Boulevard, KP-11, Tumwater, WA 98501, by July 24, 1991.

**Date of Intended Adoption:** July 26, 1991.

June 11, 1991  
 Robert L. Wilder  
 Director

Chapter 286-27 WAC  
 Washington Wildlife and Recreation Program

**NEW SECTION**

**WAC 286-27-010 SCOPE.** This chapter contains rules affecting the eligibility of local and state agencies to share outdoor recreation and habitat conservation account moneys under the authority of RCW 43.98A.060(1) and 43.98A.070(5). These moneys are available through the interagency committee for outdoor recreation for projects in state parks, local parks, trails, water access, critical habitat, natural areas and urban wildlife habitat categories.

Grants-in-aid for such projects are intended to supplement and expand the existing capacity of state and local agencies.

**NEW SECTION**

**WAC 286-27-020 EFFECTIVE DATE.** Rules in this chapter only apply to projects submitted after October 1, 1991.

**NEW SECTION**

**WAC 286-27-030 DEFINITIONS.** Unless the context clearly requires otherwise, definitions in this section apply throughout this chapter.

(1) "Committee" means interagency committee for outdoor recreation.

(2) "WWRP" means the Washington wildlife and recreation program as described in Chapter 43.98A RCW.

(3) "Project" means a proposal that complies with chapter 43.98A RCW, these rules, guidelines, and plans adopted by the committee.

(4) "HCA" means habitat conservation account funds distributed per RCW 43.98A.040 and intended for the acquisition and development of critical habitat, natural areas, and urban wildlife habitat.

(5) "ORA" means outdoor recreation account funds distributed per RCW 43.98A.050 and intended for the acquisition and development of state parks, trails, water access sites, and the acquisition, development and renovation of local parks.

**NEW SECTION**

**WAC 286-27-040 PLANNING REQUIREMENTS, OUTDOOR RECREATION ACCOUNT (ORA).** (1) Local agencies. Before considering a project, the committee must have on file from the local agency applicant an outdoor recreation plan completed in accordance with committee guidelines. The plan must include:

(a) An adopted comprehensive plan for the agency's jurisdiction which includes park, recreation, trails, and open space elements;

(b) An adopted six-year capital improvement program; and

(c) An inventory of public trails, open space, and outdoor recreation lands and facilities managed by the applicant agency.

(2) State agencies. Before considering a project, the committee must have on file from the state agency applicant the following:

(a) An adopted six-year capital facilities or outdoor recreation plan which includes a statement of agency long term acquisition, development and management goals, and

(b) An inventory of public trails, open space, and outdoor recreation lands and facilities managed by the applicant agency.

**NEW SECTION**

**WAC 286-27-050 PLANNING REQUIREMENTS, HABITAT CONSERVATION ACCOUNT (HCA).** (1) Local agencies.

(a) After July 1, 1993: Before considering a project, the committee must have on file from the local agency applicant a habitat conservation plan completed in accordance with committee guidelines. The plan must include:

(i) An adopted comprehensive plan for the agency's jurisdiction which includes natural areas, critical habitat and urban wildlife habitat elements,

(ii) An adopted six-year capital improvement program, and

(iii) An inventory of applicant managed lands with critical habitat, natural area and urban wildlife habitat values.

(b) Before July 1, 1993: Before considering a project, the committee must have on file from the local agency applicant the following plan element information:

(i) Certification of intent to complete the plan and

(ii) A plan preparation progress report.

(2) State agencies.

(a) Before considering a project, the committee must have on file from the state agency a habitat conservation plan completed in accordance with committee guidelines. The plan must include:

(i) An adopted six-year facilities or conservation plan which includes a statement of agency long term acquisition, development and management goals, and

(ii) An inventory of applicant managed lands with critical habitat, natural area, and urban wildlife habitat values.

**NEW SECTION**

**WAC 286-27-060 PROJECT CONVERSIONS.** (1) Except under conditions brought about by acts of God or fire, natural resources and facilities purchased with chapter 43.98A RCW funds shall not, without the approval of the committee, be converted to uses other than



those for which the funds were originally approved. The committee will only approve such conversions on conditions which assure the substitution or replacement with natural resources or facilities which are of at least equal fair market value at the time of conversion. Natural resources and facilities must also be of as nearly equivalent or greater usefulness and location, if physically and/or biologically feasible.

(2) The committee is entitled to pursue and obtain remedies which assure the substitution or replacement of natural resources or facilities in accordance with Section 6.1. above for any such conversion which may occur without its proper approval.

#### NEW SECTION

WAC 286-27-070 PARTICIPATION MANUALS. (1) Guide-line participation manuals shall be written for WWRP for use by project applicants, potential applicants, sponsors and others. The manuals shall describe the procedures to be followed in order to conform to chapter 43.98A RCW, these rules, and policies of the committee.

(2) WWRP participation manual adoption shall be considered in an open public meeting and may only be adopted by action of the committee.

#### NEW SECTION

WAC 286-27-080 FUNDED PROJECTS. Contracts shall be required for all approved WWRP grants-in-aid as prescribed in committee guidelines.

### **WSR 91-13-026**

#### **PERMANENT RULES**

#### **DEPARTMENT OF AGRICULTURE**

[Order 2087—Filed June 11, 1991, 2:58 p.m., effective June 12, 1991]

Date of Adoption: June 11, 1991.

Purpose: To prevent the introduction and establishment of potato Y virus necrotic strain (PVY-N) in the state of Washington.

Statutory Authority for Adoption: Chapter 17.24 RCW.

Pursuant to notice filed as WSR 91-10-095 on May 1, 1991.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: This quarantine will prevent introduction and establishment of PVY-N in the state of Washington and protect against any related marketing restrictions on the state's potatoes.

Effective Date of Rule: June 12, 1991.

June 11, 1991  
Michael V. Schwisow  
Deputy Director  
for C. Alan Pettibone  
Director

#### NEW SECTION

WAC 16-484-200 DEFINITIONS. The definitions set forth in this section shall apply to WAC 16-484-205 through 16-484-260 unless the context otherwise requires:

(1) "Director" means the director of agriculture of this state, or a duly authorized representative.

(2) "Department" means the Washington state department of agriculture.

(3) "Seed potatoes" means White or Irish potatoes, *Solanum tuberosum*, intended for the purpose of propagation or reproduction.

(4) "Interior quarantine" means a quarantine within the state of Washington established against the movement of designated pests, life stages, their hosts, and possible carriers from areas identified by the department.

(5) "Exterior quarantine" means a quarantine established against the movement into Washington state of designated pests, life stages, their hosts, and possible carriers from areas identified by the department.

#### NEW SECTION

WAC 16-484-205 PENALTIES. Any person who violates or fails to comply with any rule adopted under chapter 17.24 RCW shall be guilty of a misdemeanor, and for a second and each subsequent violation of the same rule, shall be guilty of a gross misdemeanor.

#### NEW SECTION

WAC 16-484-210 QUARANTINE—POTATO VIRUS Y NECROTIC STRAIN. A quarantine is established under this chapter against the disease known as potato virus Y necrotic strain (PVY-N). PVY-N is a serious viral disease of certain species of the family Solanaceae, and is not known to occur in the United States.

#### NEW SECTION

WAC 16-484-220 AREA UNDER QUARANTINE. The following areas are declared to be under quarantine for PVY-N:

(1) Exterior quarantine. All states and districts of the United States; and

(2) Interior quarantine. All counties in the state of Washington.

#### NEW SECTION

WAC 16-484-230 REGULATED ARTICLES. (1) The following are hereby declared to be hosts or possible carriers of PVY-N and are prohibited entry into the state from any area under exterior quarantine either directly, indirectly, diverted, or reconsigned except as provided in WAC 16-484-240:

(a) All seed potatoes originating in the Province of Prince Edward Island, Canada, potato inspection districts 1 through 4; and

(b) All seed potatoes of the Atlantic variety originating in the Province of Prince Edward Island, Canada, potato inspection districts 5 and 6; and

(c) All seed potatoes originating in the Province of New Brunswick, Canada, that are progeny of potatoes of the Atlantic variety that originated in Prince Edward Island in 1989 or 1990; and

(d) All other seed potatoes grown on farms where potatoes identified in (b) and (c) of this subsection have been grown; and

(e) All seed potatoes originating in any other location within Canada, except the Province of Newfoundland and the Land District of South Saanich of Vancouver Island of British Columbia that are the progeny of potatoes of the Atlantic variety that originated in Prince Edward Island in 1989 or 1990.

(2) It is prohibited to cut for seed, plant, move, sell, or transport any regulated article identified in subsection (1)(a) through (e) of this section which arrived in the state of Washington prior to the effective date of this quarantine until inspected and released by the department.

#### NEW SECTION

WAC 16-484-240 CONDITIONS GOVERNING THE MOVEMENT OF REGULATED ARTICLES INTO WASHINGTON STATE. (1) Each shipment of a regulated article shall be accompanied by a certificate issued by the state of origin that clearly identifies each seed lot and shall contain an additional declaration stating that the seed potatoes were tested and found free of PVY-N utilizing a method prescribed by the director.

(2) Persons shipping regulated articles into this state from areas under exterior quarantine shall notify the department's plant protection branch prior to arrival of the nature and quantity of each shipment, its expected date of arrival at destination, the name of the intended receiver, and the destination. The person to whom the regulated articles are shipped shall hold the same until they are inspected and released by the department.

#### NEW SECTION

WAC 16-484-250 SPECIAL PERMITS AND COMPLIANCE AGREEMENTS. The director may issue special permits or enter into compliance agreements allowing the movement of regulated articles covered in WAC 16-484-230 not otherwise eligible for movement from the area under quarantine, subject to conditions and provisions which the director may prescribe to prevent the escape or spread of PVY-N.

#### NEW SECTION

WAC 16-484-260 DISPOSITION OF REGULATED ARTICLES ENTERING IN VIOLATION OR FOUND INFECTED WITH PVY-N. Any regulated article (1) entering the state in violation of this quarantine; or (2) entering the state prior to the effective date of this quarantine which is or may be infected with PVY-N; shall be disposed of in a manner prescribed by the director, returned out-of-state, or destroyed at the option and expense of the owner or the owner's agent.

**WSR 91-13-027**  
**NOTICE OF PUBLIC MEETINGS**  
**COMMUNITY ECONOMIC**  
**REVITALIZATION BOARD**

[Memorandum—June 10, 1991]

The July 18, 1991, Community Economic Revitalization Board (CERB) meeting date has been changed to July 17, 1991. The meeting's location has also been changed. It will now be held at the Red Lion Inn in Pasco, Washington.

**WSR 91-13-028**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF**  
**COMMUNITY DEVELOPMENT**

[Memorandum—June 10, 1991]

The Washington State Department of Community Development plans to hold a public hearing on the proposed 1992 state plan for the low-income home energy assistance program (LIHEAP).

The hearing will be held Thursday, August 8, 1991, at the Department of Community Development, Ninth and Columbia Building, Olympia, Washington, Room 5A. The hearing will begin at 10:30 a.m. and close at 12:00 noon, 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., August 8, 1991. Written testimony should be sent to the attention of Bruce Yasutake, Energy Services Section, Department of Community Development, Ninth and Columbia Building, Olympia, Washington 98504-4151.

If you have any questions or need additional information, please contact Bruce Yasutake at (206) 586-0498 or 321-0498 scan.

**WSR 91-13-029**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**RETIREMENT SYSTEMS**

[Filed June 12, 1991, 3:30 p.m.]

Date of Adoption: June 12, 1991.

Purpose: To implement RCW 41.50.110, 41.26.070, 41.32.401, and 41.40.080 which authorize the Department of Retirement Systems to set an administrative fee rate to cover costs incurred by the department to operate the state retirement systems.

Statutory Authority for Adoption: RCW 41.50.110, 41.26.070, 41.32.401, and 41.40.080.

Other Authority: RCW 41.50.110, 41.26.070, 41.32.401, and 41.40.080 (being implemented).

Pursuant to notice filed as WSR 91-10-107 on May 1, 1991.

Effective Date of Rule: Thirty-one days after filing.

June 12, 1991

George Northcroft  
Director

**FINAL RULES**

**CHAPTER 415-116**

**A Rule Relating to the Administrative Fee Rate**

**[NEW SECTION]**

WAC 415-116-010 PURPOSE These rules relate to the implementation of RCW 41.50.110, 41.26.070, 41.32.401, and 41.40.080 which provide the Department

of Retirement Systems the authority to set an administrative fee rate to cover costs incurred by the Department to operate the state retirement systems.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**[NEW SECTION]**

**WAC 415-116-020 DEFINITIONS** As used in this chapter, unless a different meaning is plainly required by the context:

- 1) "Department" refers to the Department of Retirement Systems established pursuant to chapter 41.50 RCW as now existing or hereafter amended.
- 2) "Director" refers to the Director of the Department of Retirement Systems.
- 3) "Employers" refers to all employers within the retirement systems administered by the Department as defined in RCW 41.50.030; with the exception of the Washington State Patrol Retirement System, the Judges' Retirement System and the Judicial Retirement System.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**[NEW SECTION]**

**WAC 415-116-030 ADMINISTRATIVE FEE RATE** The administrative fee rate that the Department sets will be reviewed annually by the Director. It is within the Director's discretion to change the administrative fee rate at any time. If a change is necessary, then the Department will inform employers of this decision through the Department's Employer Notice. Changes will be made based on the criteria provided for in WAC 415-116-040 and will be changed in accordance with the Administrative Procedure Act.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**[NEW SECTION]**

**WAC 415-116-040 CRITERIA FOR CHANGING ADMINISTRATIVE FEE RATE** The Director will use the following criteria in determining whether the administrative fee rate should change. The Department's projected revenue for upcoming fiscal years will be compared with the Department's projected administrative costs for the same upcoming fiscal years. If the projected revenues exceed the projected costs, the Department, in its discretion, may reduce the administrative fee rate. If projected revenues are less than the projected administrative costs, at the Director's discretion, the Department may increase the administrative fee rate.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**[NEW SECTION]**

**WAC 415-116-050 CURRENT ADMINISTRATIVE FEE RATE** The Department's current administrative fee rate is .0022 of the reportable monthly member compensation. This administrative fee rate is applicable to all employers described in WAC 415-116-

020(3). This administrative fee rate shall remain in effect until the Director makes a change in accordance with the Administrative Procedure Act.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**WSR 91-13-030**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**RETIREMENT SYSTEMS**  
[Filed June 12, 1991, 3:32 p.m.]

Date of Adoption: June 12, 1991.

Purpose: Rules intending to clarify and define the assessment of additional administrative fees charged to employers for increased costs incurred by the Department of Retirement Systems in processing deficient reports.

Statutory Authority for Adoption: Chapter 43.05 [34.05] RCW, RCW 41.50.050, and 41.50.110(3).

Other Authority: RCW 41.50.110(3) (being implemented).

Pursuant to notice filed as WSR 91-10-109 on May 1, 1991.

Changes Other than Editing from Proposed to Adopted Version: WAC 415-115-080(1) was reworded to clarify the section by adding the word "increased" to the first sentence.

Effective Date of Rule: Thirty-one days after filing.

June 12, 1991  
George Northcroft  
Director

**FINAL RULES**

**CHAPTER 415-115**

**A Rule Relating to the Assessment of an Additional Administrative Fee**

**[NEW SECTION]**

**WAC 415-115-010 PURPOSE** These rules relate to the implementation of RCW 41.50.110(3) which provides the Department of Retirement Systems the authority to assess additional administrative fees related to increased costs incurred by the Department in processing deficient reports. These rules are intended to encourage employers to report timely and accurate member information.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**[NEW SECTION]**

**WAC 415-115-020 DEFINITIONS** As used in this chapter, unless a different meaning is plainly required by the context:

- 1) "Department" refers to the Department of Retirement Systems established pursuant to chapter 41.50 RCW as now existing or hereafter amended.
- 2) "Employers" refers to all employers within the retirement systems administered by the Department, as defined in RCW 41.50.030.

3) "Reports" refers to the Department of Retirement Systems Transmittal Report sent each month by employers to the Department.

4) "Close of business" refers to 5:00 p.m. of a business day.

5) "Standard Administrative Fee" for employers in the Public Employees', Teachers', and Law Enforcement Officers' and Fire Fighters' Retirement Systems refers to the administrative fee provided for under RCW 41.50.110, 41.40.080, 41.32.401, and 41.26.070; for employers in the Judges, Judicial, and Washington State Patrol Retirement Systems refers to the biennial appropriation that the department receives for administering each system.

6) "Additional Administrative Fee" refers to the fee provided for under RCW 41.50.110(3) which is related to increased costs incurred by the Department in processing deficient reports.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

#### [NEW SECTION]

WAC 415-115-030 ASSESSMENT OF ADDITIONAL ADMINISTRATIVE FEE 1) An employer who fails to submit timely and accurate reports to the Department will be assessed an additional fee related to the increased costs incurred by the Department to process the deficient reports.

2) Every six months, the Department will determine the amount of the fee to be assessed by evaluating the timeliness and accuracy of the reports submitted by employers in the preceding six months. If those reports are either untimely or inaccurate, the Department will assess an additional administrative fee. This additional administrative fee will not exceed fifty percent of the standard administrative fee.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

#### [NEW SECTION]

WAC 415-115-040 WHAT IS CONSIDERED AN UNTIMELY REPORT Reports for a calendar month, or any portion thereof, are due on or before the 15th day of the following calendar month. Reports are considered overdue if not received by the close of business on the third business day after the 15th of the following calendar month.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

#### [NEW SECTION]

WAC 415-115-050 WHAT IS CONSIDERED AN INACCURATE REPORT Reports are inaccurate if they cannot be processed or if they contain errors.

1) Examples of reports which cannot be processed include, but are not limited to, reports which contain unreadable information or reports which are submitted on improper media.

2) Examples of errors include, but are not limited to, invalid codes, incorrect plan or system assignments, incorrect member social security numbers, or incorrect dollar totals.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

#### [NEW SECTION]

WAC 415-115-060 DEFICIENCIES IN REPORTING Any report which is overdue or which is inaccurate is considered a deficient report. Each day a report is late, each report which cannot be processed, or each error contained in a report constitutes a single deficiency in reporting. Employers are notified of reporting deficiencies each month through the Department of Retirement Systems Transmittal Deficiency Report.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

#### [NEW SECTION]

WAC 415-115-070 EVALUATION OF REPORTS AND ASSESSMENT OF ADDITIONAL ADMINISTRATIVE FEE. Beginning with July 1991 reports which are due in the Department on or before August 15, 1991, the Department will evaluate reports for timeliness and accuracy under these rules. Beginning January 15, 1992 and every six months thereafter, the Department will assess an additional administrative fee on employers who have reported late or inaccurately during the preceding six-month period. The six-month periods used to evaluate the timeliness and accuracy of reports shall be January through June and July through December.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

#### [NEW SECTION]

WAC 415-115-080 DETERMINATION OF ADDITIONAL ADMINISTRATIVE FEE Every six months, the Department will determine the additional administrative fee that may be assessed to employers who have submitted untimely or inaccurate reports. This fee will be determined as follows:

1) The Department will determine the total increased costs incurred for processing late or inaccurate reports during the preceding six-month period. Costs related to processing deficient data include, but are not limited to, costs of personnel, equipment, services and facilities.

2) The Department will determine the total number of deficiencies reported by all employers during each six-month period.

3) The Department will determine the unit cost for processing each deficiency in reporting for each six-month period. The unit cost is determined by dividing the total cost incurred by the Department for processing late or inaccurate reports by the total number of deficiencies in reporting.

4) The Department will determine the additional administrative fee to charge each employer for each six-month period. The fee shall be an amount equal to the unit cost for processing each deficiency in reporting

multiplied by the total number of deficiencies reported by an employer.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**[NEW SECTION]**

**WAC 415-115-090 MAXIMUM ADDITIONAL ADMINISTRATIVE FEE ALLOWABLE FOR THE PUBLIC EMPLOYEES', TEACHERS', AND LAW ENFORCEMENT OFFICERS' AND FIRE FIGHTERS' RETIREMENT SYSTEMS** The maximum additional administrative fee that may be charged to employers in the Public Employees' Retirement System, the Teachers' Retirement System, and the Law Enforcement Officers' and Fire Fighters' Retirement System for any six-month period shall not exceed fifty percent of the standard administrative fee due for that six-month period. In instances where the standard administrative fee rate changes during the six-month period, the new standard administrative fee rate will be applied beginning with the month in which the new rate becomes effective. The maximum additional administrative fee that may be assessed is determined as follows:

1) If the additional administrative fee as determined in accordance with WAC Section 415-115-080 is less than fifty percent of the standard administrative fee, the additional administrative fee is the maximum fee allowable.

2) If the additional administrative fee as determined in accordance with WAC Section 415-115-080 is greater than or equal to fifty percent of the standard administrative fee, fifty percent of the standard administrative fee is the maximum fee allowable. The standard administrative fee will be calculated in accordance with WAC Chapter 415-116.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**[NEW SECTION]**

**WAC 415-115-100 MAXIMUM ADDITIONAL ADMINISTRATIVE FEE ALLOWABLE FOR THE JUDGES, JUDICIAL, AND WASHINGTON STATE PATROL RETIREMENT SYSTEMS** The standard administrative fee for employers in the Judges Retirement System, the Judicial Retirement System, and the Washington State Patrol Retirement System for a six-month period is one-fourth of the biennial appropriation the Department receives for administering each system. The maximum additional administrative fee that may be charged to employers in the Judges, Judicial, and Washington State Patrol Retirement Systems for any six-month period shall not exceed fifty percent of the standard administrative fee due for that six-month period. The maximum additional administrative fee that may be assessed is determined as follows:

1) If the additional administrative fee as determined in accordance with WAC Section 415-115-080 is less than fifty percent of the standard administrative fee, the additional administrative fee is the maximum fee allowable.

2) If the additional administrative fee as determined in accordance with WAC Section 415-115-080 is greater than or equal to fifty percent of the standard administrative fee, fifty percent of the standard administrative fee is the maximum fee allowable.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**[NEW SECTION]**

**WAC 415-115-110 BILLING OF THE ADDITIONAL ADMINISTRATIVE FEE** Additional administrative fees assessed against an employer for late or inaccurate reporting will appear on the January and July accounts receivable statements. Additional administrative fees appearing on the January and July accounts receivable statements are due and payable by the 15th day of the following calendar month. Payment is overdue if not received before the close of business on the third business day after the 15th day of the following calendar month in accordance with WAC Section 415-114-030.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**[NEW SECTION]**

**WAC 415-115-120 CORRECTION OF ADDITIONAL ADMINISTRATIVE FEE BILLING** In instances where an additional administrative fee has been assessed incorrectly, the department will credit the employer's account in the amount of the incorrect assessment. An employer must provide suitable verification of the incorrectness of the assessment. An employer will be credited only for those reporting deficiencies charged to the employer for which the employer is not responsible.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**WSR 91-13-031**

**PROPOSED RULES**

**DEPARTMENT OF FISHERIES**

[Filed June 12, 1991, 4:23 p.m.]

Original Notice.

Title of Rule: Commercial fishing rules.

Purpose: Amend Puget Sound salmon fishing rules.

Statutory Authority for Adoption: RCW 75.08.080.

Statute Being Implemented: RCW 75.08.080.

Summary: Sets 1991 seasons, redefines 8A boundary; and makes 5-inch strip required for department-set seasons.

Reasons Supporting Proposal: Salmon are available for harvest; straighten boundary; and reduce small fish harvest.

Name of Agency Personnel Responsible for Drafting: Evan Jacoby, Mailstop AX-11, Olympia, 586-2429; Implementation: Gene DiDonato, Mailstop AX-11, Olympia, 753-5012; and Enforcement: Dayna Matthews, Mailstop AX-11, Olympia, 753-6585.

Name of Proponent: Washington State Department of Fisheries, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 220-47-304, 220-47-311, 220-47-401 and 220-47-411, sets seasons for salmon harvest based on preliminary forecasts; WAC 220-47-307, changes exclusion zone boundary to a line through the river entrance light to landfall. This is necessary because the red light at Western Gear Corp. has been demolished as result of the construction of the Navy homeport; and WAC 220-47-319, makes the five-inch strip mandatory for purse seine gear fishing in all areas where the season is set by the department, as was intended by the original rule.

Proposal Changes the Following Existing Rules: See Explanation of Rule above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

These proposals do not affect 10 percent of businesses in any one three-digit industrial classification nor 20 percent of all businesses.

Hearing Location: Harbor Center Conference Room, 1801 Roeder Avenue, Bellingham, WA, on July 23, 1991, at 1:00 p.m.

Submit Written Comments to: Washington State Department of Fisheries, 115 General Administration Building, Olympia, WA 98504, by July 23, 1991.

Date of Intended Adoption: July 30, 1991.

June 12, 1991  
Joseph R. Blum  
Director

**AMENDATORY SECTION** (Amending Order 90-49, filed 6/11/90, effective 7/12/90)

WAC 220-47-304 PUGET SOUND—ALL CITIZEN SALMON SPECIES SEASONS. The following are Puget Sound all citizens salmon species seasons listed by area and species:

AREA	SPECIES	DATE	RANGE
6D:	COHO	<del>((9/23 - 10/27))</del> 9/22 - 10/26	
7,7A:	COHO	<del>((9/2 - 10/13))</del> 9/1 - 10/12	
	CHUM	<del>((10/14)) -</del> 10/13	11/30
7B:	CHINOOK	<del>((7/29 - 9/8))</del> 7/28 - 9/7	
	COHO	<del>((9/9 - 10/27))</del> 9/8 - 10/26	
	CHUM	<del>((10/28)) -</del> 10/27	11/30
7C:	CHINOOK	<del>((7/29 - 8/25))</del> 7/28 - 8/24	
7E:	CHINOOK	<del>((7/29 - 9/8))</del> 7/28 - 9/7	
8:	PINK	8/18 - 9/14	
	CHUM	<del>((10/28 - 11/24))</del> 10/27 - 11/23	
8A:	CHINOOK	<del>((7/29 - 9/8))</del> 7/28 - 9/7	
	COHO	<del>((9/9 - 10/27))</del> 9/8 - 10/19	
	CHUM	<del>((10/21)) -</del> 10/20	11/30

AREA	SPECIES	DATE	RANGE
8D:	CHINOOK	<del>((7/29 - 9/22))</del> 7/28 - 9/21	
	COHO	<del>((9/23 - 11/10))</del> 9/22 - 11/9	
	CHUM	<del>((11/11)) -</del> 11/10	11/30
10,11:	PINK	8/25 - 9/7	
	COHO	<del>((9/9 - 10/20))</del> 9/8 - 10/19	
	CHUM	<del>((10/21)) -</del> 10/20	11/30
12:	COHO	<del>((9/9 - 10/20))</del> 9/8 - 10/19	
	CHUM	<del>((10/21 - 11/17))</del> 10/20 - 11/16	
12A:	COHO	<del>((9/9 - 10/20))</del> 9/8 - 10/19	
	CHUM	<del>((10/21 - 11/17))</del> 10/20 - 11/16	
12B:	CHINOOK	<del>((7/29 - 9/8))</del> 7/28 - 9/7	
	COHO	<del>((9/9 - 10/20))</del> 9/8 - 10/19	
	CHUM	<del>((10/21 - 11/17))</del> 10/20 - 11/16	
12C:	CHINOOK	<del>((7/29 - 9/8))</del> 7/28 - 9/7	
	CHUM	<del>((10/28)) -</del> 10/27	11/30

**AMENDATORY SECTION** (Amending Order 90-49, filed 6/11/90, effective 7/12/90)

WAC 220-47-307 CLOSED AREAS—PUGET SOUND SALMON. It is unlawful at any time, unless otherwise provided, to take, fish for, or possess salmon taken for commercial purposes with any type of gear from the following portions of Puget Sound Salmon Management and Catch Reporting Areas:

Areas 4B, 5, 6, 6B, and 6C - The Strait of Juan de Fuca Preserve as defined in WAC 220-47-266.

Area 6D - That portion within 1,000 feet of each mouth of the Dungeness River.

Area 7 - The San Juan Island Preserve as defined in WAC 220-47-262.

Area 7A - The Drayton Harbor Preserve as defined in WAC 220-47-252.

Area 7B - That portion south and east of a line from William Point on Samish Island to Saddlebag Island to the southeastern tip of Guemes Island, and that portion northerly of the railroad trestle in Chuckanut Bay.

Area 7C - That portion southeasterly of a line projected from the mouth of Oyster Creek 237° true to a fishing boundary marker on Samish Island.

Area 8 - That portion of Skagit Bay easterly of a line projected from Brown Point on Camano Island to a white monument on the easterly point of Ika Island, thence across the Skagit River to the terminus of the jetty with McGlinn Island.

Area 8A - Those waters easterly of a line projected from Mission Point to Buoy C1, excluding the waters of Area 8D, thence ~~((to))~~ through the green light at the entrance jetty of the Snohomish River ~~((thence))~~ and across the mouth of the Snohomish River to ~~((the red light at Western Gear Corporation))~~ landfall on the eastern shore, and those waters northerly of a line from Camano Head to the northern boundary of Area 8D.

Area 9 - Those waters lying inside and westerly of a line projected from the Point No Point light to Sierra Echo buoy thence to Forbes Landing wharf, east of Hansville.

Area 10 - That portion easterly of a line projected from Meadow Point to West Point and that portion of Port Madison northwest of a line from the Agate Pass entrance light to the light on the end of the Indianola dock.

Area 10E - Those waters of Liberty Bay north of a line projected due east from the southernmost Keyport dock, those waters of Dyes Inlet north of the Manette Bridge, and those waters of Sinclair Inlet southwest of a line projected true east from the Bremerton ferry terminal.

Area 11 - Those waters northerly of a line projected true west from the light at the mouth of Gig Harbor and those waters south of a line from Browns Point to the northernmost point of land on Point Defiance.

Area 12 - Those waters inside and easterly of a line projected from Lone Rock to the navigation light off Big Beef Creek, thence southerly to the tip of the outermost northern headland of Little Beef Creek.

Area 12A - Those waters north of a line projected from Fisherman's Point on the Bolton Peninsula to the boat haven at Quilcene and those waters north of a line projected due east from Broad Spit.

Area 12B - Those waters within 1/4 mile of the mouths of the Dosewallips, Duckabush, and Hamma Hamma rivers.

Areas 12, 12A, and 12B - Additional chinook seasonal closure: Those waters north and east of a line projected from Tekiu Point to Triton Head.

Area 12C - Those waters within 1,000 feet of the western shore between the dock at Glen Ayr R.V. Park and the Hoodspout marina dock and those waters south of a line projected from the Cushman Powerhouse to the public boat ramp at Union.

Areas 12, 12B, 12C, and 12D - Additional coho and chum seasonal closure: Those waters of Area 12 south and west of a line projected 94 degrees true from Hazel Point to the light on the opposite shore, bounded on the west by the Area 12/12B boundary line, and those waters of Areas 12B, 12C, and 12D south of a line projected from Tekiu Point to Triton Head.

Area 13A - Those waters of Burley Lagoon north of State Route 302, those waters within 1,000 feet of the outer oyster stakes off Minter Creek Bay including all waters of Minter Creek Bay, those waters westerly of a line drawn due north from Thompson Spit at the mouth of Glen Cove, and those waters within 1/4 mile of Green Point.

**AMENDATORY SECTION** (Amending Order 90-49, filed 6/11/90, effective 7/12/90)

WAC 220-47-311 PURSE SEINE—OPEN PERIODS. It is unlawful to take, fish for or possess salmon taken with purse seine gear for commercial purposes from Puget Sound except in the following designated Puget Sound Salmon Management and Catch Reporting Areas during the periods provided for hereinafter in each respective Management and Catch Reporting Area:

AREA	TIME	DATE
6D:	5AM SUN	<del>((9/23)) - 4PM FRI ((10/26)) (PDT)</del> 9/22 10/25
7,7A:	5AM -	<del>((9PM - PDT)) MON ((10/15))</del> 8PM PST 10/28
	5AM -	<del>((9PM - PDT)) TUE ((10/23))</del> 8PM PST 10/29
	5AM -	<del>((9PM - PDT) WED 10/24))</del> 8PM PST TUE 11/5
	5AM -	<del>8PM PST ((MON 10/29))</del> WED 11/6
	5AM -	8PM PST TUE ((10/30)) 11/12
7B:	5AM MON	<del>((9/10)) - 4PM FRI ((10/26)) (PDT)</del> 9/9 10/25
	5AM MON	<del>((10/29)) - 4PM FRI ((11/2)) (PST)</del> 10/28 11/1
	5AM MON	<del>((11/5)) - 4PM FRI ((11/9)) (PST)</del> 11/4 11/8
9A:	5AM MON	9/16 - 4PM FRI 9/20
	5AM MON	9/23 - 4PM FRI 9/27
	5AM MON	9/30 - 4PM FRI 10/4
	5AM MON	10/7 - 4PM FRI 10/11
	5AM MON	10/14 - 4PM FRI 10/18
	5AM MON	10/21 - 4PM FRI 10/25
	5AM MON	10/28 - 4PM FRI 11/1

**AMENDATORY SECTION** (Amending Order 90-49, filed 6/11/90, effective 7/12/90)

WAC 220-47-411 GILL NET—OPEN PERIODS. It is unlawful to take, fish for or possess salmon taken with gill net gear for commercial purposes from Puget Sound except in the following designated Puget Sound Salmon Management and Catch Reporting Areas during the seasons provided for hereinafter in each respective fishing area:

AREA	TIME	DATE
10,11:	<del>((5AM - 9PM - PDT - MON 9/10))</del> 5AM - 9PM PDT TUE ((9/18)) 9/17	
	<del>((5AM - 9PM - PDT - MON 9/24))</del> 5AM - 9PM PDT TUE ((10/23)) 10/22	
	<del>((5AM - 9PM - PDT - WED 10/24))</del> 5AM - 8PM PST MON ((10/29)) 10/28	
	<del>((5AM - 8PM - PST - TUE 10/30))</del>	
12,12B:	<del>((5AM - 9PM - PDT - MON 9/10))</del> 5AM - 9PM PDT TUE 9/18	
	<del>5AM - 9PM PDT TUE 10/23</del> 5AM - 8PM PST MON 10/29))	
12A:	5AM ((- 9PM - PDT - MON 9/10)) TUE 9/3 - 4PM FRI 9/6	
	5AM ((- 9PM - PDT - TUE 9/18)) MON 9/9 - 4PM FRI 9/13	
	5AM MON 9/16 - 4PM FRI 9/20	
	5AM MON 9/23 - 4PM FRI 9/27	
	5AM MON 9/30 - 4PM FRI 10/4	
	5AM MON 10/7 - 4PM FRI 10/11	

All other saltwater and freshwater areas - closed.

**AMENDATORY SECTION** (Amending Order 90-49, filed 6/11/90, effective 7/12/90)

WAC 220-47-319 SPECIAL PURSE SEINE MESH SIZE. It shall be unlawful to take, fish for or possess salmon taken with purse seine gear in Puget Sound Salmon Management and Catch Reporting Areas 4B, 5, 6, 6A, 6B, 6C, 6D, 7, 7A, 7B, 7C, 7D, 7E, 8, 8A, 8D, 9, 9A, 10, 10A, 10C, 10D, 10E, 10F, 10G, 11, 11A, 12, 12A, 12B, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J and 13K ((from the second Monday in September through November 30)) during fisheries promulgated by department regulations unless said purse seine gear is constructed so that the first 100 meshes below the cork-line that are within 75 fathoms of the bunt, excluding the bunt, are of a size not less than 5 inches stretch measure.

**AMENDATORY SECTION** (Amending Order 90-49, filed 6/11/90, effective 7/12/90)

WAC 220-47-401 REEF NET OPEN PERIODS. It is unlawful to take, fish for or possess salmon taken with reef net gear for commercial purposes in Puget Sound except in the following designated Puget Sound Salmon Management and Catch Reporting Areas, during the periods provided for hereinafter in each respective area:

AREA	TIME	DATE
7,7A:	<del>((5AM - 9PM - PDT - MON 9/17))</del> 5AM - 9PM PDT WED 9/19	
	<del>5AM - 9PM - PDT - FRI 9/28</del> 5AM - 9PM - PDT - MON 10/1	
	<del>5AM - 9PM - PDT - SUN 10/14</del> 5AM - 9PM - PDT - THU 10/25	
	<del>5AM - 9PM - PDT - FRI 10/26))</del> 5AM - 8PM PST ((SUN)) 10/28 MON	
	5AM - 8PM PST ((MON)) 10/29 TUE	
	5AM - 8PM PST TUE 11/5	
	5AM - 8PM PST WED 11/6	
	5AM - 8PM PST TUE 11/12	

All other saltwater and freshwater areas - closed.

AREA	TIME	DATE(S)									
6D:	5AM	SUN <del>((9/23))</del> 9/22	-	4PM	FRI	<del>((10/26))</del> 10/25	(PDT)				
7,7A:	5PM	-	9AM	<del>((PDT))</del> PST	NIGHTLY	<del>((MON 10/15,))</del>	MON	<del>((10/22)),</del> 10/28	TUE	<del>((10/23))</del> 10/29	
	4PM	-	8AM	PST	NIGHTLY	MON	<del>((10/29)),</del> 11/4	TUE	<del>((10/30))</del> 11/5,	TUE	11/12
7B:	7PM	-	9:30AM	NIGHTLY	MON	<del>((7/30)),</del> 7/29	TUE	<del>((7/31))</del> 7/30			(PDT)
	7PM	-	9:30AM	NIGHTLY	MON	<del>((8/6)),</del> 8/5	TUE	<del>((8/7)),</del> 8/6	WED	<del>((8/8))</del> 8/7	(PDT)
	6PM	-	9AM	NIGHTLY	MON	<del>((8/13)),</del> 8/12	TUE	<del>((8/14)),</del> 8/13	WED	<del>((8/15))</del> 8/14	(PDT)
	6PM	-	9AM	NIGHTLY	MON	<del>((8/20)),</del> 8/19	TUE	<del>((8/21))</del> 8/20			(PDT)
	6PM	SUN <del>((9/9))</del> 9/8	-	4PM	FRI	<del>((10/26))</del> 10/25	(PDT)				
	5AM	MON <del>((10/29))</del> 10/28	-	4PM	FRI	<del>((11/2))</del> 11/1	(PST)				
	5AM	MON <del>((11/5))</del> 11/4	-	4PM	FRI	<del>((11/9))</del> 11/8	(PST)				
7C:	7PM	-	9:30AM	NIGHTLY	MON	<del>((7/30)),</del> 7/29	TUE	<del>((7/31))</del> 7/30			(PDT)
	7PM	-	9:30AM	NIGHTLY	MON	<del>((8/6)),</del> 8/5	TUE	<del>((8/7)),</del> 8/6	WED	<del>((8/8))</del> 8/7	(PDT)
	6PM	-	9AM	NIGHTLY	MON	<del>((8/13)),</del> 8/12	TUE	<del>((8/14)),</del> 8/13	WED	<del>((8/15))</del> 8/14	(PDT)
	6PM	-	9AM	NIGHTLY	MON	<del>((8/20)),</del> 8/19	TUE	<del>((8/21))</del> 8/20			(PDT)
9A	5AM	MON 9/16	-	4PM	FRI 9/20						
	5AM	MON 9/23	-	4PM	FRI 9/27						
	5AM	MON 9/30	-	4PM	FRI 10/4						
	5AM	MON 10/7	-	4PM	FRI 10/11						
	5AM	MON 10/14	-	4PM	FRI 10/18						
	5AM	MON 10/21	-	4PM	FRI 10/25						
	5AM	MON 10/28	-	4PM	FRI 11/1						
10,11:	<del>((5PM - 9AM</del>	<del>PDT</del>	<del>NIGHTLY</del>	<del>MON</del>	<del>9/10,</del>	<del>MON</del>	<del>9/17,</del>	<del>MON</del>	<del>9/24</del>		
	<del>5PM - 9AM</del>	<del>PDT</del>	<del>NIGHTLY</del>	<del>MON</del>	<del>10/22,</del>	<del>TUE</del>	<del>10/23))</del>				
	4PM - 8AM	PST	NIGHTLY	MON	<del>((10/29,</del>	<del>TUE</del>	<del>10/30))</del>				
					10/28						
12,12B:	<del>((5PM - 9AM</del>	<del>PDT</del>	<del>NIGHTLY</del>	<del>MON</del>	<del>9/10,</del>	<del>MON</del>	<del>9/17</del>				
	5PM - 9AM	PDT	MON	10/22							
	4PM - 8AM	PST	MON	10/29))							
12A:	<del>((5PM - 9AM</del>	<del>PDT</del>	<del>NIGHTLY</del>	<del>MON</del>	<del>9/10,</del>	<del>MON</del>	<del>9/17))</del>				
	5AM	TUE 9/3	-	4PM	FRI 9/6						
	5AM	MON 9/9	-	4PM	FRI 9/13						
	5AM	MON 9/16	-	4PM	FRI 9/20						
	5AM	MON 9/23	-	4PM	FRI 9/27						
	5AM	MON 9/30	-	4PM	FRI 10/4						
	5AM	MON 10/7	-	4PM	FRI 10/11						

All other saltwater and freshwater areas - closed.

**WSR 91-13-032**  
**NOTICE OF PUBLIC MEETINGS**  
**TRAFFIC SAFETY COMMISSION**  
 [Memorandum—December 7, 1990]

**WSR 91-13-032A**  
**ATTORNEY GENERAL OPINION**  
**Cite as: AGO 1991 No. 21**  
 [June 11, 1991]

Below are Washington Traffic Safety Commission meeting dates for 1991:  
 Tuesday, January 22  
 Tuesday, April 23  
 Tuesday, July 23  
 Tuesday, October 22

Each meeting will be held at 1:30 p.m. in the conference room of the Washington Traffic Safety Commission.

**GOVERNOR—EXECUTIVE ORDER—LEGISLATURE—WETLANDS—AUTHORITY OF GOVERNOR TO ISSUE EXECUTIVE ORDER HAVING THE FORCE AND EFFECT OF LAW**

The legislative authority of the State of Washington is vested in the Legislature. In absence of a statute or constitutional provision that serves as a source of authority authorizing the Governor to act, the Governor cannot create obligations, responsibilities, conditions or processes having the force and effect of law by the issuance of an executive order.



## Requested by:

Honorable George L. Sellar  
State Senator, District 12  
312 Legislative Building, AS-32  
Olympia, Washington 98504

**WSR 91-13-033**  
**NOTICE OF PUBLIC MEETINGS**  
**FOREST PRACTICES BOARD**  
[Memorandum—June 13, 1991]

Notice is hereby given in accordance with RCW 42.30.080.

There will be a special Forest Practices Board meeting held on June 25, 1991, at 9:00 a.m. The meeting will be held in Rooms 101 and 102 of the Olympia Center, 222 North Columbia, Olympia, WA.

Additional information may be obtained from Forest Practices Division, 1007 South Washington, EL-03, Olympia, WA 98504, (206) 753-5315.

**WSR 91-13-034**  
**PERMANENT RULES**  
**PERSONNEL BOARD**  
[Order 373—Filed June 13, 1991, 2:37 p.m.]

Date of Adoption: June 13, 1991.

Purpose: These special pay ranges are used to equal or approximate prevailing rate practices found in private industry or other governmental units.

Citation of Existing Rules Affected by this Order: Amending WAC 356-15-130 Special pay ranges.

Statutory Authority for Adoption: RCW 41.06.040 and 41.06.150.

Pursuant to notice filed as WSR 91-10-063 on April 30, 1991.

Effective Date of Rule: Thirty-one days after filing.

June 13, 1991

Dee W. Henderson  
Secretary

**AMENDATORY SECTION** (Amending Order 221 [370], filed 4/12/85 [2/20/91])

**WAC 356-15-130 SPECIAL PAY RANGES.** These ranges are used to equal or approximate prevailing rate practices found in private industry or other governmental units. An affected class is identified either by a letter designation following the basic salary range number or by a letter designation preceding a number. In the latter case, a special salary schedule will be used for such classes.

(1) "E" RANGE: This range is used for classes having a prevailing pay range which is shorter than Washington's standard ranges. An "E" range is a standard range with the first four steps removed. Thus, the first step of such a range is the same as step E of the standard range having the same range number. Periodic increases through the

steps of this range are made at the same time intervals as through standard ranges, i.e., a two-step increase after six months at step E and two annually thereafter up to the maximum step of the range.

(2) "L" RANGE: This special range is used only for the class of liquor store clerk (0628). The "L" range was designed to more closely parallel the prevailing pay structure for retail clerks in private industry. Periodic increases through the steps of the "L" range are made at the same time intervals as through a standard range. Normal progression is steps A, D, G AND K, which represents ten percent per periodic increase.

(3) "T" RANGE: Used only for the classes of institution teachers. These ranges are constructed by identifying Step K of the correspondingly numbered regular state ranges as "Step 10" of the ((T)) "T" range; the lower nine steps of the ((T)) "T" range are each two regular-range steps (approximately 5%) apart. Advancement through these ranges is at the rate of one step per year.

(4) "V" RANGE: Used only for the classes of teachers of the deaf or blind and principals, school for the deaf or blind. "V" ranges are the same as the current ranges of Vancouver, Washington School District #37 for certificated employees of similar background and experience. Advancement through the range is at the rate of one step per year.

(5) "I" RANGE: This range is always ten ranges higher than the range approved for lottery district sales representative or lottery telemarketing representative and it may be applied only to ((that class)) those qualifications. Use of this range is limited to sales incentive programs which: ((a)) (1) may not exceed ten weeks for any program; ((b)) (2) may not exceed four programs in any consecutive twelve months; ((c)) (3) require achievement of specific goals which are set for each program by the lottery, such goals to be in excess of normal performance standards for the class.

The lottery is authorized to compensate individual employees on the "I" range for not more than three months as a result of any one sales incentive program, with the number of months stipulated in the incentive program announcement. Within these limits, movement of any employee to and from the "I" range will be at the discretion of the Lottery, and shall be from and to the same step, subject to change by the employee's periodic ((increase)) increment date.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**Reviser's note:** RCW 34.05.395 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 91-13-035**  
**PROPOSED RULES**  
**DEPARTMENT OF LICENSING**  
[Filed June 13, 1991, 3:34 p.m.]

Original Notice.

Title of Rule: Amending WAC 308-61-175 Procedures for selling vehicles; and 308-61-185 Lien provisions.

Purpose: The purpose for WAC 308-61-175 amendment is to regulate the three hour viewing period for abandoned vehicles to be auctioned for registered tow truck operators; and the purpose for WAC 308-61-185 is to regulate the storage rates charged by registered tow truck operators for unauthorized or abandoned vehicles.

Statutory Authority for Adoption: RCW 46.55.190.

Statute Being Implemented: RCW 46.55.063.

Summary: WAC 308-61-175, requires that a three hour viewing period as required by law is held during daylight hours; and WAC 308-61-185, prohibits a registered tow truck operator from increasing their daily storage rate charged for unauthorized or abandoned vehicles that are redeemed or auctioned.

Reasons Supporting Proposal: WAC 308-61-175, to ensure adequate public access to review vehicles prior to auction by a registered tow truck operator; and WAC 308-61-185, to ensure that a tow truck operator does not increase the daily storage rate for unauthorized or abandoned vehicles while the vehicles are in their custody.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Marv Rysler, Assistant Administrator, 1125 Washington Street S.E., Olympia, 586-5373.

Name of Proponent: Department of Licensing, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 308-61-175, regulate the three hour viewing period for abandoned vehicles to be auctioned for registered tow truck operators. It will ensure adequate public access to review vehicles prior to auction by a registered tow truck operator; and WAC 308-61-185, regulate the storage rate for unauthorized or abandoned vehicles while in the custody of a registered tow truck operator. Prevents the operator from increasing the storage rate for these vehicles between the time the vehicle is impounded and redeemed or auctioned.

Proposal Changes the Following Existing Rules: WAC 308-61-175 and 308-61-185, adds a subsection.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Black Lake Training Center, 421 Black Lake Boulevard, Olympia, WA 98504, on August 27, 1991, at 9:30 a.m.

Submit Written Comments to: Michele Gruender, Department of Licensing, Dealer Services, 1125 Washington Street S.E., Olympia, WA 98504, by August 20, 1991.

Date of Intended Adoption: September 10, 1991.

June 12, 1991

Mary Faulk  
Director

AMENDATORY SECTION (Amending Order DLR 164, filed 2/25/88)

WAC 308-61-175 PROCEDURES FOR SELLING VEHICLES. (1) For purposes of advertising the sale of abandoned vehicles the vehicle identification number shall be used if no license plates are on the vehicle.

(2) A newspaper of general circulation in the county shall mean a newspaper which is one of three with the largest circulation in the county where the sale will be conducted.

(3) If a vehicle in the custody of an operator is not identifiable, including no license plates or registration, the operator shall conduct an examination of the vehicle only to determine its make, model, year and vehicle identification number which shall be included on the abandoned vehicle report to the department.

(4) If the department cannot provide owner information on a vehicle after the operator submits an abandoned vehicle report, the operator may then inspect the vehicle as permitted in RCW 46.55.100(5) to determine whether owner information is within the vehicle.

(5) Upon inspection of the vehicle as provided in subsection (4) of this section the operator may return the original abandoned vehicle report with additional information from the inspection of the vehicle to assist the department in providing owner information.

(6) The department may require an inspection by the Washington state patrol to verify the vehicle identification number of an unidentified vehicle. All such information shall be reported to the department, which will communicate with such other states as may be necessary to determine whether the registered and legal owner information is available for the vehicle.

(7) After all reasonable efforts to obtain the owner information have proved unsuccessful, the vehicle may be disposed of in accordance with all procedures except that the notification to the registered and legal owners by certified or registered mail may be omitted. A record of all steps taken to locate the owner(s) of the vehicle shall be kept by the operator for a period of three years.

(8) If the operator elects to bid at auction, that bid must be disclosed as such, and shall not merely be an effort to set a minimum for other bids. If an operator is the successful bidder and the bid exceeds the lien for towing and storage, the excess funds shall be remitted to the department just as in any other sale. The operator cannot elect to retain a vehicle at auction because the operator feels that the bidding is insufficient.

(9) The three-hour public viewing period required in RCW 46.55.130(1) shall be held at all times during daylight hours.

AMENDATORY SECTION (Amending WSR 90-01-060, filed 12/18/89, effective 1/18/90)

WAC 308-61-185 LIEN PROVISIONS. (1) No operator shall include any charges in the amount of the lien that are not specifically authorized. Subordinate charges such as mechanic fees or prior storage fees claimed by the operator or any third party shall not be allowed. All fees must be included in the towing and storage rates and no fees for other services shall be allowed. No fee may be listed on the rate sheet for which there is no provision.

(2) The towing and storage lien shall not apply to personal property not attached to and made an integral part of the vehicle.

(3) No operator shall increase the daily storage rate charged for an unauthorized or abandoned vehicle in his/her custody between the time the vehicle is impounded and then redeemed or auctioned.

**WSR 91-13-036**

**NOTICE OF PUBLIC MEETINGS  
WASHINGTON INSTITUTE  
OF APPLIED TECHNOLOGY**

[Memorandum—June 1, 1991]

Effective July 1, 1991, WIAT's new name will be Seattle Vocational Institute.

Tuition and Fees: WIAT's tuition and fees will increase July 1, 1991, from the current \$.75/hour to \$1.05/hour.

This is WIAT's first increase since 1987 and reflects increased costs.

**Student Financial Aid:** WIAT is seeking approval from the United States Department of Education to participate in federal student financial aid programs. This approval is expected within the next few weeks. By mid-summer WIAT expects to award PELL grants to eligible students.

**Tuition Waivers:** It is WIAT's intention to discontinue its tuition waiver program when it begins participation in the PELL grant program.

On June 1, 1991, Mary Chambers will become WIAT's registrar/director of financial aid, Ms. Chambers can be reached at 587-5050.

**WSR 91-13-037**  
**RULES COORDINATOR**  
**GREEN RIVER**  
**COMMUNITY COLLEGE**  
 [Filed June 13, 1991, 3:37 p.m.]

In accordance with RCW 34.05.310, the designated rules coordinator for Green River Community College, District No. 10, for 1991 is as follows: Clark Townsend, Green River Community College, 12401 S.E. 320th Street, Auburn, WA 98002, (206) 833-9111 ext. 428.

Clark Townsend  
 Assistant to the President

**WSR 91-13-038**  
**PERMANENT RULES**  
**BOARD OF**  
**INDUSTRIAL INSURANCE APPEALS**  
 [Filed June 14, 1991, 8:47 a.m.]

Date of Adoption: June 14, 1991.

**Purpose:** To revise the board's rules of practice and procedure by amending WAC 263-12-005, 263-12-007, 263-12-010, 263-12-015, 263-12-016, 263-12-017, 263-12-020, 263-12-045, 263-12-050, 263-12-053, 263-12-056, 263-12-060, 263-12-065, 263-12-070, 263-12-075, 263-12-080, 263-12-090, 263-12-093, 263-12-095, 263-12-115, 263-12-125, 263-12-145, 263-12-150, 263-12-160, 263-12-165 and 263-12-170; and adding WAC 263-12-01501, 263-12-051, 263-12-057, 263-12-058, 263-12-091, 263-12-171, and 263-12-195.

**Citation of Existing Rules Affected by this Order:** Amending WAC 263-12-005, 263-12-007, 263-12-010, 263-12-015, 263-12-016, 263-12-017, 263-12-020, 263-12-045, 263-12-050, 263-12-053, 263-12-056, 263-12-060, 263-12-065, 263-12-070, 263-12-075, 263-12-080, 263-12-090, 263-12-093, 263-12-095, 263-12-115, 263-12-125, 263-12-145, 263-12-150, 263-12-160, 263-12-165 and 263-12-170; and adding WAC 263-12-01501, 263-12-051, 263-12-057,

263-12-058, 263-12-091, 263-12-171, and 263-12-195.

Statutory Authority for Adoption: RCW 51.52.020.

Pursuant to notice filed as WSR 91-09-062 on April 17, 1991.

**Changes Other than Editing from Proposed to Adopted Version:** The word "taking" was eliminated from proposed WAC 263-12-115 (10)(a) and (d); the words "on its own motion or at the request of a party" were added to proposed WAC 263-12-145 (2)(b).

Effective Date of Rule: Thirty-one days after filing.

June 14, 1991  
 Sara T. Harmon  
 Chairperson

**Reviser's note:** The material contained in this filing will appear in the 91-14 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 1-21-040.

**WSR 91-13-039**  
**COLUMBIA RIVER**  
**GORGE COMMISSION**  
 [Filed June 14, 1991, 9:34 a.m.]

**Reviser's note:** The following material has not been adopted under the Administrative Procedure Act, chapter 34.05 RCW, but has been filed in the office of the code reviser and is published in the Register exactly as filed.

**Hearings to be Held:** August 13, 1991, at 9:30 a.m., Skamania County Courthouse Annex, Vancouver Avenue, Stevenson, Washington 98648.

Hearings Officer(s): Stafford Hansell.

Pursuant to the statutory authority of RCW 43.97.015 or chapter 499, Laws of 1987, the following action is proposed: Amend 350-20-011 and 350-20-012.

No prior notice is given.

**Summary:** The proposed amendments would allow the county or city in which the subject property lies to appeal or intervene in an appeal of a decision of the director whether or not it has filed a comment on the application within the specified period.

Interested persons may comment on the proposed rules orally or in writing at the hearing. Written comments received by August 1, 1991, will also be considered. Written comments should be sent to and copies of the proposed rulemaking may be obtained from: Columbia River Gorge Commission, 288 East Jewett Boulevard, P.O. Box 730, White Salmon, WA 98672, Jan Brending, Rules Coordinator, (509) 493-3323.

Richard Benner  
 June 12, 1991

In the matter of amendment to administrative rules relating to review by the commission of major development actions and residential development, 350-20.

**Hearing and Amendment of Rules:** The Columbia River Gorge Commission proposes to amend rules relating to its development review process, 350-20, at its regularly scheduled meeting on: August 13, 1991, 9:15 a.m., Skamania County Courthouse Annex, Vancouver Avenue, Stevenson, Washington. Commission Chair

Stafford Hansell will preside over and conduct the hearing. Amendment: Rule 350-20-011 and 350-20-012. The commission is the proponent of these proposed amendments. No prior notice given.

**Summary of Rules:** The proposed amendments would allow the county or city in which the subject property lies to appeal or intervene in an appeal of a decision of the director whether or not it has filed a comment on the application within the specified period.

**Statement of Need:** The proposed amendments would make it easier for a county or city to participate in commission appeals. The amendment is not needed as a result of federal law or a court decision.

**Statutory Authority:** These rules are needed to implement sections 10(c) and 15 (b)(4) of the Scenic Area Act, P.L. 99-663. Authority to adopt rules derives from section 5(b) of the Scenic Area Act and the Columbia River Gorge Compact, Article I, Section a(4)(g) at ORS 196.150 and chapter 499, Laws of 1987.

**Documents Relied Upon:** The proposed amendments rely upon expertise of the agency. No matters of fact are raised by the amendments.

**Fiscal Impact Statement:** No fiscal impact is anticipated to result from the amendments.

**Statement of Anticipated Effects:** The proposed amendments will facilitate county and city participation in commission appeals. The effect will be better informed commission decisions.

**Public Comment:** Interested persons may comment orally or in writing at the hearing. Written comment received at the commission's office by August 1, 1991, will also be considered. Comment may be made to or copies of the proposed rule received from: Jan Brending, Rules Coordinator, Columbia River Gorge Commission, 288 East Jewett Boulevard, P.O. Box 730, White Salmon, WA 98672, (509) 493-3323.

### COLUMBIA RIVER GORGE COMMISSION PROPOSED RULE AMENDMENTS

350-20

#### 350-20-011. Appeal of Decision by Director.

(1) The applicant, the county or city in whose jurisdiction the property subject of the appeal lies, or any person who submitted comments on a proposed development action pursuant to 350-20-009(7) may appeal the decision of the Director by filing a Notice of Appeal within the following time periods:

(a) Twenty (20) working days after the date the decision was mailed under 350-20-010(4); or

(b) Fifteen (15) working days after the date the decision was mailed under 350-20-010(4) where the proposed development action is one of these described on 350-20-009 (7)(b).

(2) The Notice of Appeal shall:

(a) Refer to the decision being appealed;

(b) Show that the person filing the appeal is either the applicant, the county or city in whose jurisdiction the property subject of the appeal lies, or submitted comments within the time specified in 350-20-009(7);

(c) Set forth the specific standards, guidelines or other grounds upon which the appeal is based;

(d) State the date of the Director's decision; and

(e) Indicate that the appellant has served by mail a copy of the Notice of Appeal upon the applicant, if other than the appellant, and those persons who submitted comments on the proposed development action pursuant to 350-20-009(7).

(3) Notices of Appeal not received within the time allotted by this section shall not be accepted.

#### 350-20-012. Intervention in Appeal Hearing.

(1) The applicant, the county or city in whose jurisdiction the property subject of the appeal lies, or any person who submitted comments on a proposed development action pursuant to 350-20-009(7) may participate in an appeal of the Director's decision by filing a Notice of Intervention with the Director within fifteen (15) working days of the date of the Notice of Appeal or Notice of Commission Initiated Review was mailed. The Notice of Intervention shall also be served by mail upon the applicant, the appellant if other than the applicant, and all persons who submitted comments on the proposed development action pursuant to 350-20-009(7).

(2) The Notice of Intervention shall:

(a) Refer to the Notice of Appeal for which intervenor status is being sought;

(b) Show that the person filing the Notice of Intervention is either the applicant, the county or city in whose jurisdiction the property subject of the appeal lies, or submitted comments on the proposed development action pursuant to 354-20-009(7);

(c) Set forth the specific standards, guidelines or other grounds upon which the Notice of Intervention is based;

(d) State the date of the Notice of Appeal; and

(e) Show service by mail upon those persons listed in subsection (1).

(3) Failure to file a Notice of Intervention which satisfies the requirements of subsection (2) above will deprive a person of the opportunity to participate under this section.

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

### WSR 91-13-040 PROPOSED RULES PERSONNEL BOARD [Filed June 14, 1991, 9:58 a.m.]

Continuance of WSR 91-10-062.

Title of Rule: New WAC 356-06-110 Compliance with Fair Labor Standards Act.

Purpose: This rule allows deviation from the merit system rules should they be found in conflict with the Fair Labor Standards Act.

Statutory Authority for Adoption: RCW 41.06.040.

Statute Being Implemented: RCW 41.06.150.

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA 98504, on July 11, 1991, at 10:00 a.m.

Submit Written Comments to: Jamie McNamara,  
P.O. Box 1789, Mailstop FE-11, Olympia, WA 98504,  
by July 9, 1991.

Date of Intended Adoption: July 11, 1991.

June 14, 1991  
Dee W. Henderson  
Secretary

**WSR 91-13-041**  
**PERMANENT RULES**  
**PERSONNEL BOARD**

[Order 375—Filed June 14, 1991, 10:00 a.m., effective August 1,  
1991]

Date of Adoption: June 13, 1991.

Purpose: This rule establishes the circumstances for  
which candidates can be removed from registers.

Citation of Existing Rules Affected by this Order:  
Amending WAC 356-26-040 Registers—Name removal  
for cause—Grounds enumerated—Requirements.

Statutory Authority for Adoption: RCW 41.06.040  
and 41.06.150.

Pursuant to notice filed as WSR 91-10-064 on April  
30, 1991.

Effective Date of Rule: August 1, 1991.

June 14, 1991  
Dee W. Henderson  
Secretary

**AMENDATORY SECTION** (Amending Order 279,  
filed 6/17/87, effective 8/1/87)

WAC 356-26-040 REGISTERS—NAME RE-  
MOVAL FOR CAUSE—GROUNDS ENUMERAT-  
ED—REQUIREMENTS. (1) The director of personnel  
or designee may remove the name of an eligible from a  
register for any of the following reasons:

(a) For any of the causes stipulated in the chapter on  
appeals (WAC 356-34-010).

(b) On evidence that the eligible cannot be located by  
the postal authorities.

(c) On receipt of a statement from the eligible declin-  
ing an appointment and/or future interest in positions in  
that class.

(d) If a candidate from a reduction in force register or  
a dual agency reversion register has waived ~~((the first))~~  
three offers of employment~~((, or a candidate from a~~  
~~promotional register has twice waived consideration))~~  
for a position in the class for which the register was  
established.

(e) If a candidate from a promotional register has  
waived consideration three times for a position in the  
class for which the register was established.

~~((e))~~ (f) If an eligible fails to reply to a written in-  
quiry as to availability after five days in addition to the  
time required to receive and return the inquiry.

~~((f))~~ (g) If an eligible accepts an appointment and  
fails to report for duty at the time and place specified  
without giving satisfactory reasons for the delay to the  
appointing authority.

~~((g))~~ (h) If an eligible was certified and reported  
"not satisfactory" on three occasions or if the eligible  
was certified and the appointing authority reported the  
eligible "considered but not appointed" on four separate  
occasions, or if the appointing authority reports either  
"not satisfactory" or "considered but not appointed" for  
a total of four times. The director of personnel or desig-  
nee will monitor all name removals for adverse effect  
and/or disparate treatment of protected group members.

~~((h))~~ (i) If an open competitive eligible indicates  
availability in a specific geographic area and subse-  
quently refuses referral or appointment to a position in  
that area.

~~((i))~~ (j) If the appointing authority reports that the  
eligible was offered employment but could not comply  
with the personal identification and work authorization  
requirements of the federal Immigration Reform and  
Control Act (I.R.C.A.).

(2) The director of personnel or designee shall notify  
the eligible of this action and the reasons therefore by  
mail to the last known address, except in those cases in  
subsection (1)(b) or (c) of this section. The director of  
personnel or designee will advise the eligible of the right  
to appeal.

(3) An eligible's name shall be reinstated on the reg-  
ister upon showing of cause satisfactory to the director  
of personnel or in accordance with the decision of the  
personnel board upon appeal.

**WSR 91-13-042**  
**PERMANENT RULES**  
**PERSONNEL BOARD**

[Order 376—Filed June 14, 1991, 10:03 a.m., effective August 1,  
1991]

Date of Adoption: June 13, 1991.

Purpose: This rule describes the status of employees  
who fail to perform satisfactorily and who are reverted  
voluntarily or involuntarily during their trial service  
period.

Citation of Existing Rules Affected by this Order:  
Amending WAC 356-30-320 Trial service—Rever-  
sion—Status.

Statutory Authority for Adoption: RCW 41.06.040  
and 41.06.150.

Pursuant to notice filed as WSR 91-10-065 on April  
30, 1991.

Effective Date of Rule: August 1, 1991.

June 14, 1991  
Dee W. Henderson  
Secretary

**AMENDATORY SECTION** (Amending Order 339,  
filed 2/13/90, effective 4/1/90)

WAC 356-30-320 TRIAL SERVICE—REVER-  
SION—STATUS. (1) Employees who were appointed  
from a voluntary demotion register to a class not previ-  
ously held or from a promotional register within the  
same agency and fail to satisfactorily complete the trial

service period shall automatically revert to a position in the former classification.

(2) Employees who were appointed from a voluntary demotion register to a class not previously held or from a promotional register into another agency and who fail to satisfactorily complete the trial service period shall be given fifteen calendar days' written notice and placed on the dual-agency reversion register and the service-wide reversion register for their former class. If an employee elects not to accept the ~~((first))~~ third offer of employment, the employee's name is removed from the reversion register. The employee may then request his/her name be placed on the reemployment register.

~~((f(3)))~~ (3) Employees who are reverted do not have the right of appeal.

(4) Former permanent employees who have promoted, demoted, or transferred to a position under the jurisdiction of the higher education personnel board in accordance with provisions of their rules and fail to complete their trial service period may request their names be placed on the dual-agency reversion register and service-wide reversion register for their former class.

(5) Employees who are reemployed from the service-wide reversion registers shall enter a trial service period. Employees reverted during this period may request their names be placed on the register from which they came.

(6) Employees who voluntarily revert to their former class may request the director of personnel to reactivate their promotional score for the class from which reverted. Employees involuntarily reverted to a former class shall have all examination grades nullified for the class from which they are reverted.

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

**WSR 91-13-043  
EMERGENCY RULES  
PERSONNEL BOARD**

[Order 374—Filed June 14, 1991, 10:05 a.m., effective August 1, 1991]

Date of Adoption: June 13, 1991.

Purpose: This rule prohibits docking the salaries of exceptions work period employees for absences of less than one full day.

Citation of Existing Rules Affected by this Order: New rule WAC 356-18-230 Partial day absence—Exceptions work period.

Statutory Authority for Adoption: RCW 41.06.040 and 41.06.150.

Pursuant to RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: To comply with 9th Circuit Court of Appeals decision in *Abshire v. Kern County*, 908 F.2d 483 (9th Cir. 1990).

Effective Date of Rule: August 1, 1991.

June 13, 1991  
Dee W. Henderson  
Secretary

**NEW SECTION**

**WAC 356-18-230 PARTIAL DAY ABSENCE—EXCEPTIONS WORK PERIOD.** *Exceptions work period employees shall not be charged with leave without pay for partial days of absence.*

**WSR 91-13-044  
NOTICE OF PUBLIC MEETINGS  
WHATCOM COMMUNITY COLLEGE**  
[Memorandum—June 12, 1991]

A special meeting of the board of trustees of Whatcom Community College, District Number Twenty-One, will be scheduled for July 1, 1991, at 2:00 p.m. in the Board Room at the Laidlaw Center of Whatcom Community College.

**WSR 91-13-045  
RULES COORDINATOR  
STATE BOARD OF EDUCATION**  
[Filed June 14, 1991, 2:04 p.m.]

In accordance with RCW 34.05.310, the rules coordinator for State Board of Education, is Richard M. Wilson, Legal Services, Old Capitol Building, Mailstop FG-11, Olympia, Washington 98504, phone (206) 753-2298, 234-2298 scan.

Richard M. Wilson  
Counsel for Administrative  
Law Services

**WSR 91-13-046  
RULES COORDINATOR  
SUPERINTENDENT OF  
PUBLIC INSTRUCTION**  
[Filed June 14, 1991, 2:05 p.m.]

In accordance with RCW 34.05.310, the rules coordinator for Superintendent of Public Instruction is Richard M. Wilson, Legal Services, Old Capitol Building, Mailstop FG-11, Olympia, Washington 98504, phone (206) 753-2298, 234-2298 scan.

Richard M. Wilson  
Counsel for Administrative  
Law Services

**WSR 91-13-047**  
**RULES COORDINATOR**  
**CENTRALIA COLLEGE**  
 [Filed June 14, 1991, 2:06 p.m.]

This letter is written to advise you that Jack R. Kalmbach, Dean of Administration, is the rules coordinator for Centralia College, District 12.

Henry P. Kirk  
 President

**WSR 91-13-048**  
**PERMANENT RULES**  
**BOARD FOR**  
**COMMUNITY COLLEGE EDUCATION**

[Resolution 91-20, Order 129—Filed June 14, 1991, 2:11 p.m.]

Date of Adoption: May 30, 1991.

Purpose: Amendment, repealer, and adoption of new sections of rules related to the operations of the TIAA/CREF retirement annuity plan for community colleges.

Citation of Existing Rules Affected by this Order: Repealing WAC 131-16-020, 131-16-030, and 131-16-069; and amending WAC 131-16-005, 131-16-010, 131-16-011, 131-16-015, 131-16-040, 131-16-050, 131-16-060, 131-16-061, 131-16-065, and 131-16-066.

Statutory Authority for Adoption: RCW 28B.10.400.

Pursuant to notice filed as WSR 91-09-036 on April 15, 1991.

Changes Other than Editing from Proposed to Adopted Version: Additional language was added to WAC 131-16-021 clarifying the basis for establishing eligibility for participation in the retirement annuity plan.

Effective Date of Rule: Thirty-one days after filing.

June 11, 1991  
 Gilbert J. Carbone  
 Assistant Director

**AMENDATORY SECTION** (Amending Order 103, Resolution No. 85-25, filed 9/16/85)

WAC 131-16-005 MANDATORY RETIREMENT AGE DEFINED. Except as otherwise prohibited by federal law, the mandatory retirement age for employees of ((community)) college districts or the state board ((for community college education)) shall be ((defined as)) the end of the academic year in which an employee attains age seventy; however, when officially approved by the district board of trustees, or by the state board in the case of its employees, extension of service beyond the mandatory retirement age may be made pursuant to the provisions of RCW 28B.10.420.

**AMENDATORY SECTION** (Amending Order 28, filed 7/1/74)

WAC 131-16-010 DESIGNATION OF COMMUNITY COLLEGE SYSTEM RETIREMENT PLAN. There is hereby established for the eligible employees of the community colleges of the state of Washington and the state board, a retirement plan

which shall entitle such employees to purchase retirement annuities from the teachers' insurance annuity association (TIAA) and the college retirement equities fund (CREF), hereafter called the TIAA/CREF plan, ((in conjunction with the employing community college district as provided in regulations approved pursuant to this policy)) subject to the provisions of WAC 131-16-011 through 131-16-066.

**AMENDATORY SECTION** (Amending Order 111, Resolution No. 86-43, filed 10/30/86)

WAC 131-16-011 DEFINITIONS. For the purpose of WAC 131-16-005 through ((131-16-069)) 131-16-066, the following definitions shall apply:

(1) "Participant" ((shall be defined as)) means any individual who is eligible to purchase retirement annuities through the TIAA/CREF plan and whose ((basic)) required contribution to such plan is matched by the employing college district or the state board ((for community college education)) pursuant to the provisions of WAC 131-16-050.

(2) "Supplemental retirement benefit" ((shall be defined as)) means payments, as calculated in accordance with WAC 131-16-061 ((and 131-16-062)), made by ((the community college district or)) the state board to an eligible retired participant or designated beneficiary whose retirement benefits provided by the TIAA/CREF plan do not attain the level of the retirement benefit goal established by WAC 131-16-015.

(3) "Year of full-time service" ((shall be defined as)) means retirement credit based on full-time employment or the equivalent thereof based on part-time employment in an eligible position for a period of not less than five months in any fiscal year during which TIAA/CREF contributions were made by both the participant and a Washington public higher education institution or the state board or any year or fractional year of prior service in a Washington public retirement system while employed at a Washington public higher education institution: PROVIDED, That the participant will receive a pension benefit from such other retirement system: AND PROVIDED FURTHER, That not more than one year of full-time service will be credited for service in any one fiscal year.

(4) "Fiscal year" ((shall be defined as)) means the period beginning on July 1 of any calendar year and ending on June 30 of the succeeding calendar year.

(5) "Average annual salary" ((shall be defined as)) means the amount derived when the salary received during the two consecutive highest salaried fiscal years of full-time service for which TIAA/CREF contributions were made by both the participant and a Washington public higher education institution is divided by two.

(6) "TIAA/CREF retirement benefit" ((shall be defined as)) means the amount of annual retirement income derived from a participant's accumulated annuities including dividends at the time of retirement~~((:))~~: PROVIDED, That~~((:))~~ solely for the purpose of calculating a potential supplemental retirement benefit, such amount shall be adjusted to meet the assumptions set forth in WAC 131-16-061(2).

(7) "Salary" ~~((shall be defined as))~~ means all remuneration received by the participant from the employing ~~((community))~~ college district or the state board, including summer quarter compensation, extra duty pay, leave stipends, and grants made by or through the college district or state board; but not including any severance pay, early retirement incentive payment, remuneration for unused sick or personal leave, or remuneration for unused annual or vacation leave in excess of the amount payable for thirty days or two hundred forty hours of service.

(8) "Designated beneficiary" ~~((shall be defined as))~~ means the surviving spouse of the retiree or, with the consent of such spouse, if any, such other person or persons as shall have an insurable interest in the retiree's life and shall have been nominated by written designation duly executed and filed with the retiree's institution of higher education or the state board.

(9) "State board" means the state board for community college education as created in RCW 28B.50.050.

(10) "Appointing authority" means a college district board of trustees or the state board or the designees of such boards.

#### AMENDATORY SECTION (Amending Order 91, Resolution No. 82-6, filed 5/10/82)

WAC 131-16-015 RETIREMENT BENEFIT GOAL ESTABLISHED. Subject to the provisions of WAC 131-16-061, the retirement benefit goal for participants in the TIAA/CREF plan is to provide participants at age sixty-five having twenty-five years of full-time service a minimum annual retirement income, exclusive of Federal Old Age Survivors Insurance benefits, equivalent to fifty percent of ~~((the))~~ their average annual salary ~~((for the two consecutive highest salaried fiscal years))~~.

#### NEW SECTION

WAC 131-16-021 EMPLOYEES ELIGIBLE TO PARTICIPATE IN RETIREMENT ANNUITY PURCHASE PLAN. (1) Eligibility to participate in the TIAA/CREF plan is limited to persons who hold appointments to college district or state board staff positions as full-time or part-time faculty members or administrators exempt from the provisions of chapter 28B.16 RCW and who are assigned a cumulative total of at least eighty percent of full-time workload as defined by the appointing authority at one or more college districts or the state board for at least two consecutive college quarters or who otherwise would be eligible for membership in the Washington state teachers retirement system.

(2) Participation in the plan is also permitted for current and former employees of college districts or the state board who are on leave of absence or who have terminated employment by reason of permanent disability and who are receiving a salary continuation insurance benefit through a plan made available by the state of Washington: PROVIDED, That such noncontributory participation shall not be creditable toward the number

of years of full-time service utilized in calculating eligibility for supplemental retirement benefits pursuant to WAC 131-16-061.

(3) Participation in the plan without matching employer contributions is also permitted for any employee of a college district or the state board who desires to utilize the plan as a supplemental retirement savings vehicle to any state-sponsored retirement plan in which the employee participates: PROVIDED, That the provisions of WAC 131-16-015, 131-16-050, and 131-16-061 shall not apply in such cases.

(4) An employee who moves from an ineligible to an eligible position for the same appointing authority may become a participant by so electing in writing within six months following such move.

(5) A participant who moves from an eligible position to an ineligible position for the same appointing authority may continue to be a participant by so electing within six months following such move.

(6) Participants shall continue participation regardless of the proportion of full-time duties assigned, except as otherwise provided in this section, as long as continuously employed by the same appointing authority. For the purpose of this section, spring and fall quarters shall be considered as consecutive periods of employment.

(7) Any eligible employee who at the time of initial employment is required to or elects to become a participant in this plan may also select at that time to delay active participation and payment of required contributions for two years following the date of initial employment.

#### NEW SECTION

WAC 131-16-031 PARTICIPATION IN THE PLAN. (1) Participation in the TIAA/CREF plan is required of all otherwise eligible new employees: PROVIDED, That any such new employee, who at the time of employment is a member of the Washington state teachers retirement system or the Washington public employees retirement system, may irrevocably elect to retain such membership or, if not vested in that system, retain membership until vesting occurs and then irrevocably elect to participate in the TIAA/CREF plan.

(2) College district or state board employees who are members of retirement plans other than the TIAA/CREF plan may participate in the TIAA/CREF plan, without a matching employer contribution, through tax deferred annuity purchase agreements with the employing college district or the state board, to the extent allowed by the applicable United States Internal Revenue Code provisions.

#### AMENDATORY SECTION (Amending Order 95, Resolution No. 83-25, filed 9/28/83)

WAC 131-16-040 ~~((SPECIAL))~~ DISABILITY RETIREMENT PROVISIONS FOR TIAA/CREF PARTICIPANTS. ~~((+))~~ ~~The normal retirement age shall be defined as the end of the academic year in which the participant attains age sixty-five.~~ PROVIDED, That any participant may elect to retire at the earliest age specified for retirement by federal Social Security law.



(2)) The board of trustees of any college district or the state board may approve the retirement of any ~~((employee under the age of seventy))~~ participant for reasons of health or permanent disability either upon the request of the ~~((individual employee))~~ appointing authority or the ~~((district president))~~ participant: PROVIDED, That ~~((the board of trustees shall first give))~~ reasonable consideration is first given to the written recommendations ~~((regarding such requested retirement from))~~ of the employee's personal physician ~~((and))~~ or, if requested by either the employee or the ~~((district president))~~ appointing authority, a review of such recommendations by another physician appointed by ~~((the board of trustees))~~ mutual agreement for that purpose.

AMENDATORY SECTION (Amending Order 28, filed 7/1/74)

WAC 131-16-050 CONTRIBUTION RATES ESTABLISHED. (1) Each participant in the TIAA/CREF plan shall contribute five percent of salary each pay period until ~~((the end of the calendar year during which he attains his 35th birthday))~~ attainment of age thirty-five and seven and one-half percent each pay period thereafter ~~((of all remuneration he receives from the employing community college district))~~ and the employing district or state board shall contribute a like sum~~((, each on a monthly basis))~~. A participant may further elect to increase the rate to ten percent ~~((at any time following the calendar year during which he attains his 50th birthday))~~ of salary each pay period after attaining age fifty and the employing district or state board shall contribute a like sum. ~~((The sum of the participant's and the community college district's contribution shall be forwarded to TIAA/CREF for the purchase of retirement annuities.))~~ The combined contribution may be ~~((divided between))~~ allocated among the TIAA and CREF ~~((premium payments))~~ funds as directed by the participant.

(2) During periods when participants are on leave of absence and are receiving partial compensation ~~((from a community college district, the employing community college district)),~~ the employer shall continue to make contributions on the same basis as herein provided if the participant agrees to contribute in a like manner.

(3) ~~((Any of the following allocations of the combined contributions may be elected at any time by the participant as the premium basis for purchase of TIAA and CREF annuities:~~

TIAA	CREF
100%	0%
75%	25%
50%	50%
25%	75%
0%	100%

(4)) Any eligible employee may enter into an agreement with the college district to reduce the employee's monthly salary by the amount of the required employee's monthly contribution and any supplemental amount, within the limits prescribed in the Internal Revenue Code~~((, such amount to be transmitted to TIAA/CREF~~

~~to purchase retirement annuities in the name of the employee, thereby deferring the federal income tax normally due on that amount until it is received as retirement annuity income)): PROVIDED, That ((after one year from the effective date of the agreement, either party may terminate the agreement: AND PROVIDED FURTHER, That))~~ no more than one agreement for such salary reduction may be made within any ~~((taxable))~~ tax year of the employee, except to the extent otherwise permitted by ~~((the regulations under Section 403(b) of))~~ the Internal Revenue Code.

NEW SECTION

WAC 131-16-055 OPTIONS FOR SELF-DIRECTED INVESTMENT OF RETIREMENT PLAN CONTRIBUTIONS AND ACCUMULATIONS. While actively employed, participants may exercise any or a combination of the following options for allocation of current premiums or transfer of accumulated TIAA or CREF fund accumulated balances.

(1) Current premiums may be allocated among the TIAA account and the CREF accounts in any whole percentage proportions.

(2) CREF fund accumulations resulting from previously contributed premiums may be transferred in whole or in part among any of the CREF subsidiary accounts or to the TIAA account.

(3) TIAA fund accumulations resulting from previously contributed premiums or from transfers from CREF accounts may be transferred to any CREF accounts on the basis of an irrevocable ten-year schedule of payments, subject to procedures established by TIAA/CREF.

AMENDATORY SECTION (Amending Order 28, filed 7/1/74)

WAC 131-16-060 REPURCHASE OF ANNUITY CONTRACT UNDER CERTAIN CONDITIONS. In the event a participant ~~((in TIAA or TIAA/CREF))~~ leaves the employ of any Washington ~~((community))~~ college district or the state board for reasons other than retirement or disability and requests repurchase of his ~~((annuity))~~ or her TIAA or CREF accumulation, the state board ~~((for community college education))~~ approves such repurchases as are recommended by the appropriate district board of trustees: PROVIDED, That TIAA/CREF agrees to such repurchase: AND PROVIDED FURTHER, That the portion of the repurchase attributable to contributions made by employing ~~((community))~~ college district shall be returned to that district by TIAA/CREF.

The state board will agree to the repurchase of contracts only if all the following conditions are met:

- (a) Payments to the annuitant have not begun;
- (b) The annuity has been in force for five years or less;
- (c) The annuitant requests repurchase of all annuities he or she owns;
- (d) The annuitant is neither employed at nor is transferring to an institution having a TIAA/CREF retirement plan;

(e) All educational institutions that contributed any part of the premiums consent to the repurchase;

(f) If the annuitant has more than one annuity, the total value of all TIAA/CREF annuities and the longest duration of any of them shall govern in determining whether a repurchase will be made under this rule.

**AMENDATORY SECTION** (Amending Order 95, Resolution No. 83-25, filed 9/28/83)

**WAC 131-16-061 SUPPLEMENTAL RETIREMENT BENEFITS.** (1) A participant is eligible to receive supplemental retirement benefit payments if at the time of retirement the participant is age sixty-two or over and has at least ten years of full-time service in the TIAA/CREF plan at a Washington public institution of higher education(~~(:)~~): **PROVIDED**, That the amount of the supplemental retirement benefit, as calculated in accordance with the provisions of this section, is a positive amount.

(2) Subject to the provisions of (~~WAC 131-16-062 and~~) subdivisions (c), (d), and (e) of this subsection, the annual amount of supplemental retirement benefit payable to a participant upon retirement is the excess, if any, when the value determined in subdivision (b) is subtracted from the value determined in subdivision (a), as follows:

(a) The lesser of fifty percent of the participant's average annual salary or two percent of the average annual salary multiplied by the number of years of full-time service; provided that if the participant did not elect to contribute ten percent of salary beginning July 1, 1974, or if later, after (~~the first day of the calendar year following~~) attainment of age fifty, service for such periods shall be calculated at the rate of one and one-half percent instead of two percent.

(b) The combined retirement benefit from the TIAA/CREF annuity and any other Washington state public retirement system as a result of service while employed by a Washington public higher education institution that the participant would receive in the first month of retirement multiplied by twelve: **PROVIDED**, That the TIAA/CREF benefit shall be calculated on the following assumptions:

(i) After July 1, 1974, fifty percent of the combined contributions were made to TIAA and fifty percent to the CREF stock fund during each year of full-time service: **PROVIDED**, That benefit calculations related to contributions made prior to July 1, 1974, shall be computed on the basis of actual allocations between TIAA and CREF; and

(ii) The full TIAA/CREF annuity accumulations, including all dividends payable by TIAA and further including the amounts, if any, paid in a single sum under the retirement transition benefit option, were fully settled on a joint and two-thirds survivorship option with a ten-year guarantee, using actual ages of retiree and spouse, but not exceeding a five-year difference; except that for unmarried participants the TIAA accumulations, including dividends, were settled on an installment refund option and the CREF accumulations were settled on a life annuity with ten-year guarantee option, all to

be based on TIAA/CREF estimates at the time of retirement; and

(iii) Annuity benefits purchased by premiums paid other than as a participant in a Washington public institution of higher education TIAA/CREF retirement plan shall be excluded.

(iv) For the purposes of this calculation, the assumptions applied to the TIAA/CREF accumulation settlement shall also apply to settlement of the benefit from any other retirement plan.

(c) The amount of supplemental retirement benefit for a participant who has not attained age sixty-five at retirement is the amount calculated in subsection (2) of this section reduced by one-half of one percent for each calendar month remaining until age sixty-five: **PROVIDED**, That the supplemental retirement benefit for (~~(a)~~) an otherwise qualified participant retired for reason of health or permanent disability shall not be so reduced.

(d) Any portion of participant's TIAA and/or CREF annuity accumulation paid to a participant's spouse upon dissolution of a marriage shall be included in any subsequent calculation of supplemental retirement benefits just as if these funds had remained in the participant's TIAA and/or CREF annuity.

(e) The selection of a TIAA/CREF retirement option other than the joint and two-thirds survivorship with ten-year guarantee shall not alter the method of calculating the supplemental retirement benefit; however, if the participant's combined TIAA/CREF retirement benefit and calculated supplemental retirement benefit exceeds fifty percent of the participant's average annual salary, the supplemental retirement benefit shall be reduced so that the total combined benefits do not exceed fifty percent of average annual salary.

(3) The payment of supplemental retirement benefits shall be consistent with the following provisions:

(a) Supplemental retirement benefits shall be paid in equal monthly installments, except that if such monthly installments should be less than ten dollars, such benefit payments may be paid at longer intervals as determined by the (~~(employer)~~) state board.

(b) Supplemental retirement benefit payments will continue for the lifetime of the retired participant; however, prior to retirement, a participant may choose to provide for the continuation of supplemental retirement benefit payments, on an actuarially equivalent reduced basis, to his or her spouse or designated beneficiary after the retiree's death. Notification of such choice shall be filed in writing with the (~~(appropriate college district or)~~) state board (officer) and shall be irrevocable after retirement. If such option is chosen, the supplemental retirement benefit payments shall be in the same proportion as (~~(the)~~) any TIAA/CREF survivor annuity option potentially payable to and elected by the participant. If a designation of a survivor's option is not made and the participant dies after attaining age sixty-two but prior to retirement, any supplemental benefit payable shall be based on the two-thirds benefit to survivor option.

(c) Prior to making any supplemental benefit payments, the (~~(employing college district or)~~) state board

shall obtain a document signed by the participant and spouse, if any, or designated beneficiary acknowledging the supplemental retirement benefit option chosen by the participant.

(4) A retired participant who is reemployed shall continue to be eligible to receive retirement income benefits, except that the supplemental retirement benefit shall not continue during periods of employment for more than forty percent of full-time or seventy hours per month or five months duration in any fiscal year. Retirement contributions shall not be made from the salary for such employment, unless the individual once again becomes eligible to participate under the provisions of WAC ((131-16-020)) 131-16-021.

#### NEW SECTION

WAC 131-16-062 **BENEFIT OPTIONS AFTER TERMINATION OF EMPLOYMENT.** (1) After termination of employment, participants having attained age fifty-five or having completed thirty years of full-time service in this plan or any combination of Washington state sponsored retirement plans may exercise any settlement option for receipt of retirement benefits being made available by TIAA/CREF at that time.

(2) The federal income tax consequences resulting from the exercise of any options of elections provided by this section shall be the sole responsibility of the individual participant, and all federal tax regulations related to the receipt of retirement income benefits shall apply.

(3) The provisions of this section shall apply only to TIAA and CREF account accumulations attributable to contributions made as a result of employment in institutions or agencies subject to the provisions of WAC 131-16-005 through 131-16-066.

AMENDATORY SECTION (Amending Order 28, filed 7/1/74)

WAC 131-16-065 **OPTIONAL RETIREMENT TRANSITION BENEFIT.** ((Employees participating in TIAA/CREF as identified in WAC 131-16-020)) Participants may choose the optional retirement transition benefit that at the time of their retirement permits receipt of not more than ten percent of the accumulated value in each annuity in a lump-sum payment, provided that annuity benefits commence after the participant's fifty-fifth birthday. Benefits from the remainder of the combined annuity value shall be paid in the form of other retirement options then available to the annuitant as now or hereafter permitted by TIAA/CREF. Selection of the option to receive the retirement transition benefit shall be made immediately prior to retirement in such manner as now or hereafter permitted by TIAA/CREF.

AMENDATORY SECTION (Amending Order 28, filed 7/1/74)

WAC 131-16-066 **SINGLE SUM DEATH BENEFIT TO SPOUSE BENEFICIARIES.** Unless previously indicated to the contrary by the participating employee in writing directly to TIAA/CREF, the surviving spouse or other beneficiary, if applicable, of any

TIAA/CREF plan participant who dies before retirement shall be entitled to receive a single sum death benefit in the amount of the then current value of the annuity accumulation.

#### REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 131-16-020 **EMPLOYEES ELIGIBLE TO PARTICIPATE IN RETIREMENT ANNUITY PURCHASE PLAN.**

WAC 131-16-030 **OPTIONAL PARTICIPATION FOR CERTAIN EMPLOYEES.**

WAC 131-16-069 **APPLICATION OF RETIREMENT PLAN TO EMPLOYEES OF STATE BOARD.**

**WSR 91-13-049**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**RETIREMENT SYSTEMS**  
[Filed June 14, 1991, 2:19 p.m.]

Date of Adoption: June 12, 1991.

Purpose: Rules intending to clarify and define the interest rate and assessment procedures on payments of obligations owed to Department of Retirement Systems.

Citation of Existing Rules Affected by this Order: Amending WAC 415-114-040.

Statutory Authority for Adoption: Chapter 34.05 RCW, RCW 41.50.050 and 41.50.120.

Other Authority RCW 41.50.120 (being implemented).

Pursuant to notice filed as WSR 91-10-108 on May 1, 1991.

Effective Date of Rule: Thirty-one days after filing.

June 12, 1991  
George Northcroft  
Director

#### CHAPTER 415-114

A Rule Relating to The Assessment of Interest Charges on Employers' Overdue Payments

READOPTED SECTION (Readopting WSR 91-11-061, filed 5/16/91)

WAC 415-114-010 **PURPOSE.** These rules relate to the implementation of RCW 41.50.120 which provides the Department of Retirement Systems the authority to assess interest charges on employers' overdue payments of obligations owed to the Department. These rules are intended to encourage employers to pay obligations in a timely manner.

READOPTED SECTION (Readopting WSR 91-11-061, filed 5/16/91)

WAC 415-114-020 **DEFINITIONS.** As used in this chapter, unless a different meaning is plainly required by the context:

1. Department – refers to the Department of Retirement Systems established pursuant to chapter 41.50 RCW as now existing or hereafter amended;

2. Employers – refers to all employers within the retirement systems administered by the Department, as defined in RCW 41.50.030;

3. Obligations owed to the Department – include, but are not limited to, employer and employee contributions;

4. Close of business day – refers to 5:00 p.m. of a business day.

**READOPTED SECTION** (Readopting WSR 91-11-061, filed 5/16/91)

WAC 415-114-030 WHAT IS CONSIDERED AN OVERDUE PAYMENT OF AN OBLIGATION OWED TO THE DEPARTMENT. Payment for a calendar month, or any portion thereof, shall be made to the Department on or before the 15th day of the following calendar month. Payment is overdue if not received within three business days following the 15th day of the following calendar month. Payment must be received by the Department or credited to the Department's account before the close of business on the third business day following the 15th day of the following calendar month.

**AMENDATORY SECTION** (Amending WSR 91-11-061, filed 5/16/91)

WAC 415-114-040 ASSESSMENT OF INTEREST CHARGE. 1. When a payment is overdue, interest will be charged in the following manner: An 1% simple interest charge will be assessed against the employer's balance due on account multiplied by the number of the days past due divided by 30.40 (annual average of days in a month). The balance due on the account is the total of the obligations owed to the department, less payments received. The interest obligation shall not be compounded.

2. Interest charges of less than five dollars will not be billed.

3. Interest charges will be based upon the employer's monthly contribution report as received by the department. If the employer's contributions have not been received in a timely manner as stated in WAC 415-114-030, interest charges will be based on the most recent contribution report processed from a prior month. Such interest charges will then be adjusted when the late contribution report is received and processed.

4. Interest will be charged for overdue obligations owed to the department for reports and current obligations which are due on or before June 15, 1991. Current obligations are all obligations except debit balance forwards as defined in WAC 415-114-050.

**READOPTED SECTION** (Readopting WSR 91-11-061, filed 5/16/91)

WAC 415-114-050 ASSESSMENT OF INTEREST CHARGE ON ACCRUED OBLIGATIONS. Employers will be given until June 15, 1991, to pay the total balance due to the Department on all obligations, including those accrued and owing to the Department prior to May 1991 obligations. Accrued obligations not

paid by the close of business on the third business day after June 15, 1991, will be assessed an interest charge in accordance with WAC 415-114-030.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

#### NEW SECTION

WAC 415-114-055 ASSESSMENT OF INTEREST CHARGE ON DEBIT BALANCE FORWARD. Employers will be given until August 15, 1991, to pay the total debit balance forward. Debit balance forward are obligations accrued and owing to the Department prior to March 1989 and not paid subsequently. Balance forward debits not paid by the close of business day on the third business day after August 15, 1991, will be assessed an interest charge in accordance with WAC 415-114-040. Employers with a credit balance forward will not have their credit balance forward applied to current obligations until August 15, 1991. Credit balance forward are credits given prior to March 1989.

**READOPTED SECTION** (Readopting WSR 91-11-061, filed 5/16/91)

WAC 415-114-060 BILLING OF INTEREST CHARGES. Interest charges assessed against an employer for overdue payments will appear on the employer's monthly accounts receivable statement. Interest charges assessed on a monthly accounts receivable statement are due and payable by the close of the third business day after the 15th day of the following calendar month in accordance with WAC 415-114-030.

#### NEW SECTION

WAC 415-114-070 ERRONEOUS CHARGES OF INTEREST. If the Department erroneously charges interest against an employer, the Department will credit the employer's account an amount equal to the erroneous interest that was charged. Employers who believe that they have been erroneously charged interest must submit to the Department written proof prior to the Department making a determination regarding the cancellation of the interest charge.

**WSR 91-13-050**  
**EMERGENCY RULES**  
**DEPARTMENT OF HEALTH**  
**(Board of Health)**

[Order 176B—Filed June 14, 1991, 2:25 p.m.]

Date of Adoption: June 12, 1991.

Purpose: To amend former WAC 246-100-166 Immunization of day care and school children against certain vaccine-preventable diseases, to be consistent with national vaccine recommendations.

Citation of Existing Rules Affected by this Order: Amending WAC 246-100-166.

Statutory Authority for Adoption: RCW 28A.31.116.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the

public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The following reasons make emergency adoption of WAC 246-100-166 imperative: Reduce the public health hazard posed by vaccine-preventable disease in schools and licensed day care centers, thereby preventing possible spread to the community; reduce burden on vaccine providers, so children can be immunized during the summer before the start of school in the fall; and allow adequate notice to parents, enabling them to schedule immunizations more at their convenience, and incentive for compliance.

Effective Date of Rule: Immediately.

June 12, 1991  
Sylvia Beck  
Executive Director  
Board of Health

AMENDATORY SECTION (Amending Order 124B, filed 12/27/90, effective 1/31/91)

WAC 246-100-166 IMMUNIZATION OF DAY CARE AND SCHOOL CHILDREN AGAINST CERTAIN VACCINE-PREVENTABLE DISEASES.

(1) Definitions for purposes of this section:

(a) "Certificate of immunization status (CIS) form" means a form provided by the department labeled (~~DSHS 13-263~~) DOH 348-013, including data entry spaces for immunization information including:

- (i) Name of child or student,
- (ii) Birth date,
- (iii) Sex,
- (iv) Type of vaccine,
- (v) Date of each dose of vaccine received specifying day, month, and year,
- (vi) Signature of parent, legal guardian, or adult in loco parentis, and
- (vii) Documented exemptions, if applicable and as specified in subsection (5) of this section.

(b) "Chief administrator" means:

- (i) The person with the authority and responsibility for the immediate supervision of the operation of a school, day care center, or
- (ii) A designee of the chief administrator assigned in writing to carry out the requirements of RCW 28A.31-.118 through the statutory or corporate board of directors of the school district or school, or
- (iii) Person or persons with the authority and responsibility for the general supervision of the operation of the school district or school.

(c) "Child" means any person regardless of age admitted to any day care center, preschool, kindergarten, or grades one through twelve program of education in:

- (i) Any public school district, or
- (ii) Any private school or private institution subject to approval by the state board of education or described in RCW 28A.04.120(4) and 28A.02.201 through 28A.02-.260, or
- (iii) Any licensed day care facility which regularly provides care for a group of thirteen or more children

for periods of less than twenty-four hours subject to licensure by the department of social and health services as described in chapter 74.15 RCW.

(d) "Full immunization" means vaccinated in accordance with schedules and immunizing agents approved by the state board of health in WAC (~~248-100-166~~) 246-100-166 against:

- (i) Diphtheria,
- (ii) Tetanus,
- (iii) Pertussis or whooping cough,
- (iv) Measles or rubeola,
- (v) Rubella,
- (vi) Mumps, (~~and~~)
- (vii) Poliomyelitis, and
- (viii) Haemophilus influenzae type b disease.

(e) "Immunizing agents" means any vaccine or other biologic licensed and approved by the bureau of biologics, United States Food and Drug Administration (FDA), or meeting World Health Organization (WHO) requirements, for immunization of persons against:

- (i) Diphtheria, tetanus, pertussis (DTP, DT, Td);
- (ii) Measles;
- (iii) Mumps;
- (iv) Poliomyelitis, types I, II, and III (TOPV, IPV); (~~and~~)
- (v) Rubella; and
- (vi) Haemophilus influenzae type b vaccine (Hib);

(f) "National immunization guidelines" means schedules for immunization described in:

- (i) (~~1986~~) 1991 American Academy of Pediatrics ((AAP)) Report of the Committee on Infectious Diseases (Red Book); or

(ii) Immunization Practices Advisory Committee ((on Immunization Practices)) (ACIP) on General Recommendations on Immunization, ((January 14, 1983)) April 7, 1989; and

(iii) (~~New Recommended Schedule for Active Immunization of Normal Infants and Children, 9/19/86; Advisory Committee on Immunization Practices (ACIP), United States public health service)) Immunization Practices Advisory Committee (ACIP) on Haemophilus b Conjugate Vaccines for Prevention of Haemophilus Influenzae Type b Disease Among Infants and Children Two Months of Age and Older, January 11, 1991.~~

(g) "Parent" means a person who is:

- (i) The mother, father, legal guardian, or (~~designated caretaker~~) any adult in loco parentis of a child seven-teen years of age or younger; or
- (ii) A person eighteen years of age or older; or
- (iii) An emancipated minor.

(h) "Transfer student" means a student previously enrolled in grades kindergarten through twelve moving from one school district or system to another at any time during the school year, excluding students transferring within a district or system when the school transfers records within the district.

(2) Full immunization schedule. Each day care, preschool, and school shall establish and maintain requirements for full immunization of children attending day care and preschool through grade twelve.

(3) For day care and preschool children, full immunization means a child received vaccines (~~(consistent with the National Immunization Guidelines defined in subsection (1) of this section and including)~~) as follows:

- ~~((i) DTP, DT, or Td;~~
- ~~(ii) Polio;~~
- ~~(iii) Measles;~~
- ~~(iv) Mumps, and~~
- ~~(v) Rubella.)~~

Age at Entry	Requirement(*)
between 2-3 months	1-DTP/DT, 1-OPV/IPV, 1-Hib
between 4-5 months	2-DTP/DT, 2-OPV/IPV, 2-Hib
between 6-14 months	3-DTP/DT, 2-OPV/IPV, 3-Hib(**)
between 15 months and kindergarten entry	4-DTP/DT, 3-OPV/IPV, 1-HIB(†), 1-MMR(††)

- (\*) Children who do not meet the requirements for their age group must initiate or continue a schedule of immunization prior to day care or preschool entry and must be notified by the day care/preschool administrator of additional doses of vaccine as those doses come due.
- (\*\*) Children immunized with Hib vaccine from Merck Sharp and Dohme (PedvaxHIB) should receive vaccine at 2 months, 4 months, and 12 months of age.
- (†) Those children entering day care or preschool after 15 months of age must have received one dose of Hib vaccine at or after 15 months of age (not required of those receiving three doses of Merck Sharp and Dohme vaccine). Hib vaccine is not required of children 60 months (5 years) and older.
- (††) Children who have had measles, rubella, or mumps disease, respectively, must show proof of past infection with the disease by providing an acceptable measles, rubella, or mumps antibody titer result and appropriate immunization against the remaining disease(s).

(4) For a child (~~(commencing school entry (†)) entering kindergarten or first grade (†) attendance, on or after August 1, 1988)~~) (school entry level), full immunization means a child received vaccines as follows:

- (a) A minimum of four doses of either DTP, DT, or Td (not tetanus toxoid alone) with last dose after four years of age (~~(and excluding tetanus toxoid only,)~~) consistent with national immunization guidelines defined in subsection (1) of this section, or
- (b) Three doses of Td (~~(excluding)~~) (not tetanus toxoid (~~(only)~~) alone) if the series began at seven years of age or older, and
- (c) A minimum of three doses of trivalent oral poliomyelitis vaccine (TOPV) or (~~(four doses of)~~) enhanced trivalent inactivated poliomyelitis vaccine (IPV) with last dose received after four years of age and consistent with national immunization guidelines defined in subsection (1) of this section, and
- (d) One dose of live virus measles vaccine at or after one year of age unless a child provides proof of past infection with measles virus (an acceptable measles virus antibody titer result), and
- (e) One dose of live virus rubella vaccine at or after one year of age unless a child provides proof of past infection with rubella virus (an acceptable rubella antibody titer result), and
- (f) One dose of live virus mumps vaccine administered at or after one year of age (~~(for children in kindergarten or first grade, whichever is the entry level))~~) unless a

child provides proof of past infection with mumps virus (an acceptable mumps virus antibody titer result).

(5) For (~~(a child who commenced))~~) transfer students and those above kindergarten or first grade (~~(school attendance before August 1, 1988, and for transfer students)~~), full immunization means a child received vaccines as follows:

(a) A minimum of three doses of either DTP, DT, or Td, (not tetanus toxoid alone) with the last dose after four years of age (~~(and excluding tetanus toxoid only,)~~) consistent with national immunization guidelines defined in subsection (1) of this section; or

(b) Three doses of Td, (~~(excluding)~~) (not tetanus toxoid (~~(only,)~~) alone) if the series began at seven years of age or older; and

(c) A minimum of three doses of trivalent oral poliomyelitis vaccine (TOPV), or (~~(four doses of)~~) enhanced trivalent inactivated poliomyelitis vaccine (IPV) with the last dose received after four years of age and consistent with national immunization guidelines defined in subsection (1) of this section (not required of persons eighteen years of age and older); and

(d) One dose of live virus measles vaccine at or after one year of age unless a child provides (~~(written))~~) proof (~~(from a physician))~~) of past infection with measles virus (~~(documenting month and year of disease occurrence))~~) (an acceptable measles virus antibody titer result); and

(e) One dose of live virus rubella vaccine at or after one year of age unless a child provides proof of past infection with rubella virus (an acceptable rubella antibody titer result); and

(~~(f) One dose of live virus mumps vaccine administered at or after one year of age for children in kindergarten or first grade, whichever is entry level.)~~)

(6) For transfer students in grades 1 or 2 through 12 enrolling on or after August 1, 1991, one dose of live virus mumps vaccine administered at or after one year of age unless a child provides proof of past infection with mumps virus (an acceptable mumps virus antibody titer result).

(7) For a child entering sixth grade or reaching age thirteen years, whichever occurs first, full immunization means a child received the following vaccines (in addition to those listed in subsection (5) of this section):

(a) A second dose of live virus measles vaccine administered at or after one year of age and separated by at least one month between first and second dose, unless a child provides proof of past infection with measles virus (an acceptable measles virus antibody titer result); and

(b) One dose of live virus mumps vaccine administered at or after one year of age unless a child provides proof of past infection with mumps virus (an acceptable mumps virus antibody titer result).

(8) A second dose of measles vaccine and one dose of mumps vaccine is recommended, but not required, of currently enrolled students above sixth grade.

(9) Conditions for day care, preschool, and school attendance when a child is not fully immunized:

(a) When a child lacks full immunization, the day care, preschool, or school shall require satisfactory

progress toward full immunization (conditional status) as a condition of school attendance including:

(i) Documented proof of start or continuance of child's schedule of immunization;

(ii) Assurance the scheduled immunization is consistent with the national immunization guidelines defined in subsection (1) of this section;

~~(iii) ((Proof of completion of the required immunization or immunizations for admission the following year, no later than the child's first day of attendance)) notification of child's parent(s) of when the schedule must be completed; and~~

~~(iv) ((Issuance of an order of exclusion as described in subsection (10) of this section if:~~

~~(A) Sufficient time for completion of required immunizations elapses, and~~

~~(B) The child has not completed the required immunizations in time.~~

~~(b) When immunization schedules are incomplete due to insufficient time, the chief administrator shall:~~

~~(i) Notify the child's parents of when the schedule must be completed, and~~

~~(ii) Issue an order of exclusion if not completed by that date.~~

~~(7)) Exclusion of child from attendance as described in subsection (13) of this section if child has not received required immunizations on schedule and if sufficient time has elapsed (one month from date due) for completion of next dose.~~

(10) Schools, preschools, and day care centers shall require documented proof related to immunization including:

(a) Completion of a certificate of immunization status (CIS) form by a parent as documented proof of:

(i) Full immunization, or  
(ii) Initiation or continuation of a schedule (conditional status), or

(iii) Exemption.  
(b) Information from a written personal immunization record, ~~((given to the immunized person or to his or her parent by the physician or agency administering the immunization;))~~ as the source of the immunization data entered on the CIS form ~~((and prohibiting substitution of a personal immunization record for a CIS form))~~ (substitution of a personal immunization record for a CIS form is prohibited);

(c) Acceptance of only the ~~((revised))~~ CIS form (no other state or local immunization forms) from new enrollees registering in kindergarten through grade twelve;

(d) In addition to current CIS form, acceptance of previous CIS forms, ~~((DSHS-13-263;))~~ or locally developed forms approved by the department indicating the month and year of each immunization as the official immunization status for children enrolled prior to September 1, 1979~~(; and~~

~~(e) No additional proof of immunization as a condition to attend a particular day care, preschool, or school if the school keeps the CIS or other department-approved forms for children verifying:~~

~~(i) Proof of full immunization, or  
(ii) Proof of exemption from immunization)).~~

~~((8))~~ (11) Schools, preschools, and day care centers shall accept medical exemptions and:

(a) Require a signature of a licensed ~~((physician))~~ medical doctor (M.D.), doctor of osteopathy (D.O.), physician assistant, or nurse practitioner practicing within the limits of the medical or nurse practice acts to certify medical reasons to defer one or more immunizations on the CIS form;

(b) Admit children and keep on file a CIS form for children with:

(i) Temporary exemption from immunization for medical reasons if the required immunizations are received upon expiration of the exemption, or

(ii) Permanent exemptions.

(c) Include a statement on the CIS form informing the parent that should an outbreak of vaccine preventable disease for which the child is exempted occur, the child may be excluded from school or day care for the duration of the outbreak by order of the local health department as described in subsection ~~((10))~~ (13) of this section; and

(d) Keep on file a list of children so exempted and transmit the list to the local health department if requested.

~~((9))~~ (12) Schools, preschools, and day care centers shall ~~((accept religious, philosophical or personal exemptions and))~~:

(a) Allow a parent to exempt ~~((their))~~ his/her child from the required immunizations for religious, philosophical, or personal objections when the CIS form indicates:

(i) Type or exemption, and

(ii) Signature of parent.

(b) ~~((Admit children and))~~ Keep on file a CIS form for each child so enrolled;

(c) Include a statement on the CIS form informing the parent that should an outbreak of vaccine preventable disease for which the child is exempted occur, the child may be excluded from school for the duration of the outbreak by order of the local health department as described in subsection ~~((10))~~ (13) of this section; and

(d) Keep on file a list of children so exempted and transmit the list to the local health department if requested.

~~((10))~~ (13) Schools, preschools, and day care centers shall exclude children from school as follows:

(a) Exclude any child from school for failure to provide a completed CIS form as defined in subsection (1) of this section before or on the child's first day of attendance consistent with procedures required by the state board of education, Title 180 WAC;

(b) Exclude from attendance any child in a day care center for failure to provide a completed CIS form as defined in subsection (1) of this section before or on the child's first day of attendance;

(c) The chief administrator shall retain records on excluded children for at least three years including:

(i) Name,

(ii) Address, and

(iii) Date of exclusion.

(d) A health officer may exclude children from school, preschool, and day care attendance in the event of a



child's exposure to a disease according to chapter ~~((248-101))~~ 246-110 WAC, including children presenting proof of:

- (i) Initiation of a schedule of immunization,
- (ii) Medical exemption,
- (iii) Religious exemption,
- (iv) Philosophical exemption, or
- (v) Personal exemption.

~~((11))~~ (14) Schools, preschools, and day care centers shall maintain records and require:

(a) A completed CIS form retained in the files for every child enrolled;

(b) Return of ~~((records))~~ original CIS form or a legible copy to the parent in the event of the child's withdrawal ~~((from school))~~ or transfer ~~((including:~~

- ~~(i) The original CIS form, or~~
- ~~(ii) A legible copy of the CIS form, and~~
- ~~(iii) Prohibiting withholding of a record for nonpayment of school, preschool, or day care fees or any other reason)) from school (withholding a record for any reason, including nonpayment of school, preschool, or day care fees is prohibited).~~

(c) Access to immunization records ~~((for each child enrolled))~~ by agents of the state or local health department for each child enrolled.

~~((12))~~ (15) Persons or organizations administering immunizations, either public or private, shall:

(a) Furnish each person immunized, or his or her parent, with a written record of immunization containing information required by the state board of health; and

(b) Provide immunizations and records in accordance with chapter ~~((248-100))~~ 246-100 WAC.

~~((13))~~ (16) Chief administrators of schools, preschools, and day care centers shall ~~((report as follows:~~

(a) ~~The chief administrator of each school shall forward a written annual report to the department and local health department on the immunization status of children in school:~~

~~(i) By October 15 of each year, except in the event of a late school opening when the report is due thirty days after the first day of school, and~~

~~(ii) On forms provided by the department.~~

~~(b) The chief administrator of each preschool and day care center shall forward a written annual report to the department and local health department on the immunization status of children as follows:~~

~~(a) For schools: By November 1 of each year on forms provided by the department (except in the event of a late school opening when the report is due thirty days after the first day of school);~~

~~(b) For preschools and day care centers: By February 1 of each year on forms provided by the department.~~

## WSR 91-13-051

## PERMANENT RULES

## DEPARTMENT OF FISHERIES

[Order 91-39—Filed June 14, 1991, 2:59 p.m.]

Date of Adoption: June 11, 1991.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Amending WAC 220-48-011, 220-48-015, 220-48-017, 220-48-029, and 220-49-056.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to notice filed as WSR 91-09-064 on April 17, 1991.

Changes Other than Editing from Proposed to Adopted Version: WAC 220-48-011, delete existing subsection (1)(a) as Areas 28A-D are closed, and renumber; and WAC 220-48-015, delete reference to Area 25D in subsections (1)(e) and (4) as this is now a closed area.

Effective Date of Rule: Thirty-one days after filing.

June 14, 1991

Dayna Matthews  
for Joseph R. Blum  
Director

AMENDATORY SECTION (Amending Order 87-03, filed 1/22/87)

WAC 220-48-011 BEAM TRAWL AND OTTER TRAWL—GEAR. (1)(a) Mesh sizes. It is unlawful to use or operate beam trawls or otter trawls having mesh size in the codend section less than 4 1/2 inches in waters of Puget Sound, unless otherwise provided.

~~((a) It is lawful to use or operate bottom trawl gear having mesh size in the codend section of not less than 3 inches in Marine Fish-Shellfish Catch Reporting Areas 28A, 28B, 28C, and 28D, during December 1 through April 14.))~~

(b) It is lawful to use or operate pelagic trawl gear having mesh size in the codend section of not less than 3 inches while fishing for Pacific whiting during the seasons provided in WAC 220-48-017 (1) and (2).

(2) Chafing gear.

(a) For bottom trawls, chafing gear must have a minimum mesh size of 15 inches unless only the bottom one-half (underside) of the codend is covered by chafing gear.

(b) For roller trawls and pelagic trawls chafing gear covering the upper one-half (top side) of the codend must have a minimum mesh size of 6.0 inches.

(3) Roller trawl. It is unlawful to use a roller trawl equipped with rollers, bobbins, or cookie discs (excluding wing tip bobbins) greater than 4 inches in diameter.

AMENDATORY SECTION (Amending Order 89-48, filed 6/22/89)

WAC 220-48-015 BEAM TRAWL AND BOTTOM TRAWL—SEASONS. (1) It is lawful to fish for and possess bottomfish taken with bottom trawl and beam trawl gear in Marine Fish-Shellfish Management and Catch Reporting Areas 20A, 20B, 21A, 22A, 22B, 23A, 23B, 23C, 25A, 25B, ~~((25D;))~~ and 29 the entire year with the following exceptions:



(a) Those waters of Area 20A east of a line projected from Point Whitehorn to Sandy Point are closed the entire year.

(b) Those waters of Area 20A within an area bounded by lines from Lilly Point to Birch Point and from the southwest corner of Point Roberts to Point Whitehorn to where these two lines are intersected by a line south from Kwomais Point in British Columbia and a line from Lilly Point to the north Alden Bank buoy are closed April 15 through May 31.

(c) Those waters of Area 20A within an area bounded by lines from Lilly Point to Birch Point and Lilly Point to the north Alden Bank buoy to where those lines are intersected by a line projected approximately 230 degrees south from Birch Point to Alden Point on Patos Island are closed June 1 through June 30.

(d) All of Area 25A is closed February 1 through April 15 of each year, and those waters of Area 25A lying southerly and westerly of a line projected from Kiapot Point to Gibson Spit (Sequim Bay) are closed the entire year.

~~((c) Area 25D is closed from February 1 through April 14 each year.))~~

(2) It is unlawful to take, fish for, or possess bottomfish taken with bottom trawl or beam trawl gear in Marine Fish-Shellfish Management and Catch Reporting Area 25E except on Monday through Thursday from December 1 through February 14 with the following exception: Those waters of Area 25E lying southerly of a line projected from Mill Point due east to the opposite shore, are closed the entire year.

(3) It is unlawful to take, fish for or possess bottomfish taken with bottom trawl or beam trawl gear for commercial purposes in Marine Fish-Shellfish Management and Catch Reporting Areas 21B, 23D, 24A, 24B, 24C, 24D, 25C, 25D, 26A, 26B, 26C, 26D, 27A, 27B, 27C, 28A, 28B, 28C, and 28D the entire year.

(4) It is unlawful to operate bottom trawl or beam trawl in waters less than 60 feet in depth in Marine Fish-Shellfish Management and Catch Reporting Areas 25A, 25B, ~~(25D)~~ or 25E, and it is unlawful to operate bottom trawl or beam trawl in waters less than 30 feet deep in all other waters of Puget Sound east of the mouth of the Sekiu River.

AMENDATORY SECTION (Amending Order 87-03, filed 1/22/87)

WAC 220-48-017 PELAGIC TRAWL—SEASONS. It is unlawful to take, fish for and possess bottomfish taken with pelagic trawl gear except in the Marine Fish-Shellfish Management and Catch Reporting Areas and during the times as follows:

(1) Area 24C south of a line projected due west from the flashing red light northwest of Lowell Point - Open Monday through Thursday, October 1 through January 14 unless otherwise provided.

(2) Area 26A - Open Monday through Thursday, October 1 through January 14.

(3) Areas 24B, that portion of 24C south of a line projected due west from the flashing red light northwest of Lowell Point, and 26A - Open Monday and

Wednesday, January 15 until the in-season quota is taken but not beyond May 15 in any case.

(4) Areas 20A and 20B - Open ((March 1)) February 16 through April ((14)) 15.

(5) In any area at any time so designated by a permit issued by the director of the department of fisheries.

AMENDATORY SECTION (Amending Order 89-48, filed 6/22/89)

WAC 220-48-029 SET NET—DOGFISH—SEASONS. It is lawful to take, fish for and possess dogfish and other species of bottomfish, except halibut, salmon and shellfish, taken with dogfish set net gear for commercial purposes in the following Puget Sound Marine Fish-Shellfish Management and Catch Reporting Areas during the seasons designated below:

(1) Areas 20A and 20B - November 1 through June 15.

(2) Area 21A - March 1 through June 15.

(3) Areas 21B, 22A, 22B, 23A, and 23B - Closed all year.

(4) Areas 23C and 23D - Open all year.

(5) Areas 24A, 24B, and 24D - Open all year.

(6) Area 24C - Open all year, except those waters south of a line projected due east of East Point on Whidbey Island are closed all year.

(7) Areas 25A, 25B and that portion of Area 25C west of a line from Twin Spits to the Port Gamble Millstack - Open all year.

(8) Area 25D and that portion of 25C east of line from Twin Spits to the Port Gamble Millstack - Closed all year.

(9) Area 25E - Closed all year except by permit issued by the director.

(10) Area 26A - Open all year, except those waters southerly and westerly of a line between the ferry dock at Mukilteo and the ferry dock at Clinton are closed all year.

(11) Area 26B - Open all year except those waters provided for in WAC 220-20-020(4) (Shilshole Bay) are closed at all times and those waters west of a line from Point Jefferson to Point Monroe are closed from January 1 to April 15. Those waters west of a line projected 178 degrees true from the end of the Indianola dock to the landfall on the south shore of Port Madison are closed at all times.

(12) Area 26C - Open April 16 through December 31, except those waters north of a line projected true east of Point Bolin and those waters west of a line projected 178 degrees true from the end of the Indianola dock to the landfall on the south shore of Port Madison are closed at all times.

(13) Area 26D - Open all year, except Quartermaster Harbor and those waters south of lines projected from Dash Point to Point Piner on Maury Island and from Point Dalco true west to the Kitsap Peninsula are closed all year.

(14) Areas 27A, 27B, and 27C - Open all year.

(15) Area 28A - Open all year, except those waters north of a line projected true east of Fox Point on Fox Island, and east of a line projected due north from the northwest tip of Fox Island are closed all year.

(16) Areas 28B, 28C, and 28D – Open all year except those waters provided for in WAC 220-20-010(6) (upper Carr Inlet).

(17) Area 29 – Open all year.

**AMENDATORY SECTION** (Amending Order 83-200, filed 11/30/83, effective 1/1/84)

WAC 220-49-056 SMELT FISHING—SEASONS. It shall be unlawful during any open season to take, fish for or possess smelt for commercial purposes in Puget Sound except during the following seasons:

- (1) Area 21A – July 1 to April 14.
- (2) Area 22B – December 1 to April 14.
- (3) Areas 24A, 24B, 24C, and 24D – July 1 to April 14.
- (4) Areas 25A and 25E – November 1 to April 14.
- (5) Areas 26C, 27B, 27C, 28B, 28C, and 28D – October 1 to April 14 except those waters within 200 feet of shore adjacent to department property at Ross Point in Area 26C are closed to commercial smelt harvest.
- (6) Area 28A – September 1 to April 14.
- (7) All other areas open the entire year.

**WSR 91-13-052**  
**PROPOSED RULES**  
**SUPERINTENDENT OF**  
**PUBLIC INSTRUCTION**  
[Filed June 14, 1991, 3:42 p.m.]

Original Notice.

Title of Rule: WAC 392-162-095 Program requirement—Allowable expenditures.

Purpose: WAC 392-162-010, to set forth policies and procedures for the administration of and to ensure district compliance with state requirements for a program designed to provide learning assistance to public school students in grades kindergarten through nine who are deficient in basic skills achievement.

Statutory Authority for Adoption: Chapter 478, Laws of 1987.

Statute Being Implemented: RCW 28A.41.408.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Richard M. Wilson, Office of Superintendent of Public Instruction, Old Capitol Building, (206) 753-2298; Implementation: Alice M. Lindemuth, Office of Superintendent of Public Instruction, Old Capitol Building, (206) 753-3220; and Enforcement: Bridget L. Cullerton, Office of Superintendent of Public Instruction, Old Capitol Building, (206) 586-6394.

Name of Proponent: Superintendent of Public Instruction, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose above.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Wanamaker Conference Room, 2nd Floor, Superintendent of Public Instruction, Old Capitol Building, Olympia, Washington 98504, on August 16, 1991, at 9:00 a.m.

Submit Written Comments to: Richard M. Wilson, Superintendent of Public Instruction, Legal Services, Olympia, Washington 98504, by August 6, 1991.

Date of Intended Adoption: August 23, 1991.

June 14, 1991  
Judith A. Billings  
Superintendent of  
Public Instruction

**AMENDATORY SECTION** (Amending Order 87-14, filed 10/22/87)

WAC 392-162-095 PROGRAM REQUIREMENT—ALLOWABLE EXPENDITURES. Only allowed expenditures shall be reimbursed by the superintendent of public instruction. Allowed expenditures shall include direct and indirect expenditures included on the approved program budget: PROVIDED, That beginning ((September 1, 1987)) with expenditures for the 1990-91 school year, the allowed indirect expenditure rate for each school district shall not exceed the rate calculated for Program 55 "Remediation" for the ((1985-86 fiscal year on each school district's F-196 Part III Report: PROVIDED FURTHER, That beginning September 1, 1988, the indirect expenditure rate for each school district shall not exceed the rate calculated for Program 55 "Remediation" for the 1986-87)) most recently completed fiscal year using the federal restrictive rate methodology.

**WSR 91-13-053**  
**PROPOSED RULES**  
**SUPERINTENDENT OF**  
**PUBLIC INSTRUCTION**  
[Filed June 14, 1991, 3:46 p.m.]

Original Notice.

Title of Rule: WAC 392-101-010 Conduct of administrative hearings.

Purpose: Add traffic safety education program to the list of programs for administrative hearings.

Other Identifying Information: See Purpose above.

Statutory Authority for Adoption: RCW 46.20.100(2) and chapter 28A.220 RCW.

Statute Being Implemented: RCW 46.20.100(2) and chapter 28A.220 RCW.

Summary: Statutory authority grants authority to Office of Superintendent of Public Instruction to administer, supervise and approve on an annual basis teenage driver education programs.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Richard M. Wilson, Superintendent of Public Instruction, Old Capitol Building, (206) 753-2298; Implementation: Gary Bloomfield, Superintendent of Public Instruction, Old Capitol Building, (206) 753-6736; and Enforcement: Bridget L. Cullerton, Superintendent of Public Instruction, Old Capitol Building, (206) 586-6394.

Name of Proponent: Superintendent of Public Instruction, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose above.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Wanamaker Conference Room, 2nd Floor, Superintendent of Public Instruction, Old Capitol Building, Olympia, Washington 98504, on August 16, 1991, at 9:00 a.m.

Submit Written Comments to: Richard M. Wilson, Superintendent of Public Instruction, Old Capitol Building, Olympia, Washington 98504, by August 6, 1991.

Date of Intended Adoption: August 23, 1991.

June 14, 1991  
Judith A. Billings  
Superintendent of  
Public Instruction

**AMENDATORY SECTION** (Amending Order 89-07, filed 8/16/89, effective 9/16/89)

**WAC 392-101-010 CONDUCT OF ADMINISTRATIVE HEARINGS.** The superintendent of public instruction hereby assigns the following administrative hearings to the office of administrative hearings and hereby delegates to the administrative law judge conducting any such hearing the authority to render the final decision by the superintendent of public instruction:

- (1) Nonresident transfer appeals pursuant to WAC 392-137-055(2).
- (2) Special education hearings pursuant to WAC 392-171-531.
- (3) Equal educational opportunity complaints pursuant to WAC 392-190-075.
- (4) Professional certification appeals pursuant to WAC 180-75-030.
- (5) Child care food program and summer food service program appeals pursuant to 7 C.F.R. Parts 225 and 226.
- (6) Traffic safety education appeals pursuant to WAC 392-153-005 through 392-153-040.

**WSR 91-13-054  
PERMANENT RULES  
SUPERINTENDENT OF  
PUBLIC INSTRUCTION**

[Order 91-09—Filed June 14, 1991, 3:51 p.m.]

Date of Adoption: May 29, 1991.

Purpose: To provide policies and procedures to encourage timely reporting of general apportionment data and year end financial report data by school districts and educational service districts to the Superintendent of Public Instruction.

Statutory Authority for Adoption: RCW 28A.150.290 and 28A.300.040.

Pursuant to notice filed as WSR 91-09-025 on April 10, 1991.

Changes Other than Editing from Proposed to Adopted Version: WAC 392-117-020 has been revised to state that notice to school districts of reporting requirements must be written.

Effective Date of Rule: Thirty-one days after filing.

June 14, 1991  
Judith A. Billings  
Superintendent of  
Public Instruction

**Chapter 392-117 WAC  
TIMELY REPORTING**

**NEW SECTION**

**WAC 392-117-005 AUTHORITY.** The authority for this chapter is RCW 28A.150.290 which establishes that the superintendent of public instruction shall have the power and duty to make rules and regulations that are necessary for the proper administration of allocations for basic education and other purposes and RCW 28A.300.040 which states that the powers and duties of the superintendent of public instruction include:

- (1) To have supervision over all matters pertaining to the public schools;
- (2) To report to the governor and the legislature such information and data as may be required for the management and improvement of the schools; and
- (3) To print and distribute forms that are necessary to discharge the duties of officials charged with the administration of the laws relating to the common schools.

**NEW SECTION**

**WAC 392-117-010 PURPOSE.** The purpose of this chapter is to provide policies and procedures to encourage timely reporting of general apportionment data and year end financial report data by school districts and educational service districts to the superintendent of public instruction.

**NEW SECTION**

**WAC 392-117-015 DEFINITION—EXTENUATING CIRCUMSTANCES.** As used in this chapter, extenuating circumstances means a circumstance or set of circumstances that lessens or mitigates the consequences of failure under these rules to report as required in accordance with established due dates. Extenuating circumstances include but are not limited to unusual or infrequent events like an unforeseen natural event, labor dispute, or a computer system failure.

**NEW SECTION**

**WAC 392-117-020 SCHOOL DISTRICT AND EDUCATIONAL SERVICE DISTRICT REPORTING RESPONSIBILITIES.** Each school district and educational service district shall provide, upon written request of the superintendent of public instruction, such data as the superintendent deems appropriate. These requirements include but are not limited to data for determining the financial condition and results of operation of the school districts and educational service districts of the state, data for substantiating appropriation requests to the state legislature, data for administering state legal requirements, and data for substantiating each district's entitlement to state basic education apportionment.

**NEW SECTION**

**WAC 392-117-025 SUPERINTENDENT OF PUBLIC INSTRUCTION REPORTING RESPONSIBILITIES.** The superintendent of public instruction shall provide each district with necessary report formats

and shall advise each district of the due dates established by the superintendent for the return of such completed report forms to the educational service districts or to the superintendent of public instruction.

#### NEW SECTION

**WAC 392-117-030 FAILURE TO SUBMIT TIMELY GENERAL APPORTIONMENT DATA.** In the event any school district or educational service district fails to submit data by the due date established or in the form required by the superintendent of public instruction and the data are unavailable for calculations pursuant to this chapter or the biennial Operating Appropriations Act, the superintendent of public instruction shall either:

(1) Perform calculations and make payments as if the school district or educational service district reported zero data; or

(2) Delay calculations and payments to the school district or educational service district until the next monthly apportionment payment or until after data are submitted in the form required.

If a school district or educational service district is unable to report by the due date or in the form required by the superintendent of public instruction due to extenuating circumstances, the district may request to make a tentative report. If the superintendent of public instruction agrees that extenuating circumstances exist and if the tentative report is received in time for the calculations, the superintendent of public instruction may use such tentative report for calculations and payments until such time as the district submits the final required data: **PROVIDED**, That a tentative report shall not be used for more than one monthly apportionment calculation without consent of the superintendent of public instruction.

#### NEW SECTION

**WAC 392-117-035 FAILURE TO SUBMIT TIMELY ANNUAL FINANCIAL STATEMENTS.** A school district's apportionment payments shall be delayed by the superintendent of public instruction if a school district fails to submit its annual financial statements (Report F-196) to the superintendent of public instruction by the established due date. An educational service district's apportionment payments shall be delayed by the superintendent of public instruction if an educational service district fails to submit its annual financial statements (Report F-185) to the superintendent of public instruction by the established due date. The first apportionment payment to be delayed will be for the month in which the annual financial statements are due. The first apportionment payment shall be delayed no less than thirty days. The first apportionment payment and subsequent apportionment payments shall be delayed until the annual financial statements are filed in approvable form.

#### NEW SECTION

**WAC 392-117-040 EXTENSION OF TIME FOR FILING ANNUAL FINANCIAL STATEMENTS.**

The superintendent of public instruction may grant an extension of the due date of the annual financial statements. The due date may be extended a maximum of thirty days. However, extensions may be granted for a period greater than thirty days when records necessary for the preparation of the annual financial statement have been destroyed as the result of an extenuating circumstance. A school district or educational service district's request for a due date extension must be received by the superintendent of public instruction at least ten days before the due date. The superintendent of public instruction may grant an extension only because of extenuating circumstances.

#### NEW SECTION

**WAC 392-117-045 CORRECTIONS TO DATA REPORTED TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION.** If at any time prior to the completion of an audit of data by the state auditor a school district or educational service district discovers that data have been reported to the superintendent of public instruction in error, the school district shall submit revised data. After completion of an audit by the state auditor, the school district shall report only revisions pursuant to a finding and recommendation by the state auditor subject to the provisions of chapter 392-115 WAC.

Unless the superintendent of public instruction provides instructions to the contrary, revised data shall be submitted in the same manner as the original report. The revised report shall contain an original signature of the educational service district superintendent or the school district superintendent or the authorized official.

#### NEW SECTION

**WAC 392-117-050 DOCUMENTATION REQUIREMENTS.** School districts and educational service districts shall provide upon request by the superintendent of public instruction and for audit purposes, documentation to support all data reported to the superintendent of public instruction pursuant to this chapter.

**WSR 91-13-055**  
**PERMANENT RULES**  
**DEPARTMENT OF LICENSING**  
**(Board of Architect Registration)**  
 [Filed June 14, 1991, 4:26 p.m.]

Date of Adoption: June 7, 1991.

Purpose: To clarify the issuance of 2 year and 3 year licenses during the phase in of the three year license renewal.

Citation of Existing Rules Affected by this Order: Amending WAC 308-12-326.

Statutory Authority for Adoption: RCW 18.08.340.

Other Authority: RCW 18.08.370.

Pursuant to notice filed as WSR 91-09-020 on April 10, 1991.

Effective Date of Rule: Thirty-one days after filing.  
 June 7, 1991  
 Marsha Tadano Long  
 Assistant Director

Purpose: To ensure compliance by the Transportation Improvement Board with the provisions of RCW 42.17-.250 through 42.17.340 dealing with public records.  
 Statutory Authority for Adoption: Chapter 47.26 RCW.

**AMENDATORY SECTION** (Amending WSR 90-03-032, filed 1/12/90, effective 2/12/90)

Pursuant to notice filed as WSR 91-10-037 on April 25, 1991.

WAC 308-12-326 ARCHITECT FEES. The following fees shall be charged by the professional licensing division of the department of licensing:

Changes Other than Editing from Proposed to Adopted Version: In proposed WAC 479-02-030, the board deleted two sentences that exempted records that would not be in the Transportation Improvement Board's files. This was considered a minor change.

Title of Fee	Fee
Application	\$100.00
Examination (initial or retake full)	345.00
Reexamination	45.00
Initial registration (effective January 1, 1991)	((45.00)) 135.00
Oral examination	50.00
((Registration renewal	45.00
Late renewal	+15.00))
<b>Registration renewal:</b>	
January-April, 1991 (1 year)	45.00
May-August, 1991 (2 years)	90.00
September-December, 1991 (3 years)	135.00
<b>Late renewal:</b>	
January-April, 1991 (1 year)	15.00
May-August, 1991 (2 years)	30.00
September-December, 1991 (3 years)	45.00
Certificate replacement	15.00
Examination proctor fee	100.00
Reciprocity application	350.00
<b>Exam retake:</b>	
Division A: Predesign	35.00
Division B: Site design (written)	20.00
Division B: Site design (graphic)	55.00
Division C: Building design	85.00
Division D/F: Structural-General and long span	30.00
Division E: Structural-Lateral forces	15.00
Division G: Mechanical, plumbing, and electrical systems	35.00
Division H: Materials and methods	35.00
Division I: Construction documents and services	35.00
Duplicate license	15.00
Certification	25.00
<b>Corporations:</b>	
Certificate of authorization	250.00
Certificate of authorization renewal	125.00

Effective Date of Rule: Thirty-one days after filing.  
 June 17, 1991  
 Jerry M. Fay  
 Executive Director

Title 479 WAC TRANSPORTATION IMPROVEMENT BOARD	
Chapters	
479-01	Description of organization.
479-02	<u>Public access to information and records.</u>
479-12	Submission of proposed UATA projects.
479-13	Submission of six year plans for UATA projects.
479-16	Requirements for UATA project development.
479-20	Financial and payment requirements.
479-24	Rules and regulations pursuant to State Environmental Policy Act Guidelines.
479-112	Submission of proposed TIA funded projects.
479-116	Requirements for TIA funded projects.

New Chapter  
 Chapter 479-02 WAC  
**PUBLIC ACCESS TO INFORMATION AND RECORDS**

WAC	
479-02-010	Purpose.
479-02-020	Definitions.
479-02-030	Exempted records.
479-02-050	Public records officer.
479-02-060	Public records available.
479-02-070	Requests for public records.
479-02-080	Availability for public inspection and copying of public records — office hours.
479-02-090	Inspection and copying cost.
479-02-100	Protection of public records.
479-02-110	Denial of request.
479-02-120	Review of denials of public records requests.
479-02-130	Records index.
479-02-140	Availability.

**WSR 91-13-056**  
 PERMANENT RULES  
**TRANSPORTATION IMPROVEMENT BOARD**  
 [Filed June 17, 1991, 8:32 a.m.]

Date of Adoption: June 17, 1991.

NEW SECTION

**WAC 479-02-010 PURPOSE.** The purpose of this chapter shall be to ensure compliance by the Washington transportation improvement board with the provisions of RCW 42.17.250 through RCW 42.17.340 dealing with public records.

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

NEW SECTION

**WAC 479-020-020 DEFINITIONS.** (1) "Public record" includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of fiscal form or characteristic.

(2) "Writing" means handwriting, typewriting, printing, photostating, photographing and every other means of recording sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films, magnetic punchcards, discs, drums and other documents.

(3) "Board" means the transportation improvement board.

**Reviser's note:** The above new section was filed by the agency as WAC 479-020-020. This section is placed among sections forming new chapter 479-02 WAC, and therefore should be numbered WAC 479-02-020. Pursuant to the requirements of RCW 34.08.040, the section is published in the same form as filed by the agency.

NEW SECTION

**WAC 479-02-030 EXEMPTED RECORDS.** In accordance with RCW 42.17.310, the following personal and other records shall be exempt from public inspection and copying:

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

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

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

(4) Information revealing the identity of persons who file complaints with investigative law enforcement or penology agencies, except as the complainant may authorize.

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

(6) Except as provided by chapter 8.26 RCW the contents of real estate appraisals, made for or by any

agency relative to the acquisition or sale of property, until the project or prospective sale is abandoned or until such time as all of the property has been acquired or the property to which the sale appraisal relates is sold, but in no event shall disclosure be denied for more than three years after the appraisal.

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

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

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

(10) All applications for public employment, including the names of applicants, resumes, and other related materials submitted with respect to an applicant.

(11) The residential addresses and residential telephone numbers of the employees or volunteers of a public agency which are held by the agency in personnel records, employment or volunteer rosters, or mailing lists of employees or volunteers.

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

(13) Financial information supplied by or on behalf of a person, firm, or corporation for the purpose of qualifying to submit a bid or proposal for highway construction or improvement.

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

NEW SECTION

**WAC 479-02-050 PUBLIC RECORDS OFFICER.** The transportation improvement board public records shall be in the charge of the confidential secretary who shall be the public records officer for the board. The person so designated shall be officed in the Transportation Improvement Boards office in Olympia, Washington. The public records officer shall be responsible for implementation of the board's rules and regulations regarding release of public records, coordinating staff efforts of the board in this regard and generally ensuring compliance of the staff with the public records disclosure requirements of chapter 1, Laws of 1973.

NEW SECTION

**WAC 479-02-060 PUBLIC RECORDS AVAILABLE.** All public records of the board as defined in

WAC 479-02-020 are deemed available for public inspection and copying pursuant to these rules, except as provided in WAC 479-02-030.

#### NEW SECTION

WAC 479-02-070 **REQUESTS FOR PUBLIC RECORDS.** Subject to the provisions of subsection (3) of this section, public records are obtainable by members of the public when those members of the public comply with the following procedures.

(1) A request shall be addressed to the public records officer. Such request shall include the following:

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

(c) If the matter requested is referenced within the current index maintained by the board, a reference to the requested record as it is described in such current index.

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

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

(2) The public records officer shall inform the member of the public making the request whether the requested record is available for inspection or copying at the Transportation Improvement Boards office in Olympia, Washington.

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

#### NEW SECTION

WAC 479-02-080 **AVAILABILITY FOR PUBLIC INSPECTION AND COPYING OF PUBLIC RECORDS—OFFICE HOURS.** Public records shall be available for inspection and copying during the normal business hours of the board. For the purposes of this chapter, the normal office hours shall be from 8 a.m. to 5 p.m., Monday through Friday, excluding legal holidays.

#### NEW SECTION

WAC 479-02-090 **INSPECTION AND COPYING COST.** (1) No fee shall be charged for inspection of public records.

(2) The board shall impose a reasonable charge for providing copies of public records and for the use by any person of agency equipment to copy records; such charges shall not exceed the amount necessary to reimburse the board for its actual costs incident to such copying. Actual costs shall include the labor costs of staff, machine cost and paper cost necessary to provide copies of requested records.

#### NEW SECTION

WAC 479-02-100 **PROTECTION OF PUBLIC RECORDS.** In order to implement the provisions of section 29, chapter 1, laws of 1973, requiring agencies to enact reasonable rules to protect public records from damage or disorganization, the following rules have been adopted.

(1) Copying of public documents shall be done by the board personnel and under the supervision of said personnel, upon the request of members of the public under the procedures set down in WAC 479-02-070.

(2) No document shall be physically removed by a member of the public from the area designated by the board for the public inspection of documents for any reason whatever.

(3) When a member of the public requests to examine an entire file or group of documents, as distinguished from a request to examine certain individual documents which can be identified and supplied by themselves, the board shall be allowed a reasonable time to inspect the file to determine whether information protected from disclosure by section 31, chapter 1, Laws of 1973, is contained therein, and the board shall not be deemed in violation of its obligation to reply promptly to requests for public documents by reason of causing such an inspection to be performed.

#### NEW SECTION

WAC 479-02-110 **DENIAL OF REQUEST.** Each denial of a request for a public record shall be accompanied by a written statement to the person requesting the record clearly specifying the reasons for denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld. Such statement shall be sufficiently clear and complete to permit the director or his or her designee to review the denial in accordance with WAC 479-02-120.

#### NEW SECTION

WAC 479-02-120 **REVIEW OF DENIALS OF PUBLIC RECORDS REQUESTS.** (1) Any person who objects to the denial of a request for a public record may petition the public records officer for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement by the public records officer or other staff member which constituted or accompanied the denial.

(2) After receiving a written request for review of a decision denying a public record, if the public records officer determines to affirm the denial, then the written request shall immediately be referred to the assistant attorney general assigned to the board. The assistant attorney general shall promptly consider the matter and either affirm or reverse such denial. In any case, the request shall be returned with a final decision, within two business days following the original denial.

(3) Administrative remedies shall not be considered exhausted until the public records officer has returned

the petition with a decision or until the close of the second business day following denial of inspection, whichever first occurs.

#### NEW SECTION

WAC 479-02-130 RECORDS INDEX. (1) The board has available to all persons at its offices in Olympia a current index which provides identifying information as to the following records issued, adopted or promulgated by the board:

(a) Minutes of board meetings, state legislation and proposed rules and regulations pertaining to board standards.

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

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

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

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

(2) A system of indexing for identification and location of the following records is hereby established by the board. Such records shall include the following:

(a) Final orders entered after June 30, 1990, issued in adjudicative proceedings as defined in RCW 34.05.010(1) that contain an analysis or decision of substantial importance to the board in carrying out its duties.

(b) Declaratory orders entered after June 10, 1990, that contain an analysis or decision of substantial importance to the board in carrying out its duties.

(c) Interpretive statements as defined in RCW 34.05.010(8).

(d) Policy statements entered after June 30, 1990, as defined in RCW 34.05.010(14).

(3) A system of indexing shall be as follows:

(a) The indexing system will be administered by the board's public record officer and located in the Transportation Improvement Boards office in Olympia, Washington.

(b) Copies of all indexes shall be available for public inspection and copying in the manner provided for the inspection and copying of public records.

(c) The public record officer shall establish and maintain a separate index for each item contained in subsections (1)(a) through (d) of this section as follows:

(i) The index shall list all final orders and declaratory orders selected by the department that contain decisions of substantial importance to the board which orders shall be listed alphabetically by the titles of the hearing or controversy and shall contain a phrase describing the issue or issues and relevant citations of law.

(ii) Interpretative statements and policy statements shall be indexed by the applicable program administered by the board.

(d) The public record officer shall update all indexes at least once a year and shall revise such indexes when deemed necessary by the board.

#### NEW SECTION

WAC 479-02-140 AVAILABILITY. The current index promulgated by the board shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection.

#### **WSR 91-13-057**

#### **PERMANENT RULES**

#### **DEPARTMENT OF LICENSING**

[Filed June 17, 1991, 10:50 a.m.]

Date of Adoption: May 1, 1991.

Purpose: To codify the system by which the Department of Licensing indexes its public records.

Citation of Existing Rules Affected by this Order: New section WAC 308-10-067.

Statutory Authority for Adoption: RCW 42.17.260(4).

Pursuant to notice filed as WSR 91-07-028 on March 14, 1991.

Changes Other than Editing from Proposed to Adopted Version: Changes were made to subsections (2) and (3) which further clarify the indexing system adopted by the department.

Effective Date of Rule: Thirty-one days after filing.

June 14, 1991

Mary Faulk

Director

#### NEW SECTION

WAC 308-10-067 PUBLIC RECORDS INDEXING SYSTEM. (1) The department of licensing has implemented a system of indexing for identification and location of the following records:

(a) All records issued before July 1, 1990, for which the agency has maintained an index.

(b) Final orders from adjudicative proceedings as defined in RCW 34.05.010(1) entered after June 30, 1990, that contain an analysis or decision of substantial importance to the agency in carrying out its duties.

(c) Declaratory orders entered after June 30, 1990, that contain an analysis or decision of substantial importance to the agency in carrying out its duties.

(d) Interpretive statements entered after June 30, 1990.

(e) Policy statements entered after June 30, 1990.

(2) The department of licensing shall maintain a general index of all its records available to the public for inspection and copying, including those records mentioned above.

(3) The general index of public records will be maintained and updated yearly by the agency. The index of records is available during regular business hours for public inspection at the agency's main office located at the Department of Licensing, 1125 Washington Street S.E., PB-01, Olympia, Washington 98504. Subindexes



will be maintained and updated regularly by the departmental division and program area. The public disclosure officer is responsible for updating the general index yearly.

**WSR 91-13-058**

**PERMANENT RULES**

**DEPARTMENT OF ECOLOGY**

[Order 90-61—Filed June 17, 1991, 11:25 a.m.]

Date of Adoption: June 17, 1991.

Purpose: To initiate fee increases which will comply with the limits of RCW 70.95B.090 (1) and (2), and to satisfy the requirements of RCW 70.95B.095 which states that the Department of Ecology will increase fees in order to recover the costs of the certification program effective January 1, 1992.

Citation of Existing Rules Affected by this Order: Amending WAC 173-230-090 (1), (2), and (4).

Statutory Authority for Adoption: Chapter 70.95B RCW (RCW 70.95B.090 (1) and (2)).

Pursuant to notice filed as WSR 90-24-060 on December 4, 1990.

Effective Date of Rule: Thirty-one days after filing.

June 17, 1991

Christine Gregoire  
Director

**AMENDATORY SECTION** (Amending Order 87-36, filed 10/23/87)

WAC 173-230-090 FEES. (1) Except for applications for certificates under WAC 173-230-050 (2)(a), applications for certification by examination will be accepted for processing only when accompanied by a fee of ((**twenty**)) fifty dollars. Applications for certification by reciprocity will be accepted for processing only when accompanied by a fee of ((**forty**)) fifty dollars.

(2) Except as provided under WAC 173-230-070(4), applications for reexamination will be accepted for processing only when accompanied by an application fee of ((**twenty**)) fifty dollars.

(3) In the event an application for certification is denied, the department may reimburse up to half the fee amount provided the department receives a written request for reimbursement within thirty days after the letter of denial is mailed.

(4) Applications for certificate renewals will be accepted for processing only when accompanied by a renewal fee of ((**ten**)) thirty dollars for each year of renewal.

(5) All receipts hereunder shall be paid into the state general fund.

**WSR 91-13-059**

**PERMANENT RULES**

**DEPARTMENT OF NATURAL RESOURCES**

[Order 573—Filed June 17, 1991, 1:19 p.m.]

Date of Adoption: May 13, 1991.

Purpose: To conform the Department of Natural Resources' rules on adjudicative proceedings to the Administrative Procedure Act, chapter 34.05 RCW.

Citation of Existing Rules Affected by this Order: Repealing WAC 332-08-010 through 332-08-590.

Statutory Authority for Adoption: RCW 34.05.220 (1)(a).

Pursuant to notice filed as WSR 91-08-066 on April 3, 1991.

Changes Other than Editing from Proposed to Adopted Version: Proposed WAC 332-08-115, 332-08-125, 332-08-505, and 332-08-515 have been revised to clarify the matters for which the Department of Natural Resources will use brief adjudicative proceedings. Specifically, the Department of Natural Resources will use brief adjudicative proceedings for review of performance bond amount adjustments under RCW 78.44.120 only where the performance bond amount is specified in an operating permit issued under RCW 78.44.100; and proposed WAC 332-08-315 has been revised to clarify that it does not apply to brief adjudicative proceedings.

Effective Date of Rule: Thirty-one days after filing.

June 11, 1991

James A. Stearns  
Department Supervisor

**REPEALER**

The following sections of Chapter 332-08 of the Washington Administrative Code are hereby repealed:

332-08-010 APPEARANCE AND PRACTICE BEFORE AGENCY—WHO MAY APPEAR.

332-08-020 APPEARANCE AND PRACTICE BEFORE AGENCY—APPEARANCE IN CERTAIN PROCEEDINGS MAY BE LIMITED TO ATTORNEYS.

332-08-040 APPEARANCE AND PRACTICE BEFORE AGENCY—STANDARDS OF ETHICAL CONDUCT.

332-08-050 APPEARANCE AND PRACTICE BEFORE AGENCY—APPEARANCE BY FORMER EMPLOYEE OF DEPARTMENT OR FORMER MEMBER OF THE ATTORNEY GENERAL'S STAFF.

332-08-060 APPEARANCE AND PRACTICE BEFORE AGENCY—FORMER EMPLOYEE AS EXPERT WITNESS.

332-08-070 COMPUTATION OF TIME.

332-08-080 NOTICE AND OPPORTUNITY FOR HEARING IN CONTESTED CASES.

332-08-090 SERVICE OF PROCESS—BY WHOM SERVED.

332-08-100 SERVICE OF PROCESS—UPON WHOM SERVED.

332-08-110 SERVICE OF PROCESS—SERVICE UPON PARTIES.

332-08-120 SERVICE OF PROCESS—METHOD OF SERVICE.

332-08-130 SERVICE OF PROCESS—WHEN SERVICE COMPLETE.

332-08-140 SERVICE OF PROCESS—FILING WITH AGENCY.

332-08-150 SUBPOENAS WHERE PROVIDED BY LAW—FORM.

332-08-160 SUBPOENAS WHERE PROVIDED BY LAW—ISSUANCE TO PARTIES.

332-08-170 SUBPOENAS WHERE PROVIDED BY LAW—SERVICE.

332-08-180 SUBPOENAS WHERE PROVIDED BY LAW—FEES.

332-08-190 SUBPOENAS WHERE PROVIDED BY LAW—PROOF OF SERVICE.

332-08-200 SUBPOENAS WHERE PROVIDED BY LAW—QUASHING.

332-08-210 SUBPOENAS WHERE PROVIDED BY LAW—ENFORCEMENT.

332-08-220 SUBPOENAS WHERE PROVIDED BY LAW—GEOGRAPHICAL SCOPE.

332-08-230 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—RIGHT TO TAKE.

332-08-240 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—SCOPE.

332-08-250 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—OFFICER BEFORE WHOM TAKEN.

332-08-260 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—AUTHORIZATION.

332-08-270 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—PROTECTION OF PARTIES AND DEPONENTS.

332-08-280 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—ORAL EXAMINATION AND CROSS-EXAMINATION.

332-08-290 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—RECORDATION.

332-08-300 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—SIGNING ATTESTATION AND RETURN.

332-08-310 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—USE AND EFFECT.

332-08-320 DEPOSITIONS AND INTERROGATORIES IN CONTESTED CASES—FEES OF OFFICERS AND DEPONENTS.

332-08-330 DEPOSITIONS UPON INTERROGATORIES—SUBMISSION OF INTERROGATORIES.

332-08-340 DEPOSITIONS UPON INTERROGATORIES—INTERROGATION.

332-08-350 DEPOSITIONS UPON INTERROGATORIES—ATTESTATION AND RETURN.

332-08-360 DEPOSITIONS UPON INTERROGATORIES—PROVISIONS OF DEPOSITION RULE.

332-08-370 OFFICIAL NOTICE—MATTERS OF LAW.

332-08-380 OFFICIAL NOTICE—MATERIAL FACTS.

332-08-390 PRESUMPTIONS.

332-08-400 STIPULATIONS AND ADMISSIONS OF RECORD.

332-08-410 FORM AND CONTENT OF DECISIONS IN CONTESTED CASES.

332-08-420 DEFINITION OF ISSUES BEFORE HEARING.

332-08-430 PREHEARING CONFERENCE RULE.

332-08-440 PREHEARING CONFERENCE RULE—RECORD OF.

332-08-450 SUBMISSION OF DOCUMENTARY EVIDENCE IN ADVANCE.

332-08-460 EXCERPTS FROM DOCUMENTARY EVIDENCE.

332-08-470 EXPERT OR OPINION TESTIMONY AND TESTIMONY BASED ON ECONOMIC AND STATISTICAL DATA—NUMBER AND QUALIFICATIONS OF WITNESSES.

332-08-480 EXPERT OR OPINION TESTIMONY AND TESTIMONY BASED ON ECONOMIC AND STATISTICAL DATA—SUPPORTING DATA.

332-08-500 EXPERT OR OPINION TESTIMONY AND TESTIMONY BASED ON ECONOMIC AND STATISTICAL DATA—EFFECT OF NON-COMPLIANCE WITH WAC 332-08-470 OR 332-08-480.

332-08-510 CONTINUANCES.

332-08-520 RULES OF EVIDENCE—ADMISSIBILITY CRITERIA.

332-08-530 RULES OF EVIDENCE—TENTATIVE ADMISSION—EXCLUSION—DISCONTINUANCE—OBJECTIONS.

332-08-540 PETITIONS FOR RULE MAKING, AMENDMENT, OR REPEAL—WHO MAY PETITION.

332-08-550 PETITIONS FOR RULE MAKING, AMENDMENT, OR REPEAL—REQUISITES.

332-08-560 PETITIONS FOR RULE MAKING, AMENDMENT, OR REPEAL—AGENCY MUST CONSIDER.

332-08-570 PETITIONS FOR RULE MAKING, AMENDMENT, OR REPEAL—NOTICE OF DISPOSITION.

332-08-580 DECLARATORY RULINGS.

332-08-590 FORMS.

#### NEW SECTION

WAC 332-08-005 ADOPTION OF MODEL RULES OF PROCEDURE. In adjudicative proceedings pursuant to RCW 34.05.413 through 34.05.476, the Department of Natural Resources adopts the model rules of procedure adopted by the chief administrative law judge pursuant to RCW 34.05.250, as now or hereafter amended. Those rules are contained in chapter 10-08 WAC. Other rules adopted in this chapter supplement those model rules. Where the rules of this chapter conflict with those of chapter 10-08 WAC, the rules of this chapter shall govern.

NEW SECTION

WAC 332-08-015 DEFINITIONS. (1) "BAP" means "brief adjudicative proceeding" as described in RCW 34.05.482 through RCW 34.05.494.

(2) "Department" means the department of natural resources.

(3) Where the rules of this chapter use words defined in RCW 34.05.010, those definitions shall govern.

NEW SECTION

WAC 332-08-025 INAPPLICABILITY TO PROPRIETARY DECISIONS. Under RCW 34.05.010(3), no sales, leases, contracts, or other proprietary decisions in the management of public lands or real property interests are agency actions that are the subject of adjudicative proceedings. Accordingly, the department will not commence adjudicative proceedings for proprietary decisions, including, but not limited to, actions taken under the terms of geoduck harvesting agreements, aquatic lands leases, easements, rights of way, permits to use state-owned land and resources, timber sale contracts, mineral prospecting leases, mining contracts, or other proprietary agreements to which the department is a party, unless the agreement specifically provides otherwise.

NEW SECTION

WAC 332-08-105 ADJUDICATIVE PROCEEDINGS — APPLICATION. An application for an adjudicative proceeding before the department under RCW 34.05.413 through RCW 34.05.476 must be in writing, and must be signed by the applicant or the applicant's representative. The application must specify the factual basis for appeal and the issue to be adjudicated in the proceeding.

NEW SECTION

WAC 332-08-115 APPLICATION FOR ADJUDICATIVE PROCEEDING — TIME LIMIT. Time limits for filing applications for adjudicative proceedings shall be as follows:

(1) An application for an adjudicative proceeding concerning the disapproval of a reclamation plan under RCW 78.44.100 must be filed with the department within thirty days of the date of disapproval.

(2) An application for an adjudicative proceeding concerning a civil penalty issued under RCW 78.44.160 must be filed with the department within thirty days of the date the applicant receives the civil penalty notice, or within thirty days of the date the applicant receives the department's notice of disposition of an application for remission or mitigation of the civil penalty.

(3) Applications for adjudicative proceedings concerning notices to comply issued under RCW 76.09.090 and WAC 222-46-030 (forest practices), performance bond permit adjustments under RCW 78.44.120 (surface mining), and notices of deficiency issued under RCW 78.44.140 (surface mining) are governed by WAC 332-08-515.

(4) In all other cases, unless otherwise provided by statute, applications for adjudicative proceedings must be filed with the department within thirty days of the action that is the subject of the appeal.

NEW SECTION

WAC 332-08-125 APPLICATION FOR ADJUDICATIVE PROCEEDING — PLACE OF FILING.

(1) An application for adjudicative proceeding concerning surface mining operations under chapter 78.44 RCW must be filed at the following address:

ATTN: Regulatory Programs Manager  
Division of Geology and Earth Resources  
Department of Natural Resources  
4224 S.E. 6th Avenue, Rowsix Bldg. 1  
Lacey, WA 98503

(2) Applications for adjudicative proceedings concerning notices to comply issued under RCW 76.09.090 and WAC 222-46-030 (forest practices), performance bond permit adjustments under RCW 78.44.120 (surface mining), and notices of deficiency issued under RCW 78.44.140 (surface mining) are governed by WAC 332-08-515.

(3) Applications for adjudicative proceedings in all other cases must be filed at the following address:

Office of the Supervisor  
Department of Natural Resources  
201 John A. Cherberg Bldg., Mailstop QW-21  
Olympia, WA 98504

NEW SECTION

WAC 332-08-305 EXHIBITS. Any party intending to offer documentary evidence during the hearing shall prepare two copies of each document to be offered, and shall furnish one copy to the opposing party no later than the date set for the hearing. The presiding officer may exclude from evidence documents that fail to conform to this requirement, unless the offering party shows good cause for the failure.

NEW SECTION

WAC 332-08-315 BURDEN OF PROOF. (1) Unless otherwise ordered by the presiding officer or required by law, the burden of proof in adjudicative proceedings pursuant to RCW 34.05.413 through RCW 34.05.476 shall be as follows:

(a) In proceedings concerning the denial of an application for a surface mining permit or disapproval of a reclamation plan under RCW 78.44.100, the applicant has the burden of proof.

(b) In proceedings concerning the modification of a reclamation plan under RCW 78.44.100, the department has the burden of proof.

(c) In proceedings concerning a permit cancellation under RCW 78.44.140, the department has the burden of proof.

(d) In civil penalty proceedings and proceedings concerning stop work orders under RCW 78.44.160, the department has the burden of proof.

(e) In all other cases, the proponent of an order has the burden of proof.

(2) Unless otherwise ordered by the presiding officer or required by law, the standard of proof in adjudicative proceedings pursuant to RCW 34.05.413 through RCW 34.05.476 shall be a preponderance of the evidence.

#### NEW SECTION

**WAC 332-08-405 PETITIONS FOR REVIEW OF INITIAL ORDERS — FINAL ORDERS.** (1) Except in brief adjudicative proceedings, initial orders in all adjudicative proceedings before the department will become final without further action by the department unless, within twenty days of the date of service of the initial order, a petition for review is filed at the address given below:

Office of the Supervisor  
Department of Natural Resources  
201 John A. Cherberg Bldg., Mailstop QW-21  
Olympia, WA 98504

The provisions of WAC 10-08-211 apply to petitions for review of initial orders.

(2) WAC 332-08-545 governs review of orders in brief adjudicative proceedings.

#### NEW SECTION

**WAC 332-08-505 BRIEF ADJUDICATIVE PROCEEDINGS—MATTERS TO WHICH SUBJECT.** The department adopts the provisions of RCW 34.05.482 through 34.05.494 for the matters listed in this section. The department may use brief adjudicative proceedings (BAPs) where their use will violate no provision of law and where protection of the public interest does not require the department to give notice and an opportunity to participate to persons other than the parties. The department may use BAPs for the following matters:

(1) Review of notices to comply issued under RCW 76.09.090 and WAC 222-46-030.

(2) Review of performance bond amount adjustments under RCW 78.44.120, where the performance bond amount is specified in an operating permit issued under RCW 78.44.100.

(3) Review of notices of deficiency issued under RCW 78.44.140.

#### NEW SECTION

**WAC 332-08-515 BRIEF ADJUDICATIVE PROCEEDINGS—APPLICATION PROCEDURE.**

(1) An application for a BAP must be in writing, and must specify the factual basis for appeal and the issue to be adjudicated in the proceeding.

(2) An application for a BAP concerning a notice to comply issued under RCW 76.09.090 and WAC 222-46-030 must be filed within fifteen days after the date of service of the notice to comply. The application must be filed at the following address:

Office of the Supervisor  
Department of Natural Resources  
201 John A. Cherberg Bldg., Mailstop QW-21  
Olympia, WA 98504

(3) An application for a BAP concerning a performance bond permit adjustment under RCW 78.44.120 must be filed within fifteen days after service of the notice adjusting the performance bond amount specified in the operating permit. The application must be filed at the following address:

ATTN: Regulatory Programs Manager  
Division of Geology and Earth Resources  
Department of Natural Resources  
4224 S.E. 6th Avenue, Rowsix Bldg. 1  
Lacey, WA 98503

Upon receiving an application for a BAP concerning a performance bond permit adjustment, the department may choose to use the formal procedures of RCW 34.05.413 through RCW 34.05.476 and WAC 332-08-005 through WAC 332-08-405, and may choose not to use BAP procedures.

(4) An application for a BAP concerning a notice of deficiency issued under RCW 78.44.140 must be filed within fifteen days after service of the notice of deficiency. The application must be filed at the following address:

ATTN: Regulatory Programs Manager  
Division of Geology and Earth Resources  
Department of Natural Resources  
4224 S.E. 6th Avenue, Rowsix Bldg. 1  
Lacey, WA 98503

Upon receiving an application for a BAP concerning a notice of deficiency, the department may choose to use the formal procedures of RCW 34.05.413 through RCW 34.05.476 and WAC 332-08-005 through WAC 332-08-405, and may choose not to use BAP procedures.

#### NEW SECTION

**WAC 332-08-525 BRIEF ADJUDICATIVE PROCEEDINGS—HEARING.** (1) In BAPs concerning notices to comply issued under RCW 76.09.090 and WAC 222-46-030, the department shall schedule a hearing on a date not more than 20 days after receiving an application for a BAP.

(2) In all other brief adjudicative proceedings, the department shall, within ten days of receiving an application for a BAP, schedule a hearing.

#### NEW SECTION

**WAC 332-08-535 BRIEF ADJUDICATIVE PROCEEDINGS—DECISION.** (1) Within ten days of a hearing on a notice to comply issued under RCW 76.09.090 and WAC 222-46-030, the department shall issue a final order either withdrawing its notice to comply or clearly setting forth the specific course of action to be followed by the applicant.

(2) In all other brief adjudicative proceedings, within ten days of the hearing, the presiding officer shall serve

upon each party an initial order, containing a brief written statement of the department's decision and the reasons for the decision.

#### NEW SECTION

**WAC 332-08-545 BRIEF ADJUDICATIVE PROCEEDINGS—REVIEW.** (1) The operator, forest land owner, or timber owner subject to a final order of the department on a notice to comply issued under RCW 76.09.090 and WAC 222-46-030 may, within thirty days from the date of the order, appeal to the forest practices appeals board. The provisions of chapter 223-08 WAC govern such appeals.

(2) In all other brief adjudicative proceedings, a party affected by an initial order of the department may request administrative review of the initial order. A request for administrative review must be writing, and must be filed at the following address within twenty-one days after the date of service of the initial order:

Office of the Supervisor  
Department of Natural Resources  
201 John A. Cherberg Bldg., Mailstop QW-21  
Olympia, WA 98504

The initial order becomes a final order if no review is taken.

#### **WSR 91-13-060**

##### **NOTICE OF PUBLIC MEETINGS EASTERN WASHINGTON UNIVERSITY**

[Memorandum—June 12, 1991]

The board of trustees' meeting originally scheduled for Friday, June 28, 1991, by action at the May board meeting, has been rescheduled for Thursday, June 27, 1991. The meeting will be at the Spokane Center in the Fourth Floor Mall at 9:00 a.m.

#### **WSR 91-13-061**

##### **PERMANENT RULES WILDLIFE COMMISSION**

[Order 496—Filed June 17, 1991, 2:11 p.m.]

Date of Adoption: April 13, 1991.

Purpose: To repeal existing WAC.

Citation of Existing Rules Affected by this Order:  
Repealing WAC 232-12-244.

Statutory Authority for Adoption: RCW 77.12.040 and 77.04.055.

Pursuant to notice filed as WSR 91-06-081 on March 6, 1991.

Effective Date of Rule: Thirty-one days after filing.

June 2, 1991

John C. McGlenn  
Chairman

#### REPEALER

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

WAC 232-12-244 Hunting restrictions.

#### **WSR 91-13-062**

##### **PERMANENT RULES WILDLIFE COMMISSION**

[Order 497—Filed June 17, 1991, 2:12 p.m.]

Date of Adoption: April 13, 1991.

Purpose: To repeal existing WACs from 1990-91 hunting seasons.

Citation of Existing Rules Affected by this Order: See Repealer Section below.

Statutory Authority for Adoption: RCW 77.12.040 and 77.04.055.

Pursuant to notice filed as WSR 91-06-084 on March 6, 1991.

Effective Date of Rule: Thirty-one days after filing.

June 2, 1991

John C. McGlenn  
Chairman

#### REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 232-28-219 Firearm Restriction Areas and 1990-91 Deer Hunting Seasons

WAC 232-28-220 1990-91 Elk Hunting Seasons

WAC 232-28-221 1990-91 Special Deer and Elk Permit Seasons

WAC 232-28-222 1990-91 Hunting Hours, Closure Notices, and Hound Hunting Areas

WAC 232-28-223 1990-91 Bear and Small Game Hunting Seasons

#### **WSR 91-13-063**

##### **PERMANENT RULES WILDLIFE COMMISSION**

[Order 498—Filed June 17, 1991, 2:13 p.m.]

Date of Adoption: April 13, 1991.

Purpose: To amend the regulation on requirements for sealing pelts and collecting biological data for river otter, cougar, lynx, and bobcat.

Citation of Existing Rules Affected by this Order:  
Amending WAC 232-12-024.

Statutory Authority for Adoption: RCW 77.12.030, 77.12.040, and 77.32.220.

Pursuant to notice filed as WSR 91-06-082 on March 6, 1991.

Changes Other than Editing from Proposed to Adopted Version: The language that references "unfrozen" wildlife parts was replaced with "in such a manner that teeth and biological samples can be extracted."

Effective Date of Rule: Thirty-one days after filing.

June 2, 1991

John C. McGlenn  
Chairman

AMENDATORY SECTION (Amending Order 404, filed 8/28/89)

WAC 232-12-024 REQUIREMENTS FOR SEALING OF ((HIDE)) PELTS AND ((TOOTH-REQUIREMENTS)) COLLECTION OF BIOLOGICAL INFORMATION FOR ((BOBCAT, CANADA LYNX, COUGAR AND)) RIVER OTTER, COUGAR, LYNX, AND BOBCAT. (1) It is unlawful to possess ((bobcat, Canada lynx, cougar or)) river otter, cougar, lynx, or bobcat ((pelts or parts thereof)) taken in Washington ((unless they have)) without a department identification seal which has been attached to the raw pelt prior to the pelt sealing deadline.

((1) Pelts of bobcat and river otter must be sealed by an authorized department employee within ten days after the close of the appropriate hunting or trapping season in which they were harvested.))

(2) ((AH)) Any ((bobcat, Canada lynx, cougar and)) river otter, cougar, lynx, or bobcat raw pelt((s)) must be presented by the person harvesting the animal, in such a manner that teeth and biological samples can be extracted, to ((a wildlife agent or department office)) an authorized Department employee for ((tagging)) sealing.

(3) The raw pelt of a bobcat or river otter must be sealed by an authorized Department employee within ten days after the close of the appropriate hunting or trapping season in which it was killed.

((2) A permit holder who takes a cougar must notify the department of wildlife within 48 hours of kill. A permit holder who takes a cougar must present the unfrozen pelt and skull to a Washington department of wildlife agent for inspection, sealing and premolar teeth extraction by a department employee within five days of the kill.))

((3) A permit holder who takes a Canada lynx must notify the department of wildlife within 48 hours of kill. A permit holder who takes a Canada lynx must present the unfrozen pelt and carcass to a Washington department of wildlife agent for inspection, sealing and canine tooth extraction by a department employee within five days of the kill.))

(4) Any person who takes a cougar or lynx must notify the Department within 72 hours of kill (excluding legal state holidays) and provide the hunter's or trapper's name, date and location of kill, and sex of animal. The raw pelt of a cougar or lynx must be sealed by an authorized Department employee within five days of the notification of kill.

Any person who takes a cougar must present the cougar skull, in such a manner that teeth and biological samples can be extracted, to an authorized Department employee at the time of sealing. Any person who takes a lynx must present the lynx carcass, in such a manner

that teeth and biological samples can be extracted, to an authorized Department employee at the time of sealing.

((4)) (5) It is unlawful to transport or cause the transport out of Washington of ((an unprocessed native cat)) a raw pelt of river otter, cougar, lynx, or bobcat taken in Washington ((out of Washington)) without a department seal attached to the pelt.

((5)) (6) ((Bobcat, Canada lynx,)) The raw pelt of a river otter, ((or)) cougar, lynx, or bobcat taken outside Washington and imported into the state((;)) must be identified by a tag and/or seal from the state or country of origin and be accompanied by an invoice or declaration specifying the number of pelts in the shipment.

((6)) (7) It is unlawful to possess an unlocked, broken, or otherwise open department seal for ((bobcat, Canada lynx,)) river otter, ((or)) cougar, lynx, or bobcat unless the seal wire or band has been cut through and removed from a ((hide)) pelt that has been received and invoiced by a licensed taxidermist or fur dealer for processing or removed from a ((hide)) pelt that has been processed. Invoices must be sequentially numbered and record name, address, license number, date received, and ((tag)) seal number. The ((tag)) seal must accompany the ((hide)) pelt while being processed. The ((hide)) pelt must be punched with invoice number at the time of skinning or prior to the removal of the seal.

(8) When a river otter or bobcat is presented unskinned and is to be taken to a taxidermist for processing and will not be sold, an authorized Department employee may lock the seal and then cut through the band or wire. The cut seal must be presented to the taxidermist along with the unskinned carcass.

WSR 91-13-064  
PERMANENT RULES  
WILDLIFE COMMISSION  
[Order 499—Filed June 17, 1991, 2:14 p.m.]

Date of Adoption: April 15, 1991.

Purpose: To require successful big game hunters to prove the sex of the animal they harvested. This requirement if [is] necessary to allow the identification of sex and/or species.

Citation of Existing Rules Affected by this Order: Amending WAC 232-12-267.

Statutory Authority for Adoption: RCW 77.12.040 and 77.16.095.

Pursuant to notice filed as WSR 91-06-080 on March 6, 1991.

Changes Other than Editing from Proposed to Adopted Version: Subsection (2)(a), the intent of this section is to require proof of meeting horn or antler restrictions, not as proof of sex. Therefore, it does not belong under subsection (2). This section stands alone and therefore is added as new subsection (3). The wording has been changed so proof of meeting horn or antler restrictions is only required if there is a need. The original amendatory

section required that goat, sheep and moose horns or antlers had to accompany the carcass in all cases. Also added is a definition of "accompanies the carcass"; subsection (2)(b), this subsection was changed to (2)(a) to coincide with the above change. Wording was changed which separates evidence of sex into requirements for male and female animals. The original amendatory section required the head with antlers attached as one of the options. The new language requires the head with antlers attached for males or the head for females as options for proof of sex; and subsection (2)(c), this subsection was changed to (2)(b) to coincide with above changes.

Effective Date of Rule: Thirty-one days after filing.

June 2, 1991  
John C. McGlenn  
Chairman

**AMENDATORY SECTION** [(Amending Order 401, filed 6/26/89)]

WAC 232-12-267 FIELD IDENTIFICATION OF WILDLIFE — EVIDENCE OF SEX — DEFINITIONS. (1) It is unlawful to possess or transport game birds unless the feathered heads are left attached to the carcass, except falconry caught birds, until the carcass is processed and/or stored for consumption.

(2) It is unlawful to possess or transport big game animals unless evidence of the sex of the animal remains naturally attached to ((with)) the carcass until the carcass is processed and/or stored for consumption.

~~((a) In goat, sheep, or moose hunting areas or in deer or elk hunting areas with antler restrictions, the head with antlers or horns attached must accompany the carcass of the animal as evidence of sex.))~~

~~((b)) (a) Evidence of sex means ((In deer or elk hunting areas with no antler restrictions;))~~ the head with antlers or horns attached or penis or testes of male big game animals or the head or udder of female big game

animals any of which must be naturally attached to at least one quarter of the carcass or ((the animal as evidence of sex)) to the largest portion of meat.

~~((c))~~ (b) For the purpose of this rule, "stored for consumption" means at the final point of storage prior to consumption of the meat.

(3) It is unlawful to possess or transport goat, sheep, moose, deer or elk taken in hunting areas which have horn or antler restrictions unless the head or skull plate, with both horns or both antlers naturally attached, accompanies the carcass.

For the purpose of this rule "accompanies the carcass" means to remain with the carcass until it has reached the point of processing or storage.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

**WSR 91-13-065**  
**PERMANENT RULES**  
**WILDLIFE COMMISSION**  
[Order 500—Filed June 17, 1991, 2:19 p.m.]

Date of Adoption: May 18, 1991.

Purpose: To amend the 1991-92, 1992-93, and 1993-94 Ring-necked pheasant hunting seasons in eastern Washington.

Citation of Existing Rules Affected by this Order: Amending WAC 232-28-228.

Statutory Authority for Adoption: RCW 77.12.040 and 77.04.055.

Pursuant to notice filed as WSR 91-08-076 on April 3, 1991.

Effective Date of Rule: Thirty-one days after filing.

June 2, 1991  
John C. McGlenn  
Chairman

**AMENDATORY SECTION** (Amending Order 490, filed 4/2/91)

**WAC 232-28-228 1991-92, 1992-93, AND 1993-94 OFFICIAL HUNTING HOURS AND SMALL GAME SEASONS**

**1991-92 OFFICIAL HUNTING HOURS\***  
September 1, 1991 to January 31, 1992

Dates (Inclusive)	Western Washington		Eastern Washington	
	A.M.	to P.M.	A.M.	to P.M.
Daylight Savings Time				
Sun. Sept. 1 – Sun. Sept. 8	6:00	7:45	5:45	7:30
Mon. Sept. 9 – Sun. Sept. 15	6:10	7:30	6:00	7:15
Mon. Sept. 16 – Sun. Sept. 22	6:20	7:15	6:10	7:00
Mon. Sept. 23 – Sun. Sept. 29	6:30	7:00	6:20	6:45
Mon. Sept. 30 – Sun. Oct. 6	6:40	6:45	6:30	6:35
Mon. Oct. 7 – Fri. Oct. 11	6:50	6:30	6:40	6:20
Opening**	Sat. Oct. 12	7:00	6:20	6:50
Weekend	Sun. Oct. 13	7:00	6:20	6:50
Mon. Oct. 14 – Sun. Oct. 20	7:00	6:20	6:50	6:05
Mon. Oct. 21 – Sat. Oct. 26	7:10	6:05	7:00	5:55

Dates (Inclusive)	Western Washington		Eastern Washington	
	A.M.	to P.M.	A.M.	to P.M.
Pacific Standard Time				
Sun. Oct. 27	6:10	5:05	6:00	4:55
Mon. Oct. 28 – Sun. Nov. 3	6:20	4:55	6:10	4:50
Mon. Nov. 4 – Sun. Nov. 10	6:30	4:45	6:20	4:30
Mon. Nov. 11 – Sun. Nov. 17	6:40	4:35	6:30	4:20
Mon. Nov. 18 – Sun. Nov. 24	6:50	4:25	6:40	4:15
Mon. Nov. 25 – Sun. Dec. 1	7:00	4:20	6:50	4:10
Mon. Dec. 2 – Sun. Dec. 8	7:10	4:20	7:00	4:10
Mon. Dec. 9 – Sun. Dec. 15	7:15	4:20	7:05	4:10
Mon. Dec. 16 – Sun. Dec. 22	7:20	4:20	7:10	4:10
Mon. Dec. 23 – Sun. Dec. 29	7:25	4:25	7:10	4:15
Mon. Dec. 30 – Sun. Jan. 5	7:25	4:30	7:15	4:15
Mon. Jan. 6 – Sun. Jan. 12	7:25	4:35	7:15	4:25
Mon. Jan. 13 – Sun. Jan. 19	7:20	4:45	7:10	4:35
Mon. Jan. 20 – Sun. Jan. 26	7:15	4:55	7:05	4:45
Mon. Jan. 27 – Fri. Jan. 31	7:10	5:00	7:00	4:50

\*These are lawful hunting hours for all game animals and game birds during established seasons.

\*\*Opening Day – In Eastern Washington, upland bird and waterfowl seasons open at noon. In Western Washington, upland bird and waterfowl seasons open at 8:00 a.m.

Exceptions:

- 1) Western Washington – Pheasant and quail hunting hours are 8:00 a.m. to 4:00 p.m. on designated pheasant release sites.
- 2) Western Washington – Cottontail and snowshoe hare (Washington hare) hunting hours are 8:00 a.m. to 4:00 p.m. during the pheasant hunting season on designated pheasant release sites.
- 3) Before September 1 and after January 31, the lawful hunting hours for all game animals and game birds during their respective hunting seasons are one-half hour before sunrise to sunset.
- 4) Bobcat and raccoon are exempt from hunting hour restrictions during established bobcat and raccoon seasons except when that area is open to modern firearm hunting of deer or elk, hunting hours shall be one-half hour before sunrise to sunset.
- 5) Hunting hours for falconry seasons are exempt from these hunting hours except on designated pheasant release sites.

**1992-93 OFFICIAL HUNTING HOURS\***  
September 1, 1992 to January 31, 1993

Dates (Inclusive)	Western Washington		Eastern Washington	
	A.M.	to P.M.	A.M.	to P.M.
Daylight Savings Time				
Tue. Sept. 1 – Sun. Sept. 6	6:00	7:45	5:50	7:35
Mon. Sept. 7 – Sun. Sept. 13	6:10	7:35	6:00	7:20
Mon. Sept. 14 – Sun. Sept. 20	6:20	7:20	6:05	7:05
Mon. Sept. 21 – Sun. Sept. 27	6:30	7:05	6:15	6:50
Mon. Sept. 28 – Sun. Oct. 4	6:40	6:50	6:25	6:35
Mon. Oct. 5 – Sun. Oct. 11	6:45	6:35	6:25	6:25
Mon. Oct. 12 – Fri. Oct. 16	6:55	6:20	6:45	6:10
Opening** Sat. Oct. 17	6:55	6:20	6:35	6:25
Weekend Sun. Oct. 18	6:55	6:20	6:35	6:25
Mon. Oct. 19 – Sat. Oct. 24	7:05	6:10	6:55	6:00
Pacific Standard Time				
Sun. Oct. 25	6:10	5:00	6:00	4:50
Mon. Oct. 26 – Sun. Nov. 1	6:20	4:55	6:05	4:45
Mon. Nov. 2 – Sun. Nov. 8	6:30	4:45	6:15	4:35
Mon. Nov. 9 – Sun. Nov. 15	6:40	4:35	6:30	4:25
Mon. Nov. 16 – Sun. Nov. 22	6:50	4:30	6:40	4:15
Mon. Nov. 23 – Sun. Nov. 29	7:00	4:25	6:50	4:10
Mon. Nov. 30 – Sun. Dec. 6	7:10	4:20	6:55	4:10
Mon. Dec. 7 – Sun. Dec. 13	7:15	4:20	7:05	4:05
Mon. Dec. 14 – Sun. Dec. 20	7:20	4:20	7:10	4:10
Mon. Dec. 21 – Sun. Dec. 27	7:25	4:20	7:15	4:10



Dates (Inclusive)	Western Washington			Eastern Washington		
	A.M.	to	P.M.	A.M.	to	P.M.
Mon. Dec. 28 – Sun. Jan. 3	7:25		4:30	7:15		4:15
Mon. Jan. 4 – Sun. Jan. 10	7:25		4:35	7:15		4:25
Mon. Jan. 11 – Sun. Jan. 17	7:25		4:45	7:10		4:30
Mon. Jan. 18 – Sun. Jan. 24	7:20		4:55	7:05		4:40
Mon. Jan. 25 – Sun. Jan. 31	7:10		5:00	7:00		4:50

\*These are lawful hunting hours for all game animals and game birds during established seasons.

\*\*Opening Day – In Eastern Washington, upland bird and waterfowl seasons open at noon. In Western Washington, upland bird and waterfowl seasons open at 8:00 a.m.

Exceptions:

1) Western Washington – Pheasant and quail hunting hours are 8:00 a.m. to 4:00 p.m. on designated pheasant release sites.

2) Western Washington – Cottontail and snowshoe hare (Washington hare) hunting hours are 8:00 a.m. to 4:00 p.m. during the pheasant hunting season on designated pheasant release sites.

3) Before September 1 and after January 31, the lawful hunting hours for all game animals and game birds during their respective hunting seasons are one-half hour before sunrise to sunset.

4) Bobcat and raccoon are exempt from hunting hour restrictions during established bobcat and raccoon seasons except when that area is open to modern firearm hunting of deer or elk, hunting hours shall be one-half hour before sunrise to sunset.

5) Hunting hours for falconry seasons are exempt from these hunting hours except on designated pheasant release sites.

**1993-94 OFFICIAL HUNTING HOURS\***  
September 1, 1993 to January 31, 1994

Dates (Inclusive)	Western Washington			Eastern Washington		
	A.M.	to	P.M.	A.M.	to	P.M.
<b>Daylight Savings Time</b>						
Wed. Sept. 1 – Sun. Sept. 5	6:00		7:45	5:45		7:35
Mon. Sept. 6 – Sun. Sept. 12	6:05		7:35	5:50		7:20
Mon. Sept. 13 – Sun. Sept. 19	6:15		7:20	6:05		7:10
Mon. Sept. 20 – Sun. Sept. 26	6:25		7:10	6:15		6:50
Mon. Sept. 27 – Sun. Oct. 3	6:35		6:50	6:25		6:40
Mon. Oct. 4 – Sun. Oct. 10	6:45		6:40	6:35		6:25
Mon. Oct. 11 – Fri. Oct. 15	6:50		6:25	6:45		6:15
Opening** Sat. Oct. 16	6:50		6:25	6:45		6:15
Weekend Sun. Oct. 17	6:50		6:25	6:45		6:15
Mon. Oct. 18 – Sun. Oct. 24	7:05		6:15	6:55		6:00
Mon. Oct. 25 – Sat. Oct. 30	7:15		6:00	7:05		5:45
<b>Pacific Standard Time</b>						
Sun. Oct. 31 – Sun. Nov. 7	6:25		4:45	6:15		4:35
Mon. Nov. 8 – Sun. Nov. 14	6:35		4:40	6:25		4:25
Mon. Nov. 15 – Sun. Nov. 21	6:50		4:30	6:35		4:20
Mon. Nov. 22 – Sun. Nov. 28	7:00		4:25	6:45		4:10
Mon. Nov. 29 – Sun. Dec. 5	7:05		4:20	6:50		4:10
Mon. Dec. 6 – Sun. Dec. 12	7:10		4:20	7:00		4:05
Mon. Dec. 13 – Sun. Dec. 19	7:20		4:20	7:05		4:05
Mon. Dec. 20 – Sun. Dec. 26	7:25		4:25	7:10		4:10
Mon. Dec. 27 – Sun. Jan. 2	7:30		4:25	7:15		4:15
Mon. Jan. 3 – Sun. Jan. 9	7:30		4:35	7:15		4:20
Mon. Jan. 10 – Sun. Jan. 16	7:25		4:40	7:10		4:30
Mon. Jan. 17 – Sun. Jan. 23	7:20		4:50	7:05		4:45
Mon. Jan. 24 – Mon. Jan. 31	7:15		5:00	7:00		4:50

\*These are lawful hunting hours for all game animals and game birds during established seasons.

Washington, upland bird and waterfowl seasons open at 8:00 a.m.

\*\*Opening Day – In Eastern Washington, upland bird and waterfowl seasons open at noon. In Western

Exceptions:

1) Western Washington – Pheasant and quail hunting hours are 8:00 a.m. to 4:00 p.m. on designated pheasant release sites.

2) Western Washington – Cottontail and snowshoe hare (Washington hare) hunting hours are 8:00 a.m. to 4:00 p.m. during the pheasant hunting season on designated pheasant release sites.

3) Before September 1 and after January 31, the lawful hunting hours for all game animals and game birds during their respective hunting seasons are one-half hour before sunrise to sunset.

4) Bobcat and raccoon are exempt from hunting hour restrictions during established bobcat and raccoon seasons except when that area is open to modern firearm hunting of deer or elk, hunting hours shall be one-half hour before sunrise to sunset.

5) Hunting hours for falconry seasons are exempt from these hunting hours except on designated pheasant release sites.

**Bobcat**

Bag and possession limits: No limit.

Bobcat may be killed during archery deer or elk seasons with archery equipment if valid license and tags are in possession for deer or elk seasons, respectively. Archers may not kill bobcat with use of hounds during early archery seasons.

Bobcat may be killed during muzzleloader deer or elk seasons with muzzleloader equipment if valid license and tags are in possession for deer or elk seasons, respectively. Muzzleloaders may not kill bobcat with use of hounds during early muzzleloader seasons.

**Eastern Washington**

**PURSUIT-ONLY SEASON**

(Bobcat may not be killed or injured.)

Sept. 1-30, Nov. 20-Dec. 14, 1991 and Jan. 16-31, 1992; Sept. 1-30, Nov. 25-Dec. 14, 1992 and Jan. 16-31, 1993; Sept. 1-30, Nov. 24-Dec. 14, 1993 and Jan. 16-31, 1994; except closed to hound hunting in Walla Walla and Columbia counties outside of Umatilla National Forest Sept. 1-Oct. 11, 1991; Sept. 1-Oct. 16, 1992; and Sept. 1-Oct. 15, 1993.

**OPEN SEASON**

(Bobcat may be killed)

Oct. 12-31, 1991 and Dec. 15, 1991-Jan. 15, 1992; Oct. 17-31, 1992 and Dec. 15, 1992-Jan. 15, 1993; Oct. 16-31, 1993 and Dec. 15, 1993-Jan. 15, 1994.

**Western Washington**

**PURSUIT-ONLY SEASON**

(Bobcat may not be killed or injured.)

Aug. 1-Oct. 11, 1991; Aug. 1-Oct. 16, 1992; Aug. 1-Oct. 15, 1993; except CLOSED in GMU 522.

**OPEN SEASON**

(Bobcat may be killed.)

Oct. 12, 1991-Mar. 15, 1992; Oct. 17, 1992-March 15, 1993; Oct. 16, 1993-March 15, 1994; except CLOSED in GMU 522.

**Hound hunting during deer and elk hunting seasons**

It is unlawful to hunt any wildlife at night or game animals with dogs (hounds) during the months of September, October, or November in any area open to a center-fire rifle deer or elk season EXCEPT for the following areas and dates. (This does not permit the hunting of deer or elk with the use of hounds.)

**Eastern Washington**

	1991	1992	1993
GMUs 100-124.	Oct. 2-9	Oct. 7-14	Oct. 6-13
GMUs 127-185.	Nov. 14-21	Nov. 12-19	Nov. 11-18
Yakima County within two (2) miles of the Yakima River below Union Gap.	Oct. 12-29	Oct. 17-Nov. 3	Oct. 16-Nov. 2
Whitman and Lincoln counties.			
	Oct. 26-Nov. 10	Oct. 31-Nov. 15	Oct. 30-Nov. 14

**Western Washington**

Oct. 12-Nov. 24, 1991; Oct. 17-Nov. 22, 1992; Oct. 16-Nov. 21, 1993; in GMU 405 (west of Highway 9), GMUs 454, 627, 633, and the Columbia River Floodplain of Clark and Cowlitz counties with boundaries described as follows: beginning at the Longview/Columbia River Bridge, then north and west on Oregon Way (Highway 432) to Tennant Way (Highway 432) to Interstate Highway 5, then south on I-5 to State Highway 14 to the Skamania County line, then south on county line to the Columbia River on state line to the Longview Bridge and point of beginning.

**RACCOON**

Bag and possession limits: No limit.

Raccoon may be killed during archery deer or elk seasons with archery equipment if valid license and tags are in possession for deer or elk seasons, respectively. Archers may not kill raccoon with use of hounds during early archery seasons.

Raccoon may be killed during muzzleloader deer or elk seasons with muzzleloader equipment if valid license and tags are in possession for deer or elk seasons, respectively. Muzzleloaders may not kill raccoon with use of hounds during early muzzleloader seasons.

**Eastern Washington**

**PURSUIT-ONLY SEASON**

(Raccoon may not be killed or injured.)

Sept. 1-Oct. 11, 1991; Sept. 1-Oct. 16, 1992; Sept. 1-Oct. 15, 1993; except CLOSED to hound hunting in Walla Walla and Columbia counties outside of Umatilla National Forest.

Feb. 1-29, 1992; Feb. 1-28, 1993; and Feb. 1-28, 1994; in GMUs 111, 121, 148, and 154.

**OPEN SEASON**

(Raccoon may be killed)

Oct. 12, 1991-Jan. 15, 1992; Oct. 17, 1992-Jan. 15, 1993; Oct. 16, 1993-Jan. 15, 1994.

**Western Washington**

**PURSUIT-ONLY SEASON**

(Raccoon may not be killed or injured.)

Aug. 1-Oct. 11, 1991; Aug. 1-Oct. 16, 1992; Aug. 1-Oct. 15, 1993; except CLOSED on Long Island within Willapa National Wildlife Refuge and GMU 522.

**OPEN SEASON**

(Raccoon may be killed).

Oct. 12, 1991–Mar. 15, 1992; Oct. 17, 1992–Mar. 15, 1993; Oct. 16, 1993–Mar. 15, 1994; except CLOSED on Long Island within Willapa National Wildlife Refuge and GMU 522.

**FOX**

Bag and possession limits: No limits.

Statewide: Oct. 12, 1991–Mar. 15, 1992; Oct. 17, 1992–Mar. 15, 1993; Oct. 16, 1993–Mar. 15, 1994, except CLOSED within the exterior boundaries of the Mount Baker/Snoqualmie, Okanogan, Wenatchee, and Gifford Pinchot National Forests and GMUs 405, 410, and 522.

**COYOTE**

Coyotes are unclassified wildlife and, as such, may be taken year-round EXCEPT from September 15 to November 30 in the following closed areas: Pasayten Wilderness, Glacier Peak Wilderness, GMU 426, and those portions of GMUs 218, 304, and 448 within external boundaries of the Mount Baker–Snoqualmie, Okanogan and Wenatchee national forests.

**FOREST GROUSE (BLUE, RUFFED, AND SPRUCE)**

Forest Grouse may not be killed with centerfire rifles or centerfire pistols EXCEPT during modern firearm deer or elk seasons.

Bag and possession limits: Three (3) grouse per day, with a total of nine (9) grouse in possession at any time; straight or mixed bag.

Statewide: Sept. 1–Dec. 31 during 1991, 1992, and 1993; except CLOSED in GMU 522.

**UPLAND BIRDS****Eastern Washington****Ring-necked pheasant**

Bag and possession limits: Three (3) cock pheasants per day, with a total of fifteen (15) cock pheasants in possession at any time.

Noon Oct. 12–Dec. ((+5)) 31, 1991; Noon Oct. 17–Dec. ((+20)) 31, 1992; Noon Oct. 16–Dec. ((+9)) 31, 1993.

**Chukar and gray (Hungarian) partridge**

Bag and possession limits: Six (6) chukar or gray partridges per day, with a total of eighteen (18) chukar or gray partridges in possession at any time; straight or mixed bag.

Early season in Asotin and Garfield counties; in that part of Whitman County south of the Washtucna – Colfax – Moscow Highway; in that part of Columbia County that is north and east of the Tucannon River: Sept. 21–Oct. 11, 1991; Sept. 26–Oct. 16, 1992; Sept. 25–Oct. 15, 1993.

Regular season: Noon Oct. 12, 1991 – Jan. 12, 1992; Noon Oct. 17, 1992 – Jan. 10, 1993; Noon Oct. 16, 1993 – Jan. 9, 1994.

**Quail**

Bag and possession limits: Ten (10) quail per day, with a total of thirty (30) quail in possession at any time.

Noon Oct. 12, 1991 – Jan. 12, 1992; Noon Oct. 17, 1992 – Jan. 10, 1993; Noon Oct. 16, 1993 – Jan. 9, 1994.

**Western Washington****Ring-necked pheasant**

Bag and possession limits: Two (2) pheasants of either sex per day on designated release sites, EXCEPT two (2) cock pheasants per day on other than designated release sites, with a total of fifteen (15) pheasants in possession at any time.

Sept. 28–Nov. 30, 1991; Oct. 3–Nov. 30, 1992; and Oct. 2–Nov. 30, 1993; 8 a.m. to 4 p.m.; except Voice of America site (Clallam County) starting Oct. 12, 1991; Oct. 17, 1992; Oct. 16, 1993; except CLOSED in GMU 522.

Special restriction: Hunting is restricted on weekend mornings at Lake Terrell, Tennant Lake, Snoqualmie (including Stillwater, Cherry Valley, and Two Rivers segments) and Skagit (including headquarters and Smith Farm segments) wildlife areas. Only hunters with western Washington upland bird licenses marked "odd" may hunt these sites from 8:00 a.m. until 12:00 noon on odd numbered weekend days. Only hunters with western Washington upland bird licenses marked "even" may hunt these sites from 8:00 a.m. until 12:00 noon on even numbered weekend days. Hunters 14 years of age or younger may hunt during either weekend day morning provided they are accompanied by an adult with appropriately marked upland bird license.

**Quail**

Bag and possession limits: Two (2) quail per day, with a total of thirty (30) quail in possession at any time.

Oct. 12–Nov. 30, 1991; Oct. 17–Nov. 30, 1992; Oct. 16–Nov. 30, 1993; except CLOSED in GMU 522.

**TURKEY**

Bag and possession limits: One (1) turkey of either sex per calendar year (Jan. 1–Dec. 31).

Klickitat and Skamania counties: Nov. 22–26, 1991; Nov. 20–24, 1992; Nov. 19–23, 1993.

Special restriction: Turkey season is open for shotgun and bow-and-arrow hunting only. Each successful hunter must complete and return a game harvest report card to the Department of Wildlife within ten days after taking a turkey.

**BIRD DOG TRAINING SEASON** Aug. 1, 1991–Mar. 15, 1992; Aug. 1, 1992–Mar. 15, 1993; and Aug. 1, 1993–Mar. 15, 1994, except from Sept. 28–Nov. 30, 1991, Oct. 3–Nov. 30, 1992, and Oct. 2–Nov. 31, 1993, dog training is prohibited except from 8:00 a.m. to 4:00 p.m. on designated western Washington pheasant release sites. Game birds may be taken only during established bird hunting seasons.

## CANADA GOOSE SEPTEMBER SEASON

Early September Canada Goose season for portions of Clark, Cowlitz, Pacific, and Wahkiakum counties.

Bag and possession limits: Two (2) Canada geese per day with a total of four (4) in possession at any time.

Sept. 1-10, 1991; Sept. 1-10, 1992; Sept. 1-10, 1993.

Open area: Those portions of Clark, Cowlitz, Pacific, and Wahkiakum counties within the following boundary: Beginning at the Washington-Oregon border on the Interstate 5 bridge near Vancouver, Washington, north on Interstate 5 to Kelso, west on Highway 4 from Kelso to Highway 401, south and west on Highway 401 to the Washington-Oregon border on the Astoria-Megler bridge, upstream along the Washington-Oregon border to the point of origin.

Permit requirement: All hunters participating in this season are required to obtain written authorization from the Department of Wildlife. Application forms are available from Department offices and must be delivered to a Department office no later than 5:00 p.m. or post-marked on or before August 1 of the hunt year. With the authorization, hunters will receive a hunter activity and harvest report form. Return of the harvest report form is mandatory. Those hunters not returning the harvest report form to the Department of Wildlife by October 15 of the hunt year will be ineligible to participate in the following year September Canada goose season.

Steel shot requirement: It is unlawful to possess while hunting for or to take geese with shotshells or a muzzleloader shotgun loaded with any metal other than steel in the open area of the September Canada goose season.

## BAND-TAILED PIGEON

Bag and possession limits: Two (2) band-tailed pigeons per day and in possession at any time.

Western Washington: Sept. 21-29, 1991; Sept. 19-27, 1992; Sept. 18-26, 1993, except CLOSED in GMU 522.

WRITTEN AUTHORIZATION REQUIRED: All hunters participating in this season are required to obtain written authorization from the Department of Wildlife. Application forms are available from Department offices and must be delivered to a Department office no later than 5:00 p.m. or postmarked on or before August 1, of the hunt year. With the authorization, hunters will receive a hunter activity and harvest report form. Return of the harvest report form is mandatory. Those hunters not returning the harvest report form to the Department of Wildlife by October 31 of the hunt year will be ineligible to participate in the following year band-tailed pigeon season.

## MOURNING DOVE

Bag and possession limits: Ten (10) mourning doves per day with a total of twenty (20) mourning doves in possession at any time.

Statewide: Sept. 1-15 during 1991, 1992, and 1993; except CLOSED in GMU 522.

## RABBIT AND HARE

Cottontail, snowshoe hare (or Washington hare), and white-tailed jackrabbit.

Bag and possession limits: Ten (10) rabbits or hares per day, with a total of thirty (30) in possession at any time; straight or mixed bag.

Statewide: Sept. 1, 1991-March 15, 1992; Sept. 1, 1992-March 15, 1993; Sept. 1, 1993-March 15, 1994 except CLOSED in GMU 522.

## Black-tailed jackrabbit

Bag and possession limits: Ten (10) black-tailed jackrabbits per day, with a total of thirty (30) in possession at any time.

Statewide: Year-around.

## FALCONRY SEASONS

## Upland Game Bird - Falconry

Daily bag: Two (2) pheasants (either sex), six (6) partridge, five (5) quail, and three (3) forest grouse (blue, ruffed, spruce) per day.

Sept. 1, 1991-March 15, 1992; Sept. 1, 1992-March 15, 1993; Sept. 1, 1993-March 15, 1994.

## Mourning dove - falconry

Daily bag: Three (3) mourning doves per day straight bag or mixed bag with snipe, coots, and waterfowl during established seasons.

Statewide: Sept. 1-Oct. 11, 1991; Sept. 1-Oct. 16, 1992; Sept. 1-Oct. 15, 1993; and the month of December each year.

## Rabbit and hare - falconry

Daily bag: Ten (10) rabbits or hares per day: Straight or mixed bag.

Statewide: Aug. 1, 1991-March 15, 1992; Aug. 1, 1992-March 15, 1993; Aug. 1, 1993-March 15, 1994, for cottontail, snowshoe hare (or Washington hare), white-tailed and black-tailed jackrabbits.

**Reviser's note:** RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

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

**WSR 91-13-066**  
**PERMANENT RULES**  
**WILDLIFE COMMISSION**  
[Order 501-Filed June 17, 1991, 2:20 p.m.]

Date of Adoption: April 13, 1991.

Purpose: To establish 1991-92 special closure areas and firearm restriction areas.

Statutory Authority for Adoption: RCW 77.12.040 and 77.04.055.

Pursuant to notice filed as WSR 91-06-086 on March 6, 1991.

Changes Other than Editing from Proposed to Adopted Version: The original language "Muzzleloaders may hunt during muzzleloader seasons with muzzleloader equipment" was amended to include "except in GMU 484 restriction area outlined for King County"; the original Pierce County firearm restriction area description was amended to include "See GMU 484 restriction area outlined for King County"; and corrections in punctuation.

Effective Date of Rule: Thirty-one days after filing.

June 2, 1991

John C. McGlenn  
Chairman

## NEW SECTION

### WAC 232-28-229 1991-92 SPECIAL CLOSURES AND FIREARM RESTRICTION AREAS

#### SPECIAL CLOSURES

##### HUNTING PROHIBITED AREAS

IT IS UNLAWFUL TO HUNT WILD ANIMALS OR WILD BIRDS AS PROVIDED IN THE FOLLOWING AREAS:

1. Little Pend Oreille Wildlife Area: The southern part of the Little Pend Oreille Wildlife Area in Stevens County is closed to hunting and discharge of firearms except during the period of Oct. 1-Dec. 31, 1991. This closure is south of a boundary beginning at the west project boundary in Section 3, Township 34 N, R 40 EWM, thence easterly along Road 1.0 to the intersection with Road 2.0 in Section 2, thence easterly along Road 2.0 to the easterly boundary in Section 8, Township 34 N, R 42 EWM.

The Little Pend Oreille Wildlife Area north of the preceding boundary is open to all legally established hunting seasons during September and October.

2. Parker Lake: All lands south of Ruby Creek Road (USFS Road 2489), north of Tacoma Creek Road (USFS Road 2389) and west of Bonneville Power Administration power lines are designated as "CLOSED AREA" to the hunting of wild animals and wild birds EXCEPT during the period Aug. 1-Sept. 30, 1991. The above closures were established to provide a protected area for the Air Force Military Survival Training Program.
3. Columbia River and all the islands in the river, and the Benton County shoreline below the high water mark, and any peninsula originating on the Benton County shoreline, between Vernita Bridge (Highway 24) downstream to the old Hanford townsite power-line crossing (wooden towers) in Section 24, T 13 N, R 27 E, is designated as a "CLOSED AREA" to the hunting of wild animals and wild birds.
4. Green River (GMU 485): Except for special permit hunts, all lands within GMU 485 are designated as a "CLOSED AREA" to the hunting of big game throughout the year. During the general westside elk season and general and late deer seasons, all lands

within GMU 485 are also designated as a "CLOSED AREA" to the hunting of all wild animals and wild birds. The City of Tacoma enforces trespass within GMU 485 on lands owned or controlled by the City during all times of the year.

5. McNeil Island: McNeil Island (part of GMU 480) is closed to the hunting of all wild animals and wild birds year around.

#### BIG GAME CLOSURES

1. Cathlamet: Those lands between State Highway 4 and the Columbia River between Cathlamet and Skamokawa, and all of Puget Island in Wahkiakum County; closed to all deer hunting. This closure is established to protect the endangered Columbian Whitetail Deer.
2. Clark, Cowlitz, Pacific, and Wahkiakum counties are closed to Columbian Whitetail Deer hunting.
3. Willapa National Wildlife Refuge: Except for Bow Area No. 802 (Long Island), Willapa National Wildlife Refuge is closed to all big game hunting.
4. Walla Walla Mill Creek Watershed (GMU 157): All lands in the Mill Creek Watershed are designated as a "CLOSED AREA" to the hunting of all wild animals and wild birds except for holders of special elk permits during the established open season. This area is closed to motorized vehicles.
5. Colockum elk hunting restrictions: No entry in GMU 330 (West Bar) except permit holders, Oct. 20-22, 1991. Closed to entry (no trespassing) Oct. 23-Nov. 8, 1991.
6. Westport: Closed to hunting of all big game animals on that part of Westport Peninsula lying north of State Highway 105 from the west end of the Elk River Bridge and the Schafer Island Road to the ocean beach.
7. Baleville: Closed to hunting of all big game animals on those lands between State Highway 105 and the Willapa River west of Raymond.

#### UPLAND BIRD CLOSURES

It is unlawful to hunt game birds on the Columbia River or from any island in the Columbia River in the following areas:

1. From the mouth of Glade Creek (River Marker 57) to the old townsite of Paterson (River Marker 67) in Benton County, except the hunting of game birds is permitted from the main shoreline of the Columbia River in this area. (Check with Umatilla National Wildlife Refuge for other federal regulations for this area.)
2. Between the public boat launch at Sunland Estates in Grant County (Wanapum Pool) and a point perpendicular in Kittitas County; upstream to the posted marker 200 yards north of Quilomene Bay and a point perpendicular in Grant County, including islands.

**HORSE RESTRICTIONS**

Colockum horse restrictions: GMU 330 (West Bar)—It is unlawful to ride horses, mules, or other livestock during any open elk season in GMU 330 PROVIDED, however, that livestock may be used for transporting camp gear and elk carcasses. GMU 329 (Quilomene)—It is unlawful to allow a horse to enter the Brushy and Cape Horn agricultural fields prior to 9 a.m. from Oct. 20–Nov. 3, 1991.

**HUNTING FIREARM RESTRICTION AREAS**

In firearm restriction areas, centerfire and rimfire rifles are not legal for hunting during any time of the year. Hunters may hunt only during the season allowed by their tag. Archery tag holders may hunt during archery seasons with archery equipment. Muzzleloaders may hunt during muzzleloader seasons with muzzleloader equipment except in GMU 484 restriction area outlined for King County. Modern firearm tag holders may hunt during modern firearm seasons with bows and arrows, muzzleloader or shotguns firing slugs or legal buckshot. Shotguns are not legal for hunting elk.

County	Area
Clallam	That portion of GMU 624 (Coyle) located within Clallam County
Clark	GMU 564 (Battleground)
Cowlitz	GMU 554 (Yale) GMU 504 (Stella)
Franklin,	All of GMU 281 (Ringold) and Wahluke Slope
Grant, Adams	Wildlife Area (portion of GMU 278 – Wahluke)
Grays Harbor	That portion of GMU 658 (North River) beginning at Bay City; then west along Highway 105 to Twin Harbors State Park; then south along Highway 105 to Grayland, then east on Smith Road to the Bayview Road, then north on the Bayview Road to Mallard Slough, then east and south along the Bayview Road to Andrews Creek, then north along main channel of Andrews Creek to Grays Harbor, then north and west along the main navigation channel to Bay City and point of beginning.
Island	That portion of GMU 410 (Island) located on Camano and Whidbey islands
Jefferson	Indian and Marrowstone islands
King	The area west of Highway 203 (Monroe–Fall City–Preston) to Interstate 90 (I-90), I-90 to Highway 18, Highway 18 to Interstate 5 (I-5), I-5 to the Pierce–King County line; Vashon and Maury Islands

County	Area
King	The following portion of GMU 484 (Puyallup): Beginning at the intersection of State Highway 410 and the southeast Mud Mountain Dam Road near the King/Pierce County line north of Buckley; then east along the southeast Mud Mountain Road to 284th Avenue southeast; then north along 284th Avenue southeast to State Highway 410; then west along Highway 410 to the point of the beginning. (This restriction includes highpower rifles and muzzleloaders.)
Kitsap	East of State Highway 16 originating at the Tacoma Narrows Bridge to Gorst, and east of Highway 3 to North Lake Way, north of North Lake Way and the Bremerton–Seabeck Highway to Big Beef Creek bridge; all of Bainbridge Island, and Bangor Military Reservation
Kittitas	GMU 334 (Ellensburg) Closed to high power rifles during deer and elk seasons.
Mason	GMU 633 (Mason Lake) south of Hammersley Inlet; and all of Hartstene Island
Pacific	GMU 684 (Long Beach) west of Sand Ridge Road
Pierce	GMU 480 (Anderson and Ketron Islands) limited to archery, shotgun, and muzzleloader shotgun. McNeil Island closed to hunting.
See GMU 484	restriction area outlined for King County.
Snohomish	West of Highway 9
Skagit	Guemes Island and March Point north of State Highway 20
Thurston	GMU 666 (Deschutes) north of U.S. Highway 101 and Interstate 5 between Oyster Bay and the mouth of the Nisqually River
Whatcom	Area west of I-5 and north of Bellingham city limits including Point Roberts.

**WSR 91-13-067**  
**PERMANENT RULES**  
**WILDLIFE COMMISSION**  
 [Order 502—Filed June 17, 1991, 2:22 p.m.]

Date of Adoption: April 13, 1991.  
 Purpose: To establish 1991-92 special permit seasons for hunting deer and elk.  
 Statutory Authority for Adoption: RCW 77.12.040 and 77.04.055.  
 Pursuant to notice filed as WSR 91-06-087 on March 6, 1991.  
 Changes Other than Editing from Proposed to Adopted Version: Only those hunters with a Washington disabled hunter permit may apply for the special hunt for

disabled; early Blue Mountain modern firearm tag holders can apply for branched antler permits in the Blue Mountains; allow permit hunters in GMUs 105-124 to buy a second deer tag and hunt in that same GMU during the modern firearm deer season for another whitetail antlerless deer; change dates for hunts 1001 Curlew, 1002 Boulder, and 1003 Kellyhill from Oct. 2-9 to Oct. 1-9; increase permit level from 400 to 500 in Hunt No. 1011 Roosevelt; change dates for Hunt 1015 Mayview from Nov. 13-24 to Oct. 12-20; change dates for Hunt 1034 Sinlahekin B from Dec. 2-9 to Dec. 9-15; change dates for Hunt 1042 Pogue B from Dec. 2-9 to Dec. 9-15; change dates for Hunt 1049 Beezley from Oct. 26-31 to Oct. 19-27 and change legal deer from either sex to antlerless only; increase special hunt permits for the disabled in Hunt 1100 Stillaguamish from 3 to 25, change dates from Dec. 7-8 to Nov. 30-Dec. 1, and identify hunt for disabled hunters only; change dates for Hunt 1108 Alpin from Sept. 28-Oct 11 to Sept. 25-Oct. 8 and limit harvest to antlerless or 3-pt. min. deer; change dates for hunts 2003 Mt. Spokane, 2005 Blue Creek A, 2013 Mountain View A, 2016 Lick Creek A, and 2019 Couse from Oct. 30-Nov. 10 to Nov. 2-10; reduce permits in Hunt 2016 Lick Creek A from 200 to 100; eliminate Hunt 2017 Lick Creek B branched bull permits; and reduce permits in Hunt 2100 Blue Mountains east from 4 to 2 and delete GMU 175 from hunt.

Effective Date of Rule: Thirty-one days after filing.

June 2, 1991

John C. McGlenn  
Chairman

**NEW SECTION**

**WAC 232-28-230 1991-92 DEER AND ELK PERMIT HUNTING SEASONS**

**Application Instructions**

NOTE: Hunt numbers and GMU numbers are not the same.

A permit gives a hunter additional opportunity but it does not give him/her an extra deer or elk, EXCEPT that antlerless only permit holders for GMUs 105, 108, 111, 113, 118, 119, 121, and 124 may buy a second deer tag and harvest a second antlerless deer (See Special Deer Permit Hunting Seasons).

To apply for Special Deer Permit: You must have a valid 1991 Washington hunting license and a modern firearm or muzzleloader deer tag. Only those hunters with a Washington Disabled Hunter Permit may apply for the special hunt for disabled. You may submit one (only one) special deer permit application for 1991.

To apply for Special Elk Permit: You must have a valid 1991 Washington hunting license and a valid late modern firearm, muzzleloader, or archery elk tag; EXCEPT Blue Mountain archery tag holders and early Blue Mountain modern firearm tag holders may apply for branched antler permits in the Blue Mountains. Only those hunters with a Washington Disabled Hunter Permit may apply for the special hunt for the disabled. You may submit one (only one) special permit application for elk. You may not submit an elk permit application if you were drawn for any elk permit during 1989 or 1990. Permit hunters may hunt only with a weapon in compliance with their tag.

Application Deadline: To qualify for the drawing all applications must be postmarked no later than August 1, 1991 or received no later than 5:00 p.m. on August 1, 1991 at the Department of Wildlife headquarters in Olympia or at any of the regional Department of Wildlife offices.

- Permits will be drawn by random computer selection.
- There are no refunds or exchanges for deer or elk tags for persons applying for special permits.

**Special Hunting Season Permits**

You MUST have a valid hunting license and tag to apply for any special hunting season set by the Wildlife Commission. (Special hunting seasons do not include hunts open to all hunters.)

**SPECIAL DEER PERMIT HUNTING SEASONS  
(Open to Permit Holders Only)**

Hunters must purchase a hunting license and deer tag prior to purchase of a permit application. Only modern firearm deer tag holders and muzzleloader deer tag holders may apply for the following permit hunts.

Hunters successfully drawn for an antlerless only permit for GMUs 105, 108, 111, 113, 118, 119, 121, or 124 may, after killing an antlerless white-tailed deer, purchase one additional antlerless only deer tag by presenting, in person, a completed report card and valid 1991 hunting license at the Spokane Regional Office. Additional tags are valid in the permit season and in the modern firearm deer season in the GMU for which the original permit was issued. No more than two antlerless white-tailed deer per hunter may be harvested. It is ILLEGAL for hunters with the second antlerless deer tag to kill a buck.

Use the FOUR DIGIT HUNT NUMBER on your application.

Hunt No.	Hunt Name	No. Permits	Open Season	Special Restrictions	Boundary Description
1001	Curlew	200	Oct. 1-9	Whitetail, Antlerless Only	GMU 100
1002	Boulder	150	Oct. 1-9	Whitetail, Antlerless Only	GMU 103
1003	Kellyhill	350	Oct. 1-9	Whitetail, Antlerless Only	GMU 105
1004	Douglas	900	Oct. 2-9	Whitetail, Antlerless Only	GMU 108
1005	Aladdin	400	Oct. 2-9	Whitetail, Antlerless Only	GMU 111
1006	Selkirk	100	Oct. 2-9	Whitetail, Antlerless Only	GMU 113

Hunt No.	Hunt Name	No. Permits	Open Season	Special Restrictions	Boundary Description
1007	Chewelah	400	Oct. 2-9	Whitetail, Antlerless Only	GMU 118
1008	Boyer	500	Oct. 2-9	Whitetail, Antlerless Only	GMU 119
1009	Huckleberry	1,800	Oct. 2-9	Whitetail, Antlerless Only	GMU 121
1010	Mt. Spokane	1,000	Oct. 2-9	Whitetail, Antlerless Only	GMU 124
1011	Roosevelt	500	Nov. 13-24	Antlerless Only	GMU 133
1012	Harrington	150	Nov. 13-24	Antlerless Only	GMU 136
1013	Steptoe	200	Nov. 13-24	Antlerless Only	GMU 139
1014	Almota	400	Nov. 13-24	Antlerless Only	GMU 142
1015	Mayview	400	Oct. 12-20	Antlerless Only	GMU 145
1016	Starbuck	200	Nov. 13-24	Antlerless Only	GMU 148
1017	Eureka	50	Nov. 13-24	Antlerless Only	GMU 151
1018	Bluecreek	150	Nov. 13-24	Whitetail, Antlerless Only	GMU 154
1019	Touchet	75	Nov. 13-24	Whitetail, Antlerless Only	GMU 160
1020	Eckler	75	Nov. 13-24	Whitetail, Antlerless Only	GMU 161
1021	Marengo A	125	Nov. 13-24	Whitetail, Antlerless Only	GMU 163
1022	Marengo B	75	Nov. 13-24	Antlerless Only	GMU 163
1023	Mountain View	50	Nov. 13-24	Antlerless Only	GMU 172
1024	Lick Creek	50	Nov. 13-24	Antlerless Only	GMU 175
1025	Peola	200	Nov. 13-24	Antlerless Only	GMU 178
1026	Couse A	150	Nov. 13-24	Antlerless Only	GMU 181
1027	Couse B	150	Nov. 13-24	Whitetail, Antlerless Only	GMU 181
1028	Blue Mtn. Foothills A	60	Nov. 13-26	Whitetail, Antlerless or 3-Pt. Min.	GMUs 148, 154, 160, 161, 163, 166
1029	Blue Mtn. Foothills B	60	Nov. 13-26	Whitetail, Antlerless or 3-Pt. Min.	GMUs 145, 172, 175, 178, 181
1030	Tunk	100	Dec. 2-8	Whitetail, Either Sex	GMU 200
1031	Bonaparte	100	Dec. 2-8	Whitetail, Either Sex	GMU 206
1032	Wannacut	100	Nov. 2-8	Antlerless Only	GMU 209
1033	Sinlahekin A	200	Nov. 2-8	Antlerless Only	GMU 215
1034	Sinlahekin B	25	Dec. 9-15	Whitetail, Either Sex	GMU 215
1035	Chewuch A	400	Nov. 2-8	Antlerless Only	GMU 218
1036	Chewuch B	25	Dec. 2-8	Whitetail, Either Sex	GMU 218
1037	Pearrygin A	500	Nov. 2-8	Antlerless Only	GMU 224
1038	Pearrygin B	25	Dec. 2-8	Whitetail, Either Sex	GMU 224
1039	Gardner A	400	Nov. 2-8	Antlerless Only	GMU 231
1040	Gardner B	50	Dec. 2-8	Whitetail, Either Sex	GMU 231
1041	Pogue A	400	Nov. 2-8	Antlerless Only	GMU 233
1042	Pogue B	50	Dec. 9-15	Whitetail, Either Sex	GMU 233
1043	Bigbend	300	Oct. 19-27	Antlerless Only	GMU 248
1044	Saint Andrews	100	Oct. 19-27	Antlerless Only	GMU 254
1045	Foster Creek	200	Oct. 19-27	Antlerless Only	GMU 260
1046	Withrow	100	Oct. 19-27	Antlerless Only	GMU 262
1047	Badger	100	Oct. 19-27	Antlerless Only	GMU 266
1048	Moses Coulee	200	Oct. 19-27	Antlerless Only	GMU 269
1049	Beezley	200	Oct. 19-27	Antlerless Only	GMU 272
1050	Kahlotus	150	Oct. 19-27	Antlerless Only	GMU 284
1051	Entiat	150	Nov. 9-17	Antlerless Only	GMU 308
1052	Wenatchee	200	Nov. 16- Dec. 1	Antlerless Only	Portion of GMU 314
1053	Naneum	75	Nov. 2-10	Either Sex	GMU 328
1054	Olala	150	Nov. 9-17	Antlerless Only	Portion of GMU 316
1055	Quilomene	75	Nov. 2-10	Either Sex	GMU 329
1056	Teanaway	150	Nov. 13-15	Either Sex	GMU 335
1057	Taneum	100	Nov. 16-20	Either Sex	GMU 336
1058	Manastash	100	Nov. 16-20	Either Sex	GMU 340
1059	Naches	75	Oct. 26-29	Either Sex	GMU 346
1060	Bumping	50	Oct. 26-29	Either Sex	GMU 356



Hunt No.	Hunt Name	No. Permits	Open Season	Special Restrictions	Boundary Description
1061	Bethel	50	Oct. 26-29	Either Sex	GMU 360
1062	Rimrock	25	Oct. 26-29	Either Sex	GMU 364
1063	Priest Rapids	50	Oct. 26-29	Either Sex	GMU 370
1064	Champion N.	250	Dec. 6-10	Antlerless Only	Deer Area 001
1065	Champion S.	100	Dec. 7, 8 and 14, 15	Antlerless Only	Deer Area 002*
1066	Green River A	45	Oct. 19-25	Antlerless or 2-Pt. Buck Min.	GMU 485
1067	Green River B	30	Oct. 19-25	Antlerless Only	GMU 485
1068	Lincoln	100	Oct. 21-27	Either Sex	GMU 501
1069	Mossyrock	100	Oct. 21-27	Either Sex	GMU 505
1070	Willapa Hills	75	Oct. 21-27	Either Sex	GMU 506
1071	Stormking	50	Oct. 21-27	Either Sex	GMU 510
1072	Sawtooth	50	Oct. 21-27	Either Sex	GMU 512
1073	Packwood	30	Oct. 21-27	Either Sex	GMU 516
1074	Ryderwood	50	Oct. 21-27	Either Sex	GMU 530
1075	Coweeman	60	Oct. 21-27	Either Sex	GMU 550
1076	Lewis River	50	Oct. 21-27	Either Sex	GMU 560
1077	Siouxon	50	Oct. 21-27	Either Sex	GMU 572
1078	White Salmon	100	Oct. 21-27	Antlerless or 2-Pt. Min.	GMU 576
1079	Goodnoe	100	Oct. 21-27	Antlerless or 2-Pt. Min.	GMU 584
1080	Grayback	200	Oct. 21-27	Antlerless or 2-Pt. Min.	GMU 588
1081	Hoko	50	Oct. 21-27	Either Sex	GMU 601
1082	Pysht	100	Oct. 21-27	Either Sex	GMU 603
1083	Soleduck	20	Oct. 21-27	Either Sex	GMU 607
1084	Goodman	50	Oct. 21-27	Either Sex	GMU 612
1085	Clearwater	50	Oct. 21-27	Either Sex	GMU 615
1086	Olympic	150	Oct. 21-27	Either Sex	GMU 621
1087	Coyle	125	Oct. 21-27	Either Sex	GMU 624
1088	Mason lake	25	Oct. 21-27	Either Sex	GMU 633
1089	Skokomish	125	Oct. 21-27	Antlerless or 2-Pt. Buck Min.	GMU 636
1090	Wynoochee	75	Oct. 21-27	Either Sex	GMU 648
1091	North River	25	Oct. 21-27	Either Sex	GMU 658
1092	Capitol Peak	30	Oct. 21-27	Either Sex	GMU 663
1093	Deschutes	75	Oct. 21-27	Either Sex	GMU 666
1094	Skookumchuck	250	Oct. 21-27	Either Sex	GMU 667
1095	Palix	20	Oct. 21-27	Either Sex	GMU 669
1096	Fall River	75	Oct. 21-27	Either Sex	GMU 672
1097	Nemah	25	Oct. 21-27	Either Sex	GMU 678
1098	Marrowstone I.	20	Oct. 21-27	Either Sex	Deer Area 061
1099	Minot Peak	75	Oct. 21-27	Either Sex	GMU 660

\*Young hunter opportunity. Applicants must be 16 years old or younger and must be accompanied by an adult.

#### SPECIAL HUNT FOR DISABLED

Hunters must purchase a hunting license and modern firearm or muzzleloader deer tag prior to purchase of a special hunting season permit application. Only those hunters with a Washington Disabled Hunter Permit may apply.

Hunt No.	Hunt Name	No. Permits	Open Season	Special Restrictions	Boundary Description
1100	Stillaguamish A	25	Nov. 30-Dec. 1	Antlerless Only, Disabled Hunter Only	GMU 448

DEER MUZZLELOADER ONLY

Hunters must purchase a hunting license and muzzleloader deer tag prior to submitting an application for a muzzleloader permit hunt.

Hunt No.	Hunt Name	No. Permits	Open Season	Special Restrictions	Boundary Description
1101	Blue Creek	50	Nov. 27- Dec. 8	Whitetail - Antlerless or 3-Pt. Min.	GMU 154
1102	Chiliwist	200	Nov. 9-17	Either Sex	GMU 239
1103	Alta	300	Nov. 9-17	Either Sex	GMU 242
1104	Moses Coulee A	25	Nov. 30- Dec. 6	Antlerless Only	GMU 269
1105	Moses Coulee B	25	Dec. 7-13	Antlerless Only	GMU 269
1106	Moses Coulee C	25	Dec. 14-20	Antlerless Only	GMU 269
1107	Manson	200	Nov. 9-17	Either Sex	GMU 300
1108	Alpine	100	Sept. 25- Oct. 8	Antlerless or 3-Pt. Min.	GMU 302
1109	Chiwawa	250	Nov. 9-17	Either Sex	GMU 304
1110	Stillaguamish B	100	Dec. 7-8	Antlerless Only	GMU 448

Special Elk Hunting Seasons  
(Open to Permit Holders Only)

Hunters must purchase a hunting license and elk tag prior to purchase of a permit application. Permit hunters may hunt only with a weapon in compliance with their tag. Applicants must have purchased the proper area tag for these hunts (see Elk Tag Prefix required to apply for each hunt). Hunters drawing a permit for a hunt after the first of the year can use their 1991 license and tag during the hunt. Only hunters who purchase an Early Blue Mountain elk tag (BE) may apply for special Blue Mountain bull permits. Blue Mountain hunters must have the appropriate elk tag prefix for the hunt they are applying for.

Use the FOUR DIGIT HUNT NUMBER on your application.

Hunt No.	Hunt Name	No. Permits	Open Season	Special Restrictions	Elk Tag Prefix	Boundary Description
2001	Aladdin	15	Nov. 2-10	Either Sex	BL or BM	GMU 111
2002	Selkirk	30	Nov. 2-10	Either Sex	BL or BM	GMU 113
2003	Mt. Spokane	30	Nov. 2-10	Antlerless Only	BL or BM	GMU 124
2004	Mayview	50	Sept. 1-26	Either Sex	BL or BM	GMU 145
2005	Blue Creek A	100	Nov. 2-10	Spike Bull or Antlerless	BL or BM	GMU 154
2006	Blue Creek B	10	Oct. 30- Nov. 10	Any Bull	BE	GMU 154
2007	Watershed	100	Nov. 2-10	Antlerless or 3-Pt. Bull Min.	BL or BM	GMU 157
2008	Touchet	11	Oct. 30- Nov. 10	Any Bull	BE	GMU 160
2009	Eckler	11	Oct. 30- Nov. 10	Any Bull	BE	GMU 161
2010	Touchet, Eckler, Marengo	50	Dec. 15- Jan. 15, 1992	Antlerless Only	BL or BM	GMUs 160*, 161*, 163*
2011	Tucannon	12	Oct. 30- Nov. 10	Any Bull	BE	GMU 166
2012	Wenaha	15	Oct. 30- Nov. 10	Any Bull	BE	GMU 169
2013	Mountain View A	125	Nov. 2-10	Spike Bull or Antlerless	BL or BM	GMU 172
2014	Mountain View B	75	Dec. 15- Jan. 15, 1992	Antlerless Only	BL or BM	GMU 172
2015	Mountain View C	10	Oct. 30- Nov. 10	Any Bull	BE	GMU 172

Hunt No.	Hunt Name	No. Permits	Open Season	Special Restrictions	Elk Tag Prefix	Boundary Description
2016	Lick Creek	100	Nov. 2-10	Spike Bull or Antlerless	BL or BM	GMU 175
2017	Peola	3	Oct. 30- Nov. 10	Any Bull	BE	GMU 178
2018	Couse A	75	Nov. 2-10	Spike Bull or Antlerless	BL or BM	GMU 181
2019	Couse B	3	Oct. 30- Nov. 10	Any Bull	BE	GMU 181
2020	Joseph/Black Butte	1	Oct. 30- Nov. 10	Any Bull	BE	GMUs 184-185
2021	Naneum	150	Oct. 20-22	Antlerless Only	CL or CM	GMU 328
2022	Reecer A	75	Oct. 5-11	Antlerless Only	CL or CM	Elk Area 030
2023	Reecer B	75	Dec. 9-15	Antlerless Only	CL or CM	Elk Area 030
2024	Shushuskin A	100	Nov. 16-24	Antlerless Only	YL or YM	Elk Area 031
2025	Shushuskin B	100	Nov. 30- Dec. 8	Antlerless Only	YL or YM	Elk Area 031
2026	Malaga A	150	Sept. 1- Oct. 4	Antlerless Only	CL or CM	Elk Area 032**
2027	Malaga B	150	Oct. 30- Nov. 6	Antlerless Only	CL or CM	Elk Area 032
2028	Peshastin	100	Sept. 1- Oct. 4	Either Sex	CL or CM	Elk Area 033**
2029	West Bar A	25	Oct. 20	Antlerless Only	CL or CM	GMU 330
2030	West Bar B	25	Oct. 21	Antlerless Only	CL or CM	GMU 330
2031	West Bar C	25	Oct. 22	Antlerless Only	CL or CM	GMU 330
2032	Caribou	175	Nov. 20- Dec. 1	Antlerless Only	CL or CM	Elk Area 002
2033	Taneum A	100	Nov. 1-4	Antlerless Only	YL or YM	GMU 336
2034	Taneum B	100	Nov. 14-16	Antlerless Only	YL or YM	GMU 336
2035	Manastash A	100	Nov. 1-4	Antlerless Only	YL or YM	GMU 340
2036	Manastash B	100	Nov. 14-16	Antlerless Only	YL or YM	GMU 340
2037	Naches & Umtanum A	350	Nov. 1-4	Antlerless Only	YL or YM	GMUs 342 & 346**
2038	Naches & Umtanum B	150	Nov. 14-16	Antlerless Only	YL or YM	GMUs 342 & 346**
2039	Naches	25	Sept. 29- Oct. 12	3-Pt. Bull Min.	YL or YM	GMU 346**
2040	Nile A	100	Nov. 1-4	Antlerless Only	YL or YM	GMU 352
2041	Nile B	75	Nov. 14-16	Antlerless Only	YL or YM	GMU 352
2042	Bumping A	250	Nov. 1-4	Antlerless Only	YL or YM	GMU 356
2043	Bumping B	150	Nov. 14-16	Antlerless Only	YL or YM	GMU 356
2044	Bethel	175	Nov. 14-16	Antlerless Only	YL or YM	GMU 360
2045	Rimrock-Cowiche A	175	Nov. 1-4	Antlerless Only	YL or YM	GMU 366
2046	Rimrock-Cowiche B	100	Nov. 14-16	Antlerless Only	YL or YM	GMU 366
2047	Green River Cow	30	Nov. 16-20	Antlerless Only	WL or WM	GMU 485
2048	Green River Bull	15	Nov. 16-20	Antlerless or 3-Pt. Bull Min.	WL or WM	GMU 485
2049	Green River Spike	5	Nov. 16-20	Spike or Antlerless Only	WL or WM	GMU 485
2050	Lincoln	25	Nov. 19-24	Antlerless Only	WL or WM	GMU 501
2051	Willapa Hills	50	Nov. 19-24	Antlerless Only	WL or WM	GMU 506
2052	Packwood	50	Nov. 19-24	Antlerless Only	WL or WM	GMU 516
2053	Margaret Cow	30	Nov. 19-24	Antlerless Only	WL or WM	GMU 524
2054	Margaret Bull	30	Nov. 6-7	3-Pt. Bull Min.	WL or WM	GMU 524
2055	Toutle Cow	100	Nov. 19-24	Antlerless Only	WL or WM	GMU 556
2056	Toutle Bull	200	Nov. 6-17	3-Pt. Bull Min.	WL or WM	GMU 556

Hunt No.	Hunt Name	No. Permits	Open Season	Special Restrictions	Elk Tag Prefix	Boundary Description
2057	Marble	50	Nov. 19-24	Antlerless Only	WL or WM	GMU 558
2058	Lewis River	75	Nov. 19-24	Antlerless Only	WL or WM	GMU 560
2059	Siouxon	50	Nov. 19-24	Antlerless Only	WL or WM	GMU 572
2060	Doty	50	Jan. 2-19, 1992	Antlerless Only	WL or WM	Elk Area 051
2061	Dickey Cow	30	Nov. 12-17	Antlerless Only	WL or WM	GMU 602
2062	Dickey Bull A	10	Sept. 28-Oct. 11	3-Pt. Bull Min.	WL or WM	GMU 602
2063	Dickey Bull B	75	Oct. 30-Nov. 10	3-Pt. Bull Min.	WL or WM	GMU 602
2064	Soleduck	30	Nov. 12-17	Antlerless Only	WL or WM	GMU 607
2065	Goodman	50	Nov. 12-17	Antlerless Only	WL or WM	GMU 612
2066	Matheny	50	Nov. 12-17	Antlerless Only	WL or WM	GMU 618
2067	Quinault Ridge	5	Sept. 28-Oct. 11	3-Pt. Bull Min.	WL or WM	GMU 638
2068	Humptulips	15	Nov. 12-17	Antlerless Only	WL or WM	GMU 639
2069	Wynoochee	50	Nov. 12-17	Antlerless Only	WL or WM	GMU 648
2070	Minot Peak	20	Nov. 12-17	Antlerless Only	WL or WM	GMU 660
2071	Palix	40	Nov. 12-17	Antlerless Only	WL or WM	GMU 669
2072	Nemah	50	Nov. 12-17	Antlerless Only	WL or WM	GMU 678
2073	Backbone	55	Nov. 27-Dec. 15	Either Sex	WL or WM	Elk Area 025
2074	Curtis	50	Dec. 21-31	Antlerless Only	WL or WM	Elk Area 050
2075	Boistfort	50	Jan. 2-19, 1992	Antlerless Only	WL or WM	Elk Area 054
2076	Carlton	5	Sept. 28-Oct. 11	3-Pt. Bull Min.	WL or WM	Elk Area 057
2077	West Goat Rocks	5	Sept. 28-Oct. 11	3-Pt. Bull Min.	WL or WM	Elk Area 058
2078	Mt. Adams	5	Sept. 28-Oct. 11	3-Pt. Bull Min.	WL or WM	Elk Area 059
2079	Mt. Tebo	5	Sept. 28-Oct. 11	3-Pt. Bull Min.	WL or WM	Elk Area 061
2080	Willapa Valley	25	Jan. 1-15, 1992	Antlerless Only	WL or WM	Elk Area 065
2081	Twin Valley A	20	Jan. 1-15, 1992	Antlerless Only	WL or WM	Elk Area 066
2082	South Willapa	10	Jan. 1-15, 1992	Antlerless Only	WL or WM	Elk Area 067

\* Outside of Umatilla National Forest.

\*\*Special damage control hunt in Malaga and Peshastin areas. Please send application for this hunt to Yakima regional office. Address - Washington Department of Wildlife, 2802 Fruitvale Boulevard, Yakima, Washington 98902-1120.

**SPECIAL HUNT FOR DISABLED**

Hunters must purchase a hunting license and modern firearm or muzzleloader elk tag prior to purchase of a special hunting season permit application. Note elk tag required. Only those hunters with a Washington Disabled Hunter Permit may apply.

Hunt No.	Hunt Name	Open Permits	Open Season	Special Restrictions	Elk Tag Prefix	Boundary Description
2083	Centralia Mine	20	Nov. 18-Dec. 1	Antlerless Only Disabled Hunter Only	WL or WM	Portion of GMU 667

**MUZZLELOADER ONLY**

Hunters must purchase a hunting license and muzzleloader elk tag prior to purchase of a special hunting season permit application. Note the elk tag required for each hunt.

Hunt No.	Hunt Name	No. Permits	Open Season	Special Restrictions	Elk Tag Prefix	Boundary Description
2084	Bluecreek	100	Dec. 1– Jan. 31, 1992	Antlerless Only	BM	GMU 154
2085	Mountain View A	50	Oct. 5–11	Spike Bull or Antlerless	BM	GMU 172
2086	Mountain View B	4	Oct. 5–11	Any Bull	BM	GMU 172
2087	Umtanum	200	Sept. 28– Oct. 11	Antlerless Only	YM	GMU 342
2088	Naches Cow	250	Nov. 16–19	Antlerless Only	YM	GMU 346
2089	Twin Valleys B	20	Jan. 16– Feb. 15, 1992	Antlerless Only	WM	Elk Area 066
2090	Coal Creek	35	Nov. 21– Dec. 9	Antlerless Only	WM	ML Area 940
2091	Yale	50	Nov. 22– Dec. 10	Either Sex	WM	GMU 554
2092	Hoko River A	15	Jan. 1– 15, 1992	Antlerless Only	WM	ML Area 961
2093	Hoko River B	15	Jan. 16– Feb. 15, 1992	Antlerless Only	WM	ML Area 961
2094	Chinook	10	Jan. 16– Feb. 15, 1992	Antlerless Only	WM	Elk Area 069
2095	North River	30	Nov. 20– Dec. 8	Antlerless Only	WM	GMU 658
2096	Elwha A	5	Dec. 15– Jan. 15, 1992	Antlerless Only	WM	ML Area 962
2097	Elwha B	5	Jan. 16– Feb. 15, 1992	Antlerless Only	WM	ML Area 962

**ARCHERY ONLY**

Hunters must purchase a hunting license and Blue Mountain archery elk tag prior to purchase of a special hunting season permit application.

Hunt No.	Hunt Name	No. Permits	Open Season	Special Restrictions	Elk Tag Prefix	Boundary Description
2098	Blue Mountains West	7	Sept 28.– Oct. 11	Either Sex	BA	GMUs 154, 160 161, 166, 169
2099	Blue Mountains East	2	Sept 28.– Oct. 11	Either Sex	BA	GMUs 178, 181, 184, 185

**WSR 91-13-068  
PERMANENT RULES  
WILDLIFE COMMISSION**

[Order 503—Filed June 17, 1991, 2:24 p.m.]

Date of Adoption: April 13, 1991.

Purpose: To establish 1991-91 [92] special permit seasons for hunting moose, mountain sheep, mountain goat, and cougar and for hunting or trapping lynx.

Statutory Authority for Adoption: RCW 77.12.040 and 77.04.055.

Pursuant to notice filed as WSR 91-06-085 on March 6, 1991.

Changes Other than Editing from Proposed to Adopted Version: Increase permit level in Goat Unit 4-1 Ruth Creek from 5 to 10; increase permit level in Goat Unit 4-3 Chowder Ridge from 1 to 2; lengthen cougar kill and pursuit seasons from Nov. 27-Jan. 15, 1992, to Nov. 27-Jan. 31, 1992; require cougar permit hunters to submit their hunting questionnaire by Feb. 15 rather than

Jan. 31; the original language states "Anyone with a valid 1991 Washington hunting license may submit one special permit application for lynx during the 1991-92 season" and has been changed to include hunting or trapping license; and increase permit level in Lynx Unit 1 Okanogan from 2 to 3.

Effective Date of Rule: Thirty-one days after filing.

June 2, 1991  
John C. McGlenn  
Chairman

**NEW SECTION**

**WAC 232-28-231 1991-92 SPECIAL SPECIES HUNTING AND TRAPPING PERMITS PERMIT APPLICATION INSTRUCTIONS**

You must have a valid 1991 Washington hunting license to apply for any special hunting season permit.

**Application Deadline:** Applications must be postmarked no later than June 28, 1991, or received not later than 5:00 p.m., June 28, 1991, at the Washington Department of Wildlife, 600 Capitol Way North, Olympia, WA 98501-1091, or any Department of Wildlife regional office.

**Computer Drawing:** Drawings for goat, bighorn sheep, moose, cougar, and lynx will be done by computer selection. All applicants will be notified by August 10, 1991.

**Disqualification:** Anyone who submits more than one application for each species will be disqualified for drawings for that species.

**Incomplete Applications:** To be eligible for the permit drawing, applications must contain unit number and unit name, applicant's complete name and address including zip code, date of birth, and hunting license number.

**Permit Hunting Report:** A hunter questionnaire report will be sent to each permittee. This questionnaire must be returned to the Department of Wildlife within ten days after the close of the hunting season.

#### MOOSE

**Open Season:** Oct. 1 to Nov. 30, 1991, both dates inclusive.

**Who may apply:** Anyone with a 1991 Washington hunting license. Only one moose permit will be issued during an individual's lifetime.

**Bag Limit:** One moose of either sex.

#### Moose Unit 1

Selkirk Mountains Area:

5 Special Moose Permits will be issued.

#### Moose Unit 2

Mt. Spokane:

3 Special Moose Permits will be issued.

#### MOUNTAIN SHEEP (BIGHORN)

**Open Season:** Separate seasons are indicated for each bighorn sheep unit.

**Who may apply:** Anyone with a valid 1991 Washington hunting license; EXCEPT those who drew bighorn permits during 1986, 1987, 1988, 1989, or 1990.

**Bag Limit for Permit Holders:** One bighorn ram.

**Any Legal Weapon**

#### Sheep Unit 1

Okanogan:

**Open Season:** Sept. 7-29, 1991, both dates inclusive.

1 Special Permit will be issued.

#### Sheep Unit 2

Vulcan Mountain Area:

**Open Season:** Sept. 21-Oct. 6, 1991, both dates inclusive.

2 Special Permits will be issued.

#### Sheep Unit 3

Tucannon River Area:

**Open Season:** Sept. 7-29, 1991, both dates inclusive.

2 Special Permits will be issued.

#### Sheep Unit 5

Umtanum Area:

**Open Season:** Sept. 21-Oct. 6, 1991, both dates inclusive.

3 Special Permits will be issued.

#### Sheep Unit 9

Blackbutte:

**Open Season:** Sept. 1-18, 1991, both dates inclusive.

2 Special Permits will be issued.

#### Sheep Unit 10

Mt. Hull:

**Open Season:** Sept. 7-29, 1991, both dates inclusive.

2 Special Permits will be issued.

#### Sheep Unit 11

Wenaha Wilderness:

**Open Season:** Sept. 7-29, 1991, both dates inclusive.

2 Special Permits will be issued.

#### MOUNTAIN GOAT

**Open Season:** Sept. 21 to Oct. 31, 1991, both dates inclusive, in all goat units.

**Who may apply:** Anyone with a valid 1991 Washington hunting license; EXCEPT those who drew goat permits in 1986, 1987, 1988, 1989, or 1990.

**Bag Limit:** One (1) adult goat of either sex with horns four (4) inches or longer. The Department of Wildlife urges hunters to refrain from shooting nannies with kids.

**Any Legal Weapon**

#### Goat Unit 2-1

Mount Chopaka Area:

2 Special Permits will be issued.

#### Goat Unit 2-2

Methow Area:

5 Special Permits will be issued.

#### Goat Unit 3-2

North Wenatchee Mountains Area:

5 Special Permits will be issued.

#### Goat Unit 3-4

Snoqualmie:

5 Special Permits will be issued.

#### Goat Unit 3-6

Naches Pass Area:

8 Special Permits will be issued.

#### Goat Unit 3-7

Bumping River Area:

5 Special Permits will be issued.

#### Goat Unit 3-9

Tieton River Area:

5 Special Permits will be issued.

#### Goat Unit 4-1

Ruth Creek Area:

10 Special Permits will be issued.

#### Goat Unit 4-3

Chowder Ridge Area:

2 Special Permit will be issued.

Goat Unit 4-4  
Lincoln Peak Area:  
2 Special Permits will be issued.

Goat Unit 4-6  
Dillard Creek Area:  
5 Special Permits will be issued.

Goat Unit 4-7  
Avalanche Gorge Area:  
5 Special Permits will be issued.

Goat Unit 4-8  
East Ross Lake Area:  
10 Special Permits will be issued.

Goat Unit 4-9  
Jack Mountain Area:  
2 Special Permits will be issued.

Goat Unit 4-16  
Glacier Peak Area:  
5 Special Permits will be issued.

Goat Unit 4-32  
Foss River Area:  
10 Special Permits will be issued.

Goat Unit 4-34  
Pratt River Area:  
10 Special Permits will be issued.

Goat Unit 5-2  
Tatoosh Area:  
5 Special Permits will be issued.

Goat Unit 5-4  
Goat Rocks Area:  
10 Special Permits will be issued.

Muzzleloading Goat Hunts

Goat Unit 3-5  
Cle Elum:  
5 Special Permits will be issued.

Goat Unit 3-8  
Bumping River Area:  
5 Special Permits will be issued.

Goat Unit 4-24  
Sloan Peak Area:  
3 Special Permits will be issued.

Archery Goat Hunts

Goat Unit 3-3  
Goat and Davis Mountains Area:  
10 Special Permits will be issued.

Goat Unit 4-18  
Sauk River Area:  
4 Special Permits will be issued.

Goat Unit 4-21  
Liberty Mountain Area:  
8 Special Permits will be issued.

Goat Unit 4-23  
Twin Peaks Area:  
4 Special Permits will be issued.

Goat Unit 4-38  
Corral Pass Area:  
4 Special Permits will be issued.

Goat Unit 6-1  
Elwha River Area:  
3 Special Permits will be issued.

Goat Unit 6-2  
Quilcene River Area:  
25 Special Permits will be issued.

Goat Unit 6-3  
Hamma Hamma River Area:  
10 Special Permits will be issued.

NATIVE CATS

A valid hunting license is required to hunt (including pursuit seasons) native cats. A hound stamp is required for all hunters if dogs are used to hunt any native cats.

COUGAR

Pursuit-Only Season (Cougar may not be killed or injured.): Sept. 1-30 and Nov. 27-Jan. 31, 1992 in the cat units listed below, EXCEPT closed to hound hunting in Walla Walla and Columbia counties outside of Umatilla National Forest Sept. 1-Oct. 11, 1991.

Open Season (Cougar may be killed by permit holders only.): Nov. 27-Jan. 31, 1992.

Who May Apply: Anyone with a valid 1991 Washington hunting license may submit one special permit application for cougar during the 1991-92 season. Successful cougar applicants must purchase a cougar tag by October 1, 1991. Special permits assigned to those hunters failing to purchase a cougar tag by the deadline will be voided and cougar permits will be issued to other applicants. Cougar permit hunters failing to return their cougar hunting questionnaire by February 15, 1992, will be ineligible to apply for a permit the following season.

Bag Limit: One (1) cougar during the 1991-92 hunting season except that it is unlawful to kill or possess spotted cougar kittens or adult cougar accompanied by spotted kittens.

Unit	Description	Permits
1	Pend Oreille	25
2	Colville	35
3	Republic	25
4	Spokane	10
5	Blue Mountains	40
6	Okanogan	20
7	Wenatchee	25
8	Nooksack	10
9	Skagit	5
10	Snoqualmie	8
11	Olympic Peninsula	25
12	Rainier	7

LYNX

Open Season (Lynx may be killed by permit holders only.): Nov. 27-Jan. 15, 1992.

Who May Apply: Anyone with a valid 1991 Washington hunting or trapping license may submit one special permit application for lynx during the 1991-92 season. Lynx permittees failing to return their lynx hunting questionnaire by January 31, 1992 will be ineligible to apply for a permit the following season.

Bag Limit: One (1) lynx during the 1991-92 hunting or trapping season except that it is unlawful to kill adult lynx accompanied by kittens.

Lynx Unit 1

Okanogan

3 Special Lynx Permits will be issued.

**WSR 91-13-069**  
**PROPOSED RULES**  
**GAMBLING COMMISSION**  
[Filed June 17, 1991, 3:13 p.m.]

Original Notice.

Title of Rule: WAC 230-20-246 Manner of conducting bingo.

Purpose: Provides for rules of bingo as a licensed gambling activity.

Statutory Authority for Adoption: RCW 9.46.070 (7)(17).

Statute Being Implemented: Chapter 9.46 RCW.

Summary: Increases the value allowed for prizes authorized during drawings at bingo games from \$500 to \$1,000.

Name of Agency Personnel Responsible for Drafting: Frank L. Miller, Deputy Director, Lacey, Washington, (206) 438-7654; Implementation: Ronald O. Bailey, Director, Lacey, Washington, (206) 438-7654; and Enforcement: Neal S. Nunamaker, Assistant Director, Lacey, Washington, (206) 438-7654.

Name of Proponent: Bingo Study Committee, Gambling Commission staff, public and governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The rule change allows for an increase in the amount allowed to be expended for drawing prizes at bingo games.

Proposal Changes the Following Existing Rules: The proposed change expands the scope of an existing rule.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

The agency has considered whether this rule change would create an economic impact on small businesses as defined by chapter 19.85 RCW. It has determined that there is no economic impact to small business as a result of this proposal.

Hearing Location: Nendel's Four Seasons Inn, 11 West Grant Road East, Wenatchee, WA, on August 9, 1991, at 10:00 a.m.

Submit Written Comments to: Washington State Gambling Commission, 4511 Woodview Drive S.E., Olympia, WA 98504-2400, by August 7, 1991.

Date of Intended Adoption: August 9, 1991.

June 17, 1991

Sharon M. Tolton  
Rules Coordinator

AMENDATORY SECTION (Amending Order 218, filed 11/26/90, effective 12/27/90)

WAC 230-20-246 MANNER OF CONDUCTING BINGO. The conducting of a bingo game shall include, but is not limited to the following rules:

(1) All sales of bingo cards shall take place upon the premises during or immediately preceding the session for which the card is being sold;

(2) Bingo cards shall normally be sold and paid for prior to the start of a specified game or specified number of games. Cards may be sold after the start of a game or number of games if the late sale does not allow any player an advantage over any other player;

(3) No operator shall reserve, or allow to be reserved, any bingo card for use by players except braille cards or other cards for use by legally blind or disabled players;

(4) Legally blind players may use their personal braille cards when a licensee does not provide such cards. The licensee shall have the right to inspect, and to reject, any personal braille card. A legally blind or disabled person may use a braille card or reserved hard card in place of a purchased throwaway;

(5) If a licensee has duplicate cards in play, he shall conspicuously post that fact or notify all players;

(6) No two or more sets of disposable cards can be used at the same time if they have identical series numbers;

(7) All cards sold to participate for a specific prize or set of prizes shall be sold for the same price and be distinct and readily distinguished from all other cards in play: Provided, That similar cards used to participate for the same prize or set of prizes may be sold at a discount which is based solely on volume if each separate discount price is recorded using a separate sales identification code and records provide for an audit trail;

(8) Immediately following the drawing of each ball in a bingo game, the caller shall display the symbol and/or number on the ball to the participants;

(9) The symbol and/or number on the ball shall be called out prior to the drawing of any other ball;

(10) After the symbol and/or number is called, the corresponding symbol and/or number on the licensee's flashboard, if any, shall be lit for participant viewing;

(11) A game ends when a specific pattern has been achieved by a player or a specific number of symbols and/or numbers has been called. Each game shall be played using a separate selection process: Provided, That the same or a continuing selection process may be used to play the following games:

(a) Interim or "on-the-way" games; and

(b) Games for which cards are sold for different prices and players win a different prize depending on the price they pay to play.

(12) No bingo game shall be conducted to include a prize determined other than by the matching of symbols and/or numbers on a bingo card with symbols and/or numbers called by the licensee, in competition among all players in a bingo game. Provided, that the following activities are considered bingo games when conducted during a bingo occasion and prizes are determined through equal competition among all players paying to participate in that session:

(a) Drawing. Each licensee shall be allowed to award prizes during each bingo session that is determined by a drawing if:

(i) Tickets or other facsimiles used to enter such drawings shall only be awarded to players purchasing cards to play in bingo games;

(ii) A record shall be completed setting out the criterion for granting tickets, the number of tickets awarded during each session, the winning ticket, and all details required by WAC 230-08-080 and 230-20-100. Such record shall be maintained as a part of the daily bingo records;

(iii) Prizes awarded for drawings are limited to maximum of ~~(\$500)~~ \$1,000 during any calendar month;

(iv) All prizes awarded are considered bingo game prizes for purposes of prize payout and net income regulation;

(b) Creativity and originality contests (competition to determine the best costume, flower arrangement, cake decorating, ugliest tie, or other activities requiring skill or original thought). A bingo licensee may conduct contests in which players may demonstrate their creativity and



originality skills on up to four occasions annually. The following rules must be observed in conducting these contests:

(i) The total value of prizes shall not exceed \$500 during any occasion;

(ii) Only players who have paid to participate in bingo games during the current session may participate in the contest;

(iii) A record shall be completed for each contest setting out the criterion for selecting the winners, the number of participants in the contest, and all details required by WAC 230-08-080 and 230-20-100. Such records shall be maintained as a part of the daily bingo records;

(iv) All prizes awarded are considered bingo game prizes for purposes of prize payout and net income regulation;

(13) The amount of a prize or prizes available for each bingo game shall be established and disclosed to bingo players prior to their purchase of a chance to participate in a bingo game. The amount of a prize may also be determined during the game, using standard bingo equipment and cards if:

(a) A minimum prize is established and disclosed;

(b) All rules of the game are explained in detail to the players; and

(c) All requirements of WAC 230-20-010 are met before cards are purchased.

The director may grant approval of the use of other schemes to determine the dollar amount of a bingo prize after cards are purchased if such schemes: Contain control factors necessary for commission audit; are determined to be primarily of an entertainment nature; do not grant an unfair competitive advantage to any licensee; and do not act to defraud the public.

(14) Immediately upon a bingo player declaring a winning combination of letters and numbers, the winning card shall be verified by a game employee and at least one neutral player;

(15) Upon a bingo player declaring a winning bingo, the next ball out of the machine shall be removed from the machine prior to shutting the machine off and shall be the next ball to be called in the event the declared winning bingo is not valid;

(16) After a winning bingo is validated, the prize shall be awarded in the following manner:

(a) A record of the prize awarded shall be made by completing a prize receipt as required by WAC 230-08-080 and 230-20-102. The winner's identity shall be verified and the proper name recorded upon the receipt: Provided, That from October 1, 1989, until December 31, 1991, the commission shall conduct a test of an alternative method of maintaining a record of bingo game winners for not more than 100 licensees, all of which receive written permission from the director. During this test, all winners of cash prizes, greater than two hundred dollars, shall be made by payment of a check. The check shall act as a record of the prize awarded. Participants in the test shall use the following control procedures:

(i) Checks must be drawn on the licensee's gambling bank account;

(ii) Checks used must be of a type that provides a duplicate copy. The copies become a part of the daily bingo records and must be maintained as such;

(iii) All original checks must be returned by the bank to the licensee. Original checks shall be available for inspection upon demand by the commission;

(iv) Checks will be made payable only to the winner;

(v) The winning card number, the game number and, if the licensee conducts more than one session a day, the session shall be notated on the check: Provided, That these items may be omitted from the check if a prize record, as prescribed in subsection (viii) below is completed;

(vi) Checks drawn on the licensee's gambling account shall not be cashed or otherwise redeemed by the licensee or concession on the premise;

(vii) Prize winners of two hundred dollars or less may be paid in cash: Provided, That prizes greater than \$200 may be paid by combination of a check and cash of \$200 or less. If the payment is split, the licensee must prepare a prize record and document all details of the payment, including the check number;

(viii) A prize record will be completed for all prizes paid by cash. The prize record shall be a two-part receipt made of self duplicating paper that provides an original and a duplicate copy. The original shall be given to the customer and the duplicate copy maintained as a part of the daily bingo records. The licensee will record the following on the prize record: The winner's name; the game number; the date; the session, if more than one session is conducted in a day; the number of the winning card; the amount won for each specific game; and the check number, if the prize was paid by a combination of cash and check.

This record shall be initialed by the bingo worker who verifies the winning card and the cashier making the payment;

(ix) A call sheet shall be maintained documenting all numbers called during a game and the sequence they are called: Provided, That a video recording of the game may be used in lieu of maintaining a call sheet and documenting the winning card number required by subsections (v) and (viii) above if: Each session is recorded on a separate tape or the breaks between sessions are identified by a count function that allows location of a specific session without viewing the entire tape; the quality of the recording must allow for an observer to note all details of numbers selected, winning card numbers, and the numbers marked by a player; the time and date of the game are an integral part of the recording and displayed in conjunction with the events being recorded; the number of the game is recorded at the start of each game; and tapes are maintained for at least six months;

(x) When disposable cards (throwaways) are used to conduct games, all winning cards or sheets of cards for prizes of over \$100 must be retained as a part of the daily bingo records: Provided, That this requirement applies only to final prizes and does not apply to interim or "on the way" games. The bingo worker who verifies the winning combination and the cashier who makes payment of the prize shall initial the card;

(xi) When merchandise prizes valued less than \$1,200.00 are awarded, a description of the prize together with the name of the winner will be included with the bingo daily record; and

(xii) A copy of the game and prizes available schedule shall be included as a part of the bingo daily record.

(b) All prizes shall be awarded by the end of the related session.

(c) All merchandise offered as prizes to bingo players shall have been paid in full, without lien or interest of others, prior to the merchandise being offered as a prize: Provided, That the licensee may enter into a contract to immediately purchase the merchandise when it is awarded as a prize, with the contract revocable if prize winners are allowed to exercise an option to receive a cash prize or the prize is no longer offered.

(17) Licensees may award promotional gifts to bingo players on up to six occasions annually if:

(a) Only merchandise with a cost to the licensee of no more than two dollars per gift, are awarded;

(b) A record shall be completed for each session setting out the criterion for selecting the recipients, the number of gifts and total cost of the gifts. Such records shall be maintained as a part of the daily bingo records;

(c) All gifts purchased are considered bingo game prizes for purposes of prize payout and net income regulation;

(18) No operator shall engage in any act, practice, or course of operation as would operate as a fraud to affect the outcome of any bingo game.

**Reviser's note:** RCW 34.05.395 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 91-13-070

### PERMANENT RULES

### GAMBLING COMMISSION

[Order 223—Filed June 17, 1991, 3:21 p.m.]

Date of Adoption: June 14, 1991.

Purpose: WAC 230-02-418 Bingo manager defined, defines the duties and responsibilities of a bingo manager; WAC 230-08-010 Monthly records, provides the requirements for monthly record keeping of licensed activities; WAC 230-08-095 Minimum standards for Class D and larger bingo games—Monthly and annual accounting records, provides the standards for records of Class D and above bingo licensees; and WAC 230-12-020 Gambling records deposit required by all bonafide charitable and nonprofit organizations—Exemptions,

provides requirements for income receipting and deposits for non profit licensees.

Citation of Existing Rules Affected by this Order: Amending WAC 230-02-418, 230-08-010, 230-08-095, and 230-12-020.

Statutory Authority for Adoption: RCW 9.46.070 (7)(17), (8), and (9).

Pursuant to notice filed as WSR 91-10-006 on April 18, 1991.

Effective Date of Rule: Thirty-one days after filing.

June 17, 1991

Sharon M. Tolton  
Rules Coordinator

AMENDATORY SECTION (Amending Order 113, filed 10/15/81)

WAC 230-02-418 BINGO ((GAME)) MANAGER DEFINED. A "bingo ((game)) manager" is any person ((who is employed by a bingo game operator for compensation or otherwise, to work in, or in direct connection with, the operation of a bingo game and is the person with the highest level of authority on the premises where the bingo game is conducted, at any particular time, to supervise and direct other people working on the bingo game.

A bingo game operator may employ more than one person whose functions constitute a bingo game manager under this definition. However, one individual shall be designated by the organization as the principal manager of the bingo games with all other persons designated as "assistant bingo game managers." All bingo game managers, principal and assistants, shall be knowledgeable of the rules and regulations for the conduct of bingo games. The bingo game manager or assistant manager on duty at the premise at any particular session or day shall be responsible for the accuracy of the daily record of activities and for the conduct of play pursuant to Title 230 WAC. The principal manager of the bingo games shall be held responsible for the performance of all assistant managers.

As used in these rules the term bingo game manager includes all persons designated as principal managers and assistant bingo game managers.) assigned the responsibility to conduct and/or oversee the conduct of bingo games by the governing board or elected officers of a charitable/nonprofit organization. This definition includes all persons directly or indirectly compensated to advise the board and/or officers regarding specific aspects of operating a bingo game, whether as a consultant or any other short-term contract basis: Provided, that organizations currently licensed to operate bingo games, or their members or employees, may provide non-specific advice to any other charitable/nonprofit organization, without being deemed a bingo manager, if they are not directly or indirectly compensated for such advice. This section is not intended to restrict actions regarding the operation of a bingo game that are initiated by the board and/or officers, if such actions are implemented through a bingo manager appointed by the board and/or officers.

(1) The duties and responsibilities of a bingo manager include but are not limited to the following:

(a) Personnel actions regarding workers in the activity including hiring, firing, training, evaluating, scheduling work periods, and/or setting salaries;

(b) Scheduling the gambling activity including determining the time and days of operation;

(c) Setting the scope of the gambling activity by determining:

(i) The number of games to be played;

(ii) The type of games to be played;

(iii) The cost for each player to participate; and

(iv) The type and amount of prizes to be awarded;

(d) Setting the scope of marketing activities related to the gambling activity by determining:

(i) Type and scope of promotional activities; and

(ii) The media, content, timing, and target market area of advertising;

(e) Supervising the operation of the bingo game including all auxiliary activities by ensuring that:

(i) The public is protected from fraud;

(ii) Persons participating in the activity are reasonably protected from physical harm and civil disorder;

(iii) All provisions of WAC Title 230 and RCW 9.46 are followed;

(iv) All records are completed and correct; and

(v) All monies derived from the gambling and auxiliary activities are safeguarded until transferred to a guardian designated by the board and/or officers or directly deposited in the organization's bank account.

(2) An organization may appoint more than one person whose responsibilities include those of a bingo manager as defined above. When an organization has more than one bingo manager, the manager assigned the highest level of authority shall be designated as the "primary bingo manager" and all others as "assistant bingo managers". The primary bingo manager must be designated on the application for a bingo license.

(3) All bingo managers shall be knowledgeable of all provisions of WAC Title 230 and RCW 9.46 that relate to the operation of bingo games and auxiliary activities.

AMENDATORY SECTION (Amending Order 201, filed 11/27/89, effective 12/28/89)

WAC 230-08-010 MONTHLY RECORDS. Every person or organization licensed to operate any authorized gambling activity shall keep and maintain permanent monthly records of all of the activities of the licensee related to each licensed activity. Each of these records shall be maintained by the licensee for a period of not less than three years from the end of the fiscal year for which the record is kept unless the licensee is released by the commission from this requirement as to any particular record or records. These records must include all financial transactions and contain enough detail to determine compliance with the requirements of WAC 230-04-024, 230-04-080 and 230-08-122. The record for each licensed activity shall be a separate unit, covering all transactions occurring during a calendar month. These records shall be complete in every detail and available for audit or inspection by agents of the commission or other law enforcement personnel no later than thirty days following the end of each month. Each

record shall include, but not necessarily be limited to, all details of the following:

(1) The gross gambling receipts from the conduct of each of the activities licensed.

(2) Full details on all expenses related to each of the activities licensed.

(3) The total cost of all prizes paid out for each of the activities licensed.

(4) With respect to those organizations licensed as qualified bona fide charitable or bona fide nonprofit organizations, except agricultural fairs, records shall clearly show in detail how those proceeds from each licensed activity obtained by the licensee were used or disbursed by that licensee.

(5) With respect to commercial stimulant licensees, records shall include at least the following details:

(a) Gross sales of food and drink for consumption on their licensed premises;

(b) Gross sales of food and drink for consumption off the licensed premises; and

(c) Gross sales from all other business activities occurring on the licensed premises.

(6) In addition to any other requirement set forth in these rules, licensees for the operation of punchboards and pull tabs shall be required to prepare a detailed monthly record for punchboards and pull tab series removed from play during that month. This detailed monthly record shall be recorded in a standard format prescribed by the commission and shall disclose for each set at minimum the following information:

(a) The name of the punchboard or pull tab series;

(b) The Washington state identification and inspection services stamp number issued by the commission and placed thereon: Provided, that ~~((after December 31, 1988;))~~ when records entry labels are attached to the punchboard or pull tab series flare, a label shall be attached to the record in lieu of a written entry;

(c) The date removed from play;

(d) The total number of tabs in each pull tab series or the total number of punches in each punchboard;

(e) The number of pull tabs or punches remaining after removal from play;

(f) The number of pull tabs or punches played from the pull tab series or punchboard;

(g) The cost to the players to purchase one pull tab or one punch;

(h) The gross gambling receipts as defined in WAC 230-02-110;

(i) The total prizes paid, including both cash and merchandise (calculated by the cost to the licensee) prizes;

(j) The net gambling receipts (gross gambling receipts less total prizes paid);

(k) The cash over or short determined by (1) subtracting actual cash from net gambling receipts for punchboards and pull tabs which pay cash prizes, and (2) subtracting actual cash from gross receipts for punchboards and pull tabs which award merchandise prizes; and

(l) The actual cash received from the operation of each pull tab series or punchboard; and,

(m) With written commission approval, licensees operating pull tabs to stimulate food and drink sales may record (k) and (l) in total on a daily, weekly, or monthly basis, if their record keeping procedures meet commission standards ~~((and cash over and short ratio for the last four quarters is less than one quarter of one percent (.0025) of gross receipts))~~.

(7) In addition to any other requirements set forth in these rules, electronic crane operators who own or lease the games shall be required to prepare a detailed monthly record covering the operation of each machine. This record shall contain the following for each machine and location:

(a) The commission identification stamp number of each game;

(b) The coin-in meter reading at the beginning of the month;

(c) The coin-in meter reading at the ending of the month;

(d) The number of plays;

(e) The gross gambling receipts;

(f) Number of prizes awarded;

(g) Cost of prizes awarded;

(h) Net gambling receipts;

(i) The actual cash removed; and

(j) The cash over and short.

(8) Copies of all additional financial data which support tax reports to any and all governmental agencies.

#### AMENDATORY SECTION (Amending Order 190, filed 4/18/89, effective 7/1/89)

WAC 230-08-095 MINIMUM STANDARDS FOR CLASS D AND LARGER BINGO GAMES—MONTHLY AND ANNUAL ACCOUNTING RECORDS. Each operator of bingo games licensed in Class D or above shall maintain accounting records necessary to document all receipts and disbursements of the licensee, including but not limited to those related to bingo. This accounting system shall be double entry and conform to general accepted accounting principles (GAAP), except as modified by other commission rules and instructions for activity reports. All income shall be recorded when earned and all expenses recorded when incurred (accrual accounting method): Provided, That the cash, modified cash, or tax basis accounting methods shall be allowed if they accurately represent the licensee's financial position and results of operations and have been approved by the commission. The accrual method is mandatory when a licensee has substantial liabilities or expenses not requiring a current outlay of cash, such as depreciation or amortization expenses.

(1) The minimum accounting records required shall include:

(a) A cash disbursements journal and/or check register;

(b) A cash receipts and/or sales journal;

(c) A listing of all assets and liabilities; ~~((and))~~

(d) A complete general ledger system must be maintained if the licensee has substantial assets and/or liabilities or, if licensed to receive more than \$300,000 in gambling receipts~~((:));~~ and

(e) Bank statements, related deposit slips, and cancelled checks.

(2) All expenditures by the licensee relating to gambling activities, shall be sufficiently documented in the following manner:

(a) Invoices or other appropriate supporting documents from commercial vendors or service agencies should contain at least the following details:

(i) The name of the person or entity selling the goods or providing the service;

(ii) A complete description of goods or services purchased;

(iii) The amount of each product sold or service provided;

(iv) The price of each unit;

(v) The total dollar amount billed; and

(vi) The date of the transaction.

(b) Disbursements, in excess of twenty-five dollars, made directly to individuals, who do not furnish normal, business type, invoices or statements, should be supported by other written documentation indicating at least the following details:

(i) The name of the person receiving the payment;

(ii) The amount;

(iii) The date; and

(iv) The purpose.

(c) Normally, cancelled checks and/or bank statements without further support, such as listed in (2)(a) and (b) above, are not considered sufficient documentation.

(3) All expenditures by the licensee relating to non-gambling activities shall be sufficiently documented to provide an audit trail satisfactory to allow verification that the funds were used for the organization's purpose(s) and conforms to generally accepted accounting principles.

AMENDATORY SECTION (Amending Order 196, filed 8/15/89, effective 9/15/89)WAC 230-12-020 GAMBLING RECEIPTS DEPOSIT REQUIRED BY ALL BONA FIDE CHARITABLE AND NONPROFIT ORGANIZATIONS—EXEMPTIONS.

(1) Every licensed bona fide charitable or nonprofit organization shall keep a separate gambling receipts' account in a recognized Washington state depository authorized to receive funds, which shall be kept separate and apart and actually segregated from the licensee's general funds: Provided, That if such activities are conducted on the United States' portion of the Point Roberts Peninsula, Washington, the deposit may be made in a British Columbia branch of a Canadian bank. Licensees are not limited to a single gambling receipts account as long as a minimum of one separate account is maintained. The following conditions of deposit will be met:

(a) No expenditures other than for prizes shall be made from the receipts of any licensed gambling activity until such receipts have first been deposited in the gambling receipts account: Provided, That bingo receipts may be withheld from deposits for jar, pig, or other similar special game prizes if:

(i) The total of all such prize funds does not accumulate to exceed \$200.00;

(ii) The amount withheld each session is entered in the bingo daily record; and

(iii) A reconciliation of the special game fund is made of the bingo daily record;

(b) All net gambling receipts from the operation of bingo which are being held pending disbursement shall be deposited in the licensee's gambling receipts account not later than the second banking day following receipt thereof;

(c) All net gambling receipts from the operation of card rooms, ((~~punchboards, pull tabs,~~)) raffles (Class E and above), and amusement games (Class D and above) shall be deposited in the licensee's gambling receipts account at least once each week((~~—Provided, That licensees participating in the test of alternative records for winners, allowed in WAC 230-30-070, shall be required to deposit intact, no later than three banking days after removal from play, the net gambling receipts of each punchboard and pull tab series. The Washington state identification number assigned to the punchboard or pull tab series and the amount of net gambling receipts shall be recorded on the deposit slip/receipt or recorded separately and maintained with the deposit slip/receipt. Deposit receipts shall be available for inspection by commission representatives; and~~)).

(d) ~~All deposits from bingo net gambling receipts, made to the gambling receipts account, shall be made separately from all other deposits, and the validated deposit receipt shall be kept as a part of the daily records as required by WAC 230-08-080;);~~

(d) Net gambling receipts from the operation of each punchboard and pull tab series, including cost recovery for merchandise prizes awarded, shall be deposited in the licensee's gambling receipts account no later than two banking days after a board or series is removed from play. The Washington State identification number assigned to the punchboard or pull tab series and the amount of net gambling receipts shall be recorded on the deposit slip/receipt each time a deposit is made: Provided, that licensees may record the Washington State identification stamp numbers and the net gambling receipts on a separate record if the record is identified with the bank validation number and maintained with the deposit slip/receipt; and

(e) All deposits of net gambling receipts from each activity shall be made separately from all other deposits, and the validated deposit receipt shall be kept as a part of the records required by WAC Title 230. Deposit receipts are a part of the applicable daily or monthly records and shall be available for inspection by commission representatives.

(2) Bona fide charitable or nonprofit organizations that conduct only one or more of the following activities and do not possess any other licenses issued by the gambling commission are exempt from this rule:

(a) Raffles under the provisions of RCW 9.46.0315;

(b) Bingo, raffles, or amusement games under the provisions of RCW 9.46.0321;

(c) Class A, B, or C bingo game;

(d) Class A, B, C, or D raffle; or

(e) Class A, B or C amusement game.

(3) Bona fide charitable or nonprofit organizations who conduct only fund raising events or membership raffles and have no other gambling licenses are exempt from having a separate gambling receipts account, but must meet the following conditions of deposit:

(a) No expenditures other than for prizes shall be made until such receipts have first been deposited in the licensee's bank account;

(b) All net gambling receipts shall be deposited within two banking days following receipt thereof; and

(c) The validated deposit receipt shall be kept with the licensee's gambling records.

**Reviser's note:** RCW 34.05.395 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 91-13-071

**WITHDRAWAL OF PROPOSED RULES  
SUPERINTENDENT OF  
PUBLIC INSTRUCTION  
(By the Code Reviser's Office)  
[Filed June 18, 1991, 8:08 a.m.]**

WAC 392-122-265, proposed by the Superintendent of Public Instruction in WSR 90-24-052, appearing in issue 90-24 of the State Register, which was distributed on December 19, 1990, is withdrawn by the code reviser under RCW 34.05.335(3), since the proposal was not adopted within the one hundred eighty day period allowed by the statute.

Kerry S. Radcliff, Editor  
Washington State Register

### WSR 91-13-072

**PROPOSED RULES  
FOREST PRACTICES BOARD  
[Filed June 18, 1991, 9:10 a.m.]**

#### Original Notice.

Title of Rule: Forest practices rules and regulations, Title 222 WAC.

Purpose: Define new terms, change forest practices classes, clarify rule language, provide for identifying forest lands likely to convert to urban development, increase county participation in forest practices decisions and enforcement of conversions, provide landowner delayed conversion option.

Statutory Authority for Adoption: RCW 76.09.040, 76.09.050, and chapter 34.05 RCW.

Statute Being Implemented: Chapter 76.09 RCW.

Summary: Provides for greater county participation in forest practices decisions of conversions and developing areas. Provides for designation of lands likely to convert to urban development, changes forest practices classes and increases review time for urban area practices.

Reasons Supporting Proposal: Existing rules do not specifically address forest practices impacts to highly

developed or urbanizing areas human environment and public service needs. Forest practices need modification to allow more local involvement in conversions.

Name of Agency Personnel Responsible for Drafting: Thomas E. Robinson, 1007 South Washington, Mailstop EL-03, Olympia, WA 98504, (206) 753-5315; Implementation: Jack Hulsey, Manager, Forest Practices Division, Mailstop EL-03, Olympia, Washington; and Enforcement: Forest Practices Foresters in 7 regions of Department of Natural Resources.

Name of Proponent: Forest Practices Board, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: "Local government entity" is defined as governments of county, city and town. "Conversion option harvest plan" is defined as a landowner plan approved by the local government entity which, if followed, will remove the potential of a six year moratorium on future conversion of the property. Forest practices in cemeteries, golf courses and single ownerships of less than 2 acres are Class I if outside streams, shorelines and riparian management zones and not skidding slopes over 40%. A new section provides for forest lands likely to convert to urban development where forest practices are subject to additional review and conditions to protect the public capital improvements of developing areas. Counties may add some conditions to conversions of land use and participate in enforcement actions. The proposed rules will enable the landowner and counties to work toward a more orderly transition from forest to developed land.

Proposal Changes the Following Existing Rules: Proposed rules provide for increased protection of developing areas. Local government entities have more participation in forest practices decisions and enforcement in developing areas. Other details are provided throughout this document.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

This rule change will not have an economic impact on over 20% of all industries or on more than 10% of any one industry. The rule changes can benefit the small landowner. Any landowner may use the conversion harvest option plan and preserve the option for future conversion from forest land use. The county has an opportunity to advise the landowner about conversion requirements and reduce future conflicts or denials. Costs should be reduced overall.

Hearing Location: Public hearings on this proposal will be held at the following times and locations: July 30, 1991, at 7:00 p.m., Snohomish County Cooperative Extension, 600 128th S.E., Everett, WA; and on August 1, 1991, at 7:00 p.m., Public Health Building, 1101 West College, Spokane, WA.

Submit Written Comments to: Edward R. Summerfield, 1007 South Washington, Mailstop EL-03, Olympia, WA 98504, by August 1, 1991.

Date of Intended Adoption: August 14, 1991.

June 18, 1991

Brian Boyle

Chairman

Forest Practices Board

Commissioner of Public Lands

**AMENDATORY SECTION** (Amending Order 551, Resolution No. 88-1, filed 9/21/88, effective 11/1/88)

WAC 222-16-010 GENERAL DEFINITIONS.\* Unless otherwise required by context, as used in these regulations:

- (1) "Act" means the Forest Practices Act, chapter 76.09 RCW.
- (2) "Affected Indian tribe" means any federally recognized Indian tribe that requests in writing from the department information on forest practices applications and notification filed on specified areas.
- (3) "Appeals board" means the forest practices appeals board established in the act.
- (4) "Board" means the forest practices board established by the act.
- (5) "Borrow pit" shall mean an excavation site outside the limits of construction to provide material necessary to that construction, such as fill material for the embankments.
- (6) "Chemicals" means substances applied to forest lands or timber to accomplish specific purposes and includes pesticides, insecticides, rodenticides, plant-growth regulators, fungicides, fertilizers, desiccants, fire retardants when used in controlled burning, repellents, oil, dust-control agents (other than water), salt and other materials that may present hazards to the environment.
- (7) "Commercial tree species" means any species which is capable of producing a merchantable stand of timber on the particular site, or which is being grown as part of a Christmas tree or ornamental tree-growing operation.
- (8) "Completion of harvest" means the latest of:
  - (a) Completion of removal of timber from the portions of forest lands harvested in the smallest logical unit that will not be disturbed by continued logging or an approved slash disposal plan for adjacent areas; or
  - (b) Scheduled completion of any slash disposal operations where the department and the applicant agree within 6 months of completion of yarding that slash disposal is necessary or desirable to facilitate reforestation and agree to a time schedule for such slash disposal; or
  - (c) Scheduled completion of any site preparation or rehabilitation of adjoining lands approved at the time of approval of the application or receipt of a notification: PROVIDED, That delay of reforestation under this subsection (c) is permitted only to the extent reforestation would prevent or unreasonably hinder such site preparation or rehabilitation of adjoining lands.
- (9) "Contamination" means the introducing into the atmosphere, soil, or water, sufficient quantities of substances as may be injurious to public health, safety or welfare, or to domestic, commercial, industrial, agriculture or recreational uses, or to livestock, wildlife, fish or other aquatic life.
- (10) "Conversion option harvest plan" means a plan developed by the landowner and approved by the local government entity indicating the limits of harvest areas, road locations, and open space.
- (11) "Conversion to a use other than commercial timber operation" shall mean a bona fide conversion to an active use which is incompatible with timber growing.
- (12) "Critical wildlife habitat" means the habitat of any threatened or endangered species, as such habitat is established by the board in the forest practices board manual, or other situations as identified by the board, after consultation with the department of wildlife, where specific management practices are needed to prevent critical wildlife habitat destruction.
- (13) "Cultural resources" means archaeological and historic sites and artifacts and traditional religious, ceremonial and social uses and activities of affected Indian tribes.
- (14) "Debris" means woody vegetative residue less than 3 cubic feet in size resulting from forest practice activities which would reasonably be expected to cause significant damage to a public resource.
- (15) "Department" means the department of natural resources.
- (16) "End hauling" means the removal and transportation of excavated material, pit or quarry overburden, or landing or road cut

material from the excavation site to a deposit site not adjacent to the point of removal.

(17) "Erodible soils" means those soils exposed or displaced by a forest practice operation, that would be readily moved by water.

(18) "Fertilizers" means any substance or any combination or mixture of substances used principally as a source of plant food or soil amendment.

(19) "Flood level - 50 year." For purposes of field interpretation of these regulations, the 50-year flood level shall be considered to refer to a vertical elevation measured from the ordinary high-water mark which is 1.25 times the vertical distance between the average stream bed and the ordinary high-water mark, and in horizontal extent shall not exceed 2 times the channel width measured on either side from the ordinary high-water mark, unless a different area is specified by the department based on identifiable topographic or vegetative features or based on an engineering computation of flood magnitude that has a 2 percent chance of occurring in any given year. The 50-year flood level shall not include those lands that can reasonably be expected to be protected from flood waters by flood control devices maintained by or under license from the federal government, the state, or a political subdivision of the state.

(20) "Forest land" means all land which is capable of supporting a merchantable stand of timber and is not being actively used for a use which is incompatible with timber growing.

(21) "Forest land owner" shall mean any person in actual control of forest land, whether such control is based either on legal or equitable title, or on any other interest entitling the holder to sell or otherwise dispose of any or all of the timber on such land in any manner: PROVIDED, That any lessee or other person in possession of forest land without legal or equitable title to such land shall be excluded from the definition of "forest land owner" unless such lessee or other person has the right to sell or otherwise dispose of any or all of the timber located on such forest land.

(22) "Forest practice" means any activity conducted on or directly pertaining to forest land and relating to growing, harvesting, or processing timber, including but not limited to:

- (a) Road and trail construction;
- (b) Harvesting, final and intermediate;
- (c) Precommercial thinning;
- (d) Reforestation;
- (e) Fertilization;
- (f) Prevention and suppression of diseases and insects;
- (g) Salvage of trees; and
- (h) Brush control.

"Forest practice" shall not include: Preparatory work such as tree marking, surveying and road flagging; or removal or harvest of incidental vegetation from forest lands such as berries, ferns, greenery, mistletoe, herbs, mushrooms, and other products which cannot normally be expected to result in damage to forest soils, timber or public resources.

(23) "Herbicide" means any substance or mixture of substances intended to prevent, destroy, repel, or mitigate any tree, bush, weed or algae and other aquatic weeds.

(24) "Historic site" includes:

- (a) Sites, areas and structures or other evidence of human activities illustrative of the origins, evolution and development of the nation, state or locality; or
- (b) Places associated with a personality important in history; or
- (c) Places where significant historical events are known to have occurred even though no physical evidence of the event remains.

(25) "Insecticide" means any substance or mixture of substances intended to prevent, destroy, repel, or mitigate any insect, other arthropods or mollusk pests.

(26) "Interdisciplinary team" (ID Team) means a group of varying size comprised of individuals having specialized expertise, assembled by the department to respond to technical questions associated with a proposed forest practice activity.

(27) "Limits of construction" means the area occupied by the completed roadway or landing, including the cut bank, fill slope, and the area cleared for the purpose of constructing the roadway or landing.

(28) "Load bearing portion" means that part of the road, landing, etc., which is supportive soil, earth, rock or other material directly below the working surface and only the associated earth structure necessary for support.

(29) "Local government entity" means the governments of counties and the governments of cities and towns as defined in chapter 35.01 RCW.

((28)) (30) "Merchantable stand of timber" means a stand of trees that will yield logs and/or fiber:

(a) Suitable in size and quality for the production of lumber, plywood, pulp or other forest products.

(b) Of sufficient value at least to cover all the costs of harvest and transportation to available markets.

((29)) (31) "Notice to comply" means a notice issued by the department pursuant to RCW 76.09.090 of the act and may require initiation and/or completion of action necessary to prevent, correct and/or compensate for material damage to public resources which resulted from forest practices.

((30)) (32) "Operator" shall mean any person engaging in forest practices except an employee with wages as his sole compensation.

((31)) (33) "Ordinary high-water mark" means the mark on the shores of all waters, which will be found by examining the beds and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation; PROVIDED, That in any area where the ordinary high-water mark cannot be found, the ordinary high-water mark adjoining saltwater shall be the line of mean high tide and the ordinary high-water mark adjoining freshwater shall be the line of mean high-water.

((32)) (34) "Park" means any park included on the parks register maintained by the department pursuant to WAC 222-20-100(2). Developed park recreation area means any park area developed for high density outdoor recreation use.

((33)) (35) "Partial cutting" means the removal of a portion of the merchantable volume in a stand of timber so as to leave an uneven-aged stand of well-distributed residual, healthy trees that will reasonably utilize the productivity of the soil. Partial cutting does not include seedtree or shelterwood or other types of regeneration cutting.

((34)) (36) "Pesticide" means any insecticide, herbicide or rodenticide but does not include nontoxic repellents or other chemicals.

((35)) (37) "Plantable area" is an area capable of supporting a commercial stand of timber excluding lands devoted to permanent roads, utility rights-of-way, that portion of riparian management zones where scarification is not permitted, and any other area devoted to a use incompatible with commercial timber growing.

((36)) (38) "Power equipment" means all machinery operated with fuel burning or electrical motors, including heavy machinery, chain saws, portable generators, pumps, and powered backpack devices.

((37)) (39) "Public resources" means water, fish, and wildlife and in addition shall mean capital improvements of the state or its political subdivisions.

((38)) (40) "Rehabilitation" means the act of renewing, or making usable and reforesting forest land which was poorly stocked or previously nonstocked with commercial species.

((39)) (41) "Relief culvert" means a structure to relieve surface runoff from roadside ditches to prevent excessive buildup in water volume and velocity.

((40)) (42) "Riparian management zone" means a specified area alongside Type 1, 2 and 3 Waters where specific measures are taken to protect water quality and fish and wildlife habitat.

((41)) (43) "Rodenticide" means any substance or mixture of substances intended to prevent, destroy, repel, or mitigate rodents or any other vertebrate animal which the director of the state department of agriculture may declare by regulation to be a pest.

((42)) (44) "Salvage" means the removal of snags, down logs, windthrow, or dead and dying material.

((43)) (45) "Scarification" means loosening the topsoil and/or disrupting the forest floor in preparation for regeneration.

((44)) (46) "Side casting" means the act of moving excavated material to the side and depositing such material within the limits of construction or dumping over the side and outside the limits of construction.

((45)) (47) "Shorelines of the state" shall have the same meaning as in RCW 90.58.030 (Shoreline Management Act).

((46)) (48) "Skid trail" means a route used by tracked or wheeled skidders to move logs to a landing or road.

((47)) (49) "Slash" means pieces of woody material containing more than 3 cubic feet resulting from forest practice activities.

((48)) (50) "Spoil" means excess material removed as overburden or generated during road or landing construction which is not used within limits of construction.

((49)) (51) "Stop work order" means the "stop work order" defined in RCW 76.09.080 of the act and may be issued by the department to stop violations of the forest practices chapter or to prevent damage and/or to correct and/or compensate for damages to public resources resulting from forest practices.

((50)) (52) "Threatened or endangered species" applies to all species of wildlife listed as "threatened" or "endangered" by the United States Fish and Wildlife Service, except any species which the Washington department of wildlife determines does not require special protection under the Forest Practices Act because conservation of the species is reasonably assured through a recovery and enhancement program or existence of an adequate population on lands where commercial forestry and land development are prohibited, or through other means. For this purpose, "wildlife" means all members of the animal kingdom except insects and benthic organisms.

((51)) (53) "Timber" shall mean forest trees, standing or down, of a commercial species, including Christmas trees.

((52)) (54) "Water bar" means a diversion ditch and/or hump in a trail or road for the purpose of carrying surface water runoff into the vegetation duff, ditch, or other dispersion area so that it does not gain the volume and velocity which causes soil movement and erosion.

((53)) (55) "Weed" is any plant which tends to overgrow or choke out more desirable vegetation.

((54)) (56) "Windthrow" means a natural process by which trees are uprooted or sustain severe trunk damage by the wind.

**AMENDATORY SECTION** (Amending Order 551, Resolution No. 88-1, filed 9/21/88, effective 11/1/88)

WAC 222-16-050 CLASSES OF FOREST PRACTICES. There are 4 classes of forest practices created by the act. These classes are listed below in the order most convenient for the applicant's use in determining into which class his operations fall. All forest practices (including those in Classes I and II) must be conducted in accordance with the forest practices regulations.

(1) "Class IV - special." Application to conduct forest practices involving the following circumstances requires an environmental checklist in compliance with the State Environmental Policy Act (SEPA), and SEPA guidelines, as they have been determined to have potential for a substantial impact on the environment. It may be determined that additional information or a detailed environmental statement is required before these forest practices may be conducted.

\* (a) Aerial application of pesticides to an "area of water supply interest" as determined according to WAC 222-38-020 (5)(i).

(b) Harvesting, road construction, site preparation or aerial application of pesticides:

(i) On lands known to contain a breeding pair or the nest or breeding grounds of any threatened or endangered species; or

(ii) Within the critical habitat designated for such species by the United States Fish and Wildlife Service.

(c) Widespread use of DDT or a similar persistent insecticide.

(d) Harvesting, road construction, aerial application of pesticides and site preparation on all lands within the boundaries of any national park, state park, or any park of a local governmental entity, except harvest of less than 5 MBF within any developed park recreation area and park managed salvage of merchantable forest products.

\* (e) Construction of roads, landings, rock quarries, gravel pits, borrow pits, and spoil disposal areas on slide prone areas as defined in WAC 222-24-020(6) when such slide prone areas occur on an uninterrupted slope above a Type 1, 2, 3 or 4 Water where there is potential for a substantial debris flow or mass failure to cause significant impact to public resources.

(2) "Class IV - general." Applications involving the following circumstances are "Class IV - general" forest practices unless they are listed in "Class IV - special." Upon receipt of an application, the department will determine the lead agency for purposes of compliance with the State Environmental Policy Act pursuant to WAC 197-11-924 and 197-11-938(4) and RCW 43.21C.037(2). Such applications are subject to a 30-day period for approval unless the lead agency determines a detailed statement under RCW 43.21C.030 (2)(c) is required. Upon receipt, if the department determines the application is for a proposal that will require a license from a county/city acting under the powers enumerated in RCW 76.09.240, the department shall notify the applicable county/city under WAC 197-11-924 that the department has determined according to WAC 197-11-938(4) that



the county/city is the lead agency for purposes of compliance with State Environmental Policy Act.

(a) Forest practices (other than those in Class I) on lands platted after January 1, 1960, or on lands being converted to another use.

(b) Forest practices which would otherwise be Class III, but which are taking place on lands which are not to be reforested because of likelihood of future conversion to urban development. (See WAC 222-16-060 and 222-34-050.)

(3) "Class I." Those operations that have been determined to have no direct potential for damaging a public resource are Class I forest practices. When the conditions listed in "Class IV - Special" are not present, these operations may be commenced without notification or application.

(a) Culture and harvest of Christmas trees and seedlings.

(b) Road maintenance except: (i) Replacement of bridges and culverts across Type 1, 2, 3 or flowing Type 4 Waters; or (ii) movement of material that has a direct potential for entering Type 1, 2, 3 or flowing Type 4 Waters.

(c) Construction of landings less than 1 acre in size, if not within a shoreline area of a Type 1 Water, the riparian management zone of a Type 2 or 3 Water, or the ordinary high-water mark of a Type 4 Water.

(d) Construction of less than 600 feet of road on a sideslope of 40 percent or less if the limits of construction are not within the shoreline area of a Type 1 Water, the riparian management zone of a Type 2 or 3 Water, or the ordinary high-water mark of a Type 4 Water.

(e) Installation or removal of a portable water crossing structure where such installation does not take place within the shoreline area of a Type 1 Water and does not involve disturbance of the beds or banks of any waters.

(f) Initial installation and replacement of relief culverts and other drainage control facilities not requiring a hydraulic permit.

(g) Rocking an existing road.

(h) Loading and hauling timber from landings or decks.

(i) Precommercial thinning and pruning.

(j) Tree planting and seeding.

(k) Cutting and/or removal of less than 5,000 board feet of timber (including live, dead and down material) for personal use (i.e., firewood, fence posts, etc.) in any 12-month period.

(l) Emergency fire control and suppression.

(m) Slash burning pursuant to a burning permit (RCW 76.04.205).

(n) Other slash control and site preparation not involving either off-road use of tractors on slopes exceeding 40 percent or off-road use of tractors within the shorelines of a Type 1 Water, the riparian management zone of any Type 2 or 3 Water, or the ordinary high-water mark of a Type 4 Water.

(o) Ground application of chemicals. (See WAC 222-38-020.)

(p) Aerial application of chemicals (except insecticides) when applied to not more than 40 contiguous acres if the application is part of a combined or cooperative project with another landowner and where the application does not take place within 100 feet of lands used for farming, or within 200 feet of a residence, unless such farmland or residence is owned by the forest landowner. Provisions of chapter 222-38 WAC shall apply.

(q) Forestry research studies and evaluation tests by an established research organization.

(r) Any of the following if none of the operation or limits of construction takes place within the shoreline area of a Type 1 Water or the riparian management zone of a Type 2 or 3 Water, or within the ordinary high water mark of a Type 4 Water or flowing Type 5 Water, and the operation does not involve off-road use of tractor or wheeled skidding systems on a sideslope of greater than 40 percent:

(i) Any forest practices within the boundaries of existing golf courses.

(ii) Any forest practices within the boundaries of existing cemeteries which are approved by the cemetery board.

(iii) Any forest practices involving a single landowner where contiguous ownership is less than two acres in size.

(4) "Class II." Certain forest practices have been determined to have a less than ordinary potential to damage a public resource and may be conducted as Class II forest practices: PROVIDED, That no forest practice enumerated below may be conducted as a Class II forest practice if the operation requires a hydraulic project approval (RCW 75.20.100) or is within a "shorelines of the state," or involves a bond in lieu of landowners signature (other than renewals). Such forest practices require an application. No forest practice enumerated below may be conducted as a "Class II" forest practice if it takes place on

lands platted after January 1, 1960, or on lands being converted to another use. Such forest practices require a Class IV application. Class II forest practices are the following:

(a) Renewal of a prior Class II notification.

(b) Renewal of a previously approved Class III or IV forest practice application where:

(i) No modification of the uncompleted operation is proposed;

(ii) No notices to comply, stop work orders or other enforcement actions are outstanding with respect to the prior application; and

(iii) No change in the nature and extent of the forest practice is required under rules effective at the time of renewal.

(c) Any of the following if none of the operation or limits of construction takes place within the riparian management zone of a Type 2 or 3 Water, or within the ordinary highwater mark of a Type 4 Water:

(i) Construction of advance fire trails.

(ii) Opening a new pit of, or extending an existing pit by, less than 1 acre.

((iii) The following operations except those involving) (d) Any of the following if none of the operation or limits of construction takes place within the riparian management zone of a Type 2 or 3 Water, or within the ordinary high water mark of a Type 4 Water; and if none of the operations involve off-road use of tractor or wheeled skidding systems on a sideslope of greater than 40 percent:

((A)) Salvage of logging residue.

((B)) Salvage of dead, down or dying timber if less than 40 percent of the total timber volume is removed in any 12-month period.

((C)) (e) Any of the following if none of the operation or limits of construction takes place within the riparian management zone of a Type 2 or 3 Water, or within the ordinary high water mark of a Type 4 Water and if none of the operations involve off-road use of tractor or wheeled skidding systems on a sideslope of greater than 40 percent, and if none of the operations are located on lands with a likelihood of future conversion (see WAC 222-16-060):

(i) West of the Cascade summit, partial cutting of 40 percent or less of the live timber volume.

((D)) (ii) East of the Cascade summit, partial cutting of 5,000 board feet per acre or less.

((E)) (iii) Salvage of dead, down, or dying timber if less than 40 percent of the total timber volume is removed in any 12-month period.

(iv) Any harvest on less than 40 acres.

((F)) (v) Construction of 600 or more feet of road, provided that the department shall be ((renotified)) notified at least 2 business days before commencement of the construction.

(5) "Class III" forest practices not listed under Classes IV, I or II above are "Class III" forest practices. Among Class III forest practices are the following:

(a) Those requiring hydraulic project approval (RCW 75.20.100).

(b) Those within the shorelines of the state other than those in a Class I forest practice.

(c) Aerial application of insecticides, except where classified as a Class IV forest practice.

(d) Aerial application of chemicals (except insecticides), except where classified as Class I or IV forest practices.

(e) Harvest or salvage of timber except where classed as Class I, II or IV forest practices.

(f) All road construction and reconstruction except as listed in Classes I, II and IV forest practices.

(g) Opening of new pits or extensions of existing pits over 1 acre.

(h) Road maintenance involving:

(i) Replacement of bridges or culverts across Type 1, 2, 3, or flowing Type 4 Waters; or

(ii) Movement of material that has a direct potential for entering Type 1, 2, 3 or flowing Type 4 Waters.

(i) Operations involving an applicant's bond in lieu of a landowner's signature.

(j) Site preparation or slash abatement not listed in Classes I or IV forest practices.

(k) Harvesting, road construction, site preparation or aerial application of pesticides on lands which contain cultural, historic or archaeological resources which, at the time the application or notification is filed, are:

(i) On or are eligible for listing on the National Register of Historic Places; or

(ii) Have been identified to the department as being of interest to an affected Indian tribe.

(l) Harvesting exceeding 19 acres in a designated difficult regeneration area.



(m) Utilization of an alternate plan. See WAC 222-12-040.

#### NEW SECTION

**WAC 222-16-060 LANDS WITH A LIKELIHOOD OF FUTURE CONVERSION.** (1) Prior to identification of any forest lands as having a likelihood of future conversion to urban development within a ten-year period, the department shall consider all available information, including but not limited to:

- (a) Whether the land is assessed under the provisions of chapter 84.28, 84.33, or 84.34 RCW;
- (b) Whether the land is excluded from any local improvement district;
- (c) Whether the classification of the land in the local comprehensive plan or the local zoning ordinance permits or encourages long-term timber production;
- (d) Whether the land lies outside the current or proposed boundary of a city or the urban growth boundary of a city or outside a water or sewer district;
- (e) Whether the land has received previous development permit approval;
- (f) The presence or absence of a written forest management plan for the land.

Any identification must be consistent with any local or regional land use plans or ordinances.

(2) A local government entity with jurisdiction or an affected Indian tribe may submit to the department a proposal for identification of forest lands that have the likelihood of future conversion to urban development within a ten-year period.

(3) The department may develop a public participation process when identifying forest lands with a likelihood of future conversion to urban development within a ten-year period.

(4) Forest lands that have been identified by the department prior to the effective date of this section as having a likelihood of future conversion to urban development within a ten-year period shall be reviewed under subsection (1) of this section to determine if the identification should be withdrawn or modified.

(5) A landowner that submits an application or notification in an area that has been identified as having a likelihood of future conversion to urban development within a ten-year period may request the department to reconsider the identification of the affected parcel. The department shall remove the identification if the landowner complies with (a) of this subsection and at least one from (b) or (c) of this subsection:

(a) The landowner submits a statement of intent not to convert to a use other than commercial timber operation for a period of ten years after completion of the forest practice. The statement shall be on a form prepared by the department and shall indicate the landowner is aware of the provisions of RCW 76.09.060 (3)(b); and

(b) The land is enrolled under the provisions of chapter 84.28, 84.33, or 84.34 RCW; or

(c) A written forest management plan for the land covering the next ten years has been reviewed and accepted by the department.

#### AMENDATORY SECTION (Amending Order 535, filed 11/16/87, effective 1/1/88)

**WAC 222-20-010 APPLICATIONS AND NOTIFICATIONS—POLICY.** (1) No Class II, III or IV forest practices shall be commenced or continued unless the department has received a notification for Class II forest practices, or approved an application for Class III or IV forest practices pursuant to the act. Where the time limit for the department to act on the application has expired, and none of the conditions in WAC 222-20-020(1) exist, the operation may commence. (NOTE: OTHER LAWS AND REGULATIONS AND/OR PERMIT REQUIREMENTS MAY APPLY. SEE CHAPTER 222-50 WAC.)

(2) The department shall prescribe the form and contents of the notification and application, which shall specify what information is needed for a notification, and the information required for the department to approve or disapprove the application.

(3) Applications and notifications for operations not converting to another use shall be signed by the landowner, the timber owner and the operator, or the operator and accompanied by a consent form signed by the timber owner and the landowner. A consent form may be another document if it is signed by the landowner(s) and it contains a statement acknowledging that he is familiar with the Forest Practices Act, including the provisions dealing with conversion to another use

(RCW 76.09.060(3)). Where the application is not signed by the landowner, the department shall, provided all the other requirements contained in chapter 222-20 WAC are met, approve the application without the signature of the landowner if:

(a) The operator or timber owner provides legal evidence of timber rights, ownership, or other legal rights;

(b) The timber owner or operator posts a bond, in an amount determined by and a form acceptable to the department, securing compliance with the requirements of the forest practices regulations; and

(c) The operator or timber owner provides evidence of reasonably advance notification to the landowner of the proposed forest practice and that the landowner has been requested to sign the application, a copy of which has been made available to the landowner: PROVIDED, That in lieu of such evidence the applicant may submit a sworn statement indicating inability to locate the landowner after a reasonable good faith attempt to locate and notify the landowner of the proposed forest practice.

(4) Where an application for a conversion is not signed by the landowner or accompanied by a consent form, as outlined in subsection (3) of this section, the department shall not approve the application. Applications and notifications for the development or maintenance of utility rights of way shall not be considered to be conversions.

(5) Transfer of the approved application or notification to a new landowner, timber owner or operator requires written notice by the original landowner or applicant to the department and should include the original application or notification number. This written notice shall be in a form acceptable to the department and shall contain an affirmation signed by the new landowner, timber owner, or operator, as applicable, that he agrees to be bound by all conditions on the approved application or notification. In the case of a transfer of an application previously approved without the landowner's signature the new timber owner or operator must submit a bond securing compliance with the requirements of the forest practices regulations as determined necessary by the department. If an application or notification indicates that the landowner or timber owner is also the operator, or an operator signed the application, no notice need be given regarding any change in subcontractors or similar independent contractors working under the supervision of the operator of record.

(6) Applications and notifications must be delivered to the department at the appropriate region office. Delivery should be in person or by registered or certified mail.

(7) Applications and notifications shall be considered received on the date and time shown on any registered or certified mail receipt, or the written receipt given at the time of personal delivery, or at the time of receipt by general mail delivery. Applications or notifications that are not complete, or are inaccurate will not be considered officially received until the applicant furnishes the necessary information to complete the application. An environmental checklist (WAC 197-11-315) is necessary information for all Class IV applications. A local government entity clearing and/or grading permit is necessary information for all Class IV applications on lands that will be converted to a use other than commercial timber production or on lands which have been platted after January 1, 1960, if the local government entity has jurisdiction and has an ordinance requiring such permit. If a notification or application is delivered in person to the department by the operator or (his) the operator's authorized agent, the department shall immediately provide a dated receipt. In all other cases, the department shall immediately mail a dated receipt to the applicant.

#### AMENDATORY SECTION (Amending Order 535, filed 11/16/87, effective 1/1/88)

**WAC 222-20-040 APPROVAL CONDITIONS.** (1) Whenever an approved application authorizes a forest practice which, because of soil condition, proximity to a water course or other unusual factor, has a potential for causing material damage to a public resource, as determined by the department, the applicant shall, when requested on the approved application, notify the department 2 business days before the commencement of actual operations.

(2) All approvals are subject to any conditions stipulated on the approved application and to any subsequent additional requirements set forth in a stop work order or a notice to comply.

(3) For Class IV General - Applications on lands that will be converted to a use other than commercial timber production or on lands which have been platted after January 1, 1960, the following shall apply:

(a) The department shall transmit the application to the appropriate local government entity with jurisdiction over the lands to be converted

or intended to be converted within 2 business days from the date the department receives the application.

(b) The department shall condition the application at the request of the local government entity if:

(i) The local government entity has adopted a clearing and/or grading ordinance that addresses the items listed in (c) of this subsection and requires a permit. The local government permit must contain the requested conditions.

(ii) The local government entity has entered into an interagency agreement with the department consistent with WAC 222-50-030 addressing enforcement of forest practices.

(c) The local government entity conditions may only cover:

(i) The location and character of open space and/or vegetative buffers;

(ii) The location and design of roads;

(iii) The retention of trees for bank stabilization, erosion prevention, storm water management; or

(iv) The protection of designated critical areas.

(d) Local government conditions shall be filed with the department within 29 days of the filing of the application with the department or within 14 business days of the transmittal of the application to the local government entity or 1 day before the department acts on the application, whichever is later. The department shall incorporate such conditions and requirements as conditions of the forest practices approval.

(e) Any exercise of local government entity authority consistent with this subsection shall be considered consistent with the forest practices regulations in this chapter.

(4) For any Class IV application, in addition to the conditioning authority above, the lead agency under SEPA (see WAC 197-11-758) may specify mitigation measures pursuant to WAC 197-11-350. Unless the applicant clarifies, changes, or conditions the application to include these measures, an EIS will be required.

#### AMENDATORY SECTION (Amending Order 263, filed 6/16/76)

WAC 222-20-050 CONVERSION TO NONFOREST USE. (1) If an application to harvest signed by the landowner indicates that within 3 years after completion, the forest land will be ~~((used for an))~~ converted to a specified active use which is incompatible with timber growing, the reforestation requirements of these regulations shall not apply and the information relating to reforestation on the application form need not be supplied. However, if such ~~((other))~~ specified active use is not initiated within 3 years after such harvest is completed, the reforestation requirements (See chapter 222-34 WAC) shall apply and such reforestation shall be completed within 1 additional year.

(2) If a landowner wishes to maintain the option for conversion to a use other than commercial timber operation they may request the appropriate local government entity to approve a conversion option harvest plan. This plan, if followed by the landowner, shall release the landowner from the six-year moratorium on future development, but does not create any other rights. The conversion option harvest plan shall be attached to the application as a condition. Violation of the conversion option harvest plan will result in the reinstatement of the local government entity's right to the six-year moratorium. Reforestation requirements will not be waived in the conversion option harvest plan. Reforestation regulations shall apply at the completion of the harvest operation as required in chapter 222-34 WAC. Nothing herein shall preclude the local government entity from charging a fee to approve such a plan. (See RCW 76.09.060 (3)(b)(i).)

(3) If the application does not state that any land covered by the application will be or is intended to be converted to a specified active use incompatible with commercial timber operations and except as provided in subsection (2) of this section, the local government entity may, for six years after the date of the application, refuse to accept, process, or approve any or all applications for permits or approvals, including building permits and subdivision approvals, relating to nonforestry uses of the land subject to the application. (See RCW 76.09.060 (3)(b)(i).)

#### AMENDATORY SECTION (Amending Order 551, Resolution No. 88-1, filed 9/21/88, effective 11/1/88)

WAC 222-34-050 URBAN AND OTHER LANDS EXEMPTED FROM THE REFORESTATION REQUIREMENTS. (1) Those lands which an applicant has declared are to be converted to a nonforest use and are in fact converted within 3 years of completion of harvest.

(2) Those lands the department determines should be exempted in whole or in part where the forest land has the likelihood of future conversion ~~((to urban development and where:~~

(a) They have the likelihood of development within a 10 year period; and

(b) The development is for urban use; and

(c) The development contemplated would be consistent with any local or regional land use plans or ordinances; and

(d) Said lands have not been classified or designated reforestation lands under chapter 84.28 RCW, forest land under chapter 84.33 RCW or timber lands under chapter 84.34 RCW (Open space law)) as defined in WAC 222-16-060. The applicant is encouraged to propose an alternate plan for reforestation on these lands.

(3) Utility rights of way. Reforestation is not required for initial clearing or reclearing of utility rights of way in actual use for utility purposes or scheduled for construction of utility facilities within 10 years from the date of completion of harvest, provided that if the scheduled facility is not completed, the area shall be reforested within 1 year.

(4) Public lands. Reforestation is not required on the following lands, unless required by regulation of the agency owning or acquiring the lands:

(a) Lands owned in fee by a public agency which has budgeted for construction within 10 years a specific project inconsistent with commercial timber production.

(b) Lands being acquired by public agency for construction within 10 years of a project inconsistent with timber production, if at the time of completion of harvest the public agency has entered into a binding contract for the purchase of the lands or initiated legal proceedings for the condemnation of the lands.

#### AMENDATORY SECTION (Amending Order 263, filed 6/16/76)

WAC 222-46-020 INFORMAL CONFERENCES. (1) Opportunity mandatory. The department shall afford the operator or his representative reasonable opportunities to discuss proposed enforcement actions at an informal conference prior to taking further enforcement action, unless the department determines that there may be imminent damages to the public resource. Informal conferences may be used at any stage in enforcement proceedings, except that the department may refuse to conduct informal conferences with respect to any matter then pending before the appeals board or a court.

(2) Reports required. Department personnel in attendance at informal conferences shall keep written notes of the date and place of the conference, the persons in attendance, the subject matter discussed, and any decisions reached with respect to further enforcement action.

(3) Records available. Copies of written notes shall be sent to each participant in the conference, be kept in the department files until 1 year after final action on the application involved, and be open to public inspection.

(4) Local government entity conditions. If the proposed enforcement actions involve conditions imposed by a local government entity pursuant to WAC 222-20-040(3) then the local government entity shall be involved in the informal conference.

#### AMENDATORY SECTION (Amending Order 263, filed 6/16/76)

WAC 222-46-030 NOTICE TO COMPLY. If a violation, a deviation, material damage or potential for material damage to a public resource has occurred and the department determines that a stop work order is unnecessary, then the department shall issue and serve upon the operator or landowner a notice which will clearly set forth:

(1)(a) The specific nature, extent, and time of failure to comply with the approved application; or identifying the damage or potential damage; and/or

(b) The relevant provisions of the Forest Practices Act or of the forest practices regulations relating thereto;

(2) The right of the operator or landowner to a hearing before the department; and

(3) The specific course of action ordered by the department to be followed by the operator to correct such failure to comply and to prevent, correct and/or compensate for material damage to public resources which resulted from any violation, unauthorized deviation, or ~~((willful))~~ willful or negligent disregard for potential damage to a public resource; and/or those courses of action necessary to prevent continuing damage to public resources where the damage is resulting from the forest practice activities but has not resulted from any violation, unauthorized deviation, or negligence.

(4) Local government entity conditions. If the notice to comply involves a condition imposed by a local government entity pursuant to WAC 222-20-040(3), then the specific course of action ordered by the department shall include a requirement that the operator obtain approval of the local government entity of the action to be taken.

The department shall mail a copy thereof to the forest landowner and the timber owner at the addresses shown on the application, showing the date of service upon the operator. The department shall also mail a copy to the local government entity if a condition imposed pursuant to WAC 222-20-040(3) is involved.

Such notice to comply shall become a final order of the department: PROVIDED, That no direct appeal to the appeals board will be allowed from such final order. Such operator shall undertake the course of action so ordered by the department unless, within 15 days after the date of service of such notice to comply, the operator, forest landowner, or timber owner, shall request the department in writing to schedule a hearing. If so requested, the department shall schedule a hearing on a date not more than 20 days after receiving such request. The local government entity shall participate in the hearing if a condition imposed pursuant to WAC 222-20-040(3) is involved. Within 10 days after such hearing, the department shall issue a final order either withdrawing its notice to comply or clearly setting forth the specific course of action to be followed by such operator. Such operator shall undertake the course of action so ordered by the department unless within 30 days after the date of such final order, the operator, forest landowner, or timber owner appeals such final order to the appeals board. No person shall be under any obligation under this section to prevent, correct, or compensate for any damage to public resources which occurs more than 1 year after the date of completion of the forest practices operations involved exclusive of reforestation, unless such forest practices were not conducted in accordance with forest practices rules and regulations: PROVIDED, That this provision shall not relieve the forest landowner from any obligation to comply with forest practices rules and regulations pertaining to providing continuing road maintenance. No action to recover damages shall be taken under this section more than 2 years after the date the damage involved occurs.

#### AMENDATORY SECTION (Amending Order 263, filed 6/16/76)

WAC 222-46-040 STOP WORK ORDERS. (1) The department shall have the authority to serve upon an operator a stop work order which shall be a final order of the department if:

(a) There is any violation of the provisions of the Forest Practices Act or these regulations or

(b) There is a deviation from the approved application; or

(c) Immediate action is necessary to prevent continuation of or to avoid material damage to a public resource.

(2) The stop work order shall set forth:

(a) The specific nature, extent, and time of the violation, deviation, damage, or potential damage;

(b) An order to stop all work connected with the violation, deviation, damage, or potential damage;

(c) The specific course of action needed to correct such violation or deviation or to prevent damage and to correct and/or compensate for damage to public resources which has resulted from any violation, unauthorized deviation, or ~~((willful))~~ willful or negligent disregard for potential damage to a public resource; and those courses of action necessary to prevent continuing damage to public resources where the damage is resulting from the forest practice activities but has not resulted from any violation, unauthorized deviation, or negligence. If the stop work order involves a condition imposed by a local government entity pursuant to WAC 222-20-040(3), then the specific course of action ordered by the department shall include a requirement that the operator obtain approval of the local government entity of the action to be taken.

(d) The right of the operator to a hearing before the appeals board.

The department shall immediately file a copy of such order with the appeals board and mail a copy thereof to the timber owner and forest landowner at the addresses shown on the application. The department shall also mail a copy to the local government entity if a condition imposed pursuant to WAC 222-20-040(3) is involved.

The operator, timber owner, or forest landowner may commence an appeal to the appeals board within 15 days after service upon the operator. If such appeal is commenced, a hearing shall be held not more than 20 days after copies of the notice of appeal were filed with the

appeals board. Such proceeding shall be a contested case within the meaning of chapter 34.04 RCW.

The operator shall comply with the order of the department immediately upon being served, but the appeals board if requested shall have authority to continue or discontinue in whole or in part the order of the department under such conditions as it may impose pending the outcome of the proceeding.

#### AMENDATORY SECTION (Amending Order 263, filed 6/16/76)

WAC 222-50-030 INTERAGENCY AGREEMENTS. The board recommends that the department negotiate interagency agreements with other governmental agencies ~~((with respect to assumption by the department of responsibility to administer or help administer and to enforce or help enforce other laws and regulations as applied to forest practices on nonfederal lands))~~. The board further recommends that such agreements include, to the extent acceptable to the other agency, provisions specifying:

(1) The law and regulations covered;

(2) Any geographical or other limits on the ~~((department's))~~ authority and responsibility under the agreement;

(3) Priorities and standards for resolution of any conflicts between such laws and regulations and the act and these regulations;

(4) Procedures for administrative appeals of actions taken ~~((by the department under the agreement))~~;

(5) Provisions for continuing cooperation between the department and the other agency or agencies regarding interpretation of the laws and regulations involved; and

(6) Procedures for termination of the interagency agreement.

The department is directed to provide copies of all such agreements to the board ~~((and the advisory committee for comment))~~, and to make known to the public that such interagency agreements exist.

### WSR 91-13-073

#### PREPROPOSAL COMMENTS DEPARTMENT OF REVENUE

[Filed June 18, 1991, 11:44 a.m.]

Subject of Possible Rule Making: WAC 458-20-193A Sales of goods originating in Washington to persons in other states; and 458-20-193B Sales of goods originating in other states to persons in Washington.

Persons may comment on this subject in writing or by attending the public meeting. Written comments should be addressed to: Les Jaster, Rules Coordinator, Department of Revenue, Interpretation and Appeals, General Administration Building, Mailstop AX-02, Olympia, Washington 98504. Public meeting scheduled at: General Administration Building, Main Floor Conference Room, Corner of 11th and Columbia, Olympia, Washington, on July 19, 1991, at 9:30 a.m. (Written comments will be accepted to this date.)

Other Information or Comments by Agency at this Time, if any: The department proposes to make substantial changes in these rules. Rather than looking at "risk and expense," the department proposes to look at where the goods are accepted by the buyer in determining if interstate shipments are taxable. It is anticipated that rules 193A and 193B will be combined into a single rule. A rule draft is available upon request. Contact Roseanna Hodson, (206) 586-4281.

June 17, 1991

Les Jaster  
Rules Coordinator

**WSR 91-13-074**  
**EMERGENCY RULES**  
**DEPARTMENT OF REVENUE**  
 [Order PT 91-2—Filed June 18, 1991, 11:49 a.m.]

Date of Adoption: June 18, 1991.

Purpose: To comply with newly enacted amendatory legislation.

Citation of Existing Rules Affected by this Order: Amending WAC 458-16-013 and 458-16-020.

Statutory Authority for Adoption: RCW 84.36.389 and 84.36.865.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Taxing officials must act on taxpayer applications immediately for taxes to be collected in 1992.

Effective Date of Rule: Immediately.

June 17, 1991

Will Rice

Assistant Director

**AMENDATORY SECTION (Amending Order PT 83-5, filed 9/14/83)**

WAC 458-16-013 SENIOR CITIZENS AND DISABLED PERSONS EXEMPTION—DISPOSABLE INCOME. "Disposable income" means the adjusted gross income as defined in WAC 458-16-012 and in the Federal Internal Revenue Code as amended prior to January 1, ((1980)) 1989, less certain income and expenses as defined below and plus other items to the extent they are not included in or have been deducted from adjusted gross income. (RCW 84.36.383)

(1) Disposable income is adjusted gross income plus the following to the extent they were deducted or not included in adjusted gross income:

(a) Capital gains, except gain from the sale of a principal residence to the extent such gain is reinvested in a different principal residence, including reinvestment in a life estate or lease for life in a retirement residence.

(b) Amounts deducted for loss;

(c) Amounts deducted for depreciation;

(d) Pension and annuity receipts;

(e) Military pay and benefits other than attendant-care and medical-aid payments;

(f) Veterans benefits other than attendant-care and medical-aid payments;

(g) Federal ((S))social ((S))security ((A))act and ((R))railroad ((R))retirement((s-B))benefits;

(h) Dividend receipts;

(i) Interest received on state and municipal bonds.

(2) Capital gains is the difference between the cost of real ((the)) property plus the cost of improvements, and the selling price of the property less any sales expense. If payment of the capital gain to the seller is over a period of time, the amount to be added to disposable income will be calculated over the same period.

(3) The exclusions contained in ((of)) subsections (1)(e) and (f) of this section for attendant-care and medical-aid payments and the amounts received as payment for the care of dependent children must be verified by the applicable branch of the military service or the veterans administration before the deduction is allowed. If the amount for the military and veterans attendant care and medical-aid payments in subsection (1)(e) and (f) of this section cannot be determined by the applicable branch of the military service or the veterans administration, then the actual amount expended by the military person or veteran for such care and aid, may be deducted from the amount received.

(4) The nonreimbursed amounts paid during the ((previous)) preceding calendar year for the care and treatment of either spouse, or cotenant, in a nursing home shall not be included in disposable income.

(5) The nonreimbursed amounts paid during the preceding calendar year for the treatment or care of either spouse, or cotenant, received in the home shall not be included in disposable income. Amounts paid for in-home treatment or care will be excluded if such treatment or care is the same as or similar to that which would be excluded if provided in the normal course of treatment or care in a nursing home.

(a) The payments must meet at least one of the following criteria:

(i) The payments were for medical treatment or care, or physical therapy received in the home, or

(ii) The payments were made for any of the following materials: food, oxygen or other lawful substances taken internally or applied externally, brought in to the home as part of a necessary or appropriate in-home service which is being rendered (such as a meals on wheels type program), necessary medical supplies, special needs furniture or equipment (such as wheel chairs, hospital beds, or therapy equipment); or

(iii) The payments were made for attendant care and/or to assist the claimant, or the claimant's spouse or cotenant, with household tasks, and such personal care tasks as meal preparation, eating, dressing, personal hygiene, specialized body care, transfer, positioning, ambulation, bathing, toileting, self-medication a person provides for himself or herself, or such other tasks as may be necessary to maintain a person in his or her own home, but shall not include amounts expended for improvements or repair of the home itself.

(b) Payments made for services received in the home must be in a reasonable amount and be paid at a rate comparable to the rate of pay normally paid in the local area for similar services.

(c) The person to whom the payments are made for services rendered need not be specially licensed to provide the services.

(6) Subsection (5) and the amendment to subsection (1)(a) of this section shall be effective for taxes payable in 1992, pursuant to the amendment to RCW 84.36.383 as amended in Chapter 213, Laws 1991.

Reviser's note: RCW 34.05.395 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 PT 83-5, filed 9/14/83)

WAC 458-16-020 SENIOR CITIZEN AND DISABLED PERSONS EXEMPTION—QUALIFICATIONS FOR EXEMPTION. A person shall be exempt from any legal obligation to pay all or a portion of the real property taxes due and payable in the years following the year in which a claim is filed if the following qualifications are met:

(1) The property taxes must have been imposed upon a residence which was occupied by the person claiming the exemption as a principal place of residence as of January 1 of the year in which the claim is filed.

(2) The person claiming the exemption must have owned as defined in WAC 458-16-010, at the time of filing, the residence on which the property taxes have been imposed.

(3) The person claiming the exemption must ~~((have been))~~ be at the time of filing:

(a) ~~Sixty-one years of age or older on ((January-)) December 31 of the year in which the exemption claim is filed; or must have been~~

(b) Retired from regular gainful employment by reason of physical disability, or

(c) A surviving spouse of a person who was receiving the exemption at the time of ~~((their))~~ the person's death, if the surviving spouse was fifty-seven years old, or attains the age of fifty-seven in the year of the claimant's death, and otherwise meets the requirements contained in this section.

(4) The amount that the person shall be exempt from an obligation to pay shall be calculated on the basis of combined disposable income, as defined in RCW 84.36-.383 and WAC 458-16-010 through 458-16-013. If the person claiming the exemption was retired for two months or more of the preceding year, the combined disposable income of such person including his or her spouse and any cotenant shall be calculated by multiplying the average monthly combined disposable income of such person during the months such person was retired by twelve.

(5) Confinement of the person to a hospital or nursing home will not jeopardize the exemption if the residence is temporarily unoccupied or if the residence is occupied by a spouse and/or person financially dependent on the claimant for support, or by a person residing there for caretaker or security reasons only and the claimant is not receiving monetary consideration for this occupancy.

**WSR 91-13-075****EMERGENCY RULES****DEPARTMENT OF REVENUE**

[Order PT 91-1—Filed June 18, 1991, 11:52 a.m.]

Date of Adoption: June 18, 1991.

Purpose: To comply with newly enacted amendatory legislation.

Citation of Existing Rules Affected by this Order: Amending WAC 458-18-010 and 458-18-020.

Statutory Authority for Adoption: RCW 84.38.180.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Taxing officials must act on taxpayer applications immediately for taxes to be collected in 1992.

Effective Date of Rule: Immediately.

June 17, 1991

Will Rice

Assistant Director

**AMENDATORY SECTION** (Amending Order PT 88-9, filed 6/9/88)

WAC 458-18-010 DEFERRAL OF SPECIAL ASSESSMENTS AND/OR PROPERTY TAXES—DEFINITIONS. (1) "~~Claimant~~" means a person who ~~((is receiving a property tax exemption under RCW 84-36.381 through 84.36.389 and who))~~ either elects or is required under RCW 84.64.030 or 84.64.050 to defer payment of the special assessments and/or real property taxes on his or her residence. If two individuals of a household seek to defer, they must determine between them as to who the claimant shall be.

(2) "Department" means the Washington state department of revenue.

(3) "Equity value" means the amount by which the true and fair value of a residence as shown on the county property tax rolls for the year the deferral is to be made exceeds the total amount of all liens, obligations and encumbrances against the property excluding the deferral liens.

(4) "Special assessment" means the charge or obligation imposed by a city, town, county or other municipal corporation upon property specially benefited by a local improvement as provided in chapters:

(a) 35.44 RCW—Local improvements—Assessments and reassessments (cities and towns)

(b) 36.88 RCW—County road improvement districts (counties)

(c) 36.94 RCW—Sewer, water and drainage systems (counties)

(d) 53.08 RCW—Powers (port districts)

(e) 54.16 RCW—Powers (public utility districts)

(f) 56.20 RCW—Utility local improvement districts (sewer districts)

(g) 57.16 RCW—Comprehensive plan—Local improvement districts (water districts)

(h) 86.09 RCW—Flood control districts—1937 Act (flood control)

(i) 87.03 RCW—Irrigation districts generally (irrigation)

along with any others that may be relevant.

The term does not include the charge or obligation for services specially benefiting property not involving the construction of permanent improvements to real property, e.g., mosquito control, weed control, etc.

(5) "Real property taxes" means ad valorem property taxes levied on a residence in this state. It includes foreclosure costs, interest and penalties accrued to the date the declaration for deferral is filed.

(6) "Fire and casualty insurance" means a policy with an insurer that is authorized to insure property in this state by the state insurance commission.

(7) "Lien" means any interest in property given to secure payment of a debt or performance of an obligation, and shall include a deed of trust. It shall include the total amount of assessments and/or property taxes deferred and the interest thereon.

**AMENDATORY SECTION** (Amending Order PT 88-9, filed 6/9/88)

**WAC 458-18-020 DEFERRAL OF SPECIAL ASSESSMENTS AND/OR PROPERTY TAXES—QUALIFICATIONS FOR DEFERRAL.** A person may defer payment of special assessments and/or real property taxes on (~~his property that is receiving an exemption under RCW 84.36.381 through 84.36.389 on~~) up to eighty percent of the amount of his equity value in said property if the following conditions are met:

(1) The claimant must have owned, at the time of filing, the residence on which the special assessment and/or real property taxes have been imposed. For purposes of this subsection a residence owned by a marital community or owned by cotenants shall be deemed to be owned by each spouse and cotenant. A claimant who has only a share ownership in cooperative housing, a life estate, a lease for life or a revocable trust does not satisfy the ownership requirement.

(2) If the amount deferred is to exceed one hundred percent of the claimant's equity value in the land or lot only, the claimant must have and keep in force fire and casualty insurance in sufficient amount to protect the interest of the state of Washington and shall designate the state as a loss payee upon said policy. In no case shall the deferred amount exceed the amount of the insured value of the improvement plus the land value.

(3) In the case of special assessment deferral, the claimant must have opted for payment of such special assessments on the installment method if such method was available.

(4) The claimant must meet all requirements for an exemption for the residence under RCW 84.36.381, other than the income requirements, and to the extent eligible, must have first applied for the exemptions under RCW 84.36.381 through 84.36.389 prior to filing a declaration to defer.

(5) The claimant must have a combined disposable income, as defined in RCW 84.36.383 and WAC 458-16-010 and 458-16-013, of thirty thousand dollars or less.

**Reviser's note:** RCW 34.05.395 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 91-13-076**  
**PROPOSED RULES**  
**INSURANCE COMMISSIONER**  
[Filed June 18, 1991, 11:59 a.m.]

Original Notice.

Title of Rule: Amendments to the Washington health insurance access (high risk health pool) regulation.

Purpose: To define "involuntary termination" and state that in conflicts between the plan of operation and chapters 48.41 RCW or 284-91 WAC, the plan of operation shall be construed in accordance with these statutes and rules.

Other Identifying Information: Insurance commissioner matter No R 91-4.

Statutory Authority for Adoption: RCW 48.02.060 and 48.41.170.

Statute Being Implemented: RCW 48.41.050 and 48.41.100.

Summary: Defines "involuntary terminations" and states that in conflicts between the plan of operation and chapter 48.41 RCW or chapter 284-91 WAC, the plan of operation shall be construed in accordance with these statutes and rules.

Reasons Supporting Proposal: Chapter 48.41 RCW did not define "involuntary termination" and the commissioner determined it should be broadly defined to serve the public interest purpose of the high risk health pool.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: David H. Rodgers, Chief Deputy, Insurance Building, Olympia, Washington, (206) 753-7302.

Name of Proponent: Dick Marquardt, Insurance Commissioner, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: These amendments: Define "involuntary termination," and state that in conflicts between the plan of operation and chapter 48.41 RCW or chapter 284-91 WAC, the plan of operation shall be construed in accordance with these statutes and rules.

Proposal Changes the Following Existing Rules: The plan operators have been using this definition of "involuntary termination" for several months. The provision regarding conflicts between the statute and plan of operation is included for the benefit of potential beneficiaries of the plan and does not change existing, well-established legal principles.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Office of Insurance Commissioner, Insurance Building, Olympia, Washington, on July 24, 1991, at 9:30 a.m.

Submit Written Comments to: Insurance Commissioner, Insurance Building, AQ-21, Olympia, Washington 98504-0321, by July 24, 1991.

Date of Intended Adoption: July 26, 1991.

June 17, 1991

David H. Rodgers

Chief Deputy

Insurance Commissioner

**AMENDATORY SECTION** (Amending Order R 88-4, filed 3/25/88)

WAC 284-91-025 PLAN OF OPERATION APPROVED. Pursuant to RCW 48.41.040(4) and after public hearing, the commissioner has determined that the Plan of Operation, as set forth in WAC 281-91-027, provides a sound basis for the fair, reasonable and equitable administration of the pool and provides for the sharing of pool losses on an equitable, proportionate basis among the members of the pool. It is ~~((hereby))~~ approved; **PROVIDED HOWEVER, That if the plan of operation of the pool or any policy issued by the pool contains any condition or provision that does not conform to the requirements of chapter 48.41 RCW or this chapter, the plan of operation or any policy issued by the pool shall be construed and applied in accordance with such conditions and provisions as would have applied had the plan of operation or policy issued by the pool been in full compliance with chapter 48.41 RCW and this chapter.**

**NEW SECTION**

WAC 284-91-050 INVOLUNTARY TERMINATIONS FOR OTHER THAN NONPAYMENT OF PREMIUMS. (1) For purposes of RCW 48.41.100, coverage under prior health insurance shall be deemed to have been involuntarily terminated for a reason other than nonpayment of premium, except where the insured person voluntarily ceased paying required premiums while otherwise eligible to continue such prior coverage. Therefore, as an example, loss of eligibility for group health insurance because of voluntary termination of employment by a person covered by an employer's group health insurance policy will not be deemed voluntary termination of the prior insurance coverage.

(2) For purposes of RCW 48.41.140(3), coverage under any prior health insurance will be deemed to have been involuntarily terminated for a reason other than nonpayment of premium, if the premium required to continue coverage under such insurance exceeds by one-third or more the premium required to cover the individual under the pool's one hundred dollar deductible plan.

**WSR 91-13-077**

**PERMANENT RULES**

**UTILITIES AND TRANSPORTATION  
COMMISSION**

[Order R-346, Docket No. TV-900716—Filed June 18, 1991, 12:02 p.m.]

In the matter of amending WAC 480-12-003 relating to motor freight carriers.

This action is taken pursuant to Notice No. WSR 91-10-081 filed with the code reviser on April 30, 1991. The rule change hereinafter adopted shall take effect pursuant to RCW 34.05.380(2).

This rule-making proceeding is brought on pursuant to RCW 80.01.040 and is intended administratively to implement that statute.

This rule-making proceeding is in compliance with the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.05 RCW), the State Register Act (chapter 34.08 RCW), the State Environmental Policy Act of 1971 (chapter 43.21C RCW), and the Regulatory Fairness Act (chapter 19.85 RCW).

Pursuant to Notice No. WSR 91-10-081 the above matter was scheduled for consideration at 9:00 a.m.,

Wednesday, June 5, 1991, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA, before Chairman Sharon L. Nelson and Commissioners Richard D. Casad and A. J. Pardini.

Under the terms of said notice, interested persons were afforded the opportunity to submit data, views, or arguments to the commission in writing prior to May 28, 1991, and orally at 9:00 a.m., Wednesday, June 5, 1991, in the commission's hearing room above noted. At the June 5, 1991, meeting the commission considered the rule change proposal. No written or oral comments were received.

The rule change affects no economic values.

In reviewing the entire record herein, it has been determined that WAC 480-12-003 should be amended to read as set forth in Appendix A shown below and by this reference made a part hereof. WAC 480-12-003 will now reflect the proper reference to the rules pertaining to practice and procedure before the commission.

**ORDER**

WHEREFORE, IT IS ORDERED That WAC 480-12-003 as set forth in Appendix A, be amended as a rule of the Washington Utilities and Transportation Commission to take effect pursuant to RCW 34.05.380(2).

IT IS FURTHER ORDERED That the order and the annexed rule, after first being recorded in the order register of the Washington Utilities and Transportation Commission, shall be forwarded to the code reviser for filing pursuant to chapter 34.05 RCW and chapter 1-21 WAC.

DATED at Olympia, Washington, this 17th day of June, 1991.

Washington Utilities and Transportation Commission  
Sharon L. Nelson, Chairman  
Richard D. Casad, Commissioner  
A. J. Pardini, Commissioner

**APPENDIX "A"**

**AMENDATORY SECTION** (Amending Order R-24, filed 4/16/71)

WAC 480-12-003 PROCEDURE. Except as otherwise provided in this chapter, the commission's rules relating to procedure, chapter ~~((480-08))~~ 480-09 WAC shall govern the administrative practice and procedure in and before the commission in proceedings involving motor freight carriers.

**WSR 91-13-078**

**PERMANENT RULES**

**UTILITIES AND TRANSPORTATION  
COMMISSION**

[Order R-345, Docket No. UT-900726—Filed June 18, 1991, 12:05 p.m.]

In the matter of amending WAC 480-120-021, 480-120-106, 480-120-138, and 480-120-141 and adopting



WAC 480-120-143 relating to telecommunications companies.

This action is taken pursuant to Notice No. WSR 91-03-122 filed with the code reviser on January 23, 1991. The rule change hereinafter adopted shall take effect pursuant to RCW 34.05.380(2).

This rule-making proceeding is brought on pursuant to RCW 80.01.040 and chapter 80.36 RCW and is intended administratively to implement these statutes.

This rule-making proceeding is in compliance with the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.05 RCW), the State Register Act (chapter 34.08 RCW), the State Environmental Policy Act of 1971 (chapter 43.21C RCW), and the Regulatory Fairness Act (chapter 19.85 RCW).

Pursuant to Notice No. WSR 91-03-122 the above matter was scheduled for consideration at 9:00 a.m., Wednesday, May 1, 1991, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA, before Chairman Sharon L. Nelson and Commissioners Richard D. Casad and A. J. Pardini.

Under the terms of said notice, interested persons were afforded the opportunity to submit data, views, or arguments to the commission in writing prior to March 6, 1991, with reply comments due on March 27, 1991, and orally at 9:00 a.m., Wednesday, May 1, 1991, in the commission's hearing room above noted. At the May 1, 1991, meeting, on the record, the commission continued the matter to the May 8, 1991, weekly meeting at the same time and place.

At the May 8, 1991, meeting, the commission considered the rule change proposal, and took oral comment. Decisions regarding adoption of the amendments were made, and the matter was continued on the record to the May 15, 1991, weekly meeting for final adoption.

Written comments have been received from various persons in this docket, under the above notice and under prior notices, including: U.S. Long Distance, Bettye Horn, Joan Addington, Intellical, Inc., ITI, Eric Torrison, GTE Northwest, Inc., MCI Telecommunications Corp., U.S. West Communications, Public Counsel, International Pacific, National Technical Associates, Operator Assistance Network, Zero Plus Dialing, Inc., Northwest Payphone Association, Fone America, AT&T Communications of the Pacific Northwest, Inc., David Fluharty, United Telephone Co., Bruce Bennett, F.G. Hazeltine, M.D., Lisa Bergman, Douglas Syring, Elaine Britt, James H. Culler, Dean S. Johnson, William J. Clancy, Warren Bover, Jim Lazar, The Friedrich Group, Public Communications of America, Inc., The Park Lane Motel & R.V. Park, Norwest Marketing, James R. Redfield, Holiday Inn, Crowne Plaza-Seattle, Holiday Lodge-Wenatchee, Anacortes Inn, The Evergreen Inn-Leavenworth, Tower Inn-Richland, The Westin Hotel, Northwest Lodging, Inc., Travelers Inns, Washington State Hotel & Motel Association, The Inn at Friday Harbor, The Westwater Inn, Sheraton-Seattle, The Inn at Virginia Mason, Guenther Management Company, The Salish Lodge, Holiday Inn-Bellevue, A.M. Vendettuoli, Patricia's Enterprise, Sheraton-Tacoma,

Mt. Rainier Guest Services, Semi-ah-moo, Comfort Inn at Sea-Tac, Robin Bloomgarden, Hyatt Regency-Bellevue, Washington Independent Telephone Association, Public Communications of America, Sheraton-Spokane, Four Seasons, Integretel, Inc., Whidbey Telephone Co., Telesphere Limited, Inc., Central Telephone, CSI Pay Telephone Investors, Raymond Ruhlen, and Robert P. Dick.

Oral comments were also received from various persons in this docket, at the May 8 and May 15 meetings, as well as at meetings under prior notices in this docket. Oral comments have been received in this docket from: Dean Randall, GTE-NW; Ray Ohrme, Paytel NW; Doug Owens, Paytel NW and CSI; Mark Hargenbrite, Fone America; Bill Eagles and Jim McAllum, AT&T; Robert Snyder, Whidbey Telephone; Clyde MacIver, NW Payphone & MCI; Jim Wright, International Pacific; Arthur Butler, TRACER; Michael Dohen, Fone America; William Garling, Public Counsel; Kay Godfrey, Steven Kennedy, TRACER; Cliff Webster, Washington State Hotel & Motel Association; Tom Kent, Red Lion; David Thompson, Westin Hotels; Jack Doyle, Pacific Telecom; Mike Miran, U.S. West; Jim Lazar; James Cadu; George Vinyl, Telesphere, Inc.; Reid Preston, Telecall, Inc.; Richard Finnigan, Terry Vann, WITA; Glenn Harris, United Telephone; and Jim Ray, International Pacific.

The rule change affects no economic values.

In reviewing the entire record herein, it has been determined that WAC 480-120-021, 480-120-106, 480-120-138, and 480-120-141 should be amended and WAC 480-120-143 should be adopted to read as set forth in Appendix A shown below and by this reference made a part hereof. These rules, as amended and adopted, establish requirements for alternative operator services companies and connection of pay telephones to the network of exchange telecommunications companies.

Some changes were made between the text of the amendments issued pursuant to Notice No. WSR 91-03-122 and the text finally adopted by the commission. Pursuant to RCW 34.05.340(3) these changes are explained as follows:

Changes from noticed draft: Definitions: The definition of operator services is changed to more closely reflect federal definitions, and to emphasize that the alternative operator services, AOS, rules apply only to operator services, as defined. WAC 480-120-021.

Commission as a sum paid to an aggregator or location owner is defined to distinguish from the WUTC. *Id.*

Location surcharge and operator service charge are defined as separate elements to distinguish them from other charges and to exclude per-call fees assessed and collected directly by aggregators. *Id.*

Person is defined for clarity. *Id.*

Local exchange telephone companies LECs, are removed from the definition of alternate operator services company, consistent with the draft initially noticed in this docket. LECs may still be considered aggregators under the terms of the rule, if their conduct meets that definition. Unlike LECs, AOS companies can be seen as entering and existing markets at will. AOS companies were the subject of specific legislative enactment. AOS



companies often charge higher rates than LECs, leading to consumer complaints. Consumers often expect that they are using their LEC when they use a pay phone; requirements that apply to non-LEC companies to inform the consumer that it is not the LEC are reasonable. Id.

Changes from noticed draft: Form of Bills: The local exchange company, LEC, must provide a copy of a billing agent's customer list to the commission only when a carrier is added to or deleted from the list in order to reduce unnecessary administrative effort. WAC 480-120-106.

Pay phone rule changes from noticed draft: Coinless pay telephones are defined to exclude in-room phones provided by hotels, hospitals, campuses and similar facilities for use of guests or residents. Jurisdictional issues were presented which are resolved by this exclusion. WAC 480-120-138(b).

For directory assistance, pay phones may charge the prevailing rate for comparable directory services. The intent is that a pay phone may, when pertinent, charge the consumer the prevailing charges for credit card use and for intraLATA or interLATA directory assistance calls. A location surcharge is not permitted on directory assistance calls. WAC 480-120-138(4).

Requirements for posting information to consumers are changed; instead of specifying in the rule the mechanics for securing rate information, the rule now allows the aggregator to post its preferred method for obtaining without-charge information regarding all charges including fees, so that the consumer will be able to be informed about the charges it will pay. This allows flexibility for an aggregator to use the method compatible with its system. Id.

A provision which would have limited charges for local calls and for access to 1-800 numbers and preferred interexchange carriers to twenty-five cents was deleted in light of federal/state jurisdictional issues; the unsettled nature of comparable provisions in federal regulation; and possible adverse economic effect. Id.

Concerns were expressed regarding fraud resulting from the use of 10XXX dialing codes to reach an interexchange carrier. Selective blocking is increasingly available from local exchange companies to allow calls to go through an operator, but to block direct-dialed calls which could be billed to the aggregator rather than the consumer. That sort of selective blocking will reduce fraudulent billing to the pay phone while allowing access to the consumer's preferred carrier. Outgoing and incoming call screening are features which provide information to operators that billing should not be made to the screened line. WAC 480-120-130(10) requires the local exchange company to provide these selective blocking and screening services upon request when the technology to provide them is available in the central office serving the requesting line. The change from the noticed draft is to describe and makes specific reference to the different services. WAC 480-120-138(10). WAC 480-120-141(12) provides for allocation of risk of loss when fraud occurs despite subscription to call screening.

Local exchange company field visits to pay phone locations shall be charged pursuant to tariff when a tariff

applies. This acknowledges and restates the general rule that tariffed rates must be charged for services provided. WAC 480-120-138(18).

References to adjudications are clarified to note that a range of adjudicative process is available to deal with complaints pursuant to pertinent administrative rules and law. WAC 480-120-138(19).

Changes from noticed draft: AOS rule: Prison service waivers can be accomplished on a case-by-case basis, so no express provision is required. WAC 480-120-141.

The list of operator service customers of each AOS is to be filed. The rule is changed to acknowledge that the list is proprietary, to protect confidential information, when the AOS complies with pertinent existing rules for identifying proprietary information. WAC 480-120-141(1).

The rule is clarified to state that AOS companies are required to secure compliance with their tariff provisions, as are other public service companies. Specific procedures to reduce disputes are identified for clarity. Existing pertinent commission adjudicative procedures are identified for completeness. To aid enforcement, when the commission has found that a customer/aggregator has knowingly and repeatedly violated commission AOS rules, it is to be refused AOS service until the commission finds the customer/aggregator will comply. Withholding of compensation is also required, consistent with federal requirements, on a location-by-location basis. WAC 480-120-141(2).

The consumer may be either, or both, the person initiating a call through an AOS company or the person paying for that call. The change is made to assure the availability of pertinent information and protections to the persons who may need them. WAC 480-120-141(3).

New posting requirements may be implemented later than initially proposed for practical considerations. Current posting rules must be complied with until then, for transition purposes. It is not feasible to require different notices for locations whose presubscribed AOS carrier exceeds prevailing rates and those which do not. WAC 480-120-141(4).

Notice to consumers of rates must include notice of the existence, nature and amount of location surcharges and other fees to better inform consumers. This provision is moved from noticed subsection 10(c). Id.

Proposed provisions to limit location charges to tariffed surcharge rates and to restrict local call, 1-800 and interexchange carrier access were deleted because of likely adverse economic effect on small business and because of potential interjurisdictional issues noted above. Id.

Audible notice, or branding, is required no later than, rather than "at" the beginning of the call, to allow compliance by reasonable notices either before or after the signal to enter billing information. WAC 480-120-141(5).

The branding message must use the carrier's name as registered with the commission, although the proposal is modified to allow the commission to grant a waiver to abbreviate or omit portions of the registered name if the full term is not necessary for clear consumer identification of the service provider. Id.

The proposed requirement to use specific branding language was deleted in light of difficulties in distinguishing between intrastate and interstate calls and because carriers demonstrated varying ways to provide adequate consumer notice of the carrier's identity. Id.

AOS carriers must maintain adequate facilities for a blockage rate not exceeding one percent in the time consistent busy hour, rather than a given busy hour, consistent with industry standards. If the AOS carrier provides facilities for access to consumers' preferred carriers, those facilities must also meet the stated adequacy standard. Id.

Location surcharges are allowed in AOS company tariffs, and can be waived by aggregators or may be established at a higher level for locations with demonstrably higher costs. This will help mitigate multi-tiered surcharges which may be discriminatory and confusing and may lead to unjustly high rates; will allow flexibility in pricing; and will avoid the need to spread the support of high-cost locations. WAC 480-120-141(10).

The section headings are changed to refer to variable rates and surcharges, the present subject of subsection (c). Id.

Clarification is added that the relevant rates for consideration are those which consumers are charged and that the relevant market means interLATA or intraLATA. Id.

The proposed cap upon location charges, fees or surcharges exceeding twenty-five cents for any call, above tariffed rates, was deleted because of potential adverse economic effect. The posting requirement related to such charges was moved to subsection (4) of this rule for proximity to other posting requirements, for clarity.

Departure from prevailing rates can be supported by an AOS. Such a demonstration can include evidence from aggregators about the economic necessity for location surcharges. This will assist AOS companies to support the economic need for charges paid to their customers. Id.

Subsection (12) is added in order to allocate risk of loss from fraud on toll traffic when loss from fraud occurs even through the local exchange company offers and an aggregator subscribes to call screening.

Local service to aggregators: A new section is added which requires LEC tariffs to provide that all aggregators who offer local calls on a per-call basis must provide without-charge access to 911, where available, and to the local exchange company operator. The requirement was noticed in WAC 480-120-141 (4)(c) as a condition required through AOS providers, but refers to a local services and is more appropriately associated with the provision of local exchange service. The requirement will assure that there is no impediment to dealing swiftly with emergency conditions affecting health or safety. WAC 480-120-143.

#### ORDER

WHEREFORE, IT IS ORDERED That WAC 480-120-021, 480-120-106, 480-120-138, and 480-120-141 as set forth in Appendix A, be amended and adopted as rules of the Washington Utilities and Transportation

Commission to take effect pursuant to RCW 34.05.380(2).

IT IS FURTHER ORDERED That the order and the annexed rule, after first being recorded in the order register of the Washington Utilities and Transportation Commission, shall be forwarded to the code reviser for filing pursuant to chapter 34.05 RCW and chapter 1-21 WAC.

DATED at Olympia, Washington, this 17th day of June, 1991.

Washington Utilities and Transportation Commission  
Sharon L. Nelson, Chairman  
Richard D. Casad, Commissioner  
A. J. Pardini, Commissioner

#### APPENDIX "A"

AMENDATORY SECTION (Amending Order R-293, filed 1/31/89)

WAC 480-120-021 GLOSSARY. Alternate operator services company - any corporation, company, partnership, or person other than a local exchange company providing a connection to intrastate or interstate long-distance or to local services from ((places including but not limited to, hotels, motels, hospitals, campuses, and customer-owned pay telephones. Alternate operator services companies are those with which a hotel, motel, hospital, campus, or customer-owned pay telephone, etc., contracts to provide operator services to its client)) locations of call aggregators. The term "operator services" in this rule means any intrastate telecommunications service provided to a call aggregator location that includes as a component any automatic or live assistance to a consumer to arrange for billing or completion, or both, of an intrastate telephone call through a method other than (1) automatic completion with billing to the telephone from which the call originated, or (2) completion through an access code use by the consumer with billing to an account previously established by the consumer with the carrier.

Applicant - any person, firm, partnership, corporation, municipality, cooperative organization, governmental agency, etc., applying to the utility for new service or reconnection of discontinued service.

Automatic dialing-announcing device - any automatic terminal equipment which incorporates the following features:

- (1)(a) Storage capability of numbers to be called; or
- (b) A random or sequential number generator that produces numbers to be called; and
- (c) An ability to dial a call; and
- (2) Has the capability, working alone or in conjunction with other equipment, of disseminating a prerecorded message to the number called.

Billing agent - A person such as a clearing house which facilitates billing and collection between a carrier and an entity such as a local exchange company which presents the bill to and collects from the consumer.

Base rate area or primary rate area - the area or areas within an exchange area wherein mileage charges for primary exchange service do not apply.

Call aggregator – a person who, in the ordinary course of its operations, makes telephones available for intra-state service to the public or to users of its premises, including but not limited to hotels, motels, hospitals, campuses, and pay telephones.

Central office – switching unit in a telephone system having the necessary equipment and operating arrangements for terminating and interconnecting subscribers' lines, farmer lines, toll lines and interoffice trunks. (More than one central office may be located in the same building or in the same exchange.)

Commission (agency) – in a context meaning a state agency, the Washington utilities and transportation commission.

Commission (financial) – in a context referring to compensation for telecommunications services, a payment from an AOS company to an aggregator based on the dollar volume of business, usually expressed as a percentage of tariffed message toll charges.

Competitive telecommunications company – a telecommunications company which is classified as such by the commission pursuant to RCW 80.36.320.

Competitive telecommunications service – a service which is classified as such by the commission pursuant to RCW 80.36.330.

((Customer)) Consumer – user not classified as a subscriber.

Exchange – a unit established by a utility for communication service in a specific geographic area, which unit usually embraces a city, town or community and its environs. It usually consists of one or more central offices together with the associated plant used in furnishing communication service to the general public within that area.

Exchange area – the specific area served by, or purported to be served by an exchange.

Farmer line – outside plant telephone facilities owned and maintained by a subscriber or group of subscribers, which line is connected with the facilities of a telecommunications company for switching service. (Connection is usually made at the base rate area boundary.)

Farmer station – a telephone instrument installed and in use on a farmer line.

Interexchange telecommunications company – a telecommunications company, or division thereof, that does not provide basic local service.

Location surcharge – a flat, per-call charge assessed by an alternate operator services company on behalf of a call aggregator in addition to message toll charges, local call charges, and operator service charges. A location surcharge is remitted, in whole or in part, to the call aggregator-customer.

Operator service charge – a charge, in addition to the message toll charge or local call charge, assessed for use of a calling card, a credit card or for automated or live operator service in completing a call.

Outside plant – the telephone equipment and facilities installed on, along, or under streets, alleys, highways, or on private rights-of-way between the central office and subscribers' locations or between central offices.

Person – unless the context indicates otherwise, any natural person or an entity such as a corporation, partnership, municipal corporation, agency, or association.

Station – a telephone instrument installed for the use of a subscriber to provide toll and exchange service.

Subscriber – any person, firm, partnership, corporation, municipality, cooperative organization, governmental agency, etc., supplied with service by any utility.

Toll station – a telephone instrument connected for toll service only and to which message telephone toll rates apply for each call made therefrom.

Utility – any corporation, company, association, joint stock association, partnership, person, their lessees, trustees or receivers appointed by any court whatsoever, owning, controlling, operating or managing any telephone plant within the state of Washington for the purpose of furnishing telephone service to the public for hire and subject to the jurisdiction of the commission.

**Reviser's note:** RCW 34.05.395 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 R-293, filed 1/31/89)

WAC 480-120-106 FORM OF BILLS. Bills to subscribers shall be rendered regularly and shall clearly list all charges. Each bill shall indicate the date it becomes delinquent and notice of means by which a subscriber can contact the nearest business office of the utility.

The portion of a bill rendered by the local exchange company on behalf of itself and other companies shall clearly specify the alternate operator service company's billing agent and, where feasible, within ninety days after the effective date of this rule, the provider of the alternate operator service (~~or its authorized billing agent;~~) and a toll free telephone number the consumer can call to question that portion of the bill and, if appropriate, receive credit. A number may be used on this portion of the bill only if it connects the subscriber with a firm which has full authority to investigate and, if appropriate, to adjust disputed calls including a means to verify that the rates charged are correct. Consumers requesting an address where they can write to question that portion of the bill shall be provided that information.

A local exchange company shall not provide billing and collection services for telecommunications service to any company not properly registered to provide service within the state of Washington, except to a billing agent that certifies to the local exchange carrier that it will submit charges only on behalf of properly registered companies. As a part of this certification the local exchange company shall require that the billing agent provide to it a current list of each telecommunications company for which it bills showing the name (as registered with the commission) and address. This list shall be updated and provided to the local exchange company as changes occur. The local exchange company shall in turn, upon receiving it, provide a copy of this list to the

commission for its review whenever a carrier is added or deleted.

All bills for telephone service shall identify and set out separately any access or other charges imposed by order of or at the direction of the Federal Communications Commission. In addition, all bills for telephone service within jurisdictions where taxes are applicable will clearly delineate the amount, or the percentage rate at which said tax is computed, which represents municipal occupation, business and excise taxes that have been levied by a municipality against said utility, the effect of which is passed on as a part of the charge for telephone service.

Subscribers requesting by telephone, letter or office visit an itemized statement of all charges shall be furnished same. An itemized statement is meant to include separately, the total for exchange service, mileage charges, taxes, credits, miscellaneous or special services and toll charges, the latter showing at least date, place called and charge for each call. In itemizing the charges of information providers, the utility shall furnish the name, address, telephone number and toll free number, if any, of such providers. Any additional itemization shall be at a filed tariff charge.

Upon a showing of good cause, a subscriber may request to be allowed to pay by a certain date which is not the normally designated payment date. Good cause shall include, but not be limited to, adjustment of the payment schedule to parallel receipt of income. A utility may be exempted from this adjustment requirement by the commission.

#### AMENDATORY SECTION (Amending Order R-316, filed 3/23/90)

WAC 480-120-138 PAY TELEPHONES—LOCAL AND INTRASTATE. Every telecommunications company operating an exchange within the state of Washington may allow pay telephones to be connected to the company's network for purposes of interconnection and use of registered devices for local and intrastate communications. Every such telecommunications company offering such service shall file tariffs with the commission setting rates and conditions applicable to the connection of pay telephones to the local and intrastate network under the following terms and conditions. Local exchange companies that do not have a public access line tariff on file with the commission shall not be subject to these rules.

For purposes of these rules "pay telephone" is defined as equipment connected to the telephone network in one of the following modes:

(a) Coin operated: A telephone capable of receiving nickels, dimes, and quarters to complete telephone calls. Credit card or other operator-assisted billing may be used from a coin-operated instrument.

(b) Coinless: A pay telephone where completion of calls, except emergency calls, must be billed by an alternative billing method such as credit card, calling cards, collect, third-party billing, or billed in connection with the billing of meals, goods, and/or services. These pay phones include, but are not limited to, charge-a-call, cordless, tabletop, and credit card stations. The term

does not include in-room telephones provided by hotels, motels, hospitals, campuses or similar facilities for the use of guests or residents.

For purposes of these rules, the term "subscriber" is defined as a party requesting or using a public access line for the purpose of connecting a pay telephone to the telephone network.

(1) Pay telephones connected to the company network must comply with Part 68 of the Federal Communications Commission rules and regulations and the ((current)) National Electric Code and National Electric Safety Code as they existed on January 1, 1991, and must be registered with the Federal Communications Commission, or installed behind a coupling device which has been registered with the Federal Communications Commission.

(2) All pay telephones shall provide dial tone first to assure emergency access to operators without the use of a coin.

(3) The caller must be able to access the operator and 911 where available without the use of a coin.

(4) ~~((The subscriber shall pay the local directory assistance charge currently in effect for each pay telephone and may charge the user for directory assistance calls:))~~ The charge for each directory assistance call paid by the ((user)) consumer shall not exceed the ((current)) prevailing per call charge ((paid by the subscriber)) for comparable directory assistance. In the absence of persuasive contrary evidence, the charge of U S WEST Communications for intraLATA directory assistance or AT&T for interLATA directory assistance shall be accepted as the prevailing charge. A location surcharge is not permitted.

(5) Emergency numbers (e.g., operator assistance and 911) must be clearly posted on each pay telephone.

(6) Information consisting of the name, address, telephone number of the owner, or the name of the owner and a toll-free telephone number where a caller can obtain assistance in the event the pay telephone malfunctions in any way, and procedures for obtaining a refund from the subscriber must be displayed on the front of the pay telephone.

The following information shall also be posted on or adjacent to the telephone instrument:

(a) ~~"An accurate quotation of all rates and surcharges is available to the user by dialing '0' and requesting costs"~~ The method by which the consumer may obtain without charge an accurate quotation of rates, fees and surcharges; and

(b) The notices required by WAC 480-120-141(((+))) (4).

In no case will the charges to the user exceed the quoted costs.

(7) The telephone number of the pay telephone must be displayed on each instrument.

(8) The subscriber shall ensure that the pay telephone is compatible for use with hearing aids and its installation complies with all applicable federal, state, and local laws and regulations concerning the use of telephones by disabled persons.

(9) The pay telephone, if coin operated, must return the coins to the caller in the case of an incomplete call

and must be capable of receiving nickels, dimes, and quarters. Local exchange company pay telephones shall not be subject to the requirements of this subsection.

(10) All pay telephones must ~~((be capable of providing))~~ provide access to all interexchange carriers where such access is available. If requested by the subscriber, the local exchange company providing the public access line shall supply, where available, (a) restriction where available, which prevents fraud to the by selective blocking of 10XXX 1+ codes and (b) call screening to identify the line as one to which charges may not be billed, at appropriate tariffed rates.

(11) Except for service provided to hospitals, libraries, or similar public facilities in which a telephone ring might cause undue disturbance, or upon written request of a law enforcement agency, coin-operated pay telephones must provide two-way service, and there shall be no charge imposed by the subscriber for incoming calls. This subsection will not apply to pay telephones arranged for one-way service and in service on May 1, 1990. Should an existing one-way service be disconnected, change telephone number, or change financial responsibility, the requirements of this subsection shall apply. All pay telephones confined to one-way service shall be clearly marked on the front of the instrument.

(12) Pay telephones shall be connected only to public access lines in accordance with the approved tariffs offered by the local exchange company. Local exchange company pay telephones are not subject to this requirement.

(13) A subscriber must order a separate pay telephone access line for each pay telephone installed. Extension telephones may be connected to a pay telephone access line when the instrument:

(a) Prevents origination of calls from the extension station; and

(b) Prevents third party access to transmission from either the extension ~~((of))~~ or the ((coin-operated)) pay telephone instrument.

Local exchange companies are exempted from (b) of this subsection.

(14) Credit card operated pay telephones shall clearly identify all credit cards that will be accepted.

(15) Involuntary changes in telephone numbers upon conversion of pay telephones from local exchange company-owned to privately-owned pay telephones are prohibited.

(16) No fee shall be charged for nonpublished numbers on a public access line.

(17) Cordless and tabletop pay telephones shall not be connected to the telephone network except under the following conditions:

(a) The bill for usage is tendered to the user before leaving the premises where the bill was incurred or alternatively billed at the customer's request; and

(b) The user is notified verbally or on the instrument that privacy on cordless and tabletop telephones is not guaranteed; and

(c) When other electrical devices are equipped with filters, as necessary, to prevent interference with the pay telephone.

(18) Violations of the tariff, commission rules pertaining to pay telephone service, or other requirements contained in these rules, including interexchange carrier access requirements, will subject the pay telephone to disconnection of service if the deficiency is not corrected within five days from date of written notification to the subscriber. WAC 480-120-081 (4)(g) shall not apply to such disconnections. Local exchange company field visits shall be charged to the subscriber if the charge is required by a pertinent local exchange company tariff.

It shall be the responsibility of every local exchange company to assure that any subscriber taking service pursuant to these rules and to tariffs filed pursuant to these rules meets all of the terms and conditions contained within these rules and the tariffs so filed. It shall be the duty of the local exchange company to enforce the terms and conditions contained herein.

It shall be the responsibility of the local exchange company to provide free of charge one current telephone directory each year for each public access line. It shall be the responsibility of the subscriber to make a reasonable effort to assure a current directory is available at every pay telephone location.

Public access lines will be charged at rates according to the relevant tariff as approved by the commission.

(19) Disconnection of, or refusal to connect, a pay telephone for violation of these rules may be reviewed by the commission in a formal complaint under WAC 480-09-420(5) through an adjudicative or a brief adjudicative proceeding under the provisions of chapters 34.05 RCW and 480-09 WAC.

**Reviser's note:** RCW 34.05.395 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 R-293, filed 1/31/89)

WAC 480-120-141 ALTERNATE OPERATOR SERVICES. All telecommunications companies providing alternate operator services (AOS), as defined in WAC 480-120-021, shall ((conform to)) comply with this and all other rules relating to telecommunications companies not specifically waived by order of the commission. ((Alternate operator services companies (AOS) are those with which a hotel, motel, hospital, prison, campus, customer-owned pay telephone, etc., contracts to provide operator services to its clientele.))

(1) Each alternate operator services company shall file with the commission at least every six months a current list of operator services customers which it serves and the locations and telephone numbers to which such service is provided to each customer. A customer list provided pursuant to this rule is proprietary information and, if identified when filed as required in WAC 480-09-015, is subject to the protections of that rule.

(2) Each AOS company is responsible for assuring that each of its customers complies fully with contract and tariff provisions which are specified in this rule. Failure to secure compliance constitutes a violation by the AOS company.

(a) The AOS company shall withhold on a location-by-location basis the payment of compensation, including commissions, from a call aggregator, if the AOS company reasonably believes that the call aggregator is blocking access to interexchange carriers in violation of these rules.

(b) Violations of tariff, contract or other statements of conditions of service, in commission rules pertaining to AOS company service, or of other requirements contained in these rules, including interexchange carrier access requirements, will subject an aggregator to termination of alternate operator services if the deficiency is not corrected within five days from date of written notification to the aggregator. WAC 480-120-081 (4)(g) shall not apply to such terminations.

(c) AOS company actions in furtherance of this rule may be reviewed by the commission in a formal complaint under WAC 480-09-420 through an adjudicative or a brief adjudicative proceeding under the provisions of chapters 34.05 RCW and 480-09 WAC.

(d) An AOS company shall refuse to provide operator services to a call aggregator who the commission has found to have knowingly and repeatedly violated commission rules regarding the provision of alternate operator service until the commission has found that the call aggregator will comply with relevant law and rule.

(3) For purposes of this section ~~((the))~~, "consumer" means the party ~~((billed for the completion of))~~ initiating and/or paying for an ~~((interstate/intrastate))~~ interexchange or local call. "Customer" means the call aggregator, i.e., the hotel, motel, hospital, prison, campus, ~~((customer-owned))~~ pay telephone, etc., contracting with an AOS for service.

~~((+))~~ (4) An alternate operator services company shall require, as a part of ~~((the))~~ any contract with its customer and as a term and condition of service stated in its tariff, that the customer:

(a) Post on the telephone instrument in plain view of anyone using the telephone, in eight point or larger Sty-mie Bold type, the information provided in the following notice:

SERVICE ON THIS INSTRUMENT MAY BE PROVIDED AT RATES THAT ARE HIGHER THAN NORMAL. YOU HAVE THE RIGHT TO CONTACT THE OPERATOR FOR INFORMATION REGARDING CHARGES BEFORE PLACING YOUR CALL. INSTRUCTIONS FOR ~~((DIALING THROUGH THE LOCAL TELEPHONE COMPANY))~~ REACHING YOUR PREFERRED CARRIER ARE ALSO AVAILABLE FROM THE OPERATOR.

(b) Post and maintain in legible condition on or near the telephone:

(i) The name, address, and without-charge number of the alternate operator services company, as registered with the commission;

(ii) Dialing directions so that a consumer may reach the AOS operator ~~((so as))~~ without charge to receive specific rate information; and

(iii) ~~Dialing d~~ Directions to allow the consumer to ~~((dial through the local telephone company))~~ reach the

consumer's preferred carrier and to make it clear that the consumer has access to the other providers.

(c) Provide access from every instrument to 1-800 services and all available interexchange carriers; and

(d) Shall post, on or near the instrument, a notice stating whether a location surcharge or any other fee is imposed for telecommunications access through the instrument, the amount of any fee or location surcharge, and the circumstances when it will apply.

(e) Posting under these rules shall begin no later than October 1, 1991, and shall be completed no later than January 31, 1992. In the interim, posting in compliance with the immediate prior posting provisions of WAC 480-120-141 is required and shall constitute compliance with this rule.

~~((2))~~ (5) The alternate operator services company shall:

(a) Identify the AOS company providing the service ~~((or its authorized billing agent))~~ audibly and distinctly at the beginning of every call, and again before the call is connected, including ~~((those handled automatically, and))~~ an announcement to the called party on calls placed collect.

(i) For purposes of this rule the beginning of the call is no later than immediately following the prompt to enter billing information on automated calls and, on live and automated operator calls, when the call is initially routed to the operator.

(ii) The message used by the AOS company shall state the name of the company as registered with the Commission whenever referring to the AOS company. Terms such as "company", "communications", "incorporated", "of the northwest", etc., when not necessary to clear consumer identification of the entity providing service may be omitted when authorized by letter from the secretary of the commission.

(iii) The consumer shall be permitted to terminate the telephone call at no charge before the call is connected.

(iv) The AOS company shall immediately, upon request, and at no charge to the consumer, disclose to the consumer:

(A) a quote of the rates or charges for the call, including any surcharge;

(B) the method by which the rates or charges will be collected; and

(C) the methods by which complaints about the rates, charges, or collection practices will be resolved.

(b) Provide to the local exchange company such information as may be necessary for billing purposes, as well as an address and toll free telephone number for consumer inquiries.

(c) Reoriginate calls to another carrier upon request and without charge, when equipment is in place which will accomplish reorigination with screening and allow billing from the point of origin of the call. If reorigination is not available, the AOS company shall give dialing instructions for the consumer's preferred carrier.

(d) Assure that a minimum of ninety percent of all calls shall be answered by the operator within ten seconds from the time the call reaches the carrier's switch.

(e) Maintain adequate facilities in all locations so the overall blockage rate for lack of facilities, including as pertinent the facilities for access to consumers' preferred interexchange carriers, does not exceed one percent in the time consistent busy hour. Should excessive blockage occur, it shall be the responsibility of the AOS company to determine what caused the blockage and take immediate steps to correct the problem. This subsection does not apply to blockage during unusually heaving traffic, such as national emergency, local disaster, holidays, etc.

~~((3))~~ (6) The alternate operator services company shall assure that ~~((consumers))~~ persons are not billed for calls which are not completed. For billing purposes, calls shall be itemized, identified, and rated from the point of origination to the point of termination. No call shall be transferred to another carrier by an AOS which cannot or will not complete the call, unless the call can be billed in accordance with this subsection.

~~((4))~~ (7) For purposes of emergency calls, every alternate operator services company shall have the following capabilities:

(a) Automatic identification at the operator's console of the location from which the call is being made;

(b) Automatic identification at the operator's console of the correct telephone numbers of emergency service providers that serve the telephone location, including but not limited to, police, fire, ambulance, and poison control;

(c) Automatic ability at the operator's console of dialing the appropriate emergency service with a single keystroke;

(d) Ability of the operator to stay on the line with the emergency call until the emergency service is dispatched.

No charge shall be imposed on the caller ~~((from))~~ by the telephone company or the alternate operator services company for the emergency call.

If the alternate operator services company does not possess these capabilities, all calls in which the ~~((caller))~~ consumer dials zero (0) and no other digits within five seconds shall be routed directly to the local exchange company operator, or to an entity fully capable of complying with these requirements. AOS companies lacking sufficient facilities to provide such routing shall cease operations until such time as the requirements of this section are met.

~~((5) Consumer))~~ (8) Complaints and disputes shall be treated in accordance with WAC 480-120-101, Complaints and disputes.

~~((6))~~ (9) Charges billed to a credit card company (e.g., American Express or Visa) need not conform to the call detail requirements of this section. However, the AOS shall provide ~~((consumers with))~~ specific call detail in accordance with WAC 480-120-106 upon request.

(10) "Public convenience and advantage"; surcharges; variable rates.

(a) For services, public convenience and advantage means at a minimum that the provider of alternate operator services offers operator services which equal or exceed the industry standards in availability, technical quality and response time and which equal or exceed industry standards in variety or which are particularly adapted to meet unique needs of a market segment. In

the absence of other persuasive evidence, a demonstration that operator service equals or exceeds that provided by U S WEST Communications for intraLATA services or AT&T for interLATA services will be accepted as demonstrating public convenience and advantage.

(b) Charges no greater than the prevailing operator service charges in the relevant market – intraLATA or interLATA – will be accepted as demonstrating that charges are for the public convenience and advantage. In the absence of persuasive contrary evidence, the charges for U S WEST for intraLATA service and AT&T for interLATA service will be accepted as the prevailing charges.

(c) Surcharges; variable rates. No location surcharge may be added to without-charge calls nor to a charge for directory assistance. No tariff may provide for rate levels which vary at the option of a call aggregator, provided, that an aggregator may waive application of the surcharge to calls from its instruments, and provided further, that an AOS company may establish a tariff rate for high-cost locations if the conditions for application of the rate confine it to locations with substantially higher than average operating costs.

(11) Rates to the consumer for the provision of alternate operator services, including directory assistance, shall not exceed the prevailing rates for such services in the relevant market – intraLATA or interLATA – unless need for the excess to produce rates which are fair, just and reasonable is demonstrated to the satisfaction of the commission. In the absence of persuasive contrary evidence, rate levels of U S WEST for intraLATA service and AT&T for interLATA service will be considered the prevailing rate.

(12) Fraud prevention.

(a) A company providing interexchange telecommunications service may not bill a call aggregator for charges billed to a line for calls which originated from that line through the use of 10XXX+0; 10XXX+01; 95-XXXX; or 1-800 access codes, or when the call originating from that line otherwise reached an operator position, if the originating line subscribed to outgoing call screening and the call was placed after the effective date of the outgoing call screening order.

(b) A company providing interexchange telecommunications service may not bill to a call aggregator any charges for collect or third number billed calls, if the line serving to which the call was billed was subscribed to incoming call screening and the call was placed after the effective date of the call screening service order.

(c) Any calls billed through the local exchange carrier in violation of subparagraphs (a) or (b) above must be removed from the call aggregator's bill by the local exchange company upon identification. If investigation by the local exchange company determines that the pertinent call screening was operational when the call was made, the local exchange company may return the charges for the call to the interexchange telecommunications company as not billable.

(d) Any call billed directly by an alternate operator service company, or through a billing method other than the local exchange company, which is billed in violation of subparagraphs (a) and (b), above, must be removed



from the call aggregator's bill. The telecommunications company providing the service may request an investigation by the local exchange company. If the local exchange company, after investigation, determines that call screening which would have protected the call, which is offered by the LEC and was subscribed to by the call aggregator, was not operational at the time the call was placed, the AOS company shall bill the LEC for the call.

**Reviser's note:** RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

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

## NEW SECTION

WAC 480-120-143 LOCAL SERVICE TO AGGREGATORS. The local exchange company's tariff shall provide that every aggregator offering local calls on a per-call basis must provide without-charge access to 911, where available, and to the local exchange company operator.

### WSR 91-13-079

#### PERMANENT RULES

#### DEPARTMENT OF ECOLOGY

[Order 90-62—Filed June 18, 1991, 1:40 p.m., effective September 18, 1991]

Date of Adoption: June 18, 1991.

**Purpose:** Regulate the discharge of toxic pollutants from new pollution sources and certain existing sources in order to prevent air pollution, reduce emissions to the extend reasonably possible and maintain such levels of air quality as will protect human health and safety.

**Statutory Authority for Adoption:** RCW 70.94.331.

Pursuant to notice filed as WSR 91-01-083 on December 18, 1990.

Changes Other than Editing from Proposed to Adopted Version: WAC 173-460-010 Purpose.

Subsection (1) was revised to clarify that ecology will use the lists in WAC 173-460-150 and 173-460-160 to define toxic air pollutant. This change was made to insure consistency with the definition of toxic air pollutant.

WAC 173-460-020 Definition.

"Acceptable source impact level (ASIL)" was revised to clarify that the rule does not apply to restricted or controlled areas. This change was made in response to public comment requesting clarification.

"Reasonably available control technology for toxics (T-RACT)" was added. This technology category was added for two reasons. Changes to the Washington Clean Air Act restrict applicability of new source review and T-BACT to pollutant increases. Public comments recommended that T-BACT apply only to sources increasing toxic pollutants.

WAC 173-460-030 Requirements, applicability, and exemptions.

Subsection (1) was deleted. This change was made in response to comment that it was duplicative and inconsistent with requirements in WAC 173-460-040.

Subsection (3)(a) relabeled subsection (2)(a) and was modified by deleting all text after the word "devices." This change was made in response to public comment that the section was confusing and incorrect grammar.

Subsection (3)(e) was added to exempt "process vents subject to 40 CFR Parts 264 and 265, Subpart AA." This was added in response to comment that regulation of these vents is duplicative with federal rule.

WAC 173-460-040 New source review.

Subsection (1), the explanation of notice of construction in subsection (1)(a) was moved to this section for clarity.

Subsection (1)(a), this subsection was rewritten to clarify. The phrase "unless conditions in subsections (c) and (d) of this subsection apply to the new source" was deleted and a second sentence used to explain when notification and notice of construction are not required. The term "application" was added to clarify that all new toxic sources must provide information to the authority. This change is made because of change of applicability of new source review to toxic increases, only. An application will be used to evaluate pollutant changes as increases or decreases.

Subsection (c) was deleted because the notice of construction requirements were consolidated in subsection (1)(a). A new requirement becomes subsection (c). This limits new source review of modifications and "the air contaminants whose emissions may increase as a result of the modification." This change is made for consistency with change made to the Washington Clean Air Act and because of public comment requesting that new source review be limited to toxic pollutant increases.

Subsection (d) was deleted and rewritten as subsection (2)(a)(b)(c). Subsection (2) is the same as subsection (d). Subsection (2)(a) is the same as subsection (d)(i). Subsection (d)(ii) was relabeled subsection (2)(b) and changed by deleting the phrase "does not increase toxic air pollutant emissions significantly." Change was made based on public comment that this phrase was ambiguous in how it related to the small quantity emission tables. Subsection (d)(iii) was relabeled subsection (2)(c) and simplified to relate all minor material changes to the small quantity emission tables. The requirement for demonstrating no overall toxicity increase was dropped. This was changed because of public comment that this section was ambiguous. Subsection (d)(iv) was dropped because it was duplicative with the nonprocess fugitive emission exemption in WAC 173-460-030.

Subsection (2) is relabeled subsection (3).

Subsection (3)(a) is relabeled subsection (4)(a) and changed to add "and authority" after "state." Change is made to clarify that sources must be in accord with applicable local authority rules. Change is made in response to public comment recommending this addition.

Subsection (3)(b) is relabeled subsection (4)(b) and modified by adding "for the toxic air pollutants which are likely to increase." Change is made for consistency with the Washington Clean Air Act and because of



public comment that new source review be limited to toxic pollutant increases.

Subsection (3)(c) is relabeled subsection (4)(d) and modified by deleting "the source demonstrates" and replacing it with "sources required to use T-BACT for emission control demonstrate. Change is made for consistency with Washington Clean Air Act and because of public comment that new source review should be limited to toxic pollutant increases.

A new subsection (4)(c) is added. This adds a requirement for T-RACT for "emission control for the toxic air pollutant which are likely to remain the same or decrease."

Subsection (5) was modified by adding a "Where ecology has jurisdiction, it will endeavor to make final determinations as promptly as possible." This was added in response to public comment ecology should set a time limit for final determinations.

WAC 173-460-0501 Requirement to quantify emissions.

Subsection (1)(a) was rewritten for clarity and changed to delete "subsection (3)(b)(i) of this section" based on comment that this section did not exist. "WAC 173-460-080" was added to correct the reference. To clarify the sentence was ended at "technology" and a second sentence added.

Subsection (4)(a)(ii) was modified by deleting "Using procedures approved by the authority to sum" and substituting "calculate the sum of." This change was made in response to comment questioning what these procedures consisted of. The reference to agency procedures was deleted since it implied procedures other than those listed in WAC 173-460-080.

Subsection (4)(b) was deleted in response to comment that the term "related substances" was ambiguous. This terminology is not needed since the metals on the chemicals list in WAC 173-460-150 and 173-460-160 include the language "and compounds."

Subsection (4)(e)(ii) was modified by deleting "the percent extractable organic matter is likely to exceed one percent" and replacing it with "there is compelling scientific data which demonstrates that the use of this value is inappropriate." This was modified in response to comment that the percent extractable organic matter may vary and ecology should consider other data.

WAC 173-460-060 Control technology requirements.

The introductory paragraph was modified by replacing WAC 173-460-030 with WAC 173-460-040. This corrects the reference to new source review provisions which are now all in WAC 173-460-040. Second the phrase "which is likely to increase TAP emissions" was added to new toxic air pollutant source for consistency with WAC 173-460-040 changes that require T-BACT for sources increase toxic emissions and T-RACT for other new toxic sources. Third, a provision allowing equivalent local authority performance standards was added in response to comment that ecology's rule process is too slow to add performance standards as need is discovered.

Subsection (3)(b)(ii) was changed by deleting 0.18 and inserting 0.15. This change was in response to public comment that the difference between ecology's chromic

acid plating requirement and PSAPCA's could pose compliance problems.

Subsection (4)(b)(ii) was changed by deleting 0.006 and replacing it with 0.03. This change was made in response to public comment that the difference between ecology's chromic acid plating requirement and PSAPCA's could pose compliance problems. Ecology has reviewed the higher 0.03 limit and determined that this factor is more appropriate than the 0.006 at this time.

Subsection (6) was deleted. The section was deleted because of comments that it is vague and because ecology has determined these sources are best regulated under existing rules.

Subsection (7)(a) relabeled subsection (6)(a) and was modified to allow abrasive blasting inside a "booth or hangar". This was changed in response to comment that booths were not appropriate for large items, such as aircraft.

WAC 173-460-070 Ambient impact requirement.

This section was modified by replacing WAC 173-460-030 with WAC 173-460-040. This corrects the reference to new source review provisions which have been consolidated in WAC 173-460-040. Second, the phrase "which is likely to increase TAP emissions" was added after "new toxic air pollutant source" for consistency with WAC 173-460-040 changes that limit the health protection demonstration to new sources increasing toxic emissions. Third, the phrase "which does not have restricted or controlled" replaces "reasonably subject" for consistency with changes made to the acceptable source impact level definition.

WAC 173-460-080 Demonstrating ambient impact compliance.

Subsection (1) was modified by adding the phrase "which is likely to increase TAP emissions" after "new toxic air pollutant source" for consistency with WAC 173-460-040 changes that limit the health protection demonstration to new sources increasing toxic emissions. "The authority may complete this analysis" was added based on public comment that some authorities perform this service for the applicant.

Subsection (2)(a), the word "incremental" was added between estimated and ambient so that the phrase reads, "compare the estimated incremental ambient values." This was added in response to comment that the modeling results are incremental not ambient values.

Subsection (2)(e), was modified by adding the language "10 meter stacks and downwash" to the title. This was done in response to comments that table assumptions were not clear. The category "0.01 to 0.12" was divided into two, 0.01 to 0.06 and 0.07 to 0.12. The pound per year limits were set at 10 and 20, respectively. Change was made in response to comment that the lower 5 pound limit would cause unnecessary modeling.

WAC 173-460-090 Second tier analysis.

Subsection (1)(a), after the fourth sentence a new sentence was added that states "Risks may be more accurately characterized by utilizing updated EPA unit risk factors, inhalation reference doses or other EPA

recognized or approved methods." This was added in response to comment that updating unit risk factors should be added to the list of second tier analysis criteria.

Subsection (4)(b), second sentence has been modified by deleting "if approved by ecology" and adding "if ecology determines there is compelling scientific data which demonstrates that the use of EPA recognized or approved methods is inappropriate." This was changed to clarify the approach ecology will take in accepting new scientific information. This assures that EPA methods will be considered that standard against which other information is judged.

WAC 173-460-100 Request for risk management decision.

Subsection (3)(a) was changed by deleting "without taking into consideration economics or other costs." This section was deleted in response to comment pointing out inconsistency with Washington Clean Air Act.

Subsection (5) was changed by adding "ecology will endeavor to initiate public notice and comment within 30 days of receipt of a completed risk management decision application." This was added in response to comment that ecology risk management decisions should be subject to a time limit.

WAC 173-460-110 Acceptable source impact levels.

Subsection (1) was modified by deleting "LIFE, ABS and DUR" factors from the ASIL calculation. The calculation results do not change. This was done in response to comment that the formula more accurately reflect the ASIL calculations.

Effective Date of Rule: September 18, 1991.

June 18, 1991

Fred Olson

Deputy Director

## Chapter 173-460 WAC CONTROLS FOR NEW SOURCES OF TOXIC AIR POLLUTANTS

### NEW SECTION

WAC 173-460-010 PURPOSE. (1) Pursuant to chapter 70.94 RCW, Washington Clean Air Act, the purpose of this chapter is to establish the systematic control of new sources emitting toxic air pollutants (TAPs) in order to prevent air pollution, reduce emissions to the extent reasonably possible, and maintain such levels of air quality as will protect human health and safety. Toxic air pollutants include carcinogens and noncarcinogens listed in WAC 173-460-150 and 173-460-160.

(2) This chapter establishes three major requirements:

(a) Best available control technology for toxics;

(b) Toxic air pollutant emission quantification;

(c) Human health and safety protection demonstration.

(3) Policy. It is the policy of ecology to reduce, avoid, or eliminate toxic air pollutants prior to their generation whenever economically and technically practicable.

### NEW SECTION

WAC 173-460-020 DEFINITIONS. The definitions of terms contained in chapter 173-400 WAC are incorporated into this chapter by reference. In the event of a conflict between the definitions provided in chapter 173-400 WAC and the definitions provided in this section, the definitions in this section shall govern. Unless a different meaning is clearly required by context, the following words and phrases as used in this chapter shall have the following meanings. Note: For copies of the above mentioned rule and any other rule cited in this chapter, contact the Department of Ecology, Records Section, Mailstop PV-11, Olympia, WA 98504-8711.

(1) "Acceptable source impact analysis" means a procedure for demonstrating compliance with WAC 173-460-070 and 173-460-080, that compares maximum incremental ambient air impacts with applicable acceptable source impact levels (ASIL).

(2) "Acceptable source impact level (ASIL)" means a concentration of a toxic air pollutant in the outdoor atmosphere in any area which does not have restricted or controlled public access that is used to evaluate the air quality impacts of a single source. There are three types of acceptable source impact levels: Risk-based, threshold-based, and special. Concentrations for these three types of ASILs are determined as provided in WAC 173-460-110. ASILs are listed in WAC 173-460-150 and 173-460-160.

(3) "Authority" means an air pollution control authority activated pursuant to chapter 70.94 RCW that has jurisdiction over the subject source. Ecology is the authority if an air pollution control authority has not been activated or if ecology has jurisdiction over the source pursuant to RCW 70.94.395.

(4) "Best available control technology for toxics (T-BACT)" applies to each toxic air pollutant (TAP) discharged or mixture of TAPs, taking in account the potency quantity and toxicity of each toxic air pollutant or mixture of TAPs discharged in addition to the meaning given in WAC 173-400-030(10).

(5) "Carcinogenic potency factor" means the upper 95th percentile confidence limit of the slope of the dose-response curve and is expressed in units of (mg/kg-day)-1.

(6) "Class A toxic air pollutant (Class A TAP)" means a substance or group of substances listed in WAC 173-460-150.

(7) "Class B toxic air pollutant (Class B TAP)" means any substance that is not a simple asphyxiant or nuisance particulate and that is listed in WAC 173-460-160.

(8) "EPA's Dispersion Modeling Guidelines" means the United States Environmental Protection Agency Guideline on Air Quality Models, EPA 450/2-78-0277R and is hereby incorporated by reference.

(9) "EPA's Risk Assessment Guidelines" means the United States Environmental Protection Agency's Guidelines for Carcinogenic Risk Assessment, 51 FR 33992 (September 24, 1986) and is hereby incorporated by reference.

(10) "Increased cancer risk of one in one hundred thousand" means the 95th percent upper bound on the estimated risk of one additional cancer above the background cancer rate per one hundred thousand individuals continuously exposed to a Class A toxic air pollutant at a given average dose for a specified time.

(11) "Increased cancer risk of one in one million" means the 95th percent upper bound on the estimated risk of one additional cancer above the background cancer rate per one million individuals continually exposed to a Class A toxic air pollutant at a given average dose for a specified time.

(12) "Inhalation Reference Dose (Inhalation RfD)" means a reference dose published in the United States Environmental Protection Agency Integrated Risk Information System (IRIS).

(13) "Mixture" means a combination of two or more substances mixed in arbitrary proportions.

(14) "New toxic air pollutant source" means a source or emissions unit which may emit toxic air pollutants and which commenced construction after the effective date of this chapter. Addition to, enlargement, modification, replacement, or any alteration of any process or air pollutant source which may increase emissions or ambient air concentrations of any regulated air pollutant, including toxic air pollutants, shall be construed as construction or installation or establishment of a new toxic source.

(15) "Reasonably available control technology for toxics (T-RACT)" applies to each toxic air pollutant (TAP) discharged or mixture of TAPs, taking into account the potency, quantity, and toxicity of each toxic air pollutant or mixture of TAPs discharged in addition to the meaning given in WAC 173-400-030(59).

(16) "Second Tier Analysis" means an optional procedure used after T-BACT and acceptable source impact analysis for demonstrating compliance with WAC 173-460-070. The second tier analysis uses a health impact assessment as provided in WAC 173-460-090, instead of an acceptable source impact level.

(17) "Simple asphyxiant" means a physiologically inert gas or vapor that acts primarily by diluting atmospheric oxygen below the level required to maintain proper levels of oxygen in the blood. Examples of simple asphyxiants are given in Appendix X of the TLV Booklet referred to in subsection (19) of this section and incorporated by reference.

(18) "Threshold limit value-time weighted average (TLV-TWA)" means a concentration limit recommended by the American Conference of Governmental Industrial Hygienists (ACGIH) for a normal eight-hour workday and forty-hour workweek.

(19) "TLV Booklet" means "TLVs, Threshold Limit Values and Biological Exposure Indices for 1987-88," published by the American Conference of Governmental Industrial Hygienists and is hereby incorporated by reference.

(20) "Toxic air pollutant (TAP)" means any Class A or Class B toxic air pollutant listed in WAC 173-460-150 and 173-460-160. The term toxic air pollutant may

include particulate matter and volatile organic compounds if an individual substance or a group of substances within either of these classes is listed in WAC 173-460-150 and 173-460-160. The term toxic air pollutant does not include particulate matter and volatile organic compounds as generic classes of compounds.

(21) "Upper bound unit risk factor" means the 95 percent upper confidence limit of an estimate of the extra risk of cancer associated with a continuous 70 year exposure to 1 ug/m<sup>3</sup> of a Class A toxic air pollutant.

#### NEW SECTION

WAC 173-460-030 REQUIREMENTS, APPLICABILITY AND EXEMPTIONS. (1) Applicability.

(a) The provisions of this chapter shall apply statewide. The authority shall enforce WAC 173-460-010, 173-460-020, 173-460-030, 173-460-040, 173-460-050, 173-460-060, 173-460-070, 173-460-080, 173-460-130, 173-460-140, 173-460-150, and 173-460-160.

(b) Except as provided in this chapter, any new toxic air pollutant source listed in (b)(i), (ii), or (iii) of this subsection that may emit a Class A or Class B TAP into the ambient air is subject to these regulations:

(i) Standard industrial classifications:

(A) Major group 10-Metal mining.

(B) Major group 12-Bituminous coal and lignite mining.

(C) Major group 13-Oil and gas extraction.

(D) Manufacturing industries major groups 20-39.

(E) Major group 49-Electric, gas, and sanitary services except 4971 irrigation systems.

(F) Dry cleaning plants, 7216.

(G) General medical surgical hospitals, 8062.

(H) Specialty hospitals, 8069.

(I) National security, 9711.

(ii) Any source or source category listed in WAC 173-400-100, 173-400-115(2), or 173-490-030(1) except WAC 173-490-030 (1)(e) gasoline dispensing facilities.

(iii) Any of the following sources:

(A) Landfills.

(B) Sites subject to chapter 173-340 WAC Model Toxics Control Act—Cleanup regulation.

(2) Exempt sources.

(a) Containers such as tanks, barrels, drums, cans, and buckets are exempt from the requirements of this chapter unless equipped with a vent other than those required solely as safety pressure release devices.

(b) Nonprocess fugitive emissions of toxic air pollutants from stationary sources, such as construction sites, unpaved roads, coal piles, waste piles, and fuel and ash handling operations are exempt from WAC 173-460-060.

(c) The following sources are generally exempt from the requirements of WAC 173-460-050, 173-460-070, 173-460-080, and 173-460-090. However, the authority may on a case-by-case basis, require compliance with these sections if the authority determines that the amount of emissions, nature of pollutant, or source location indicate that the ambient impact should be evaluated.

- (i) Perchloroethylene dry cleaners
  - (ii) Petroleum solvent dry cleaning systems
  - (iii) Solvent metal cleaners
  - (iv) Spray coating operations
  - (v) Abrasive blasting
- (d) Demolition and renovation projects involving asbestos removal and disposal are exempt from the requirements of this chapter.
- (e) Process vents subject to 40 C.F.R. Parts 264 and 265, Subpart AA are exempt from the requirements of this chapter.

#### NEW SECTION

##### WAC 173-460-040 NEW SOURCE REVIEW.

(1) Applicability. This chapter supplements the new source review requirements of WAC 173-400-110 by adding additional new source review requirements for toxic air pollutant sources. If a notice of construction is required under both chapter 173-400 WAC and this chapter, the written applications shall be combined. A notice of construction is a written application to permit construction of a new source.

(a) The owner or operator of a new toxic air pollutant source listed in WAC 173-460-030(2) shall notify the authority prior to the construction, installation, or establishment of a new toxic air pollutant source and shall file a notice of construction application with the authority for the proposed emission unit(s). Notification and notice of construction are not required if the source is an exempt source listed in WAC 173-460-030(3) or subsection (2) of this section.

(b) The notice of construction and new source review applies only to the affected emission unit(s) and the contaminants emitted from the emission unit(s).

(c) New source review of a modification is limited to the emission unit or units proposed to be modified and the emission unit or units whose emissions of TAPs may increase as a result of the modification.

(2) The owner or operator of a new toxic air pollutant source listed in WAC 173-460-030(2) is not required to notify or file a notice of construction with the authority if any of the following conditions are met:

(a) Routine maintenance or repair requires equivalent replacement of air pollution control equipment; or

(b) The new source is a minor process change(s) that does not increase capacity and total toxic air pollutant emissions do not exceed the emission rates specified in small quantity emission rate tables in WAC 173-460-080; or

(c) The new source is the result of minor changes in raw material composition and the total toxic air pollutant emissions do not exceed the emission rates specified in the small quantity emission rate tables in WAC 173-460-080.

(3) Additional information. Within thirty days of receipt of a notice of construction, the authority may require the submission of additional plans, specifications, and other information necessary for the review of the proposed new or modified source.

(4) Requirements for new toxic air pollutant sources. The authority shall review notice(s) of construction,

plans, specifications, and other associated information to determine that:

(a) The source will be in accord with applicable federal, state, and authority air pollution control rules and regulations;

(b) The source will use T-BACT for emissions control for the toxic air pollutants which are likely to increase;

(c) The source will use T-RACT for emissions control for the toxic air pollutants which are likely to remain the same or decrease; and

(d) Sources required to use T-BACT for emission control demonstrate compliance with WAC 173-460-070 by using the procedures established in WAC 173-460-080 or, failing that, demonstrates compliance, by using the additional procedures in WAC 173-460-090 and/or 173-460-100.

(4) Preliminary determination. Within thirty days after receipt of all information required, the authority shall:

(a) Make preliminary determinations on the matters set forth in this section; and

(b) Initiate compliance with the provisions of WAC 173-400-171 relating to public notice and public comment, as applicable.

(5) Final determination. If, after review of all information received including public comment, the authority finds that all the conditions in this section are satisfied, the authority shall issue a regulatory order to approve the notice of construction for the proposed new source or modification. If the authority finds that the conditions in this section are not satisfied, the authority shall issue an order for the prevention of construction, installation, or establishment of the toxic air pollution source(s). Where ecology has jurisdiction, it will endeavor to make final determinations as promptly as possible.

(6) Appeal of decision. A final notice of construction decision may be appealed to the pollution control hearings board pursuant to chapter 43.21B RCW.

(7) Commencement of construction. The owner(s) or operator(s) of the new source shall not commence construction until the applicable notice of construction has been approved.

(8) Operation and maintenance plan. As a condition of notice of construction approval; prior to start up, the authority may require a plan for the operation and maintenance of all equipment and procedures to assure continuous compliance with this chapter.

(a) A copy of the plan shall be filed with the authority upon request.

(b) The plan shall reflect good industrial practice and may include operating parameters and maintenance procedures, and shall be updated to reflect any changes in good industrial practice.

(c) Submittal of all plans should coincide with the authorities reporting requirements where applicable.

(9) Jurisdiction. Emission of toxic air pollutants that exceed the acceptable source impact levels listed in WAC 173-460-150 and 173-460-160 requires ecology and, if applicable, authority approval as specified in WAC 173-460-090 and 173-460-100.

NEW SECTION**WAC 173-460-050 REQUIREMENT TO QUANTIFY EMISSIONS.** (1) New sources.

(a) When applying for a notice of construction, an owner or operator of a new toxic air pollution source shall quantify those emissions of each TAP or combination of TAPs that:

(i) Will be used for the modeling procedures in WAC 173-460-080; and

(ii) That may be discharged after applying required control technology. The information shall be submitted to the authority.

(b) Emissions shall be quantified in sufficient detail to determine whether the source complies with the requirements of this chapter.

**(2) Small quantity sources.**

Sources that choose to use small quantity emission rate tables instead of using dispersion modeling shall quantify emissions as required under WAC 173-460-080, in sufficient detail to demonstrate to the satisfaction of the authority that the emissions are less than the applicable emission rates listed in WAC 173-460-080.

**(3) Level of detail.**

An acceptable source impact level analysis under WAC 173-460-080, may be based on a conservative estimate of emissions that represents good engineering judgment. If compliance with WAC 173-460-070 and 173-460-080 cannot be demonstrated, more precise emission estimates shall be used prior to WAC 173-460-090.

**(4) Mixtures of toxic air pollutants.**

(a) An owner or operator of a source that may discharge more than one toxic air pollutant may demonstrate compliance with WAC 173-460-070 and 173-460-080 by:

(i) Quantifying emissions and performing modeling for each TAP individually; or

(ii) Calculate the sum of all TAP emissions and perform modeling for the total TAP emissions and compare maximum ambient levels to the smallest ASIL; or

(iii) Equivalent procedures may be used if approved by ecology.

(b) Dioxin and furan emissions shall be considered together as one TAP and expressed as an equivalent emission of 2,3,7,8 TCDD based on the relative potency of the isomers in accordance with United States Environmental Protection Agency (EPA) guidelines.

Note: Copies of EPA "Interim procedures for estimating risks associated with exposures to mixtures of chlorinated dibenzo-p-dioxins and dibenzofurans (CDDs and CDFs). 1989 Update" are available by requesting EPA /625/3-89/016, March 1989 from ORD Publications (513) 684-7562.

(c) Polyaromatic hydrocarbon (PAH) emissions. The owner or operator of a source that may emit a mixture of polyaromatic hydrocarbon emissions shall quantify the following PAHs and shall consider them together as one TAP equivalent in potency to benzo(a)pyrene: benzo(a)anthracene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, dibenzo(a,h)anthracene, indeno(1,2,3-cd)pyrene, benzo(a)pyrene. The acceptable source impact analysis shall be conducted using the

polyaromatic hydrocarbon emission ASIL contained in WAC 173-460-150(3).

(d) Uncontrolled roof vent emissions from primary aluminum smelters. The owner or operator of a primary aluminum smelter that may emit a mixture of polyaromatic hydrocarbons from uncontrolled roof vents shall quantify PAH emissions using either of the following methods:

(i) Quantify PAH emissions using the procedures in (c) of this subsection; or

(ii) Multiply the total particulate emission mass from the uncontrolled roof vents by the percent of the particulate that is extractable organic matter. The percent extractable organic matter shall be considered one percent of total particulate matter unless ecology determines that there is compelling scientific data which demonstrates that the use of this value is inappropriate. The acceptable source impact analysis shall be conducted using the primary aluminum smelter uncontrolled roof vent PAH emission ASIL contained in WAC 173-460-150(3). Note: For example, 100 grams of particulate air emission mass times one percent yields one gram of PAH emissions.

NEW SECTION

**WAC 173-460-060 CONTROL TECHNOLOGY REQUIREMENTS.** Except as provided for in WAC 173-460-040, a person shall not establish, operate, or cause to be established or operated any new toxic air pollutant source which is likely to increase TAP emissions without installing and operating T-BACT. Satisfaction of the performance requirements listed below fulfill the T-BACT requirement for those particular sources. Authorities may develop and require performance requirements in lieu of T-BACT provided that ecology approves the performance requirements as equivalent to T-BACT.

(1) Perchloroethylene dry cleaners. The entire dryer exhaust shall be vented through a control device which will reduce VOC emissions to 5 kg or less per 100 kg dry weight of cleaned articles.

(a) The control device shall meet one of the following conditions:

(i) The exhaust from a carbon adsorber shall contain less than 100 ppm perchloroethylene as measured over a period of one minute before dilution; or

(ii) The air temperature at the outlet of a refrigerated condenser shall reach seven degrees centigrade or less during the cool-down period. A temperature gauge with a minimum range from negative thirty-two to seventy-five degrees centigrade shall be installed and maintained on the condenser outlet duct; or

(iii) The demonstrated control efficiency for any other control device shall be ninety percent or greater by weight, prior to the discharge to the atmosphere measured over a complete control cycle.

(b) The operation of any perchloroethylene dry cleaner shall meet all of the following conditions:

(i) All leaking components shall be repaired immediately; and

(ii) All filtration cartridges shall be drained in the filter housing or other enclosed container before discarding the cartridges.

(2) Petroleum solvent dry cleaning systems. A petroleum solvent dry cleaning system shall include the following:

(a) All cleaned articles are dried in a solvent recovery dryer or the entire dryer exhaust is vented through a properly functioning control device which will reduce emissions to no more than 3.5 kg of VOC per 100 kg dry weight of cleaned articles; and

(b) All cartridge filtration systems are drained in their sealed housing or other enclosed container before discarding the cartridges; and

(c) All leaking components shall be repaired immediately.

(3) Chromic acid plating and anodizing. The facility-wide uncontrolled hexavalent chromium emissions from plating or anodizing tanks shall be reduced by at least ninety-five percent using either of the following control techniques:

(a) An antimist additive or other equally effective control method approved by ecology or authority; or

(b) The tank is equipped with:

(i) A close capture system which shall be in place and in operation at all times electrical current is applied to the tank; and

(ii) An emission control system which limits hexavalent chromium emissions to no more than 0.15 milligrams per ampere-hour of electrical charge applied to the tank or uncontrolled emissions shall be reduced by ninety-five percent.

(4) Chromic acid and plating (greater than 1 kilogram). If the facility-wide hexavalent chromium emissions from chromic acid plating and anodizing are greater than 1 kilogram per year after the application of control techniques required by subsection (3) of this section, the facility-wide hexavalent chromium emissions shall be reduced by at least ninety-nine percent using either of the following control techniques:

(a) An antimist additive or other equally effective control method approved by ecology or authority; or

(b) The tank is equipped with:

(i) A close capture system which shall be in place and in operation at all times electrical current is applied to the tank; and

(ii) An emissions control system which limits hexavalent chromium emissions to no more than 0.03 milligrams per ampere-hour of electrical charge applied to the tank or uncontrolled emissions shall be reduced by ninety-nine percent.

(5) Solvent metal cleaners.

(a) Any solvent metal cleaner shall include all of the following equipment:

(i) A cover for the solvent tank which shall be closed at all times except when processing work in the degreaser. However, the cover shall be closed to the maximum extent possible when parts are being degreased;

(ii) A facility for draining cleaned parts such that the drained solvent is returned to the solvent tank;

(iii) For cold solvent cleaners, a freeboard ratio greater than or equal to 0.75;

(iv) Vapor degreasers shall have:

(A) A high vapor cutoff thermostat with manual reset; and

(B) For degreasers with spray devices, a vapor-up thermostat which will allow spray operation only after the vapor zone has risen to the design level; and

(C) Either a freeboard ratio greater than or equal to 0.75 or a refrigerated freeboard chiller; and

(v) Conveyorized vapor degreasers shall have:

(A) A drying tunnel or a rotating basket sufficient to prevent cleaned parts from carrying liquid solvent out of the degreaser; and

(B) A high vapor cutoff thermostat with manual reset; and

(C) A vapor-up thermostat which will allow conveyor movement only after the vapor zone has risen to the design vapor level.

(b) The operation of any solvent metal cleaner shall meet the following requirements:

(i) Solvent shall not leak from any portion of the degreasing equipment;

(ii) Solvent, including waste solvent, shall be stored in closed containers and shall be disposed of in such a manner as to prevent its evaporation into the atmosphere;

(iii) For cold cleaners, cleaned parts shall be drained until dripping ceases; and

(iv) Degreasers shall be constructed to allow liquid solvent from cleaned parts to drain into a trough or equivalent device and return to the solvent tank.

(c) For open-top vapor degreasers, solvent drag-out shall be minimized by the following measures:

(i) Racked parts shall be allowed to fully drain;

(ii) The work load shall be degreased in the vapor zone until condensation ceases;

(iii) Spraying operations shall be done within the vapor layer;

(iv) When using a powered hoist, the vertical speed of parts in and out of the vapor zone shall be less than three meters per minute (ten feet per minute);

(v) When the cover is open, the lip of the degreaser shall not be exposed to steady drafts greater than 15.3 meters per minute (fifty feet per minute); and

(vi) When equipped with a lip exhaust, the fan shall be turned off when the cover is closed.

(d) For conveyorized vapor degreasers, solvent drag-out shall be minimized by the following measures:

(i) Racked parts shall be allowed to fully drain; and

(ii) Vertical conveyor speed shall be maintained at less than three meters per minute (ten feet per minute).

(6) Abrasive blasting.

(a) Abrasive blasting should be performed inside a booth or hangar designed to capture the blast grit or overspray.

(b) Outdoor blasting of structures or items too large to be reasonably handled indoors should employ control measures such as curtailment during windy periods and enclosure of the area being blasted with tarps.

(c) Outdoor blasting should be performed with either steel shot or an abrasive containing less than one percent (by mass) which would pass through a No. 200 sieve.

(d) All abrasive blasting with sand shall be performed inside a blasting booth or cabinet.

**NEW SECTION**

**WAC 173-460-070 AMBIENT IMPACT REQUIREMENT.** When applying for a notice of construction under WAC 173-460-040, the owner or operator of a new toxic air pollutant source which is likely to increase TAP emissions shall demonstrate that emissions from the source are sufficiently low to protect human health and safety from potential carcinogenic and/or other toxic effects. Compliance shall be demonstrated in any area which does not have restricted or controlled public access. The source shall demonstrate compliance by using procedures established in this chapter after complying with the control technology requirements in WAC 173-460-060.

**NEW SECTION**

**WAC 173-460-080 DEMONSTRATING AMBIENT IMPACT COMPLIANCE.** (1) When applying for a notice of construction under WAC 173-460-040, the owner or operator of a new toxic air pollutant source which is likely to increase TAP emissions shall complete an acceptable source impact level analysis for Class A and Class B TAPs. The authority may complete this analysis.

(2) Acceptable source impact analysis.

(a) Carcinogenic effects. The owner or operator shall use dispersion modeling to estimate the maximum incremental ambient impact of each Class A TAP from the source and compare the estimated incremental ambient values to the Class A acceptable source impact levels in WAC 173-460-150. If applicable, the source may use the small quantity emission rate tables in (e) of this subsection.

(b) Other toxic effects. The owner or operator shall use dispersion modeling to estimate the maximum incremental ambient impact of each Class B TAP from the source and compare the estimated ambient values to the Class B acceptable source impact levels in WAC 173-460-160. If applicable, the source may use the small quantity emission rate tables in (e) of this subsection.

(c) Dispersion modeling. The owner or operator shall use dispersion modeling techniques in accordance with EPA guidelines. If concentrations predicted by dispersion screening models exceed applicable acceptable source impact levels, more refined modeling and/or emission estimation techniques shall be used. Refined modeling techniques shall be approved by ecology and the authority. (Note: EPA's guideline on Air Quality Models, EPA 450/2-78-0277R, can be obtained through NTIS (703) 487-4650).

(d) Averaging times. The owner or operator shall use the averaging times in (d)(i), (ii), (iii) of this subsection unless alternate averaging times are approved by ecology. Ecology may allow the use of an alternate averaging

time if it determines that the operating procedures of the source may cause a high concentration of a TAP for a short period and that consideration of potential health effects due to peak exposures may be warranted for the TAP.

(i) An annual average shall be used for Class A TAPs listed in WAC 173-460-150(2).

(ii) The averaging times specified in WAC 173-460-150(3) shall be used for Class A TAPs listed in WAC 173-460-150(3).

(iii) A twenty-four-hour averaging time shall be used for Class B TAPs listed in WAC 173-460-160.

(e) Small quantity emission rates. Instead of using dispersion modeling to show compliance with ambient impact demonstration requirements in WAC 173-460-080 and 173-460-090, a source may use the small quantity emission rate tables for all toxic air pollutants with acceptable source impact levels equal to or greater than 0.001 ug/m3. A source must first meet control technology and emission quantification requirements of WAC 173-460-050 and 173-460-060, then demonstrate that the source emission rate does not exceed the rates specified in the appropriate table below.

SMALL QUANTITY EMISSION RATES  
CLASS A TOXIC AIR POLLUTANTS

Acceptable Source Impact Level (Annual ug/m3)	TAP Emissions Pounds per Year (10 meter stack and downwash)
0.001 to 0.0099	0.5
0.01 to 0.06	10
0.07 to 0.12	20
0.13 to 0.99	50
1.0 to 10	500

SMALL QUANTITY EMISSION RATES  
CLASS B TOXIC AIR POLLUTANTS

Acceptable Source Impact Level (24 hour ug/m3)	TAP Emissions	
	Pounds per Year	Pounds per Hour
Less than 1	175	0.02
1 to 9.9	175	0.02
10 to 29.9	1,750	0.20
30 to 59.9	5,250	0.60
60 to 99.9	10,500	1.20
100 to 129.9	17,500	2.0
130 to 250	22,750	2.6
Greater than 250	43,748	5.0

(3) Criteria for compliance. Compliance with WAC 173-460-070 is demonstrated if the authority determines that, on the basis of the acceptable source impact analysis, the source's maximum incremental ambient air impact levels do not exceed the Class A or Class B acceptable source impact levels in WAC 173-460-150 and 173-460-160; or, if applicable, the source TAP emission rates do not exceed the rates specified in subsection (2)(e) of this section.



**NEW SECTION****WAC 173-460-090 SECOND TIER ANALYSIS.****(1) Applicability.**

(a) The owner or operator who cannot demonstrate class A or class B TAP source compliance with WAC 173-460-070 and 173-460-080 using an acceptable source impact level analysis as provided in WAC 173-460-080(2), may submit a petition requesting ecology perform a second tier analysis evaluation to determine a means of compliance with WAC 173-460-070 and 173-460-080 by establishing allowable emissions for the source. Petitions for second tier analysis evaluation shall be submitted to the local authority or ecology if ecology has jurisdiction over the source. Petitions received by local authorities shall be submitted to ecology within ten days of receipt. A second tier analysis evaluation may be requested when a source wishes to more accurately characterize risks, to justify risks greater than acceptable source impact levels, or to otherwise modify assumptions to more accurately represent risks. Risks may be more accurately characterized by utilizing updated EPA unit risk factors, inhalation reference doses, or other EPA recognized or approved methods. Ecology shall specify the maximum allowable emissions of any class A or class B TAP source based on ecology's second tier analysis evaluation.

(b) Ecology shall evaluate a source's second tier analysis only if:

(i) The authority has advised ecology that other conditions for processing the notice of construction have been met; and

(ii) Emission controls contained in the conditional notice of construction represent at least T-BACT; and

(iii) Ambient concentrations exceed acceptable source impact levels after using more refined emission quantification and air dispersion modeling techniques.

(c) Ecology shall determine whether the conditions in (b)(i), (ii), and (iii) of this subsection for a second tier analysis have been satisfied within ten working days of receipt of all information needed to make the determination. The matter shall be returned to the authority if ecology finds the conditions for a second tier analysis evaluation have not been met.

**(2) Jurisdiction.**

(a) Any second tier analysis application submitted by a source wishing to emit toxic air pollutants at levels greater than the acceptable source impact level contained in WAC 173-460-150 or 173-460-160 shall be approved or rejected by ecology.

(b) Any new emission limits approved by ecology as a result of the second tier analysis evaluation shall be enforced by the authority provided the authority approves the new emission limits.

**(3) Approval criteria.**

(a) Based on the second tier analysis, ecology may approve the emissions of TAPs from a source where ambient concentrations exceed acceptable source impact levels only if it determines that emission controls represent at least T-BACT and the source demonstrates that emissions of Class A TAPs are not likely to result in an

increased cancer risk of more than one in one hundred thousand. The emission of Class A TAPs at levels likely to result in an increased cancer risk of more than one in one hundred thousand requires the approval of the director after complying with WAC 173-460-100.

(b) Ecology shall consider the second tier analysis and other information submitted by the applicant as well as department of health comments.

(i) Comments from other agencies and universities with appropriate expertise may also be considered in the decision to approve emissions that exceed acceptable source impact levels.

(ii) Public comments shall be considered if the source applies for a risk management decision under WAC 173-460-100.

**(4) Contents of the second tier analysis.**

(a) The second tier analysis consists of a health impact assessment. The applicant shall complete and submit a health impact assessment to ecology which includes the following information. Ecology may approve the submittal of less information if it determines that such information is sufficient to perform the second tier analysis evaluation. The health impact assessment shall be prepared in accordance with EPA's risk assessment guidelines as defined in WAC 173-460-020(8).

(i) Demographics such as population size, growth, and sensitive subgroups;

(ii) Toxicological profiles of all toxic air pollutants that exceed the ASIL;

(iii) Characterization of existing pathways and total daily intake for toxic air pollutants that exceed the ASIL;

(iv) Contribution of the proposed source toward total daily intake for toxic air pollutants that exceed the ASIL;

(v) Using existing data, characterization of risk from current exposure to the toxic air pollutants that exceed the ASIL. This includes existing TAP sources in the area, and anticipated risk from the new source;

(vi) Additive cancer risk for all Class A toxic air pollutants which may be emitted by the source;

(vii) Other information requested by ecology and pertinent to ecology's decision to approve the second tier application;

(viii) Uncertainty in the data; and

(ix) Length of exposure and persistence in the environment.

(b) The health assessment shall utilize current scientific information. New scientific information on the toxicological characteristics of toxic air pollutants may be used to justify modifications of upper bound unit risk factors used to calculate ASILs in WAC 173-460-150 and/or absorption rates of individual toxic air pollutants if ecology determines there is compelling scientific data which demonstrates that the use of EPA recognized or approved methods are inappropriate.

**(5) Additional information.**

(a) If approved by ecology, newly discovered scientific information which was unavailable at the time of the original submission of the health assessment may be



used to justify modifications of the original health assessment. Ecology may approve the additional information if the source exercised due diligence at the time of original submission.

(b) Within thirty days after receipt of the second tier analysis and all supporting data and documentation, ecology may require the submission of additional information needed to evaluate the second tier analysis.

(6) Determination.

(a) If the second tier analysis is approved by ecology, ecology will return the petition to the authority and the authority may approve the notice of construction.

(b) The authority shall specify allowable emissions consistent with ecology's second tier analysis evaluation determination expressed in weight of pollutant per unit time for each emissions unit involved in the application. The notice of construction shall also include all requirements necessary to assure that conditions of this chapter and chapter 173-400 WAC are satisfied.

(7) Public notification requirements.

Ecology decisions regarding second tier analysis or decisions under WAC 173-460-100 shall comply with public notification requirements contained in WAC 173-400-171.

#### NEW SECTION

WAC 173-460-100 REQUEST FOR RISK MANAGEMENT DECISION. (1) Applicability. The owner or operator of a source that emits Class A TAPs that are likely to result in an increased cancer risk of more than one in one hundred thousand may request that ecology establish allowable emissions for the source.

(2) Contents of the application.

The applicant shall meet the submittal requirements of WAC 173-460-090(1) and submit all materials required under WAC 173-460-090 (4) and (5). The applicant may submit the request for a risk management decision concurrently with the second tier analysis application. Prior denial of the second tier analysis application under WAC 173-460-090(6) is not required.

(3) Criteria for approval. Ecology may approve the emissions of TAPs from a source where ambient concentrations are likely to result in an increased cancer risk of more than one in one hundred thousand only if the source first demonstrates the following:

(a) Proposed emission controls represent all known available and reasonable technology; and

(b) Application of all known available toxic air pollution prevention methods to reduce, avoid, or eliminate toxic air pollutants prior to their generation including recycling, chemical substitution, and efforts to redesign processes; and

(c) The proposed changes will result in a greater benefit to the environment as a whole.

(4) Additional methods to reduce toxic air pollutants. In addition to the requirements in subsection (3) of this section, the owner or operator may propose and ecology may consider innovative or established measures that are likely to reduce community exposure to toxic air pollutants provided that such measures are not already required. Examples of innovative measures include but are not limited to:

(a) Reducing vehicle miles traveled to the facility through vanpool programs and transportation management plans;

(b) Permanent removal of woodstoves; and

(c) Purchasing used automobiles. Examples of established methods include, but are not limited to, emission bubbles and offsets.

(5) Public involvement. Ecology will endeavor to initiate public notice and comment within thirty days of receipt of a completed risk management decision application. In addition to the public notice and comment requirements of WAC 173-400-171, the owner or operator shall:

(a) Present the results of the second tier analysis, the proposed emission controls, pollution prevention methods, additional proposed measures, and remaining risks; and

(b) Participate in discussions with and answer questions from the affected community.

(6) Time limitation. The owner or operator shall commence construction within eighteen months of the director's approval.

#### NEW SECTION

WAC 173-460-110 ACCEPTABLE SOURCE IMPACT LEVELS. There are three types of acceptable source impact levels: Risk-based, threshold-based, and special acceptable source impact levels. They are computed as follows:

(1) Risk-based acceptable source impact levels for Class A TAPs. Risk-based acceptable source impact levels means the annual average concentration, in micrograms per cubic meter, that may cause an increased cancer risk of one in one million. Ecology shall calculate the risk-based acceptable source impact levels for Class A TAPs in WAC 173-460-150(2) using the following equation:

$$\text{Risk based ASIL} = \frac{\text{RISK}}{\text{URF}}$$

(ug/m<sup>3</sup>)

Where:

RISK=Cancer risk level (1 in 1,000,000)

URF=Upper bound unit risk factor as published in IRIS data base or other appropriate sources (ug/m<sup>3</sup>)-1.

(2) Threshold-based acceptable source impact levels for Class B TAPs. Threshold-based acceptable source impact levels in WAC 173-460-160 shall be determined as follows:

(a) If a Class B TAP has an Environmental Protection Agency Inhalation Reference Dose, the inhalation reference dose and specified averaging time shall be used.

(b) Other Class B TAP acceptable source impact levels shall be determined by dividing the TLV-TWA by three hundred to calculate a twenty-four hour TWA acceptable source impact level.

(3) Special acceptable source impact levels.

(a) Ecology may establish special acceptable source impact levels for TAPs for which upper bound risk factors or TLVs have not been established, or for mixtures of compounds if it determines that the above acceptable

source impact level methods are not appropriate, do not adequately protect human health or are overly stringent.

(b) The averaging times for special ASILs are listed in WAC 173-460-150(3).

**NEW SECTION**

WAC 173-460-120 SCIENTIFIC REVIEW AND AMENDMENT OF ACCEPTABLE SOURCE IMPACT LEVELS AND LISTS. (1) Ongoing scientific review.

(a) To use the best available scientific information, ecology shall conduct an ongoing review of information concerning whether to add or delete toxic air pollutants to WAC 173-460-150 or 173-460-160, what acceptable source impact levels should be used to review emissions of TAPs, source applicability and exemptions.

(b) A complete review shall be made at least once every three years at which time ecology shall consider scientific information developed by the E.P.A., Washington department of health, other states or other scientific organizations, scientific information provided by any person, and results of second tier analyses evaluations.

(2) Criteria for listing as Class A or Class B TAP.

(a) Ecology shall list a substance or group of substances as Class A or Class B TAPs if the department has reason to believe that the compound or group of compounds are likely to be emitted to the air from an air pollution source and the air emission of such compound or compounds could impact public health. The compounds shall be removed from the list if ecology determines that these conditions no longer exist.

(b) Ecology may list mixtures of compounds as Class A and/or Class B TAPs if ecology determines that the health impact of the emission mixture is likely to be different from the known individual chemical impacts.

(3) Acceptable source impact level (ASIL).

Ecology may adopt an ASIL only if ecology determines that concentrations at that level will not unreasonably endanger human health.

**NEW SECTION**

WAC 173-460-130 FEES. (1) Pursuant to RCW 70.94.152, ecology or the authority may charge a fee for the review of notices of construction.

(2) The fee imposed under this section may not exceed the cost of reviewing plans, specifications, and other information and administering such notice.

**NEW SECTION**

WAC 173-460-140 REMEDIES. Violations of this chapter are subject to the penalty provisions and/or other remedies provided in chapter 70.94 RCW.

**NEW SECTION**

WAC 173-460-150 CLASS A TOXIC AIR POLLUTANTS: KNOWN, PROBABLE AND POTENTIAL HUMAN CARCINOGENS AND ACCEPTABLE SOURCE IMPACT LEVELS.

(1) TABLE I  
CLASS A TOXIC AIR POLLUTANTS  
Known and Probable Carcinogens

CAS #	SUBSTANCE
75-07-0	Acetaldehyde
107-13-1	Acrylonitrile
309-00-2	Aldrin
—	Aluminum smelter polyaromatic hydrocarbon emissions
117-79-3	2-Aminoanthraquinone
97-56-3	o-Aminoazotoluene
92-67-1	4-Aminobiphenyl
61-82-5	Amitrole
—	Arsenic and inorganic arsenic compounds
1332-21-4	Asbestos
2465-27-2	Auramine (technical grade)
56-55-3	Benz(a)anthracene
71-43-2	Benzene
92-87-5	Benzidine and its salts
50-32-8	Benzo(a)pyrene
204-99-2	Benzo(b)fluoranthene
205-82-3	Benzo(j)fluoranthene
205-08-9	Benzo(k)fluoranthene
1694-09-3	Benzyl violet 4b
—	Beryllium and compounds
111-44-4	Bis(2-chloroethyl)ether
117-81-7	Bis(2-ethylhexyl)phthalate
542-88-1	Bis(chloromethyl)ether and technical-grade chloromethyl methyl ether
106-99-0	1,3-Butadiene
3068-88-0	B-Butyrolactone
—	Cadmium and compounds
56-23-5	Carbon tetrachloride
57-74-9	Chlordane
74-87-3	Chlorodibromoethane
67-66-3	Chloroform
107-30-2	Chloromethyl methyl ether (technical-grade)
108-43-0	Chlorophenols
126-99-8	Chloroprene
—	Chromium, hexavalent metal and compounds
—	Coke oven emissions
8001-58-9	Creosote
135-20-6	Cupferron
94-75-7	2,4-D and esters
50-29-3	DDT (1,1,1 Trichloro-2,2-Bis(p-chlorophenyl)-ethane)
613-35-4	N,N-Diacetylbenzidine
101-80-4	4,4'-Diaminodiphenyl ether
226-36-8	Dibenz(a,h)acridine
53-70-3	Dibenz(a,h)anthracene
224-42-0	Dibenz(a,j)acridine
189-64-0	Dibenzo(a,h)pyrene
191-30-0	Dibenzo(a,l)pyrene
189-55-9	1,2:7,8-Dibenzopyrene (dibenzo(a,i)pyrene)

CAS #	SUBSTANCE
192-65-4	Dibenzo(a,e)pyrene
	1,4-Dichloro-2-butene
28434-86-8	3,3'-Dichloro-4,4'-diaminodiphenyl ether
106-46-7	1,4-Dichlorobenzene
91-94-1	3,3'-Dichlorobenzidine
107-06-2	1,2-Dichloroethane (ethylene chloride)
75-09-2	Dichloromethane (methylene chloride)
696-28-6	Dichlorophenylarsine (arsenic group)
78-87-5	1,2-Dichloropropane
60-57-1	Dieldrin
1615-80-1	1,2-Diethylhydrazine
101-90-6	Diglycidyl resorcinol ether
119-90-4	3,3'-Dimethoxybenzidine (ortol-dianisidine)
77-78-1	Dimethyl sulfate
540-73-8	1,2-Dimethylhydrazine
25321-14-6	Dinitrotoluenes (mixed)
123-91-9	1,4-Dioxane
—	Dioxins and furans
122-66-7	1,2-Diphenylhydrazine
106-93-4	Ethylene Dibromide
75-21-8	Ethylene oxide
50-00-0	Formaldehyde
	Furium (nitrofur group)
765-34-4	Glyciadaldehyde
76-44-8	Heptachlor
118-74-1	Hexachlorobenzene
319-84-6	Hexachlorocyclohexane (Lindane) Alpha BHC
319-85-7	Hexachlorocyclohexane (Lindane) Beta BHC
580-89-9	Hexachlorocyclohexane (Lindane) Gamma BHC
67-72-1	Hexachloroethane
193-39-5	Indeno(1,2,3-cd)pyrene
—	Isopropyl oils
301-04-2	Lead acetate
7446-27-7	Lead phosphate
129-15-7	2-Methyl-1-nitroanthraquinone
592-62-1	Methylazoxymethanol & acetate
3697-24-3	5-Methylchrysene
101-14-4	4,4'-Methylenebis(2-chloroaniline) (MBOCA)
838-88-0	4,4'-Methylenebis(2-methylaniline)
101-77-9	4,4-Methylenedianiline
13552-44-8	4,4-Methylenedianiline dihydrochloride
64091-91-4	4-(Methylnitrosamino)-1-(3-pyridyl)-1-butanone
—	Mirex
139-91-3	5-(Morpholinomethyl)-3-((5-nitrofurfurylidene)amino)-2-oxazolidinone
924-16-3	N-Nirtrosodi-n-butylamine
134-32-7	1-Naphthylamine
7440-02-0	Nickel and compounds
531-82-8	N-(4-(5-Nirto-2-furyl)-2-thiazolyl)acetamide
759-73-9	N-Nirtoso-n-ethylurea (NEU)
621-64-7	N-Nirtosodi-n-propylamine

CAS #	SUBSTANCE
10595-95-6	N-Nirtosomethylethylamine
59-89-2	N-Nirtosomorpholine
86-30-6	N-Nirtrosodiphenylamine
55-18-5	N-Nirtrosodiethylamine (diethylnitrosoamine) (DEN)
62-75-9	N-Nirtrosodimethylamine
602-87-9	5-Nitroacenaphthene
1836-75-5	Nitrofen
	Nitrofurans Furazolidone
59-87-0	Nitrofurazone
555-84-9	1-(5-Nitrofurfurylidene)amino)-2-imidazolidinone
126-85-2	Nitrogen mustard N-oxide
302-70-5	Nitrogen mustard n-oxide hydrochloride
79-46-9	2-Nitropropane
615-53-2	N-Nitroso-n-methylurethane
2646-17-5	Oil orange SS
794-93-4	Panfuran S (dihydroxymethylfuratrizine)
127-18-4	Perchloroethylene (tetrachloroethylene)
63-92-3	Phenoxybenzamine hydrochloride
—	N-Phenyl-2-naphthylamine
—	Polyaromatic Hydrocarbons (PAH)
1336-36-3	Polychlorinated biphenyls (PCBs)
3761-53-3	Ponceau MX
	P(p)(alpha, alpha, alpha)-Tetra-chlorotoluene
1746-01-6	2,3,7,8-Tetrachlorodibenzo-p-dioxin (2,3,7,8-TCDD)
139-65-1	4,4'-Thiodianiline
1314-20-1	Thorium dioxide
584-84-9	2,4-Toluene diisocyanate
95-53-4	o-Toluidine & its hydrochloride
8001-35-2	Toxaphene
55738-54-0	Trans-2((Dimethylamino)methylimino)-5-(5-nitro-2-furyl)vinyl-1,3,4-oxadiazole
79-01-6	Trichloroethylene
25167-82-2	Trichlorophenol (mixed)
75-01-4	Vinyl Chloride

(2) TABLE II  
CLASS A TOXIC AIR POLLUTANTS  
WITH ESTABLISHED  
ACCEPTABLE SOURCE IMPACT LEVELS

CAS #	SUBSTANCE	10-6 RISK ASIL MICROGRAMS/M <sup>3</sup> ANNUAL AVERAGE
75-07-0	Acetaldehyde	0.4500000
107-13-1	Acrylonitrile	0.0150000
309-00-2	Aldrin	0.0002000
—	Arsenic and inorganic arsenic compounds	0.0002300
1332-21-4	Asbestos (Note: fibers/ml)	0.0000042
71-43-2	Benzene	0.1200000
92-87-5	Benzidine and its salts	0.0000150
50-32-8	Benzo(a)pyrene	0.0006000
—	Beryllium and compounds	0.0004200
111-44-4	Bis(2-chloroethyl)ether	0.0030000
542-88-1	Bis(chloromethyl)ether and technical-grade chloromethyl methyl ether	0.0000160
—	Cadmium and compounds	0.0005600

CAS #	SUBSTANCE	10-6 RISK ASIL MICROGRAMS/M <sup>3</sup> ANNUAL AVERAGE
56-23-5	Carbon tetrachloride	0.0670000
57-74-9	Chlordane	0.0027000
67-66-3	Chloroform	0.0430000
108-43-0	Chlorophenols	0.1800000
—	Chromium, hexavalent metal and compounds	0.0000830
—	Coke oven emissions	0.0016000
50-29-3	DDT (1,1,1 Trichloro-2,2-Bis-(p-chlorophenyl)-ethane)	0.0100000
—	1,4-Dichloro-2-butene	0.0003800
107-06-2	1,2-Dichloroethane (ethylene chloride)	0.0400000
75-09-2	Dichloromethane (methylene chloride)	2.0000000
60-57-1	Dieldrin	0.0002000
122-66-7	1,2-Diphenylhydrazine	0.0045000
106-93-4	Ethylene Dibromide	0.0045000
75-21-8	Ethylene oxide	0.0100000
50-00-0	Formaldehyde	0.0770000
76-44-8	Heptachlor	0.0007700
118-74-1	Hexachlorobenzene	0.0020000
67-72-1	Hexachloroethane	0.2500000
127-18-4	Perchloroethylene (tetrachloroethylene)	1.1000000
1746-01-6	2,3,7,8-Tetrachlorodibenzo-p-dioxin (2,3,7,8-TCDD)	0.00000003
8001-35-2	Toxaphene	0.0030000
79-01-6	Trichloroethylene	0.8000000
25167-82-2	Trichlorophenol (mixed)	0.1800000
75-01-4	Vinyl Chloride	0.0230000

(3) TABLE III  
CLASS A TOXIC AIR POLLUTANTS  
WITH SPECIAL ACCEPTABLE SOURCE  
IMPACT LEVELS

CAS #	SUBSTANCE	ASIL MICROGRAMS/M <sup>3</sup>	AVERAGING TIME
—	Primary aluminum smelter uncontrolled roof vent polyaromatic hydrocarbon (PAH) emissions (Note: Quantify according to WAC 173-460-050 (4)(d))	0.0013	Annual
61-82-5	Amitrole	0.6	24 hour
106-99-0	1,3-Butadiene	73.3	24 hour
126-99-8	B-Chloroprene	116.6	24 hour
94-75-7	2,4-D and esters	33.3	24 hour
106-46-7	1,4-Dichlorobenzene	1500	24 hour
78-87-5	1,2-Dichloropropane	1166.6	24 hour
77-78-1	Dimethyl sulfate	1.6	24 hour
540-73-8	1,2-Dimethylhydrazine	3.3	24 hour
123-91-9	1,4-Dioxane	300	24 hour
58-89-9	Lindane	1.6	24 hour
101-14-4	4,4'-Methylenebis (2-Chloroaniline) (MBOCA)	0.7	24 hour
101-77-9	4,4-Methylenedianiline	2.6	24 hour
7440-02-0	Nickel and compounds	3.3	24 hour
79-46-9	2-Nitropropane	116.6	24 hour
—	Polyaromatic hydrocarbon (PAH) emissions (Note: Quantify according to WAC 173-460-050 (4)(d))	0.0006	Annual
584-84-9	2,4-Toluene diisocyanate	0.1	24 hour
95-53-4	O-Toluidine	30	24 hour

**NEW SECTION**

WAC 173-460-160 CLASS B TOXIC AIR POLLUTANTS AND ACCEPTABLE SOURCE IMPACT LEVELS. The following table lists Class B toxic air pollutants and acceptable source impact levels:

**CLASS B TOXIC AIR POLLUTANTS AND ACCEPTABLE SOURCE IMPACT LEVELS**

CAS #	SUBSTANCE	ASIL MICROGRAMS/M <sup>3</sup> TWENTY-FOUR-HOUR AVERAGE
86-88-4	ANTU	1.0
75-07-0	Acetic acid	83.3
108-24-7	Acetic anhydride	66.6
67-64-1	Acetone	5927.4
75-05-8	Acetonitrile	233.1
79-27-6	Acetylene tetrabromide	50.0
107-02-8	Acrolein	0.8
79-06-1	Acrylamide	0.1
79-10-7	Acrylic acid	99.9
107-18-6	Allyl alcohol	16.7
106-92-3	Allyl glycidyl ether (AGE)	73.3
2179-59-1	Allyl propyl disulfide	40.0
7429-90-5	Aluminum, Al alkyls	6.7
7429-90-5	Aluminum, as AL metal dust	33.3
7429-90-5	Aluminum, as AL pyro powders	16.7
7429-90-5	Aluminum, as Al soluble salts	6.7
7429-90-5	Aluminum, as Al welding fumes	16.7
504-29-0	2-Aminopyridine	6.7
7664-41-7	Ammonia	59.9
12125-02-9	Ammonium chloride fume	33.3
3825-26-1	Ammonium perfluorooctanoate	0.3
7773-06-0	Ammonium sulfamate	33.3
628-63-7	n-Amyl acetate	1764.9
626-38-0	sec-Amyl acetate	2214.5
62-53-3	Aniline & homologues	33.3
29191-52-4	Anisidine (o-,p- isomers)	1.7
7440-36-0	Antimony & compounds as Sb	1.7
1309-64-4	Antimony trioxide, as Sb	1.7
7784-42-1	Arsine	0.7
8052-42-4	Asphalt (petroleum) fumes	16.7
1912-24-9	Atrazine	16.7
86-50-0	Azinphos-methyl	0.7
7440-39-3	Barium, soluble compounds Ba	1.7
17804-35-2	Benomyl	33.3
94-36-0	Benzoyl Peroxide	16.7
100-44-7	Benzyl chloride	16.7
92-52-4	Biphenyl	5.0
1304-82-1	Bismuth telluride	33.3
1304-82-1	Bismuth telluride Se doped	16.7
1303-96-4	Borates, anhydrous	3.3
1303-96-4	Borates, decahydrate	16.7
1303-96-4	Borates, pentahydrate	3.3
1303-86-2	Boron oxide	33.3
10294-33-4	Boron tribromide	33.3
7726-95-6	Boron trifluoride	10.0
314-40-9	Bromacil	33.3
7726-95-6	Bromine	2.3
7789-30-2	Bromine pentafluoride	2.3
75-25-2	Bromoform	16.7
106-97-8	Butane	6327.0
111-76-2	2-Butoxyethanol	399.6
123-86-4	n-Butyl acetate	2364.3
105-46-4	sec-Butyl acetate	3163.5
540-88-5	tert-Butyl acetate	3163.5
141-32-2	Butyl acrylate	183.2
71-36-3	n-Butyl alcohol	499.5
78-92-2	sec-Butyl alcohol	1015.7
75-65-0	tert-Butyl alcohol	999.0
1189-85-1	tert-Butyl chromate, as CrO3	0.3
2426-08-6	n-Butyl glycidyl ether (BGE)	449.6
138-22-7	n-Butyl lactate	83.3
109-79-5	Butyl mercaptan	5.0
109-73-9	Butylamine	50.0
89-72-5	o-sec-Butylphenol	99.9
98-51-1	p-tert-Butyltoluene	199.8
156-62-7	Calcium cyanamide	1.7
1305-62-0	Calcium hydroxide	16.7
1305-78-8	Calcium oxide	6.7
76-22-2	Camphor, synthetic	40.0
105-60-2	Caprolactam, dust	3.3
105-60-2	Caprolactam, vapor	66.6
2425-06-1	Captafol	0.3
133-06-2	Captan	16.7
63-25-2	Carbaryl	16.7
1563-66-2	Carbofuran	0.3
1333-86-4	Carbon black	11.7
75-15-0	Carbon disulfide	99.9

CAS #	SUBSTANCE	ASIL MICROGRAMS/M <sup>3</sup>	CAS #	SUBSTANCE	ASIL MICROGRAMS/M <sup>3</sup>
		TWENTY-FOUR-HOUR AVERAGE			TWENTY-FOUR-HOUR AVERAGE
558-13-4	Carbon tetrabromide	4.7	84-66-2	Diethyl phthalate	16.7
353-50-4	Carbonyl fluoride	16.7	109-89-7	Diethylamine	99.9
120-80-9	Catechol	66.6	100-37-8	Diethylaminoethanol	166.5
21351-79-1	Cesium hydroxide	6.7	111-40-0	Diethylene triamine	13.3
8001-35-2	Chlorinated camphene	1.7	75-61-6	Difluorodibromomethane	2863.8
—	Chlorinated diphenyl oxide	1.7	2238-07-5	Diglycidyl ether	1.7
7782-50-5	Chlorine	10.0	108-83-8	Diisobutyl ketone	499.5
10049-04-4	Chlorine dioxide	1.0	108-18-9	Diisopropylamine	66.6
7790-91-2	Chlorine trifluoride	1.3	127-19-5	Dimethyl acetamide	116.6
600-25-9	1-Chloro-1-nitropropane	33.3	124-40-3	Dimethylamine	59.9
107-20-0	Chloroacetaldehyde	10.0	121-69-7	Dimethylaniline	83.3
532-27-4	o-Chloroacetophenone	1.0	68-12-2	Dimethylformamide	99.9
79-04-9	Chloroacetyl chloride	0.7	57-14-7	1,1-Dimethylhydrazine	3.3
2698-41-1	o-Chlorobenzylidene malonitrile	1.3	131-11-3	Dimethylphthalate	16.7
108-90-7	Chlorobenzene	1165.5	148-01-6	Dinitolmide	16.7
74-97-5	Chlorobromomethane	3496.5	534-52-1	Dinitro-o-cresol	0.7
75-45-6	Chlorodifluoromethane	11655.0	528-29-0	Dinitrobenzene, all isomers	3.3
76-15-3	Chloropentafluoroethane	21045.6	78-34-2	Dioxathion	0.7
76-06-2	Chloropicrin	2.3	122-39-4	Diphenylamine	33.3
2039-87-4	o-Chlorostyrene	949.1	123-19-3	Dipropyl ketone	782.6
95-49-8	o-Chlorotoluene	832.5	34590-94-8	Dipropylene glycol methyl ether	1998.0
2921-88-2	Chlorpyrifos	0.7	85-00-7	Diquat	1.7
7440-47-3	Chromium (II) compounds, as Cr	1.7	97-77-8	Disulfiram	6.7
7440-47-3	Chromium (III) compounds, Cr	1.7	298-04-4	Disulfuton	0.3
7440-47-3	Chromium (metal)	1.7	128-37-0	2,6-Ditert. butyl-p-cresol	33.3
14977-61-8	Chromyl chloride	0.5	330-54-1	Diuron	33.3
2971-90-6	Clopidol	33.3	1321-74-0	Divinyl benzene	166.5
7440-48-4	Cobalt as Co metal Dust and fu	0.2	2104-64-5	EPN	1.7
10210-68-1	Cobalt carbonyl as Co	0.3	115-29-7	Endosulfan	0.3
16842-03-8	Cobalt hydrocarbonyl	0.3	72-20-8	Endrin	0.3
7440-50-8	Copper, Dusts and mists, as Cu	3.3	13838-16-9	Enflurane	1914.8
7440-50-8	Copper, Fume	0.7	141-43-5	Ethanolamine	26.6
—	Cotton dust, raw	0.7	563-12-2	Ethion	1.3
1319-77-3	Cresol, all isomers	73.3	110-80-5	2-Ethoxyethanol	63.3
4170-30-3	Crotonaldehyde	20.0	111-15-9	2-Ethoxyethyl acetate	89.9
299-86-5	Cruformate	16.7	60-29-7	Ethyl Ether	3996.0
98-82-2	Cumene	815.9	141-78-6	Ethyl acetate	4662.0
420-04-2	Cyanamide	6.7	140-88-5	Ethyl acrylate	66.6
151-50-8	Cyanides, as CN	16.7	64-17-5	Ethyl alcohol	6327.0
460-19-5	Cyanogen	66.6	541-85-5	Ethyl amyl ketone	432.9
506-77-4	Cyanogen chloride	2.0	100-41-4	Ethyl benzene	1448.6
110-82-7	Cyclohexane	3496.5	74-96-4	Ethyl bromide	2963.7
108-93-0	Cyclohexanol	666.0	106-35-4	Ethyl butyl ketone	765.9
108-94-1	Cyclohexanone	333.0	75-00-3	Ethyl chloride	8658.0
110-83-8	Cyclohexene	3380.0	109-94-4	Ethyl formate	999.0
108-91-8	Cyclohexylamine	133.2	75-08-1	Ethyl mercaptan	3.3
121-82-4	Cyclonite	5.0	78-10-4	Ethyl silicate	283.1
542-92-7	Cyclopentadiene	666.0	75-04-7	Ethylamine	59.9
287-92-3	Cyclopentane	5727.6	107-07-3	Ethylene chlorohydrin	10.0
13121-70-5	Cyhexatin	16.7	107-21-1	Ethylene glycol	416.3
94-75-7	2,4-D	33.3	628-96-6	Ethylene glycol dinitrate	1.0
17702-41-9	Decaborane	1.0	107-15-3	Ethylenediamine	83.3
8065-48-3	Demeton	0.3	151-56-4	Ethylenimine	3.3
117-81-7	Di(2-ethylhexyl)phthalate	16.7	16219-75-3	Ethylidene norbornene	83.3
123-42-2	Diacetone alcohol	799.2	100-74-3	N-Ethylmorpholine	76.6
333-41-5	Diazinon	0.3	22224-92-6	Fenamiphos	0.3
334-88-3	Diazomethane	1.3	115-90-2	Fensulfothion	0.3
19287-45-7	Diborane	0.3	55-38-9	Fenthion	0.7
107-66-4	Dibutyl phosphate	16.7	14484-64-1	Ferbam	33.3
84-74-2	Dibutyl phthalate	16.7	12604-58-9	Ferrovanadium dust	3.3
102-81-8	2-N-Dibutylaminoethanol	46.6	—	Febrous glass dust	33.3
594-72-9	1,1-Dichloro-1-nitroethane	33.3	—	Fluorides, as F	8.3
118-52-5	1,3-Dichloro-5,5-dimethyl hydantoin	0.7	7782-41-4	Fluorine	6.7
7572-29-4	Dichloroacetylene	1.3	944-22-9	Fonofos	0.3
95-50-1	o-Dichlorobenzene	999.0	75-12-7	Formamide	50.0
106-46-7	p-Dichlorobenzene	1498.5	64-18-6	Formic acid	30.0
75-71-8	Dichlorodifluoromethane	16483.5	98-01-1	Furfural	26.6
75-34-3	1,1-Dichloroethane	2697.3	98-00-1	Furfuryl alcohol	133.2
111-44-4	Dichloroethyl ether	99.9	7782-65-2	Germanium tetrahydride	2.0
540-59-0	1,2-Dichloroethylene	2630.7	111-30-8	Glutaraldehyde	2.3
75-43-4	Dichlorofluoromethane	133.2	556-52-5	Glycidol	249.8
78-87-5	1,2-Dichloropropane	1165.5	7440-58-6	Hafnium	1.7
542-75-6	Dichloropropene	16.7	151-67-7	Halothane	1332.0
75-99-0	2,2-Dichloropropionic acid	20.0	142-82-5	Heptane (n-Heptane)	5328.0
76-14-2	Dichlorotetrafluoroethane	23310.0	87-68-3	Hexachlorobutadiene	0.8
62-73-7	Dichlorvas	3.3	77-47-4	Hexachlorocyclopentadiene	0.3
141-66-2	Dicrotophos	0.8	1335-87-1	Hexachloronaphthalene	0.7
77-73-6	Dicyclopentadiene	99.9	684-16-2	Hexafluoroacetone	2.3
102-54-5	Dicyclopentadienyl iron	33.3	822-06-0	Hexamethylene diisocyanate	0.1
60-57-1	Dieldrin	0.8	100-54-3	Hexane (n-Hexane)	599.4
111-42-2	Diethanolamine	50.0	—	Hexane, other isomers	5994.0
96-22-0	Diethyl ketone	2347.7	591-78-6	2-Hexanone (MBK)	66.6

CAS #	SUBSTANCE	ASIL MICROGRAMS/M <sup>3</sup> TWENTY-FOUR-HOUR AVERAGE	CAS #	SUBSTANCE	ASIL MICROGRAMS/M <sup>3</sup> TWENTY-FOUR-HOUR AVERAGE
108-84-9	sec-Hexyl acetate	999.0	98-83-9	a-Methyl styrene	799.2
107-41-5	Hexylene glycol	416.3	126-98-7	Methylacrylonitrile	10.0
10035-10-6	Hydrogen bromide	33.3	109-87-5	Methylal	10323.0
7647-01-0	Hydrogen chloride	23.3	74-89-5	Methylamine	40.0
74-90-8	Hydrogen cyanide	33.3	108-87-2	Methylcyclohexane	5328.0
7664-39-3	Hydrogen fluoride, as F	8.3	25639-42-3	Methylcyclohexanol	782.6
7722-84-1	Hydrogen peroxide	5.0	583-60-8	o-Methylcyclohexanone	765.9
7783-07-5	Hydrogen selenide, as Se	0.7	12108-13-3	Methylcyclopentadienyl manganese tricarbonyl	0.7
7783-06-4	Hydrogen sulfide	46.6	5124-30-1	Methylene bis (4-cyclo-hexylisocyanate)	0.2
123-31-9	Hydroquinone	6.7	101-68-8	Methylene bisphenyl isocyanate	0.2
999-61-1	2-Hydroxypropyl acrylate	10.0	101-77-9	4,4'-Methylene dianiline	2.7
95-13-6	Indene	149.9	21087-64-9	Metribuzin	16.7
7440-74-6	Indium, & compounds as In	0.3	7786-34-7	Mevinphos	0.3
7553-56-2	Iodine	3.3	7439-98-7	Molybdenum, as Mo soluble cpds	16.7
75-47-8	Iodoform	33.3	7439-98-7	Molybdenum, insoluble cpds	33.3
1309-37-1	Iron oxide fume, Fe2O3 as Fe	16.7	6923-22-4	Monocrotophos	0.8
13463-40-6	Iron pentacarbonyl, as Fe	2.7	110-91-8	Morpholine	233.1
—	Iron salts, soluble as Fe	3.3	300-76-5	Naled	10.0
123-92-2	Isoamyl acetate	1748.3	91-20-3	Naphthalene	166.5
123-51-3	Isoamyl alcohol	1198.8	54-11-5	Nicotine	1.7
110-19-0	Isobutyl acetate	2331.0	1929-82-4	Nitrapyrin	33.3
78-83-1	Isobutyl alcohol	499.5	7697-37-2	Nitric acid	16.7
26952-21-6	Isocetyl alcohol	899.1	10102-43-9	Nitric oxide	99.9
78-59-1	Isophorone	83.3	100-01-6	p-Nitroaniline	10.0
4098-71-9	Isophorone diisocyanate	0.1	98-95-3	Nitrobenzene	16.7
109-59-1	Isopropoxyethanol	349.7	100-00-5	p-Nitrochlorobenzene	2.0
108-21-4	Isopropyl acetate	3163.5	79-24-3	Nitroethane	1032.3
67-63-0	Isopropyl alcohol	3263.4	7783-54-2	Nitrogen trifluoride	99.9
108-20-3	Isopropyl ether	3496.5	55-63-0	Nitroglycerin	1.7
4016-14-2	Isopropyl glycidyl ether (IGE)	799.2	75-52-5	Nitromethane	832.5
75-31-0	Isopropylamine	40.0	108-03-2	1-Nitropropane	299.7
768-52-5	N-Isopropylaniline	33.3	88-72-2	Nitrotoluene	36.6
463-51-4	Ketene	3.0	111-84-2	Nonane	3496.5
3687-31-8	Lead arsenate, as Pb3 (AsO4)2	0.5	2234-13-1	Octachloronaphthalene	0.3
7758-97-6	Lead chromate, as Cr	0.2	111-65-9	Octane	4828.5
68476-85-7	Liquified petroleum gas	5994.0	8012-95-1	Oil mist, mineral	16.7
7580-67-8	Lithium hydride	0.1	20816-12-0	Osmium tetroxide, as Os	0.007
1309-48-4	Magnesium oxide fume	33.3	144-62-7	Oxalic acid	3.3
121-75-5	Malathion	33.3	7783-41-7	Oxygen difluoride	0.3
108-31-6	Maleic anhydride	3.3	8002-74-2	Parafin wax fume	6.7
7439-96-5	Manganese Dust & compounds	16.7	4685-14-7	Paraquat	0.3
7439-96-5	Manganese Fume	3.3	56-38-2	Parathion	0.3
12079-65-1	Manganese cyclopentadienyl tricarbonyl	0.3	19624-22-7	Pentaborane	0.0
7439-97-6	Mercury, Aryl & inorganic cmpd	0.3	1321-64-8	Pentachloronaphthalene	1.7
7439-97-6	Mercury, as Hg Alkyl compounds	0.03	87-86-5	Pentachlorophenol	1.7
7439-97-6	Mercury, vapors except alkyl	0.2	109-66-0	Pentane	5994.0
141-79-7	Mesityl oxide	199.8	594-42-3	Perchloromethyl mercaptan	2.7
79-41-4	Methacrylic acid	233.1	7616-94-6	Perchloryl fluoride	46.6
16752-77-5	Methomyl	8.3	108-95-2	Phenol	63.3
72-43-5	Methoxychlor	33.3	92-84-2	Phenothiazine	16.7
109-86-4	2-Methoxyethanol	53.3	101-84-8	Phenyl ether	23.3
110-49-6	2-Methoxyethyl acetate	79.9	122-60-1	Phenyl glycidyl ether	20.0
150-76-5	4-Methoxyphenol	16.7	108-98-5	Phenyl mercaptan	6.7
137-05-3	Methyl 2-cyanoacrylate	26.6	106-50-3	p-Phenylene diamine	0.3
79-20-9	Methyl acetate	2031.3	100-63-0	Phenylhydrazine	66.6
74-99-7	Methyl acetylene	5494.5	638-21-1	Phenylphosphine	0.8
—	Methyl acetylene-propadiene mixture (MAPP)	5994.0	298-02-2	Phorate	0.2
96-33-3	Methyl acrylate	116.6	75-44-5	Phosgene	1.3
67-56-1	Methyl alcohol	865.8	7803-51-2	Phosphine	1.3
100-61-8	N-Methyl aniline	6.7	7664-38-2	Phosphoric acid	3.3
74-83-9	Methyl bromide	66.6	7723-14-0	Phosphorus	0.3
74-87-3	Methyl chloride	349.7	10025-87-3	Phosphorus oxychloride	2.0
71-55-6	Methyl chloroform	6327.0	10026-13-8	Phosphorus pentachloride	3.3
8022-00-2	Methyl demeton	1.7	1314-80-3	Phosphorus pentasulfide	3.3
78-93-3	Methyl ethyl ketone (MEK)	1964.7	7719-12-2	Phosphorus trichloride	5.0
1338-23-4	Methyl ethyl ketone peroxide	5.0	85-44-9	Phthalic anhydride	20.0
107-31-3	Methyl formate	832.5	626-17-5	m-Phthalodinitrile	16.7
60-34-4	Methyl hydrazine	1.2	1918-02-1	Picloram	33.3
74-88-4	Methyl iodide	33.3	88-89-1	Picric acid	0.3
110-12-3	Methyl isoamyl ketone	799.2	83-26-1	Pindone	0.3
108-11-2	Methyl isobutyl carbinol	333.0	142-64-3	Piperazine dihydrochloride	16.7
108-10-1	Methyl isobutyl ketone (MIBK)	682.7	7440-06-4	Platinum, Metal	3.3
624-83-9	Methyl isocyanate	0.2	7440-06-4	Platinum, Soluble salts as Pt	0.0
563-80-4	Methyl isopropyl ketone	2347.7	1310-58-3	Potassium hydroxide	6.7
74-93-1	Methyl mercaptan	3.3	107-19-7	Propargyl alcohol	6.7
80-62-6	Methyl methacrylate	1365.3	57-57-8	B-Propiolactone	5.0
110-43-0	Methyl n-amyl ketone	782.6	114-26-1	Propoxur	1.7
591-78-6	Methyl n-butyl ketone	66.6	79-09-4	Propionic acid	99.9
298-00-0	Methyl parathion	0.7	109-60-4	n-Propyl acetate	2797.2
107-87-9	Methyl propyl ketone	2331.0	71-23-8	Propyl alcohol	1665.0
681-84-5	Methyl silicate	20.0	627-13-4	n-Propyl nitrate	349.7

CAS #	SUBSTANCE	ASIL MICROGRAMS/M <sup>3</sup> TWENTY-FOUR-HOUR AVERAGE
78-87-5	Propylene dichloride	1165.5
6423-43-4	Propylene glycol dinitrate	1.0
107-98-2	Propylene glycol mono-methyl ether	1198.8
75-55-8	Propylene imine	16.7
8003-34-7	Pyrethrum	16.7
110-86-1	Pyridine	50.0
106-51-4	Quinone	1.3
108-46-3	Resorcinol	149.9
7440-16-6	Rhodium Metal	3.3
7440-16-6	Rhodium, Insoluble compounds	3.3
7440-16-6	Rhodium, Soluble compounds	0.03
299-84-3	Ronnel	33.3
83-79-4	Rotenone	16.7
—	Rubber solvent (Naphtha)	5328.0
7782-49-2	Selenium compounds, as Se	0.7
7783-79-1	Selenium hexafluoride, as Se	0.7
136-78-7	Sesone	33.3
7803-62-5	Silcon tetrahydride	23.3
7440-22-4	Silver, Metal	0.3
7440-22-4	Silver, soluble compounds Ag	0.03
26628-22-8	Sodium azide	1.0
7631-90-5	Sodium bisulfite	16.7
62-74-8	Sodium fluoroacetate	0.2
1310-73-2	Sodium hydroxide	6.7
7681-57-4	Sodium metabisulfite	16.7
7803-52-3	Stibine	1.7
57-24-9	Strychnine	0.5
100-42-5	Styrene	716.0
1395-21-7	Subtilisins	0.0
3689-24-5	Sulfotep	0.7
2551-62-4	Sulfur hexafluoride	19980.0
10025-67-9	Sulfur monochloride	20.0
5714-22-7	Sulfur pentafluoride	0.3
7783-60-0	Sulfur tetrafluoride	1.3
7664-93-9	Sulfuric acid	3.3
2699-79-8	Sulfuryl fluoride	66.6
35400-43-2	Sulprofos	3.3
93-76-5	2,4,5-T	33.3
107-49-3	TEPP	0.2
7440-25-7	Tantalum, metal & oxide dusts	16.7
13494-80-9	Tellurium & compounds as Te	0.3
7783-80-4	Tellurium hexafluoride, as Te	0.7
3383-96-8	Temephos	33.3
26140-60-3	Terphenyls	16.7
76-12-0	1,1,2,2-Tetrachloro-1,2-difluoroethane	13886.1
76-11-9	1,1,1,2-Tetrachloro-2,2-difluoroethane	13886.1
79-34-5	1,1,2,2-Tetrachloroethane	23.3
1335-88-2	Tetrachloronaphthalene	6.7
78-00-2	Tetraethyl lead, as Pb	0.3
109-99-9	Tetrahydrofuran	1964.7
175-74-1	Tetramethyl lead, as Pb	0.5
3333-52-6	Tetramethyl succinonitrile	10.0
509-14-8	Tetranitromethane	26.6
7722-88-5	Tetrasodium pyrophosphate	16.7
479-45-8	Tetryl	5.0
7440-28-0	Thallium, soluble compounds, Ti	0.3
96-69-5	4,4-Thiobis(6-tert, butyl-m-cresol)	33.3
68-11-1	Thioglycolic acid	13.3
7719-09-7	Thionyl chloride	16.7
137-26-8	Thiuram	16.7
7440-31-5	Tin, Metal	6.7
7440-31-5	Tin, Organic compounds, as Sn	0.3
7440-31-5	Tin, oxide & inorganic except SnH4	6.7
108-88-3	Toluene	1248.8
584-84-9	Toluene-2,4-diisocyanate, (TDI)	0.1
108-44-1	m-Toluidine	30.0
106-49-0	p-Toluidine	30.0
126-73-8	Tributyl phosphate	8.3
76-13-1	1,1,2-Trichloro-1,2,2-trifluoroethane	25308.0
76-03-9	Trichloroacetic acid	23.3
120-82-1	1,2,4-Trichlorobenzene	133.2
79-00-5	1,1,2-Trichloroethane	149.9
71-55-6	1,1,1-Trichloroethane	6327.0
75-69-4	Trichlorofluoromethane	18648.0
1321-65-9	Trichloronaphthalene	16.7
96-18-4	1,2,3-Trichloropropane	199.8
121-44-8	Triethylamine	133.2
75-63-8	Trifluorobromomethane	20313.0
552-30-7	Trimellitic anhydride	0.1
2551-13-7	Trimethyl benzene	416.3
121-45-9	Trimethyl phosphite	33.3
75-50-3	Trimethylamine	79.9

CAS #	SUBSTANCE	ASIL MICROGRAMS/M <sup>3</sup> TWENTY-FOUR-HOUR AVERAGE
118-96-7	2,4,6-Trinitrotoluene	1.7
78-30-8	Triorthocresyl phosphate	0.3
603-34-9	Triphenyl amine	16.7
115-86-6	Triphenyl phosphate	10.0
7440-33-7	Tungsten, Insoluble compounds	16.7
7440-33-7	Tungsten, Soluble compounds	3.3
8006-64-2	Turpentine	1864.8
7440-61-1	Uranium, insoluble & soluble	0.7
8032-32-4	VM & P Naphtha	4495.5
110-62-3	n-Valeraldehyde	582.8
1314-62-1	Vanadium, as V2O5	0.2
108-05-4	Vinyl acetate	99.9
593-60-2	Vinyl bromide	66.6
106-87-6	Vinyl cyclohexene dioxide	199.8
75-35-4	Vinylidene chloride	66.6
25013-15-4	Vinyl toluene	799.2
81-81-2	Warfarin	0.3
—	Welding fumes	16.7
1477-55-0	m-Xylene a,a'-diamine	0.3
1330-20-7	Xylenes (m-,o-,p-isomers)	1448.6
1300-73-8	Xylidine	33.3
7440-65-5	Yttrium, metal and cpds as Y	3.3
7646-85-7	Zinc chloride fume	3.3
13530-65-9	Zinc chromates	0.03
1314-13-2	Zinc oxide, fume	16.7
7440-67-2	Zirconium compounds, as Zr	16.7

**WSR 91-13-080**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 3191—Filed June 18, 1991, 4:00 p.m.]

Date of Adoption: June 18, 1991.

Purpose: For aid to families with dependent children (AFDC), disregard as income and as a resource state and/or local foster care maintenance payments. For AFDC, disregard as income and as a resource Title IV-E, state and/or local adoption support payments, unless the child receiving payment is included in the assistance unit. For AFDC and general assistance (GA), disregard as income and as a resource payments made under the federal major disaster and emergency assistance program.

Citation of Existing Rules Affected by this Order: Amending WAC 388-28-575 Disregard of income and resources.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to notice filed as WSR 91-10-072 on April 30, 1991.

Changes Other than Editing from Proposed to Adopted Version: The change between the proposed rule and the adopted version is to exclude income from the Radiation Exposure Compensation Act (P.L. 101-426) made to an injured person, surviving spouse, children, grandchildren, or grandparents, see WAC 388-28-575(2).

Effective Date of Rule: Thirty-one days after filing.

June 18, 1991  
Rosemary Carr  
Acting Director  
Administrative Services

[AMENDATORY SECTION (Amending Order 3144, filed 2/21/91, effective 3/24/91)]

WAC 388-28-575 DISREGARD OF INCOME AND RESOURCES. (1) For aid to families with dependent children (AFDC), the department shall disregard as income and as a resource the following payments:

(a) The income of a Supplemental Security Income recipient;

(b) The monthly child support incentive payment from the office of support enforcement;

(c) AFDC benefits resulting from a court order modifying a department policy; ~~((and))~~

(d) Wages earned during the 1990 Federal Census Demonstration Project by a temporary census worker eligible for the exclusion;

(e) Title IV-E, state and/or local foster care maintenance payments; and

(f) Adoption support payments if the adopted child is excluded from the assistance unit.

(2) For AFDC and general assistance (GA), the department shall disregard as income and as a resource the following payments:

(a) Loans specified in WAC 388-28-480(4);

(b) Grants, loans, or work study to a student under Title IV-A of the Higher Education Amendments or Bureau of Indian Affairs for attendance costs as identified by the institution. For a student attending school:

~~((a))~~ (i) At least half-time, attendance costs include tuition, fees, books, supplies, transportation, and miscellaneous personal expenses; or

~~((b))~~ (ii) Less than half-time, attendance costs include tuition and fees.

(c) Grants or loans to an undergraduate student insured by the commissioner of education;

(d) Any remaining grants, work study, scholarships, or fellowships as allowed under WAC 388-28-578;

(e) Apply the earned income disregards in WAC 388-28-570(6) to any work study earnings received and not excluded in subsection (2)(b), (c), and (d) of this section;

(f) Payment under Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970;

(g) The food coupon allotment under Food Stamp Act of 1977;

(h) Compensation to volunteers in ACTION programs established by Titles I, II, and III of P.L. 93-113;

(i) Benefits under women, infants and children program (WIC);

(j) Food service program for children under the National School Lunch Act;

(k) Energy assistance payments;

(l) Per capita judgment funds under Public Law (P.L.) 92-254 to members of the:

(i) Blackfoot Tribe of the Blackfoot Indian Reservation, Montana; and

(ii) Gros Ventre Tribe of the Fort Belknap Reservation, Montana.

(m) Indian claim settlement per capita funds or funds held in trust under P.L. 93-134 or P.L. 94-114;

(n) Two thousand dollars per individual per calendar year received under the Alaska Native Claims Settlement Act or under P.L. 98-64;

(o) Veterans' Administration educational assistance for the student's educational expenses and child care necessary for school attendance;

(p) Housing and Urban Development (HUD) community development block grant funds that preclude use for current living costs;

(q) Restitution payments made under the Wartime Relocation of Civilians Act, P.L. 100-383. The department shall disregard income and resources derived from restitution payments;

(r) A previous underpayment of assistance under WAC 388-33-195;

(s) Payment from the annuity fund established by the Puyallup Tribe of Indians Settlement Act of 1989, P.L. 101-41, made to a Puyallup Tribe member upon reaching twenty-one years of age.

(i) Real or personal property purchased directly with funds from the annuity fund payment up to the amount of the funds from the annuity fund payment hereafter referred to as the initial investments.

(ii) Income derived either from the annuity fund payment or the initial investments shall be treated as newly acquired income per WAC 388-28-482 and 388-28-484.

(iii) When the initial investments are nonexempt resources, appreciation in value shall be applied to the resource ceiling value as specified for the applicable program in WAC 388-28-430 (2)(a) or WAC 388-28-435(1). When appreciation is in excess of the applicable ceiling value, the department shall apply WAC 388-28-438(2) for AFDC and WAC 388-28-450(2) for GA-U. The department shall determine appreciation in value at the time of eligibility review.

(iv) Proceeds from the transfer of the initial investments are treated according to WAC 388-28-471. After sixty days, if funds are in excess of the applicable ceiling value, the department shall apply WAC 388-28-438(2) for AFDC and WAC 388-28-440 (3) and (4) for GA-U.

(t) Payments from the trust fund established by the P.L. 101-41 made to a Puyallup Tribe member; ~~((and))~~

(u) Payments made from the Agent Orange Settlement Fund or any other funds established to settle Agent Orange liability claims. Under P.L. 101-201, the effective date of the disregard is retroactive to January 1, 1989;

(v) Payments made under the federal major disaster and emergency assistance program provided to persons and families under P.L. 93-288, The Robert T. Stafford Disaster Relief and Emergency Assistance Act. This includes assistance under the individual and family grant (IFG), temporary (emergency) housing assistance, and disaster unemployment (DUA) programs;

(w) Payments from the Radiation Exposure Compensation ACT (P.L. 101-426) made to an injured person, surviving spouse, children, grandchildren, or grandparents.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.



**WSR 91-13-081**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 3192—Filed June 18, 1991, 4:02 p.m.]

Date of Adoption: June 18, 1991.

Purpose: Allow FIP employment incentives for exempt or disregard earnings in select situations.

Citation of Existing Rules Affected by this Order: Amending WAC 388-77-610 Standards of assistance—Incentive standards.

Statutory Authority for Adoption: RCW 74.21.070.

Pursuant to notice filed as WSR 91-10-073 on April 30, 1991.

Effective Date of Rule: Thirty-one days after filing.

June 18, 1991

Rosemary Carr

Acting Director

Administrative Services

**AMENDATORY SECTION** (Amending Orders 3113, 3113A, 3113AA, 3113AAA [and 3113AAAA], filed 12/14/90, 1/31/91, 2/7/91, and 2/15/91 [and 4/1/91], effective 2/1/91, 2/7/91, 2/15/91 and 4/1/91 [and 5/1/91])

**WAC 388-77-610 STANDARDS OF ASSISTANCE—INCENTIVE STANDARDS.** (1) The department shall provide enrollees who are teen parents in high school or enrollees who are employed with incentive benefits as follows:

(a) Five percent of the benchmark standard for pregnant or parenting teenage parents under twenty-two years of age who stay in:

(i) High school and progress toward graduation; and

(ii) Participate, when available, in parenting education approved by the office of the superintendent of public instruction or the department.

(b) Fifteen percent of the benchmark standard for enrollees working half time;

(c) Thirty-five percent of the benchmark standard for enrollees working full time.

(2) As described under subsection (1) of this section, the department shall not provide employment incentives for:

(a) Earnings reported after the eighteenth day of the process month unless good cause exists for late reporting; or

(b) ((Income)) Earnings that ((is)) are exempt or disregarded, except when the earnings are produced by the adult member(s) in the FIP assistance unit.

(3) The department shall provide other FIP enrollees participating in education or training programs approved by ESD or the department with incentive benefits equaling five percent of the benchmark standard.

(4) The department shall allow self-employed enrollees with an approved self-employment plan fifteen percent or thirty-five percent of the benchmark standard based on:

(a) The enrollee's declaration of hours worked for six consecutive months starting with the first month the enrollee is entitled to an incentive for self-employment; and

(b) Thereafter, the hours worked as computed by dividing the enrollee's gross income by the federal minimum wage.

(5) An enrollee's participation in job search skills development or job search activities shall not qualify the enrollee for an incentive under WAC 388-77-610.

(6) The department shall not allow more than one incentive per assistance unit. The department shall allow the incentive at the highest level for which the assistance unit qualifies.

(7) The department shall round incentive payments down to the nearest dollar.

(8) The department shall provide incentives for employment to correspond with the budgeting of income. Incentives for training shall be provided using prospective budgeting.

(9) For the purposes of the incentive computation, the department shall calculate the food assistance amount used in the benchmark at eighty percent of the thrifty food plan. The department shall round the product of the calculation of the eighty percent of the thrifty food plan down to the nearest dollar.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**WSR 91-13-082**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 3193—Filed June 18, 1991, 4:05 p.m.]

Date of Adoption: June 18, 1991.

Purpose: Clarifies the treatment of the earned income tax credit (EITC) as a resource to be considered in the second month following the month of receipt.

Citation of Existing Rules Affected by this Order: Amending WAC 388-28-435 Effect of resources on financial need—Personal property exemptions—Ceiling values—AFDC and RA.

Statutory Authority for Adoption: RCW 74.04.055.

Pursuant to notice filed as WSR 91-10-074 on April 30, 1991.

Effective Date of Rule: Thirty-one days after filing.

June 18, 1991

Rosemary Carr

Acting Director

Administrative Services

**AMENDATORY SECTION** (Amending Order 2598, filed 2/10/88)

**WAC 388-28-435 EFFECT OF RESOURCES ON FINANCIAL NEED—PERSONAL PROPERTY EXEMPTIONS—CEILING VALUES—AFDC AND RA.** (1) Resources shall not exceed one thousand dollars per household regardless of size. The department shall

consider cash, marketable securities, cash discount value of real estate or chattel mortgages, sales contracts, cash surrender value of life insurance, excess equity value of vehicles, value of nonexempt property, and any other resources not specifically exempt.

(2) Regardless of value, the department shall exempt household furnishings and personal clothing essential for daily living. The department shall not exempt household furnishings and personal clothing in storage without evidence that these items are essential for daily living.

(3) The department shall exempt term or burial insurance up to an equity value of one thousand five hundred dollars per household member.

(4) The department shall exempt one cemetery plot for each assistance household member.

(5) The department shall exempt one used and useful vehicle with an equity value of one thousand five hundred dollars or less.

(6) The department shall consider an income tax refund a resource in the month received. "Income tax refund" means a payment received from a state or from the United States Internal Revenue Service (IRS) representing a refund of taxes previously paid. The earned income tax credit portion (~~(is excluded from this definition)~~) of the refund is considered a resource in the second month following the month of receipt.

**WSR 91-13-083**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 3190—Filed June 18, 1991, 4:08 p.m.]

Date of Adoption: June 18, 1991.

Purpose: Clarifies the treatment of the earned income tax credit (EITC) as a resource to be considered in the second month following the month of receipt.

Citation of Existing Rules Affected by this Order: Amending WAC 388-28-482 Effect of newly acquired income and property on continuing need.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to notice filed as WSR 91-10-075 on April 30, 1991.

Effective Date of Rule: Thirty-one days after filing.

June 18, 1991  
Rosemary Carr  
Acting Director  
Administrative Services

**AMENDATORY SECTION** (Amending Order 2865, filed 9/1/89, effective 10/2/89)

WAC 388-28-482 EFFECT OF NEWLY ACQUIRED INCOME AND PROPERTY ON CONTINUING NEED. (1) "Newly acquired income" means any previously unreported or undiscovered income a public assistance recipient possesses or controls in whole or in part.

(2) Unless otherwise specified in this section, the department shall deduct newly acquired income from the

payment level plus authorized additional requirements to determine grant amount. The amount deducted shall equal the following:

(a) The net amount of the income if in cash or its equivalent; and

(b) At least the recipient's equity in the quick sale value of property other than cash.

(3) The department shall apply WAC 388-28-400(7) when the property is only potentially available to meet the recipient's requirements.

(4) The department shall allow recipients who own property listed below to retain the property without having it affect their eligibility or need:

(a) A home used as a residence - see WAC 388-28-420;

(b) Useful and needed clothing, household equipment, food, fuel, and other items included in the requirement standards;

(c) An automobile within the ceiling values in WAC 388-28-430(2);

(d) An income tax refund within the resource ceiling values in WAC 388-28-430. An intercepted income tax refund is not available to meet need until it is actually received. The earned income tax credit portion of the refund shall be (~~(disregarded as income)~~) considered a resource in the second month following the month of receipt; and

(e) Income from the department to correct a previous underpayment of assistance under WAC 388-33-195.

(5) The department shall modify the rule in subsection (2) of this section for a recipient of AFDC or continuing general assistance as follows:

(a) Earned income retained by a child, under WAC 388-28-535(3), is the personal property of the family and subject to the ceilings in WAC 388-28-430(2);

(b) The possession of any amount of funds from sources listed in subsection (5)(a) of this section in a cash reserve or savings account does not affect the eligibility of a general assistance recipient. However, if such exempted income is converted into other types of property, WAC 388-28-410 through 388-28-455 apply;

(c) Income from interest on exempt savings, dividends from exempt stocks, increase in life insurance cash surrender value, livestock births, etc., affect eligibility only to the extent the amount causes the total value of the resource possessed to exceed the ceiling values of the resource. The excess is considered available; and

(d) Exempt funds representing another person's share of household costs are exempt provided such payments are not legally obligated child support except as provided in WAC 388-28-484 (7)(b).

**WSR 91-13-084**  
**NOTICE OF PUBLIC MEETINGS**  
**HUMAN RIGHTS COMMISSION**  
[Memorandum—June 17, 1991]

The Washington State Human Rights Commission will hold its next regular commission meeting in Wenatchee on July 24 and 25, 1991. The meetings will be held at

the Wenatchee Valley College, Campus Theatre, Room 1065, 1300 Fifth Street, Wenatchee. The meeting on July 24, will begin at 6:30 p.m. and will be a public community forum for which the topics will all be geared to "Access to the Civil Rights System." The regular business meeting on July 25, will begin at 9:30 a.m.

**WSR 91-13-085**  
**NOTICE OF PUBLIC MEETINGS**  
**WASHINGTON INSTITUTE**  
**OF APPLIED TECHNOLOGY**  
 [Memorandum—June 18, 1991]

**BOARD OF DIRECTORS MEETING**  
 Friday, June 21, 1991  
 7:30 a.m.  
 WIAT Third Floor Learning Center  
 Final Board Meeting

**WSR 91-13-086**  
**NOTICE OF PUBLIC MEETINGS**  
**SKAGIT VALLEY COLLEGE**  
 [Memorandum—June 14, 1991]

At the June 11, 1991, regular board meeting, the board of trustees of Skagit Valley College, Community College District No. 4, passed a motion to change the date of the regular July board meeting from July 9 to July 16, 1991.

**WSR 91-13-087**  
**PERMANENT RULES**  
**DEPARTMENT OF AGRICULTURE**  
 [Order 2088—Filed June 19, 1991, 9:21 a.m.]

Date of Adoption: June 19, 1991.

Purpose: To revise standards and tolerances for the production of certified seed, increase fees for industry requested services, and to clarify the content of the annual bluegrass quarantine.

Citation of Existing Rules Affected by this Order: Amending chapters 16-316 and 16-495 WAC.

Statutory Authority for Adoption: Chapter 15.49 RCW.

Pursuant to notice filed as WSR 91-10-082 on April 30, 1991.

Changes Other than Editing from Proposed to Adopted Version: Five varieties of grass added to the list of grass varieties eligible in WAC 16-316-800.

Effective Date of Rule: Thirty-one days after filing.

June 19, 1991  
 Michael V. Schwisow  
 Deputy Director  
 for C. Alan Pettibone  
 Director

NEW SECTION

WAC 16-316-970 SUDANGRASS CERTIFICATION STANDARDS—PROMULGATION. In addition to the specific rules for the certification of sudangrass provided in this chapter, the general seed certification standards in WAC 16-316-100 through 16-316-214 are basic, and together constitute the standards for sudangrass certification.

NEW SECTION

WAC 16-316-975 SUDANGRASS CERTIFICATION STANDARDS—DEFINITIONS. (1) "Department" means the Washington state department of agriculture.

(2) "Director" means the director of the Washington state department of agriculture or the director's authorized representative.

(3) "Sudangrass" means sorghum bicolor x drummondii.

NEW SECTION

WAC 16-316-980 SUDANGRASS CERTIFICATION STANDARDS—SEEDLING APPLICATIONS AND FEES. (1) All applications and fees for seedlings shall be due within sixty days of planting: PROVIDED, That such applications may be accepted after the due date at the discretion of the director upon payment of the late seedling penalty fee.

(2) Fees for certification services shall be as follows:

- (a) Seedling application fee, per field . . . . . \$ 15.00
- (b) Late seedling penalty fee, per field . . . . . \$ 30.00
- (c) Inspection fee, per acre . . . . . \$ 1.75
- (d) Certification fee, per 100 pounds . . . . . \$ 0.50

NEW SECTION

WAC 16-316-985 SUDANGRASS CERTIFICATION STANDARDS—LAND REQUIREMENTS. (1) A field to be planted for all foundation, registered, and certified classes of sudangrass seed shall not have grown or been seeded to sudangrass or sorghum during the preceding two years.

(2) Reseeding of a field, because of failure or partial failure of the first seeding, may be done with permission of the director.

(3) Prohibited noxious weeds in the field and on ditchbanks, roadways, etc., adjacent to a certified field shall be controlled to prevent seed formation.

NEW SECTION

WAC 16-316-990 SUDANGRASS CERTIFICATION STANDARDS—ISOLATION REQUIREMENTS. Sudangrass for certification of the foundation, registered, and certified classes shall be isolated from all other sudangrass not meeting the same varietal purity requirements for certification or from sorghum by a minimum of nine hundred ninety feet.

NEW SECTION

WAC 16-316-995 SUDANGRASS CERTIFICATION STANDARDS—FIELD TOLERANCES. (1)

Maximum other varieties permitted in field inspection for certification shall be as follows:

- (a) Foundation seed field . . . . . 1 plant/ 50,000 plants
- (b) Registered seed field . . . . . 1 plant/ 35,000 plants
- (c) Certified seed field . . . . . 1 plant/ 20,000 plants

(2) Roguing to meet certification tolerances shall be allowed: PROVIDED, That the following tolerances for maximum other varieties have not been exceeded:

- (a) Foundation seed field . . . . . 1 plant/ 20,000 plants
- (b) Registered seed field . . . . . 1 plant/ 10,000 plants
- (c) Certified seed field . . . . . 1 plant/ 1,000 plants

(3) Fields that have been rogued as provided in subsection (2) of this section shall be subject to reinspection.

**NEW SECTION**

**WAC 16-316-997 SUDANGRASS CERTIFICATION STANDARDS—SEED STANDARDS.** (1) Seed inspection standards shall be as follows:

Purity	Class		
	Foundation	Registered	Certified
Pure seed (min)	98.0%	98.0%	98.0%
Inert material (max)	2.0%	2.0%	2.0%
Other crop (max)	0.01%	0.03%	0.08%
Other varieties* (max)	0.005%	0.01%	0.05%
Weed seed (max)	0.10%	0.10%	0.10%
Prohibited or restricted			
noxious weed seeds	none	none	none
Germination (min)	85.0%	85.0%	85.0%

\* Other varieties shall not exceed two seeds per pound in the certified classes.

**AMENDATORY SECTION (Amending Order 1654, filed 8/31/79)**

**WAC 16-495-004 ANNUAL BLUEGRASS QUARANTINE—ESTABLISHING QUARANTINE.** The seeds of the weed known as annual bluegrass, *Poa annua* and its known strains, hereinafter referred to as annual bluegrass, are objectionable in grass seed; therefore, an annual blue grass quarantine is established to prevent the introduction of annual bluegrass into grass seed production areas, to control seed stocks to be planted for further seed increase, and to assure grass seed growers of a source of seed stock for planting purposes which is annual bluegrass free.

**AMENDATORY SECTION (Amending Order 1467, filed 5/13/76)**

**WAC 16-495-010 ANNUAL BLUEGRASS QUARANTINE—DEFINITIONS.** (1) "Person" means a natural person, individual, firm, partnership, corporation, company, society, and association, and every officer, agent, or employee thereof. This term shall import either the singular or the plural as the case may be.

(2) "Department" means the Washington state department of agriculture.

(3) "Director" means the director of the department of agriculture or his duly authorized representative.

~~((3))~~ (4) "Annual bluegrass" means *Poa annua* and all related subspecies.

~~((4))~~ (5) "Seed stock" means those seeds which are planted for seed increase or with intent of seed increase.

~~((5))~~ (6) "Nursery" means an area of two acres or less in which grass for seed production is seeded in rows with twenty-four inch minimum spacings to facilitate roguing.

(7) "Annual bluegrass" means *Poa annua* and all related subspecies.

(8) "Seed stock" means those seeds of grasses which are to be planted for seed increase or with intent of seed increase; except this definition does not include: Big Bluegrass, Upland Bluegrass, Brome, Meadow Fescue, Oatgrass, Orchardgrass, Timothy, or Wheatgrass.

(9) "Official seed laboratory" means a seed testing laboratory approved by the director, such as, but not limited to, Washington State Seed Laboratory, 2015 South First Street, Yakima, Washington; and Oregon State Seed Laboratory, Oregon State University, Corvallis, Oregon.

(10) "Representative sample" means a sample drawn in accordance with sampling procedures adopted by the director.

(11) "Annual bluegrass analysis certificate" means a test report from an official laboratory showing freedom from annual bluegrass of a 10 gram sample for bentgrass or redtop; a 25 gram sample for bluegrass; 25 gram sample for other grasses.

(12) "Quarantine tag" means a tag issued by Washington state department of agriculture to be sealed to each bag showing said seed has met quarantine requirements.

**AMENDATORY SECTION (Amending Order 1467, filed 5/13/76)**

**WAC 16-495-020 ANNUAL BLUEGRASS QUARANTINE—REGULATED AREA.** Areas regulated under the annual bluegrass quarantine include all areas of the state of Washington lying east of the Cascade Crest.

**AMENDATORY SECTION (Amending Order 1467, filed 5/13/76)**

**WAC 16-495-030 ANNUAL BLUEGRASS QUARANTINE—QUARANTINE AREA.** Areas quarantined under the annual bluegrass quarantine include all areas of ~~((Western))~~ the state of Washington lying west of the Cascade Crest and all areas outside of the state of Washington.

**AMENDATORY SECTION (Amending Order 1467, filed 5/13/76)**

**WAC 16-495-040 ANNUAL BLUEGRASS QUARANTINE—REGULATED ARTICLES.** Articles regulated under the requirements of the annual bluegrass quarantine include seed stocks of all grass species except those kinds listed in ~~((the))~~ WAC 16-

495-010(8) of these quarantine procedures as exceptions.

AMENDATORY SECTION (Amending Order 1620, filed 5/1/79)

WAC 16-495-050 ANNUAL BLUEGRASS QUARANTINE—CONDITIONS GOVERNING MOVEMENT OF REGULATED ARTICLES. (1) No seed stock shall be shipped, transported, or moved in, or into the annual bluegrass quarantine regulated area (~~on or after the effective date of this quarantine~~) unless such seed stock is accompanied by a test report from an official laboratory showing said seed stock is free of annual bluegrass on the basis of a minimum 25 gram analysis for bluegrasses and bentgrasses and a minimum of ~~((50))~~ 25 gram analysis for other grasses: PROVIDED, That seed stock found to contain annual bluegrass may be planted in the regulated area if planted in a nursery under an inspection program as established by the state department of agriculture.

(2) This quarantine shall not apply to seed sown for forage or turf.

(3) This quarantine shall not apply: To experiments or trial grounds of the United States Department of Agriculture; to experiments or trial grounds of Washington State University experiment station; or to trial grounds of any person, firm, or corporation; provided said trial ground plantings are approved by the director and under supervision of technically trained personnel familiar with annual bluegrass control.

(4) Any person shipping, moving or transporting any seed stock for planting purposes in or into the regulated area that is not tagged with official "annual bluegrass quarantine" tags shall:

(a) State where and when seed stock can be sampled for the required annual bluegrass test; or

(b) Have attached a copy of the official laboratory analysis showing freedom from annual bluegrass; or

(c) Have representative sample submitted for testing.

AMENDATORY SECTION (Amending Order 1467, filed 5/13/76)

WAC 16-495-060 VIOLATIONS AND PENALTY. (~~All violations of this order shall be dealt with according to the provision of RCW 17.24.100, making such violations a misdemeanor.~~) Any person who violates the terms of this quarantine may be subject to the criminal and civil penalties provided in chapters 15.49 and/or 17.24 RCW.

AMENDATORY SECTION (Amending Order 1607, filed 5/1/79)

WAC 16-495-090 ANNUAL BLUEGRASS QUARANTINE—PROCEDURE FOR CLEARING. (1) Each person moving, shipping or transporting seed stock in or into the annual bluegrass quarantine regulated area ~~((must))~~ shall:

(a) Submit an official laboratory analysis of a representative sample showing freedom from annual bluegrass; or

(b) Have a representative sample submitted for testing.

(2) Upon receipt of an official laboratory analysis showing freedom from annual bluegrass, the department of agriculture (~~with~~) shall tag each bag of those lots found free of annual bluegrass by the required test with "annual bluegrass quarantine" tag, stating said seed is eligible for planting in Eastern Washington.

AMENDATORY SECTION (Amending Order 1607, filed 5/1/79)

WAC 16-495-095 ANNUAL BLUEGRASS QUARANTINE—SEED STOCK CONTAINING ANNUAL BLUEGRASS. Each lot of seed stock found to contain annual bluegrass shall be placed under "stop sale" to be released only for shipment out of the quarantine area or for planting in nurseries of two acres or less under the supervision of, and approved by, an agent of the department of agriculture. The nursery shall be seeded in rows. It shall be the duty of the person receiving such seed to rogue this increase area or chemically treat to eradicate the annual bluegrass thus assuring production of seed that is free of annual bluegrass. Seed increase areas shall be inspected by the department at least three times during the seedling year. Any areas not passing inspection shall not be harvested, but instead shall be destroyed by the person who planted the increase area upon order of the director of the Washington state department of agriculture or his agent. If not destroyed as directed, the department of agriculture shall have the plot destroyed and the grower shall be liable for all expenses.

AMENDATORY SECTION (Amending Order 1468, filed 5/13/76)

WAC 16-495-100 ANNUAL BLUEGRASS QUARANTINE—APPLICATION FOR NURSERY INSPECTION. A person shall make application for nursery inspection for annual bluegrass to the department of agriculture not later than 14 days prior to planting.

AMENDATORY SECTION (Amending Order 1607, filed 5/1/79)

WAC 16-495-105 ANNUAL BLUEGRASS QUARANTINE—FEES. (1) Fees for sampling and analysis for the presence of annual bluegrass shall be that fee established by the director.

(2) Inspection fee for nursery plantings shall be \$50.00 per acre or portion thereof.

(3) The tagging fee shall be 50¢ cwt with a minimum fee of \$10.00.

AMENDATORY SECTION (Amending Order 1556, filed 3/1/78, effective 4/1/78)

WAC 16-495-110 ANNUAL BLUEGRASS QUARANTINE—VIOLATION PROCEDURES. (1) A person who violates the annual bluegrass quarantine shall meet with a representative of the seed branch to determine:

- (a) If a violation actually occurred;
  - (b) How it did occur, and what corrective measures can be taken to avoid reoccurrence;
  - (c) How much acreage is involved and location of all plantings.
- (2) Corrective procedures shall be agreed upon, such as roguing, chemical treatment, etc., and the time frame for such work, or agreement for voluntary destruction of all acreage involved.
- (3) Treated and rogued acreage shall be inspected by department of agriculture three times during the seedling stages to assure freedom from annual bluegrass. The violator will be assessed an hourly inspection fee and a mileage fee where additional mileage is involved.
- (4) Failure to mutually agree, or failure to comply with these procedures, or if it is determined the violation was willful, will be referred to the attorney general for criminal and/or civil penalty action.

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

- WAC 16-495-080 ANNUAL BLUEGRASS QUARANTINE PROCEDURES.
- WAC 16-495-085 DEFINITIONS.

**WSR 91-13-088**  
**NOTICE OF PUBLIC MEETINGS**  
**COMMISSION ON**  
**HISPANIC AFFAIRS**  
 [Memorandum—June 18, 1991]

The Commission on Hispanic Affairs will hold a special meeting on July 19, 1991, from 2:00 p.m. to 6:00 p.m. at the Cedar Inn, 1 Apple Way, Okanogan, WA 98840. The purpose of the meeting is to discuss the commission's two-year plan, 1991-1993.

**WSR 91-13-089**  
**PROPOSED RULES**  
**PUBLIC DISCLOSURE COMMISSION**  
 [Filed June 19, 1991, 10:16 a.m.]

Original Notice.

Title of Rule: WAC 390-20-052 Application of RCW 42.17.190—Reports of agency lobbying; 390-14-045 Records index; 390-37-060 Enforcement procedures—Investigation of complaints—Initiation of hearing; 390-37-090 Informal settlement—Cases resolvable by stipulation; 390-37-100 Enforcement procedures—Conduct of hearings; 390-37-105 Prehearing conference—Rule; 390-37-120 Enforcement hearings—Subpoenas—Discovery—Hearings; 390-37-130 Enforcement hearings—Depositions and interrogatories; 390-37-132 Enforcement hearings—Depositions and interrogatories—Notice; 390-37-134 Depositions and interrogatories in enforcement hearings—Protection of parties and deponents; 390-37-136 Production of documents and use at

hearing; 390-37-140 Brief enforcement hearings—Authority; 390-37-142 Brief enforcement hearing—Procedure; 390-37-144 Brief enforcement hearing—Administrative review procedures; 390-37-150 Reconsideration and review of decisions; and 390-37-210 Hearings—Subpoenas.

Purpose: WAC 390-20-050, correct typographical errors and reference errors; and WAC 390-14-045 through 390-37-210, update existing rules to conform with requirements of new Administrative Procedure Act.

Statutory Authority for Adoption: RCW 42.17.370.

Summary: WAC 390-20-050, defines report required of public agency lobbyists; WAC 390-14-045, explains how agency will index public records; and WAC 390-37-060 through 390-37-210, sets out procedures for enforcement hearings.

Name of Agency Personnel Responsible for Drafting: Roselyn Marcus, Olympia, 586-1913; Implementation and Enforcement: Graham E. Johnson, Olympia, 753-1111.

Name of Proponent: Public Disclosure Commission, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 390-20-052 outlines reporting requirements of individuals who [are] lobbying on behalf of public agencies; WAC 390-14-045 describes the procedures the Public Disclosure Commission will flow in keeping public records indexes; WAC 390-37-060 describes procedures for proceeding with the handling of complaints; WAC 390-37-090 describes procedures for settling a case by stipulation; WAC 390-37-100 describes how enforcement hearings will be conducted; WAC 390-37-105 describes procedures for prehearing conferences; WAC 390-37-120 describes procedures for issuing subpoenas; WAC 390-37-130 describes procedures for taking depositions; WAC 390-37-132 describes procedures for notifying parties of depositions and interrogatories; WAC 390-37-134 describes procedures for protection of the parties and deponents; WAC 390-37-136 describes procedures for producing documents to be available to the party against whom the action is being taken; WAC 390-37-140 authorizes a brief adjudicative proceeding; 390-37-142 describes the hearing procedures for missing or late filing of reports; WAC 390-37-144 describes administrative review procedures of orders; and WAC 390-37-150 describes process for reconsideration of actions by the commission.

Proposal Changes the Following Existing Rules: Brings them in line with requirements of the new Administrative Procedure Act.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Evergreen Plaza Building, 711 Capitol Way, 2nd Floor Conference Room, Olympia, WA 98504-3342, on July 23, 1991, at 9 a.m.

Submit Written Comments to: Graham E. Johnson, Public Disclosure Commission, 403 Evergreen Plaza, FJ-42, Olympia, by July 15, 1991.

Date of Intended Adoption: July 23, 1991.

June 19, 1991

Graham E. Johnson  
Executive Director

AMENDATORY SECTION (Amending Order 85-05, filed 11/26/85)

WAC 390-20-052 APPLICATION OF RCW 42.17.190—REPORTS OF AGENCY LOBBYING. Pursuant to the authority granted in RCW 42.17.190((~~(7)~~)) (8), the commission adopts the following interpretations regarding the reporting of lobbying by public agencies pursuant to RCW 42.17.190:

(1) The phrase "in-person lobbying" contained in RCW 42.17.190((~~(4)~~)) (5)(d)(v)(B) includes activity which is intended to influence the passage or defeat of legislation, such as testifying at public hearings, but does not include activity which is not intended to influence legislation, such as attending a hearing merely to monitor or observe testimony and debate.

(2) The phrase "a legislative request" contained in RCW 42.17.190((~~(4)~~)) (5)(d)(ii) includes an oral request from a member of the legislature or its staff.

(3) Pursuant to RCW 42.17.190((~~(5)~~)) (6), certain local agencies may elect to have lobbying activity on their behalf reported by their elected officials, officers and employees in the same manner as lobbyists who register and report under RCW 42.17.150 and 42.17.170:

(a) Whenever such a local agency makes such an election, it shall provide the commission with a written notice.

(b) After such an election, those who lobby on behalf of such local agency shall register and report all lobbying activity reportable under RCW 42.17.190((~~(4)~~)) (5) in the same manner as lobbyists who are required to register and report under RCW 42.17.150 and 42.17.170. Such a local agency shall report pursuant to RCW 42.17.180.

(c) In order to terminate such an election, such a local agency shall provide the commission with a written notice and it shall report pursuant to RCW 42.17.190((~~(4)~~)) (5) thereafter.

(d) The exemptions from reportable lobbying activity contained in RCW 42.17.190((~~(4)~~)) (5)(d) apply to all agencies, whether or not they have exercised the election to report in the same manner as lobbyists who report under RCW 42.17.150, 42.17.170 and 42.17.180. The exemptions contained in RCW 42.17.160 (1), (3) and (4) do not apply to any agency.

(4) Unless an agency has elected to report its lobbying pursuant to RCW 42.17.190((~~(5)~~)) (6) and subsection (3) of this ((~~rule~~)) section, an agency shall include the reportable lobbying activity on its behalf by an elected official in its quarterly report. Such an elected official does not file any separate report of that activity.

(5) Reportable in-person lobbying by elected officials, officers and employees:

(a) An elected official does not engage in reportable in-person lobbying on behalf of this agency unless and until that elected official has expended in excess of fifteen dollars of nonpublic funds in connection with such lobbying for or on behalf of any one or more members of the legislature or state elected officials or public officers or employees of the state of Washington during any three-month period as provided in RCW 42.17.190((~~(4)~~)) (5)(d)(v)(B).

(b) Other officers and employees do not engage in reportable in-person lobbying on behalf of their agency unless and until they have, in the aggregate, expended in excess of fifteen dollars of nonpublic funds in connection with such lobbying for or on behalf of any one or more members of the legislature or state elected officials or public officers or employees of the state of Washington or they have, in the aggregate, engaged in such lobbying for more than four days or parts thereof during any three month period as provided in RCW 42.17.190((~~(4)~~)) (5)(d)(v)(B).

(c) When limits in (a) or (b) ((~~above~~)) of this subsection have been exceeded, the agency shall report such elected official, officer, or employee as a "PERSON WHO LOBBIED THIS QUARTER" on the front of PDC Form L-5 and include a listing of those excess expenditures as noted on that form.

AMENDATORY SECTION (Amending Order 85-03, filed 7/9/85)

WAC 390-14-045 RECORDS INDEX. (1) The commission has ((~~available to all persons a current index which is the records retention schedule and the specific indexes to reporting clientele.~~))

~~(2) The current index promulgated by the commission shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection)) established and implemented a system of indexing for the identification and location of the following records:~~

~~(a) All records issued before July 1, 1990, for which the commission has maintained an index.~~

~~(b) Final adjudicative orders and declaratory orders issued after June 30, 1990, that contain an analysis or decision of substantial importance to the commission in carrying out its duties.~~

~~(c) Interpretive and policy statements that were entered after June 30, 1990.~~

~~(2) Final and declaratory orders shall be evaluated by the executive director or executive director's designee. Those orders which are determined to have substantial importance shall be included in the index.~~

~~(3) Final orders shall be indexed by the name of the person against whom the order was issued, and by citation to the law involved.~~

~~(4) Declaratory orders shall be indexed by subject matter, phrase describing the issue or holding, or by a citation to the law involved.~~

~~(5) Interpretive statements and policy statements shall be indexed by subject matter, topic, calendar year, or a combination of these, as appropriate.~~

~~(6) The index is available for public inspection and copying during regular business hours at the Public Disclosure Commission, 403 Evergreen Plaza, Olympia, Washington 98504.~~

~~(7) The indexes shall be kept current and updated annually.~~

AMENDATORY SECTION (Amending Order 86-01, filed 2/5/86)

WAC 390-37-060 ENFORCEMENT PROCEDURES—INVESTIGATION OF COMPLAINTS—INITIATION OF HEARING. (1) The executive director shall initiate an enforcement hearing whenever an investigation reveals facts which the executive director has reason to believe are a material violation of chapter 42.17 RCW and do not constitute substantial compliance.

(2) The respondent shall be notified of the date of the hearing no later than ((~~twenty~~)) ten days before that date pursuant to WAC 10-08-040.

~~(3) ((The staff shall provide the respondent, at his/her request, with copies of all materials to be presented by the staff at the hearing.~~

~~(4)) It is the policy of the commission during the course of any investigation that all records generated or collected as a result of that investigation are exempt from public inspection and copying under RCW 42.17.310 (1)(d). If a request is made for any such record which implicates the privacy of an individual, written notice of the records request will be provided to the individual in order that such individual may request a protective order from a court under RCW 42.17.330.~~

AMENDATORY SECTION (Amending Order 86-01, filed 2/5/86)

WAC 390-37-090 ((~~ENFORCEMENT PROCEDURES~~)) INFORMAL SETTLEMENT—CASES RESOLVABLE BY STIPULATION. (1) RCW 34.05.060 authorizes agencies to establish by rule specific procedures for attempting and executing informal settlement of matters. The following procedures are available for informal dispute resolution that may make more elaborate proceedings under the Administrative Procedure Act unnecessary.

(a) Any person whose interest in a matter before the commission may be resolved by settlement shall communicate his or her request to the executive director, setting forth all pertinent facts and the desired remedy. If the executive director requires additional information to resolve the matter informally, the executive director shall promptly provide to the person seeking relief an opportunity to supply such information. Settlement negotiations shall be informal and without prejudice to rights of a participant in the negotiations.

(b) When the executive director and respondent agree that some or all of the facts are uncontested, ((~~the executive director and respondent shall prepare a stipulated statement of fact~~)) a stipulation of fact shall be prepared for the presentation to the commission.

~~((2) The commission may ask that additional facts be presented if it deems any stipulation to be inadequate.~~

(3) The commission shall refer the matter to the executive director for further investigation or other action consistent with the commission's deliberations if the commission does not approve the stipulated statement of fact.) (c) In the event an early, informal resolution or stipulation of facts is reached, the executive director is responsible for providing a written description of the recommended resolution for stipulation to the person(s) involved.



(2)(a) If settlement of an enforcement hearing (adjudicative proceeding) may be accomplished by informal negotiation, negotiations shall be commenced at the earliest possible time. Settlement shall be concluded by:

- (i) Stipulation of facts of the parties; or
- (ii) Stipulation of the parties; or
- (iii) Withdrawal of the application for an enforcement hearing by the applicant; or
- (iv) Withdrawal by the executive director of the action which is the subject matter of the enforcement hearing.

(b) Any proposed stipulation shall be in writing and signed by each party to the stipulation or his or her representative. The stipulation shall be recited on the record at the hearing. The commission has the option of accepting, rejecting, or modifying the proposed stipulation or asking for additional facts to be presented. If the commission accepts the stipulation or modifies the stipulation with the agreement of the opposing party, the commission shall enter an order in conformity with the terms of the stipulation. If the commission rejects the stipulation or the opposing party does not agree to the commission's proposed modifications to the stipulation, then a hearing shall be held. If the commission requests additional facts be presented, the matter shall be referred to the executive director for further investigation.

AMENDATORY SECTION (Amending WSR 90-16-083, filed 7/31/90, effective 8/31/90)

WAC 390-37-100 ENFORCEMENT PROCEDURES—CONDUCT OF HEARINGS. (1) An enforcement hearing (adjudicative proceeding) shall be conducted pursuant to the Administrative Procedure Act (chapter 34.05 RCW) and its supporting regulations (chapter 10-08 WAC), shall be followed unless otherwise modified by chapter 390-37 WAC.

(2) An enforcement hearing shall be heard either by the commission or ~~((+))~~ under RCW 34.12.040 or 34.12.050(2), by a duly designated administrative law judge.

(3) Upon the conclusion of an enforcement hearing heard by an administrative law judge, the judge shall prepare and present to the commission findings of fact, conclusions of law, and a proposed decision determinative of the matter. A copy of the findings of fact, conclusions of law and the proposed decision shall be served upon the executive director and the respondent. Both the respondent and the executive director shall be afforded an opportunity to file exceptions and written argument with the commission. The commission shall review the proposed decision at its next regular meeting or at a special meeting called for that purpose. The commission shall consider the whole record or such portions as shall be cited by the parties. Oral argument may be heard at the discretion of the commission.

(4) After either a hearing by the commission or review by the commission of the proposed decision of an administrative law judge the commission may find that:

- (a) Respondent did not violate the act, as alleged, and dismiss the case; or
- (b) Respondent violated chapter 42.17 RCW, as alleged, and determine the sanction, if any, to be imposed ~~((;))~~; or
- (c) Respondent is in apparent violation of chapter 42.17 RCW, its own remedy is inadequate and enter its order referring the matter to the appropriate law enforcement agency as provided in RCW 42.17.360.

(5) Upon the conclusion of a hearing, the commission

- (a) Shall set forth in writing its findings of fact, conclusions of law and decision on the merits of the case; and
- (b) Shall deliver, either in person or by mail, to each respondent ~~((and their))~~ or the respondent's representative a copy of the findings of fact, conclusions of law and decision.

(6) When the commission finds an apparent violation and refers the matter to an enforcement agency, the commission shall give to the respondent written notice of such finding and order of referral.

#### NEW SECTION

WAC 390-37-105 PREHEARING CONFERENCE—RULE.

(1) In any proceeding, the chairman upon his/her own motion or upon request by one of the parties or their qualified representative, may direct the parties to appear at a specified time and place for a conference to consider:

- (a) Simplification of issues;

- (b) The necessity of amendments to the hearing notice;
- (c) The possibility of obtaining stipulations, admissions of facts and of documents;
- (d) Limitation on the number of witnesses; and
- (e) Procedural and such other matters as may aid in the disposition of the proceeding.

(2) Prehearing conferences may be presided over by the chairman or his/her designee.

(3) Prehearing conferences may be held by telephone conference call or at a time and place specified by the presiding officer.

(4) Following the prehearing conference, the presiding officer shall issue an order reciting the action taken and decisions made at the conference. If no objection to the order is filed with the presiding officer within seven days after the date the order is mailed, the order shall control the subsequent course of the proceeding unless modified for good cause by subsequent order.

(5) When the chairman or his/her designee presides over a prehearing conference, he or she is acting as a quasi-judicial body which relates to a quasi-judicial matter between named parties. Therefore, a prehearing conference is not subject to chapter 42.30 RCW, Open Public Meetings Act.

#### NEW SECTION

WAC 390-37-120 ENFORCEMENT HEARINGS—SUBPOENAS—DISCOVERY—HEARINGS. (1) The commission or presiding officer may issue subpoenas for discovery, subpoenas to persons to appear and give testimony, and may require the production of any books, papers, correspondence, memorandums, or other records deemed relevant or material and the commission or presiding officer may issue protective orders as a part of an enforcement hearing. The agency or its legal representative may issue subpoenas as may the attorney of the party against whom action is being taken. All subpoenas must be filed with the commission, together with proof of proper service, at least five days prior to the date of the hearing for which they are issued. Such subpoenas will issue and may be enforced in the form and manner set forth in RCW 34.05.446 and WAC 10-08-120.

(2) The commission, upon motion or before the time specified in the subpoena for compliance therewith, may:

- (a) Quash or modify the subpoena if it is unreasonable and oppressive; or
- (b) Condition denial of the motion upon the advancement by the person in whose behalf the subpoena is issued of the reasonable cost of producing the books, papers, documents, or tangible things.

(3) The attendance of witnesses and such production of evidence may be required from any place within the state of Washington to any location where a hearing is being conducted.

#### NEW SECTION

WAC 390-37-130 ENFORCEMENT HEARINGS—DEPOSITIONS AND INTERROGATORIES—RIGHT TO TAKE. Unless otherwise provided, any party may take the testimony of any person, including a party, by deposition upon oral examination or written interrogatories for use as evidence in the hearing. The deposition of a commissioner, the executive director, or assistant director, may only be taken upon application to the commission, for good cause shown, and only in those circumstances where the statements or depositions of other staff members would not reveal the information, evidence, or details needed by the party for the case. The attendance of witnesses to a deposition may be compelled by use of a subpoena. Depositions shall be taken only in accordance with this rule and the rules on subpoenas.

#### NEW SECTION

WAC 390-37-132 ENFORCEMENT HEARINGS—DEPOSITIONS AND INTERROGATORIES—NOTICE. A party desiring to take the deposition of any person upon oral examination shall give reasonable notice of not less than seven days in writing to the commission and all parties. The notice shall state the time and place for taking the deposition and the name and address of each person to be examined. On motion of a party to whom the notice is served, the commission or its hearing officer may, for cause shown, enlarge or shorten the time. If the parties so stipulate in writing, depositions may be taken at any time or place, upon any notice, and in any manner and when so taken may be used as other depositions.



NEW SECTION

**WAC 390-37-134 DEPOSITIONS AND INTERROGATORIES IN ENFORCEMENT HEARINGS—PROTECTION OF PARTIES AND DEONENTS.** After notice is served for taking a deposition, upon its own motion or upon motion reasonably made by any party or by the person to be examined and upon notice and for good cause shown, the commission or its designated hearing officer 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 certain matters shall not be inquired into, 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 their officers or counsel, or the commission may make any other order which justice requires to protect the party or witness from annoyance, embarrassment, or oppression. At any time during the taking of the deposition, on motion of any party or the deponent, and upon a showing that the examination is being conducted in bad faith or in such manner as unreasonably to annoy, embarrass, or oppress the deponent or party, the commission or its designated hearing officer may order the officer conducting the examination to cease forthwith from taking the deposition or may limit the scope and manner of the taking of the deposition as above provided. If the order made terminates the examination, it shall be resumed only upon the order of the agency. Upon demand of the objecting party or deponent, the taking of the deposition shall be suspended for the time necessary to make a motion for an order.

NEW SECTION

**WAC 390-37-136 PRODUCTION OF DOCUMENTS AND USE AT HEARING.** (1) Upon request by either the agency or its legal representative, or the party against whom the enforcement action is being taken or his/her representative, copies of all materials to be presented at the enforcement hearing shall be provided to the requester within seven days of the request but, for good cause shown, not less than three business days prior to the date of the hearing.

(2) When exhibits of a documentary character are to be offered into evidence at the hearing, the party offering the exhibit shall provide a minimum of seven copies, one for opposing party, one for each member of the commission, and one for the commission's legal advisor.

(3) If documentary evidence has not been exchanged prior to the hearing, the parties shall arrive at the hearing location in sufficient time before the time scheduled for the hearing for the purpose of exchanging copies of exhibits to be introduced.

NEW SECTION

**WAC 390-37-140 BRIEF ENFORCEMENT HEARINGS—AUTHORITY.** (1) The commission may provide a brief enforcement hearing for violations of provisions in chapter 42.17 RCW which require the filing of reports when such violations are either a failure to file the required report or the late filing of a required report. A brief enforcement hearing is a brief adjudicative proceeding as set forth in RCW 34.05.482 through 34.05.494.

(2) This hearing shall be in accordance with RCW 34.05.482 through 34.05.494.

NEW SECTION

**WAC 390-37-142 BRIEF ENFORCEMENT HEARING—PROCEDURE.** (1) A brief enforcement hearing may be presided over by the chairman, or a member of the commission designated by the chairman.

(2) When a violation, as described in WAC 390-37-140, is alleged, before taking action, the executive director shall send the alleged violator notice, which shall include:

- (a) Alleged violation;
- (b) Proposed find; and

(c) Person's right to respond, within ten days, either in writing or in person to explain his/her view of the matter.

(3) At the time any unfavorable action is taken, the presiding officer shall serve upon each party a written statement describing the violation, the reasons for the decision, the penalty imposed, and their right to request review by the commission at the next scheduled commission meeting.

(4) The written decision of the presiding officer is an initial order. If no review is taken of the initial order, the initial order shall be the final order.

NEW SECTION

**WAC 390-37-144 BRIEF ENFORCEMENT HEARING—ADMINISTRATIVE REVIEW PROCEDURES.** (1) The commission shall conduct a review of the initial order upon the written or oral request of a party if the commission receives the request within twenty-one days after the service of the initial order.

(2) If the parties have not requested review, the commission may conduct a review of the initial order upon its own motion and without notice to the parties, but it may not take any action on review less favorable to any party than the original order without giving that party notice and an opportunity to explain that party's view of the matter.

(3) The order on review shall be in writing stating the findings made, and the reasons for the decision, and notice that judicial review is available. The order on review shall be entered within twenty days after the date of the initial order or of the request for review, whichever is later.

AMENDATORY SECTION (Amending Order 79-03, filed 7/19/79)

**WAC 390-37-150 RECONSIDERATION AND REVIEW OF DECISIONS.** (1) For purposes of this rule, "decision" means any findings, conclusions, order, or other action by the commission which is reviewable by a court.

(2) A decision may be reconsidered only upon (a) the written request of the person aggrieved thereby or (b) the motion or written request of a commissioner who voted on the prevailing side when that decision was made.

(3) Such a request for reconsideration shall be served at the office of the public disclosure commission, or motion made, (~~within thirty~~) no later than ten days after service of the decision of which reconsideration is sought.

(4) A request or motion for reconsideration shall specify the grounds therefor.

(5) Upon being served with a decision, the respondent may treat that decision as final for the purpose of petitioning for judicial review. The commission may not reconsider any decision after being served with a petition for judicial review.

(6) When a request for reconsideration is served, or motion made, enforcement of the decision of which reconsideration is sought shall be stayed and the decision shall not be final until the commission has acted on the reconsideration.

(7) The commission shall act on the reconsideration, at the next meeting at which it practicably may do so, by: (a) Deciding whether to reconsider its decision, and (b) if it decides to do so, either affirming or amending its decision: PROVIDED, That before a decision may be amended other than by lowering a penalty, the respondent shall be given notice and an opportunity to be heard if, and in the same manner as, required for the original decision.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 390-37-210 HEARINGS—SUBPOENAS.

**WSR 91-13-090**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**NATURAL RESOURCES**  
[Filed June 19, 1991, 11:03 a.m.]

Original Notice.

Title of Rule: WAC 332-52-065 Milwaukee road corridor—Recreational use.

Purpose: To better carry out the purposes of chapter 174, Laws of 1984. Extend open use period to January 1 to December 31 (year around).

Statutory Authority for Adoption: RCW 79.08.277 and 79.08.279.

Statute Being Implemented: RCW 79.08.277 and 79.08.279.

Summary: To allow recreational use of the Milwaukee road corridor year around.

Reasons Supporting Proposal: The majority of public requests is to extend open use period to year around.

Name of Agency Personnel Responsible for Drafting and Enforcement: James Munroe, 713 East Bowers Road, Ellensburg, 98926, (509) 925-6131; and Implementation: Arden A. Olson, 234 East 8th, Olympia, 98504, (206) 753-5315.

Name of Proponent: Department of Natural Resources, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 332-52-065 describes the open or use period for nonmotorized use on the Milwaukee road corridor. In November 1990 over 200 letters were sent out regarding the length of the open period. A strong majority was in favor of changing the permit open period to year around. This would allow more use of the corridor during the summer months by individuals or groups which is one of the intended uses. It may also affect potential fire starts by recreationists but that can be mitigated by closing portions of the corridor during extreme fire danger as stated in the WACs.

Proposal Changes the Following Existing Rules: Only rule affected is WAC 332-52-065. The revised rule language changes the permit period for nonmotorized use from October 1 through June 15, east of the Columbia River and September 1 through July 1, west of the Columbia River to year around permitted use, east of the Columbia River. The Department of Natural Resources does not manage any portion west of the Columbia River therefore the rule needed to be changed, to reflect the change in management responsibility.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Holiday Inn-Issaquah, 1801 12th Avenue N.W., Issaquah, on July 24, 1991, at 7:00 p.m.; and at the Circle T Inn, 214 West Main, Ritzville, WA, on July 25, 1991, at 7:00 p.m.

Submit Written Comments to: Department of Natural Resources, Attention: Jim Munroe, 713 East Bowers Road, Ellensburg, WA 98926, by July 29.

Date of Intended Adoption: July 30, 1991.

June 17, 1991  
James A. Stearns  
Supervisor

#### AMENDATORY SECTION (Amending Order 516, filed 8/27/87)

WAC 332-52-065 MILWAUKEE ROAD CORRIDOR—RECREATIONAL USE. Motorized vehicles including snowmobiles are prohibited on the corridor at all times, except for motorized use for authorized administrative purposes or motorized use approved by the department for reasons of health and safety. The corridor will be open for nonmotorized use, by permit only, from ~~((October 1 through June 15;))~~ January 1 through December 31, east of the Columbia River. ((and September 1 through July 1, west of the Columbia River.)) ~~((The remainder of the year the corridor will be closed to all recreational use.))~~ The department may close portions of the corridor, at any

time of the year, to reduce fire danger or protect public safety after consultation with local legislative authorities and fire districts. After ~~((December 31, 1990))~~ June 30, 1994 the department may, if determined necessary to better carry out the purposes of chapter 174, Laws of 1984, adjust the designated periods of the year during which permits will be issued, after first giving public notice and holding at least one public hearing each in Eastern and Western Washington.

**WSR 91-13-091**  
**PROPOSED RULES**  
**SPOKANE COUNTY**  
**AIR POLLUTION CONTROL AUTHORITY**  
[Filed June 19, 1991, 11:27 a.m.]

Original Notice.

Title of Rule: Spokane County Air Pollution Control Authority Regulation I Article X Fees and charges.

Purpose: To establish fee schedules for programs implemented by Spokane County Air Pollution Control Authority.

Statutory Authority for Adoption: Chapter 70.94 RCW.

Summary: The new article sets fee schedules to cover costs of air pollution control programs.

Reasons Supporting Proposal: Collection of fees is necessary to help fund the implementation of air pollution control programs.

Name of Agency Personnel Responsible for Drafting and Implementation: Kelle R. Vigeland, Room 221, (509) 456-4727 x102; and Enforcement: Mabel Caine, Room 230, (509) 456-4727 x110.

Name of Proponent: Spokane County Air Pollution Control Authority, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed regulation will allow Spokane County Air Pollution Control Authority to charge fees to cover the costs of implementing and administering air pollution control programs.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Spokane County Public Health Building, Room 321, West 1101 College Avenue, Spokane, WA 99202, on August 1, 1991, at 9:30 a.m.

Submit Written Comments to: Kelle R. Vigeland, Spokane County Air Pollution Control Authority, West 1101 College, Spokane, WA 99201, by August 1, 1991.

Date of Intended Adoption: September 10, 1991.

June 18, 1991  
Kelle R. Vigeland  
Environmental Engineer

#### NEW SECTION

#### REGULATION I, ARTICLE X, FEES AND CHARGES

##### 10.01 DEFINITIONS

When used in Regulation I of the Spokane County Air Pollution Control Authority:

A. Air Contaminant Source means all of the emissions unit(s) including quantifiable fugitive emissions, which are located on one or more contiguous or adjacent properties, and are under the control of

the same person (or persons under common control), whose activities are ancillary to the production of a single product or functionally related group of products.

B. Class A-1 means that the actual or potential controlled emissions of any one criteria pollutant are equal to or greater than 100 tons per year.

C. Class A-2 means that the actual emissions of any one criteria pollutant are less than 100 tons per year, but potential uncontrolled emissions of any one criteria pollutant are equal to or greater than 100 tons per year.

D. Class B means that the actual and potential uncontrolled, emissions of any one criteria pollutant are less than 100 tons per year.

E. Class A-1 (Toxic) means that the actual or potential controlled emissions of any one TAP are greater than or equal to 10 tons per year; OR, the actual or potential controlled emissions of any combination of TAPs are greater than or equal to 25 tons per year.

F. Class A-2 (Toxic) means that the actual emissions are below Class A-1 (Toxic) levels, but potential uncontrolled emissions are greater than Class A-1 (Toxic) levels.

G. Class B (Toxic) means that the actual and potential uncontrolled emissions are below Class A-2 (Toxic) levels.

H. Criteria Pollutant is any one of the following: particulate matter, nitrogen oxides, sulfur oxides, ozone, lead, carbon monoxide or any other pollutant as determined by the Control Officer.

I. Emission Reduction Credit means a credit granted to a source for a voluntary reduction in actual emissions per 173-403-070 WAC.

J. Significant Emissions means new sources or modifications resulting in one of the following:

- increased emissions of 100 tons per year of any one criteria pollutant;
- increased emissions of 10 tons per year of any one toxic air pollutant; or,
- increased emissions of 25 tons per year of two or more toxic air pollutants.

Sources with significant emissions are also those sources which emit more than the following of any pollutant for which the area exceeds or threatens to exceed ambient air quality standards for that pollutant or a related pollutant.

Pollutant	Tons/year	Pounds/day	Pounds/hour
Volatile organic compounds	40		
Nitrogen oxides	40	800	80
Sulfur oxides	40		
Lead	0.6		
Particulate Matter PM-10	25	500	50
	15		

K. Toxic Air Pollutant means any toxic air pollutant (TAP) listed in WAC 173-460-150 and 173-460-160, or as determined by the Control Officer. Toxic air pollutant does not include particulate matter and volatile organic compounds as generic classes of substances.

10.02 FEES AND CHARGES REQUIRED

A fee or service charge shall be paid to the Authority for issuance of permits and for providing services as hereinafter provided.

10.03 FEES OTHERWISE PROVIDED

All fees and charges provided for in this Article X are in addition to fees otherwise provided for or required to be paid by Regulation I, PROVIDED the Control Officer shall waive payment of any fee or service charge hereby required if such fee is duplicative of a fee charged or required to be paid by another Article of this regulation.

10.04 FEE WAIVER, INDIGENCY

The Control Officer shall waive payment of any fee or service charge required by this Article to be paid upon a showing deemed sufficient by the Control Officer that the permit or service requested is necessary and payment of the fee would cause hardship upon the applicant.

10.05 GENERAL ADMINISTRATIVE FEES

A. A fee of \$.25 per page for photocopies shall be charged for ten or fewer copies.

B. A fee of \$.20 per page for photocopies shall be charged for more than ten copies.

C. A fee of \$20.00 per hour shall be charged for all time expended preparing photocopies and for obtaining documents to be photocopied for requests covering more than ten pages.

D. The actual cost of postage shall be charged for all material requested to be mailed.

E. For other administrative services requested and performed by Authority staff which are not provided to the public generally the Control Officer shall determine such charge as reasonably reimburses the Authority for time and materials expended in providing the service.

10.06 REGISTRATION AND INSPECTION FEES FOR AIR CONTAMINANT SOURCES

A. All air contaminant sources required by Article IV, Section 4.01 to be registered shall pay a fee of \$50.00 at the time of initial registration. In addition, registered air contaminant sources and those air contaminant sources required by Article V, Section 5.01 to obtain an approved Notice of Construction and Application for Approval shall pay an annual fee of \$50.00 per each calendar year, or portion thereof, in which each facility operates.

B. IN ADDITION to the fee provided in "A" above, each air contaminant source inspected annually shall pay an annual fee of:

- (1) \$30.00 per each inspection for each stack or other emission point not to exceed \$600.00; and
- (2) For Class B sources, \$10.00 per ton per year of each criteria and/or toxic air pollutant, as determined by annual emissions; and
- (3) For Class A-2 sources, 10.00 per ton per year of each criteria and/or toxic air pollutant, as determined by annual emissions; and
- (4) For Class A-1 sources, \$10.00 per ton per year of each criteria and/or toxic air pollutant up to 4,000 tons per year, as determined by annual emissions.

10.07 APPLICATION AND PERMIT FEES FOR NOTICE OF CONSTRUCTION AND APPLICATION FOR APPROVAL AND FOR NOTICE OF INTENT TO INSTALL AND OPERATE A TEMPORARY SOURCE

A. For all construction required by Article V to file a Notice of Construction and Application for Approval (NOC), a filing fee of \$50.00 shall be paid at the time of filing the NOC. The registration fee required in Section 10.06A shall be waived whenever a NOC is required.

B. IN ADDITION to the filing fee provided in "A" above, a plan review and inspection fee shall be paid according to one of the following:

(1) Fuel Burning Equipment With or Without Air Pollution Control Equipment

Design Input Size (Mbtu/hr)	Install Fee	Fuel Change Fee
.4 < 5	\$ 50	\$ 20
5 < 10	\$ 100	\$ 40
10 < 20	\$ 150	\$ 60
20 < 50	\$ 250	\$ 80
50 < 100	\$ 350	\$ 100
100 < 250	\$ 500	\$ 150
250 < 500	\$ 650	\$ 200
500 < UP	\$ 850	\$ 250

(2) Refuse Burning Equipment Including Air Pollution Control Equipment:

Capacity (ton/day)	Fee
0 < 12	\$ 500
12 < 250	\$ 1,000
250 < UP	\$ 2,500

(3) Process Equipment and/or Air Pollution Control Equipment or Uncontrolled Process Equipment:

Actual ft <sup>3</sup> /min	Fee
0 < 5,000	\$ 100
5,000 < 20,000	\$ 200
20,000 < 50,000	\$ 300
50,000 < 100,000	\$ 400
100,000 < 250,000	\$ 500
250,000 < 500,000	\$ 650
500,000 < UP	\$ 800

(4) For sources not included in "1," "2," or "3" above, a plan review and inspection fee of \$100.00 shall be paid plus an hourly fee of \$50.00 per hour of time expended in plan review and inspection.

C. For temporary portable sources required by Article V to notify the Agency of intent to operate at a new location, the filing fee shall be \$50.00 and the plan review and inspection fee shall be one half (1/2) of the current fee for a Notice of Construction and Application for Approval.

D. IN ADDITION to the other fees and costs herein above required any new source of air pollution to be constructed and anticipated to produce SIGNIFICANT EMISSIONS shall pay an additional fee of \$250.00.

**10.08 EMISSION REDUCTION CREDITS**

A fee of \$500.00 shall be paid for each review of an emission reduction credit request.

**10.09 ASBESTOS**

Any owner or operator of a demolition or renovation activity required by federal regulation or Regulation I to notify the Authority prior to removal or demolition, or required by Federal Regulation to be approved or inspected by the Authority, shall give required notice and pay a fee according to the following:

(a) If more than 80 linear meters (260 linear feet), 15 square meters (160 square feet), or one cubic meter (35 cubic feet) of asbestos is to be removed a \$100.00 fee is required.

(b) If less than 80 linear meters (260 linear feet), 15 square meters (160 square feet), or one cubic meter (35 cubic feet) but more than 3 linear meters (10 linear feet), one square meter (11 square feet), one cubic foot of asbestos is to be removed a \$50.00 fee is required.

(c) If less than 3 linear meters (10 linear feet), one square meter (11 square feet), or one cubic foot of asbestos is to be removed or if the activity is a demolition not requiring asbestos removal a \$25.00 fee is required.

(d) If more than 3 linear meters (10 linear feet), one square meter (11 square feet), or one cubic foot of asbestos is to be removed from a private residence a \$25.00 fee is required.

(e) No notice or fee is required for private residences if the amount of asbestos to be removed is less than 3 linear meters (10 linear feet), one square meter (11 square feet), or one cubic foot.

(f) Registered sources may elect to submit an annual notice, for work conducted in their own facility by their own employees rather than individual notifications. A fee of \$100.00 shall accompany the annual notice.

**10.10 RESIDENTIAL BURN BARRELS**

An annual fee of \$15.00 shall be paid for issuance of any permit for a residential burning barrel.

**10.11 SOLID FUEL BURNING DEVICE EXEMPTIONS**

An initial fee of \$25.00 shall be paid for review of any exemption request to use solid fuel combustion device during periods of impaired air quality. An annual renewal fee of \$10.00 will be required each year thereafter. Payment of the fee shall not guarantee the applicant that the request will be approved. These fees may be waived per Section 10.04 or for emergency situations.

Title of Rule: New section WAC 246-917-210 Brief adjudicative proceeding.

Purpose: To adopt a brief adjudicative proceeding for hearings requested by applicants who do not meet minimum requirements for licensure.

Statutory Authority for Adoption: Chapter 18.71 RCW.

Statute Being Implemented: Chapter 34.05 RCW.

Summary: To adopt a brief adjudicative proceeding for hearings requested by applicants who do not meet minimum requirements for licensure.

Reasons Supporting Proposal: To provide a more cost effective method for handling requested hearings on the denial of applications from individuals who do not meet the minimum requirements.

Name of Agency Personnel Responsible for Drafting: Patti Rathbun, Olympia, Washington, 586-8934; Implementation and Enforcement: Board of Medical Examiners, Olympia, Washington, 586-8934.

Name of Proponent: Board of Medical Examiners, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Establishes a brief adjudicative proceeding for hearings requested by applicants who do meet the minimum requirements for licensure. This rule will provide a more cost effective method for handling requested hearings on the denial of applications from those individuals who did not meeting the minimum standards.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Cypress Inns, 22218 84th Avenue South, Kent, WA 98032, on July 26, 1991, at 9:30 a.m.

Submit Written Comments to: Patti Rathbun, Program Manager, 1300 Quince Street, EY-25, Olympia, WA 98504, by July 19, 1991.

Date of Intended Adoption: July 26, 1991.

June 7, 1991  
Patti Rathbun  
Program Manager

**NEW SECTION**

WAC 246-917-210 BRIEF ADJUDICATIVE PROCEEDINGS—DENIALS BASED ON FAILURE TO MEET EDUCATION, EXPERIENCE, OR EXAMINATION PREREQUISITES FOR LICENSURE. The board adopts RCW 34.05.482 and RCW 34.05.485 through 34.05.494 for adjudicative proceedings requested by applicants, who are denied a license under chapters 18.71 and 18.71A RCW for failure to meet the education, experience, or examination prerequisites for licensure. The sole issue at the adjudicative proceeding shall be whether the applicant meets the education, experience, and examination prerequisites for the issuance of a license.

**WSR 91-13-092**  
**PROPOSED RULES**  
**DEPARTMENT OF HEALTH**  
**(Board of Medical Examiners)**  
[Filed June 19, 1991, 2:52 p.m.]

**WSR 91-13-093**  
**PROPOSED RULES**  
**DEPARTMENT OF HEALTH**  
[Filed June 19, 1991, 2:54 p.m.]

Original Notice.

Original Notice.

Title of Rule: Chapter 246-560 WAC, Rural health system project.

Purpose: Implement chapter 70.175 RCW, make available contracts to help communities improve rural health care systems.

Statutory Authority for Adoption: Chapter 70.175 RCW.

Statute Being Implemented: Chapter 70.175 RCW.

Summary: Establish rules to implement the rural health system project.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Verne A. Gibbs, LL-12, 753-5942.

Name of Proponent: Department of Health, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Establish rules for chapter 70.175 RCW implementing the rural health system project.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

The project is voluntary. The department will contract with successful applicants for demonstration projects.

Hearing Location: General Administration Auditorium, 11th and Columbia, Olympia, Washington, on July 23, 1991, at 10:30 a.m.

Submit Written Comments to: Leslie Baldwin, 1300 S.E. Quince Street, Mailstop EY-16, Olympia, WA 98504, by July 22, 1991.

Date of Intended Adoption: July 26, 1991.

June 17, 1991  
Pam Campbell Mead  
for Kristine M. Gebbie  
Secretary

Chapter 246-560 WAC  
RURAL HEALTH SYSTEM PROJECT

NEW SECTION

WAC 246-560-001 PURPOSE. (1) The purpose of these rules is to implement RCW 70.175.010, 70.175.020, 70.175.030, 70.175.040, 70.175.050, 70.175.060, 70.175.070, 70.175.080, and 70.175.090. The Washington rural health system project was established to provide financial and technical assistance to promote affordable access to health care services in rural areas.

(2) The goals of the rural health system project are:

(a) To encourage innovative or established community-based approaches to improving rural health care delivery systems that may serve as models for other communities.

(b) To help rural communities obtain needed technical assistance for local activities designed to:

(i) Identify a reasonable service delivery area in terms of geographic conditions, health care delivery patterns, and population characteristics;

(ii) Identify desired health outcomes and improvements in the health care system;

(iii) Identify and analyze deficiencies in the community's health care system;

(iv) Identify innovative steps the community may need to correct the deficiencies; and

(v) Initiate planned and positive actions to correct problems and make health care system improvements.

(c) To explore the use of outcome targets related to health status for rural health system development.

(d) To encourage the use of planning principles in the rural community health system decision making processes including:

- (i) Community decisions regarding expected health outcomes and health care services produced;
  - (ii) Development of action plans; and
  - (iii) The regular, periodic updating of objectives.
- (e) To identify public and private resources for:
- (i) Providing technical assistance to rural communities; and
  - (ii) Facilitating community access to appropriate resources.

NEW SECTION

WAC 246-560-010 DEFINITIONS. For the purpose of this chapter the following words and phrases have the following meanings unless the context clearly indicates otherwise.

(1) "Advisory committee" means the rural health advisory committee or its successor, appointed by the secretary under RCW 70.175.030(3).

(2) "Applicant" means any eligible entity who has submitted an application proposing a rural health system demonstration project.

(3) "Application" means a proposal for a rural health system demonstration project.

(4) "Assisted demonstration project" means a nonfunded application selected to receive specific technical assistance provided or supported by the department.

(5) "Basic health care services" means organized care modalities to prevent death, disability, and serious illness. The term includes, but is not limited to:

- (a) Emergency services;
- (b) Primary care physicians, physician assistants, nurse practitioners, and midwifery services;
- (c) Short term inpatient care;
- (d) Home health care;
- (e) Community based care for chronic conditions;
- (f) Dental care;
- (g) Vision care;
- (h) Hearing care;
- (i) Hospice care;
- (j) Mental health;
- (k) Necessary support services;
- (l) Nutrition related services; and
- (m) Other "basic health services" specified and described in "A Report to the Legislature on Rural Health Care in the State of Washington" written by the Washington rural health care commission, January 1989.

(6) "Catchment area" means the geographic area where people who are likely to use the service live or are temporarily located.

(7) "Community" means the resident individuals and organizations in a catchment area who may benefit from the services included in a demonstration project.

(8) "Department" means the Washington state department of health.

(9) "Demonstration project" means an application selected to participate in the project, including both funded and assisted demonstration projects.

(10) "Eligible entity" means any for-profit, not-for-profit, or governmental entity which is:

- (a) Located in a rural catchment area;
- (b) Acting on behalf of the population in a rural catchment area; or
- (c) Acting on behalf of the population living in a catchment area, a significant portion of which is rural, and in which the target population is more than thirty minutes average travel time from the primary source of health care.

(11) "Financially vulnerable" means a health care facility falling below a reasonable level of performance.

(a) For hospitals the department uses the Financial Viability Index and/or the Financial Flexibility Index to measure performance.

(b) For health care facilities other than hospitals the department considers:

(i) Financial viability or the overall financial performance of the facility; and/or

(ii) Financial flexibility or the ability of the facility to obtain financing to meet its needs, however unexpected.

(12) "Funded demonstration project" means an application selected by the department to receive funds to support planning, organizing, and implementing activities.

(13) "Health care delivery system" means services and personnel involved in providing health care to a population in a geographic area.

(14) "Health care facility" means any land, structure, system, machinery, equipment, or other real or personal property or appurtenances useful for or associated with delivery of inpatient or outpatient health care service or support for such care or any combination thereof which is operated or undertaken in connection with a hospital, rural health care facility, clinic, health maintenance organization, diagnostic or treatment center, extended care facility, or any facility providing or designed to provide therapeutic, convalescent, or preventive health care services.

(15) "Interested party" means any eligible entity interested in proposing a rural health system development project.

(16) "Letter of interest" means a brief description of a proposal for a demonstration project as described in WAC 246-560-040.

(17) "Letter of invitation" means a letter inviting an interested party who has submitted a letter of interest to submit an application.

(18) "Local project administrator" means an individual or organization representing the applicant and authorized to enter into legal agreements on behalf of the applicant.

(19) "Metropolitan statistical area" or "MSA" means a metropolitan statistical area defined and described by the United States Department of Census, Bureau of the Census, Statistical Abstract of United States: 1988, 108th edition, Washington, D.C., United States Government Printing Office, and displayed for the state of Washington in State of Washington Data Book, Office of Financial Management, Olympia, Washington, 1988, including:

- (a) Benton;
- (b) Clark;
- (c) Franklin;
- (d) King;
- (e) Kitsap;
- (f) Pierce;
- (g) Snohomish;
- (h) Spokane;
- (i) Thurston;
- (j) Whatcom; and
- (k) Yakima.

(20) "Program" means the office of rural health, or its successor, within the Washington state department of health.

(21) "Project" means the Washington rural health system project as authorized under chapter 70.175 RCW.

(22) "Rural" means a geographical area outside the boundaries of metropolitan statistical areas (MSA's) or an area within an MSA but more than thirty minutes average travel time from an area of at least ten thousand population.

(23) "Secretary" means the secretary of the department of health or his or her designee.

(24) "Successful applicant" means an applicant whose project has been selected as a demonstration project.

(25) "Urban" means areas within a MSA that are thirty minutes average travel time or less from a city or town or contiguous cities or towns with a population of ten thousand or more.

#### NEW SECTION

WAC 246-560-015 IMPLEMENTATION. The department shall:

(1) Notify interested parties of the review schedule at least thirty days prior to the date the department expects to receive the letters of interest; and

(2) Conduct at least two public meetings to explain the demonstration project guidelines and the review process.

#### NEW SECTION

WAC 246-560-020 REVIEW PROCESS. The department shall:

(1) Administer a review process in the following sequence:

- (a) Request submission of letters of interest;
- (b) Review letters of interest;
- (c) Send letters of invitation;
- (d) Review applications using an expert panel; and
- (e) Approve or deny applications for funding or assistance.

(2) The department may consult with other entities, when appropriate, including but not limited to the advisory committee.

#### NEW SECTION

WAC 246-560-030 TIME SCHEDULE. (1) Proposals for demonstration projects shall be reviewed and approved according to the following schedule:

(a) The department shall request letters of interest by sending a notice to interested parties once each biennium.

(b) Interested parties shall submit letters of interest to the department ensuring department receipt by the date specified in the notice to interested parties.

(c) The department shall review letters of interest and identify those meeting the criteria in WAC 246-560-050.

(d) The department shall mail a letter of invitation to interested parties meeting the criteria in WAC 246-560-050. The letter of invitation shall be mailed within forty-five days of the deadline for receipt of letters of interest.

(e) Applicants shall ensure department receipt of the application on the date specified in the letter of invitation. The department shall determine the application due date by adding sixty days to the date letters of invitation are mailed.

(f) The department shall mail a notice to each applicant within sixty days of the deadline for application submission. The notice shall indicate:

- (i) Approval or denial of the application; and
- (ii) When approved, whether as a funded or an assisted demonstration project.

(2) Time periods are computed by excluding the first day and including the last day. The department considers a time period to be over at 5:00 p.m. on the last day. Time periods ending on a Saturday, Sunday, or legal holiday observed by the state of Washington shall be extended until 5:00 p.m. of the first working day thereafter.

#### NEW SECTION

WAC 246-560-040 LETTERS OF INTEREST. (1) Any interested party proposing a demonstration project shall submit a letter of interest. The letter shall follow the schedule in WAC 246-560-030 and:

- (a) Not exceed two pages;
- (b) Briefly describe the catchment area and the community;
- (c) Identify the health care problem;
- (d) Briefly describe what will be done; and
- (e) Identify key health care providers, business representatives, public officials, and community leaders to be involved in the project.

(2) The department may request combining activities proposed in separate letters of interest for inclusion in a single application to:

- (a) Avoid duplication;
  - (b) Increase cooperation; or
  - (c) Strengthen the overall health system serving the catchment area.
- (3) The department may request additional information to enable it to apply the letter of interest selection criteria in WAC 246-560-050.

#### NEW SECTION

WAC 246-560-050 LETTER OF INTEREST SELECTION CONSIDERATIONS. The department shall consider the following factors to select interested parties to receive letters of invitation:

(1) The proposed demonstration project addresses the goals of the rural health system project specified under WAC 246-560-001;

(2) The proposed demonstration project is in an area where a financially vulnerable health care facility is present;

(3) The proposed demonstration project is in an area where a financially vulnerable health care facility is present and an adjoining community in the same catchment area has a competing facility;

(4) The proposed demonstration project addresses access to basic health care services in an area where access is severely limited;

(5) The proposed demonstration project addresses needed improvements in the delivery of basic health services, including preventive services;

(6) The proposed demonstration project contains well thought out approaches to problem solving likely to result in improvements persisting after the project period;

(7) The proposed demonstration project reflects a cooperative approach, which may involve several organizations, categories of health care providers, and communities;

(8) The proposed demonstration project is unique and serves as a model for other communities; and

(9) The extent to which the proposed demonstration project uses multiple funding sources.

#### NEW SECTION

WAC 246-560-060 SUBMISSION OF APPLICATIONS. Applicants shall submit applications on the form provided by the department. The application shall, at a minimum, follow the time schedule in WAC 246-560-030 and:

- (1) Describe the problem including:
  - (a) The duration of the problem or deficiency; and
  - (b) The number of people affected;
- (2) Describe the catchment area. When the proposal involves a service or services not currently provided, the applicant shall demonstrate to the satisfaction of the department:
  - (a) A reasonable service delivery area in the sense that geographic conditions, health care delivery patterns, other social and economic relationship patterns, and population characteristics make it a realistic market; and
  - (b) A reasonable use area from the perspective of the residents, in the sense that residents are likely to go to the proposed delivery site as a preferred source for the proposed service.
- (3) Identify any special needs in the catchment area;
- (4) Explain how the proposal addresses the goals identified in WAC 246-560-001 or why this proposal should be approved as a demonstration project if the goals are not addressed;
- (5) Identify any model or models used in a proposed demonstration project;
- (6) Describe the relationship between the proposed demonstration project and any current or previous programs designed in whole or in part to solve related health care problems in the catchment area;
- (7) Identify key health care providers, business representatives, public officials, and community leaders involved in the project;
- (8) Identify project goals, specific objectives, and procedures to assure results from the project consistent with the letter of interest;
- (9) Specify the work program for achieving the objectives;
- (10) Explain how the demonstration project will coordinate and avoid unnecessary duplication of services and activities with existing health services, including public and private health care services in the catchment area;
- (11) Identify the potential and steps required to financially sustain the activities initiated as a result of the project;
- (12) Describe how the applicant will evaluate the demonstration project;
- (13) Describe the decision-making process or processes for determining appropriate courses of action throughout the demonstration project;
- (14) Provide the proposed budget for the project period indicating:
  - (a) The amount of state funds requested;
  - (b) The amount by source of other financial support; and
  - (c) The schedule of payments requested from the state;
- (15) Identify whether the proposal may be considered for:
  - (a) Designation as a funded demonstration project only; or
  - (b) Identify the portions of the proposal to be considered as an assisted demonstration project;
- (16) Provide letters of support and commitment to participate from key providers, local government officials, and business and community leaders.
- (17) Discuss any issues raised by the department in the letter of invitation.

#### NEW SECTION

WAC 246-560-070 SELECTION CRITERIA FOR FUNDED DEMONSTRATION PROJECTS. (1) The department may group applications proposing similar types of demonstration projects.

- (2) The department shall use the following criteria to select funded demonstration projects:
  - (a) Considerations identified under WAC 246-560-050.
  - (b) The nature and amount of evidence indicating commitment and support for the demonstration project in the catchment area including:
    - (i) Participation of community leaders and residents;
    - (ii) Involvement of effected local health care providers;
    - (iii) Contribution of local funds and other community resources;
    - (iv) Availability of local staff;
    - (v) Use of a multidisciplinary approach;
    - (vi) Linkages between and among health care facilities offering a similar type and intensity of service; and

(vii) Linkages between and among health care facilities offering different types and intensity of service.

- (c) Evidence of a relationship between and among:
  - (i) Identified problems/deficiencies;
  - (ii) Proposed activities;
  - (iii) Participating individuals and organizations;
  - (iv) Existing local and neighboring health facilities and personnel; and
  - (v) Total resource commitment to the project;
- (d) How the demonstration project enhances service capabilities and economic viability of the health care system serving the community;
- (e) How the demonstration project goals address long-term improvements of the health care system in the catchment area;
- (f) Evidence of measurable demonstration project objectives;
- (g) Evidence the demonstration project improves the public's understanding regarding the relationship between quality of care, health outcomes, and the effects of obtaining services within the catchment area versus having to travel out of area for care;
- (h) Evidence of a specific process for local evaluation of the demonstration project; and
- (i) The demonstration projects would have a reasonable state-wide geographic distribution.

#### NEW SECTION

WAC 246-560-080 SELECTION CRITERIA FOR ASSISTED DEMONSTRATION PROJECTS. The department shall evaluate applications to select assisted demonstration projects using the following criteria:

- (1) A request for consideration as an assisted demonstration project;
- (2) The criteria identified in WAC 246-560-070;
- (3) Evaluation of the proposal focus on achieving health status outcome goals;
- (4) The extent to which assistance will have a demonstrable impact on resolving the identified problem or problems;
- (5) The extent to which assistance will enable activities with ongoing community benefit; and
- (6) The extent to which assistance increases the likelihood of obtaining the project objectives.

#### NEW SECTION

WAC 246-560-090 ISSUANCE OF CONTRACTS. (1) The department shall develop contracts with successful applicants for demonstration projects consistent with State of Washington Department of Health Contracts Manual, November 1990.

- (2) The department shall:
  - (a) Determine the amount awarded in each contract through negotiation with the local project administrator considering:
    - (i) The amount of the proposed budget;
    - (ii) The need for state financial support;
    - (iii) The availability of state funds; and
    - (iv) The availability of other sources of support for the demonstration project.
  - (b) Make payments according to the provisions of the contract; and
  - (c) Specify the duration of funding in each contract.

#### NEW SECTION

WAC 246-560-100 USE OF PROJECT FUNDS. (1) Project funds may be used to support the following activities consistent with department policy under the State of Washington Department of Health Contract Manual, November 1990:

- (a) Problem identification;
  - (b) Problem analysis;
  - (c) Identification of possible solutions;
  - (d) Decision making to determine action steps;
  - (e) Technical assistance from consultants approved by the department;
  - (f) Carrying out action steps; and
  - (g) Capital acquisitions.
- (2) Funds shall not be used to retire existing debt.
  - (3) The department shall:
    - (a) Award the majority of funds available for the project to funded demonstration projects; and
    - (b) Generally award funded demonstration project contracts in a range of five to seventy thousand dollars.

NEW SECTION

WAC 246-560-105 CONTINUATION FUNDING. (1) Funded demonstration projects with current contracts may be approved for continuation funding only when the department finds:

(a) Extraordinary circumstances have prevented completion of the demonstration project; and

(b) A brief period of funding will assure the demonstration project's full operation and self-sufficiency.

(2) Funded demonstration projects must submit a request for continuation funding to the department.

(3) The request for continuation funding shall:

(a) Be in writing;

(b) Identify the specific contract items which remain to be completed;

(c) Identify the specific dollar amounts needed to complete the demonstration project;

(d) Identify the extraordinary circumstances which have prevented completion of the project;

(e) Document efforts and explain why alternative funding has not been found;

(f) Provide assurance that activities supported by continuation funding will be supported by other revenue sources at the end of the continuation funding period; and

(g) Describe how continued funding would be consistent with the goals of the project as identified in WAC 246-560-001.

(4) The department shall by July 30 of each new biennium:

(a) Review any requests; and

(b) Approve or deny all requests for continuation funding.

(5) The duration of continuation funding shall not exceed the total elapsed time permitted by the time schedule identified in WAC 246-560-030.

NEW SECTION

WAC 246-560-110 CONSULTATION. The department shall:

(1) Develop a register of public and private resources available to provide technical assistance to demonstration projects;

(2) Include those consultants who expressed interest in assisting demonstration projects if they have consulting experience in rural communities acceptable to the department;

(3) Provide the register to all successful applicants; and

(4) Work with the local project administrator to identify and arrange access to public and private consultation resources.

NEW SECTION

WAC 246-560-120 PERIODIC REPORTS. (1) The contracts shall require the local project administrator to submit to the department:

(a) Progress reports; and

(b) A final evaluation of the demonstration project including:

(i) A comparison of actual accomplishments with the objectives set forth in the proposal;

(ii) An explanation of the reason or reasons for any disparities; and

(iii) Recommendations for improving future project activities.

(2) The department shall prepare an overall evaluation of the project at the conclusion of each contract period including:

(a) An examination of the demonstration project accomplishments in relation to the goals identified under WAC 246-560-001; and

(b) Recommendations for improving project administration.

**WSR 91-13-094**  
**EMERGENCY RULES**  
**DEPARTMENT OF HEALTH**  
**(Board of Medical Examiners)**  
[Order 177B—Filed June 19, 1991, 2:56 p.m.]

Date of Adoption: June 14, 1991.

Purpose: Requires applicants to take the SPEX examination or any other examination deemed appropriate, when the board has concerns with the applicant's ability to practice competently. Also establishes a passing score.

Statutory Authority for Adoption: RCW 18.71.050 and 18.71.017.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The board has applicants who they have determined must take this examination to demonstrate competency. The next examination is in September; therefore, it is imperative that this rule be in effect so that these individuals can complete their application process in order to demonstrate their competency to practice safely and provide appropriate health care to the citizens of Washington.

Effective Date of Rule: Immediately.

June 14, 1991  
Patti Rathbun  
Program Manager

NEW SECTION

WAC 246-917-121 SPECIAL PURPOSE EXAMINATION. (1) The board of medical examiners, upon review of an application for licensure by endorsement, may require an applicant to pass the Special Purpose Examination (SPEX) or any other examination deemed appropriate. An applicant may be required to take an examination when the board has concerns with the applicant's ability to practice competently for reasons which may include but are not limited to the following:

(a) resolved or pending malpractice suits;

(b) pending action by another state licensing authority;

(c) actions pertaining to privileges at any institution; or

(c) not having practiced for an interval of time.

(2) The minimum passing score on the SPEX examination shall be seventy-five. The passing score for any other examination under this rule shall be determined by the board.

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

**WSR 91-13-095**  
**PROPOSED RULES**  
**HIGHER EDUCATION**  
**PERSONNEL BOARD**  
[Filed June 19, 1991, 2:59 p.m.]

Original Notice.

Title of Rule: WAC 251-09-020 Work period designations; and 251-22-170 Military leave.

Purpose: WAC 251-09-020, sets forth the work period designations for employees in the Higher Education Personnel Board system; and WAC 251-22-170, specifies what qualifies as military leave and its effects on employees.



Statutory Authority for Adoption: Chapter 28B.16 RCW.

Statute Being Implemented: RCW 38.40.060 and HB 1364.

Summary: WAC 251-09-020, specifies that the excepted work period designation applies to classes and positions which meet the FLSA definitions rather than Higher Education Personnel Board definitions; and WAC 251-22-170, amendments clarify that leave is allowed to report for active duty as well as active training.

Reasons Supporting Proposal: WAC 251-09-020, recent court decisions have changed the FLSA situation; and WAC 251-22-170, the legislature mandated the change through HB 1364 which became effective April 22, 1991.

Name of Agency Personnel Responsible for Drafting: Shelley Werner and Teri Thompson, 1202 Black Lake Boulevard, Olympia, 98504, 753-3850; and Implementation and Enforcement: John Spitz, Director, 1202 Black Lake Boulevard, Olympia, 98504, 753-3730.

Name of Proponent: Higher Education Personnel Board staff, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 251-09-020, rule specifies excepted work period designation applies to classes and positions which meet Higher Education Personnel Board definitions and that a procedure for verifying these positions is to be reviewed by the Higher Education Personnel Board director. Recent developments in the FLSA area indicate that FLSA rather than Higher Education Personnel Board definitions are applicable and that the designated excepted positions at each institution are the responsibility of the personnel officer only; and WAC 251-22-170, current rule specifies employees are entitled to military leave for training purposes. Amendment extends this type of leave to all active duty, specifies that this leave is in addition to sick leave as well as vacation leave, specifies that it does not result in reduction of benefits or performance ratings. This change is prompted by HB 1364, because the law is retroactive to August 2, 1990, institutions will need to make appropriate adjustments to employee leave balances in accordance with the statute.

Proposal Changes the Following Existing Rules: As specified above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Room 143, Bouillon, Central Washington University, Ellensburg, Washington, on August 1, 1991, at 10:00 a.m.

Submit Written Comments to: 1202 Black Lake Boulevard, FT-11, Olympia, WA 98504, by July 31, 1991.

Date of Intended Adoption: August 1, 1991.

June 19, 1991

John A. Spitz

Director

by Pamela Anderson

AMENDATORY SECTION (Amending Order 108, filed 9/23/83, effective 10/24/83)

WAC 251-09-020 WORK PERIOD DESIGNATIONS. Each position will be assigned by the personnel officer to one of the work period designations identified below, and employees will be informed of their eligibility for overtime compensation.

(1) Scheduled work periods, within which there are three work schedules:

(a) Regular work schedule. The regular work schedule for full-time classified employees shall consist of five consecutive and uniformly scheduled eight hour days in a seven day period. Uniformly scheduled means a daily repetition of the same working hours and a weekly repetition of the same working days.

(b) Alternate work schedule. Operational necessity or employee convenience may require positions that are normally designated regular work schedule to work an alternate forty hour work schedule (other than five uniform and consecutive eight hour days in a seven day period), or as provided by the Washington state minimum wage law in conjunction with the federal law which provides for an eighty hour workweek in a fourteen day period for hospital personnel. Alternate work schedules shall be made available upon request of the director.

(c) Emergency response fire officer work schedule. Institutions which operate an emergency response fire department may establish work week schedules for emergency response personnel which provide for a daily work shift of twenty-four hours. The weekly schedule shall provide for at least forty-eight hours, but not more than fifty-six hours, as required to meet operational requirements. Emergency response personnel assigned to twenty-four hour schedules shall be subject to the following conditions:

(i) All rules in chapter 251-22 WAC shall apply.

(ii) Changes to the established work schedule shall be made as provided in WAC 251-09-025.

(iii) Shift differential shall not be paid.

(iv) Overtime shall be paid for work performed in excess of the scheduled daily work shift or the scheduled work week. The overtime compensation shall be as provided in WAC 251-09-030 (2) and (3).

(v) Holidays shall be as provided in WAC 251-22-040 and 251-22-045. When assigned to work on a designated holiday, emergency response personnel shall receive their regular daily pay plus eight hours of holiday pay. Compensation for the eight hours of holiday time shall be at the rate of time and one-half.

(2) Nonscheduled work period. The nonscheduled work period designation applies to those positions for which the hours cannot be scheduled but which work a forty hour week and do not meet any of the other work period designations. The personnel officer shall designate positions as nonscheduled in accordance with the institution's procedure approved by the director.

(3) Excepted work period. The excepted work period designation applies to classes and positions which meet the ((HEPB)) Fair Labor Standards Act definitions of executive, administrative, or professional employees ((and are assigned to salary ranges twenty-three and above. Qualifying classes will be approved by the director)). Each personnel officer will be responsible for determining the positions designated "excepted" at his/her institution. ((The personnel officer will develop a procedure for verifying "excepted" positions which will be available for review by the director.))

AMENDATORY SECTION (Amending WSR 89-22-018, filed 10/24/89, effective 12/1/89)

WAC 251-22-170 MILITARY ((TRAINING)) LEAVE. (1) Employees shall be entitled to military leave with pay not to exceed fifteen working days in any one calendar year ((for)) in order to report for active duty, when called, or to take part in active training duty in such manner and at such time as she/he may be ordered to active duty or active training duty in the Washington National Guard((;)) or of the Army, Navy, Air Force, Coast Guard, or Marine((,-or Naval Reserve forces)) Corps reserve of the United States ((for annual field training or otherwise discharging reserve obligations)) or of any organized reserve or armed forces of the United States.

(2) Such leave shall be in addition to any vacation and sick leave to which an employee is entitled and shall not result in any ((loss)) reduction of benefits, performance ratings, privileges or pay.

(3) During military ((training)) leave, the employee shall receive the normal base pay.

(4) Employees required to appear during working hours for a physical examination to determine physical fitness for military service shall receive full pay for the time required to complete the examination.

**WSR 91-13-096**  
**PROPOSED RULES**  
**HIGHER EDUCATION**  
**PERSONNEL BOARD**  
 [Filed June 19, 1991, 3:02 p.m.]

Original Notice.

Title of Rule: WAC 251-08-090 Salary—Periodic increment, specifies periodic increment salary movement for employees in the Higher Education Personnel Board system.

Purpose: Specifies periodic increment salary movement for employees in the Higher Education Personnel Board system.

Statutory Authority for Adoption: Chapter 28B.16 RCW.

Statute Being Implemented: RCW 28B.16.100.

Summary: Amendment specifies an exception to the two step movement on the periodic increment date.

Reasons Supporting Proposal: The Higher Education Personnel Board system also has in place a locality special pay plan which applies only to the University of Washington. This special pay plan is an exception to the regular Higher Education Personnel Board pay plan and therefore requires an exception in periodic increment salary movement for those employees.

Name of Agency Personnel Responsible for Drafting: Tammy Tee, 1202 Black Lake Boulevard, FT-11, Olympia, 98504, 586-0510; and Implementation and Enforcement: John Spitz, Director, 1202 Black Lake Boulevard, FT-11, Olympia, 98504, 753-3730.

Name of Proponent: Higher Education Personnel Board staff, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The Higher Education Personnel Board locality special pay plan applies only to University of Washington hospitals. The salary of employees under this plan is increased as specified in the plan.

Proposal Changes the Following Existing Rules: Employees of the University of Washington hospitals occupy classes included in the Higher Education Personnel Board locality special pay plan. Salary increases under this plan are specified within the plan.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Room 143, Bouillon, Central Washington University, Ellensburg, Washington, on August 1, 1991, at 10:00 a.m.

Submit Written Comments to: 1202 Black Lake Boulevard, FT-11, Olympia, WA 98504, by July 31, 1991.

Date of Intended Adoption: August 1, 1991.

June 19, 1991

John A. Spitz

Director

by Pamela Anderson

**AMENDATORY SECTION** (Amending Order 136, filed 9/25/85)

WAC 251-08-090 SALARY—PERIODIC INCREMENT. (1) Employees whose performance permits them to retain job status in the classified service shall receive periodic increments within the steps of the salary range. The salary of each employee shall be increased two steps on the periodic increment date and annually thereafter on the periodic increment date, not to exceed the maximum step of the range. An exception to the two step movement on the periodic increment date are those employees who occupy classes included in the higher education personnel board locality special pay plan per WAC 251-09-090 which applies only to University of Washington hospitals. The salary of each employee under this plan shall be increased as specified in the higher education personnel board hospital special pay plan.

(2) When the periodic increment date falls on the same effective date as another salary action, the periodic increment shall be applied prior to, and in addition to, any other action resulting in a salary increase or decrease.

**WSR 91-13-097**  
**NOTICE OF PUBLIC MEETINGS**  
**LIQUOR CONTROL BOARD**  
 [Memorandum—June 19, 1991]

The Washington State Liquor Control Board will meet in Wenatchee at the Red Lion Inn, 1225 North Wenatchee Avenue, on Thursday, July 18, beginning at 10:00 a.m. and continuing until noon. The board normally meets in Olympia on Wednesdays, but has scheduled this meeting in Wenatchee to hear from local individuals, the hospitality and liquor licensees and others interested in the activities of the board. In addition to the regular business meeting activities, the board will be discussing possible changes to rules which have been recommended for adoption.

The board will resume its regular meeting schedule the following week.

**WSR 91-13-098**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
 [Filed June 19, 1991, 3:30 p.m.]

Original Notice.

Title of Rule: WAC 388-49-270 Sponsored aliens.

Purpose: Clarifies some aliens with sponsors are not required to meet the provisions of WAC 388-49-270.

Statutory Authority for Adoption: RCW 74.04.510.

Statute Being Implemented: RCW 74.04.510.

Summary: Some aliens with sponsors are not required to meet the provisions of WAC 388-49-270. Adds minor editorial changes.

Reasons Supporting Proposal: Conform with Food Nutrition Service Administrative Notice 91-08.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Joan Wirth, Income Assistance, 753-6745.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is necessary because of federal law, Food and Nutrition Service Administrative Notice 91-08.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on July 23, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by July 23, 1991.

Date of Intended Adoption: August 1, 1991.

June 19, 1991  
Rosemary Carr  
Acting Director  
Administrative Services

**AMENDATORY SECTION** (Amending Order 2575, filed 12/31/87)

WAC 388-49-270 SPONSORED ALIENS. (1) The sponsored alien as defined in WAC 388-49-020 and the sponsored alien's spouse are responsible for providing information necessary to determine income and resources of the sponsor and the sponsor's spouse for three years from the sponsored alien's date of entry or admission as a lawful, permanent resident.

(2) The department shall recalculate income and resources when the sponsored alien switches sponsors during a certification period.

(3) The department shall verify:

- (a) The income and resources of the sponsor and spouse;
- (b) The number of aliens the sponsor agreed to support;
- (c) The provision of the Immigration and Nationality Act under which the sponsored alien is admitted;
- (d) The sponsored alien's date of entry as a lawful, permanent resident;

(e) The sponsored alien's date and place of birth and alien registration number;

(f) The number of dependents for federal income tax of the sponsor and spouse; and

(g) The name, address, and telephone number of the ((alien)) sponsor.

(4) If verification is not received on a timely basis, the department shall consider the sponsored alien and spouse ((shall be considered excluded)) ineligible household members.

(5) The provisions of this section do not apply to:

(a) An alien participating in the food stamp program as a member of the sponsor's household;

(b) An alien sponsored by an organization; ((or))

(c) An alien not required to have a sponsor under the Immigration and Nationality Act; or

(d) An alien required to have a sponsor under the Immigration and Nationality Act but exempted by federal regulations from the provisions of this section.

**WSR 91-13-099**

**PROPOSED RULES**

**DEPARTMENT OF**

**SOCIAL AND HEALTH SERVICES**

**(Public Assistance)**

[Filed June 19, 1991, 3:32 p.m.]

Original Notice.

Title of Rule: WAC 388-24-074 Aid to families with dependent children—employable—Deprivation due to unemployment of a parent.

Purpose: To clarify the \$50 per quarter must be received, not earned.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: The amended rule specifies a quarter of work must be a calendar quarter in which a parent receives earned income of \$50.

Reasons Supporting Proposal: To bring WAC into compliance with Code of Federal Regulations.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Dana Beck, Income Assistance, 753-4908.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is necessary because of federal law, 45 CFR Chapter 11.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on July 23, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by July 23, 1991.

Date of Intended Adoption: August 1, 1991.

June 19, 1991  
Rosemary Carr  
Acting Director  
Administrative Services

**AMENDATORY SECTION** (Amending Order 3087, filed 10/23/90, effective 11/23/90)

WAC 388-24-074 AID TO FAMILIES WITH DEPENDENT CHILDREN—EMPLOYABLE—DEPRIVATION DUE TO UNEMPLOYMENT OF A PARENT. (1) The department shall consider a child deprived of parental care and support due to the unemployment of a parent when the child lives with two parents, one of which meets all the requirements in this section.

(2) The department shall designate the qualifying parent as that parent earning the greater amount of income in the twenty-four-calendar-month period immediately preceding the month the application for assistance is filed. The department shall:

(a) Designate the qualifying parent using the best evidence available;

(b) Consider the earnings of both parents regardless of when the relationship began;

(c) Continue the designation for each consecutive month the family remains on assistance based on the current application; and

(d) Designate the qualifying parent if both parents earned an identical amount of income.

(3) The department shall consider the qualifying parent unemployed when the qualifying parent:

- (a) Is employed less than one hundred hours a month;
- (b) Exceeds this standard for a particular month if the excess is of a temporary nature evidenced by being under the one hundred hour standard for the two prior months and is expected to be under the standard during the next month; or
- (c) Participates in institutional and work experience training under the JOBS program and is not otherwise employed over one hundred hours(~~or~~
- (d) ~~Works temporarily for the 1990 federal census demonstration project in a position exempted by the project waiver and is not otherwise employed over one hundred hours).~~

(4) The qualifying parent shall be unemployed as defined in subsection (3) of this section for thirty days or more before the date AFDC-E is authorized except when:

- (a) AFDC-E is terminated due to employment of the qualifying parent;
  - (b) The full-time employment ends within thirty days of termination; and
  - (c) The qualifying parent reapplies and is found otherwise eligible for AFDC-E.
- (5) During the same thirty-day period, or subsequently, the qualifying parent shall not have:
- (a) Refused a bona fide offer of employment;
  - (b) Refused training for employment;
  - (c) Voluntarily left a job without good cause; or
  - (d) If eligible, refused to apply for or accept unemployment compensation.

(6) The qualifying parent shall participate, as required in the JOBS program.

(7) The qualifying parent shall have one of the following:

- (a) Six or more quarters of work within any thirteen calendar quarter period ending within one year before the application for assistance.
- (i) A "quarter of work" means a calendar quarter in which the parent received earned income of fifty dollars or more, or participated in the OPPORTUNITIES, FIP, or JOBS program.
- (ii) A "calendar quarter" means three consecutive months ending March 31st, June 30th, September 30th, or December 31st.
- (b) Within one year before the application, received, or had such a work history to be eligible to receive, unemployment compensation.

**WSR 91-13-100**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Filed June 19, 1991, 3:35 p.m.]

Original Notice.

Title of Rule: WAC 388-49-430 Resources—Vehicles.

Purpose: WAC 388-49-430 amended to comply with food and nutrition service (FNS) Administrative Notice 90-57 and Indexed Policy Memo No. 90-22 which allow the value of a licensed vehicle to be excluded if used to transport a household member who is temporarily or permanently disabled.

Statutory Authority for Adoption: RCW 74.04.510.

Statute Being Implemented: RCW 74.04.510.

Summary: WAC 388-49-430 is amended to allow the value of a licensed vehicle to be excluded if used to transport a household member who is temporarily or permanently disabled. Previously the exclusion was allowed only for a person who was permanently disabled. Editorial changes made to clarify that one vehicle can be excluded for each person meeting an exclusion category.

Reasons Supporting Proposal: This rule amendment is necessary to comply with a food and nutrition service (FNS) clarification.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Mike Arnaud, Income Assistance, 753-4918.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is necessary because of federal law, FNS Administrative Notice 90-57 and Indexed Policy Memo No. 90-22.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on July 23, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by July 23, 1991.

Date of Intended Adoption: August 1, 1991.

June 19, 1991

Rosemary Carr

Acting Director

Administrative Services

AMENDATORY SECTION (Amending Order 2857, filed 8/29/89, effective 9/29/89)

WAC 388-49-430 RESOURCES—VEHICLES. (1) The department shall exclude the entire value of a licensed vehicle if it is:

(a) Used for income-producing purposes over fifty percent of the time it is in use. A vehicle excluded under this provision because the vehicle is used by a self-employed farmer shall retain its exclusion for one year from the date the household member terminates self-employment from farming;

(b) Annually producing income consistent with its fair market value;

(c) Essential to the employment of a household member, ineligible aliens, or disqualified persons whose resources are considered available to the household. This exclusion applies only if the vehicle is necessary for long distance travel other than daily commuting;

(d) Necessary for subsistence hunting or fishing;

(e) Used as the household's home; or

(f) Necessary to transport (~~a physically disabled~~) one of the following persons who has a temporary or permanent physical disability:

(i) Household member(s);

(ii) Ineligible alien(s, or) whose resources are available to the household; or

(iii) Disqualified person(s) whose resources are available to the household.

The exclusion is limited to one vehicle per physically disabled person.

(2) The department shall exclude the entire value of unlicensed vehicles:

(a) Driven by Indian tribal members on those reservations not requiring vehicle licensing(s); and

(b) Meeting one of the provisions in subsection (1) of this section.

(3) The department shall continue the exclusions described in subsection (1) and (2) of this section when the vehicle is not in use because of temporary unemployment.

(4) The department shall:

(a) Determine the fair market value of all licensed vehicles not excluded in subsections (1) and (2) of this section. Fair market value will be determined by the value of those vehicles as listed in publications written for the purpose of providing guidance to automobile dealers and loan companies; and

(b) Count the fair market value of each vehicle in excess of four thousand five hundred dollars toward the household's resource maximum.

(5) The department shall determine the equity value of all licensed vehicles except:

- (a) Those excluded in subsections (1) and (2) of this section((:));
- (b) One licensed vehicle per household regardless of the use of the vehicle((:)); and
- (c) Any other licensed vehicle used for:
  - (i) Transportation to and from employment((:));
  - (ii) Seeking employment((:)); or
  - (iii) Transportation for training or education which is preparatory to employment.

(6) The department shall count the equity value of licensed and unlicensed vehicles not excluded in subsections (1), (2), and (5) of this section toward the household's maximum allowable resource limit.

(7) The department shall consider only the greater amount as a resource if the vehicle has:

- (a) A countable fair market value in excess of four thousand five hundred dollars((:)); and
- (b) A countable equity value.

**WSR 91-13-101**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Filed June 19, 1991, 3:37 p.m.]

**Original Notice.**

Title of Rule: WAC 388-24-070 Aid to families with dependent children-regular-Deprivation due to continued absence from home.

Purpose: Correct a reference to another WAC section which was not corrected when the referenced WAC was repealed.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: WAC 388-24-070(7) will refer to WAC 388-24-200 instead of WAC 388-24-114.

Reasons Supporting Proposal: WAC 388-24-114 was repealed effective July 7, 1989. WAC 388-24-070(7) refers to WAC 388-24-114. This revision is necessary to correct the reference in WAC 388-24-070(7) to WAC 388-24-200. The language of WAC 388-24-114 was incorporated into WAC 388-24-200.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: John Culhane, Income Assistance, 753-0471.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on July 23, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health

Services, Mailstop OB-33H, Olympia, Washington 98504, by July 21, 1991.

Date of Intended Adoption: August 1, 1991.

June 19, 1991

Rosemary Carr

Acting Director

Administrative Services

**AMENDATORY SECTION** (Amending Order 3046, filed 7/13/90 [7/31/90], effective 8/31/90)

WAC 388-24-070 AID TO FAMILIES WITH DEPENDENT CHILDREN-REGULAR-DEPRIVATION DUE TO CONTINUED ABSENCE FROM HOME. (1) The department shall determine whether a child is deprived of parental support or care due to the absence of a child's parent.

(2) The department shall determine that deprivation due to the continued absence of a parent exists, regardless of legal marital status, when:

(a) The parent is living out of the home in which the child resides; and

(b) The absence interrupts or terminates the parent's functioning as a provider of:

(i) Maintenance at least equal to the child's prorated share of the monthly need standard for the number of persons in the child's assistance unit as specified ((in)) under WAC 388-29-100; or

(ii) Physical care; or

(iii) Guidance for the child; and

(c) The known or indefinite duration of the absence precludes counting on the parent's ((involvement-in)) performance of the function of planning for the present support or care of the child.

(3) ((The department shall disregard)) When the parent is living out of the home in which the child resides, the assumption ((in subsection (2)(a))) that parental functioning is interrupted can be rebutted only if the absent parent routinely visits the child, and continuously provides all elements of parental functioning as specified under subsection (2)(b) of this section.

(4) The department shall document reduction of one or more of the elements of parental care to establish deprivation. The following definitions shall apply:

(a) "Maintenance" means the financial support and in-kind contributions paid directly to the child's household, including:

(i) Child support((:));

(ii) Food((:));

(iii) Clothing((:)); and

(iv) Other necessities.

(b) "Physical care" means continuous care of the child on a day-to-day basis by performing tasks, depending upon the age of the child, required in the child's daily life including, but not limited to:

(i) Providing clean clothing and dressing the child;

(ii) Preparing meals and feeding;

(iii) Supervising bedtime; and

(iv) Assisting with other personal care needs.

(c) "Guidance" means day-to-day parental participation in and responsibility for the child's physical, emotional, and intellectual development including, but not limited to:

(i) Accompanying to doctor visits;

(ii) Attending school conferences;

(iii) Disciplining; and

(iv) Participating in decisions concerning the child's well-being and extracurricular activities.

(5) The department shall not establish deprivation due to absence if:

(a) The reason for the parent's absence is due solely to serving on active duty in the uniformed military services of the United States; or

(b) For applicants, the department's best estimate based on available evidence is that an absent parent will return to reside in the home at any time within the month of initial grant authorization. However, if the department's best estimate is that the absent parent will return to the home within the month following the month of initial grant authorization, deprivation may exist for the initial month of grant authorization, but not for the month following((:)); or

(c) For recipients, after the first two months of eligibility, the department determines an absent parent will return to the home. Deprivation due to absence ceases the end of the month in which the parent returns to the home.

(6) ~~((The department shall consider))~~ Deprivation due to continued absence ~~((established))~~ exists when a parent convicted of an offense is permitted to reside in the family home, but is required by the court to perform unpaid work or unpaid community service ~~((, and))~~. In this situation, the department shall:

(a) ~~((Shall))~~ Not include the needs of the convicted parent in the determination of eligibility or the payment of financial assistance; and

(b) ~~((Shall treat))~~ Allocate income earned ~~((income))~~ by the convicted parent outside of the hours of sentenced unpaid work or community service in accordance with WAC 388-28-500.

(7) The department shall assume ~~((:))~~ that abandonment exists, and shall apply policies outlined under WAC 388-24-200 when:

(a) A nonresponsible relative applies on behalf of a child who was not placed in custody through a court order ~~((:))~~; and ~~((whose))~~

(b) The child's parent, though able, has failed to support the child ~~((: that apparent abandonment exists and shall apply policies outlined in WAC 388-24-114))~~.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

**WSR 91-13-102**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Institutions)**

[Filed June 19, 1991, 3:40 p.m.]

Original Notice.

Title of Rule: Chapter 275-55 WAC, Mentally ill—Treatment—Evaluation.

Purpose: Improves access to community hospital psychiatric services by minimizing administrative duplication of licensing and certification requirements.

Statutory Authority for Adoption: RCW 74.05.560 [71.05.560].

Statute Being Implemented: RCW 74.05.560 [71.05.560].

Summary: These rules clarify the responsibilities of the Department of Health, Department of Social and Health Services and county governments in licensing and certifying community hospital psychiatric services.

Reasons Supporting Proposal: Psychiatric certification standards were incorporated into the hospital licensing standards in WAC 248-18-240 and 248-18-535. Licensed community hospitals will no longer be reviewed separately under the certification chapters 275-55 and 275-54 WAC.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Kathy Burns, Mental Health Division, 753-0639.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on July 23, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by July 23, 1991.

Date of Intended Adoption: August 1, 1991.

June 19, 1991  
Rosemary Carr  
Acting Director  
Administrative Services

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

WAC 275-55-261 REQUIREMENTS FOR CERTIFYING EVALUATION AND TREATMENT COMPONENTS. (1) Each county or combination of counties shall develop and coordinate an evaluation and treatment program consistent with chapters 71.05 and 71.24 RCW. Such program shall include, but is not limited to, components of outpatient services, emergency services, and short-term inpatient services. The county may ~~((directly provide such a program in its entirety, or may))~~ provide one or more of these components ~~((of such a program))~~ directly ~~((, or may through))~~. The county may also contract or have a written agreement with ~~((an agency))~~ one or more agencies ~~((:))~~ to provide ~~((the remaining component(s) required, or may through contract or agreement arrange with an agency or agencies to provide such a program))~~ each component in its entirety. Component(s) obtained on this basis from an agency or agencies shall be subject to all applicable provisions of ~~((these rules))~~ this chapter and ~~((of))~~ chapter 71.05 RCW. The county ~~((with))~~ shall maintain coordination responsibility over the program.

Any contract or agreement between county and agencies, or between two or more agencies, shall be required to comply with the standards for evaluation and treatment components, WAC 275-55-263 ~~((, and))~~. In addition, each contract or agreement shall indicate the department will consider those standards in the department's site visit and certification procedure as directed by WAC 275-55-293.

(2) In addition to the responsibilities specified, the following shall be required of the county or of such individual designated by the county as administrator of the evaluation and treatment program to:

(a) ~~((To))~~ Identify, recommend to the department for certification, and coordinate the various facilities and components of the evaluation and treatment program ~~((:))~~;

(b) ~~((To))~~ Assist the department in ensuring facilities and components are in compliance with all applicable rules and regulations set forth in chapter 71.05 RCW and this chapter;

(c) Make periodic inspections of a certified component consistent with county procedures.

(3) Any agency desiring certification of a component or components in order to become an evaluation and treatment facility, shall make application for such to the county-designated administrator of the evaluation and treatment program.

(4) The department is responsible for certifying each component of an agency desiring to become an evaluation and treatment facility. Upon formal request of the county-designated administrator of the evaluation and treatment program, the department shall:

(a) Inspect and evaluate the applicant agency's component or components for certification in accordance with the provisions of WAC 275-55-293.

(b) ~~((In))~~ On-site visits for the purposes of certification will, where possible, include the county-designated administrator of the evaluation and treatment program as part of the site visit team.

~~((The department is responsible for making periodic inspections of a certified component. Such inspections may be in addition to any conducted by the county-designated administrator of the evaluation and treatment program:))~~

~~((6))~~ All facilities shall be recognized elements of the county's mental health plan. The plan shall list the agencies for which certification is requested, and the components to be provided by each ~~((:))~~. The plan shall also specify the method whereby components will be coordinated ~~((among the several agencies))~~ when more than one agency provides evaluation and treatment services, and the method whereby the services of the facility will be coordinated with other elements of the county mental health program. (Reference RCW 71.24.130)

AMENDATORY SECTION (Amending Order 2536, filed 9/16/87)

WAC 275-55-281 EMERGENCY COMPONENT. (1) The emergency component is defined as a public or private agency or hospital having the capacity to detain ~~((a person))~~ an individual posing an imminent threat to the safety and/or well-being of ~~((himself/herself))~~ self or others, or is gravely disabled.

(2) The department may upon the formal request of the county, accept a hospital licensed under WAC 248-18-240 or 248-18-536 as a certified emergency component for a county evaluation and treatment program, in lieu of requiring a hospital to meet the requirements set forth by WAC 275-55-263, 275-55-281, and 275-55-293.

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

(a) ~~((Such component shall))~~ Be available seven days per week, twenty-four hours per day~~((:));~~

(b) ~~((Such component shall))~~ Follow a written protocol for detaining an individual and contacting the county designated mental health professional~~((:));~~

(c) ~~((Such component shall))~~ Provide or have access to medical services~~((:));~~

(d) ~~((Such component shall))~~ Have a written agreement with a certified short-term inpatient component for admission on a seven-day-per-week, twenty-four-hour-per-day basis~~((:));~~ and

(e) ~~((Such component shall))~~ Follow a written protocol for transporting individuals to short-term inpatient components or state hospitals.

AMENDATORY SECTION (Amending Order 2536, filed 9/16/87)

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

(2) The department may accept a hospital licensed under WAC 248-18-240 or 248-18-536 as a certified short-term inpatient component for a county evaluation and treatment program, in lieu of requiring a hospital to meet the requirements set forth by WAC 275-55-263, 275-55-291, and 275-55-293.

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

(a) The inpatient component shall meet the standards required for state licensing as a ~~((psychiatric hospital, general medical hospital))~~ skilled nursing facility, intermediate care facility, or residential treatment facility~~((:));~~

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

(c) Such component shall not deny admission except under the following circumstances:

(i) After a psychosocial evaluation, there is a determination by a mental health professional that the ~~((person))~~ individual does not present a likelihood of serious harm, or an imminent likelihood of serious harm, or the ~~((person))~~ individual is not gravely disabled, and does not require inpatient care. Reference RCW 71.05.190 for necessary action in this case~~((:));~~

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

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

(iv) ~~((No))~~ Treatment space is not available and is so documented~~((:));~~

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

(vi) For situations arising ~~((pursuant to))~~ under subsection ~~((2)(a)(iii))~~ (3)(c)(i) through (iv) of this section, the county-designated mental health professional shall make arrangements for the most appropriate placement available.

(d) Such component shall within twenty-four hours of initial detention, to include Saturday, Sunday, and holidays, conduct evaluations to determine the nature of the disorder, the treatment necessary, and whether or not detention is required. Such evaluations shall include at least a:

(i) Medical evaluation by a licensed physician~~((:));~~ and

(ii) Psychosocial evaluation by a mental health professional.

(e) Such component shall have the capability to detain persons dangerous to self, others, or gravely disabled, and shall provide or have access to at least one seclusion room meeting the requirements of WAC 248-18-001(65) ~~((now or as hereafter amended:));~~

(f) Such component shall provide therapeutic services including generally accepted treatment modalities such as:

(i) Individual therapy~~((:));~~ and

(ii) Medication management.

(g) Such component shall provide treatment to each ~~((patient))~~ individual under the supervision of the professional person in charge~~((:));~~

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

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

**WSR 91-13-103**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Institutions)**

[Filed June 19, 1991, 3:42 p.m.]

Original Notice.

Title of Rule: Chapter 275-54 WAC, Juvenile involuntary treatment.

Purpose: Improves access to community hospital psychiatric services by minimizing administrative duplication of licensing and certification requirements.

Statutory Authority for Adoption: RCW 71.34.800.

Statute Being Implemented: RCW 71.34.800.

Summary: These rules clarify the responsibilities of the Department of Health, Department of Social and Health Services and county governments in licensing and certifying community hospital psychiatric services.

Reasons Supporting Proposal: Psychiatric certification standards were incorporated into the hospital licensing standards in WAC 248-18-240 and 248-18-535. Licensed community hospitals will no longer be reviewed separately under chapters 275-55 and 275-54 WAC.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Kathy Burns, Mental Health Division, 753-0639.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on July 23, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by July 23, 1991.



Date of Intended Adoption: August 1, 1991.

June 19, 1991  
Rosemary Carr  
Acting Director  
Administrative Services

AMENDATORY SECTION (Amending Order 2323, filed 12/23/85)

WAC 275-54-160 REQUIREMENTS FOR CERTIFYING EVALUATION AND TREATMENT COMPONENTS FOR MINORS. (1) Each county or combination of counties shall develop and coordinate an evaluation and treatment program consistent with chapter 354, Laws of 1985 and chapter 71.24 RCW. Such program shall include, but is not limited to components of outpatient services, emergency services, and short-term inpatient services. The county may ~~((directly provide such a program in its entirety, or may))~~ provide one or more of these components ~~((of such a program))~~ directly ~~((, or may through))~~. The county may also contract or have a written agreement with ~~((an agency))~~ one or more agencies ~~((;))~~ to provide ~~((the remaining))~~ each component ~~((or components required, or may through contract or agreement arrange with an agency or agencies to provide such a program))~~ in its entirety. Component or components obtained on this basis from an agency or agencies shall be subject to all applicable provisions of these rules and of chapter 354, Laws of 1985. The county will maintain coordination responsibility over the program.

Any contract or agreement between county and agencies, or between two or more agencies, shall be required to comply with the standards for evaluation and treatment components ~~((and))~~. In addition, each contract or agreement shall indicate the department will consider those standards in the department's site visit and certification procedure as directed by WAC 275-54-210.

(2) In addition to the responsibilities specified, the following shall be required of the county or of such individual designated by the county as administrator of the evaluation and treatment program to:

(a) ~~((To))~~ Identify, recommend to the department for certification, and coordinate the various facilities and components of the evaluation and treatment program ~~((;))~~;

(b) ~~((To))~~ Assist the department in ensuring facilities and components are in compliance with all applicable rules and regulations set forth in chapter 354, Laws of 1985 and this chapter; and

(c) Make periodic reviews of a certified component consistent with county procedures.

(3) Any agency desiring certification of a component or components in order to become an evaluation and treatment facility shall make application for such to the county-designated administrator of the evaluation and treatment program.

(4) The department is responsible for certifying each component of an agency desiring to become an evaluation and treatment facility. Upon formal request of the county-designated administrator of the evaluation and treatment program, the department ~~((shall))~~ may:

(a) Inspect and evaluate the applicant agency's component or components for certification in accordance with the provisions of WAC 275-54-210.

(b) On-site visits for the purposes of certification will, where possible, include the county-designated administrator of the evaluation and treatment program as part of the site visit team.

(5) ~~((The department is responsible for making periodic inspections of a certified component. Such inspections may be in addition to any conducted by the county-designated administrator of the evaluation and treatment program.~~

~~((6))~~ All facilities shall be recognized elements of the county's mental health plan. The plan shall list the agencies for which certification is requested ~~((;))~~ and the components to be provided by each ~~((;))~~. The plan shall also specify the method whereby components will be coordinated ((among the several agencies)) when more than one agency provides evaluation and treatment services, and the method whereby the services of the facility will be coordinated with other elements of the county mental health program.

AMENDATORY SECTION (Amending Order 2535, filed 9/16/87)

WAC 275-54-190 EMERGENCY COMPONENT. (1) The emergency component is defined as a public or private agency or hospital having the capacity to detain ~~((a person))~~ an individual posing an imminent threat to the safety and/or well-being of ~~((himself, herself))~~ self, or others, or is gravely disabled.

(2) The department may upon the formal request of the county, accept a hospital licensed under WAC 248-18-240 or 248-18-536 as a certified emergency component for a county evaluation and treatment program, in lieu of requiring a hospital to meet the requirements set forth by WAC 275-54-170, 275-54-200, and 275-54-210.

(3) In addition to the general requirements stated in WAC 275-54-170, the following requirements shall apply to all emergency components. Such component shall:

(a) ~~((Such component shall))~~ Be available twenty-four-hours-per-day, seven-days-per-week ~~((;))~~;

(b) ~~((Such component shall))~~ Follow a written protocol for detaining an individual and contacting the county designated mental health professional ~~((;))~~;

(c) ~~((Such component shall))~~ Provide or have access to medical services ~~((;))~~;

(d) ~~((Such component shall))~~ Have a written agreement with a certified short-term inpatient component for admission on a seven-day-per-week, twenty-four-hour-per-day basis ~~((;))~~; and

(e) ~~((Such component shall))~~ Follow a written protocol for transporting individuals to short-term inpatient components.

AMENDATORY SECTION (Amending Order 2535, filed 9/16/87)

WAC 275-54-200 INPATIENT COMPONENT. (1) The inpatient component is a hospital or residential setting where treatment services are provided on a twenty-four-hour-per-day basis for ~~((patients))~~ individuals on seventy-two-hour detentions, or fourteen-day commitments, or one hundred eighty-day commitments.

(2) The department may accept a hospital licensed under WAC 248-18-240 or 248-18-536 as a certified short-term inpatient component for a county evaluation and treatment program, in lieu of requiring a hospital to meet the requirements set forth by WAC 275-54-170, 275-54-200, and 275-54-210.

(3) In addition to the general requirements stated in WAC 275-54-170, the following requirements shall apply to all inpatient components:

(a) The inpatient component shall meet the standards required for state licensing as a ~~((psychiatric hospital, general medical hospital,))~~ skilled nursing facility, intermediate care facility, or residential treatment facility ~~((;))~~;

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

(c) Such component shall not deny admission except under the following circumstances:

(i) After a psychosocial evaluation, there is a determination by a mental health professional that the ~~((person))~~ individual does not present a likelihood of serious harm, or an imminent likelihood of serious harm, or the ~~((person))~~ individual is not gravely disabled, and does not require inpatient care. Reference RCW 71.34.170 for necessary action in this case ~~((;))~~;

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

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

(iv) ~~((No))~~ Treatment space is not available and is so documented ~~((;))~~;

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

(vi) For situations arising ~~((pursuant to))~~ under subsection ~~((2)(a)(iii))~~ (3)(c)(i) through (iv) of this section, the county-designated mental health professional shall make arrangements for the most appropriate placement available.

(d) Such component shall within twenty-four hours of initial detention, to include Saturday, Sunday, and holidays, conduct evaluations to determine the nature of the disorder, the treatment necessary, and whether or not detention is required. Such evaluations shall include at least a:

(i) Medical evaluation by a licensed physician ~~((;))~~; and

(ii) Psychosocial evaluation by a mental health professional.

(e) Such component shall have the capability to detain ~~((persons))~~ individuals dangerous to self, others, or gravely disabled, and shall provide or have access to at least one seclusion room meeting the requirements of WAC 248-18-001 ~~((now or as hereafter amended;))~~;

(f) Such component shall provide therapeutic services including generally accepted treatment modalities such as:

(i) Individual therapy ~~((;))~~;

(ii) Family therapy ~~((;))~~; and



(iii) Medication management.

(g) Such component shall provide treatment to each ((patient)) individual under the supervision of the professional person in charge((-));

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

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

**WSR 91-13-104**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Filed June 19, 1991, 3:44 p.m.]

**Original Notice.**

Title of Rule: WAC 388-49-020 Definitions.

Purpose: Clarifies the definition of "sponsored alien."

Statutory Authority for Adoption: RCW 74.04.510.

Statute Being Implemented: RCW 74.04.510.

Summary: Defines "sponsored alien" to mean an alien lawfully admitted for permanent residence who has an affidavit of support or similar agreement executed by a person on behalf of the alien as a condition of the alien's admission into the United States as a permanent resident.

Reasons Supporting Proposal: This rule amendment is necessary to conform with 7 CFR 273.11 (j)(1) and 7 CFR 273.4 (a)(2).

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Joan Wirth, Income Assistance, 753-6745.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is necessary because of federal law, 7 CFR 273.11.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on July 23, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by July 23, 1991.

Date of Intended Adoption: August 1, 1991.

June 19, 1991  
 Rosemary Carr  
 Acting Director  
 Administrative Services

**AMENDATORY SECTION** (Amending Order 3170, filed 5/1/91, effective 6/1/91)

WAC 388-49-020 DEFINITIONS. (1) "Administrative disqualification hearing" means a formal hearing to determine whether or not a person committed an intentional program violation.

(2) "Administrative error overissuance" means any overissuance caused solely by:

(a) Department action or failure to act when the household properly and accurately reported all the household's circumstances to the department; or

(b) For households determined categorically eligible under WAC 388-49-180(1), department action or failure to act which resulted in the household's improper eligibility for public assistance, provided a claim can be calculated based on a change in net food stamp income and/or household size.

(3) "Administrative law judge" means an employee of the office of administrative hearings empowered to preside over adjudicative proceedings.

(4) "Aid to families with dependent children (AFDC) program" means the federally funded public assistance program for dependent children and their families authorized under Title IV-A of the Social Security Act.

(5) "Allotment" means the total value of coupons a household is certified to receive during a calendar month.

(6) "Application process" means the filing and completion of an application form, interview or interviews, and verification of certain information.

(7) "Authorized representative" means an adult nonhousehold member sufficiently aware of household circumstances designated, in writing, by the head of the household, spouse, or other responsible household member to act on behalf of the household.

(8) "Beginning months" means the first month the household is eligible for benefits, and the month thereafter. The first beginning month cannot follow a month in which a household was certified eligible to receive benefits.

(9) "Benefit level" means the total value of food stamps a household is entitled to receive based on household income and circumstances.

(10) "Boarder" means an individual residing with the household, except a person described under WAC 388-49-190 (2)(a), (b), (c), or (d), who is a:

(a) Person paying reasonable compensation to the household for lodging and meals; or

(b) Foster child.

(11) "Budget month" means the first month of the monthly reporting cycle; the month for which the household reports their circumstances.

(12) "Certification period" means definite period of time within which the household has been determined eligible to receive food stamps.

(13) "Child" means someone seventeen years of age or younger, and under parental control.

(14) "Collateral contact" means oral contact in person or by telephone with someone outside of the household to confirm the household's circumstances.

(15) "Commercial boarding home" means an enterprise offering meals and lodging for compensation with the intent of making a profit.

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

(17) "Dependent care deduction" means costs incurred by a household member for care provided by a nonhousehold member when the care is necessary for a household member to seek, accept, or continue employment, or attend training or education preparatory to employment.

(18) "Destitute household" means a household with a migrant or seasonal farmworker with little or no income at the time of application and in need of immediate food assistance.

(19) "Disabled person" means a person who meets one of the following criteria:

(a) Receives Supplemental Security Income (SSI) under Title XVI of the Social Security Act;

(b) Receives disability or blindness payments under Titles I, II, XIV, or XVI of the Social Security Act;

(c) Is a veteran:

(i) With service-connected or nonservice-connected disability rated or paid as total under Title 38 of the United States Code (USC); or

(ii) Considered in need of regular aid and attendance, or permanently housebound under Title 38 of the USC.

(d) Is a surviving spouse of a veteran and considered in need of aid and attendance, or permanently housebound; or a surviving child of a veteran and considered permanently incapable of self-support under Title 38 of the USC;

(e) A surviving spouse or child of a veteran and entitled to compensation for service-connected death or pension benefits for a nonservice-connected death under Title 38 of the USC and has a disability considered permanent under section 221(i) of the Social Security Act;

(f) Receives disability retirement benefits from a federal, state, or local government agency, because of a disability considered permanent under section 221(i) of the Social Security Act;

(g) Receives an annuity payment as part of the Railroad Retirement Act of 1974 under:

(i) Section 2 (a)(1)(iv) and is determined eligible to receive Medicare by the Railroad Retirement Board; or

(ii) Section 2 (a)(1)(v) and is determined disabled based on the criteria under Title XVI of the Social Security Act.

(h) Is a recipient of disability-related medical assistance under Title XIX of the Social Security Act.

(20) "Documentary evidence" means written confirmation of a household's circumstances.

(21) "Documentation" means the process of recording the source, date, and content of verifying information.

(22) "Elderly person" means a person sixty years of age or older.

(23) "Eligible food" means, for a homeless food stamp household, meals prepared for and served by an authorized homeless meal provider.

(24) "Entitlement" means the food stamp benefit a household received including a disqualified household member.

(25) "Equity value" means fair market value less encumbrances.

(26) "Expedited services" means providing food stamps within five calendar days to an eligible household which:

(a) Has liquid resources of one hundred dollars or less; and

(b) Has gross monthly income under one hundred fifty dollars; or

(c) Has combined gross monthly income and liquid resources which are less than the household's current monthly rent or mortgage and either the:

(i) Standard utility allowance as set forth in WAC 388-49-505; or

(ii) Actual utility costs, whichever is higher; or

(d) Includes all members who are homeless individuals; or

(e) Includes a destitute migrant or seasonal farmworker.

(27) "Fair hearing" means an adjudicative proceeding in which the department hears and decides an applicant/recipient's appeal from the department's action or decision.

(28) "Fair market value" means the value at which a prudent person might sell the property if the person was not forced to sell.

(29) "Food coupon" means food stamps and the two terms are interchangeable.

(30) "Food coupon authorization (FCA) card" means the document issued by the local or state office to authorize the allotment the household is eligible to receive.

(31) "Food stamp monthly reporting cycle" means the three-month reporting cycle consisting of the budget month, the process month, and the payment month.

(32) "Gross income eligibility standard" means one hundred thirty percent of the federal poverty level for the forty-eight contiguous states.

(33) "Group living arrangement" means a public or private non-profit residential setting serving no more than sixteen residents certified by the appropriate state agency under section 1616(e) of the Social Security Act.

(34) "Head of household" means:

(a) The person designated by the household to be named on the case file, identification card, and FCA card;

(b) For employment services or the voluntary quit provision, the household member who is the principal wage earner with the greatest source of earned income in the two months prior to the month of violation, including members not required to register, provided:

(i) The employment involves at least twenty hours per week; and

(ii) The person is not living with a parent or a person fulfilling that role who is:

(A) Registered for work,

(B) Exempt from work registration because of registration in a Title IV-A or IV-C work program of the Social Security Act, as amended, or the receipt of unemployment compensation, or

(C) Employed or self-employed and working a minimum of thirty hours per week, or receiving weekly earnings equal to the federal minimum wage multiplied by thirty hours.

(35) "Home visit" means a personal contact at the person's residence by a department employee. The home visit shall be scheduled in advance with the household.

(36) "Homeless individual" means a person lacking a fixed and regular nighttime residence or a person whose primary nighttime residence is a:

(a) Supervised shelter designed to provide temporary accommodations;

(b) Halfway house or similar institution providing temporary residence for persons needing institutionalization;

(c) Temporary accommodation in the residence of another person; or

(d) Place not designed for, or ordinarily used as, a regular sleeping accommodation for humans.

(37) "Homeless meal provider" means a public or private nonprofit establishment (e.g., soup kitchen, temporary shelter, mission, or other charitable organizations) feeding homeless persons, approved by division of income assistance (DIA) and authorized by food and nutrition service (FNS).

(38) "Household" means the basic client unit in the food stamp program.

(39) "Household disaster" means when food coupons, food purchased with food coupons, or food coupon authorization cards are destroyed by a natural disaster, such as flood, fire, etc.

(40) "Identification card" means the document identifying the bearer as eligible to receive and use food stamps.

(41) "Inadvertent household error overissuance" means any overissuance caused by either:

(a) Misunderstanding or unintended error by a household:

(i) Not determined categorically eligible under WAC 388-49-180(1); or

(ii) Determined categorically eligible under WAC 388-49-180(1) if a claim can be calculated based on a change in net food stamp income and/or household size; or

(b) Social Security Administration action or failure to take action which resulted in the household's categorical eligibility, if a claim can be calculated based on a change in net food stamp income and/or household size.

(42) "Ineligible household member" means the member excluded from the food stamp household because of:

(a) Disqualification for intentional program violation;

(b) Failure to apply for or provide a Social Security number;

(c) Failure to comply with work requirements as described under WAC 388-49-360;

(d) Status as an ineligible alien;

(e) Status as an ineligible student; or

(f) Failure to sign the application attesting to the member's citizenship or alien status.

(43) "Institution" means any place of residence (private or public) providing maintenance and meals for two or more persons.

(44) "Institution of higher education" means any institution normally requiring a high school diploma or equivalency certificate for enrollment. This includes any two-year or four-year college. Also included is any course in a trade or vocational school that normally requires a high school diploma or equivalency for admittance to the course.

(45) "Intentional program violation," after August 8, 1983, means intentionally:

(a) Making a false or misleading statement;

(b) Misrepresenting, concealing, or withholding facts; or

(c) Committing any act constituting a violation of the Food Stamp Act, the food stamp program regulations, or any state statute relating to the use, presentation, transfer, acquisition, receipt, or possession of food stamp coupons or FCAs.

Intentional program violation which ended before August 8, 1983, consists of any action by a person or persons to knowingly, willfully, and with deceitful intent:

(a) Make a false statement to the department, either orally or in writing, to obtain benefits to which the household is not entitled;

(b) Conceal information to obtain benefits to which the household is not entitled;

(c) Alter authorization cards or coupons to obtain benefits to which the household is not entitled;

(d) Use coupons to buy expensive or conspicuous nonfood items;

(e) Use or possess improperly obtained coupons or authorization cards; and

(f) Trade or sell coupons or authorization cards.

(46) "Intentional program violation overissuance" means any overissuance caused by an intentional program violation.

(47) "Live-in attendant" means a person residing with a household to provide medical, housekeeping, child care, or other similar personal services.

(48) "Lump sum" means money received in the form of a nonrecurring payment including, but not limited to:

- (a) Income tax refunds,
- (b) Rebates,
- (c) Retroactive payments, and
- (d) Insurance settlements.

(49) "Mandatory fees" means those fees charged to all students within a certain curriculum. Transportation, supplies, and textbook expenses are not uniformly charged to all students and are not considered as mandatory fees.

(50) "Migrant farmworker" means a person working in seasonal agricultural employment who is required to be absent overnight from the person's permanent residence.

(51) "Net income eligibility standard" means the federal income poverty level for the forty-eight contiguous states.

(52) "Nonhousehold member" means a person who is not considered a member of the food stamp household such as a:

- (a) Roomer;
- (b) Live-in attendant; or
- (c) Person who does not purchase and prepare meals with the food stamp household.

(53) "Nonstriker" means any person:

(a) Exempt from work registration the day prior to the strike for reasons other than their employment;

(b) Unable to work as a result of other striking employees, e.g., truck driver not working because striking newspaper pressmen not printing output;

(c) Not part of the bargaining unit on strike but not wanting to cross picket line due to fear of personal injury or death; or

(d) Unable to work because workplace is closed to employees by employer in order to resist demands of employees, e.g., a lockout.

(54) "Offset" means reduce restored benefits by any overissue (claim) owed by the household to the department.

(55) "Overissuance" means the amount of coupons issued to a household in excess of the amount eligible to receive.

(56) "Overpayment" means the same as "overissuance" and shall be the preferred term used in procedures.

(57) "Payment month" means the third month of the budget cycle; the month in which the food stamp allotment is affected by information reported on the monthly report for the budget month.

(58) "Period of intended use" means the period for which an FCA or food coupon is intended to be used.

(59) "Post secondary education" means a school not requiring a high school diploma or equivalency for enrollment. This includes trade school, vocational schools, business colleges, beauty schools, barber schools, etc.

(60) "Process month" means the second month of the monthly reporting cycle; the month in which the monthly report is to be returned by the household to the local office.

(61) "Project area" means the county or similar political subdivision designated by the state as the administrative unit for program operations.

(62) "Prospective budgeting" means the computation of a household's income based on income received or anticipated income the household and department are reasonably certain will be received during the month of issuance.

(63) "Prospective eligibility" means the determination of eligibility based on prospective budgeting rules and other household circumstances anticipated during the month of issuance.

(64) "Quality control review" means a review of a statistically valid sample of cases to determine the accuracy of budgeting, issuance, denial, withdrawal, and termination actions taken by the department.

(65) "Quality control review period" means the twelve-month period from October 1 of each calendar year through September 30 of the following calendar year.

(66) "Recent work history" means receipt of earned income in one of the two months prior to the payment month.

(67) "Recertification" means approval of continuing benefits based on an application submitted prior to the end of the current certification period.

(68) "Resident of an institution" means a person residing in an institution that provides the person with the majority of meals as part of the institution's normal service.

(69) "Retrospective budgeting" means the computation of a household's income for a payment month based on actual income received in the corresponding budget month of the monthly reporting cycle.

(70) "Retrospective eligibility" means the determination of eligibility based on retrospective budgeting rules and other circumstances existing in the budget month.

(71) "Roomer" means a person to whom a household furnishes lodging, but not meals, for compensation.

(72) "Seasonal farmworker" means a person working in seasonal agricultural employment who is not required to be absent overnight from the person's permanent residence.

(73) "Shelter costs" means:

(a) Rent or mortgage payments plus taxes on a dwelling and property;

(b) Insurance on the structure only, unless the costs for insuring the structure and its contents cannot be separated;

(c) Assessments;

(d) Utility costs such as heat and cooking fuel, cooling and electricity, water, garbage, and sewage disposal;

(e) Standard basic telephone allowance;

(f) Initial installation fees for utility services; and

(g) Continuing charges leading to shelter ownership such as loan repayments for the purchase of a mobile home including interest on such payments.

(74) "Shelter for battered women and children" means a public or private nonprofit residential facility serving battered women and children.

(75) "Sibling" means a natural, adopted, half brother or stepbrother or natural, adopted, half sister or stepsister.

(76) "Sponsor" means a person who executed an affidavit of support or similar agreement on behalf of an alien as a condition of the alien's admission into the United States as a permanent resident.

(77) "Sponsored alien" means an alien lawfully admitted for permanent residence who has an affidavit of support or similar agreement executed by a person on behalf of the alien as a condition of the alien's admission into the United States as a permanent resident.

(78) "Spouse" means:

(a) Married under applicable state law; or

(b) Living with another person and holding themselves out to the community as husband and wife by representing themselves as such to relatives, friends, neighbors, or trades people.

(79) "Striker" means any person:

(a) Involved in a strike or concerted stoppage of work by employees including stoppage due to expiration of a collective bargaining agreement; or

(b) Involved in any concerted slowdown or other concerted interruption of operations by employees.

(80) "Student" means any person:

(a) At least eighteen but less than sixty years of age,

(b) Physically and mentally fit for employment, and

(c) Enrolled at least half time in an institution of higher education.

(81) "Systematic alien verification for entitlements (SAVE)" means the immigration and naturalization service (INS) program whereby the department may verify the validity of documents provided by aliens applying for food stamp benefits by obtaining information from a central data file.

(82) "Temporary disability" means a nonpermanent physical illness or injury that incapacitates beyond the initial issuance month.

(83) "Thrifty food plan" means the diet required to feed a family of four as determined by the United States Department of Agriculture. The cost of the diet is the basis for all allotments, taking into account the household size adjustments based on a scale.

(84) "Under parental control" means living with the parent or any adult other than the parent. A person is not under parental control when that person is:

(a) Receiving an AFDC grant as the person's own payee;

(b) Receiving, as the person's own payee, gross income equal to, or exceeding, the AFDC grant payment standard as described under WAC 388-29-100 (3)(b); or

(c) Married.

(85) "Vehicle" means any device for carrying or conveying persons and objects, including travel by land, water, or air.

(86) "Vendor payment" means money payments not owed or payable directly to a household, but paid to a third party for a household expense, such as:

(a) A payment made in money on behalf of a household whenever another person or organization makes a direct payment to either the

household's creditors or a person or organization providing a service to the household; or

(b) Rent or mortgage payments, made to landlords or mortgagees by the department of housing and urban development or by state or local housing authorities.

(87) "Verification" means the use of documentation or third-party information to establish the accuracy of statements on the application. Sources of verification shall be documentary evidence, collateral contacts, or a home visit.

**WSR 91-13-105**  
**PROPOSED RULES**  
**DEPARTMENT OF AGRICULTURE**  
**(Tree Fruit Research Commission)**

[Filed June 19, 1991, 3:56 p.m.]

**Original Notice.**

**Title of Rule:** Tree fruit research assessment in chapter 16-560 WAC.

**Purpose:** This rule provides for the assessments on tree fruit for funding programs for the planting, production, harvesting, handling, processing or shipment of tree fruit and an additional assessment for special research projects.

**Statutory Authority for Adoption:** Chapter 15.26 RCW.

**Statute Being Implemented:** RCW 15.26.155 and 15.26.140.

**Reasons Supporting Proposal:** An increase in the assessments is needed to fund more research on tree fruit. The 1991 legislature made provisions allowing for the use of tree fruit assessments to fund research for minor crop plant protection products also.

**Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement:** George Ing, Manager, P.O. Box 1009, White Salmon, WA 98672.

**Name of Proponent:** Washington Tree Fruit Research Commission, public.

Rule is not necessitated by federal law, federal or state court decision.

**Explanation of Rule, its Purpose, and Anticipated Effects:** This rule provides for assessments on tree fruit for funding programs or research for the planting, production, harvesting, handling, processing or shipment of tree fruit and research for minor crops-plant protection products.

**Proposal Changes the Following Existing Rules:** Increase the assessment on stone fruits except cherries from 25 cents per ton to \$1.00 per ton; increase the fund level of the industry service fund; increase the assessment on fresh apples from 1.25 cents per hundred pounds gross billing weight to 2.5 cents for the 1992 crop year; 3.75 cents for the 1993 crop year and 5 cents for the 1994 crop year and each year after.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

**Hearing Location:** July 30, 1991, at 10:00 a.m., PUD Conference Room, 1331 2nd Avenue North, Okanogan, WA; on August 5, 1991, at 10:00 a.m., WSDA Conference Room, 2015 South 1st Street, Yakima, WA; and on August 9, 1991, at 10:00 a.m., Tree Fruit Research Sta., 1100 North Western Avenue, Wenatchee, WA.

**Submit Written Comments to:** Mr. George Ing, Manager, P.O. Box 1009, White Salmon, WA 98672, by August 9, 1991.

**Date of Intended Adoption:** September 30, 1991.

June 19, 1991

Michael V. Schwisow  
Deputy Director

**AMENDATORY SECTION** (Amending Order 8, Resolution No. 8, field 6/30/86)

WAC 16-560-06001 ASSESSMENT RATES. (1) There is hereby levied on all commercial tree fruit produced in this state or held out as being produced in this state for fresh or processing use, an assessment of ~~((twenty-five cents))~~ one dollar per ton on all such tree fruit: PROVIDED, That such assessment for cherries shall be two dollars per ton: ~~((PROVIDED, That such assessment for pears, shall not be more than one dollar per ton.))~~ PROVIDED FURTHER, That such assessment for apples for fresh shipment shall be at the rate of ~~((one and one-quarter))~~ two and one-half cents per hundred pounds gross billing weight for the 1992 crop year; three and three-quarters cents per hundred pounds gross billing weight for the 1993 crop year; and five cents per hundred pounds gross billing weight for the 1994 crop year and each year thereafter.

(2) There is hereby established pursuant to RCW 15.26.155 an additional assessment for an industry services fund for programs related to sanitation, planting, production, harvesting, handling, processing and shipping. The assessment shall be set annually by the commission, upon approval of two-thirds of the voting members of the commission, to create and maintain this fund at or near one ~~((hundred thousand))~~ million dollars. If this fund should inadvertently exceed one ~~((hundred thousand))~~ million dollars due to larger crops than estimated or the addition of interest earned, the excess shall be credited to the following year's fund.

In consideration of maintaining this industry services fund, the commission shall annually consult with the affected industry and grower organizations.

**WSR 91-13-106**  
**PROPOSED RULES**  
**DEPARTMENT OF AGRICULTURE**  
[Filed June 19, 1991, 4:00 p.m.]

**Original Notice.**

**Title of Rule:** Department of Agriculture's license renewal dates in chapters 16-122, 16-126, 16-124, 16-146, 16-22, 16-23, 16-674, 16-605, 16-694, 16-212, 16-228, and 16-620 WAC.

**Purpose:** To set in rule the dates for license renewals.

**Statutory Authority for Adoption:** RCW 15.32.100, 15.32.110, 15.32.584, 69.07.040, 16.49.440, 16.49.630, 15.80.460, 15.80.470, 15.80.500, 16.58.060, 20.01.050, 22.09.050, 22.09.055, 22.09.070, 22.09.075, 17.21.070, 17.21.110, 17.21.126, 17.21.129, 17.21.220, 17.21.122, 15.58.200, 15.58.210, 15.58.220, 17.21.140, and 16.57.080.

**Statute Being Implemented:** See Statutory Authority above.

**Summary:** To set in rule the dates for license renewals. License titles are Milk vendor license expiration; License to buy milk and cream in bulk; Dairy technician license; Food processor license; License for custom farm slaughterers—Custom slaughtering establishments—Custom meat facilities; Custom meat facility operator license; Weighmaster license; Weigher license; Certified

feed lot license expiration—Late renewal; Custom merchant license; Licenses—Warehouse, terminal warehouse, country warehouse—Late renewal penalty; Grain dealer license—Late renewal penalty; Warehouse license expiration; Grain dealer license expiration; and Pesticide licenses—Renewal dates—penalties.

Reasons Supporting Proposal: The 1991 Legislature removed all license renewal dates from statute and allowed the department to set the dates.

Name of Agency Personnel Responsible for Drafting: John Frost, Administrative Services, Olympia, (206) 586-3454; Implementation and Enforcement: Administrative services, John Frost; Commodity inspection, Al Stine; Consumer and producer protection, Mike Willis; Food safety and animal health, John Daly; Market development, Art Scheunemann; Pesticide management, Art Losey; and Plant services, Bill Brookreson; Department of Agriculture, 460 General Administration Building, Olympia, WA 98504.

Name of Proponent: Washington Department of Agriculture, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: At this time, the Department of Agriculture is setting in rule the same renewal dates that were previously in statute and no changes were made.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: To set in rule what was previously stated in statute for department license renewal dates. No changes were made to those dates.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Department of Agriculture, Commodity Inspection Division, 2728B Westmoor Court S.W., Conference Room, Olympia, WA 98502, on July 23, 1991, at 9:00 a.m.

Submit Written Comments to: Department of Agriculture, Attn: John Frost, 406 General Administration Building, Olympia, WA 98504, by July 23, 1991.

Date of Intended Adoption: July 25, 1991.

June 19, 1991

Kelly Boesenberg  
Acting Assistant Director

Chapter 16-122 WAC  
MILK VENDORS

#### NEW SECTION

WAC 16-122-001 MILK VENDOR LICENSE EXPIRATION. Milk vendor licenses issued under RCW 15.32.100 shall expire on June 30th of each year.

Chapter 16-126 WAC  
MILK AND CREAM—BUYING IN BULK

#### NEW SECTION

WAC 16-126-001 LICENSE TO BUY MILK AND CREAM IN BULK. Licenses to buy milk or cream in bulk issued under RCW 15.32.110 shall expire on June 30th following the date of issuance.

#### NEW SECTION

WAC 16-124-011 DAIRY TECHNICIAN LICENSE. Dairy technician licenses issued under RCW 15.32.584 shall expire December 31st of each year.

Chapter 16-146 WAC  
FOOD PROCESSORS

#### NEW SECTION

WAC 16-146-100 FOOD PROCESSOR LICENSE. Licenses to operate a food processing plant or to process food issued under RCW 69.07.040 shall expire on the 31st day of March of each year.

#### NEW SECTION

WAC 16-146-110 LATE RENEWAL PENALTY FOR FOOD PROCESSOR LICENSE. An additional fee shall be assessed for any license issued under chapter 69.07 RCW for which renewal is not filed by April 1st in any year.

#### NEW SECTION

WAC 16-22-011 LICENSE FOR CUSTOM FARM SLAUGHTERERS—CUSTOM SLAUGHTERING ESTABLISHMENTS—CUSTOM MEAT FACILITIES. Custom farm slaughterers, custom slaughtering establishments, and custom meat facility licenses issued under RCW 16.49.440 shall expire on June 30th following the date of issuance.

#### NEW SECTION

WAC 16-22-015 LATE RENEWAL PENALTIES FOR CUSTOM FARM SLAUGHTERERS, CUSTOM SLAUGHTERING ESTABLISHMENTS, AND CUSTOM MEAT FACILITIES. A late fee shall be assessed for any license issued under RCW 16.49.440 for which renewal is not filed prior to July 1st of each year.

#### NEW SECTION

WAC 16-23-012 CUSTOM MEAT FACILITY OPERATOR LICENSE. Custom meat facility operator licenses issued under RCW 16.49.630 shall expire on June 30th of each year.

#### NEW SECTION

WAC 16-23-014 CUSTOM MEAT FACILITY OPERATOR LICENSE—LATE RENEWAL PENALTY. A late fee shall be assessed for any custom meat facility operator licenses issued under RCW 16.49.630 for which renewal is not filed prior to July 1st of each year.

#### NEW SECTION

WAC 16-674-030 WEIGHMASTER LICENSE. Weighmaster licenses issued under RCW 15.80.460 shall expire on June 30th following the date of issuance.

#### NEW SECTION

WAC 16-674-040 WEIGHMASTER LICENSE—LATE RENEWAL PENALTY. Renewal applications for weighmaster licenses issued under chapter 15.80 RCW not filed by July of any one year are subject to a penalty as provided by RCW 15.80.470.

#### NEW SECTION

WAC 16-674-050 WEIGHER LICENSE. Weigher licenses issued under RCW 15.80.500 shall expire on June 30th following the date of issuance.

Chapter 16-605A WAC  
CERTIFIED FEED LOTS

#### NEW SECTION

WAC 16-605A-005 CERTIFIED FEED LOT LICENSE EXPIRATION—LATE RENEWAL PENALTY. (1) Certified feed lot licenses issued under RCW 16.58.060 shall expire on June 30th following the date of issuance.

(2) Applicants filing for license renewal after June 30th shall be subject to an assessment as provided by RCW 16.58.060.

#### NEW SECTION

WAC 16-694-020 COMMISSION MERCHANT LICENSE. Commission merchant licenses issued under chapter 20.01 RCW shall require renewal on or before January 1st of each year. Commission merchant licenses shall expire December 31st following date of issuance.

#### NEW SECTION

WAC 16-694-021 COMMISSION MERCHANT LICENSE—LATE RENEWAL PENALTY. Applications for renewal of commission merchant, dealer, broker, or cash buyer licenses not filed prior to January 1st of any year shall be assessed a penalty as provided by RCW 20.01.050.

#### NEW SECTION

WAC 16-212-125 LICENSES; WAREHOUSE, TERMINAL WAREHOUSE, COUNTRY WAREHOUSE—LATE RENEWAL PENALTY. If the application for renewal of a warehouse license or licenses is not received by the department prior to June 30th of any year a penalty will be assessed as provided by RCW 22.09.050.

#### NEW SECTION

WAC 16-212-126 GRAIN DEALER LICENSE—LATE RENEWAL PENALTY. If the application for renewal of a grain dealer license is not received by the department by June 30th of any year a penalty shall be assessed as provided by RCW 22.09.055.

#### NEW SECTION

WAC 16-212-127 WAREHOUSE LICENSE EXPIRATION. Warehouse licenses issued under RCW 22.09.070 shall expire on June 30th after the date of issuance.

#### NEW SECTION

WAC 16-212-128 GRAIN DEALER LICENSE EXPIRATION. Grain dealer licenses issued under RCW 22.09.075 expire automatically on June 30th after the date of issuance.

#### NEW SECTION

WAC 16-620-390 RENEWAL OF REGISTERED BRANDS. Owners of registered brands must file for renewal of registration by December 31st of odd-numbered years. Failure to do so will cause the brand to revert to the department and result in a penalty for later renewal as provided by RCW 16.57.080.

#### NEW SECTION

WAC 16-228-020 PESTICIDE LICENSES—RENEWAL DATES—PENALTIES. (1) The following pesticide licenses shall expire on the December 31st following their issuance:

- (a) Commercial pesticide applicator licenses issued under the authority of RCW 17.21.070;
- (b) Commercial pesticide operator licenses issued under the authority of RCW 17.21.110;
- (c) Private applicator licenses issued under the authority of RCW 17.21.126;
- (d) Demonstration and research licenses issued under the authority of RCW 17.21.129;
- (e) Public operator licenses issued under the authority of RCW 17.21.220.

(2) The following pesticide licenses shall expire on the fifth December 31st following their issuance:

- (a) Private-commercial applicator licenses issued under the authority of RCW 17.21.122;
- (b) Pesticide dealer-manager licenses issued under the authority of RCW 15.58.200.

(3) The following pesticide licenses shall expire on the final day of February of each year:

- (a) Pest control consultant issued under the authority of RCW 15.58.210;

(b) Public pest control consultant issued under the authority of RCW 15.58.220.

(4) Pesticide renewal applications for licenses issued under the authority of chapter 17.21 RCW shall be filed on or before January 1st of the appropriate year.

(5) If an application for renewal of any pesticide license issued under the authority of chapter 17.21 RCW is not filed on or prior to January 1st following the expiration date of the license, a penalty may be assessed as provided in RCW 17.21.140.

## Table of WAC Sections Affected

### KEY TO TABLE

**Symbols:**

- AMD = Amendment of existing section
- A/R = Amending and recodifying a section
- DECOD = Decodification of an existing section
- NEW = New section not previously codified
- OBJEC = Notice of objection by Joint Administrative Rules Review Committee
- PREP = Preproposal comments
- RE-AD = Readoption of existing section
- RECOD = Recodification of previously codified section
- REP = Repeal of existing section
- RESCIND = Rescind previous emergency rule
- REVIEW = Review of previously adopted rule

**Suffixes:**

- P = Proposed action
- C = Continuance of previous proposal
- E = Emergency action
- S = Supplemental notice
- W = Withdrawal of proposed action
- No suffix means permanent action

This table covers the current calendar year through this issue of the Register and should be used to locate rules amended, adopted, or repealed subsequent to the publication date of the latest WAC or Supplement.

WAC # shows the section number under which an agency rule is or will be codified in the Washington Administrative Code.

WSR # shows the issue of the Washington State Register where the document may be found; the last three digits show the sequence of the document within the issue.

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1-08-040	REP 91-10-010	1-08-220	REP 91-10-010	1-08-400	REP 91-10-010
1-08-050	REP-P 91-06-067	1-08-230	REP-P 91-06-067	1-08-410	REP-P 91-06-067
1-08-050	REP 91-10-010	1-08-230	REP 91-10-010	1-08-410	REP 91-10-010
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1-08-060	REP 91-10-010	1-08-240	REP 91-10-010	1-08-420	REP 91-10-010
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1-08-080	REP 91-10-010	1-08-260	REP 91-10-010	1-08-440	REP 91-10-010
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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
1-08-510	REP	91-10-010	16-156-005	AMD-P	91-05-006	16-231-200	AMD	91-06-019
1-08-520	REP-P	91-06-067	16-156-005	AMD	91-09-028	16-231-205	AMD-P	91-02-106
1-08-520	REP	91-10-010	16-156-020	AMD-P	91-05-006	16-231-205	AMD	91-06-019
1-08-530	REP-P	91-06-067	16-156-020	AMD	91-09-028	16-231-210	AMD-P	91-02-106
1-08-530	REP	91-10-010	16-156-035	AMD-P	91-05-006	16-231-210	AMD	91-06-019
1-08-540	REP-P	91-06-067	16-156-035	AMD	91-09-028	16-231-235	AMD-P	91-02-106
1-08-540	REP	91-10-010	16-156-060	AMD-P	91-05-006	16-231-235	AMD	91-06-019
1-08-550	REP-P	91-06-067	16-156-060	AMD	91-09-028	16-231-238	REP-P	91-02-106
1-08-550	REP	91-10-010	16-158-120	AMD-P	91-05-006	16-231-238	REP	91-06-019
1-08-560	REP-P	91-06-067	16-158-120	AMD	91-09-028	16-231-300	AMD-P	91-02-106
1-08-560	REP	91-10-010	16-160-010	NEW	91-05-007	16-231-300	AMD	91-06-019
1-08-570	REP-P	91-06-067	16-160-020	NEW	91-05-007	16-231-305	AMD-P	91-02-106
1-08-570	REP	91-10-010	16-160-030	NEW	91-05-007	16-231-305	AMD	91-06-019
1-08-580	REP-P	91-06-067	16-160-040	NEW	91-05-007	16-231-310	AMD-P	91-02-106
1-08-580	REP	91-10-010	16-160-050	NEW	91-05-007	16-231-310	AMD	91-06-019
1-08-590	REP-P	91-06-067	16-160-060	NEW	91-05-007	16-231-330	AMD-P	91-02-106
1-08-590	REP	91-10-010	16-160-070	NEW	91-05-007	16-231-330	AMD	91-06-019
1-21-040	PREP	91-12-007	16-160-090	NEW	91-05-007	16-231-340	AMD-P	91-02-106
16-22-011	NEW-P	91-13-106	16-160-100	NEW	91-05-007	16-231-340	AMD	91-06-019
16-22-015	NEW-P	91-13-106	16-212-125	NEW-P	91-13-106	16-231-343	REP-P	91-02-106
16-23-012	NEW-P	91-13-106	16-212-126	NEW-P	91-13-106	16-231-343	REP	91-06-019
16-23-014	NEW-P	91-13-106	16-212-127	NEW-P	91-13-106	16-231-400	AMD-P	91-02-106
16-80-005	NEW-P	91-05-076	16-212-128	NEW-P	91-13-106	16-231-400	AMD	91-06-019
16-80-005	NEW	91-08-027	16-228-020	NEW-P	91-13-106	16-231-405	AMD-P	91-02-106
16-80-007	NEW-P	91-05-076	16-228-164	AMD-P	91-02-106	16-231-405	AMD	91-06-019
16-80-007	NEW	91-08-027	16-228-164	AMD	91-06-019	16-231-410	AMD-P	91-02-106
16-80-010	NEW-P	91-05-076	16-230-110	REP-P	91-02-106	16-231-410	AMD	91-06-019
16-80-010	NEW	91-08-027	16-230-110	REP	91-06-019	16-231-420	AMD-P	91-02-106
16-80-015	NEW-P	91-05-076	16-230-115	REP-P	91-02-106	16-231-420	AMD	91-06-019
16-80-015	NEW	91-08-027	16-230-115	REP	91-06-019	16-231-425	AMD-P	91-02-106
16-80-020	NEW-P	91-05-076	16-230-120	REP-P	91-02-106	16-231-425	AMD	91-06-019
16-80-020	NEW	91-08-027	16-230-120	REP	91-06-019	16-231-500	AMD-P	91-02-106
16-80-025	NEW-P	91-05-076	16-230-150	AMD-P	91-04-078	16-231-500	AMD	91-06-019
16-80-025	NEW	91-08-027	16-230-150	AMD	91-08-058	16-231-505	AMD-P	91-02-106
16-80-030	NEW-P	91-05-076	16-230-160	AMD-P	91-04-078	16-231-505	AMD	91-06-019
16-80-030	NEW	91-08-027	16-230-160	AMD	91-08-058	16-231-510	AMD-P	91-02-106
16-80-035	NEW-P	91-05-076	16-230-170	AMD-P	91-04-078	16-231-510	AMD	91-06-019
16-80-035	NEW	91-08-027	16-230-170	AMD	91-08-058	16-231-525	AMD-P	91-02-106
16-80-040	NEW-P	91-05-076	16-230-180	AMD-P	91-04-078	16-231-525	AMD	91-06-019
16-80-040	NEW	91-08-027	16-230-180	AMD	91-08-058	16-231-530	AMD-P	91-02-106
16-80-045	NEW-P	91-05-076	16-230-190	AMD-P	91-04-078	16-231-530	AMD	91-06-019
16-80-045	NEW	91-08-027	16-230-190	AMD	91-08-058	16-231-600	AMD-P	91-02-106
16-80-047	NEW-P	91-05-076	16-230-400	AMD-P	91-02-106	16-231-600	AMD	91-06-019
16-80-047	NEW	91-08-027	16-230-400	AMD	91-06-019	16-231-605	AMD-P	91-02-106
16-80-050	NEW-P	91-05-076	16-230-410	AMD-P	91-02-106	16-231-605	AMD	91-06-019
16-80-050	NEW	91-08-027	16-230-410	AMD	91-06-019	16-231-610	AMD-P	91-02-106
16-122-001	NEW-P	91-13-106	16-230-440	AMD-P	91-02-106	16-231-610	AMD	91-06-019
16-124-011	NEW-P	91-13-106	16-230-440	AMD	91-06-019	16-231-615	AMD-P	91-02-106
16-126-001	NEW-P	91-13-106	16-230-450	AMD-P	91-02-106	16-231-615	AMD	91-06-019
16-146-100	NEW-P	91-13-106	16-230-450	AMD	91-06-019	16-231-620	AMD-P	91-02-106
16-146-110	NEW-P	91-13-106	16-230-460	AMD-P	91-02-106	16-231-620	AMD	91-06-019
16-154	AMD-P	91-05-006	16-230-460	AMD	91-06-019	16-231-700	AMD-P	91-02-106
16-154	AMD	91-09-028	16-230-470	AMD-P	91-02-106	16-231-700	AMD	91-06-019
16-154-010	AMD-P	91-05-006	16-230-470	AMD	91-06-019	16-231-705	AMD-P	91-02-106
16-154-010	AMD	91-09-028	16-230-475	REP-P	91-02-106	16-231-705	AMD	91-06-019
16-154-020	AMD-P	91-05-006	16-230-475	REP	91-06-019	16-231-715	AMD-P	91-02-106
16-154-020	AMD	91-09-028	16-230-605	AMD-P	91-02-106	16-231-715	AMD	91-06-019
16-154-030	NEW-P	91-05-006	16-230-605	AMD	91-06-019	16-231-720	AMD-P	91-02-106
16-154-030	NEW	91-09-028	16-230-610	AMD-P	91-02-106	16-231-720	AMD	91-06-019
16-154-040	NEW-P	91-05-006	16-230-610	AMD	91-06-019	16-231-800	AMD-P	91-02-106
16-154-040	NEW	91-09-028	16-230-615	AMD-P	91-02-106	16-231-800	AMD	91-06-019
16-154-050	NEW-P	91-05-006	16-230-615	AMD	91-06-019	16-231-805	AMD-P	91-02-106
16-154-050	NEW	91-09-028	16-230-625	AMD-P	91-02-106	16-231-805	AMD	91-06-019
16-154-060	NEW-P	91-05-006	16-230-625	AMD	91-06-019	16-231-825	AMD-P	91-02-106
16-154-060	NEW	91-09-028	16-230-670	AMD-P	91-02-106	16-231-825	AMD	91-06-019
16-154-070	NEW-P	91-05-006	16-230-670	AMD	91-06-019	16-231-840	AMD-P	91-02-106
16-154-070	NEW	91-09-028	16-230-675	AMD-P	91-02-106	16-231-840	AMD	91-06-019
16-154-080	NEW-P	91-05-006	16-230-675	AMD	91-06-019	16-231-900	AMD-P	91-02-106
16-154-080	NEW	91-09-028	16-231-001	AMD-P	91-02-106	16-231-900	AMD	91-06-019
16-154-090	NEW-P	91-05-006	16-231-001	AMD	91-06-019	16-231-905	AMD-P	91-02-106
16-154-090	NEW	91-09-028	16-231-033	REP-P	91-02-106	16-231-905	AMD	91-06-019
16-154-100	NEW-P	91-05-006	16-231-033	REP	91-06-019	16-231-935	AMD-P	91-02-106
16-154-100	NEW	91-09-028	16-231-100	AMD-P	91-02-106	16-231-935	AMD	91-06-019
16-154-110	NEW-P	91-05-006	16-231-100	AMD	91-06-019	16-231-938	REP-P	91-02-106
16-154-110	NEW	91-09-028	16-231-148	REP-P	91-02-106	16-231-938	REP	91-06-019
16-154-120	NEW-P	91-05-006	16-231-148	REP	91-06-019	16-231-950	REP-P	91-02-106
16-154-120	NEW	91-09-028	16-231-200	AMD-P	91-02-106	16-231-950	REP	91-06-019



**Table of WAC Sections Affected**

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
16-232-001	AMD-P	91-02-106	16-354-005	AMD-P	91-04-067	16-484-220	NEW	91-13-026
16-232-001	AMD	91-06-019	16-354-005	AMD	91-08-016	16-484-230	NEW-E	91-06-035
16-232-100	AMD-P	91-02-106	16-354-010	AMD-P	91-04-067	16-484-230	NEW-P	91-10-095
16-232-100	AMD	91-06-019	16-354-010	AMD	91-08-016	16-484-230	NEW	91-13-026
16-232-105	AMD-P	91-02-106	16-354-020	AMD-P	91-04-067	16-484-240	NEW-E	91-06-035
16-232-105	AMD	91-06-019	16-354-020	AMD	91-08-016	16-484-240	NEW-P	91-10-095
16-232-110	AMD-P	91-02-106	16-354-030	AMD-P	91-04-067	16-484-240	NEW	91-13-026
16-232-110	AMD	91-06-019	16-354-030	AMD	91-08-016	16-484-250	NEW-E	91-06-035
16-232-120	AMD-P	91-02-106	16-354-040	AMD-P	91-04-067	16-484-250	NEW-P	91-10-095
16-232-120	AMD	91-06-019	16-354-040	AMD	91-08-016	16-484-250	NEW	91-13-026
16-232-200	AMD-P	91-02-106	16-354-070	AMD-P	91-04-067	16-484-260	NEW-E	91-06-035
16-232-200	AMD	91-06-019	16-354-070	AMD	91-08-016	16-484-260	NEW-P	91-10-095
16-232-205	AMD-P	91-02-106	16-354-100	AMD-P	91-04-067	16-484-260	NEW	91-13-026
16-232-205	AMD	91-06-019	16-354-100	AMD	91-08-016	16-486-001	REP-P	91-07-036
16-232-220	AMD-P	91-02-106	16-403-141	AMD-P	91-03-093	16-486-001	REP	91-11-054
16-232-220	AMD	91-06-019	16-403-141	AMD-W	91-07-015	16-486-010	REP-P	91-07-036
16-232-225	AMD-P	91-02-106	16-470-100	AMD	91-03-115	16-486-010	REP	91-11-054
16-232-225	AMD	91-06-019	16-471-010	NEW	91-03-046	16-486-015	REP-P	91-07-036
16-232-300	AMD-P	91-02-106	16-471-015	NEW	91-03-046	16-486-015	REP	91-11-054
16-232-300	AMD	91-06-019	16-471-020	NEW	91-03-046	16-486-020	REP-P	91-07-036
16-232-305	AMD-P	91-02-106	16-471-030	NEW	91-03-046	16-486-020	REP	91-11-054
16-232-305	AMD	91-06-019	16-471-040	NEW	91-03-046	16-486-025	REP-P	91-07-036
16-232-315	AMD-P	91-02-106	16-471-050	NEW	91-03-046	16-486-025	REP	91-11-054
16-232-315	AMD	91-06-019	16-471-060	NEW	91-03-046	16-486-030	REP-P	91-07-036
16-232-950	REP-P	91-02-106	16-471-070	NEW	91-03-046	16-486-030	REP	91-11-054
16-232-950	REP	91-06-019	16-471-080	NEW	91-03-046	16-486-035	REP-P	91-07-036
16-316-280	AMD-P	91-04-066	16-481	PREP	91-10-013	16-486-035	REP	91-11-054
16-316-280	AMD	91-08-017	16-482-001	AMD-P	91-03-105	16-486-040	REP-P	91-07-036
16-316-285	AMD-P	91-04-066	16-482-001	AMD	91-07-016	16-486-040	REP	91-11-054
16-316-285	AMD	91-08-017	16-482-005	NEW-P	91-03-105	16-486-045	REP-P	91-07-036
16-316-290	AMD-P	91-04-066	16-482-005	NEW	91-07-016	16-486-045	REP	91-11-054
16-316-290	AMD	91-08-017	16-482-006	NEW-P	91-03-105	16-494-001	AMD-P	91-04-066
16-316-620	AMD-P	91-10-082	16-482-006	NEW	91-07-016	16-494-001	AMD	91-08-017
16-316-622	AMD-P	91-10-082	16-482-007	NEW-P	91-03-105	16-494-010	AMD-P	91-04-066
16-316-715	AMD-P	91-10-082	16-482-007	NEW	91-07-016	16-494-010	AMD	91-08-017
16-316-800	AMD-P	91-10-082	16-482-010	AMD-P	91-03-105	16-494-012	NEW-P	91-04-066
16-316-820	AMD-P	91-10-082	16-482-010	AMD	91-07-016	16-494-012	NEW	91-08-017
16-316-970	NEW-P	91-10-082	16-482-015	NEW-P	91-03-105	16-494-013	NEW-P	91-04-066
16-316-970	NEW	91-13-087	16-482-015	NEW	91-07-016	16-494-013	NEW	91-08-017
16-316-975	NEW-P	91-10-082	16-482-016	NEW-P	91-03-105	16-494-015	REP-P	91-04-066
16-316-975	NEW	91-13-087	16-482-016	NEW	91-07-016	16-494-015	REP	91-08-017
16-316-980	NEW-P	91-10-082	16-482-017	NEW-P	91-03-105	16-494-020	AMD-P	91-04-066
16-316-980	NEW	91-13-087	16-482-017	NEW	91-07-016	16-494-020	AMD	91-08-017
16-316-985	NEW-P	91-10-082	16-482-020	AMD-P	91-03-105	16-494-030	AMD-P	91-04-066
16-316-985	NEW	91-13-087	16-482-020	AMD	91-07-016	16-494-030	AMD	91-08-017
16-316-990	NEW-P	91-10-082	16-482-030	REP-P	91-03-105	16-494-042	AMD-P	91-04-066
16-316-990	NEW	91-13-087	16-482-030	REP	91-07-016	16-494-042	AMD	91-08-017
16-316-995	NEW-P	91-10-082	16-482-040	REP-P	91-03-105	16-494-043	NEW-P	91-04-066
16-316-995	NEW	91-13-087	16-482-040	REP	91-07-016	16-494-043	NEW	91-08-017
16-316-997	NEW-P	91-10-082	16-483	PREP	91-10-013	16-494-044	AMD-P	91-04-066
16-316-997	NEW	91-13-087	16-484-020	REP-P	91-07-037	16-494-044	AMD	91-08-017
16-324-375	AMD-P	91-06-061	16-484-020	REP	91-11-053	16-494-045	NEW-P	91-04-066
16-324-375	AMD	91-10-029	16-484-022	REP-P	91-07-037	16-494-045	NEW	91-08-017
16-324-380	AMD-P	91-06-061	16-484-022	REP	91-11-053	16-494-046	NEW-P	91-04-066
16-324-380	AMD	91-10-029	16-484-030	REP-P	91-07-037	16-494-046	NEW	91-08-017
16-324-605	AMD-P	91-06-061	16-484-030	REP	91-11-053	16-494-047	NEW-P	91-04-066
16-324-605	AMD	91-10-029	16-484-040	REP-P	91-07-037	16-494-047	NEW	91-08-017
16-333-200	NEW-P	91-04-068	16-484-040	REP	91-11-053	16-494-062	AMD-P	91-04-066
16-333-200	NEW	91-08-015	16-484-050	REP-P	91-07-037	16-494-062	AMD	91-08-017
16-333-205	NEW-P	91-04-068	16-484-050	REP	91-11-053	16-494-063	NEW-P	91-04-066
16-333-205	NEW	91-08-015	16-484-080	REP-P	91-07-037	16-494-063	NEW	91-08-017
16-333-210	NEW-P	91-04-068	16-484-080	REP	91-11-053	16-494-064	NEW-P	91-04-066
16-333-210	NEW	91-08-015	16-484-090	REP-P	91-07-037	16-494-064	NEW	91-08-017
16-333-215	NEW-P	91-04-068	16-484-090	REP	91-11-053	16-495-004	AMD-P	91-10-082
16-333-215	NEW	91-08-015	16-484-100	REP-P	91-07-037	16-495-004	AMD	91-13-087
16-333-220	NEW-P	91-04-068	16-484-100	REP	91-11-053	16-495-010	AMD-P	91-10-082
16-333-220	NEW	91-08-015	16-484-200	NEW-E	91-06-035	16-495-010	AMD	91-13-087
16-333-225	NEW-P	91-04-068	16-484-200	NEW-P	91-10-095	16-495-020	AMD-P	91-10-082
16-333-225	NEW	91-08-015	16-484-200	NEW	91-13-026	16-495-020	AMD	91-13-087
16-333-230	NEW-P	91-04-068	16-484-205	NEW-E	91-06-035	16-495-030	AMD-P	91-10-082
16-333-230	NEW	91-08-015	16-484-205	NEW-P	91-10-095	16-495-030	AMD	91-13-087
16-333-235	NEW-P	91-04-068	16-484-205	NEW	91-13-026	16-495-040	AMD-P	91-10-082
16-333-235	NEW	91-08-015	16-484-210	NEW-E	91-06-035	16-495-040	AMD	91-13-087
16-333-240	NEW-P	91-04-068	16-484-210	NEW-P	91-10-095	16-495-050	AMD-P	91-10-082
16-333-240	NEW	91-08-015	16-484-210	NEW	91-13-026	16-495-050	AMD	91-13-087
16-333-245	NEW-P	91-04-068	16-484-220	NEW-E	91-06-035	16-495-060	AMD-P	91-10-082
16-333-245	NEW	91-08-015	16-484-220	NEW-P	91-10-095	16-495-060	AMD	91-13-087



Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
113-12-310	DECOD	91-05-095	132B-120-010	AMD	91-11-102	132K-16-290	NEW	91-09-027
113-12-320	DECOD	91-05-095	132B-120-045	NEW-P	91-05-033	132K-16-300	NEW-E	91-03-084
113-12-330	DECOD	91-05-095	132B-120-045	NEW	91-11-102	132K-16-300	NEW-P	91-03-150
113-12-340	DECOD	91-05-095	132B-120-060	AMD-P	91-05-033	132K-16-300	NEW	91-09-027
113-12-350	DECOD	91-05-095	132B-120-060	AMD	91-11-102	132K-16-310	NEW-E	91-03-084
114-12-011	DECOD	91-05-026	132B-120-090	AMD-P	91-05-033	132K-16-310	NEW-P	91-03-150
114-12-021	DECOD	91-05-026	132B-120-090	AMD	91-11-102	132K-16-310	NEW	91-09-027
114-12-031	DECOD	91-05-026	132B-120-100	AMD-P	91-05-033	132K-16-320	NEW-E	91-03-084
114-12-041	DECOD	91-05-026	132B-120-100	AMD	91-11-102	132K-16-320	NEW-P	91-03-150
114-12-115	DECOD	91-05-026	132B-120-120	AMD-P	91-05-033	132K-16-320	NEW	91-09-027
114-12-126	DECOD	91-05-026	132B-120-120	AMD	91-11-102	132K-16-330	NEW-E	91-03-084
114-12-132	DECOD	91-05-026	132B-120-140	AMD-P	91-05-033	132K-16-330	NEW-P	91-03-150
114-12-136	DECOD	91-05-031	132B-120-140	AMD	91-11-102	132K-16-330	NEW	91-09-027
114-12-150	DECOD	91-05-026	132B-120-160	AMD-P	91-05-033	132K-16-340	NEW-E	91-03-084
114-12-155	DECOD	91-05-026	132B-120-160	AMD	91-11-102	132K-16-340	NEW-P	91-03-150
114-12-164	DECOD	91-05-026	132B-120-170	AMD-P	91-05-033	132K-16-340	NEW	91-09-027
114-12-170	DECOD	91-05-026	132B-120-170	AMD	91-11-102	132K-16-350	NEW-E	91-03-084
114-12-180	DECOD	91-05-026	132B-120-180	AMD-P	91-05-033	132K-16-350	NEW-P	91-03-150
114-12-190	DECOD	91-05-026	132B-120-180	AMD	91-11-102	132K-16-350	NEW	91-09-027
114-12-200	DECOD	91-05-026	132B-120-190	AMD-P	91-05-033	132K-16-360	NEW-E	91-03-084
131-16-005	AMD-P	91-09-036	132B-120-190	AMD	91-11-102	132K-16-360	NEW-P	91-03-150
131-16-005	AMD-E	91-12-030	132K-16-110	NEW-E	91-03-084	132K-16-360	NEW	91-09-027
131-16-005	AMD	91-13-048	132K-16-110	NEW-P	91-03-150	132K-16-370	NEW-E	91-03-084
131-16-010	AMD-P	91-09-036	132K-16-110	NEW	91-09-027	132K-16-370	NEW-P	91-03-150
131-16-010	AMD-E	91-12-030	132K-16-120	NEW-E	91-03-084	132K-16-370	NEW	91-09-027
131-16-010	AMD	91-13-048	132K-16-120	NEW-P	91-03-150	132K-16-380	NEW-E	91-03-084
131-16-011	AMD-P	91-09-036	132K-16-120	NEW	91-09-027	132K-16-380	NEW-P	91-03-150
131-16-011	AMD-E	91-12-030	132K-16-130	NEW-E	91-03-084	132K-16-380	NEW	91-09-027
131-16-011	AMD	91-13-048	132K-16-130	NEW-P	91-03-150	132K-16-390	NEW-E	91-03-084
131-16-015	AMD-P	91-09-036	132K-16-130	NEW	91-09-027	132K-16-390	NEW-P	91-03-150
131-16-015	AMD-E	91-12-030	132K-16-140	NEW-E	91-03-084	132K-16-390	NEW	91-09-027
131-16-015	AMD	91-13-048	132K-16-140	NEW-P	91-03-150	132K-16-400	NEW-E	91-03-084
131-16-020	REP-E	91-06-069	132K-16-140	NEW	91-09-027	132K-16-400	NEW-P	91-03-150
131-16-020	REP-P	91-09-036	132K-16-150	NEW-E	91-03-084	132K-16-400	NEW	91-09-027
131-16-020	REP-E	91-12-030	132K-16-150	NEW-P	91-03-150	132K-16-410	NEW-E	91-03-084
131-16-020	REP	91-13-048	132K-16-150	NEW	91-09-027	132K-16-410	NEW-P	91-03-150
131-16-021	NEW-E	91-06-069	132K-16-160	NEW-E	91-03-084	132K-16-410	NEW	91-09-027
131-16-021	AMD-E	91-09-008	132K-16-160	NEW-P	91-03-150	132K-16-420	NEW-E	91-03-084
131-16-021	NEW-P	91-09-036	132K-16-160	NEW	91-09-027	132K-16-420	NEW-P	91-03-150
131-16-021	NEW-E	91-12-030	132K-16-170	NEW-E	91-03-084	132K-16-420	NEW	91-09-027
131-16-021	NEW	91-13-048	132K-16-170	NEW-P	91-03-150	132K-16-430	NEW-E	91-03-084
131-16-030	REP-P	91-09-036	132K-16-170	NEW	91-09-027	132K-16-430	NEW-P	91-03-150
131-16-030	REP-E	91-12-030	132K-16-180	NEW-E	91-03-084	132K-16-430	NEW	91-09-027
131-16-030	REP	91-13-048	132K-16-180	NEW-P	91-03-150	132K-16-440	NEW-E	91-03-084
131-16-031	NEW-P	91-09-036	132K-16-180	NEW	91-09-027	132K-16-440	NEW-P	91-03-150
131-16-031	NEW-E	91-12-030	132K-16-190	NEW-E	91-03-084	132K-16-440	NEW	91-09-027
131-16-031	NEW	91-13-048	132K-16-190	NEW-P	91-03-150	132K-16-450	NEW-E	91-03-084
131-16-040	AMD-P	91-09-036	132K-16-190	NEW	91-09-027	132K-16-450	NEW-P	91-03-150
131-16-040	AMD-E	91-12-030	132K-16-200	NEW-E	91-03-084	132K-16-450	NEW	91-09-027
131-16-040	AMD	91-13-048	132K-16-200	NEW-P	91-03-150	132K-16-460	NEW-E	91-03-084
131-16-050	AMD-P	91-09-036	132K-16-200	NEW	91-09-027	132K-16-460	NEW-P	91-03-150
131-16-050	AMD-E	91-12-030	132K-16-210	NEW-E	91-03-084	132K-16-460	NEW	91-09-027
131-16-050	AMD	91-13-048	132K-16-210	NEW-P	91-03-150	132K-16-470	NEW-E	91-03-084
131-16-055	NEW-P	91-09-036	132K-16-210	NEW	91-09-027	132K-16-470	NEW-P	91-03-150
131-16-055	NEW-E	91-12-030	132K-16-220	NEW-E	91-03-084	132K-16-470	NEW	91-09-027
131-16-055	NEW	91-13-048	132K-16-220	NEW-P	91-03-150	132K-16-480	NEW-E	91-03-084
131-16-060	AMD-P	91-09-036	132K-16-220	NEW	91-09-027	132K-16-480	NEW-P	91-03-150
131-16-060	AMD-E	91-12-030	132K-16-230	NEW-E	91-03-084	132K-16-480	NEW	91-09-027
131-16-060	AMD	91-13-048	132K-16-230	NEW-P	91-03-150	132K-16-490	NEW-E	91-03-084
131-16-061	AMD-P	91-09-036	132K-16-230	NEW	91-09-027	132K-16-490	NEW-P	91-03-150
131-16-061	AMD-E	91-12-030	132K-16-240	NEW-E	91-03-084	132K-16-500	NEW-E	91-03-084
131-16-061	AMD	91-13-048	132K-16-240	NEW-P	91-03-150	132K-16-500	NEW-P	91-03-150
131-16-062	NEW-P	91-09-036	132K-16-240	NEW	91-09-027	132K-16-510	NEW-E	91-03-084
131-16-062	NEW-E	91-12-030	132K-16-250	NEW-E	91-03-084	132K-16-510	NEW-P	91-03-150
131-16-062	NEW	91-13-048	132K-16-250	NEW-P	91-03-150	132K-16-520	NEW-E	91-03-084
131-16-065	AMD-P	91-09-036	132K-16-250	NEW	91-09-027	132K-16-520	NEW-P	91-03-150
131-16-065	AMD-E	91-12-030	132K-16-260	NEW-E	91-03-084	132K-16-530	NEW-E	91-03-084
131-16-065	AMD	91-13-048	132K-16-260	NEW-P	91-03-150	132K-16-530	NEW-P	91-03-150
131-16-066	AMD-P	91-09-036	132K-16-260	NEW	91-09-027	132K-16-540	NEW-E	91-03-084
131-16-066	AMD-E	91-12-030	132K-16-270	NEW-E	91-03-084	132K-16-540	NEW-P	91-03-150
131-16-066	AMD	91-13-048	132K-16-270	NEW-P	91-03-150	132K-16-550	NEW-E	91-03-084
131-16-069	REP-P	91-09-036	132K-16-270	NEW	91-09-027	132K-16-550	NEW-P	91-03-150
131-16-069	REP-E	91-12-030	132K-16-280	NEW-E	91-03-084	132K-16-560	NEW-E	91-03-084
131-16-069	REP	91-13-048	132K-16-280	NEW-P	91-03-150	132K-16-560	NEW-P	91-03-150
131-16-500	AMD-E	91-13-001	132K-16-280	NEW	91-09-027	132S-30-036	AMD-P	91-02-101
131-32-050	NEW-E	91-06-075	132K-16-290	NEW-E	91-03-084	132S-30-036	AMD	91-08-001
132B-120-010	AMD-P	91-05-033	132K-16-290	NEW-P	91-03-150	132Y-100-066	NEW-P	91-12-016

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
132Y-100-072	AMD-P	91-12-016	173-166-050	AMD	91-03-081	173-203-110	NEW-W	91-10-048
132Y-100-104	AMD-P	91-12-016	173-166-060	AMD	91-03-081	173-203-110	NEW-P	91-11-089
132Y-400-010	NEW	91-05-012	173-166-070	AMD	91-03-081	173-203-120	NEW-P	91-09-056
132Y-400-020	NEW	91-05-012	173-166-080	NEW	91-03-081	173-203-120	NEW-W	91-10-048
132Y-400-030	NEW	91-05-012	173-166-090	NEW	91-03-081	173-203-120	NEW-P	91-11-089
132Y-400-040	NEW	91-05-012	173-166-100	NEW	91-03-081	173-203-130	NEW-P	91-09-056
137-12A-010	AMD	91-10-018	173-166-110	NEW	91-03-081	173-203-130	NEW-W	91-10-048
137-12A-020	AMD	91-10-018	173-166-120	NEW	91-03-081	173-203-130	NEW-P	91-11-089
137-12A-030	AMD	91-10-018	173-166-130	NEW	91-03-081	173-203-140	NEW-P	91-09-056
137-12A-050	AMD	91-10-018	173-166-140	NEW	91-03-081	173-203-140	NEW-W	91-10-048
137-12A-060	AMD	91-10-018	173-201-010	REP-P	91-09-056	173-203-140	NEW-P	91-11-089
137-12A-070	AMD	91-10-018	173-201-010	REP-W	91-10-048	173-203-150	NEW-P	91-09-056
137-12A-090	AMD	91-10-018	173-201-010	REP-P	91-11-089	173-203-150	NEW-W	91-10-048
139-05-230	AMD-P	91-10-089	173-201-025	REP-P	91-09-056	173-203-150	NEW-P	91-11-089
139-10-212	AMD-P	91-10-088	173-201-025	REP-W	91-10-048	173-203-160	NEW-P	91-09-056
143-06-130	AMD-P	91-04-090	173-201-025	REP-P	91-11-089	173-203-160	NEW-W	91-10-048
143-06-130	AMD	91-07-033	173-201-035	REP-P	91-09-056	173-203-160	NEW-P	91-11-089
154-300-005	NEW-P	91-02-098	173-201-035	REP-W	91-10-048	173-203-170	NEW-P	91-09-056
154-300-005	NEW	91-05-084	173-201-035	REP-P	91-11-089	173-203-170	NEW-W	91-10-048
154-300-010	NEW-P	91-02-098	173-201-045	REP-P	91-09-056	173-203-170	NEW-P	91-11-089
154-300-010	NEW	91-05-084	173-201-045	REP-W	91-10-048	173-203-180	NEW-P	91-09-056
154-300-020	NEW-P	91-02-098	173-201-045	REP-P	91-11-089	173-203-180	NEW-W	91-10-048
154-300-020	NEW	91-05-084	173-201-047	REP-P	91-09-056	173-203-180	NEW-P	91-11-089
154-300-030	NEW-P	91-02-098	173-201-047	REP-W	91-10-048	173-204	NEW-C	91-03-094
154-300-030	NEW	91-05-084	173-201-047	REP-P	91-11-089	173-204	NEW-C	91-06-098
154-300-040	NEW-P	91-02-098	173-201-070	REP-P	91-09-056	173-204-100	NEW	91-08-019
154-300-040	NEW	91-05-084	173-201-070	REP-W	91-10-048	173-204-110	NEW	91-08-019
154-300-050	NEW-P	91-02-098	173-201-070	REP-P	91-11-089	173-204-120	NEW	91-08-019
154-300-050	NEW	91-05-084	173-201-080	REP-P	91-09-056	173-204-130	NEW	91-08-019
154-300-060	NEW-P	91-02-098	173-201-080	REP-W	91-10-048	173-204-200	NEW	91-08-019
154-300-060	NEW	91-05-084	173-201-080	REP-P	91-11-089	173-204-300	NEW	91-08-019
154-300-070	NEW-P	91-02-098	173-201-085	REP-P	91-09-056	173-204-310	NEW	91-08-019
154-300-070	NEW	91-05-084	173-201-085	REP-W	91-10-048	173-204-315	NEW	91-08-019
154-300-080	NEW-P	91-02-098	173-201-085	REP-P	91-11-089	173-204-320	NEW	91-08-019
154-300-080	NEW	91-05-084	173-201-090	REP-P	91-09-056	173-204-330	NEW	91-08-019
154-300-090	NEW-P	91-02-098	173-201-090	REP-W	91-10-048	173-204-340	NEW	91-08-019
154-300-090	NEW	91-05-084	173-201-090	REP-P	91-11-089	173-204-350	NEW	91-08-019
154-300-100	NEW-P	91-02-098	173-201-100	REP-P	91-09-056	173-204-400	NEW	91-08-019
154-300-100	NEW	91-05-084	173-201-100	REP-W	91-10-048	173-204-410	NEW	91-08-019
154-300-110	NEW-P	91-02-098	173-201-100	REP-P	91-11-089	173-204-415	NEW	91-08-019
154-300-110	NEW	91-05-084	173-201-110	REP-P	91-09-056	173-204-420	NEW	91-08-019
154-300-120	NEW-P	91-02-098	173-201-110	REP-W	91-10-048	173-204-500	NEW	91-08-019
154-300-120	NEW	91-05-084	173-201-110	REP-P	91-11-089	173-204-510	NEW	91-08-019
173-16-064	NEW-P	91-04-069	173-201-120	REP-P	91-09-056	173-204-520	NEW	91-08-019
173-16-064	NEW-W	91-05-042	173-201-120	REP-W	91-10-048	173-204-530	NEW	91-08-019
173-16-064	NEW	91-10-033	173-201-120	REP-P	91-11-089	173-204-540	NEW	91-08-019
173-19-120	AMD-W	91-02-112	173-203-010	NEW-P	91-09-056	173-204-550	NEW	91-08-019
173-19-220	AMD-P	91-09-054	173-203-010	NEW-W	91-10-048	173-204-560	NEW	91-08-019
173-19-2207	AMD-P	91-03-144	173-203-010	NEW-P	91-11-089	173-204-570	NEW	91-08-019
173-19-2207	AMD	91-12-053	173-203-020	NEW-P	91-09-056	173-204-580	NEW	91-08-019
173-19-230	AMD	91-03-145	173-203-020	NEW-W	91-10-048	173-204-590	NEW	91-08-019
173-19-250	AMD	91-03-149	173-203-020	NEW-P	91-11-089	173-204-600	NEW	91-08-019
173-19-2519	AMD-W	91-12-036	173-203-030	NEW-P	91-09-056	173-204-610	NEW	91-08-019
173-19-280	AMD-P	91-03-141	173-203-030	NEW-W	91-10-048	173-204-620	NEW	91-08-019
173-19-280	AMD-W	91-11-088	173-203-030	NEW-P	91-11-089	173-224-015	AMD-P	91-03-080
173-19-3203	AMD	91-03-147	173-203-040	NEW-P	91-09-056	173-224-015	AMD-W	91-11-047
173-19-3205	AMD	91-03-146	173-203-040	NEW-W	91-10-048	173-224-030	AMD-P	91-03-080
173-19-3208	AMD	91-03-148	173-203-040	NEW-P	91-11-089	173-224-030	AMD-W	91-11-047
173-19-3209	AMD	91-04-070	173-203-050	NEW-P	91-09-056	173-224-040	AMD-P	91-03-080
173-19-3210	AMD	91-04-071	173-203-050	NEW-W	91-10-048	173-224-040	AMD-W	91-11-047
173-19-350	AMD-P	91-03-143	173-203-050	NEW-P	91-11-089	173-224-050	AMD-P	91-03-080
173-19-350	AMD	91-12-052	173-203-060	NEW-P	91-09-056	173-224-050	AMD-W	91-11-047
173-19-360	AMD	91-04-072	173-203-060	NEW-W	91-10-048	173-224-090	AMD-P	91-03-080
173-19-360	AMD-P	91-05-063	173-203-060	NEW-P	91-11-089	173-224-090	AMD-W	91-11-047
173-19-360	AMD-C	91-06-094	173-203-070	NEW-P	91-09-056	173-230-090	AMD	91-13-058
173-19-360	AMD	91-12-054	173-203-070	NEW-W	91-10-048	173-270-010	NEW-P	91-04-091
173-19-4205	AMD-P	91-04-079	173-203-070	NEW-P	91-11-089	173-270-010	NEW	91-11-091
173-19-4205	AMD	91-09-055	173-203-080	NEW-P	91-09-056	173-270-020	NEW-P	91-04-091
173-160-040	AMD-E	91-04-073	173-203-080	NEW-W	91-10-048	173-270-020	NEW	91-11-091
173-160-040	AMD-P	91-12-039	173-203-080	NEW-P	91-11-089	173-270-030	NEW-P	91-04-091
173-160-040	AMD-E	91-12-041	173-203-090	NEW-P	91-09-056	173-270-030	NEW	91-11-091
173-166	AMD-C	91-02-099	173-203-090	NEW-W	91-10-048	173-270-040	NEW-P	91-04-091
173-166	AMD	91-03-081	173-203-090	NEW-P	91-11-089	173-270-040	NEW	91-11-091
173-166-010	AMD	91-03-081	173-203-100	NEW-P	91-09-056	173-270-050	NEW-P	91-04-091
173-166-020	AMD	91-03-081	173-203-100	NEW-W	91-10-048	173-270-050	NEW	91-11-091
173-166-030	AMD	91-03-081	173-203-100	NEW-P	91-11-089	173-270-060	NEW-P	91-04-091
173-166-040	AMD	91-03-081	173-203-110	NEW-P	91-09-056	173-270-060	NEW	91-11-091

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173-270-070	NEW-P	91-04-091	173-305-050	REP-E	91-03-139	173-360-220	NEW-W	91-04-022
173-270-070	NEW	91-11-091	173-305-050	AMD	91-08-040	173-360-230	NEW-W	91-04-022
173-270-080	NEW-P	91-04-091	173-305-05001	NEW-E	91-03-139	173-360-620	NEW-W	91-04-022
173-270-080	NEW	91-11-091	173-305-060	REP-E	91-03-139	173-400-010	AMD	91-05-064
173-270-090	NEW-P	91-04-091	173-305-06001	NEW-E	91-03-139	173-400-020	AMD	91-05-064
173-270-090	NEW	91-11-091	173-305-070	REP-E	91-03-139	173-400-030	AMD	91-05-064
173-270-100	NEW-P	91-04-091	173-305-07001	NEW-E	91-03-139	173-400-040	AMD	91-05-064
173-270-100	NEW	91-11-091	173-305-080	REP-E	91-03-139	173-400-050	AMD	91-05-064
173-300-070	AMD-P	91-09-053	173-305-090	REP-E	91-03-139	173-400-060	AMD	91-05-064
173-300-070	AMD	91-12-040	173-305-110	NEW	91-08-040	173-400-070	AMD	91-05-064
173-303-016	AMD	91-07-005	173-305-120	NEW	91-08-040	173-400-075	AMD	91-05-064
173-303-017	AMD	91-07-005	173-305-210	NEW	91-08-040	173-400-100	AMD	91-05-064
173-303-040	AMD	91-07-005	173-305-220	NEW	91-08-040	173-400-105	AMD	91-05-064
173-303-045	AMD	91-07-005	173-305-230	NEW	91-08-040	173-400-110	AMD	91-05-064
173-303-070	AMD	91-07-005	173-305-240	NEW	91-08-040	173-400-115	AMD	91-05-064
173-303-071	AMD	91-07-005	173-307-010	NEW	91-08-041	173-400-120	AMD	91-05-064
173-303-072	AMD	91-07-005	173-307-015	NEW	91-08-041	173-400-131	NEW	91-05-064
173-303-081	AMD	91-07-005	173-307-020	NEW	91-08-041	173-400-136	NEW	91-05-064
173-303-084	AMD	91-07-005	173-307-030	NEW	91-08-041	173-400-141	NEW	91-05-064
173-303-090	AMD	91-07-005	173-307-040	NEW	91-08-041	173-400-151	NEW	91-05-064
173-303-103	AMD	91-07-005	173-307-050	NEW	91-08-041	173-400-161	NEW	91-05-064
173-303-110	AMD	91-07-005	173-307-060	NEW	91-08-041	173-400-171	NEW	91-05-064
173-303-120	AMD	91-07-005	173-307-070	NEW	91-08-041	173-400-180	NEW	91-05-064
173-303-145	AMD	91-07-005	173-307-080	NEW	91-08-041	173-400-190	NEW	91-05-064
173-303-160	AMD	91-07-005	173-307-090	NEW	91-08-041	173-400-200	NEW	91-05-064
173-303-200	AMD	91-07-005	173-307-100	NEW	91-08-041	173-400-205	NEW	91-05-064
173-303-201	AMD	91-07-005	173-307-110	NEW	91-08-041	173-400-210	NEW	91-05-064
173-303-210	AMD	91-07-005	173-307-120	NEW	91-08-041	173-400-220	NEW	91-05-064
173-303-220	AMD	91-07-005	173-307-130	NEW	91-08-041	173-400-230	NEW	91-05-064
173-303-230	AMD	91-07-005	173-307-140	NEW	91-08-041	173-400-240	NEW	91-05-064
173-303-320	AMD	91-07-005	173-312	AMD	91-11-090	173-400-250	NEW	91-05-064
173-303-360	AMD	91-07-005	173-312-010	AMD	91-11-090	173-400-260	NEW	91-05-064
173-303-380	AMD	91-07-005	173-312-020	AMD	91-11-090	173-403-010	REP	91-05-064
173-303-390	AMD	91-07-005	173-312-030	AMD	91-11-090	173-403-020	REP	91-05-064
173-303-400	AMD	91-07-005	173-312-040	AMD	91-11-090	173-403-030	REP	91-05-064
173-303-500	AMD	91-07-005	173-312-050	AMD	91-11-090	173-403-050	REP	91-05-064
173-303-510	RE-AD	91-07-005	173-312-060	NEW	91-11-090	173-403-060	REP	91-05-064
173-303-515	RE-AD	91-07-005	173-312-070	NEW	91-11-090	173-403-070	REP	91-05-064
173-303-520	RE-AD	91-07-005	173-312-080	NEW	91-11-090	173-403-075	REP	91-05-064
173-303-525	AMD	91-07-005	173-312-090	NEW	91-11-090	173-403-080	REP	91-05-064
173-303-550	AMD	91-07-005	173-312-100	NEW	91-11-090	173-403-090	REP	91-05-064
173-303-560	RE-AD	91-07-005	173-319	PREP	91-10-032	173-403-100	REP	91-05-064
173-303-600	AMD	91-07-005	173-331-010	NEW	91-05-020	173-403-110	REP	91-05-064
173-303-610	AMD	91-07-005	173-331-100	NEW	91-05-020	173-403-120	REP	91-05-064
173-303-620	AMD	91-07-005	173-331-200	NEW	91-05-020	173-403-130	REP	91-05-064
173-303-630	AMD	91-07-005	173-331-210	NEW	91-05-020	173-403-141	REP	91-05-064
173-303-645	AMD	91-07-005	173-331-220	NEW	91-05-020	173-403-145	REP	91-05-064
173-303-650	RE-AD	91-07-005	173-331-300	NEW	91-05-020	173-403-150	REP	91-05-064
173-303-680	NEW	91-07-005	173-331-400	NEW	91-05-020	173-403-160	REP	91-05-064
173-303-800	AMD	91-07-005	173-331-410	NEW	91-05-020	173-403-170	REP	91-05-064
173-303-802	AMD	91-07-005	173-331-500	NEW	91-05-020	173-403-180	REP	91-05-064
173-303-805	AMD	91-07-005	173-331-600	NEW	91-05-020	173-403-190	REP	91-05-064
173-303-806	AMD	91-07-005	173-340-120	AMD	91-04-019	173-405-012	AMD	91-05-064
173-303-807	AMD	91-07-005	173-340-200	AMD	91-04-019	173-405-021	AMD	91-05-064
173-303-808	AMD	91-07-005	173-340-210	AMD	91-04-019	173-405-033	AMD	91-05-064
173-303-810	AMD	91-07-005	173-340-300	AMD	91-04-019	173-405-035	AMD	91-05-064
173-303-830	AMD	91-07-005	173-340-350	AMD	91-04-019	173-405-040	AMD	91-05-064
173-303-902	PREP	91-08-018	173-340-360	AMD	91-04-019	173-405-041	REP	91-05-064
173-303-9903	AMD	91-07-005	173-340-420	AMD	91-04-019	173-405-045	AMD	91-05-064
173-303-9904	AMD	91-07-005	173-340-430	AMD	91-04-019	173-405-061	AMD	91-05-064
173-303-9906	AMD	91-07-005	173-340-440	NEW	91-04-019	173-405-072	AMD	91-05-064
173-303-9907	AMD	91-07-005	173-340-450	NEW	91-04-019	173-405-077	AMD	91-05-064
173-305-010	REP-E	91-03-139	173-340-700	AMD	91-04-019	173-405-078	AMD	91-05-064
173-305-010	AMD	91-08-040	173-340-702	NEW	91-04-019	173-405-086	AMD	91-05-064
173-305-01001	NEW-E	91-03-139	173-340-704	NEW	91-04-019	173-405-087	AMD	91-05-064
173-305-015	REP-E	91-03-139	173-340-705	NEW	91-04-019	173-405-091	AMD	91-05-064
173-305-015	AMD	91-08-040	173-340-706	NEW	91-04-019	173-410-012	AMD	91-05-064
173-305-01501	NEW-E	91-03-139	173-340-707	NEW	91-04-019	173-410-021	AMD	91-05-064
173-305-020	REP-E	91-03-139	173-340-708	NEW	91-04-019	173-410-035	AMD	91-05-064
173-305-020	AMD	91-08-040	173-340-710	NEW	91-04-019	173-410-040	AMD	91-05-064
173-305-02001	NEW-E	91-03-139	173-340-720	NEW	91-04-019	173-410-042	REP	91-05-064
173-305-030	REP-E	91-03-139	173-340-730	NEW	91-04-019	173-410-045	AMD	91-05-064
173-305-030	AMD	91-08-040	173-340-740	NEW	91-04-019	173-410-062	AMD	91-05-064
173-305-03001	NEW-E	91-03-139	173-340-745	NEW	91-04-019	173-410-067	AMD	91-05-064
173-305-040	REP-E	91-03-139	173-340-750	NEW	91-04-019	173-410-071	AMD	91-05-064
173-305-040	AMD	91-08-040	173-340-760	NEW	91-04-019	173-410-086	AMD	91-05-064
173-305-04001	NEW-E	91-03-139	173-340-830	AMD	91-04-019	173-410-087	AMD	91-05-064

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173-410-100	NEW	91-05-064	180-27-018	AMD-P	91-08-068	192-12-320	AMD-E	91-11-052
173-415-010	AMD	91-05-064	180-27-018	AMD	91-12-059	192-12-330	AMD-E	91-03-054
173-415-020	AMD	91-05-064	180-27-032	NEW-P	91-08-069	192-12-330	AMD-P	91-11-051
173-415-030	AMD	91-05-064	180-27-032	NEW	91-12-056	192-12-330	AMD-E	91-11-052
173-415-040	AMD	91-05-064	180-27-058	AMD-P	91-08-068	192-12-370	NEW-E	91-03-054
173-415-041	REP	91-05-064	180-27-058	AMD	91-12-059	192-12-370	NEW-P	91-11-051
173-415-045	AMD	91-05-064	180-27-115	AMD-P	91-08-068	192-12-370	NEW-E	91-11-052
173-415-050	AMD	91-05-064	180-27-115	AMD	91-12-059	196-24-060	AMD-P	91-07-064
173-415-051	AMD	91-05-064	180-29-107	AMD-P	91-08-067	196-24-060	AMD	91-11-075
173-415-060	AMD	91-05-064	180-29-107	AMD	91-12-055	196-24-095	AMD-P	91-05-078
173-415-070	AMD	91-05-064	180-33-013	NEW-P	91-08-070	196-24-095	AMD-C	91-06-018
173-415-080	AMD	91-05-064	180-33-013	NEW	91-12-058	196-24-095	AMD	91-11-099
173-433	AMD	91-07-066	180-33-015	AMD-P	91-08-070	196-24-097	NEW-P	91-05-078
173-433-030	AMD	91-07-066	180-33-015	AMD	91-12-058	196-24-097	NEW-C	91-06-018
173-433-100	AMD	91-07-066	180-33-020	AMD-P	91-08-070	196-24-097	NEW-W	91-11-098
173-433-110	AMD	91-07-066	180-33-020	AMD	91-12-058	196-24-098	PREP	91-05-041
173-433-120	AMD	91-07-066	180-33-023	NEW-P	91-08-070	196-26-020	AMD-P	91-07-065
173-433-130	AMD	91-07-066	180-33-023	NEW	91-12-058	196-26-020	AMD	91-10-046
173-433-140	NEW	91-07-066	180-33-035	AMD-P	91-08-070	196-26-030	AMD-P	91-07-065
173-433-150	AMD	91-07-066	180-33-035	AMD	91-12-058	196-26-030	AMD	91-10-046
173-433-170	AMD	91-07-066	180-44-050	AMD-P	91-05-068	204-24-050	AMD-P	91-10-053
173-460-010	NEW	91-13-079	180-44-050	AMD	91-08-055	204-53-010	NEW	91-05-019
173-460-020	NEW	91-13-079	180-51-085	AMD	91-11-018	204-88-030	AMD-P	91-10-015
173-460-030	NEW	91-13-079	180-55-005	AMD	91-04-015	212-12-010	AMD-W	91-05-043
173-460-040	NEW	91-13-079	180-55-015	AMD	91-04-015	212-54-001	REP-P	91-06-020
173-460-050	NEW	91-13-079	180-79-003	AMD	91-04-016	212-54-001	REP-E	91-06-021
173-460-060	NEW	91-13-079	180-79-080	AMD	91-04-016	212-54-001	REP	91-11-001
173-460-070	NEW	91-13-079	180-79-230	AMD	91-05-056	212-54-005	REP-P	91-06-020
173-460-080	NEW	91-13-079	180-79-236	NEW	91-05-056	212-54-005	REP-E	91-06-021
173-460-090	NEW	91-13-079	180-79-241	NEW	91-05-056	212-54-005	REP	91-11-001
173-460-100	NEW	91-13-079	180-85-005	AMD	91-04-016	212-54-010	REP-P	91-06-020
173-460-110	NEW	91-13-079	180-85-045	AMD	91-04-016	212-54-010	REP-E	91-06-021
173-460-120	NEW	91-13-079	180-86-100	AMD-P	91-05-024	212-54-010	REP	91-11-001
173-460-130	NEW	91-13-079	180-86-100	AMD	91-08-056	212-54-015	REP-P	91-06-020
173-460-140	NEW	91-13-079	182-08-111	REP-P	91-11-093	212-54-015	REP-E	91-06-021
173-460-150	NEW	91-13-079	182-08-111	REP-P	91-11-094	212-54-015	REP	91-11-001
173-460-160	NEW	91-13-079	182-08-220	AMD-P	91-11-093	212-54-020	REP-P	91-06-020
173-490-010	AMD	91-05-064	182-12-115	AMD-P	91-11-096	212-54-020	REP-E	91-06-021
173-490-020	AMD	91-05-064	182-12-127	REP-P	91-04-086	212-54-020	REP	91-11-001
173-490-025	AMD	91-05-064	182-12-127	REP	91-11-010	212-54-025	REP-P	91-06-020
173-490-030	AMD	91-05-064	182-12-130	AMD-P	91-11-095	212-54-025	REP-E	91-06-021
173-490-040	AMD	91-05-064	182-12-210	REP-P	91-04-086	212-54-025	REP	91-11-001
173-490-070	REP	91-05-064	182-12-210	REP	91-11-010	212-54-030	REP-P	91-06-020
173-490-071	REP	91-05-064	182-12-215	NEW-P	91-04-086	212-54-030	REP-E	91-06-021
173-490-080	AMD	91-05-064	182-12-215	NEW	91-11-010	212-54-030	REP	91-11-001
173-490-090	AMD	91-05-064	182-16-010	NEW-P	91-04-087	212-54-035	REP-P	91-06-020
173-490-120	REP	91-05-064	182-16-020	NEW-P	91-04-087	212-54-035	REP-E	91-06-021
173-490-130	REP	91-05-064	182-16-030	NEW-P	91-04-087	212-54-035	REP	91-11-001
173-490-135	REP	91-05-064	182-16-040	NEW-P	91-04-087	212-54-040	REP-P	91-06-020
173-490-140	REP	91-05-064	182-16-050	NEW-P	91-04-087	212-54-040	REP-E	91-06-021
173-490-150	REP	91-05-064	182-18-005	NEW-P	91-05-079	212-54-040	REP	91-11-001
173-490-200	AMD	91-05-064	182-18-010	NEW-P	91-05-079	212-54-045	REP-P	91-06-020
173-490-201	AMD	91-05-064	182-18-020	NEW-P	91-05-079	212-54-045	REP-E	91-06-021
173-490-202	AMD	91-05-064	182-18-030	NEW-P	91-05-079	212-54-045	REP	91-11-001
173-490-203	AMD	91-05-064	182-18-040	NEW-P	91-05-079	212-54-050	REP-P	91-06-020
173-490-204	AMD	91-05-064	182-18-050	NEW-P	91-05-079	212-54-050	REP-E	91-06-021
173-490-205	AMD	91-05-064	182-18-060	NEW-P	91-05-079	212-54-050	REP	91-11-001
173-490-207	AMD	91-05-064	182-18-070	NEW-P	91-05-079	212-54-055	REP-P	91-06-020
173-490-208	AMD	91-05-064	182-18-080	NEW-P	91-05-079	212-54-055	REP-E	91-06-021
173-491-010	NEW-P	91-02-107	182-18-090	NEW-P	91-05-079	212-54-055	REP	91-11-001
173-491-015	NEW-P	91-02-107	182-18-100	NEW-P	91-05-079	212-54-060	REP-P	91-06-020
173-491-020	NEW-P	91-02-107	182-18-110	NEW-P	91-05-079	212-54-060	REP-E	91-06-021
173-491-030	NEW-P	91-02-107	182-18-120	NEW-P	91-05-079	212-54-060	REP	91-11-001
173-491-040	NEW-P	91-02-107	182-18-130	NEW-P	91-05-079	212-54-065	REP-P	91-06-020
173-491-050	NEW-P	91-02-107	182-18-140	NEW-P	91-05-079	212-54-065	REP-E	91-06-021
173-500-080	NEW-E	91-04-080	182-18-150	NEW-P	91-05-079	212-54-065	REP	91-11-001
173-500-080	NEW-P	91-12-038	182-18-160	NEW-P	91-05-079	212-54-070	REP-P	91-06-020
173-500-080	NEW-E	91-12-042	192-12-300	AMD-E	91-03-054	212-54-070	REP-E	91-06-021
173-548-050	AMD-E	91-04-073	192-12-300	AMD-P	91-11-051	212-54-070	REP	91-11-001
173-548-050	AMD-P	91-12-039	192-12-300	AMD-E	91-11-052	212-54-075	REP-P	91-06-020
173-548-050	AMD-E	91-12-041	192-12-305	REP-E	91-03-054	212-54-075	REP-E	91-06-021
180-25-025	AMD-P	91-08-070	192-12-305	AMD-P	91-11-051	212-54-075	REP	91-11-001
180-25-025	AMD	91-12-058	192-12-305	AMD-E	91-11-052	212-54-080	REP-P	91-06-020
180-26-020	AMD-P	91-08-071	192-12-310	REP-E	91-03-054	212-54-080	REP-E	91-06-021
180-26-020	AMD	91-12-057	192-12-310	AMD-P	91-11-051	212-54-080	REP	91-11-001
180-26-060	AMD-P	91-08-067	192-12-320	AMD-E	91-03-054	212-54-085	REP-P	91-06-020
180-26-060	AMD	91-12-055	192-12-320	AMD-P	91-11-051	212-54-085	REP-E	91-06-021

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212-54-085	REP	91-11-001	212-56A-010	NEW-E	91-06-021	212-80-001	NEW-P	91-10-083
212-54-090	REP-P	91-06-020	212-56A-010	NEW	91-11-001	212-80-001	NEW-E	91-10-084
212-54-090	REP-E	91-06-021	212-56A-015	NEW-P	91-06-020	212-80-005	NEW-P	91-10-083
212-54-090	REP	91-11-001	212-56A-015	NEW-E	91-06-021	212-80-005	NEW-E	91-10-084
212-54-095	REP-P	91-06-020	212-56A-015	NEW	91-11-001	212-80-010	NEW-P	91-10-083
212-54-095	REP-E	91-06-021	212-56A-020	NEW-P	91-06-020	212-80-010	NEW-E	91-10-084
212-54-095	REP	91-11-001	212-56A-020	NEW-E	91-06-021	212-80-015	NEW-P	91-10-083
212-54-100	REP-P	91-06-020	212-56A-020	NEW	91-11-001	212-80-015	NEW-E	91-10-084
212-54-100	REP-E	91-06-021	212-56A-030	NEW-P	91-06-020	212-80-020	NEW-P	91-10-083
212-54-100	REP	91-11-001	212-56A-030	NEW-E	91-06-021	212-80-020	NEW-E	91-10-084
212-55-001	REP-P	91-06-020	212-56A-030	NEW	91-11-001	212-80-025	NEW-P	91-10-083
212-55-001	REP-E	91-06-021	212-56A-035	NEW-P	91-06-020	212-80-025	NEW-E	91-10-084
212-55-001	REP	91-11-001	212-56A-035	NEW-E	91-06-021	212-80-030	NEW-P	91-10-083
212-55-005	REP-P	91-06-020	212-56A-035	NEW	91-11-001	212-80-030	NEW-E	91-10-084
212-55-005	REP-E	91-06-021	212-56A-040	NEW-P	91-06-020	212-80-035	NEW-P	91-10-083
212-55-005	REP	91-11-001	212-56A-040	NEW-E	91-06-021	212-80-035	NEW-E	91-10-084
212-55-010	REP-P	91-06-020	212-56A-040	NEW	91-11-001	212-80-040	NEW-P	91-10-083
212-55-010	REP-E	91-06-021	212-56A-045	NEW-P	91-06-020	212-80-040	NEW-E	91-10-084
212-55-010	REP	91-11-001	212-56A-045	NEW-E	91-06-021	212-80-045	NEW-P	91-10-083
212-55-015	REP-P	91-06-020	212-56A-045	NEW	91-11-001	212-80-045	NEW-E	91-10-084
212-55-015	REP-E	91-06-021	212-56A-050	NEW-P	91-06-020	212-80-050	NEW-P	91-10-083
212-55-015	REP	91-11-001	212-56A-050	NEW-E	91-06-021	212-80-050	NEW-E	91-10-084
212-55-020	REP-P	91-06-020	212-56A-050	NEW	91-11-001	212-80-055	NEW-P	91-10-083
212-55-020	REP-E	91-06-021	212-56A-055	NEW-P	91-06-020	212-80-055	NEW-E	91-10-084
212-55-020	REP	91-11-001	212-56A-055	NEW-E	91-06-021	212-80-060	NEW-P	91-10-083
212-55-025	REP-P	91-06-020	212-56A-055	NEW	91-11-001	212-80-060	NEW-E	91-10-084
212-55-025	REP-E	91-06-021	212-56A-060	NEW-P	91-06-020	212-80-065	NEW-P	91-10-083
212-55-025	REP	91-11-001	212-56A-060	NEW-E	91-06-021	212-80-065	NEW-E	91-10-084
212-55-030	REP-P	91-06-020	212-56A-060	NEW	91-11-001	212-80-070	NEW-P	91-10-083
212-55-030	REP-E	91-06-021	212-56A-065	NEW-P	91-06-020	212-80-070	NEW-E	91-10-084
212-55-030	REP	91-11-001	212-56A-065	NEW-E	91-06-021	212-80-075	NEW-P	91-10-083
212-55-035	REP-P	91-06-020	212-56A-065	NEW	91-11-001	212-80-075	NEW-E	91-10-084
212-55-035	REP-E	91-06-021	212-56A-070	NEW-P	91-06-020	212-80-080	NEW-P	91-10-083
212-55-035	REP	91-11-001	212-56A-070	NEW-E	91-06-021	212-80-080	NEW-E	91-10-084
212-55-040	REP-P	91-06-020	212-56A-070	NEW	91-11-001	212-80-085	NEW-P	91-10-083
212-55-040	REP-E	91-06-021	212-56A-075	NEW-P	91-06-020	212-80-085	NEW-E	91-10-084
212-55-040	REP	91-11-001	212-56A-075	NEW-E	91-06-021	212-80-090	NEW-P	91-10-083
212-55-045	REP-P	91-06-020	212-56A-075	NEW	91-11-001	212-80-090	NEW-E	91-10-084
212-55-045	REP-E	91-06-021	212-56A-080	NEW-P	91-06-020	212-80-095	NEW-P	91-10-083
212-55-045	REP	91-11-001	212-56A-080	NEW-E	91-06-021	212-80-095	NEW-E	91-10-084
212-55-050	REP-P	91-06-020	212-56A-080	NEW	91-11-001	212-80-100	NEW-P	91-10-083
212-55-050	REP-E	91-06-021	212-56A-085	NEW-P	91-06-020	212-80-100	NEW-E	91-10-084
212-55-050	REP	91-11-001	212-56A-085	NEW-E	91-06-021	212-80-105	NEW-P	91-10-083
212-55-055	REP-P	91-06-020	212-56A-085	NEW	91-11-001	212-80-105	NEW-E	91-10-084
212-55-055	REP-E	91-06-021	212-56A-090	NEW-P	91-06-020	212-80-110	NEW-P	91-10-083
212-55-055	REP	91-11-001	212-56A-090	NEW-E	91-06-021	212-80-110	NEW-E	91-10-084
212-55-060	REP-P	91-06-020	212-56A-090	NEW	91-11-001	212-80-115	NEW-P	91-10-083
212-55-060	REP-E	91-06-021	212-56A-095	NEW-P	91-06-020	212-80-115	NEW-E	91-10-084
212-55-060	REP	91-11-001	212-56A-095	NEW-E	91-06-021	212-80-120	NEW-P	91-10-083
212-55-065	REP-P	91-06-020	212-56A-100	NEW	91-11-001	212-80-120	NEW-E	91-10-084
212-55-065	REP-E	91-06-021	212-56A-100	NEW-P	91-06-020	212-80-125	NEW-P	91-10-083
212-55-065	REP	91-11-001	212-56A-100	NEW-E	91-06-021	212-80-125	NEW-E	91-10-084
212-55-070	REP-P	91-06-020	212-56A-100	NEW	91-11-001	212-80-130	NEW-P	91-10-083
212-55-070	REP-E	91-06-021	212-56A-105	NEW-P	91-06-020	212-80-130	NEW-E	91-10-084
212-55-070	REP	91-11-001	212-56A-105	NEW-E	91-06-021	212-80-135	NEW-P	91-10-083
212-55-075	REP-P	91-06-020	212-56A-105	NEW	91-11-001	212-80-135	NEW-E	91-10-084
212-55-075	REP-E	91-06-021	212-56A-110	NEW-P	91-06-020	220-12-020	AMD-P	91-05-102
212-55-075	REP	91-11-001	212-56A-110	NEW-E	91-06-021	220-12-020	AMD	91-10-024
212-55-080	REP-P	91-06-020	212-56A-110	NEW	91-11-001	220-16-055	REP-P	91-03-151
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212-55-080	REP	91-11-001	212-56A-115	NEW-E	91-06-021	220-16-220	AMD-P	91-03-153
212-55-085	REP-P	91-06-020	212-56A-115	NEW	91-11-001	220-16-220	AMD	91-08-054
212-55-085	REP-E	91-06-021	212-56A-120	NEW-P	91-06-020	220-16-257	AMD-P	91-03-153
212-55-085	REP	91-11-001	212-56A-120	NEW-E	91-06-021	220-16-257	AMD	91-08-054
212-55-090	REP-P	91-06-020	212-56A-120	NEW	91-11-001	220-20-010	AMD-P	91-03-153
212-55-090	REP-E	91-06-021	212-56A-125	NEW-P	91-06-020	220-20-010	AMD	91-08-054
212-55-095	REP	91-11-001	212-56A-125	NEW-E	91-06-021	220-20-017	AMD-P	91-11-056
212-55-095	REP-P	91-06-020	212-56A-125	NEW	91-11-001	220-20-01700A	NEW-E	91-03-108
212-55-095	REP-E	91-06-021	212-56A-130	NEW-P	91-06-020	220-20-01700A	REP-E	91-10-071
212-55-095	REP	91-11-001	212-56A-130	NEW-E	91-06-021	220-20-01700B	NEW-E	91-10-071
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212-56A-001	NEW-E	91-06-021	212-56A-135	NEW-P	91-06-020	220-32-05100D	REP-E	91-04-031
212-56A-001	NEW	91-11-001	212-56A-135	NEW-E	91-06-021	220-32-05100E	NEW-E	91-04-031
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212-56A-005	NEW-E	91-06-021	212-56A-140	NEW-P	91-06-020	220-32-05500W	REP-E	91-11-014
212-56A-005	NEW	91-11-001	212-56A-140	NEW-E	91-06-021	220-32-05500X	NEW-E	91-11-014
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220-32-05500Z	NEW-E	91-12-004	220-55-070	AMD-P	91-03-153	220-57-430	AMD-P	91-03-151
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220-32-05700F	REP-E	91-10-058	220-55-075	AMD-P	91-03-153	220-57-430	AMD-C	91-12-008
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220-44-05000J	REP-E	91-10-012	220-56-180	AMD-P	91-03-153	220-57-470	AMD-C	91-12-008
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220-52-069	AMD	91-10-024	220-57-265	AMD-P	91-03-151	230-04-187	NEW-P	91-03-062
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220-52-07100I	REP-E	91-11-055	220-57-313	NEW-P	91-03-153	230-04-201	AMD-C	91-07-019
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230-20-380	AMD-W	91-05-044	232-28-61803	REP-P	91-12-049
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230-25-110	AMD-C	91-07-019	232-28-61807	REP-P	91-12-049
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230-25-265	AMD	91-05-047	232-28-61809	REP-P	91-12-049
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230-30-075	AMD-P	91-07-018	232-28-61811	NEW-W	91-03-066
230-30-075	AMD-S	91-07-051	232-28-61813	NEW	91-05-002
230-30-075	AMD-W	91-12-011	232-28-61815	NEW	91-05-001
230-30-080	AMD-C	91-03-049	232-28-61817	NEW-P	91-03-136
230-30-080	AMD-P	91-05-045	232-28-61817	NEW	91-08-074
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			244-12-020	NEW-P	91-11-034
			244-12-030	NEW-P	91-11-034
			244-12-040	NEW-P	91-11-034
			244-12-050	NEW-P	91-11-034
			244-12-060	NEW-P	91-11-034
			244-12-070	NEW-P	91-11-034
			244-12-080	NEW-P	91-11-034
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			246-100-166	AMD-P	91-11-103
			246-100-166	AMD-E	91-13-050
			246-205-001	NEW	91-04-007
			246-205-010	NEW	91-04-007
			246-205-020	NEW	91-04-007
			246-205-030	NEW	91-04-007
			246-205-040	NEW	91-04-007
			246-205-050	NEW	91-04-007
			246-205-060	NEW	91-04-007
			246-205-070	NEW	91-04-007
			246-205-080	NEW	91-04-007
			246-205-090	NEW	91-04-007
			246-205-100	NEW	91-04-007
			246-205-110	NEW	91-04-007
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246-843-030	RECOD	91-06-060	246-851-170	RECOD	91-06-025
246-843-040	RECOD	91-06-060	246-851-180	RECOD	91-06-025
246-843-050	RECOD	91-06-060	246-851-190	RECOD	91-06-025
246-843-060	RECOD	91-06-060	246-851-200	RECOD	91-06-025
246-843-070	RECOD	91-06-060	246-851-210	RECOD	91-06-025
246-843-080	RECOD	91-06-060	246-851-220	RECOD	91-06-025
246-843-090	RECOD	91-06-060	246-851-230	RECOD	91-06-025
246-843-095	RECOD	91-06-060	246-851-240	RECOD	91-06-025
246-843-100	RECOD	91-06-060	246-851-250	RECOD	91-06-025
246-843-110	RECOD	91-06-060	246-851-260	RECOD	91-06-025
246-843-120	RECOD	91-06-060	246-851-270	RECOD	91-06-025
246-843-125	RECOD	91-06-060	246-851-280	RECOD	91-06-025
246-843-130	RECOD	91-06-060	246-851-290	RECOD	91-06-025
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246-843-180	RECOD	91-06-060	246-851-350	RECOD	91-06-025
246-843-200	RECOD	91-06-060	246-851-360	RECOD	91-06-025
246-843-205	RECOD	91-06-060	246-851-370	RECOD	91-06-025
246-843-220	RECOD	91-06-060	246-851-380	RECOD	91-06-025
246-843-225	RECOD	91-06-060	246-851-390	RECOD	91-06-025
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246-847-060	RECOD	91-05-027	246-853-300	NEW-P	91-03-117
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246-847-140	RECOD	91-05-027	246-853-350	NEW	91-10-043
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246-847-180	RECOD	91-05-027	246-858	RECOD-W	91-06-037
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246-851-030	RECOD	91-06-025	246-875	RECOD-W	91-06-037
246-851-040	RECOD	91-06-025	246-877	RECOD-W	91-06-037
246-851-050	RECOD	91-06-025	246-879	RECOD-W	91-06-037
246-851-060	RECOD	91-06-025	246-881	RECOD-W	91-06-037
246-851-070	RECOD	91-06-025	246-883	RECOD-W	91-06-037
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246-851-110	RECOD	91-06-025	246-891	RECOD-W	91-06-037
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296-23A-350	AMD	91-07-008	296-62-11011	AMD-P	91-04-077	296-95-216	NEW-P	91-10-091
296-23A-355	AMD	91-07-008	296-62-11011	AMD	91-11-070	296-95-220	NEW-P	91-10-091
296-23A-360	AMD	91-07-008	296-62-14503	AMD-P	91-04-077	296-95-221	NEW-P	91-10-091
296-23A-425	AMD-P	91-12-060	296-62-14503	AMD	91-11-070	296-95-222	NEW-P	91-10-091
296-24-020	AMD	91-03-044	296-62-3050	AMD-P	91-04-077	296-95-225	NEW-P	91-10-091
296-24-065	AMD	91-03-044	296-62-3050	AMD	91-11-070	296-95-226	NEW-P	91-10-091
296-24-084	AMD	91-03-044	296-62-3090	AMD-P	91-04-077	296-95-227	NEW-P	91-10-091
296-24-11001	AMD-P	91-04-077	296-62-3090	AMD	91-11-070	296-95-228	NEW-P	91-10-091
296-24-11001	AMD	91-11-070	296-81-008	AMD-P	91-10-091	296-95-229	NEW-P	91-10-091
296-24-11003	AMD-P	91-04-077	296-81-010	REP-P	91-10-091	296-95-235	NEW-P	91-10-091
296-24-11003	AMD	91-11-070	296-81-020	REP-P	91-10-091	296-95-236	NEW-P	91-10-091
296-24-11005	AMD-P	91-04-077	296-81-030	REP-P	91-10-091	296-95-240	NEW-P	91-10-091
296-24-11005	AMD	91-11-070	296-81-040	REP-P	91-10-091	296-95-241	NEW-P	91-10-091
296-24-11007	AMD-P	91-04-077	296-81-050	REP-P	91-10-091	296-95-243	NEW-P	91-10-091
296-24-11007	AMD	91-11-070	296-81-060	REP-P	91-10-091	296-95-244	NEW-P	91-10-091
296-24-11009	AMD-P	91-04-077	296-81-070	REP-P	91-10-091	296-95-245	NEW-P	91-10-091
296-24-11009	AMD	91-11-070	296-81-080	REP-P	91-10-091	296-95-250	NEW-P	91-10-091
296-24-11011	AMD-P	91-04-077	296-81-090	REP-P	91-10-091	296-95-255	NEW-P	91-10-091
296-24-11011	AMD	91-11-070	296-81-100	REP-P	91-10-091	296-95-256	NEW-P	91-10-091
296-24-11013	AMD-P	91-04-077	296-81-110	REP-P	91-10-091	296-95-260	NEW-P	91-10-091
296-24-11013	AMD	91-11-070	296-81-120	REP-P	91-10-091	296-95-261	NEW-P	91-10-091
296-24-11015	AMD-P	91-04-077	296-81-130	REP-P	91-10-091	296-95-262	NEW-P	91-10-091
296-24-11015	AMD	91-11-070	296-81-140	REP-P	91-10-091	296-95-264	NEW-P	91-10-091
296-24-11017	AMD-P	91-04-077	296-81-150	REP-P	91-10-091	296-95-266	NEW-P	91-10-091
296-24-11017	AMD	91-11-070	296-81-160	REP-P	91-10-091	296-95-268	NEW-P	91-10-091
296-24-119	AMD-P	91-04-077	296-81-170	REP-P	91-10-091	296-95-269	NEW-P	91-10-091
296-24-119	AMD	91-11-070	296-81-180	REP-P	91-10-091	296-95-270	NEW-P	91-10-091
296-24-12002	AMD-P	91-04-077	296-81-190	REP-P	91-10-091	296-95-272	NEW-P	91-10-091
296-24-12002	AMD	91-11-070	296-81-220	REP-P	91-10-091	296-95-274	NEW-P	91-10-091
296-24-150	AMD	91-03-044	296-81-240	AMD-P	91-10-091	296-95-276	NEW-P	91-10-091
296-24-15001	AMD	91-03-044	296-81-260	REP-P	91-10-091	296-95-277	NEW-P	91-10-091
296-24-15003	AMD	91-03-044	296-81-270	REP-P	91-10-091	296-95-278	NEW-P	91-10-091
296-24-16531	AMD	91-03-044	296-81-275	AMD-P	91-10-091	296-95-279	NEW-P	91-10-091
296-24-19505	AMD	91-03-044	296-81-280	NEW-P	91-10-091	296-95-280	NEW-P	91-10-091
296-24-19509	AMD	91-03-044	296-81-290	NEW-P	91-10-091	296-95-282	NEW-P	91-10-091
296-24-200	AMD	91-03-044	296-81-370	AMD-P	91-10-091	296-95-283	NEW-P	91-10-091
296-24-23023	AMD	91-03-044	296-95-101	NEW-P	91-10-091	296-95-284	NEW-P	91-10-091
296-24-23027	AMD	91-03-044	296-95-110	NEW-P	91-10-091	296-95-285	NEW-P	91-10-091
296-24-233	AMD-C	91-03-043	296-95-111	NEW-P	91-10-091	296-95-287	NEW-P	91-10-091
296-24-233	AMD-W	91-09-004	296-95-113	NEW-P	91-10-091	296-95-288	NEW-P	91-10-091
296-24-23303	NEW-C	91-03-043	296-95-115	NEW-P	91-10-091	296-95-289	NEW-P	91-10-091
296-24-23303	NEW-W	91-09-004	296-95-116	NEW-P	91-10-091	296-95-290	NEW-P	91-10-091
296-24-23533	NEW	91-03-044	296-95-120	NEW-P	91-10-091	296-95-291	NEW-P	91-10-091
296-24-450	AMD	91-03-044	296-95-121	NEW-P	91-10-091	296-95-300	NEW-P	91-10-091
296-24-68203	AMD	91-03-044	296-95-122	NEW-P	91-10-091	296-95-302	NEW-P	91-10-091
296-24-75009	AMD	91-03-044	296-95-123	NEW-P	91-10-091	296-95-304	NEW-P	91-10-091
296-24-75011	AMD	91-03-044	296-95-124	NEW-P	91-10-091	296-95-307	NEW-P	91-10-091
296-24-76555	AMD	91-03-044	296-95-125	NEW-P	91-10-091	296-95-309	NEW-P	91-10-091
296-24-87035	NEW	91-03-044	296-95-126	NEW-P	91-10-091	296-95-311	NEW-P	91-10-091
296-24-95611	AMD	91-03-044	296-95-130	NEW-P	91-10-091	296-95-313	NEW-P	91-10-091
296-30-190	NEW-W	91-04-027	296-95-131	NEW-P	91-10-091	296-95-316	NEW-P	91-10-091
296-52-417	AMD	91-03-044	296-95-132	NEW-P	91-10-091	296-95-318	NEW-P	91-10-091
296-52-465	AMD	91-03-044	296-95-133	NEW-P	91-10-091	296-95-321	NEW-P	91-10-091
296-52-489	AMD	91-03-044	296-95-140	NEW-P	91-10-091	296-95-322	NEW-P	91-10-091
296-52-493	AMD	91-03-044	296-95-150	NEW-P	91-10-091	296-95-323	NEW-P	91-10-091
296-52-497	AMD	91-03-044	296-95-151	NEW-P	91-10-091	296-95-324	NEW-P	91-10-091
296-56-60073	AMD-P	91-04-077	296-95-152	NEW-P	91-10-091	296-95-325	NEW-P	91-10-091
296-56-60073	AMD	91-11-070	296-95-153	NEW-P	91-10-091	296-95-326	NEW-P	91-10-091
296-56-60229	AMD-P	91-04-077	296-95-154	NEW-P	91-10-091	296-95-328	NEW-P	91-10-091
296-56-60229	AMD	91-11-070	296-95-155	NEW-P	91-10-091	296-95-330	NEW-P	91-10-091
296-62-07314	AMD	91-03-044	296-95-156	NEW-P	91-10-091	296-95-332	NEW-P	91-10-091
296-62-07329	AMD	91-03-044	296-95-157	NEW-P	91-10-091	296-95-334	NEW-P	91-10-091
296-62-07515	AMD-P	91-04-077	296-95-158	NEW-P	91-10-091	296-95-336	NEW-P	91-10-091
296-62-07515	AMD	91-11-070	296-95-160	NEW-P	91-10-091	296-95-338	NEW-P	91-10-091
296-62-07540	AMD-P	91-04-077	296-95-161	NEW-P	91-10-091	296-95-340	NEW-P	91-10-091



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296-95-342	NEW-P	91-10-091	296-155-205	AMD	91-11-070	308-12-326	AMD-P	91-09-020
296-95-344	NEW-P	91-10-091	296-155-225	REP	91-03-044	308-12-326	AMD	91-13-055
296-95-400	NEW-P	91-10-091	296-155-230	REP	91-03-044	308-14-135	NEW-W	91-03-065
296-95-405	NEW-P	91-10-091	296-155-24501	NEW	91-03-044	308-20-010	AMD-P	91-05-080
296-95-408	NEW-P	91-10-091	296-155-24503	NEW	91-03-044	308-20-010	AMD	91-11-042
296-95-410	NEW-P	91-10-091	296-155-24505	NEW	91-03-044	308-20-020	AMD-P	91-05-080
296-95-412	NEW-P	91-10-091	296-155-24510	NEW	91-03-044	308-20-020	AMD	91-11-042
296-95-414	NEW-P	91-10-091	296-155-24515	NEW	91-03-044	308-20-030	AMD-P	91-05-080
296-95-416	NEW-P	91-10-091	296-155-24520	NEW	91-03-044	308-20-030	AMD	91-11-042
296-95-418	NEW-P	91-10-091	296-155-24521	NEW	91-03-044	308-20-040	AMD-P	91-05-080
296-95-420	NEW-P	91-10-091	296-155-24525	NEW	91-03-044	308-20-040	AMD	91-11-042
296-95-422	NEW-P	91-10-091	296-155-363	AMD-P	91-04-077	308-20-050	AMD-P	91-05-080
296-95-424	NEW-P	91-10-091	296-155-363	AMD	91-11-070	308-20-050	AMD	91-11-042
296-95-427	NEW-P	91-10-091	296-155-36313	AMD-P	91-04-077	308-20-070	AMD-P	91-05-080
296-95-429	NEW-P	91-10-091	296-155-36313	AMD	91-11-070	308-20-070	AMD	91-11-042
296-95-431	NEW-P	91-10-091	296-155-375	AMD-P	91-04-077	308-20-080	AMD-P	91-05-080
296-95-432	NEW-P	91-10-091	296-155-375	AMD	91-11-070	308-20-080	AMD	91-11-042
296-95-434	NEW-P	91-10-091	296-155-480	AMD	91-03-044	308-20-090	AMD-P	91-05-080
296-95-436	NEW-P	91-10-091	296-155-485	AMD	91-03-044	308-20-090	AMD	91-11-042
296-95-438	NEW-P	91-10-091	296-155-48529	AMD	91-03-044	308-20-095	NEW-P	91-05-080
296-95-440	NEW-P	91-10-091	296-155-48531	AMD	91-03-044	308-20-095	NEW	91-11-042
296-95-442	NEW-P	91-10-091	296-155-48533	AMD	91-03-044	308-20-105	AMD-P	91-05-080
296-95-444	NEW-P	91-10-091	296-155-500	AMD	91-03-044	308-20-105	AMD	91-11-042
296-95-446	NEW-P	91-10-091	296-155-505	AMD	91-03-044	308-20-110	AMD-P	91-05-080
296-95-448	NEW-P	91-10-091	296-155-50501	REP	91-03-044	308-20-110	AMD	91-11-042
296-95-450	NEW-P	91-10-091	296-155-50503	AMD	91-03-044	308-20-140	AMD-P	91-05-080
296-95-500	NEW-P	91-10-091	296-155-525	AMD	91-03-044	308-20-140	AMD	91-11-042
296-95-510	NEW-P	91-10-091	296-155-530	AMD	91-03-044	308-20-175	NEW-P	91-05-080
296-95-540	NEW-P	91-10-091	296-155-620	AMD	91-03-044	308-20-175	NEW	91-11-042
296-95-600	NEW-P	91-10-091	296-155-625	AMD	91-03-044	308-31-001	DECOD	91-03-095
296-95-610	NEW-P	91-10-091	296-155-650	AMD	91-03-044	308-31-010	DECOD	91-03-095
296-95-620	NEW-P	91-10-091	296-155-655	AMD	91-03-044	308-31-010	AMD-P	91-05-089
296-95-630	NEW-P	91-10-091	296-155-65505	REP	91-03-044	308-31-020	DECOD	91-03-095
296-95-700	NEW-P	91-10-091	296-155-657	NEW	91-03-044	308-31-020	AMD-P	91-05-089
296-95-710	NEW-P	91-10-091	296-155-660	REP	91-03-044	308-31-025	DECOD	91-03-095
296-95-800	NEW-P	91-10-091	296-155-66005	REP	91-03-044	308-31-025	AMD-P	91-05-089
296-95-810	NEW-P	91-10-091	296-155-66103	NEW	91-03-044	308-31-030	DECOD	91-03-095
296-99-050	AMD-P	91-04-077	296-155-66105	NEW	91-03-044	308-31-030	AMD-P	91-05-089
296-99-050	AMD	91-11-070	296-155-66109	NEW	91-03-044	308-31-040	DECOD	91-03-095
296-104-015	AMD-P	91-09-047	296-155-664	NEW	91-03-044	308-31-040	AMD-P	91-05-089
296-104-015	AMD	91-11-107	296-155-665	REP	91-03-044	308-31-050	DECOD	91-03-095
296-104-120	AMD-P	91-09-047	296-155-66501	REP	91-03-044	308-31-050	AMD-P	91-05-089
296-104-120	AMD	91-11-107	296-155-66502	REP	91-03-044	308-31-055	DECOD	91-05-029
296-104-200	AMD-P	91-09-047	296-155-66503	REP	91-03-044	308-31-057	DECOD	91-03-095
296-104-200	AMD	91-11-107	296-155-66504	REP	91-03-044	308-31-057	AMD-P	91-05-089
296-104-801	NEW-P	91-09-046	296-155-66505	REP	91-03-044	308-31-060	DECOD	91-03-095
296-104-801	NEW	91-11-106	296-155-675	AMD-P	91-04-077	308-31-060	AMD-P	91-05-089
296-104-805	NEW-P	91-09-046	296-155-675	AMD	91-11-070	308-31-100	DECOD	91-03-095
296-104-805	NEW	91-11-106	296-155-682	AMD	91-03-044	308-31-100	AMD-P	91-05-089
296-115-005	AMD	91-03-044	296-155-688	AMD	91-03-044	308-31-110	DECOD	91-03-095
296-115-010	AMD	91-03-044	296-155-689	AMD	91-03-044	308-31-110	AMD-P	91-05-089
296-115-015	AMD	91-03-044	296-155-694	AMD-P	91-04-077	308-31-120	DECOD	91-03-095
296-115-025	AMD	91-03-044	296-155-694	AMD	91-11-070	308-31-120	AMD-P	91-05-089
296-115-035	AMD	91-03-044	296-155-700	AMD	91-03-044	308-31-210	DECOD	91-03-095
296-115-060	AMD	91-03-044	296-155-705	AMD	91-03-044	308-31-210	AMD-P	91-05-089
296-115-070	AMD	91-03-044	296-155-720	AMD	91-03-044	308-31-220	DECOD	91-03-095
296-115-100	AMD	91-03-044	296-155-730	AMD-P	91-04-077	308-31-220	AMD-P	91-05-089
296-116-185	AMD-P	91-03-075	296-155-730	AMD	91-11-070	308-31-230	DECOD	91-03-095
296-116-185	AMD-E	91-08-004	296-155-950	AMD	91-03-044	308-31-230	AMD-P	91-05-089
296-116-185	AMD	91-08-008	296-305-06009	AMD-P	91-04-077	308-31-240	DECOD	91-03-095
296-116-300	AMD-P	91-08-003	296-305-06009	AMD	91-11-070	308-31-240	AMD-P	91-05-089
296-116-300	AMD	91-11-074	296-305-110	AMD	91-03-044	308-31-250	DECOD	91-03-095
296-116-315	NEW	91-06-033	296-306-260	AMD-P	91-04-077	308-31-250	AMD-P	91-05-089
296-127	AMD-C	91-03-113	296-306-260	AMD	91-11-070	308-31-260	DECOD	91-03-095
296-127-010	AMD-W	91-10-092	296-306-265	AMD-P	91-04-077	308-31-260	AMD-P	91-05-089
296-127-011	AMD-W	91-10-092	296-306-265	AMD	91-11-070	308-31-270	DECOD	91-03-095
296-127-013	AMD-W	91-10-092	296-306-27095	AMD-P	91-04-077	308-31-270	AMD-P	91-05-089
296-127-014	AMD-W	91-10-092	296-306-27095	AMD	91-11-070	308-31-280	DECOD	91-03-095
296-127-015	AMD-W	91-10-092	296-306-310	AMD-P	91-04-077	308-31-280	AMD-P	91-05-089
296-127-016	REP-W	91-10-092	296-306-310	AMD	91-11-070	308-31-500	DECOD	91-03-095
296-127-017	AMD-W	91-10-092	296-306-320	AMD-P	91-04-077	308-31-500	AMD-P	91-05-089
296-127-018	NEW-W	91-10-092	296-306-320	AMD	91-11-070	308-31-510	DECOD	91-03-095
296-127-019	AMD-W	91-10-092	308-10-067	NEW-P	91-07-028	308-31-510	AMD-P	91-05-089
296-127-020	AMD-W	91-10-092	308-10-067	NEW	91-13-057	308-31-520	DECOD	91-03-095
296-127-025	AMD-W	91-10-092	308-12-115	AMD-P	91-06-012	308-31-520	AMD-P	91-05-089
296-127-990	NEW-W	91-10-092	308-12-115	AMD-P	91-09-041	308-31-530	DECOD	91-03-095
296-155-205	AMD-P	91-04-077	308-12-115	AMD	91-12-061	308-31-530	AMD-P	91-05-089

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308-31-540	AMD-P 91-05-089	308-50-330	DECOD 91-11-031	308-52-580	DECOD 91-06-030
308-31-550	DECOD 91-03-095	308-50-350	DECOD-P 91-07-058	308-52-590	REP 91-06-027
308-31-550	AMD-P 91-05-089	308-50-350	DECOD 91-11-031	308-52-600	DECOD 91-06-030
308-31-560	DECOD 91-03-095	308-50-380	DECOD-P 91-07-058	308-52-610	DECOD 91-06-030
308-31-560	AMD-P 91-05-089	308-50-380	DECOD 91-11-031	308-52-620	DECOD 91-06-030
308-31-570	DECOD 91-03-095	308-50-390	DECOD-P 91-07-058	308-52-630	DECOD 91-06-030
308-31-570	AMD-P 91-05-089	308-50-390	DECOD 91-11-031	308-52-640	DECOD 91-06-030
308-42-075	AMD 91-05-004	308-50-400	DECOD-P 91-07-058	308-52-650	DECOD 91-06-030
308-48-520	REP-W 91-09-043	308-50-400	DECOD 91-11-031	308-52-660	DECOD 91-06-030
308-48-580	REP-W 91-09-043	308-50-410	DECOD-P 91-07-058	308-52-680	DECOD 91-06-030
308-48-590	AMD-W 91-09-043	308-50-410	DECOD 91-11-031	308-52-690	DECOD 91-06-030
308-48-600	REP-W 91-09-043	308-50-420	DECOD-P 91-07-058	308-53	DECOD-C 91-03-116
308-48-601	NEW-W 91-09-043	308-50-420	DECOD 91-11-031	308-53-010	DECOD 91-06-025
308-48-610	NEW-W 91-09-043	308-50-430	DECOD-P 91-07-058	308-53-020	DECOD 91-06-028
308-48-800	AMD-P 91-08-032	308-50-430	DECOD 91-11-031	308-53-030	DECOD 91-06-025
308-48-800	AMD 91-11-023	308-50-440	AMD-P 91-08-078	308-53-070	DECOD 91-06-025
308-50-010	DECOD-P 91-07-058	308-50-440	DECOD 91-11-030	308-53-075	DECOD 91-06-025
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308-50-020	DECOD-P 91-07-058	308-50-500	DECOD 91-11-031	308-53-085	DECOD 91-06-025
308-50-020	DECOD 91-11-031	308-51-230	DECOD-W 91-09-044	308-53-100	DECOD 91-06-025
308-50-035	DECOD-P 91-07-058	308-51-240	DECOD-W 91-09-044	308-53-110	DECOD 91-06-025
308-50-035	DECOD 91-11-031	308-51-250	DECOD-W 91-09-044	308-53-120	DECOD 91-06-025
308-50-040	DECOD-P 91-07-058	308-51-260	DECOD-W 91-09-044	308-53-123	DECOD 91-06-025
308-50-040	DECOD 91-11-031	308-51-270	DECOD-W 91-09-044	308-53-125	DECOD 91-06-025
308-50-090	DECOD-P 91-07-058	308-51-280	DECOD-W 91-09-044	308-53-135	DECOD 91-06-025
308-50-090	DECOD 91-11-031	308-51-290	DECOD-W 91-09-044	308-53-140	DECOD 91-06-025
308-50-100	DECOD-P 91-07-058	308-51-300	DECOD-W 91-09-044	308-53-145	DECOD 91-06-025
308-50-100	DECOD 91-11-031	308-51-310	DECOD-W 91-09-044	308-53-146	DECOD 91-06-025
308-50-110	DECOD-P 91-07-058	308-51-320	DECOD-W 91-09-044	308-53-150	DECOD 91-06-025
308-50-110	DECOD 91-11-031	308-52-010	DECOD 91-06-030	308-53-151	DECOD 91-06-025
308-50-120	DECOD-P 91-07-058	308-52-030	DECOD 91-06-030	308-53-155	DECOD 91-06-025
308-50-120	DECOD 91-11-031	308-52-040	DECOD 91-06-030	308-53-165	DECOD 91-06-025
308-50-130	DECOD-P 91-07-058	308-52-100	DECOD 91-06-030	308-53-170	DECOD 91-06-025
308-50-130	DECOD 91-11-031	308-52-120	DECOD 91-06-030	308-53-175	DECOD 91-06-025
308-50-140	DECOD-P 91-07-058	308-52-132	DECOD 91-06-030	308-53-180	DECOD 91-06-025
308-50-140	DECOD 91-11-031	308-52-135	AMD-E 91-04-033	308-53-200	DECOD 91-06-025
308-50-150	DECOD-P 91-07-058	308-52-135	AMD-P 91-04-055	308-53-205	DECOD 91-06-025
308-50-150	DECOD 91-11-031	308-52-135	DECOD 91-06-030	308-53-215	DECOD 91-06-025
308-50-160	DECOD-P 91-07-058	308-52-136	DECOD 91-06-030	308-53-215	DECOD 91-06-025
308-50-160	DECOD 91-11-031	308-52-138	DECOD 91-06-030	308-53-220	DECOD 91-06-025
308-50-170	DECOD-P 91-07-058	308-52-139	DECOD 91-06-030	308-53-230	DECOD 91-06-025
308-50-170	DECOD 91-11-031	308-52-140	DECOD 91-06-030	308-53-235	DECOD 91-06-025
308-50-180	DECOD-P 91-07-058	308-52-141	DECOD 91-06-030	308-53-240	DECOD 91-06-025
308-50-180	DECOD 91-11-031	308-52-146	DECOD 91-06-030	308-53-245	DECOD 91-06-025
308-50-190	DECOD-P 91-07-058	308-52-147	DECOD 91-06-030	308-53-250	DECOD 91-06-025
308-50-190	DECOD 91-11-031	308-52-148	DECOD 91-06-030	308-53-260	DECOD 91-06-025
308-50-200	DECOD-P 91-07-058	308-52-149	DECOD 91-06-030	308-53-265	DECOD 91-06-025
308-50-200	DECOD 91-11-031	308-52-150	DECOD 91-06-030	308-53-270	DECOD 91-06-025
308-50-210	DECOD-P 91-07-058	308-52-160	DECOD 91-06-030	308-53-275	DECOD 91-06-025
308-50-210	DECOD 91-11-031	308-52-165	DECOD 91-06-030	308-53-280	DECOD 91-06-025
308-50-220	DECOD-P 91-07-058	308-52-190	DECOD 91-06-030	308-53-320	DECOD 91-06-025
308-50-220	DECOD 91-11-031	308-52-201	DECOD 91-06-030	308-53-330	DECOD 91-06-025
308-50-240	DECOD-P 91-07-058	308-52-205	DECOD 91-06-030	308-53-340	DECOD 91-06-025
308-50-240	DECOD 91-11-031	308-52-211	DECOD 91-06-030	308-53-350	DECOD 91-06-025
308-50-250	DECOD-P 91-07-058	308-52-215	DECOD 91-06-030	308-53-400	DECOD 91-06-025
308-50-250	DECOD 91-11-031	308-52-221	DECOD 91-06-030	308-54-010	DECOD 91-06-060
308-50-260	DECOD-P 91-07-058	308-52-255	DECOD 91-06-030	308-54-020	DECOD 91-06-060
308-50-260	DECOD 91-11-031	308-52-260	DECOD 91-06-030	308-54-030	DECOD 91-06-060
308-50-270	DECOD-P 91-07-058	308-52-260	AMD 91-06-038	308-54-040	DECOD 91-06-060
308-50-270	DECOD 91-11-031	308-52-265	DECOD 91-06-030	308-54-050	DECOD 91-06-060
308-50-280	DECOD-P 91-07-058	308-52-270	DECOD 91-06-030	308-54-060	DECOD 91-06-060
308-50-280	DECOD 91-11-031	308-52-320	DECOD 91-06-030	308-54-070	DECOD 91-06-060
308-50-290	DECOD-P 91-07-058	308-52-400	DECOD 91-06-030	308-54-080	DECOD 91-06-060
308-50-290	DECOD 91-11-031	308-52-405	DECOD 91-06-030	308-54-090	DECOD 91-06-060
308-50-295	AMD-P 91-07-057	308-52-406	DECOD 91-06-030	308-54-095	DECOD 91-06-060
308-50-295	DECOD-P 91-07-058	308-52-410	DECOD 91-06-030	308-54-100	DECOD 91-06-060
308-50-295	AMD-W 91-07-059	308-52-415	DECOD 91-06-030	308-54-110	DECOD 91-06-060
308-50-295	DECOD 91-11-031	308-52-420	DECOD 91-06-030	308-54-120	DECOD 91-06-060
308-50-295	AMD 91-11-032	308-52-425	DECOD 91-06-030	308-54-125	DECOD 91-06-060
308-50-310	AMD-P 91-07-057	308-52-500	DECOD 91-06-030	308-54-130	DECOD 91-06-060
308-50-310	DECOD-P 91-07-058	308-52-502	DECOD 91-06-030	308-54-150	DECOD 91-06-060
308-50-310	AMD-W 91-07-059	308-52-504	DECOD 91-06-030	308-54-155	DECOD 91-06-060
308-50-310	DECOD 91-11-031	308-52-510	DECOD 91-06-030	308-54-160	DECOD 91-06-060
308-50-310	AMD 91-11-032	308-52-515	DECOD 91-06-030	308-54-162	DECOD 91-06-060
308-50-320	DECOD-P 91-07-058	308-52-530	DECOD 91-06-030	308-54-170	DECOD 91-06-060
308-50-320	DECOD 91-11-031	308-52-540	DECOD 91-06-030	308-54-180	DECOD 91-06-060

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
308-54-200	DECOD 91-06-060	308-96A-560	NEW 91-03-091	308-122-211	DECOD 91-04-020
308-54-205	DECOD 91-06-060	308-120-100	DECOD 91-07-049	308-122-215	DECOD 91-04-020
308-54-220	DECOD 91-06-060	308-120-100	AMD 91-07-067	308-122-220	DECOD 91-04-020
308-54-225	DECOD 91-06-060	308-120-161	DECOD 91-07-049	308-122-225	DECOD 91-04-020
308-54-230	DECOD 91-06-060	308-120-162	DECOD 91-07-049	308-122-230	DECOD 91-04-020
308-54-240	DECOD 91-06-060	308-120-163	DECOD 91-07-049	308-122-235	DECOD 91-04-020
308-54-250	DECOD 91-06-060	308-120-164	DECOD 91-07-049	308-122-275	DECOD 91-05-028
308-54-315	AMD-P 91-05-025	308-120-165	DECOD 91-07-049	308-122-280	DECOD 91-04-020
308-54-315	DECOD 91-06-058	308-120-166	DECOD 91-07-049	308-122-350	DECOD 91-04-020
308-54-320	DECOD 91-06-060	308-120-168	AMD 91-07-032	308-122-360	DECOD 91-04-020
308-56A-090	NEW 91-03-088	308-120-168	DECOD 91-07-049	308-122-360	AMD 91-04-021
308-56A-120	REP-P 91-11-084	308-120-170	DECOD 91-07-049	308-122-370	DECOD 91-04-020
308-56A-150	AMD 91-04-024	308-120-180	DECOD 91-07-049	308-122-380	REP 91-04-021
308-56A-460	AMD 91-04-025	308-120-185	DECOD 91-07-049	308-122-380	DECOD-W 91-12-035
308-57-005	NEW 91-04-026	308-120-186	DECOD 91-07-049	308-122-390	REP 91-04-021
308-57-010	NEW 91-04-026	308-120-270	DECOD 91-07-049	308-122-390	DECOD-W 91-12-035
308-57-020	NEW 91-04-026	308-120-275	DECOD 91-07-048	308-122-400	REP 91-04-021
308-57-030	NEW 91-04-026	308-120-300	DECOD 91-07-049	308-122-400	DECOD-W 91-12-035
308-57-110	NEW 91-04-026	308-120-305	DECOD 91-07-049	308-122-410	REP 91-04-021
308-57-120	NEW 91-04-026	308-120-315	DECOD 91-07-049	308-122-410	DECOD-W 91-12-035
308-57-130	NEW 91-04-026	308-120-325	DECOD 91-07-049	308-122-420	REP 91-04-021
308-57-140	NEW 91-04-026	308-120-335	DECOD 91-07-049	308-122-420	DECOD-W 91-12-035
308-57-210	NEW 91-04-026	308-120-338	DECOD 91-07-049	308-122-430	DECOD 91-04-020
308-57-220	NEW 91-04-026	308-120-345	DECOD 91-07-049	308-122-440	DECOD 91-04-020
308-57-230	NEW 91-04-026	308-120-360	DECOD 91-07-049	308-122-450	DECOD 91-04-020
308-57-240	NEW 91-04-026	308-120-365	REP 91-07-049	308-122-500	REP 91-04-021
308-57-310	NEW 91-04-026	308-120-400	DECOD 91-07-049	308-122-500	DECOD-W 91-12-035
308-57-320	NEW 91-04-026	308-120-410	DECOD 91-07-049	308-122-505	DECOD 91-04-020
308-57-410	NEW 91-04-026	308-120-420	DECOD 91-07-049	308-122-510	DECOD 91-04-020
308-57-420	NEW 91-04-026	308-120-430	DECOD 91-07-049	308-122-515	DECOD 91-04-020
308-57-430	NEW 91-04-026	308-120-440	DECOD 91-07-049	308-122-515	AMD 91-04-021
308-57-440	NEW 91-04-026	308-120-450	DECOD 91-07-049	308-122-520	DECOD 91-04-020
308-58-010	AMD 91-04-025	308-120-505	DECOD 91-07-049	308-122-520	AMD 91-04-021
308-58-020	AMD 91-04-025	308-120-506	DECOD 91-07-049	308-122-525	DECOD 91-04-020
308-61-175	AMD-P 91-13-035	308-120-525	DECOD 91-07-049	308-122-530	DECOD 91-04-020
308-61-185	AMD-P 91-13-035	308-120-530	DECOD 91-07-049	308-122-535	DECOD 91-04-020
308-66-152	AMD 91-03-019	308-120-535	DECOD 91-07-049	308-122-540	DECOD 91-04-020
308-66-156	NEW 91-03-092	308-120-540	DECOD 91-07-049	308-122-545	DECOD 91-04-020
308-77-080	REP 91-03-018	308-120-545	DECOD 91-07-049	308-122-600	DECOD 91-04-020
308-77-100	AMD 91-03-018	308-120-550	DECOD 91-07-049	308-122-610	DECOD 91-04-020
308-77-250	AMD 91-03-017	308-120-555	DECOD 91-07-049	308-122-620	DECOD 91-04-020
308-91-030	AMD-E 91-02-109	308-120-560	DECOD 91-07-049	308-122-630	DECOD 91-04-020
308-91-030	AMD-P 91-02-110	308-120-565	DECOD 91-07-049	308-122-640	DECOD 91-04-020
308-91-030	AMD 91-06-093	308-120-565	AMD 91-07-067	308-122-650	DECOD 91-04-020
308-91-090	AMD-E 91-02-109	308-120-570	DECOD 91-07-049	308-122-660	DECOD 91-04-020
308-91-090	AMD-P 91-02-110	308-120-575	DECOD 91-07-049	308-122-660	AMD 91-04-021
308-91-090	AMD 91-06-093	308-120-610	AMD 91-07-032	308-122-670	DECOD 91-04-020
308-91-095	NEW-E 91-02-109	308-120-620	DECOD 91-07-049	308-122-670	AMD 91-04-021
308-91-095	NEW-P 91-02-110	308-120-700	DECOD 91-07-049	308-122-680	DECOD 91-04-020
308-91-095	NEW 91-06-093	308-120-710	DECOD 91-07-049	308-122-690	DECOD 91-04-020
308-91-150	AMD-E 91-02-109	308-120-720	DECOD 91-07-049	308-122-695	DECOD 91-04-020
308-91-150	AMD-P 91-02-110	308-120-730	DECOD 91-07-049	308-122-700	DECOD 91-04-020
308-91-150	AMD 91-06-093	308-120-740	DECOD 91-07-049	308-122-710	DECOD 91-04-020
308-93-670	NEW 91-03-089	308-120-750	DECOD 91-07-049	308-122-720	DECOD 91-04-020
308-94-035	AMD-P 91-03-142	308-120-760	DECOD 91-07-049	308-124A-430	AMD-P 91-03-047
308-94-035	AMD 91-09-001	308-120-770	DECOD 91-07-049	308-124A-430	AMD 91-07-029
308-96A-005	AMD-P 91-11-084	308-120-780	DECOD 91-07-049	308-124E-012	AMD-P 91-09-013
308-96A-046	AMD 91-04-025	308-120-800	DECOD 91-07-049	308-124E-012	AMD 91-12-012
308-96A-056	AMD 91-04-025	308-120-810	DECOD 91-07-049	308-124H-010	AMD-P 91-03-047
308-96A-057	NEW-P 91-11-084	308-121-110	DECOD 91-07-049	308-124H-010	AMD 91-07-029
308-96A-065	AMD-P 91-11-084	308-121-120	DECOD 91-07-049	308-124H-025	AMD-P 91-03-047
308-96A-070	AMD 91-04-025	308-121-130	DECOD 91-07-049	308-124H-025	AMD 91-07-029
308-96A-071	NEW-P 91-11-084	308-121-140	DECOD 91-07-049	308-124H-520	AMD-P 91-09-065
308-96A-073	NEW 91-04-025	308-121-145	DECOD 91-07-049	308-124H-520	AMD 91-12-013
308-96A-074	NEW 91-04-025	308-121-150	DECOD 91-07-049	308-124H-540	AMD-P 91-03-047
308-96A-075	AMD 91-04-025	308-121-155	DECOD 91-07-049	308-124H-540	AMD 91-07-029
308-96A-161	NEW-P 91-11-084	308-121-160	DECOD 91-07-049	308-124H-800	NEW-P 91-09-013
308-96A-162	NEW-P 91-11-084	308-121-165	DECOD 91-07-049	308-124H-800	NEW 91-12-012
308-96A-345	AMD 91-04-024	308-121-170	DECOD 91-07-049	308-125-010	NEW 91-04-074
308-96A-350	AMD 91-04-024	308-121-175	DECOD 91-07-049	308-125-020	NEW 91-04-074
308-96A-380	AMD 91-04-024	308-121-180	DECOD 91-07-049	308-125-030	NEW 91-04-074
308-96A-505	NEW 91-03-091	308-122-001	DECOD 91-04-020	308-125-040	NEW 91-04-074
308-96A-510	NEW 91-03-091	308-122-005	DECOD 91-04-020	308-125-050	NEW 91-04-074
308-96A-520	NEW 91-03-091	308-122-006	DECOD 91-04-020	308-125-060	NEW 91-04-074
308-96A-530	NEW 91-03-091	308-122-060	DECOD 91-04-020	308-125-070	NEW 91-04-074
308-96A-540	NEW 91-03-091	308-122-200	DECOD 91-04-020	308-125-080	NEW 91-04-074
308-96A-550	NEW 91-03-091	308-122-200	AMD 91-04-021	308-125-090	NEW 91-04-074

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
308-125-100	NEW	91-04-074	315-11-241	REP	91-03-034	315-11-651	NEW	91-11-033
308-125-110	NEW	91-04-074	315-11-242	REP	91-03-034	315-11-652	NEW-P	91-07-070
308-125-120	NEW	91-04-074	315-11-250	REP	91-03-034	315-11-652	NEW	91-11-033
308-125-130	NEW	91-04-074	315-11-251	REP	91-03-034	315-11-660	NEW-P	91-07-070
308-125-140	NEW	91-04-074	315-11-252	REP	91-03-034	315-11-660	NEW	91-11-033
308-125-150	NEW	91-04-074	315-11-260	REP	91-03-034	315-11-661	NEW-P	91-07-070
308-125-160	NEW	91-04-074	315-11-261	REP	91-03-034	315-11-661	NEW	91-11-033
308-125-170	NEW	91-04-074	315-11-262	REP	91-03-034	315-11-662	NEW-P	91-07-070
308-125-180	NEW	91-04-074	315-11-270	REP	91-03-034	315-11-662	NEW	91-11-033
308-125-190	NEW	91-04-074	315-11-271	REP	91-03-034	315-11-670	NEW-P	91-12-069
308-125-200	NEW	91-04-074	315-11-272	REP	91-03-034	315-11-671	NEW-P	91-12-069
308-125-210	NEW	91-04-074	315-11-280	REP	91-03-034	315-11-672	NEW-P	91-12-069
308-128B-080	AMD-P	91-08-049	315-11-281	REP	91-03-034	315-11-680	NEW-P	91-12-069
308-128B-080	AMD	91-11-066	315-11-282	REP	91-03-034	315-11-681	NEW-P	91-12-069
308-138-055	REP-P	91-03-117	315-11-290	REP	91-03-034	315-11-682	NEW-P	91-12-069
308-171-001	DECOD	91-05-027	315-11-291	REP	91-03-034	315-12-140	REP	91-03-035
308-171-001	AMD-P	91-05-088	315-11-292	REP	91-03-034	315-12-145	NEW	91-03-036
308-171-002	DECOD	91-05-027	315-11-300	REP	91-03-034	326-30-03904	NEW-E	91-12-051
308-171-003	DECOD	91-05-027	315-11-301	REP	91-03-034	332-08-005	NEW-P	91-08-066
308-171-010	DECOD	91-05-027	315-11-302	REP	91-03-034	332-08-005	NEW	91-13-059
308-171-010	AMD-P	91-05-088	315-11-310	REP	91-03-034	332-08-010	REP-P	91-08-066
308-171-020	DECOD	91-05-027	315-11-311	REP	91-03-034	332-08-010	REP	91-13-059
308-171-020	AMD-P	91-05-088	315-11-312	REP	91-03-034	332-08-015	NEW-P	91-08-066
308-171-040	DECOD	91-05-027	315-11-320	REP	91-03-034	332-08-015	NEW	91-13-059
308-171-041	DECOD	91-05-027	315-11-321	REP	91-03-034	332-08-021	REP-P	91-08-066
308-171-041	AMD-P	91-05-088	315-11-322	REP	91-03-034	332-08-020	REP	91-13-059
308-171-045	DECOD	91-05-027	315-11-330	REP	91-03-034	332-08-025	NEW-P	91-08-066
308-171-100	DECOD	91-05-027	315-11-331	REP	91-03-034	332-08-025	NEW	91-13-059
308-171-101	DECOD	91-05-027	315-11-332	REP	91-03-034	332-08-040	REP-P	91-08-066
308-171-102	DECOD	91-05-027	315-11-340	REP	91-03-034	332-08-040	REP	91-13-059
308-171-103	DECOD	91-05-027	315-11-341	REP	91-03-034	332-08-050	REP-P	91-08-066
308-171-103	AMD-P	91-05-088	315-11-342	REP	91-03-034	332-08-050	REP	91-13-059
308-171-104	DECOD	91-05-027	315-11-350	REP	91-03-034	332-08-060	REP-P	91-08-066
308-171-200	DECOD	91-05-027	315-11-351	REP	91-03-034	332-08-060	REP	91-13-059
308-171-201	DECOD	91-05-027	315-11-352	REP	91-03-034	332-08-070	REP-P	91-08-066
308-171-202	DECOD	91-05-027	315-11-360	REP	91-03-034	332-08-070	REP	91-13-059
308-171-300	DECOD	91-05-027	315-11-361	REP	91-03-034	332-08-080	REP-P	91-08-066
308-171-301	DECOD	91-05-027	315-11-362	REP	91-03-034	332-08-080	REP	91-13-059
308-171-302	DECOD	91-05-027	315-11-370	REP	91-03-034	332-08-090	REP-P	91-08-066
308-171-310	DECOD	91-05-030	315-11-371	REP	91-03-034	332-08-090	REP	91-13-059
308-171-320	DECOD	91-05-027	315-11-372	REP	91-03-034	332-08-090	REP	91-13-059
308-171-330	DECOD	91-05-027	315-11-380	REP	91-03-034	332-08-100	REP-P	91-08-066
308-173-210	DECOD	91-07-049	315-11-381	REP	91-03-034	332-08-100	REP	91-13-059
308-173-220	DECOD	91-07-049	315-11-382	REP	91-03-034	332-08-105	NEW-P	91-08-066
308-173-230	DECOD	91-07-049	315-11-382	REP	91-03-034	332-08-105	NEW	91-13-059
308-173-240	DECOD	91-07-049	315-11-390	REP	91-03-034	332-08-110	REP-P	91-08-066
308-173-245	DECOD	91-07-049	315-11-391	REP	91-03-034	332-08-110	REP	91-13-059
308-173-250	DECOD	91-07-049	315-11-392	REP	91-03-034	332-08-115	NEW-P	91-08-066
308-173-255	DECOD	91-07-049	315-11-590	AMD	91-03-036	332-08-115	NEW	91-13-059
308-173-260	DECOD	91-07-049	315-11-591	AMD	91-03-036	332-08-120	REP-P	91-08-066
308-173-265	DECOD	91-07-049	315-11-610	NEW	91-03-036	332-08-120	REP	91-13-059
308-173-270	DECOD	91-07-049	315-11-611	NEW	91-03-036	332-08-125	NEW-P	91-08-066
308-173-275	DECOD	91-07-049	315-11-611	AMD-P	91-03-112	332-08-125	NEW	91-13-059
308-173-280	DECOD	91-07-049	315-11-611	AMD	91-06-074	332-08-130	REP-P	91-08-066
314-16-125	AMD-P	91-05-085	315-11-612	NEW	91-03-036	332-08-130	REP	91-13-059
314-16-125	AMD-C	91-09-005	315-11-620	NEW-P	91-03-112	332-08-140	REP-P	91-08-066
314-16-125	AMD-W	91-10-045	315-11-620	NEW	91-06-074	332-08-140	REP	91-13-059
314-20-020	AMD-P	91-05-086	315-11-621	NEW-P	91-03-112	332-08-150	REP-P	91-08-066
314-20-020	AMD	91-08-022	315-11-621	NEW	91-06-074	332-08-150	REP	91-13-059
314-52-015	AMD-C	91-03-007	315-11-622	NEW-P	91-03-112	332-08-160	REP-P	91-08-066
314-52-015	AMD-W	91-04-085	315-11-622	NEW	91-06-074	332-08-160	REP	91-13-059
315-04-205	NEW-P	91-07-070	315-11-630	NEW-P	91-03-112	332-08-170	REP-P	91-08-066
315-04-205	NEW	91-11-033	315-11-630	NEW	91-06-074	332-08-170	REP	91-13-059
315-06-120	AMD	91-03-036	315-11-630	AMD-P	91-12-069	332-08-180	REP-P	91-08-066
315-11-200	REP	91-03-034	315-11-631	NEW-P	91-03-112	332-08-180	REP	91-13-059
315-11-201	REP	91-03-034	315-11-631	NEW	91-06-074	332-08-190	REP-P	91-08-066
315-11-202	REP	91-03-034	315-11-632	NEW-P	91-03-112	332-08-190	REP	91-13-059
315-11-210	REP	91-03-034	315-11-632	NEW	91-06-074	332-08-200	REP-P	91-08-066
315-11-211	REP	91-03-034	315-11-632	AMD-P	91-12-069	332-08-200	REP	91-13-059
315-11-212	REP	91-03-034	315-11-640	NEW-P	91-07-070	332-08-210	REP-P	91-08-066
315-11-220	REP	91-03-034	315-11-640	NEW	91-11-033	332-08-210	REP	91-13-059
315-11-221	REP	91-03-034	315-11-641	NEW-P	91-07-070	332-08-220	REP-P	91-08-066
315-11-222	REP	91-03-034	315-11-641	NEW	91-11-033	332-08-220	REP	91-13-059
315-11-230	REP	91-03-034	315-11-642	NEW-P	91-07-070	332-08-230	REP-P	91-08-066
315-11-231	REP	91-03-034	315-11-642	NEW	91-11-033	332-08-230	REP	91-13-059
315-11-232	REP	91-03-034	315-11-650	NEW-P	91-07-070	332-08-240	REP-P	91-08-066
315-11-240	REP	91-03-034	315-11-650	NEW	91-11-033	332-08-240	REP	91-13-059
			315-11-651	NEW-P	91-07-070	332-08-250	REP-P	91-08-066



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365-190-050	NEW	91-07-041	371-12-090	REP	91-03-028	388-15-216	AMD	91-08-011
365-190-060	NEW	91-07-041	371-12-100	REP	91-03-028	388-24-050	AMD-E	91-04-042
365-190-070	NEW	91-07-041	371-12-110	REP	91-03-028	388-24-050	AMD-P	91-04-043
365-190-080	NEW	91-07-041	371-12-120	REP	91-03-028	388-24-050	AMD-C	91-08-010
371-08	AMD-C	91-03-027	371-12-130	REP	91-03-028	388-24-050	AMD-W	91-08-063
371-08-001	NEW	91-03-028	374-50-010	NEW-P	91-08-033	388-24-050	AMD-P	91-09-068
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371-08-015	REP	91-03-028	374-50-050	NEW-P	91-08-033	388-24-074	AMD-P	91-13-099
371-08-020	AMD	91-03-028	374-50-060	NEW-P	91-08-033	388-28-435	AMD-P	91-10-074
371-08-030	AMD	91-03-028	374-50-070	NEW-P	91-08-033	388-28-435	AMD-E	91-10-078
371-08-031	REP	91-03-028	374-50-080	NEW-P	91-08-033	388-28-435	AMD	91-13-082
371-08-032	AMD	91-03-028	374-50-090	NEW-P	91-08-033	388-28-482	AMD-P	91-10-075
371-08-033	NEW	91-03-028	381-10-010	NEW-P	91-10-009	388-28-482	AMD-E	91-10-076
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371-08-131	REP	91-03-028	381-20-040	NEW-P	91-10-009	388-49-040	AMD-P	91-11-110
371-08-132	REP	91-03-028	381-20-050	NEW-P	91-10-009	388-49-080	AMD-P	91-09-031
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371-08-162	NEW	91-03-028	388-11-220	AMD-P	91-06-040	388-49-330	AMD	91-10-099
371-08-163	REP	91-03-028	388-11-220	AMD-E	91-06-048	388-49-410	AMD-P	91-05-071
371-08-165	AMD	91-03-028	388-11-220	AMD	91-10-027	388-49-410	AMD	91-10-097
371-08-175	REP	91-03-028	388-14-275	AMD-P	91-06-097	388-49-420	AMD-P	91-05-071
371-08-180	AMD	91-03-028	388-14-275	AMD	91-10-026	388-49-420	AMD	91-10-097
371-08-183	AMD	91-03-028	388-14-385	AMD-P	91-04-002	388-49-430	AMD-P	91-13-100
371-08-184	NEW	91-03-028	388-14-385	AMD-E	91-04-003	388-49-470	AMD	91-06-004
371-08-186	AMD	91-03-028	388-14-385	AMD	91-09-018	388-49-480	AMD-P	91-05-072
371-08-187	AMD	91-03-028	388-14-415	AMD-P	91-04-002	388-49-480	AMD-W	91-10-034
371-08-188	AMD	91-03-028	388-14-415	AMD-E	91-04-003	388-49-480	AMD-P	91-12-023
371-08-189	AMD	91-03-028	388-14-415	AMD	91-09-018	388-49-480	AMD-E	91-10-027
371-08-190	REP	91-03-028	388-14-435	NEW-P	91-04-002	388-49-505	AMD-P	91-04-035
371-08-195	AMD	91-03-028	388-14-435	NEW-E	91-04-003	388-49-505	AMD-E	91-04-036
371-08-196	AMD	91-03-028	388-14-435	NEW	91-09-018	388-49-505	AMD	91-08-013
371-08-200	AMD	91-03-028	388-14-440	NEW-P	91-04-002	388-49-520	AMD-P	91-09-067
371-08-201	REP	91-03-028	388-14-440	NEW-E	91-04-003	388-49-520	AMD	91-12-025
371-08-205	REP	91-03-028	388-14-440	NEW	91-09-018	388-49-530	AMD-P	91-09-067
371-08-210	REP	91-03-028	388-14-445	NEW-P	91-04-002	388-49-530	AMD	91-12-025
371-08-215	AMD	91-03-028	388-14-445	NEW-E	91-04-003	388-49-535	AMD-P	91-09-067
371-08-220	AMD	91-03-028	388-14-445	NEW	91-09-018	388-49-535	AMD	91-12-025
371-08-230	AMD	91-03-028	388-14-450	NEW-P	91-04-002	388-49-600	AMD-P	91-08-064
371-08-240	AMD	91-03-028	388-14-450	NEW-E	91-04-003	388-49-600	AMD	91-11-087
371-08-245	REP	91-03-028	388-14-450	NEW	91-09-018	388-53	AMD	91-06-006
371-12	REP-C	91-03-027	388-15-208	AMD-S	91-04-039	388-53-010	AMD	91-06-006
371-12-010	REP	91-03-028	388-15-208	AMD	91-08-011	388-53-050	AMD	91-06-006
371-12-020	REP	91-03-028	388-15-209	AMD-S	91-04-039	388-53A-010	REP-P	91-12-066
371-12-030	REP	91-03-028	388-15-209	AMD	91-08-011	388-53A-020	REP-P	91-12-066
371-12-040	REP	91-03-028	388-15-212	AMD-S	91-04-039	388-53A-030	REP-P	91-12-066
371-12-050	REP	91-03-028	388-15-212	AMD	91-08-011	388-53A-040	REP-P	91-12-066
371-12-060	REP	91-03-028	388-15-215	AMD-S	91-04-039	388-53A-050	REP-P	91-12-066
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388-53A-090	REP-P	91-12-066	388-83-033	AMD-E	91-10-036	388-155-020	AMD-P	91-12-024
388-53A-100	REP-P	91-12-066	388-83-033	AMD	91-11-085	388-155-020	AMD-E	91-12-085
388-53A-110	REP-P	91-12-066	388-83-041	NEW-P	91-05-008	388-155-040	NEW	91-04-048
388-53A-120	REP-P	91-12-066	388-83-041	NEW-E	91-05-009	388-155-050	NEW	91-04-048
388-53A-130	REP-P	91-12-066	388-83-041	NEW	91-09-017	388-155-060	NEW	91-04-048
388-53A-140	REP-P	91-12-066	388-83-130	AMD-P	91-06-043	388-155-070	NEW	91-04-048
388-76-030	AMD-P	91-05-070	388-83-130	AMD-E	91-06-047	388-155-080	NEW	91-04-048
388-76-030	AMD	91-09-016	388-83-130	AMD	91-10-100	388-155-090	NEW	91-04-048
388-76-040	AMD-P	91-05-070	388-83-200	AMD-P	91-12-067	388-155-100	NEW	91-04-048
388-76-040	AMD	91-09-016	388-84-105	AMD	91-05-011	388-155-110	NEW	91-04-048
388-76-087	AMD-P	91-05-070	388-85-115	AMD-E	91-11-016	388-155-120	NEW	91-04-048
388-76-087	AMD	91-09-016	388-85-115	AMD-P	91-11-017	388-155-130	NEW	91-04-048
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388-77-010	AMD	91-05-058	388-86-00901	AMD	91-08-012	388-155-160	NEW	91-04-048
388-77-010	AMD	91-08-050	388-87-010	AMD	91-07-011	388-155-165	NEW	91-04-048
388-77-230	REP	91-04-041	388-87-070	AMD-P	91-06-044	388-155-170	NEW	91-04-048
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388-77-230	REP	91-05-058	388-87-070	RESCIND	91-06-056	388-155-190	NEW	91-04-048
388-77-230	REP	91-08-050	388-87-070	AMD	91-10-025	388-155-200	NEW	91-04-048
388-77-320	AMD	91-04-041	388-87-072	AMD-P	91-06-044	388-155-210	NEW	91-04-048
388-77-320	AMD	91-05-010	388-87-072	AMD-E	91-06-049	388-155-220	NEW	91-04-048
388-77-320	AMD	91-05-058	388-87-072	RESCIND	91-06-056	388-155-230	NEW	91-04-048
388-77-320	AMD	91-08-050	388-87-072	AMD	91-10-025	388-155-240	NEW	91-04-048
388-77-500	AMD	91-04-041	388-92-045	AMD-P	91-05-008	388-155-250	NEW	91-04-048
388-77-500	AMD	91-05-010	388-92-045	AMD-E	91-05-009	388-155-260	NEW	91-04-048
388-77-500	AMD	91-05-058	388-92-045	AMD	91-09-017	388-155-270	NEW	91-04-048
388-77-500	AMD	91-08-050	388-95-320	AMD-P	91-05-034	388-155-280	NEW	91-04-048
388-77-515	AMD	91-04-041	388-95-320	AMD-E	91-05-035	388-155-285	NEW-W	91-11-026
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388-77-515	AMD	91-08-050	388-95-337	AMD	91-07-011	388-155-295	NEW	91-04-048
388-77-515	AMD	91-04-041	388-95-360	AMD	91-07-011	388-155-310	NEW	91-04-048
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388-77-520	AMD	91-05-058	388-95-380	AMD-E	91-05-009	388-155-330	NEW	91-04-048
388-77-520	AMD	91-08-050	388-95-380	AMD	91-09-017	388-155-340	NEW	91-04-048
388-77-520	AMD	91-08-050	388-95-395	AMD-P	91-12-022	388-155-350	NEW	91-04-048
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388-77-530	REP	91-05-010	388-96-221	AMD-P	91-09-066	388-155-370	NEW	91-04-048
388-77-530	REP	91-05-058	388-96-722	AMD-P	91-09-066	388-155-380	NEW	91-04-048
388-77-530	REP	91-08-050	388-96-722	AMD	91-12-026	388-155-390	NEW	91-04-048
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388-77-531	NEW-E	91-12-068	388-96-760	AMD	91-12-026	388-155-410	NEW	91-04-048
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388-77-610	AMD	91-05-058	388-150-005	AMD	91-07-013	390-05-210	AMD-P	91-11-105
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388-82-160	AMD-E	91-08-036	388-150-390	AMD-P	91-03-127	390-37-105	NEW-P	91-13-089
388-82-160	AMD	91-11-086	388-150-390	AMD-E	91-03-128	390-37-120	NEW-P	91-13-089
388-83-013	AMD-P	91-06-042	388-150-390	AMD	91-07-013	390-37-130	NEW-P	91-13-089
388-83-013	AMD-E	91-06-046	388-150-450	AMD-P	91-03-127	390-37-132	NEW-P	91-13-089
388-83-013	AMD	91-10-101	388-150-450	AMD-E	91-03-128	390-37-134	NEW-P	91-13-089
388-83-032	AMD-P	91-06-043	388-155	AMD	91-07-013	390-37-136	NEW-P	91-13-089
388-83-032	AMD-E	91-06-047	388-155-005	NEW-C	91-03-038	390-37-140	NEW-P	91-13-089
388-83-032	AMD	91-10-100		NEW	91-04-048	390-37-142	NEW-P	91-13-089



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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
390-37-144	NEW-P	91-13-089	392-117-030	NEW-P	91-09-025	392-125-027	NEW	91-07-063
390-37-150	AMD-P	91-13-089	392-117-030	NEW	91-13-054	392-125-030	AMD-P	91-03-050
390-37-210	REP-P	91-13-089	392-117-035	NEW-P	91-09-025	392-125-030	AMD	91-07-063
392-101-010	AMD-P	91-13-053	392-117-035	NEW	91-13-054	392-125-085	AMD-P	91-03-050
392-101-015	NEW	91-02-095	392-117-040	NEW-P	91-09-025	392-125-085	AMD	91-07-063
392-115-005	NEW-P	91-03-001	392-117-040	NEW	91-13-054	392-127-004	AMD-P	91-12-006
392-115-005	NEW	91-07-007	392-117-045	NEW-P	91-09-025	392-127-006	AMD-P	91-12-006
392-115-010	NEW-P	91-03-001	392-117-045	NEW	91-13-054	392-127-011	AMD-P	91-12-006
392-115-010	NEW	91-07-007	392-117-050	NEW-P	91-09-025	392-127-700	NEW	91-03-129
392-115-015	NEW-P	91-03-001	392-117-050	NEW	91-13-054	392-127-703	NEW	91-03-129
392-115-015	NEW	91-07-007	392-121-108	AMD	91-02-096	392-127-705	NEW	91-03-129
392-115-020	NEW-P	91-03-001	392-121-133	AMD	91-02-096	392-127-710	NEW	91-03-129
392-115-020	NEW	91-07-007	392-121-136	AMD	91-02-096	392-127-715	NEW	91-03-129
392-115-025	NEW-P	91-03-001	392-121-182	AMD	91-02-096	392-127-720	NEW	91-03-129
392-115-025	NEW	91-07-007	392-121-184	NEW-P	91-04-088	392-127-725	NEW	91-03-129
392-115-030	NEW-P	91-03-001	392-121-184	NEW	91-08-038	392-127-730	NEW	91-03-129
392-115-030	NEW	91-07-007	392-121-265	AMD	91-02-097	392-127-735	NEW	91-03-129
392-115-035	NEW-P	91-03-001	392-121-268	AMD	91-02-097	392-127-740	NEW	91-03-129
392-115-035	NEW	91-07-007	392-121-269	NEW	91-02-097	392-127-745	NEW	91-03-129
392-115-040	NEW-P	91-03-001	392-121-270	AMD	91-02-097	392-127-750	NEW	91-03-129
392-115-040	NEW	91-07-007	392-121-272	AMD	91-02-097	392-127-755	NEW	91-03-129
392-115-045	NEW-P	91-03-001	392-121-280	AMD	91-02-097	392-127-760	NEW	91-03-129
392-115-045	NEW	91-07-007	392-121-295	AMD	91-02-097	392-127-765	NEW	91-03-129
392-115-050	NEW-P	91-03-001	392-121-297	REP	91-02-097	392-127-770	NEW	91-03-129
392-115-050	NEW	91-07-007	392-121-299	AMD	91-02-097	392-127-775	NEW	91-03-129
392-115-055	NEW-P	91-03-001	392-121-500	NEW	91-07-006	392-127-780	NEW	91-03-129
392-115-055	NEW	91-07-007	392-121-500	AMD-P	91-10-105	392-127-785	NEW	91-03-129
392-115-060	NEW-P	91-03-001	392-121-505	NEW	91-07-006	392-127-790	NEW	91-03-129
392-115-060	NEW	91-07-007	392-121-505	AMD-P	91-10-105	392-127-795	NEW	91-03-129
392-115-065	NEW-P	91-03-001	392-121-510	NEW	91-07-006	392-127-800	NEW	91-03-129
392-115-065	NEW	91-07-007	392-121-510	AMD-P	91-10-105	392-127-805	NEW	91-03-129
392-115-070	NEW-P	91-03-001	392-121-515	NEW	91-07-006	392-127-810	NEW	91-03-129
392-115-070	NEW	91-07-007	392-121-520	NEW	91-07-006	392-127-815	NEW	91-03-129
392-115-075	NEW-P	91-03-001	392-121-525	NEW	91-07-006	392-127-820	NEW	91-03-129
392-115-075	NEW	91-07-007	392-121-530	NEW	91-07-006	392-127-825	NEW	91-03-129
392-115-080	NEW-P	91-03-001	392-121-535	NEW	91-07-006	392-127-830	NEW	91-03-129
392-115-080	NEW	91-07-007	392-121-540	NEW	91-07-006	392-140-224	AMD-P	91-09-026
392-115-085	NEW-P	91-03-001	392-121-545	NEW	91-07-006	392-140-224	AMD	91-12-021
392-115-085	NEW	91-07-007	392-122-010	AMD	91-03-118	392-140-257	AMD-P	91-04-089
392-115-090	NEW-P	91-03-001	392-122-100	AMD	91-03-118	392-140-257	AMD	91-08-039
392-115-090	NEW	91-07-007	392-122-106	AMD	91-03-118	392-140-336	AMD-P	91-12-006
392-115-095	NEW-P	91-03-001	392-122-107	AMD	91-03-118	392-140-337	AMD-P	91-12-006
392-115-095	NEW	91-07-007	392-122-110	AMD	91-03-118	392-140-340	NEW	91-02-094
392-115-100	NEW-P	91-03-001	392-122-115	REP	91-03-118	392-140-341	NEW	91-02-094
392-115-100	NEW	91-07-007	392-122-120	AMD	91-03-118	392-140-342	NEW	91-02-094
392-115-105	NEW-P	91-03-001	392-122-125	REP	91-03-118	392-140-343	NEW	91-02-094
392-115-105	NEW	91-07-007	392-122-145	AMD	91-03-118	392-140-345	NEW	91-02-094
392-115-110	NEW-P	91-03-001	392-122-165	NEW	91-03-118	392-140-346	NEW	91-02-094
392-115-110	NEW	91-07-007	392-122-200	AMD	91-03-118	392-140-347	NEW	91-02-094
392-115-115	NEW-P	91-03-001	392-122-206	NEW	91-03-118	392-140-348	NEW	91-02-094
392-115-115	NEW	91-07-007	392-122-210	AMD	91-03-118	392-140-349	NEW	91-02-094
392-115-120	NEW-P	91-03-001	392-122-215	REP	91-03-118	392-140-350	NEW	91-02-094
392-115-120	NEW	91-07-007	392-122-230	AMD	91-03-118	392-140-351	NEW	91-02-094
392-115-125	NEW-P	91-03-001	392-122-235	AMD	91-03-118	392-140-352	NEW	91-02-094
392-115-125	NEW	91-07-007	392-122-240	REP	91-03-118	392-140-353	NEW	91-02-094
392-115-130	NEW-P	91-03-001	392-122-245	REP	91-03-118	392-140-354	NEW	91-02-094
392-115-130	NEW	91-07-007	392-122-250	REP	91-03-118	392-140-355	NEW	91-02-094
392-115-135	NEW-P	91-03-001	392-122-265	REP-W	91-13-071	392-140-356	NEW	91-02-094
392-115-135	NEW	91-07-007	392-122-270	AMD	91-03-118	392-140-357	NEW	91-02-094
392-115-140	NEW-P	91-03-001	392-122-600	AMD	91-03-118	392-140-358	NEW	91-02-094
392-115-140	NEW	91-07-007	392-122-605	AMD	91-03-118	392-140-359	NEW	91-02-094
392-115-145	NEW-P	91-03-001	392-122-610	AMD	91-03-118	392-140-360	NEW	91-02-094
392-115-145	NEW	91-07-007	392-122-700	AMD	91-03-118	392-140-361	NEW	91-02-094
392-115-150	NEW-P	91-03-001	392-122-800	AMD	91-03-118	392-140-362	NEW	91-02-094
392-115-150	NEW	91-07-007	392-122-805	AMD	91-03-118	392-140-363	NEW	91-02-094
392-115-155	NEW-P	91-03-001	392-122-910	NEW	91-03-118	392-140-364	NEW	91-02-094
392-115-155	NEW	91-07-007	392-125-014	NEW-P	91-03-050	392-140-365	NEW	91-02-094
392-117-005	NEW-P	91-09-025	392-125-014	NEW	91-07-063	392-140-366	NEW	91-02-094
392-117-005	NEW	91-13-054	392-125-015	AMD-P	91-03-050	392-140-367	NEW	91-02-094
392-117-010	NEW-P	91-09-025	392-125-015	AMD	91-07-063	392-140-368	NEW	91-02-094
392-117-010	NEW	91-13-054	392-125-020	AMD-P	91-03-050	392-140-369	NEW	91-02-094
392-117-015	NEW-P	91-09-025	392-125-020	AMD	91-07-063	392-140-370	NEW	91-02-094
392-117-015	NEW	91-13-054	392-125-025	AMD-P	91-03-050	392-140-371	NEW	91-02-094
392-117-020	NEW-P	91-09-025	392-125-025	AMD	91-07-063	392-140-372	NEW	91-02-094
392-117-020	NEW	91-13-054	392-125-026	NEW-P	91-03-050	392-140-373	NEW	91-02-094
392-117-025	NEW-P	91-09-025	392-125-026	NEW	91-07-063	392-140-374	NEW	91-02-094
392-117-025	NEW	91-13-054	392-125-027	NEW-P	91-03-050	392-140-375	NEW	91-02-094



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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
392-140-376	NEW	91-02-094	402-70-080	AMD-W	91-08-059	415-116-040	NEW-P	91-10-107
392-140-377	NEW	91-02-094	402-70-085	NEW-W	91-08-059	415-116-040	NEW	91-13-029
392-140-378	NEW	91-02-094	402-70-090	AMD-W	91-08-059	415-116-050	NEW-P	91-10-107
392-140-379	NEW	91-02-094	415-100-041	NEW	91-03-013	415-116-050	NEW	91-13-029
392-140-380	NEW	91-02-094	415-100-045	NEW	91-03-013	417-01-100	NEW-E	91-09-052
392-140-381	NEW	91-02-094	415-100-051	NEW	91-03-013	417-01-105	NEW-E	91-09-052
392-140-390	NEW	91-02-094	415-100-055	NEW	91-03-013	417-01-110	NEW-E	91-09-052
392-140-391	NEW	91-02-094	415-104-201	NEW	91-03-014	417-01-115	NEW-E	91-09-052
392-140-392	NEW	91-02-094	415-104-205	NEW	91-03-014	417-01-120	NEW-E	91-09-052
392-140-393	NEW	91-02-094	415-104-211	NEW	91-03-014	417-01-125	NEW-E	91-09-052
392-142-005	AMD-P	91-12-006	415-104-215	NEW	91-03-014	417-01-130	NEW-E	91-09-052
392-142-095	AMD-P	91-12-006	415-108-320	NEW	91-03-015	417-01-135	NEW-E	91-09-052
392-142-235	AMD-P	91-12-006	415-108-322	NEW	91-03-015	417-01-140	NEW-E	91-09-052
392-142-250	AMD-P	91-12-006	415-108-324	NEW	91-03-015	417-01-145	NEW-E	91-09-052
392-145-015	AMD-P	91-03-074	415-108-326	NEW	91-03-015	417-01-150	NEW-E	91-09-052
392-145-015	AMD	91-06-032	415-112-720	NEW	91-03-016	417-01-155	NEW-E	91-09-052
392-145-030	AMD-P	91-03-074	415-112-722	NEW	91-03-016	417-02-100	NEW-E	91-13-020
392-145-030	AMD	91-06-032	415-112-725	NEW	91-03-016	417-02-105	NEW-E	91-13-020
392-151-003	NEW-P	91-10-085	415-112-727	NEW	91-03-016	417-02-110	NEW-E	91-13-020
392-151-005	AMD-P	91-10-085	415-114-010	NEW-P	91-06-089	417-02-115	NEW-E	91-13-020
392-151-010	AMD-P	91-10-085	415-114-010	NEW-C	91-10-108	417-02-120	NEW-E	91-13-020
392-151-015	AMD-P	91-10-085	415-114-010	NEW	91-11-061	417-02-125	NEW-E	91-13-020
392-151-017	NEW-P	91-10-085	415-114-010	RE-AD	91-13-049	417-02-130	NEW-E	91-13-020
392-151-020	AMD-P	91-10-085	415-114-020	NEW-P	91-06-089	417-02-135	NEW-E	91-13-020
392-151-035	AMD-P	91-10-085	415-114-020	NEW-C	91-10-108	417-02-140	NEW-E	91-13-020
392-151-040	AMD-P	91-10-085	415-114-020	NEW	91-11-061	417-02-145	NEW-E	91-13-020
392-151-045	AMD-P	91-10-085	415-114-020	RE-AD	91-13-049	417-02-150	NEW-E	91-13-020
392-151-050	AMD-P	91-10-085	415-114-030	NEW-P	91-06-089	417-02-155	NEW-E	91-13-020
392-151-055	AMD-P	91-10-085	415-114-030	NEW-C	91-10-108	417-06-100	NEW-E	91-13-021
392-151-060	AMD-P	91-10-085	415-114-030	NEW	91-11-061	417-06-110	NEW-E	91-13-021
392-151-095	AMD-P	91-10-085	415-114-030	RE-AD	91-13-049	417-06-120	NEW-E	91-13-021
392-151-105	AMD-P	91-10-085	415-114-040	NEW-P	91-06-089	417-06-130	NEW-E	91-13-021
392-151-120	AMD-P	91-10-085	415-114-040	NEW-C	91-10-108	417-06-140	NEW-E	91-13-021
392-151-125	AMD-P	91-10-085	415-114-040	NEW	91-11-061	417-06-150	NEW-E	91-13-021
392-151-130	AMD-P	91-10-085	415-114-040	AMD	91-13-049	417-06-160	NEW-E	91-13-021
392-151-135	AMD-P	91-10-085	415-114-050	NEW-P	91-06-089	417-06-170	NEW-E	91-13-021
392-151-140	AMD-P	91-10-085	415-114-050	NEW-C	91-10-108	419-14-030	AMD-P	91-03-107
392-151-145	REP-P	91-10-085	415-114-050	NEW	91-11-061	419-14-030	AMD	91-06-063
392-151-150	REP-P	91-10-085	415-114-050	RE-AD	91-13-049	419-14-040	AMD-P	91-03-107
392-160	AMD-C	91-11-028	415-114-055	NEW-P	91-10-108	419-14-040	AMD	91-06-063
392-160-015	AMD-P	91-07-062	415-114-055	NEW	91-13-049	419-14-090	AMD-P	91-03-107
392-160-020	AMD-P	91-07-062	415-114-060	NEW-P	91-06-089	419-14-090	AMD	91-06-063
392-160-040	AMD-P	91-07-062	415-114-060	NEW-C	91-10-108	419-14-100	AMD-P	91-03-107
392-162-095	AMD-P	91-13-052	415-114-060	RE-AD	91-11-061	419-14-100	AMD	91-06-063
392-191-001	AMD-P	91-12-006	415-114-060	RE-AD	91-13-049	419-14-110	AMD-P	91-03-107
392-191-007	AMD-P	91-12-006	415-114-070	NEW-C	91-10-108	419-14-110	AMD	91-06-063
392-191-030	AMD-P	91-12-006	415-114-070	NEW	91-13-049	419-18-030	AMD-P	91-03-106
392-191-035	AMD-P	91-12-006	415-115-010	NEW-P	91-10-109	419-18-030	AMD	91-06-062
392-191-040	AMD-P	91-12-006	415-115-010	NEW	91-13-030	419-18-040	AMD-P	91-03-106
392-191-060	REP-P	91-10-104	415-115-020	NEW-P	91-10-109	419-18-040	AMD	91-06-062
392-191-065	REP-P	91-10-104	415-115-020	NEW	91-13-030	419-18-050	AMD-P	91-03-106
392-191-070	REP-P	91-10-104	415-115-030	NEW-P	91-10-109	419-18-050	AMD	91-06-062
392-191-075	REP-P	91-10-104	415-115-030	NEW	91-13-030	419-18-060	AMD-P	91-03-106
392-191-075	AMD-P	91-12-006	415-115-040	NEW-P	91-10-109	419-18-060	AMD	91-06-062
392-191-080	REP-P	91-10-104	415-115-040	NEW	91-13-030	419-18-070	AMD-P	91-03-106
392-191-085	REP-P	91-10-104	415-115-050	NEW-P	91-10-109	419-18-070	AMD	91-06-062
392-191-085	AMD-P	91-12-006	415-115-050	NEW	91-13-030	434-26-005	NEW-P	91-13-022
392-191-090	REP-P	91-10-104	415-115-060	NEW-P	91-10-109	434-26-010	NEW-P	91-13-022
392-191-095	REP-P	91-10-104	415-115-060	NEW	91-13-030	434-26-015	NEW-P	91-13-022
392-192-005	AMD-P	91-12-006	415-115-070	NEW-P	91-10-109	434-26-020	NEW-P	91-13-022
392-192-040	AMD-P	91-12-006	415-115-070	NEW	91-13-030	434-26-025	NEW-P	91-13-022
392-192-003	AMD	91-03-119	415-115-080	NEW-P	91-10-109	434-26-030	NEW-P	91-13-022
400-12	PREP	91-05-066	415-115-080	NEW	91-13-030	434-26-035	NEW-P	91-13-022
402-70-010	AMD-W	91-08-059	415-115-090	NEW-P	91-10-109	434-26-040	NEW-P	91-13-022
402-70-020	AMD-W	91-08-059	415-115-090	NEW	91-13-030	434-26-045	NEW-P	91-13-022
402-70-030	AMD-W	91-08-059	415-115-100	NEW-P	91-10-109	434-26-050	NEW-P	91-13-022
402-70-040	NEW-W	91-08-059	415-115-100	NEW	91-13-030	434-26-055	NEW-P	91-13-022
402-70-045	NEW-W	91-08-059	415-115-110	NEW-P	91-10-109	434-26-060	NEW-P	91-13-022
402-70-050	AMD-W	91-08-059	415-115-110	NEW	91-13-030	434-26-065	NEW-P	91-13-022
402-70-055	NEW-W	91-08-059	415-115-120	NEW-P	91-10-109	434-26-900	NEW-P	91-13-022
402-70-060	NEW-W	91-08-059	415-115-120	NEW	91-13-030	434-42-900	NEW-P	91-03-125
402-70-062	NEW-W	91-08-059	415-116-010	NEW-P	91-10-107	434-42-900	NEW-E	91-03-126
402-70-064	NEW-W	91-08-059	415-116-010	NEW	91-13-029	434-42-900	REP-E	91-07-002
402-70-066	NEW-W	91-08-059	415-116-020	NEW-P	91-10-107	434-42-900	NEW-W	91-07-003
402-70-068	NEW-W	91-08-059	415-116-020	NEW	91-13-029	434-42-905	NEW-P	91-03-125
402-70-070	AMD-W	91-08-059	415-116-030	NEW-P	91-10-107	434-42-905	NEW-E	91-03-126
402-70-077	NEW-W	91-08-059	415-116-030	NEW	91-13-029	434-42-905	REP-E	91-07-002

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434-42-905	NEW-W 91-07-003	434-75-130	NEW-P 91-13-016	448-12-075	REP-S 91-03-123
434-42-910	NEW-P 91-03-125	434-75-140	NEW-P 91-13-016	448-12-075	REP 91-06-022
434-42-910	NEW-E 91-03-126	434-75-150	NEW-P 91-13-016	448-12-080	REP-S 91-03-123
434-42-910	REP-E 91-07-002	434-75-160	NEW-P 91-13-016	448-12-080	REP 91-06-022
434-42-910	NEW-W 91-07-003	434-75-170	NEW-P 91-13-016	448-12-090	REP-S 91-03-123
434-42-915	NEW-P 91-03-125	434-75-180	NEW-P 91-13-016	448-12-090	REP 91-06-022
434-42-915	NEW-E 91-03-126	434-75-190	NEW-P 91-13-016	448-12-100	REP-S 91-03-123
434-42-915	REP-E 91-07-002	434-75-200	NEW-P 91-13-016	448-12-100	REP 91-06-022
434-42-915	NEW-W 91-07-003	434-75-210	NEW-P 91-13-016	448-12-210	REP-S 91-03-123
434-42-920	NEW-P 91-03-125	434-75-220	NEW-P 91-13-016	448-12-210	REP 91-06-022
434-42-920	NEW-E 91-03-126	434-75-230	NEW-P 91-13-016	448-12-220	REP-S 91-03-123
434-42-920	REP-E 91-07-002	434-75-240	NEW-P 91-13-016	448-12-220	REP 91-06-022
434-42-920	NEW-W 91-07-003	434-75-250	NEW-P 91-13-016	448-12-230	REP-S 91-03-123
434-42-925	NEW-P 91-03-125	434-75-260	NEW-P 91-13-016	448-12-230	REP 91-06-022
434-42-925	NEW-E 91-03-126	434-75-270	NEW-P 91-13-016	448-12-240	REP-S 91-03-123
434-42-925	REP-E 91-07-002	434-75-280	NEW-P 91-13-016	448-12-240	REP 91-06-022
434-42-925	NEW-W 91-07-003	434-75-290	NEW-P 91-13-016	448-12-250	REP-S 91-03-123
434-42-930	NEW-P 91-03-125	434-75-300	NEW-P 91-13-016	448-12-250	REP 91-06-022
434-42-930	NEW-E 91-03-126	434-75-310	NEW-P 91-13-016	448-12-260	REP-S 91-03-123
434-42-930	REP-E 91-07-002	434-75-320	NEW-P 91-13-016	448-12-260	REP 91-06-022
434-42-930	NEW-W 91-07-003	434-75-330	NEW-P 91-13-016	448-12-270	REP-S 91-03-123
434-42-935	NEW-P 91-03-125	434-75-340	NEW-P 91-13-016	448-12-270	REP 91-06-022
434-42-935	NEW-E 91-03-126	434-75-350	NEW-P 91-13-016	448-12-280	REP-S 91-03-123
434-42-935	REP-E 91-07-002	440-44-050	REP-W 91-08-059	448-12-280	REP 91-06-022
434-42-935	NEW-W 91-07-003	440-44-057	REP-W 91-08-059	448-12-290	REP-S 91-03-123
434-42-940	NEW-P 91-03-125	440-44-058	REP-W 91-08-059	448-12-290	REP 91-06-022
434-42-940	NEW-E 91-03-126	440-44-059	REP-W 91-08-059	448-12-300	REP-S 91-03-123
434-42-940	REP-E 91-07-002	440-44-060	REP-W 91-08-059	448-12-300	REP 91-06-022
434-42-940	NEW-W 91-07-003	440-44-062	REP-W 91-08-059	448-12-320	REP-S 91-03-123
434-42-945	NEW-P 91-03-125	446-65-005	NEW-E 91-06-050	448-12-320	REP 91-06-022
434-42-945	NEW-E 91-03-126	446-65-005	NEW 91-06-066	448-12-330	REP-S 91-03-123
434-42-945	REP-E 91-07-002	446-65-010	NEW-E 91-06-050	448-12-330	REP 91-06-022
434-42-945	NEW-W 91-07-003	446-65-010	NEW 91-06-066	448-12-340	REP-S 91-03-123
434-42-950	NEW-P 91-03-125	446-75-010	NEW-P 91-07-045	448-12-340	REP 91-06-022
434-42-950	NEW-E 91-03-126	446-75-010	NEW-E 91-07-046	448-13-010	NEW-S 91-03-123
434-42-950	REP-E 91-07-002	446-75-010	NEW 91-11-046	448-13-010	NEW 91-06-022
434-42-950	NEW-W 91-07-003	446-75-020	NEW-P 91-07-045	448-13-020	NEW-S 91-03-123
434-42-955	NEW-P 91-03-125	446-75-020	NEW-E 91-07-046	448-13-020	NEW 91-06-022
434-42-955	NEW-E 91-03-126	446-75-020	NEW 91-11-046	448-13-030	NEW-S 91-03-123
434-42-955	REP-E 91-07-002	446-75-030	NEW-P 91-07-045	448-13-030	NEW 91-06-022
434-42-955	NEW-W 91-07-003	446-75-030	NEW-E 91-07-046	448-13-040	NEW-S 91-03-123
434-42-960	NEW-P 91-03-125	446-75-030	NEW 91-11-046	448-13-040	NEW 91-06-022
434-42-960	NEW-E 91-03-126	446-75-040	NEW-P 91-07-045	448-13-050	NEW-S 91-03-123
434-42-960	REP-E 91-07-002	446-75-040	NEW-E 91-07-046	448-13-050	NEW 91-06-022
434-42-960	NEW-W 91-07-003	446-75-040	NEW 91-11-046	448-13-060	NEW-S 91-03-123
434-42-965	NEW-P 91-03-125	446-75-050	NEW-P 91-07-045	448-13-060	NEW 91-06-022
434-42-965	NEW-E 91-03-126	446-75-050	NEW-E 91-07-046	448-13-070	NEW-S 91-03-123
434-42-965	REP-E 91-07-002	446-75-050	NEW 91-11-046	448-13-070	NEW 91-06-022
434-42-965	NEW-W 91-07-003	446-75-060	NEW-P 91-07-045	448-13-080	NEW-S 91-03-123
434-42-970	NEW-P 91-03-125	446-75-060	NEW-E 91-07-046	448-13-080	NEW 91-06-022
434-42-970	NEW-E 91-03-126	446-75-060	NEW 91-11-046	448-13-090	NEW-S 91-03-123
434-42-970	REP-E 91-07-002	446-75-070	NEW-P 91-07-045	448-13-090	NEW 91-06-022
434-42-970	NEW-W 91-07-003	446-75-070	NEW-E 91-07-046	448-13-100	NEW-S 91-03-123
434-42-975	NEW-P 91-03-125	446-75-070	NEW 91-11-046	448-13-100	NEW 91-06-022
434-42-975	NEW-E 91-03-126	446-75-080	NEW-P 91-07-045	448-13-110	NEW-S 91-03-123
434-42-975	REP-E 91-07-002	446-75-080	NEW-E 91-07-046	448-13-110	NEW 91-06-022
434-42-975	NEW-W 91-07-003	446-75-080	NEW 91-11-046	448-13-120	NEW-S 91-03-123
434-42-980	NEW-P 91-03-125	448-12-010	REP-S 91-03-123	448-13-120	NEW 91-06-022
434-42-980	NEW-E 91-03-126	448-12-010	REP 91-06-022	448-13-130	NEW-S 91-03-123
434-42-980	REP-E 91-07-002	448-12-015	REP-S 91-03-123	448-13-130	NEW 91-06-022
434-42-980	NEW-W 91-07-003	448-12-015	REP 91-06-022	448-13-140	NEW-S 91-03-123
434-42-985	NEW-P 91-03-125	448-12-016	REP-S 91-03-123	448-13-140	NEW 91-06-022
434-42-985	NEW-E 91-03-126	448-12-016	REP 91-06-022	448-13-150	NEW-S 91-03-123
434-42-985	REP-E 91-07-002	448-12-020	REP-S 91-03-123	448-13-150	NEW 91-06-022
434-42-985	NEW-W 91-07-003	448-12-020	REP 91-06-022	448-13-160	NEW-S 91-03-123
434-75-010	NEW-P 91-13-016	448-12-030	REP-S 91-03-123	448-13-160	NEW 91-06-022
434-75-020	NEW-P 91-13-016	448-12-030	REP 91-06-022	448-13-170	NEW-S 91-03-123
434-75-030	NEW-P 91-13-016	448-12-040	REP-S 91-03-123	448-13-170	NEW 91-06-022
434-75-040	NEW-P 91-13-016	448-12-040	REP 91-06-022	448-13-180	NEW-S 91-03-123
434-75-050	NEW-P 91-13-016	448-12-050	REP-S 91-03-123	448-13-180	NEW 91-06-022
434-75-060	NEW-P 91-13-016	448-12-050	REP 91-06-022	448-13-190	NEW-S 91-03-123
434-75-070	NEW-P 91-13-016	448-12-055	REP-S 91-03-123	448-13-190	NEW 91-06-022
434-75-080	NEW-P 91-13-016	448-12-055	REP 91-06-022	448-13-200	NEW-S 91-03-123
434-75-090	NEW-P 91-13-016	448-12-060	REP-S 91-03-123	448-13-200	NEW 91-06-022
434-75-100	NEW-P 91-13-016	448-12-060	REP 91-06-022	448-13-210	NEW-S 91-03-123
434-75-110	NEW-P 91-13-016	448-12-070	REP-S 91-03-123	448-13-210	NEW 91-06-022
434-75-120	NEW-P 91-13-016	448-12-070	REP 91-06-022	448-13-220	NEW-S 91-03-123

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
448-13-220	NEW	91-06-022	458-20-193B	PREP	91-13-073	460-31A-710	REP	91-04-012
448-14-010	REP-P	91-03-124	458-20-199	PREP	91-08-043	460-31A-715	REP	91-04-012
448-14-020	REP-P	91-03-124	458-20-227	AMD	91-05-039	460-31A-720	REP	91-04-012
448-14-030	REP-P	91-03-124	458-20-237	AMD	91-05-038	460-31A-725	REP	91-04-012
448-15-010	NEW-P	91-03-124	458-20-255	AMD-E	91-12-003	460-31A-730	REP	91-04-012
448-15-020	NEW-P	91-03-124	458-20-255	PREP	91-12-063	460-34A-010	REP	91-04-012
448-15-030	NEW-P	91-03-124	458-30-262	AMD	91-04-001	460-34A-015	REP	91-04-012
448-15-040	NEW-P	91-03-124	458-40-660	AMD-P	91-06-052	460-34A-020	REP	91-04-012
448-15-050	NEW-P	91-03-124	458-40-660	AMD-E	91-06-053	460-34A-025	REP	91-04-012
448-15-060	NEW-P	91-03-124	458-40-660	AMD	91-09-030	460-34A-030	REP	91-04-012
448-15-070	NEW-P	91-03-124	458-40-660	AMD-P	91-10-090	460-34A-035	REP	91-04-012
448-15-080	NEW-P	91-03-124	458-40-670	AMD-P	91-10-090	460-34A-037	REP	91-04-012
456-09-210	AMD-P	91-04-084	460-16A-102	AMD	91-04-008	460-34A-040	REP	91-04-012
456-09-210	AMD	91-07-038	460-16A-200	NEW	91-04-008	460-34A-045	REP	91-04-012
456-09-325	AMD-P	91-04-084	460-16A-205	NEW	91-04-008	460-34A-050	REP	91-04-012
456-09-325	AMD	91-07-038	460-17A-030	AMD	91-04-009	460-34A-055	REP	91-04-012
456-09-365	AMD-P	91-04-084	460-17A-070	AMD	91-04-009	460-34A-060	REP	91-04-012
456-09-365	AMD	91-07-038	460-31A-410	REP	91-04-012	460-34A-065	REP	91-04-012
456-10-360	AMD-P	91-04-083	460-31A-415	REP	91-04-012	460-34A-070	REP	91-04-012
456-10-360	AMD	91-07-039	460-31A-420	REP	91-04-012	460-34A-075	REP	91-04-012
456-10-547	NEW-P	91-04-083	460-31A-425	REP	91-04-012	460-34A-080	REP	91-04-012
456-10-547	NEW	91-07-039	460-31A-430	REP	91-04-012	460-34A-085	REP	91-04-012
458-14-010	REP	91-07-040	460-31A-435	REP	91-04-012	460-34A-090	REP	91-04-012
458-14-020	REP	91-07-040	460-31A-440	REP	91-04-012	460-34A-095	REP	91-04-012
458-14-030	REP	91-07-040	460-31A-445	REP	91-04-012	460-34A-100	REP	91-04-012
458-14-040	REP	91-07-040	460-31A-450	REP	91-04-012	460-34A-105	REP	91-04-012
458-14-045	REP	91-07-040	460-31A-455	REP	91-04-012	460-34A-110	REP	91-04-012
458-14-050	REP	91-07-040	460-31A-460	REP	91-04-012	460-34A-112	REP	91-04-012
458-14-052	REP	91-07-040	460-31A-465	REP	91-04-012	460-34A-115	REP	91-04-012
458-14-055	REP	91-07-040	460-31A-470	REP	91-04-012	460-34A-120	REP	91-04-012
458-14-060	REP	91-07-040	460-31A-475	REP	91-04-012	460-34A-125	REP	91-04-012
458-14-062	REP	91-07-040	460-31A-480	REP	91-04-012	460-34A-130	REP	91-04-012
458-14-065	REP	91-07-040	460-31A-485	REP	91-04-012	460-34A-135	REP	91-04-012
458-14-070	REP	91-07-040	460-31A-490	REP	91-04-012	460-34A-200	REP	91-04-012
458-14-075	REP	91-07-040	460-31A-495	REP	91-04-012	460-36A-100	REP	91-04-012
458-14-080	REP	91-07-040	460-31A-500	REP	91-04-012	460-36A-105	REP	91-04-012
458-14-085	REP	91-07-040	460-31A-505	REP	91-04-012	460-36A-110	REP	91-04-012
458-14-086	REP	91-07-040	460-31A-510	REP	91-04-012	460-36A-115	REP	91-04-012
458-14-090	REP	91-07-040	460-31A-515	REP	91-04-012	460-36A-120	REP	91-04-012
458-14-091	REP	91-07-040	460-31A-520	REP	91-04-012	460-36A-125	REP	91-04-012
458-14-092	REP	91-07-040	460-31A-525	REP	91-04-012	460-36A-130	REP	91-04-012
458-14-094	REP	91-07-040	460-31A-530	REP	91-04-012	460-36A-135	REP	91-04-012
458-14-098	REP	91-07-040	460-31A-535	REP	91-04-012	460-36A-140	REP	91-04-012
458-14-100	REP	91-07-040	460-31A-540	REP	91-04-012	460-36A-145	REP	91-04-012
458-14-110	REP	91-07-040	460-31A-545	REP	91-04-012	460-36A-150	REP	91-04-012
458-14-115	REP	91-07-040	460-31A-550	REP	91-04-012	460-36A-155	REP	91-04-012
458-14-120	REP	91-07-040	460-31A-555	REP	91-04-012	460-36A-160	REP	91-04-012
458-14-121	REP	91-07-040	460-31A-560	REP	91-04-012	460-36A-165	REP	91-04-012
458-14-122	REP	91-07-040	460-31A-565	REP	91-04-012	460-36A-170	REP	91-04-012
458-14-125	REP	91-07-040	460-31A-570	REP	91-04-012	460-36A-175	REP	91-04-012
458-14-126	REP	91-07-040	460-31A-575	REP	91-04-012	460-36A-180	REP	91-04-012
458-14-130	REP	91-07-040	460-31A-580	REP	91-04-012	460-36A-185	REP	91-04-012
458-14-135	REP	91-07-040	460-31A-585	REP	91-04-012	460-36A-190	REP	91-04-012
458-14-140	REP	91-07-040	460-31A-590	REP	91-04-012	460-36A-195	REP	91-04-012
458-14-145	REP	91-07-040	460-31A-595	REP	91-04-012	460-42A-081	AMD	91-04-010
458-14-150	REP	91-07-040	460-31A-600	REP	91-04-012	460-46A-020	AMD	91-04-011
458-14-152	REP	91-07-040	460-31A-605	REP	91-04-012	460-46A-040	AMD	91-04-011
458-14-155	REP	91-07-040	460-31A-610	REP	91-04-012	460-46A-050	AMD	91-04-011
458-16-013	AMD-E	91-13-074	460-31A-615	REP	91-04-012	460-46A-055	NEW	91-04-011
458-16-020	AMD-E	91-13-074	460-31A-620	REP	91-04-012	460-46A-061	NEW	91-04-011
458-18-010	AMD-E	91-13-075	460-31A-625	REP	91-04-012	460-46A-065	NEW	91-04-011
458-18-020	AMD-E	91-13-075	460-31A-630	REP	91-04-012	460-46A-071	NEW	91-04-011
458-18-220	AMD-P	91-10-070	460-31A-635	REP	91-04-012	460-46A-072	NEW	91-04-011
458-20-109	PREP	91-03-057	460-31A-640	REP	91-04-012	460-46A-095	AMD	91-04-011
458-20-109	AMD-P	91-11-005	460-31A-645	REP	91-04-012	460-46A-110	AMD	91-04-011
458-20-110	PREP	91-03-058	460-31A-650	REP	91-04-012	463-06-010	AMD	91-03-090
458-20-110	AMD-P	91-11-004	460-31A-655	REP	91-04-012	463-10-010	AMD	91-03-090
458-20-126	PREP	91-04-062	460-31A-660	REP	91-04-012	463-14-030	AMD	91-03-090
458-20-126	AMD-P	91-11-002	460-31A-665	REP	91-04-012	463-14-080	AMD	91-03-090
458-20-127	PREP	91-08-044	460-31A-670	REP	91-04-012	463-18-020	AMD	91-03-090
458-20-151	PREP	91-04-061	460-31A-675	REP	91-04-012	463-26-120	AMD	91-03-090
458-20-151	AMD-P	91-11-003	460-31A-680	REP	91-04-012	463-26-130	AMD	91-03-090
458-20-163	AMD	91-05-040	460-31A-685	REP	91-04-012	463-28-060	AMD	91-03-090
458-20-166	PREP	91-08-045	460-31A-690	REP	91-04-012	463-28-080	AMD	91-03-090
458-20-169	PREP	91-12-062	460-31A-695	REP	91-04-012	463-38-041	AMD	91-03-090
458-20-18801	PREP	91-12-002	460-31A-700	REP	91-04-012	463-38-042	AMD	91-03-090
458-20-193A	PREP	91-13-073	460-31A-705	REP	91-04-012	463-38-063	AMD	91-03-090

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
463-39-130	REP	91-03-090	478-116-160	AMD-P	91-06-092	478-276-040	AMD	91-10-031
463-39-150	AMD	91-03-090	478-116-160	AMD	91-11-029	478-276-060	AMD-P	91-04-058
463-42-680	NEW-P	91-03-132	478-116-160	AMD	91-12-047	478-276-060	AMD	91-10-031
463-42-680	NEW	91-09-040	478-116-210	AMD-P	91-06-092	478-276-080	AMD-P	91-04-058
463-43-060	AMD	91-03-090	478-116-210	AMD	91-11-029	478-276-080	AMD	91-10-031
463-47-060	AMD	91-03-090	478-116-210	AMD	91-12-047	478-276-100	AMD-P	91-04-058
463-50-030	AMD	91-03-090	478-116-230	AMD-P	91-06-092	478-276-100	AMD	91-10-031
463-54-070	AMD	91-03-090	478-116-230	AMD	91-11-029	478-276-110	AMD-P	91-04-058
463-58-030	AMD	91-03-090	478-116-230	AMD	91-12-047	478-276-110	AMD	91-10-031
468-16-010	NEW	91-04-014	478-116-240	AMD-P	91-06-092	478-276-130	REP-P	91-04-058
468-16-020	NEW	91-04-014	478-116-240	AMD	91-11-029	478-276-130	REP	91-10-031
468-16-030	NEW	91-04-014	478-116-240	AMD	91-12-047	479-02-010	NEW-P	91-10-037
468-16-040	NEW	91-04-014	478-116-250	AMD-P	91-06-092	479-02-010	NEW	91-13-056
468-16-050	NEW	91-04-014	478-116-250	AMD	91-11-029	479-02-020	NEW-P	91-10-037
468-16-060	NEW	91-04-014	478-116-250	AMD	91-12-047	479-02-020	NEW	91-13-056
468-16-070	NEW	91-04-014	478-116-260	AMD-P	91-06-092	479-02-030	NEW-P	91-10-037
468-16-080	NEW	91-04-014	478-116-260	AMD	91-11-029	479-02-030	NEW	91-13-056
468-16-090	NEW	91-04-014	478-116-260	AMD	91-12-047	479-02-050	NEW-P	91-10-037
468-16-100	NEW	91-04-014	478-116-300	AMD-P	91-06-092	479-02-050	NEW	91-13-056
468-16-110	NEW	91-04-014	478-116-300	AMD	91-11-029	479-02-060	NEW-P	91-10-037
468-16-120	NEW	91-04-014	478-116-300	AMD	91-12-047	479-02-060	NEW	91-13-056
468-16-130	NEW	91-04-014	478-116-360	AMD-P	91-06-092	479-02-070	NEW-P	91-10-037
468-16-140	NEW	91-04-014	478-116-360	AMD	91-11-029	479-02-070	NEW	91-13-056
468-16-150	NEW	91-04-014	478-116-360	AMD	91-12-047	479-02-080	NEW-P	91-10-037
468-16-160	NEW	91-04-014	478-116-390	AMD-P	91-06-092	479-02-080	NEW	91-13-056
468-16-170	NEW	91-04-014	478-116-390	AMD	91-11-029	479-02-090	NEW-P	91-10-037
468-16-180	NEW	91-04-014	478-116-390	AMD	91-12-047	479-02-090	NEW	91-13-056
468-16-190	NEW	91-04-014	478-116-450	AMD-P	91-06-092	479-02-100	NEW-P	91-10-037
468-16-200	NEW	91-04-014	478-116-450	AMD	91-11-029	479-02-100	NEW	91-13-056
468-16-210	NEW	91-04-014	478-116-450	AMD	91-12-047	479-02-110	NEW-P	91-10-037
468-38-035	REP-P	91-06-078	478-116-455	NEW-P	91-06-092	479-02-110	NEW	91-13-056
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